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DEPARTMENT OF
WATER RESOURCES

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Subcase

29-14178

(Insert water right number)

Case No. 39576

MOTION FOR DETERMINATION OF
DEFERRED *DE MINIMIS* DOMESTIC OR
STOCK WATER USE

Please fill in the following information:

NAME AND ADDRESS OF WATER RIGHT CLAIMANT.

Name: Jerre Evans or Monte Evans
Address: 5050 Bailey Road
Arbon ID 83212
Daytime Phone: 208 335 2168

Name & Address of Attorney, if any:

Jerry Rigby
25 N 2nd E
Rexburg ID 83440

I HAVE ATTACHED:

- ☒ A fully completed Notice of Claim (available from IDWR).
- ☒ A claim filing fee for a domestic and stock water use pursuant to I.C. § 42-1414. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ 25.00.

Bannock Valley

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cultivation of the land.

itivation—Cultivation of the land for a period of at
o years was required and this must generally consist
al breaking of the soil, followed planting, sowing
and tillage for a crop other than native grasses.

habitable House—The homestead entryman or those
ding to his rights had to have a habitable house upon
ed entered at the time of submitting final proof.

Submission of Proof—Final proof could be made at any
when it could be shown that there was a habitable
upon the land and that residence and cultivation re-
nents had been met. Proof had to be submitted within
ears from the date of allowance of the entry. When a
ant was ready to submit proof, the land office should
been notified. Upon receipt of such notice full instruc-

was given regarding the procedure which had to be
followed. Payment of \$25 final proof was required when final
proof testimony was submitted. The fee was not returnable.

The laws provided for the commutation of a homestead
entry before the completion of the three years period of
residence, after 14 months continuous residence, and by the
payment of \$1.25 per acre or, where the land was within the
limits of certain railroad grant, \$2.50 per acres, and upon
the proof the substantial improvements and cultivation of
not less than one-sixteenth of the acre.

EARLY CLAIMS

Before Bannock Valley was opened for
homesteading, many settlers came out and set up
squatters rights. Also they could file a Possessory
Claim on the land they wanted to settle on. Following
are some of the earliest claims.

Possessory Claims

1884	William E. Jones	Bannock Valley
1885	Thomas Sparks	Bull Canyon
1885	Charles Herman	Bull Canyon
1889	Joseph Smith	Rock Spring, Bannock Valley
1889	William D. Thews	Rock Springs, Bannock Valley
1889	R.W. Caldwell	Bannock Valley
1889	David M. Daniels	Big Meadows
1889	Noah Reese	Rock Springs, Bannock Valley
1889	John W. Lusk Jr.	Big Meadows
1889	Henry Bolingbroke	Big Meadows
1889	Lehi Wright	Rock Springs, Bannock Valley
1891	Hugh McGalton	Bannock Valley
1893	Joseph W. Ward	Lake Canyon, Bannock Valley
1893	Michael Murphy	3 miles north of Bull Canyon

Water Rights

1889	Lehi Wright	West Fork of Bannock R.
1889	S.D. Rawson	West Fork of Bannock R.
1889	C.W. Richards	West Fork of Bannock R.
1889	Joseph Smith	West Fork of Bannock R.
1889	Wm. B. Thews	West Fork of Bannock R.
1889	Wm. R. Caldwell	West Fork of Bannock R.
1889	Hannah Caldwell	West Fork of Bannock R.
1889	John W. Lusk Jr.	South Fork of Rattle Snake
1889	Henry Bolingbroke	South Fork of Rattle Snake
1889	D.M. Daniels	South Fork of Rattle Snake
1889	Thomas Price	South Fork of Rattle Snake
1889	Joseph Smith	Rock Springs
1892	N.L. Hughes	Bannock Creek

1892	P.L. Hughes	Rattle Snake Creek
1892	S.D. Davis	Crow Creek
1892	Edmond Wright	Head of Bannock Creek
1893	Michael Murphy	Lake Canyon
1893	N.E. Jenkins	Sheep Creek
1893	Ester Jenkins	Sheep Creek
1893	Daniel E. Jenkins	Sheep Creek
1893	Edmond J. Wright	Wrights Canyon
1893	Joseph W. Ward	Lake Creek
1893	John H. Williams	Knox Canyon
1893	D.T. Davis	Knox Canyon
1893	H.E. Davis	Knox Canyon
1893	John Bowen	Knox Canyon
1893	M.D. Davis	Knox Canyon
1893	Chars. Bowen	Spring No. 2 S. from Knox
1893	Lewis Bowen	Spring No. 2 S. from Knox
1894	T.B. Evans	Meadow Springs
1894	Lorenzo B. Evans	Meadow Springs
1894	Susannah Evans	Meadow Springs
1894	George W. Jacobs	Meadow Springs
1894	Lorenzo B. Evans	Locomotive Springs
1894	T.B. Evans	Locomotive Springs
1894	Susannah Evans	Locomotive Springs
1894	George W. Jacobs	Locomotive Springs
1894	T.E. Price	West Fork
1894	D.W.K. Keeney	West Fork

Bannock Valley was surveyed in 1899 by Oscar
Sonnenkalb. The earliest homestead entry in Ban-
nock Valley occurred on April 1, 1901, but was later
cancelled in 1904. The earliest patented Homestead
Entry in Township 11 South Range 33 East was in
Section 1, Lot 1. It was 39.97 acres and that was dated
June 2, 1904. The last homestead patent was dated in
1931. The last Stock-raising Homestead Entry was
dated in 1943.

*Donham Daniels, sometime between 1887 and
1889 attempted to settle in the Arbon area of the val-
ley on the upper meadows along Bannock Creek. He
and a partner cut cedar posts from the hills east of
where the Evans' settled a few years later. Their lives
were threatened by cowboys of the Sparks cattle outfit
if they built any fences so they gave up and went back
to Pauline-West Fork area. Some of these cut cedar
posts were found by D.J. Bowen in the early 1890's
when he settled in the valley at the foot of Bowen's
mountain.

ARTICLES OF INCORPORATION

Three different companies could be found per-
taining to Bannock Valley in the early days. Two of
these were Irrigation companies. One the Bannock
Valley Irrigation Company filed on May 18, 1895 and
the other the Arbon Irrigation Company filed
December 17, 1910. The third company was the Ban-
nock Valley Coal Company.

*(Sent in by Dean Price)