

09/18/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 1-2007A

NAME AND ADDRESS: RANDALL S FOWLER
651 MEMORIAL DR
POCATELLO ID 83201

KERI L FOWLER
651 MEMORIAL DR
POCATELLO ID 83201

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.140 CFS

PRIORITY DATE: 09/15/1905

POINT OF DIVERSION:

T01N R43E S12 NWSWNE Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.140 CFS
STOCKWATER	04/15 10/31	0.020 CFS

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T01N R43E S02 Lot 8 SESE 7.06

STOCKWATER same as IRRIGATION

7.06 ACRES TOTAL

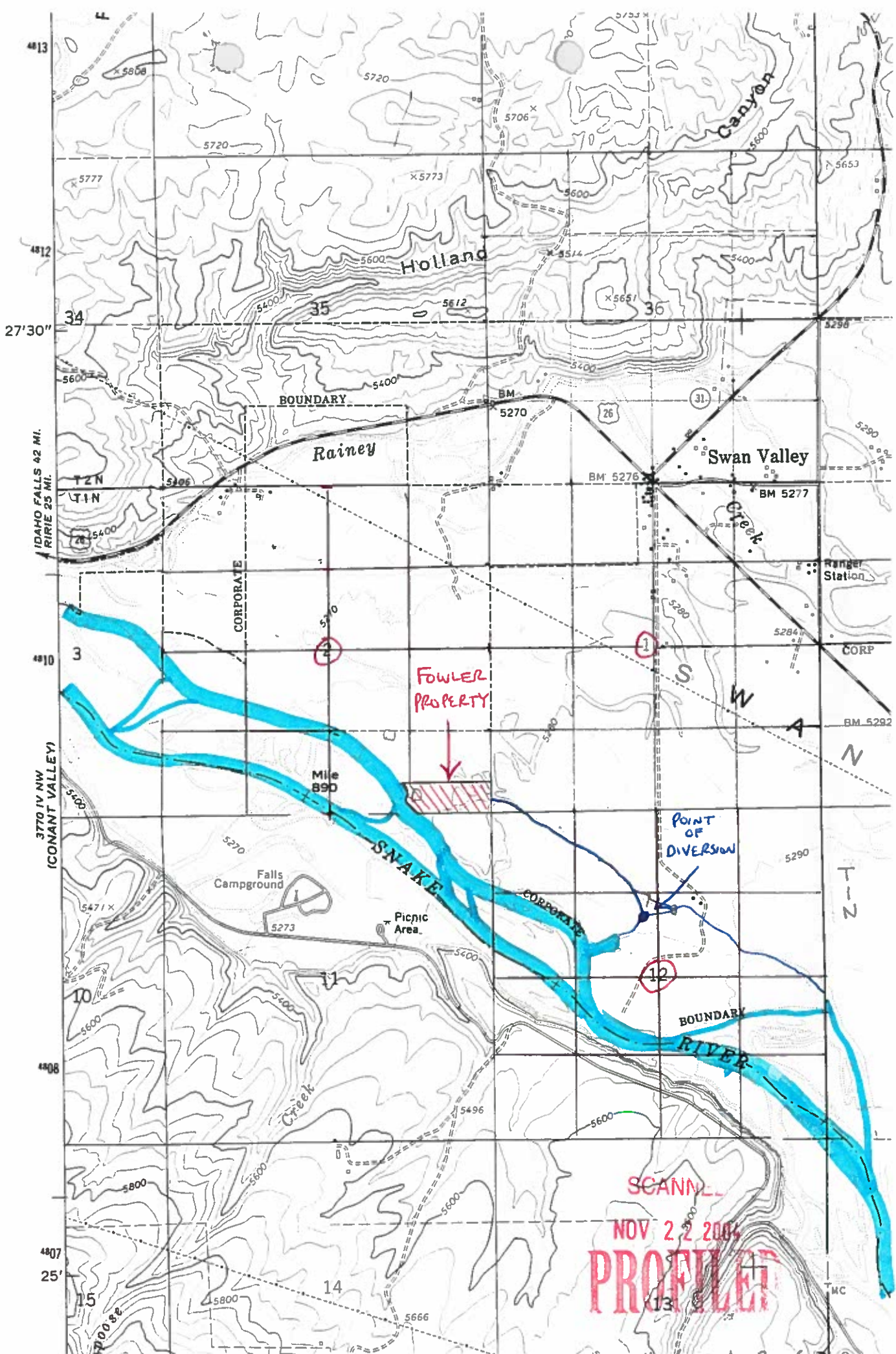
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Stockwater use is for 6 horses.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.



FOWLER
39576

SCANNED
NOV 22 2004
PROFILE

11/15/2006

NOTICE OF ERROR
REPLY

RECEIVED

NOV 24 2006

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation. ^{Department of Water Resources} Eastern Region

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 1-2007A

RANDALL S FOWLER
651 MEMORIAL DR
POCATELLO ID 83201
Telephone Number: (208) 478-2255

KERI L FOWLER
651 MEMORIAL DR
POCATELLO ID 83201
Telephone Number: (208) 478-2255

Address Change:

285 Rocky Channel Road
Swan Valley Idaho 83449

Telephone: 208-234-2233

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

Address change only

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 11/17/06 SIGNATURE: Randall S Fowler

Please print your name: Randall S Fowler

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

Address Changed
KMT 11/30

KMT
11/30



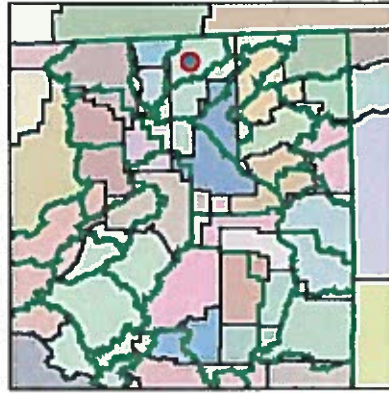
Idaho Department of Water Resources

SRBA Recommendation:

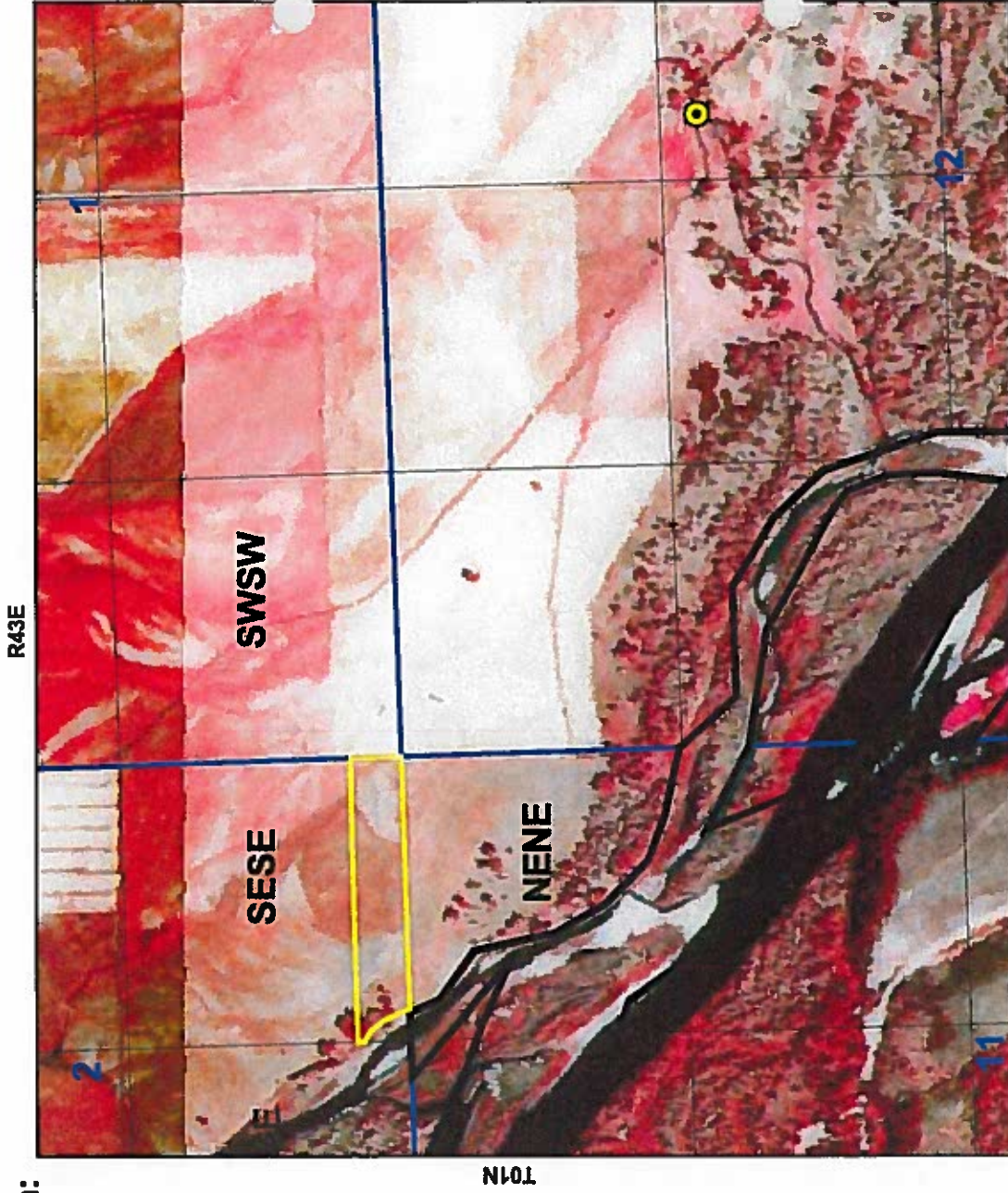
1-2007A

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Bonneville County
IDWR Basin 1



0 0.3 0.6 Miles

Prepared by A. Golart
On Friday, September 15, 2006
1987/88 Aerial Photography

Water Right No(s). A 01-2007A

Note that P.O.D is in the SWNE, not
the SENE Sec 12.

GPS data - 2715410
1362521

GPS
File - 012007A

GPS DATA:

Tag # A0013603 ^{Existing} Location: on Rock Dam on Slough

Diversion Data:

Source: Snake River Trib to: Columbia River

MOTOR Ditch off Brandwine Slough
Make: _____ Model: _____ Hp: _____
SN: _____

PUMP
Make: _____ Model: _____ Disch: _____
SN: _____

NOTES:

Brandwine Slough brings water to rock dam & diverts water to
ditch that runs to NE corner of Fowler property. Mr Fowler
has a pond on property that he will transfer his P.O.D to
after the adjudication is over. Ditches have been realigned recently
as there is now a subdivision on all the Farm ground in the area.

Field Exam Date: 4-12-06 Agent: D.W. Jones

Attention Herald Jones

Re: FOWER water rights

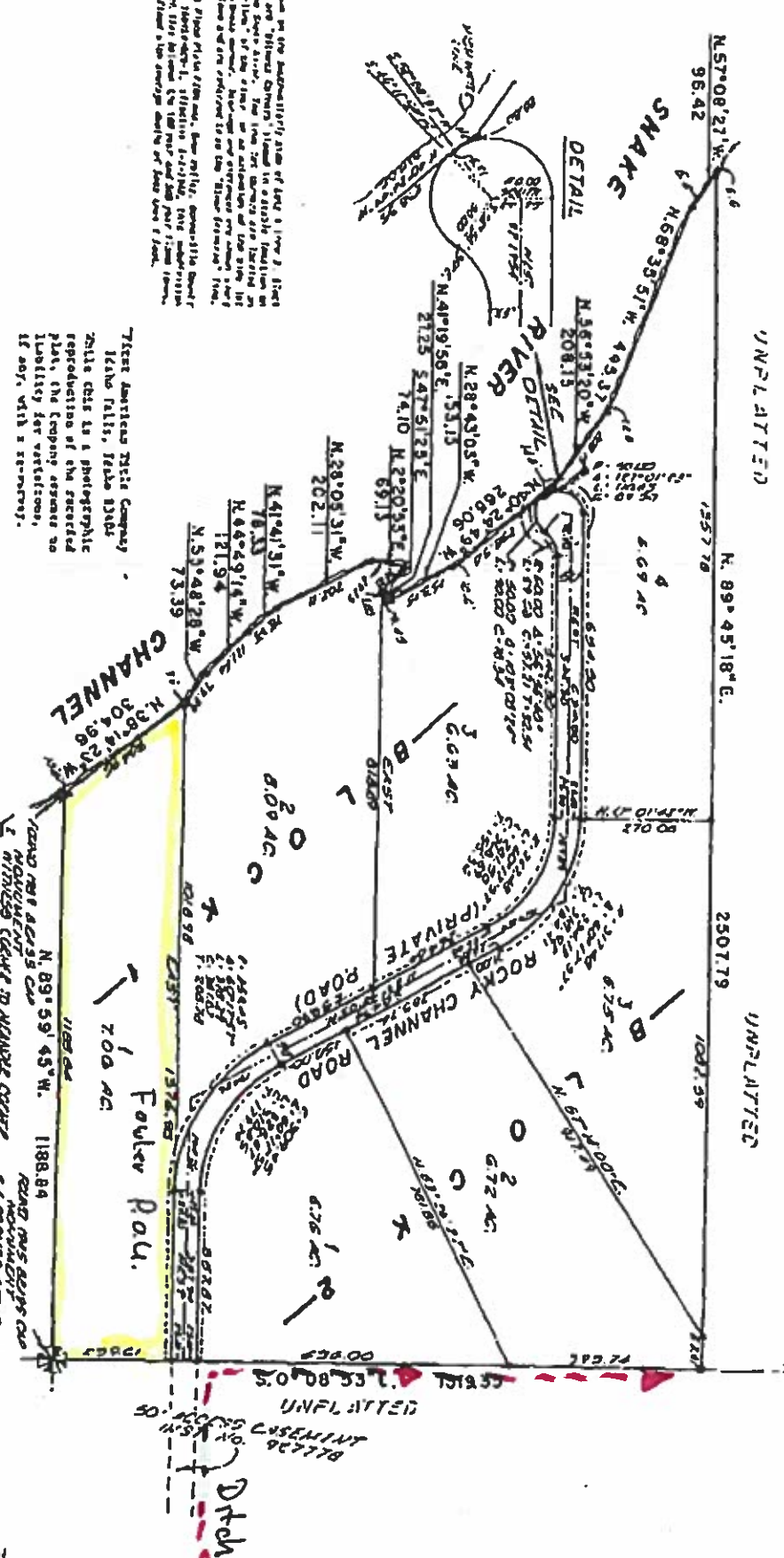
Thanks so much for your help!

fuel file

ROCKY CHANNEL RANCH DIVISION NO. 1

CITY OF SWAN VALLEY, BONNEVILLE COUNTY, IDAHO
LYING IN LOTS 7 AND 8, SECTION 2, T. 1 N., R. 43 E., B. M.

- LEGEND**
- Boundary line 200' wide, shown with pinkish color and 100' wide
 - Boundary line 100' wide, shown with pinkish color and 50' wide
 - 100' wide, shown with pinkish color and 50' wide
 - 50' wide, shown with pinkish color and 25' wide



NOTES

The first section shown on the map is the 100' wide, shown with pinkish color and 50' wide, shown with pinkish color and 25' wide, shown with pinkish color and 12.5' wide, shown with pinkish color and 6.25' wide, shown with pinkish color and 3.125' wide, shown with pinkish color and 1.5625' wide, shown with pinkish color and 0.78125' wide, shown with pinkish color and 0.390625' wide, shown with pinkish color and 0.1953125' wide, shown with pinkish color and 0.09765625' wide, shown with pinkish color and 0.048828125' wide, shown with pinkish color and 0.0244140625' wide, shown with pinkish color and 0.01220703125' wide, shown with pinkish color and 0.006103515625' wide, shown with pinkish color and 0.0030517578125' wide, shown with pinkish color and 0.00152587890625' wide, shown with pinkish color and 0.000762939453125' wide, shown with pinkish color and 0.0003814697265625' wide, shown with pinkish color and 0.00019073486328125' wide, shown with pinkish color and 0.000095367431640625' 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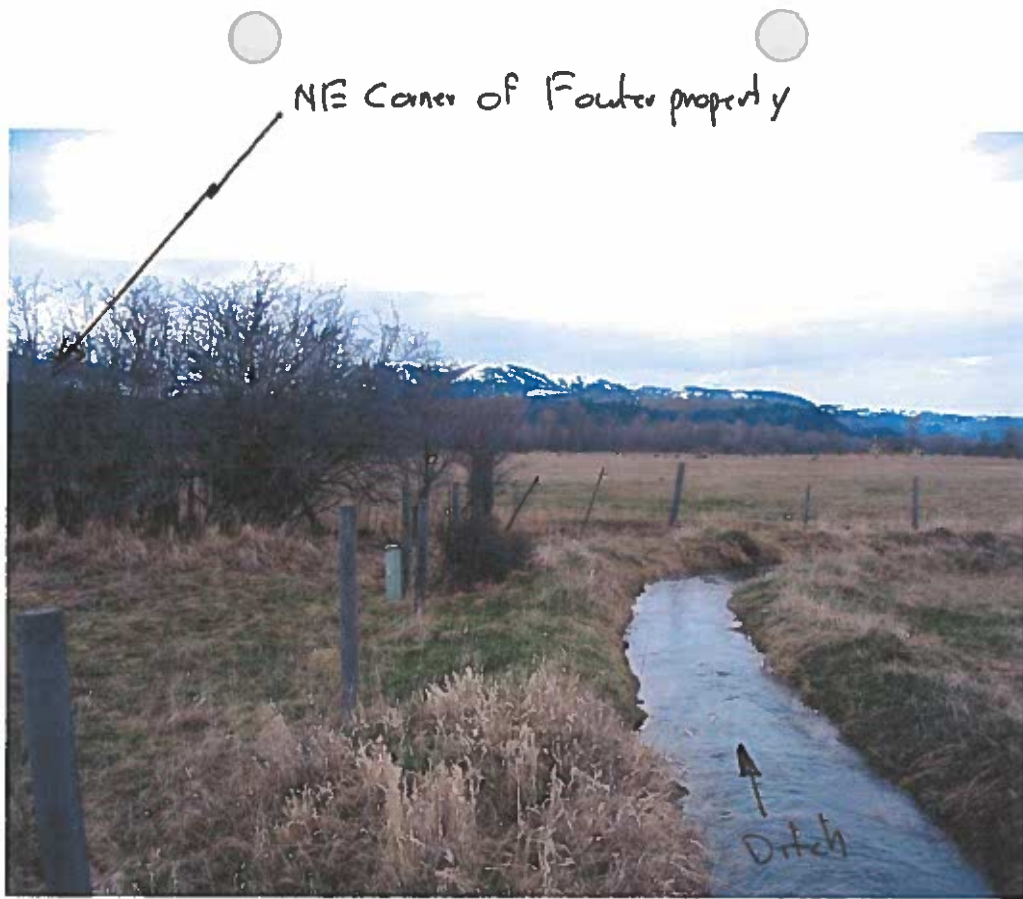
SWNE



AGI-2007A, Ditch diversion off slough



Aug-2007A, existing GPS Tag on Rock Dam.



AOI-20074, Ditch, looking West

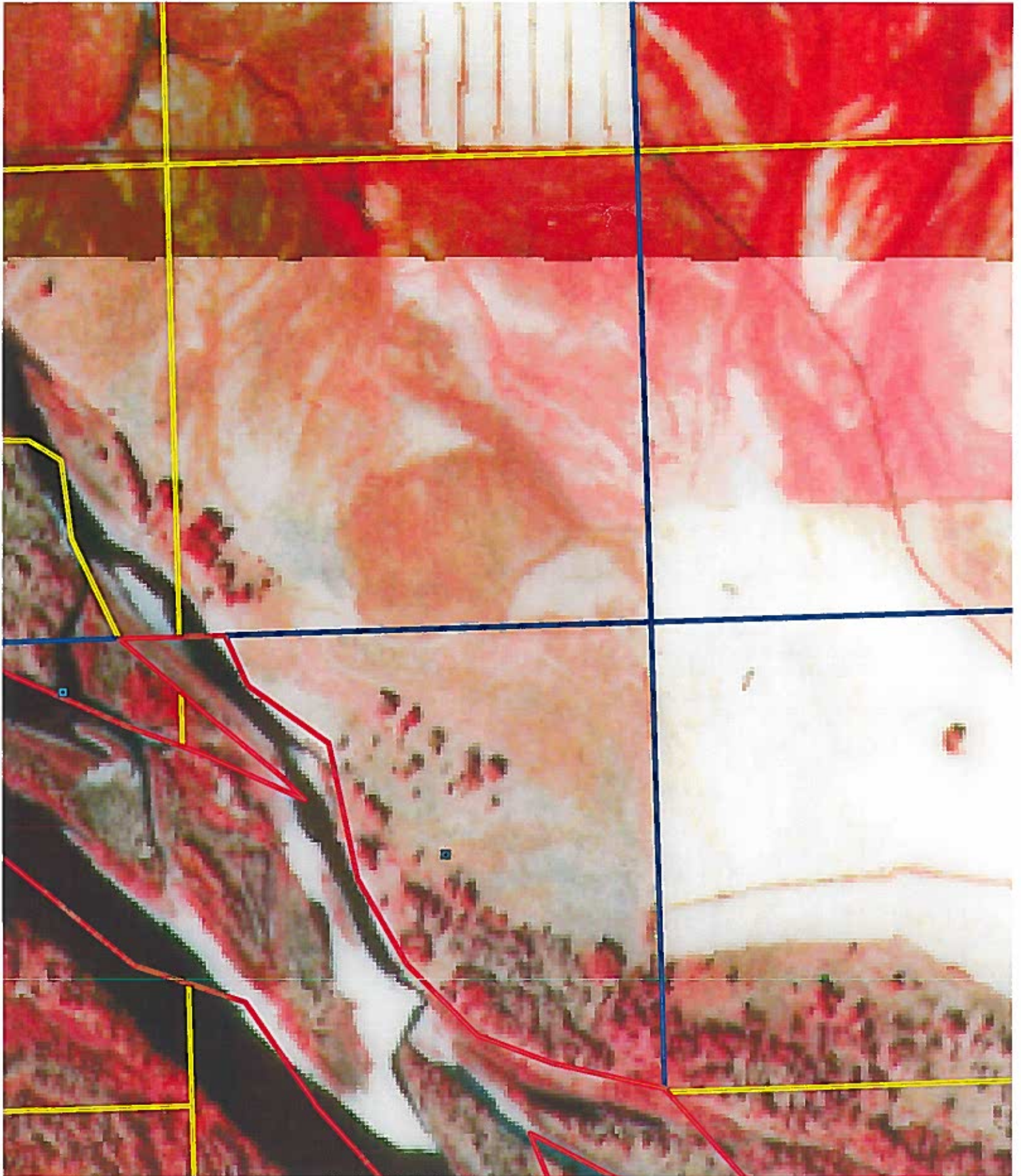


A 01-20074, Excavation on property - future P.O.D



A01-2007A, P.O.V looking East

01-2007A



 Bingham County *
 S.Fork Snake River *
 1.7 sec.ft. *
 Irrigation *
 Priority 9-15-05 *

S T A T E O F I D A H O

Water License No.1654.

WHEREAS, On the 15th day of September, A.D.1905, JOHN E. BEEKMAN of Irwin, County of Bingham and State of Idaho, duly made application (No.2148) to me for a permit to use 2.8 cubic feet per second of the waters of South Fork of Snake River, County of Bingham, State of Idaho, for irrigation and domestic purposes; and

WHEREAS, On the 2nd day of November, A. D. 1905, Permit No. 1654 was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 1st day of July, A.D. 1906, and for the application to beneficial use of said water on or before the 1st day of July, A.D.1907, and

WHEREAS, On the 30th day of June, A.D.1906, the holder of said permit duly made proof of the completion of adequate works for the diversion of 2.8 cubic feet per second of said waters, as evidenced by my Certificate No. 1654, dated August 16,1907, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 2.8 cubic feet per second of water, with date of priority of September 15,1905, and,

WHEREAS, On the 1st day of July, A.D.1907, proof was duly made of the application to beneficial use of 1.7 cubic feet per second of said water;

NOW, THEREFORE, By virtue of the authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to JOHN E. BEEKMAN of Irwin, Idaho, the holder and owner of said Permit No. 1654, a perpetual right dating from September 15,1905 to the use of 1.7 cubic feet per second of the waters of South Fork of Snake River, in the County of Bingham and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the Southeast quarter of Northwest quarter, Section 12, Township 1 North, Range 43 East B.M. and conducted to and upon the Southeast quarter of Southeast quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) 28 acres in Southwest quarter of Southeast quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) and 17 acres in Southeast quarter of Southwest quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$) Section 2, Township 1 North, Range 43 East of Boise Meridian, for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

(SEAL)

Recorded August 16,1907.

WITNESSE, My hand and the seal of my office at Boise,
 Idaho, this 16th day of August, A.D.Nineteen hundred
 and seven.

Jas. Stephenson, Jr.

State Engineer.

$$\frac{1.7 \text{ cfs}}{45 \text{ acres}} = \phi. \phi 2 \frac{\text{cfs}}{\text{acre}} * 7. \phi 6 \text{ acres} = \phi. 141 \text{ cfs.}$$

No. 2148.

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho.

1. Name of applicant - JOHN E. BECKMAN
Postoffice address: P. O. - Irwin, Idaho.
County - Bingham.
2. The quantity of water claimed is 2.8 cubic feet per second.
3. Source of water supply - South Fork of Snake River.
County of Bingham.
4. Location of point of diversion - Slough SW4 SW4 of Sec. 7, Township 1 N., R. 44 E.
Ditch E2 of NW4 of Sec. 12, Township 1 N., Range 43 E.
5. To be Used for:
 - I. Irrigation and domestic use:
 - (a) Number of acres to be irrigated - 140 acres.
 - (b) In the following legal subdivisions - S2 SE4, S2 SW4 Sec. 2, Township 1 N., R. 43 E. A fraction 24 acres in NE4 of NE4 Sec. 11, Township 1 N., Range 43 E.
6. Estimated cost of works - \$200.00
7. Description of Works for Diversion:
 - I. Kinds of works - Dam.
 - II. Dimensions of Works:
 - (a) Height of dam $3\frac{1}{2}$ feet, length of dam at top 20 feet, length of dam at bottom 10 feet, material used in construction wood & stone.
 - (c) Size of headgate, width $3\frac{1}{2}$ feet, height $1\frac{1}{2}$ feet.
 - (d) Ditch, width at bottom 3 feet, width at water line $3\frac{1}{2}$ feet, depth of water 1 foot. Average grade per mile is 4 feet. Length of ditch is 3000 ft., and it crosses the following quarter sections (Length of Slough about $1\frac{1}{8}$ miles) Slough SW4 Sec. 7, T. 1 N., Range 44 E., SE4 & NE4 and NW4 Sec. 12, T. 1 N., R. 43 E. - Ditch NW4 Sec. 12 & SW4 Sec. 1, T. 1 N., R. 43 E., to S2 SE4 of Sec. 2, T. 1 N., Range 43 E., which is the point of intended use.
8. Time required for the completion of the construction of such work is July 1, 1906
9. Time required for the complete application of the water to the proposed use is one additional year.

Approval of State Engineer.

The number of this permit is 1654.

Date of first receipt of application 9 a. m. September 15, 1905.

Returned to applicant for correction September 15, 1905.

Corrected application received November 1, 1905.

Recorded in Book 5, page 1654. Approved November 2, 1905.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho and hereby grant the same, subject to the following limitations and conditions:

Work to begin on or before January 1, 1906, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before April 1, 1906.

The whole of said work to be completed on or before July 1, 1906.

The time for the proof of beneficial use of water appropriated in accordance herewith, to extend to July 1, 1907.

Witness my hand this 2nd day of November, 1905.

Jas. Stephenson, Jr.

State Engineer.

Notice of proof of completion of works mailed applicant April 1, 1906.

Notice received April 23, 1906, fixing June 30 as the date and Irwin, Idaho, as the place of proof. Notice for publication sent to the Times at Idaho Falls, Idaho, May 29, 1906.

Deposition blanks mailed applicant May 29, 1906.

Depositions of holder and witnesses received July 13, 1906, also, fees received same date.

Affidavit of publication received December 3, 1906.

Notice of proof of beneficial use mailed applicant April 1, 1907.

Notice received May 1, 1907, fixing July 1, 1907, as the date of proof and Irwin, Idaho, as the place of proof.

Notice for publication sent to the Times at Idaho Falls, Idaho, May 2, 1907.

Deposition blanks mailed applicant May 2, 1907.

Mr. George Vedekind requested to examine works and so notified May 21, 1907.

Depositions received July 11, 1907, also, affidavit of publication and fees received same date.

Report of Mr. Vedekind received August 9, 1907.

All papers being in and satisfactory Certificate of Completion of works and license were duly issued the 16th day of August, 1907.

Permit No. 1654.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that JOHN E. BECKHART of Irwin, County of Bingham and State of Idaho the holder of Permit No. 1654, issued upon Application No. 2148, bearing date of priority of September 15, 1906, authorizing the diversion of 2.8 second feet of the waters of South Fork of Snake River, County of Bingham, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 2.8 second-feet of the waters of South Fork of Snake River; that the point of diversion of said waters is in the

southeast quarter of Northwest quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$) Section 12, Township 1 North, Range 43 East of Boise Meridian, and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: South half of South half (S $\frac{1}{2}$ S $\frac{1}{2}$) Section 2, Northeast quarter of Northeast quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$) Section 11, Township 1 North, Range 43 East of Boise Meridian,

Witness my hand this 16th day of August, A.D.1907.

Jas. Stephenson, Jr.

State Engineer of the State of Idaho.

License in

17
0.86

second feet

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 1-2007A
Date Received: 4/9/2002
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

RANDY FOWLER Phone: (208)234-2233

7776 PORTNEUF RD
POCATELLO ID USA 83204

KERI L FOWLER Phone: (208) 239-1800

7776 W PORTNEUF RD
POCATELLO ID USA 83204

2. Date of Priority: 09/15/1905

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	43E	12	SE NW	BONNEVILLE	

5. Description of diverting works:

HEADGATE/DITCHES ON BRANDY WINE SLOUGH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/31	0.26	
STOCKWATER	04/15	10/31	0.02	

7. Total Quantity Appropriated is:
0.28 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	43E	2	SE	SE	IRRIGATION	7.06
Section Acres						7.06
Total Acres						7.06

11. Place of use in counties: BONNEVILLE

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

STOCKWATER 6 HORSES

15. Basis of Claim: License

SCANNED

NOV 22 2004

2
PROFILED

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number

01-2007A

Date Received

4-9-02

Receipt Number

E027619

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

APR 09 2002

Department of Water Resources
Eastern Region

Please type or print clearly

1. Name of Claimant (s) RANDALL & KERI FOWLER Phone (208) 478-2255Mailing Address 7776 PORTNEUF ROAD POCAHELLO, ID Zip 832042. Date of Priority (Only one (1) per claim) 9/15/19053. Source of water supply (a) SNAKE RIVER
which is tributary to (b) COLUMBIA RIVER4. a. Location of existing point of diversion is: Township 01N Range 43E Section 12,
SE 1/4 of NW 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of BONNEVILLEAdditional points of diversion if any: NA

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____
_____ 1/4, Govt. Lot _____ B.M., County of _____5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.HEADGATE/DITCHES ON BRANDYWINE SLOUGH

A0102007A



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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 4/15 to 10/31 amount 0.26 or _____

For STOCKWATER purposes from 4/15 to 10/31 amount 0.02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.28 (cfs) and/or (b) 0.5554 (acre feet)

8. Total consumptive use claimed is 17.65 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) HORSES < SIX / STOCKWATER

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
01N	43E	2																7.06	7.06

Total number of acres irrigated 7.06

11. In which county (ies) are lands listed above as place of use located? BONNEVILLE

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

_____ or None (X)

14. Remarks:

My property originally owned by Leland D. Beckman,
and was purchased from the Leland D. Beckman Foundation
on 12/8/95. Its legal description was Government Lots 6, 7, 8,
and is now Rocky Channel Ranch. My property is described
as LOT ONE / BLOCK ONE. My two attachments include a copy
of Mr Beckmans drawing and my map of project.

Last Name FOWLER Ident No. 39576

SCANNED

NOV 22 2004

Copies: White - State, Yellow - Claimant

PROFILED

15. Basis of Claim (check one) Beneficiary Use _____ Posted Notice _____ License ☒ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 1-2007
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do ~~not~~ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Keri L Fowler Date 4-8-02

[Signature] Date 4-8-02

For Organizations: I do solemnly swear or affirm that I am (N.A.) Title _____

of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

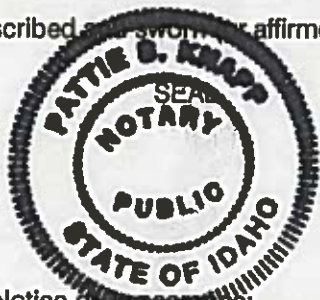
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 8th day of April 2002



Notary Public Pattie G. Knapp

Residing at Pocatello

My Commission Expires 1-14-2008

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, (N.A.) will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

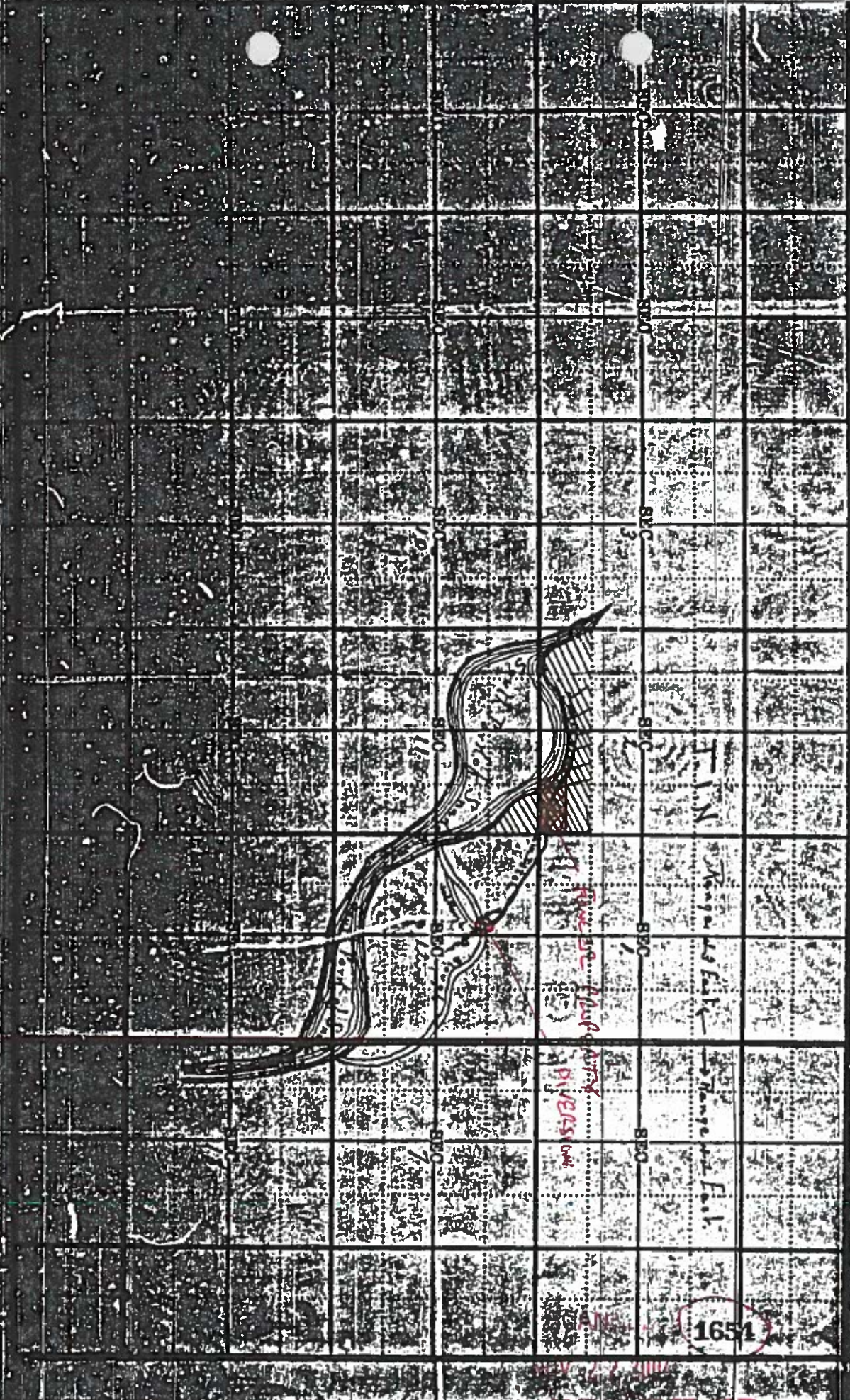
SCANNED

NOV 22 2004

Last Name FOWLER Ident. Number 39576

Copies White-State, Yellow-Claimant

FILED



FOWLER

39576

PROFILED

Attachment 1 of 2