

11/08/2004

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

RIGHT NUMBER: 1-10444
NAME AND ADDRESS: DARLENE HANCOCK
945 N 3300 E
MENAN ID 83434
MYRON HANCOCK
945 N 3300 E
MENAN ID 83434

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.224 CFS

PRIORITY DATE: 10/01/1901

POINT OF DIVERSION:
T05N R38E S20 SWNENW Lot 3 Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.224 CFS

PLACE OF USE: IRRIGATION Within JEFFERSON County

T05N R37E S24	NWNW	35.0	T05N R37E S24	SWNW	40.0
T05N R37E S24	NWSW	38.0			

113 ACRES TOTAL

Use of the rights listed below is limited to the irrigation of a combined total of 113 acres in a single irrigation season. Combined Right Nos.: 1-10441, 1-10444, and 1-10464.

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 - Decreed

Use of this right is combined with water from Long Island Irrigation Co.

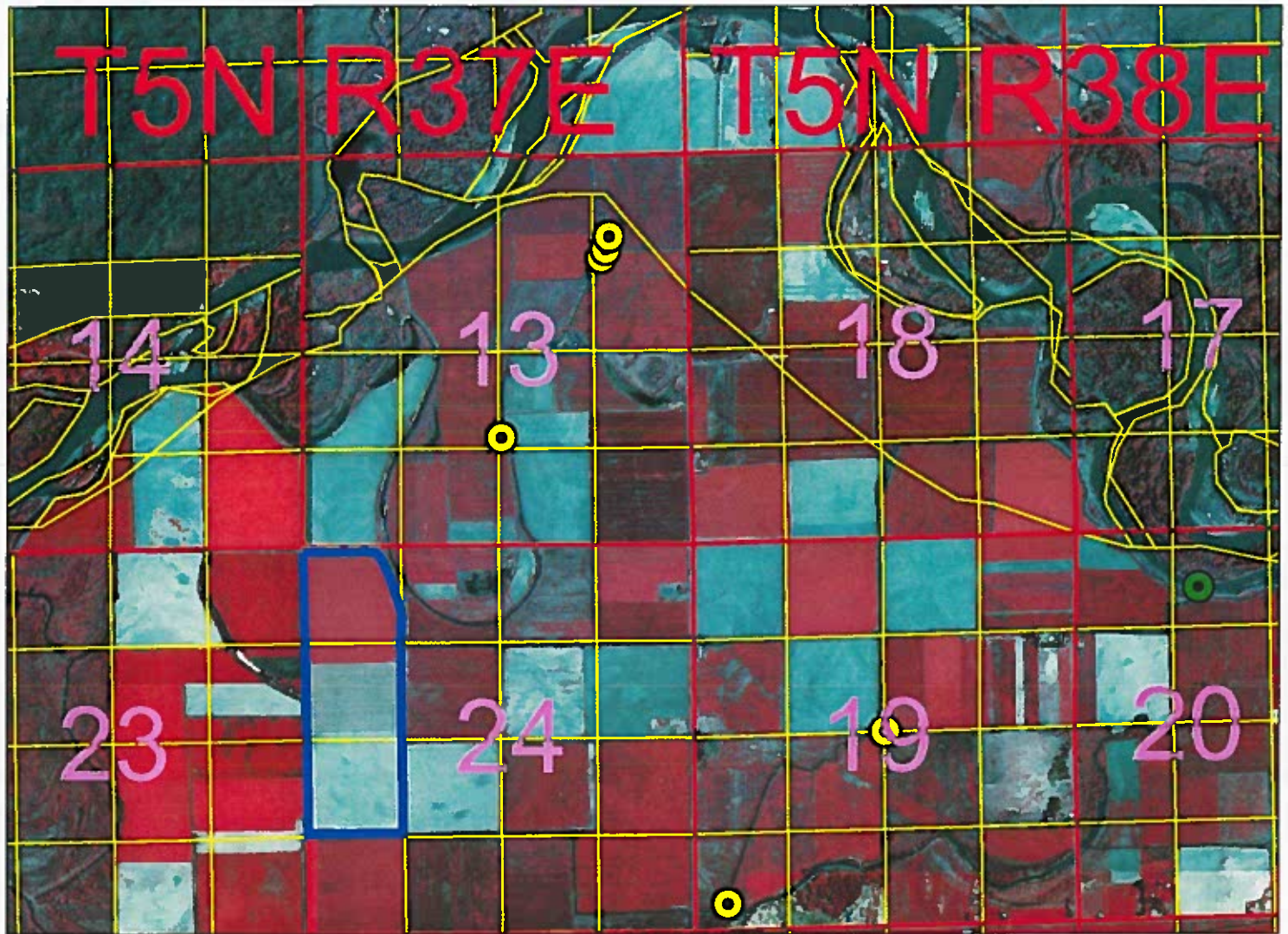
Water is delivered through Bear Trap Canal.

This right is a split from former right 25-250.



Department of Water Resources

Claim Nos.: 1-10441, 1-10444,
and 1-10464



0 0.5 1 1.5 2 Miles

-  Place of Use
-  Point of diversion
-  Sections
-  QQ

PROFILED



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by M. Holliday
Date: November 2004

A01-10033

CLYDE BOYCE
0.292 CFS
143 AC

A01-10444

MYRON HANCOCK
0.224 CFS
114 AC

A01-10445

ROLAND WALKER
0.364 CFS
189 AC

A01-10446

DEAN BOYCE
0.24 CFS
115.5 AC

NORTHERN TRUST

1.12 CFS

P/D 5N38E20 NENW

548 ACRES

XFR 3104

A01-10447

VERDA MUNNIS
0.74 CFS
104 AC

WILLIAM LUXTON

1.68 CFS

25-250

WILLIAM LUXTON

2.80 CFS

OCT 1, 1901

BEAR TRAP CR

5N37E 25 E 1/2 NW

NNNW

E 1/2 SW

24 S 1/2 SE

27 SENW

SWNE

NENE

20 T 1

26 N 1/2 NE

N 1/2 NW

23 SE 1/4

NE 1/4

919.88 acres

same land
description

25-249

23103

XFR 3104
CHANGE IN SOURCE
AND POW. P/D
IS HEAD OF
BEAR TRAP CANAL.

DIVERSION
VOLUME

TOTAL DIVERSION:	0.560 CFS
CONSUMPTIVE USE:	285.00 AFA

Stage: DECREED

JEFFERSON County

114.0

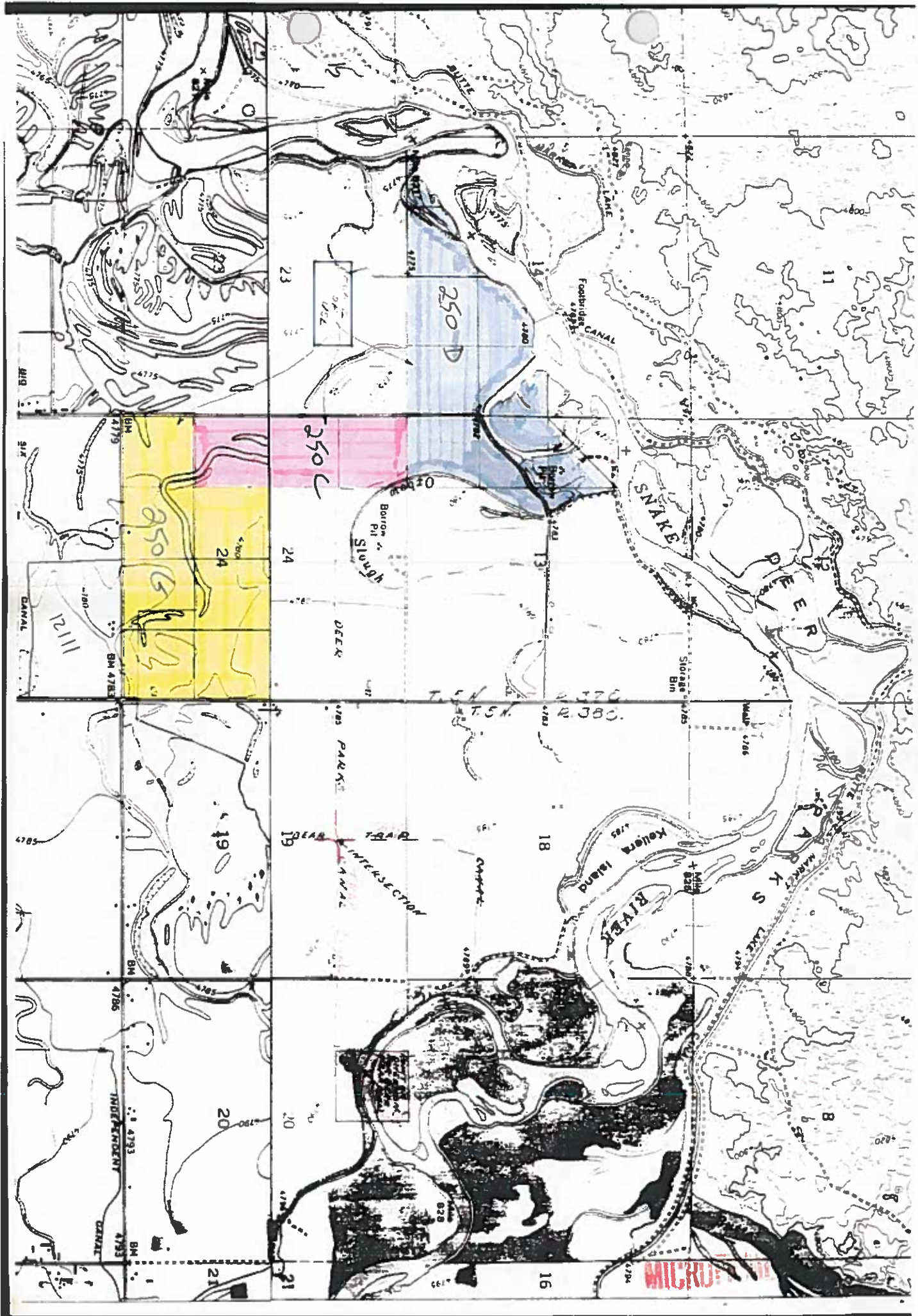
Other	Water Rights Listing Overlapping Place(s) of Use:
A01-00109G	A01-00110E A01-00111E A01-00112E A01-00113E A01-00114C A01-00115S A01-00317 A25-00249C A25-00254C
A01-000354	A01-10032 A01-10033 A25-00230A A25-00230B A25-00230C A25-00230E A25-00237 A25-00238 A25-00239
A25-00246A	A25-00246B A25-00247 A25-00249A A25-00249C A25-00249D A25-00250D A25-00250G A25-00251F A25-00251G
A25-000252	A25-00254C A25-00261B A25-11737 A25-12110 A25-12111

WATER IS DIVERTED AT BEAR TRAP CANAL HEADWORKS; THENCE THROUGH BEAR TRAP CANAL TO INTERSECTION WITH DEER PARKS CANAL IN THE NORTH HALF OF SECTION 19, T 5 N., R 38 E.; THENCE THROUGH THE DEER PARKS CANAL TO PRIVATE DITCHES ON LAND WHERE USED.

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:	
		Presumption Flag:	
Audit:	11/23/88 CARLSEN	03/29/95 POST-STD	

rec 0.224

25-250



Transfer No. 3104
25-0250
 Water Right No. 01-0259

STATE OF IDAHO
 DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

APPROVED

To Change the Point of Diversion and/or the Place of Use

as Trustee of Trust No. 2-45934

Name of applicant THE NORTHERN TRUST COMPANY Phone (208) 523-0620

Post Office address c/o Holden, Kidwell, Hahn & Crapo; P.O. Box 129; Idaho Falls, ID 83402

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to William Luxton (Name)
 in case of Rexburg Irrigation Co., et al vs Teton Irrigation Canal Co., et al
 dated in Dec. 16, 1910 in Sixth District Court county of Fremont
 (Name of court)

b. License No. _____ issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____

Purchase--see attached deed.

3. Source of water Bear Trap Creek tributary to Snake River

4. Date of priority October 1, 1901

5. Water is used for the following purposes:

amount 2.8 cfs for irrigation purposes from April 1 to November 1

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____
 (month/day -- both dates inclusive)

6. Total amount of water under right: a. 2.8 cubic feet per second
 &/or
 b. _____ acre feet per annum

7. Location of original point of diversion is No point is % of _____ % of Section _____
mentioned in the decree.
 Township _____ Range _____ B.M. in Jefferson County

Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5 N	37E	23	x	x	x	x									x	x	x	x	320
		24															x	x	80
		25					x	x		x	x		x						200
		26	x	x			x	x											160
		27	x	x	x					x									159.88

(Lot 1)
 (39.88)

Total number of acres to be irrigated 919.88

9. Describe any other water rights used for the same purpose as described above 25-0249
01-0249, 25-0251
1210.45 shares of stock in Long Island Canal Co. (See Transfer #2518)

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D, REMARKS.

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. 1.12 cubic feet per second &/or
b. _____ acre feet per annum
2. Point of diversion No point $\frac{1}{4}$ _____ $\frac{1}{4}$, Section _____ Township _____
is mentioned in the decree.
Range _____, B.M., _____ Jefferson County
Additional points _____
3. Place of use: _____

MICROFILMED

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5 N	37E	24															x	x	80

Total number of acres to be irrigated 80

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information
- a. Amount of water to be diverted 1.12 c.f.s. &/or _____ acre feet
- b. Description of diverting works Head works of Bear Trap Canal on Snake River.
- c. Describe the reasons for the proposed changes To document changes that occurred in prior years, probably before 1969.

2. Change in point of diversion

Point of diversion NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 20 Township 5 N
Range 38 E., B.M., Jefferson County
Additional points _____

3. Change in place of use

- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No x If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
None



TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5 N	37 E	13							X	X	X	X	X						)
		14										X	X	X	X	X	X	X	) 178
		24						X	X		X	X	X	X	X	X	X	X	370

Total number of acres to be irrigated 548

25-0249

4. Describe any other water rights used for the same purpose as described above. 91-0249, 25-0251
1210.45 shares of stock in Long Island Canal Company. (See Transfer #2518
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.

[illegible]

SCALE: 2 inches equal 1 mile. Draw plan in ink.

D. REMARKS

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I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

The Northern Trust Company, as Trust Trustee of Trust No. 2-45934

By: Susan J. Edwards

Vice President (Signature of Applicant)

Subscribed and sworn to before me this 10 day of December, 19 84

Beverly S. Suber
(Notary Public)
Beverly S. Suber

My commission expires February 21, 1988

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 25-0250

and said application is hereby APPROVED, subject to the following limitations and conditions:

1. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
2. Use of water under this right is subject to control by the watermaster of State Water District No. 01, Snake River.

Witness my hand this 23rd day of April, 19 85

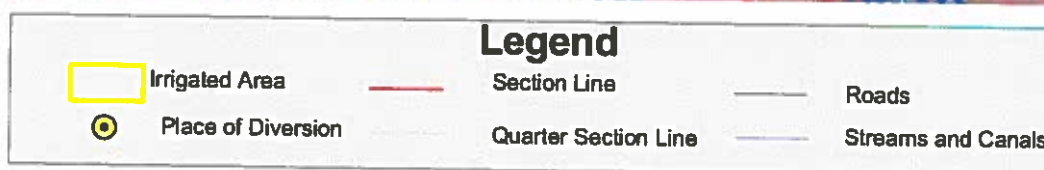
J. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by CW Date 12-11-84 Protest filed by _____
Prelim. check by _____ Fee 50.00 #34374 _____
Receipted by CJ Date 1-3-85 _____
Published in Jefferson Star _____
Pub. dates 1-17-24-85 _____
Watermaster recommendation requested on _____
WD #1 rec'd. 1-22-85 _____
Copies of protest forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial _____
by RDC _____

Water Right Claim Number 25-00250C
Township , 5N37E

12/15/2000



600 0 600 1200 1800 Feet

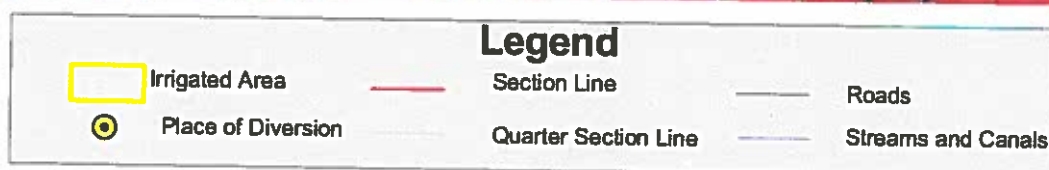
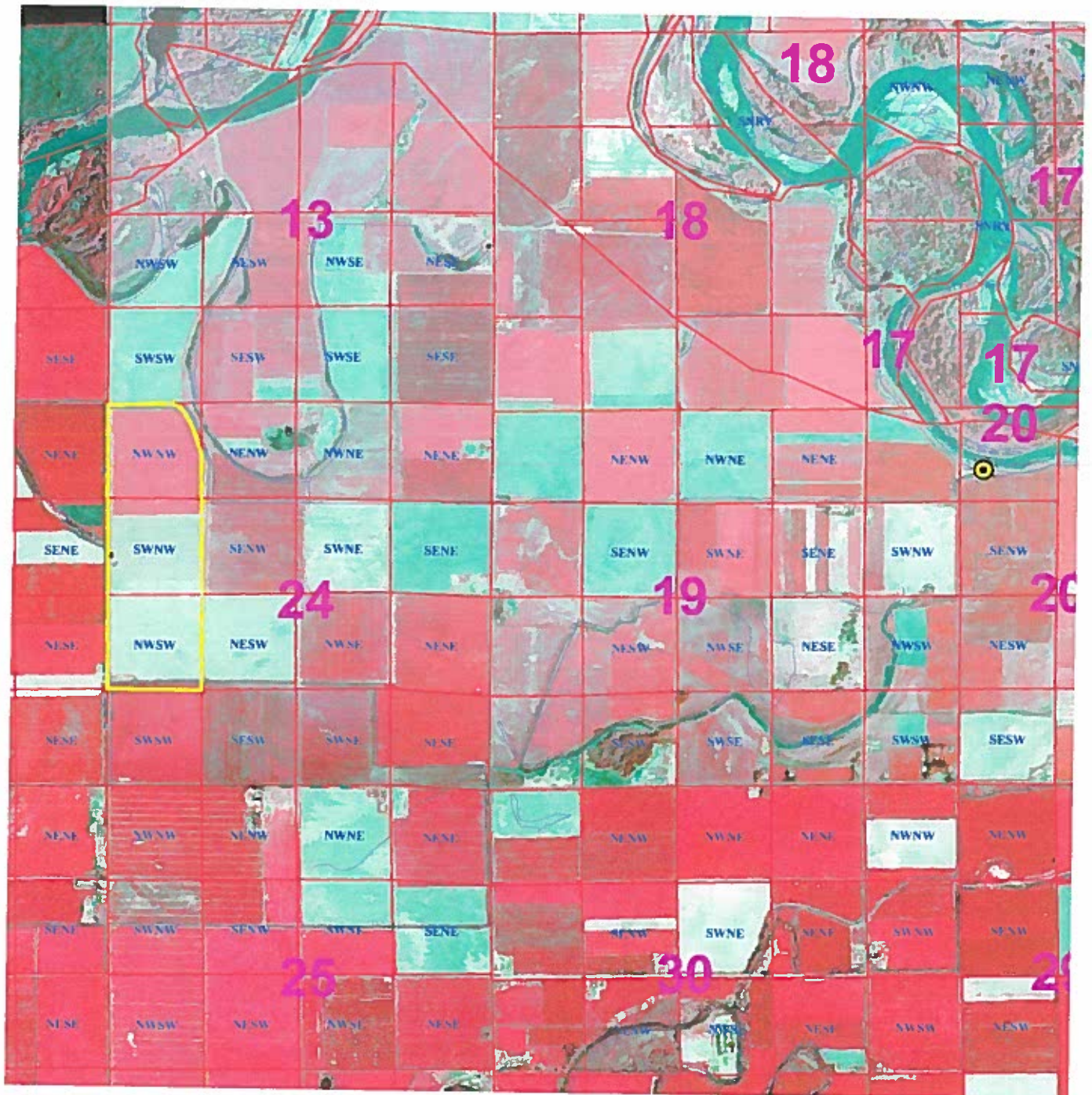


SPATIAL
DYNAMICS



Water Right Claim Number 25-00250C
Township , 5N37E

12/15/2000



2000 0 2000 4000 6000 Feet



SPATIAL
DYNAMICS



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 1-10444
Date Received: 8/24/2004
Receipt No:
Received By: MWH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DARLENE HANCOCK Phone: (208)754-4122
945 N 3300 E
MENAN ID USA 83434

MYRON HANCOCK Phone: (208)754-4122
945 N 3300 E
MENAN ID USA 83434

2. Date of Priority: 10/01/1901

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
05N	38E	20	SW NE NW	JEFFERSON	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.56	

7. Total Quantity Appropriated is:
0.56 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
05N	37E	24	NW NW	IRRIGATION	37
			SW NW	IRRIGATION	39

NW SW IRRIGATION 38
Section Acres 114
Total Acres 114

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:

14. Remarks:

THIS WAS ORIGINALLY FILED AS CLAIM NO. 25-250C.

CLAIM REPRESENTS A PORTION OF THE RIGHT INCLUDED IN TRANSFER #3104.

WATER IS DIVERTED AT BEAR TRAP CANAL HEADWORKS; THENCE THROUGH BEAR TRAP CANAL TO INTERSECTION WITH DEER PARKS CANAL IN THE NORTH HALF OF SECTION 19, T 5 N, R 38 E; THENCE THROUGH THE DEER PARKS CANAL TO PRIVATE DITCHES ON LAND WHERE USED.

15. Basis of Claim: Decreed

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 _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

_____ Date:

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this

of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

SCANNED

JUL 27 2001

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

RENUMBERED TO: 01-10444
Ident. Number: ~~A25-00250C~~
Date Received: 11/23/1988
Receipt No: E0043603
Received By: Emc

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MYRON HANCOCK 208-754-4122
Address: 945 N. 3300 E.
MENAN, ID 83434

AND/OR

Name: DARLENE HANCOCK 208-754-4122
Address: 945 N. 3300 E.
MENAN, ID 83434

2. Date of Priority: OCT 01, 1901

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
05N	38E	20	SW	NE	NW		JEFFERSON

5. Description of diverting works:
BEAR TRAP CANAL - CONCRETE HEADING WITH METAL SCREW GATE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.560		

7. Total Quantity Appropriated is:
0.560 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 285.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A25-00250C

Page 1

Date: 11/23/88

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NOV 1 U 1992

A2500250C



10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05N	37E	24	NW		NW		IRR	37.0
			SW		NW		IRR	39.0
			NW		SW		IRR	38.0
							Section Acres	114.0
							Total Acres	114.0

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:
25-00249, 25-00254.

14. Remarks:

CLAIM REPRESENTS A PORTION OF THE RIGHT INCLUDED IN TRANSFER #3104.
WATER IS DIVERTED AT BEAR TRAP CANAL HEADWORKS; THENCE THROUGH BEAR TRAP CANAL TO INTERSECTION WITH DEER PARKS CANAL IN THE NORTH HALF OF SECTION 19, T 5 N, R 38 E; THENCE THROUGH THE DEER PARKS CANAL TO PRIVATE DITCHES ON LAND WHERE USED.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

REXBURG IRR. CO. ET AL
Decree Plaintiff

vs

TETON IRR. CANAL CO. ET AL
Decree 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 _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Myron Hancock Date: 11/23/88

Date: _____

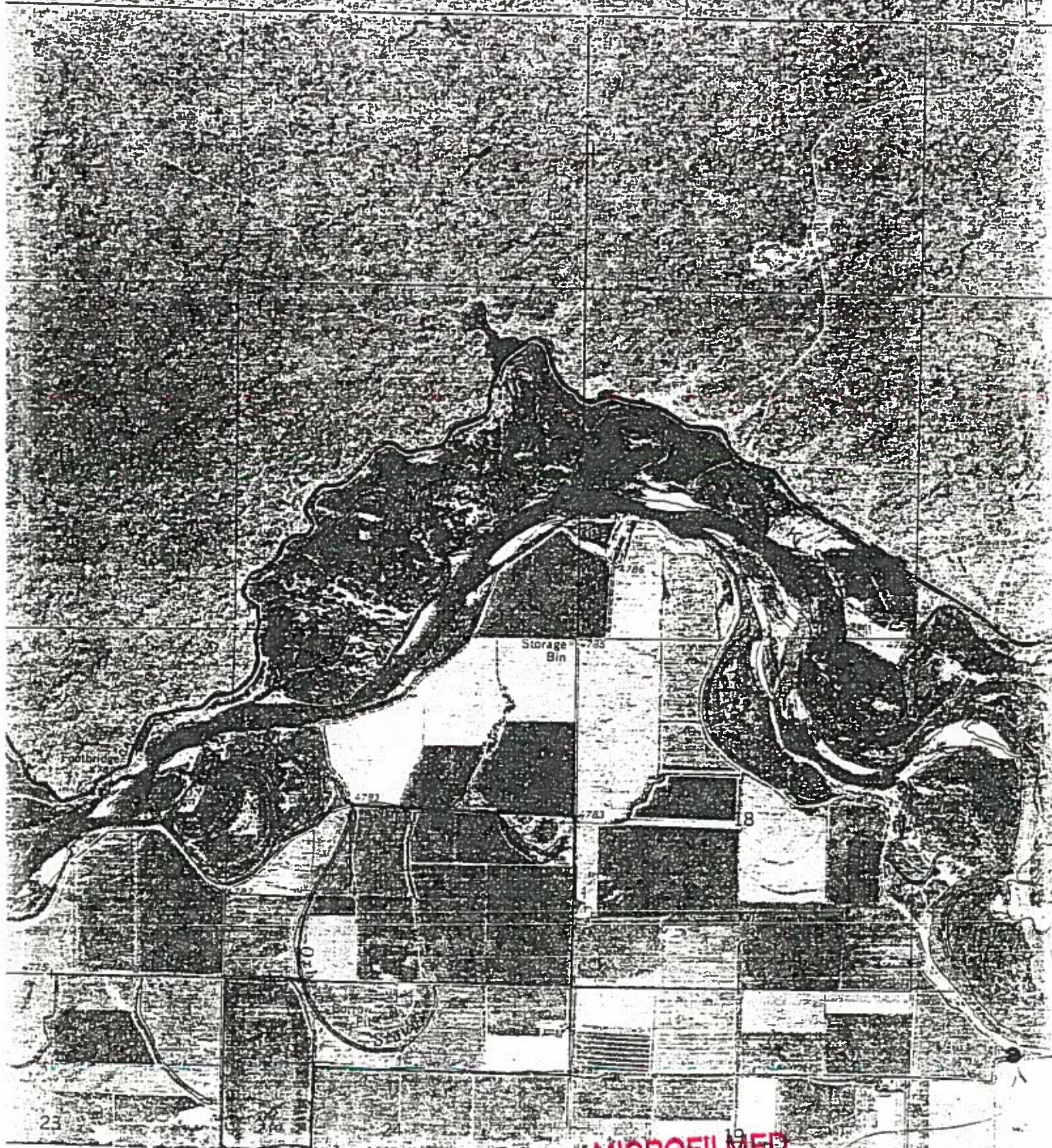
State of Idaho)
County of Bonnerille.) SS.

Subscribed and sworn (or affirmed) before me this 23 day
of November 19 88

Ernest Carlson.
Notary Public

Seal

Residing at Idaho Falls, ID
My Commission Expires 14 June 1994



SCALE 28
2-000

A 25-00249 C
A 25-00250 C
A 25-00254 C

MICROFILMED
NOV 1 U 1992

2 MI. TO IDAHO - 8
Bear Trap Holding