

09/14/2006

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

RIGHT NUMBER: 22-2195A
NAME AND ADDRESS: THE RALPH R AND BETH POCOCK FAMILY LTD PARTNERSHIP
2964 N 5000 E
SUGAR CITY ID 83448
RAY R POCOCK
2068 N 5000 E
REXBURG ID 83441

SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 2.960 CFS
1,064.00 AFY

The rights listed below are limited to a total combined diversion rate of 7.05 cfs and to a total combined annual diversion volume of 2,436 AF. Combined Right Nos.: 22-13278, 22-13280, and 22-2195A.

PRIORITY DATE: 12/11/1960

POINT OF DIVERSION:
T06N R41E S15 NESWNE Within MADISON County
T06N R41E S16 SESESE Within MADISON County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	2.960 CFS 1,064.00 AFY
PLACE OF USE:	<u>IRRIGATION Within MADISON County</u>		
	T06N R41E S15	NENE 39.00	T06N R41E S15 NWNE 39.00
	T06N R41E S15	SWNE 39.00	T06N R41E S15 SENE 39.00
	T06N R41E S15	NENW 39.00	T06N R41E S15 NWNW 36.00
	T06N R41E S15	SWNW 39.00	T06N R41E S15 SENW 40.00
	T06N R41E S15	NESW 40.00	T06N R41E S15 NWSW 35.00
	T06N R41E S15	SWSW 38.00	T06N R41E S15 SESW 40.00
	T06N R41E S16	NENE 37.00	T06N R41E S16 SENE 39.00
	T06N R41E S22	NENW 40.00	T06N R41E S22 NWNW 38.00
	T06N R41E S22	SWNW 39.00	T06N R41E S22 SENW 40.00
	696 ACRES TOTAL		

696 The rights listed below are limited to the irrigation of a combined total of acres in a single irrigation season. Combined Right Nos.: 22-13278, 22-13280, and 22-2195A.

This right is limited to the irrigation of 304 acres within the place of use described above in a single irrigation season.

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

The following rights are also diverted through points of diversion described above: 22-13278 and 22-13280.

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

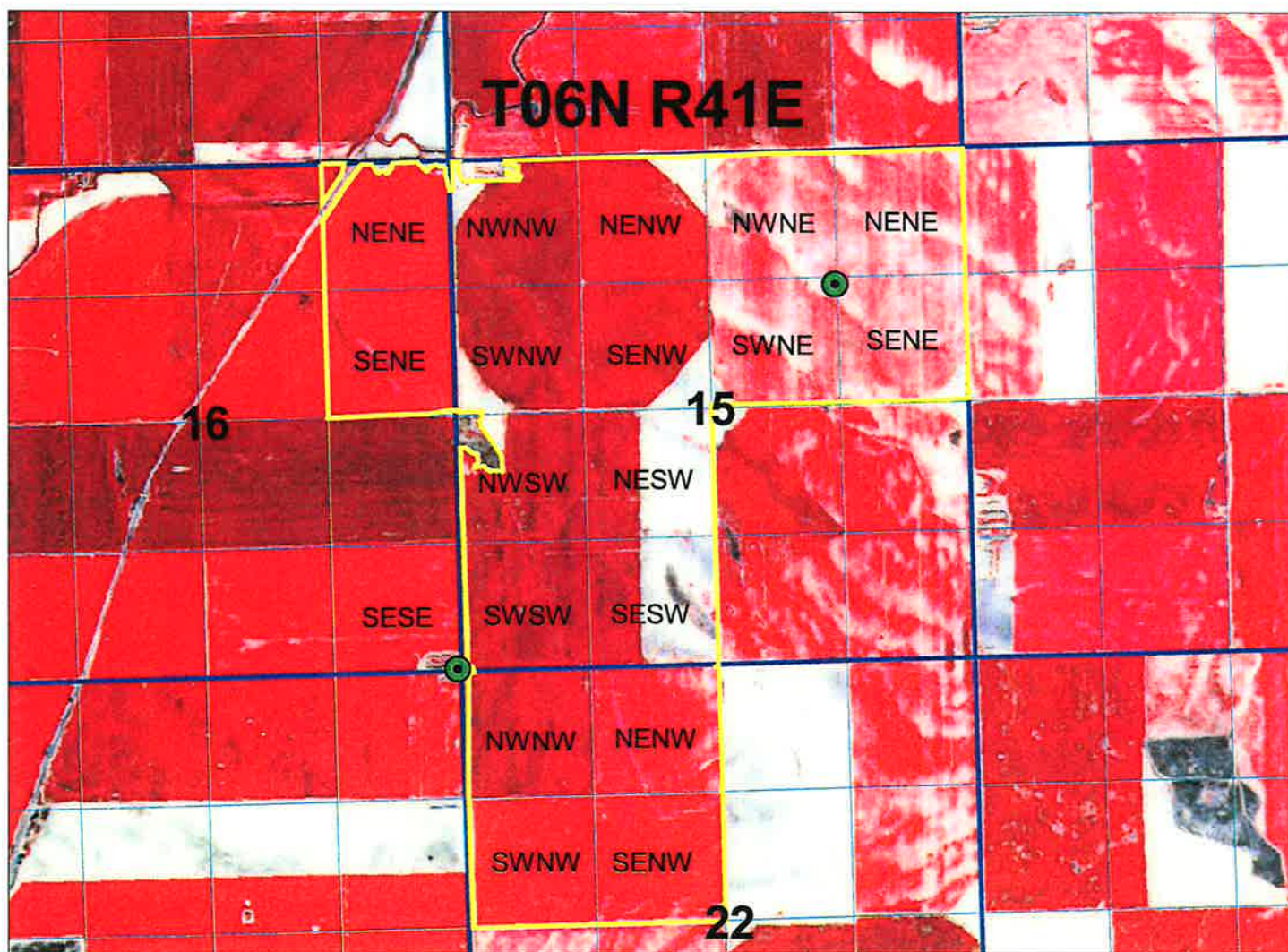
Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.



Department of Water Resources

Eastern Region

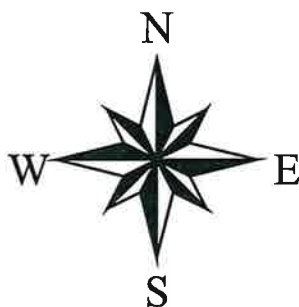
Claim No.: 22-13278, 22-13280,
& 22-2195A



0 1320 2640 3960 5280 Feet



-  Point of Diversion
-  Place of Use
-  Township/Range
-  Sections
-  QQ



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: Kristin Moore
Date Prepared: October 2005

U.S. POSTAGE PB3523907
1071 8962 \$00.63 NOV 28 2006
5998 MAILED FROM ZIP CODE 83402



NO SUCH
NUMBER



NO SUCH
NUMBER

RAY R POCOCK
2068 N 5000 E
REXBURG ID 83441

Called
Ralph &
Beth -
no
answer
12/15/06

Corrected address & JC
Waiting for ownership
change because
Ralph is deceased per
Beth Pocock. JC

1-17-07

22-21957A
22-13278
22-13280

S SERVICE
QUESTED

Sugar City ID 83440

Contacts Data Entry Form

Claim Number: _____

Owner Type	Full Name	Address	City	State	Zip
------------	-----------	---------	------	-------	-----

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Name connector: and _____, or _____, and/or _____.

Representing Attorney: _____ Phone No.: _____

Accompanied By: _____ Phone No.: _____

Relationship to Claimant: _____ Date of Field Exam: _____

Discussion of right origin and split history. Questions and problems.

LICENSOR AS 4.46 cfs, 458 ac

 $0.0097 \text{ cfs/ac} \Rightarrow 0.01 \text{ cfs/ac}$

||

SRRA claims split RT AS:

22-2195A - 2.96 cfs, 304 ac Div. Rate OR

22-2195B - 1.50 cfs, 154 ac

458

Temp. Status

Reviewer: _____ Date: _____

Claim no. _____

Claimant Contact Log

Date	Remarks	Agent initials
	Ray Pocock	
	Barley's after stop	
	North of Richard 2 1/2 miles - straight thru 1/2 mile on	
	Right side	
	(9am)	White with Blue
	201-2101	Trunk
		Cellar

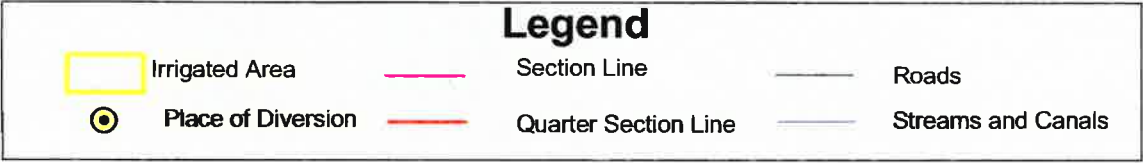
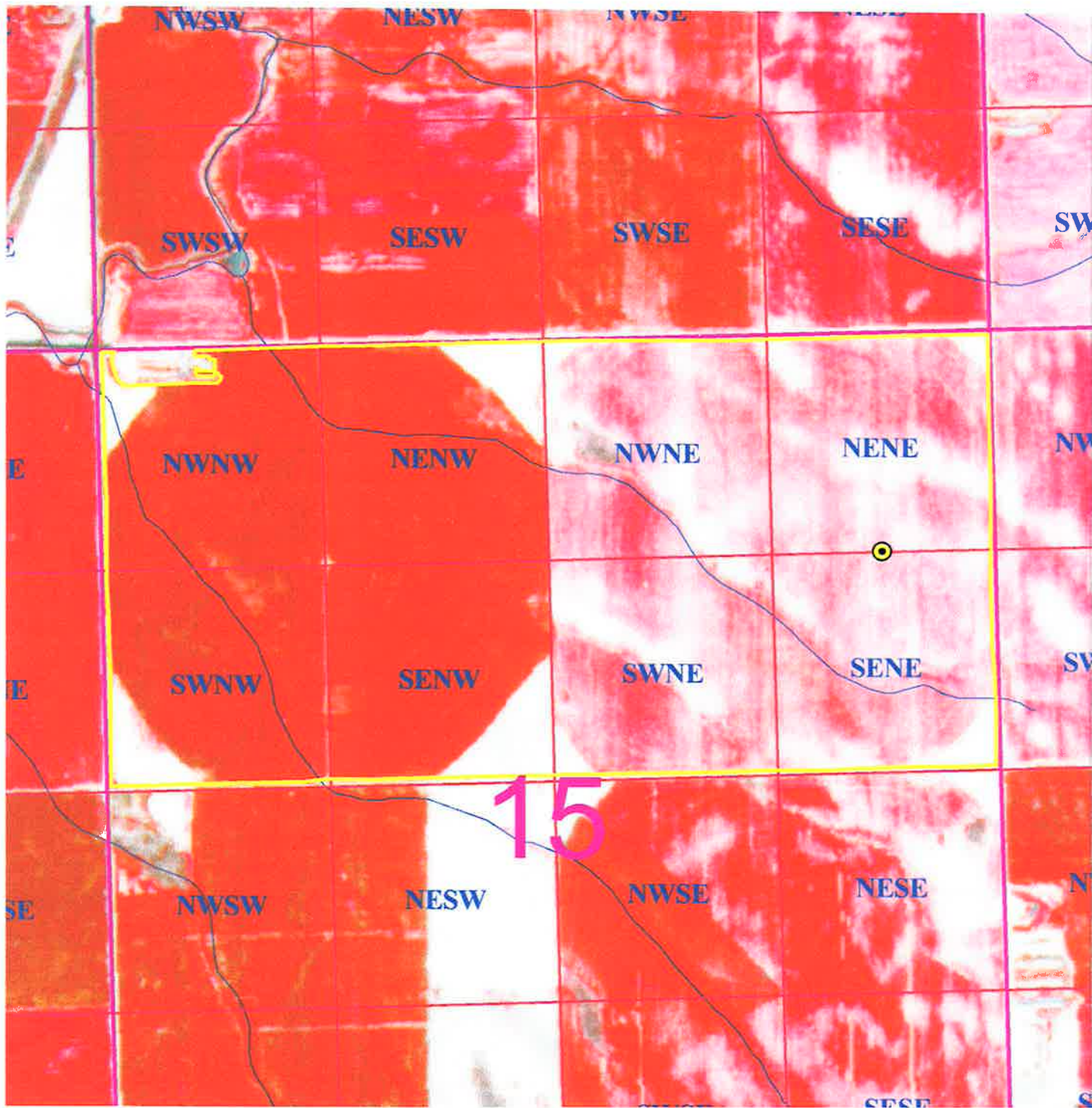
221327

15

222195

Water Right Claim Number 22-02195A
Township , 6N41E

08/06/2001





State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

APRIL 29, 1991

RECEIVED

MAY - 2 1991

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

RALPH POCOCK
2720 N 5000 E
SUGAR CITY ID 83448

Department of Water Resources
Eastern District Office

Dear Mr. and Mrs. Pocock:

Regarding our conversation today, April 29, 1991, I am returning the Amended Notice for Notarized signatures since I have been unable to locate the original Notice signed by Mr. Howard.

I regret the inconvenience, but both of your signatures are required on the document. After the Notice has been properly notarized, please return to my attention.

Respectfully,

Jo Thompson

Jo Thompson
Adjudication Secretary

JT

FILE: TIC

*you may want to make a copy for
your records*

MICROFILMED

22-0209-5A 1002

State of Idaho

WATER LICENSE

Water License No. G-29151/22-2195 Priority December 11, 1960 Amount 4.46 c.f.s.
(late proof)

THIS IS TO CERTIFY, that T. O. BIRD
of Rexburg, Idaho, made application for a permit to appropriate the public waters of
the State of Idaho, dated November 21, 1960; that Permit G-29151/22-2195 was issued pursuant
to said application; that the proposed works were completed on or about Spring 1962,
with a storage/or carrying capacity of 4.46 c.f.s., said works consisting of
well, pump, and motor; and that on December 17, 1965,
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 1601
acre feet per season, with a maximum rate of diversion of 4.46 cubic feet per second of the waters
of ground water, tributary of _____,
for the purpose of Irrigation from April 1 to October 31;
and for _____ from _____ to _____; and for
_____ from _____ to _____; and that the use
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
located in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 15, T. 6 N, R. 41 E, B.M., and
other additional points _____, in the County of
Madison; and that the amount of water to which such right is
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
used for said purposes and shall not exceed 1601 acre feet per year.

Description and location of place of use:

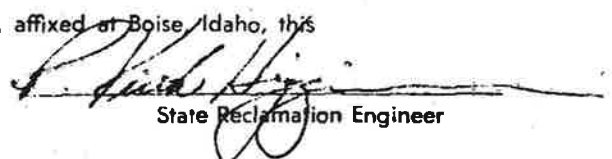
TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
<u>6 N</u>	<u>41 E</u>	<u>14</u>					<u>39</u>	<u>39</u>	<u>38</u>	<u>38</u>									<u>154</u>
		<u>15</u>	<u>38</u>	<u>37</u>	<u>38</u>	<u>38</u>	<u>37</u>	<u>39</u>	<u>39</u>	<u>38</u>									<u>304</u>

Total number of acres irrigated 458

The right to the use of the water hereby confirmed is restricted to the lands or place of use herein described,
as provided by the laws of Idaho.

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

4th day of August, 1969.


State Reclamation Engineer

22 2195

29151
22-2195

gms

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

640
320
304
16

Permit No. G-29151

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant Grace E. Bird, Guardian of Person & Estate of T.O. Bird

2. Source of water supply: Subterranean

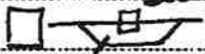
3. Location of point of diversion: Is in the SW 1/4 of Section 15

T. 6 N R. 41 E S. 4 County of Madison

4. Describe works as they exist, giving dimensions and capacities of same: U.S. Motor

200 H.P. 1259823 Johnston Pump 1F8321

10" Discharge

Pump  Booster Westinghouse
100 H.P.

Gate Valve 3-4 V8849 - Peerless 48034

5. Water is used for: Irrigation

6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

N 1/2 Sec. 15, NW 1/4 Sec. 16, all in Twp. 6 N., Rgn. 41 E. S. 4

(480 acres)

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: Ames Irrigation I F 2000 G.P.M.

Wally Robinson was present

Booster not on

Agreement executed that of permit

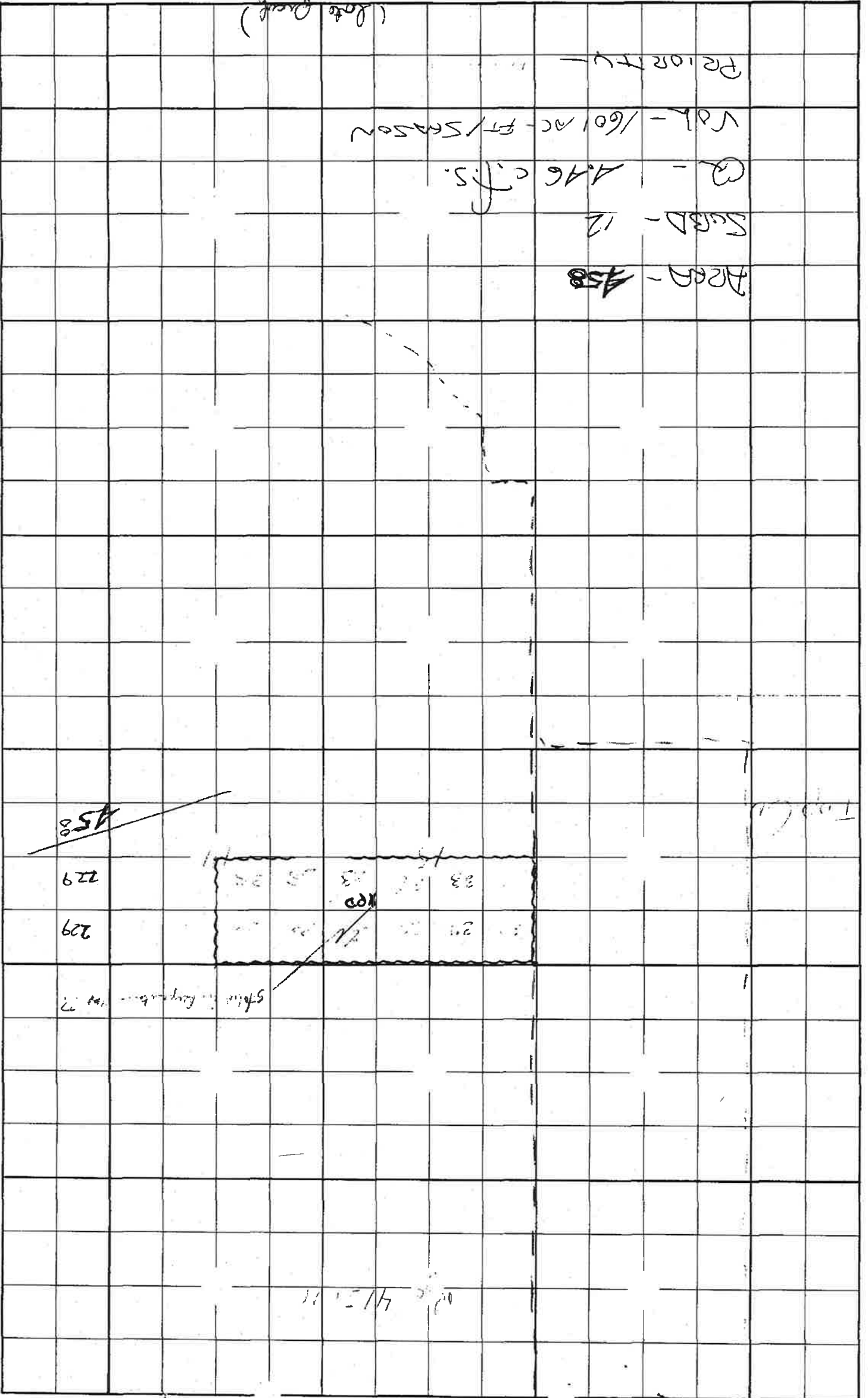
Q = 1.46 cfs based upon Ames Irrigation Data

IRRIGATION REQUIREMENT = 3.5 AC-FT / 1000 / 1000

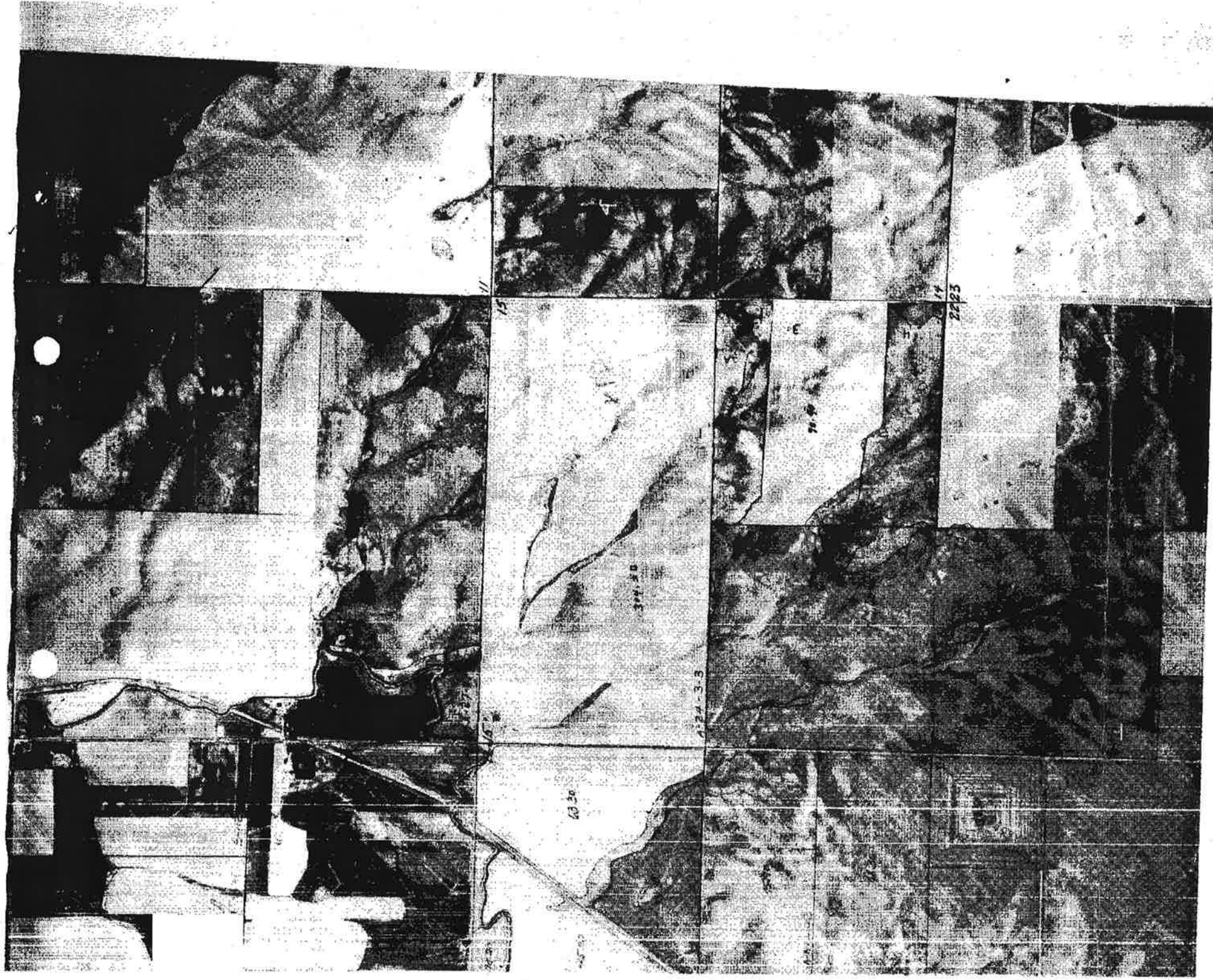
This examination was made on the _____ day of July, 1968

(Signed) _____ Examiner. D.S.

29151
22-2195



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CHANGE IN OWNERSHIP

Page 1

This form is solely for purposes of notifying IDWR of a change in ownership of an adjudication claim.

[] Water Right Number(s): A22-02195A

[] Name and Address of Former Claimant(s): MICHAEL R. HOWARD

Box 13

MELODALE

[] New Claimant(s): Ralph R Pocock or Beth Pocock

[] New Mailing Address: 2720 N 5000 E

Sugar City, Idaho 83448

New Telephone Number: (208) 356-3555

[] Does the change in ownership result in a splitting of the water right claimed? yes X no
If yes, then describe the portion of the water right that is now claimed by the new owner:

[X] Attach proof of ownership

Describe proof attached:

WARRANTY DEED

(Proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former claimant.)

[] Signature of New Claimant(s):

Ralph R Pocock

✓ Date:

4-25-91

WARRANTY DEED

For Value Received Michael R. Howard and Kathy Rae Christensen Howard, husband and wife

the grantors , do hereby grant, bargain, sell and convey unto Ralph R. Pocock and Beth Pocock, husband and wife

whose current address is 2720 North 5000 East, Sugar City, Idaho 83448

the grantees , the following described premises, in MADISON County Idaho, to-wit:

The North Half (N½) of Section 15, Township 6 North, Range 41 East, Boise Meridian, Madison County, Idaho. Excepting therefrom a parcel of ground, upon which is located the residence of Seller, which parcel of ground is described as follows: Commencing at a point 538 feet more or less, East of the Northwest corner of the North Half of Section 15, aforesaid, and running thence South 247 feet; thence East 150 feet; thence Northeasterly to the existing roadway to a point 450 feet East of the point of beginning; thence West 450 feet to the point of beginning.

Together with any and all appurtenant water rights included with but not limited to the water rights associated with License No. 22-2195 issued by the Department of Water Resources of the State of Idaho.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Subject to reservations in United States and State Patents, existing and recorded rights-of-way and easements, pipelines and utility lines.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees , their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees , that they are the owners in fee simple of said premises; that they are free from all encumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: March 5th, 1991

Michael R Howard Kathy Rae Christensen Howard

STATE OF IDAHO, COUNTY OF MADISON

On this 5th day of MARCH, 1991, before me, a notary public in and for said State, personally appeared

MICHAEL R. HOWARD and
KATHY C. HOWARD

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

J. Kent Solley Notary Public

Residing at: Rexburg

Comm. Expires: 2-19-93

MICROFILMED

County of Idaho } SS **236947**
I hereby certify that the within instrument was
filed MAR. 15 1991
19 at 2:00 P M., and
recorded on Film 236947 Fee 3.00
by BETH B. REESE, Recorder
R. Smith Deputy
At the request of J. Kent Solley

MICROFILMED

OCT 29 1992

4-26-91 -

We do not have original Notice
of claim in "Howard's" name.
I called both parties. Mrs.
Howard will check papers & call
me back.

Pocock said they only came in
with C/O + Warranty deed.

If we cannot locate original
we will need to send a copy
to Pocock's for Signature.
(Put "and/or" on claim before
mailing.)

Devin
did this

MICROFILMED

OCT 29 1992

4-29-91 - Was not able to locate Howard's
claim with notarized sig. Mrs Pocock
said Ralph had seen the notarized
copy when working with Dennis.
Returning for Sig

Ret'd - signed - 5-2-91 / go

Jo

26 April 1991

The amended claims and change in ownership were done in the office.

The claim was changed to reflect the license.

Dennis

MICROFILMED

OCT 29 1992

RECEIVED

MAY - 2 1991

Department of Water Resources
Eastern District Office

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: A22-02195A
Date Received: 8/15/1988
Receipt No: E001294
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: RALPH POCOCK
Address: 2720 N. 5000 E.
SUGAR CITY, ID

83448

208-356-3555

Name: BETH POCOCK
Address: 2720 N. 5000 E.
SUGAR CITY, ID

83448

208-356-3555

A2202195A



2. Date of Priority: DEC 11, 1960

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	41E	15	SE	NE			MADISON

5. Description of diverting works:
WELL/PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.960		

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

8. Total consumptive use is 608.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

MICROFILMED

OCT 29 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	41E	15	NE		NE		IRR	38.0
			NW		NE		IRR	37.0
			SW		NE		IRR	38.0
			SE		NE		IRR	38.0
			NE		NW		IRR	37.0
			NW		NW		IRR	39.0
			SW		NW		IRR	39.0
			SE		NW		IRR	38.0

Section Acres 304.0

Total Acres 304.0

11. Place of use in counties: MADISON

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

13. Other Water Rights Used:
NONE

14. Remarks:

THIS CLAIM IS FOR A PORTION OF LIC. 22-2195.

15. Basis of Claim: LICENSE

Water Right Number: 2195

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):

Ralph D. Fowck
Beth Fowck

Date: 4-30-91

Date: 4-30-91

State of Idaho)
County of MADISON) SS.

Subscribed and sworn (or affirmed) before me this 30th day
of April 19 91

Deana S. Richman
Notary Public

Seal

Residing at Rt 1 Sugar City Idaho
My Commission Expires 1 - 31 - 93

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: A22-02195A
Date Received: 8/15/1988
Receipt No: E001294
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MICHEAL R. HOWARD 208-458-4171
Address: BOX 73
NEWDALE, ID 83436

2. Date of Priority: DEC 11, 1960

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	41E	15	SE	NE			MADISON

5. Description of diverting works:
WELL/PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.960		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	41E	14	NE	NE		IRR	38.0
			NW	NE		IRR	37.0
			SW	NE		IRR	38.0

A22-02195A

Page 1

Date: 08/15/88

MICROFILMED

OCT 29 1982

10. Place of Use: Continued *Dennis*

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	41E	~~14~~ 15	SE	NE		IRR	38.0
			NE	NW		IRR	37.0
			NW	NW		IRR	39.0
			SW	NW		IRR	39.0
			SE	NW		IRR	38.0
						Section Acres	304.0
						Total Acres	304.0

11. Place of use in counties: MADISON

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

13. Other Water Rights Used:
NONE

14. Remarks:
THIS CLAIM IS FOR A PORTION OF LIC. 22-2195.

15. Basis of Claim: LICENSE
Water Right Number: 2195

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): Micheal J. Howard Date: 8-15-88

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 15th day
of August 19 88

Betty J. Thompson
Notary Public

Seal

Residing at Idaho Falls
My Commission Expires 6-94

111° 37' 30"
43° 52' 30"

451000± E

453 35'

4857000± N

4856

4855

4854

50'

4853

4852

