

10/19/2006

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

RIGHT NUMBER: 22-2206

NAME AND ADDRESS: HEATH B FOWLER
3413 A HONEYCUT RD
SALT LAKE CITY UT 84106

SOURCE: SPRING

TRIBUTARY: WARM CREEK

QUANTITY: 1.00 AFY

The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/12/1961

POINT OF DIVERSION: T03N R45E S21 NWSWNW Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
RECREATION STORAGE	01/01 12/31	1.00 AFY
DOMESTIC	05/01 10/01	0.040 CFS
STOCKWATER	03/01 11/30	0.020 CFS

PLACE OF USE: RECREATION STORAGE Within TETON County

T03N R45E S21 NWNW

DOMESTIC same as RECREATION STORAGE
STOCKWATER same as RECREATION STORAGE

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

The quantity of water decreed for this water right for domestic use and stockwater use is not a determination of historical beneficial use.

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

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

700 N. SKYLINE DR.
IDAHO FALLS, IDAHO 83402

LESS SERVICE
REQUESTED



- ☒ NO SUCH NUMBER
- ☒ ATTEMPTED - NOT KNOWN
- ☐ INSUFFICIENT ADDRESS
- ☐ REFUSED
- ☐ NOT DELIVERABLE AS ADDRESSED
- ☐ UNABLE TO FORWARD

Route #621

Initials _____

HEATH B FOWLER
3413 A HONEYCUT RD
SALT LAKE CITY UT 84106

→ Not
at
this
address

PDR
22-2206

★ ★  TM
U.S. POSTAGE
1621 PB3523907
8972 \$00.63 NOV 28 2006
5840 MAILED FROM ZIP CODE 83402

Sent
1-19-07

22-480C 129H
136G

22-621A 78

13290

7029

13372

84

13413

7349

7388

13246

11526

7373

7339

13248

11529

13590

12064

13610

11530

13540

2128

13612

356

STATE OF IDAHO

10835

133A

DEPARTMENT OF WATER RESOURCES

2281

278

EASTERN REGION

7338

12533

7178

IDAHO FALLS ID

276A

12629

7215B

208-525-7161 - PHONE

408B

2146

12239

208-525-7177 - FAX

409B

4076

2206

410B

TRANSMITTAL COVER SHEET

184A

11677

OMNIFAX

641D

10105

178A

10132

2293

178B

FAX: 354-8410

TO: JESSIE

FROM: JENNIFER

11384

13457

Teton County Assessor

4139

4161

7403

DOCUMENT DESCRIPTION: REQUEST FOR CURRENT OWNER INFORMATION. I HAVE SENT A SPREADSHEET INDICATING WHO WE HAVE IN OUR RECORDS AND THEIR LEGAL DESCRIPTION OF THEIR PROPERTY. EACH OF THESE LETTERS WAS RETURNED TO SENDER. PLEASE FILL OUT THE

LAST COLUMN WITH THE OWNER AND ADDRESS INFORMATION FOR THE PROPERTY LISTED. I HAVE ATTACHED A MAP FOR EACH PROPERTY WHEN I HAD ONE AVAILABLE.

PLEASE CALL ME WITH ANY QUESTIONS. THANKS SO MUCH FOR YOUR HELP.

TOTAL NUMBER OF PAGES (Including this page): 13

*

*

*

Billing address: N/A

*

*

*

*

*

*

*

*

No of Pages Cost / Page Total Charge N/A

*

*

*

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.

THIS LICENCE WAS APPROVED AS AN TERRITORY
RIGHT FOR (.24 CFS) 12 IN TO TERRITORY 40AC.

IT IS CLAIM FOR DOMESTIC FISH PROPAGATION
+ STOCK WATER SAME (.24 CFS)

Reviewer: _____ Date: _____

Claim Number: _____

Claimed Priority Date: May 12 1961 Claimed Basis: LICENCE

Recommended Priority Date: _____ Recommended Basis: _____

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

p. A. SAME AS WISCONSIN

Reviewer: _____

Date: _____

Water Right No(s).



GPS DATA:

Tag # A0009575 Location: ON TREE 20 FT

Diversion Data:

Source: Spring Trib to: WEST OF POND OR SPRING HEAD
WARM CREEK

MOTOR

Make: _____ Model: _____ Hp: _____
SN: _____

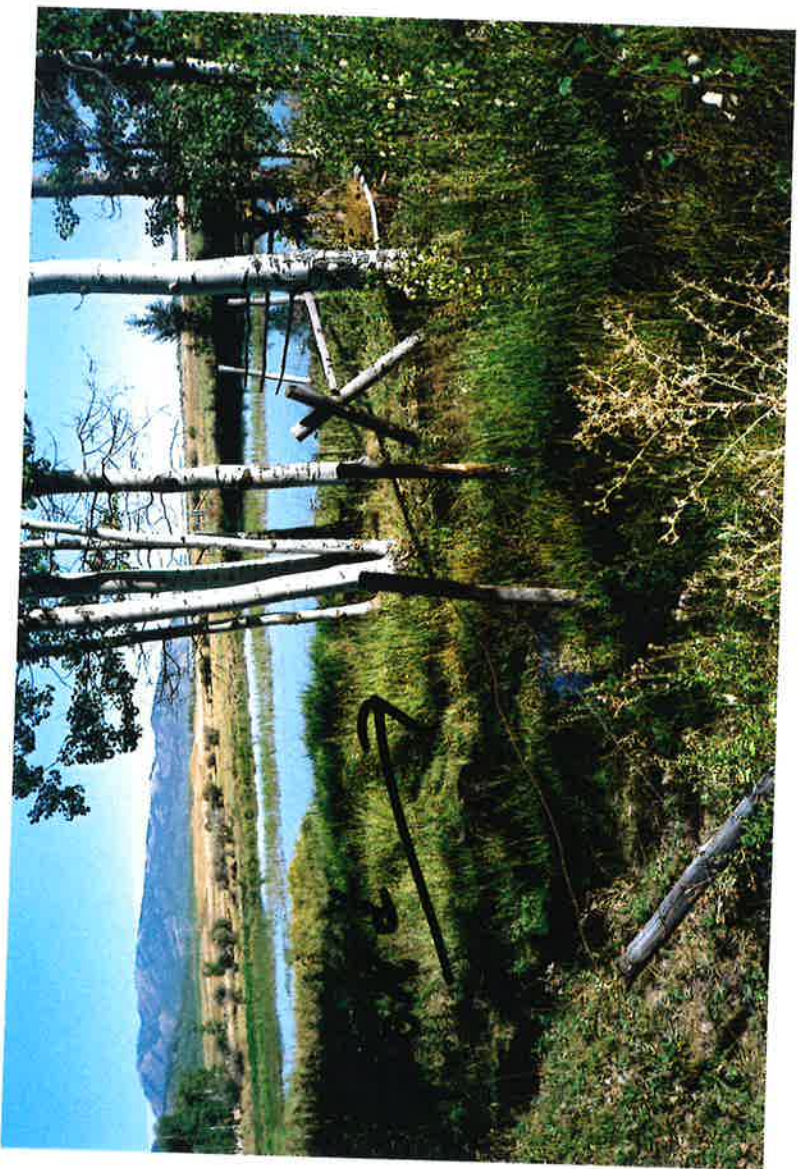
PUMP

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

NOTES:

WATER Come out of Spring + gravity
Flow in small stream to pond AT ONE
TIME IT WAS piped to pond PIPE IS
STILL THERE But NOT in use. photo taken in
NORTH WEST DIRECTION

Field Exam Date: 8-17-06 Agent: Rich Olson



Season of Use and Quantity Data Entry Form

Claim Number: _____

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Domestic	5/01	10/01	104 CFS	_____
Fish Production	1/01	12/31	0.24 CFS	_____
Stock Water	3/01	11/30	0.02 CFS	_____

Overall Diversion Rate 0.24 CFS Overall Diversion Volume _____Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____ Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

IDWR STD SOU 1/01 - 12/31

Reviewer: _____

Date: _____

77104

State of Idaho
License and Certificate of Water Right

Water License No. 29705 Amount 0.24 c.f.s.
Water District No. Priority May 12, 1961

THIS IS TO CERTIFY that HEATH B. FOWLER
of Pocatello, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated May 12, 1961; that Permit No. 29705
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.24 second feet, was issued thereunder on September 18, 1962, showing that said works
were completed on the 25th day of May, 1962; and that on the 25th
day of May, 1962,
HEATH B. FOWLER

of Pocatello, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of an unnamed
spring, a tributary of, for the purpose of irrigation
, under Use Permit No. 29705 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
12 of Licenses at page 7448, on the 18 day of September, 1962;
The right hereby confirmed dates from May 12, 1961;

The Point of Diversion is located
In the SW 1/4 NW 1/4, Sec. 21, Tp. 3 N., R. 45 E., B. M. Teton County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 0.24 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 N.	45 E.	21	NW 1/4 NW 1/4	40	40
			Total number of acres to be irrigated:		40

The right to the use of the water aforesaid 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
18th day of September, 1962.

(SEAL) CARL E. TAPPAN
Assistant State Reclamation Engineer.

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

Permit No. 29705This proof is for Completion of Works & Beneficial Use In Water District No. _____1. Name of applicant Heath B. Fowler2. Source of water supply: Unnamed Spring3. Location of point of diversion: Is in the SW 1/4 of Section 21T. 3 N R. 45 E County of Teton

4. Describe works as they exist, giving dimensions and capacities of same: Spring flow through channel to small reservoir that has a crest of 7' high 300' long and 6' wide - "dog leg shape", 40' x 12" concrete conduit with 12" screen gate, 40' Riprap Spillway 12" deep 2' bottom 5' top width 20' long on east side. It also has a 12" x 16" culvert as spillway with a dirt dam across dug spillway raising water level 1' giving a 1' freeboard - dirt dam is removed in early spring. Stage 3:1 up to 2:1 down side. Else Reservoir contents full as 1/2 acre foot.

5. Water is used for: Irrigation6. 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):

SW 1/4, Section 21, Twp. 3 N., Rge. 45 E.B.M.

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

8. What large stream would the water here appropriated finally reach? Teton RiverRemarks: Mr. Fowler a boyThis permit will not interfere with Kung in any way.

Measured over 1' cippolletti work. 10' over 1' cippolletti work = 10.7 cfs @ 5 inch
above amount of permit 0.24 cfs.

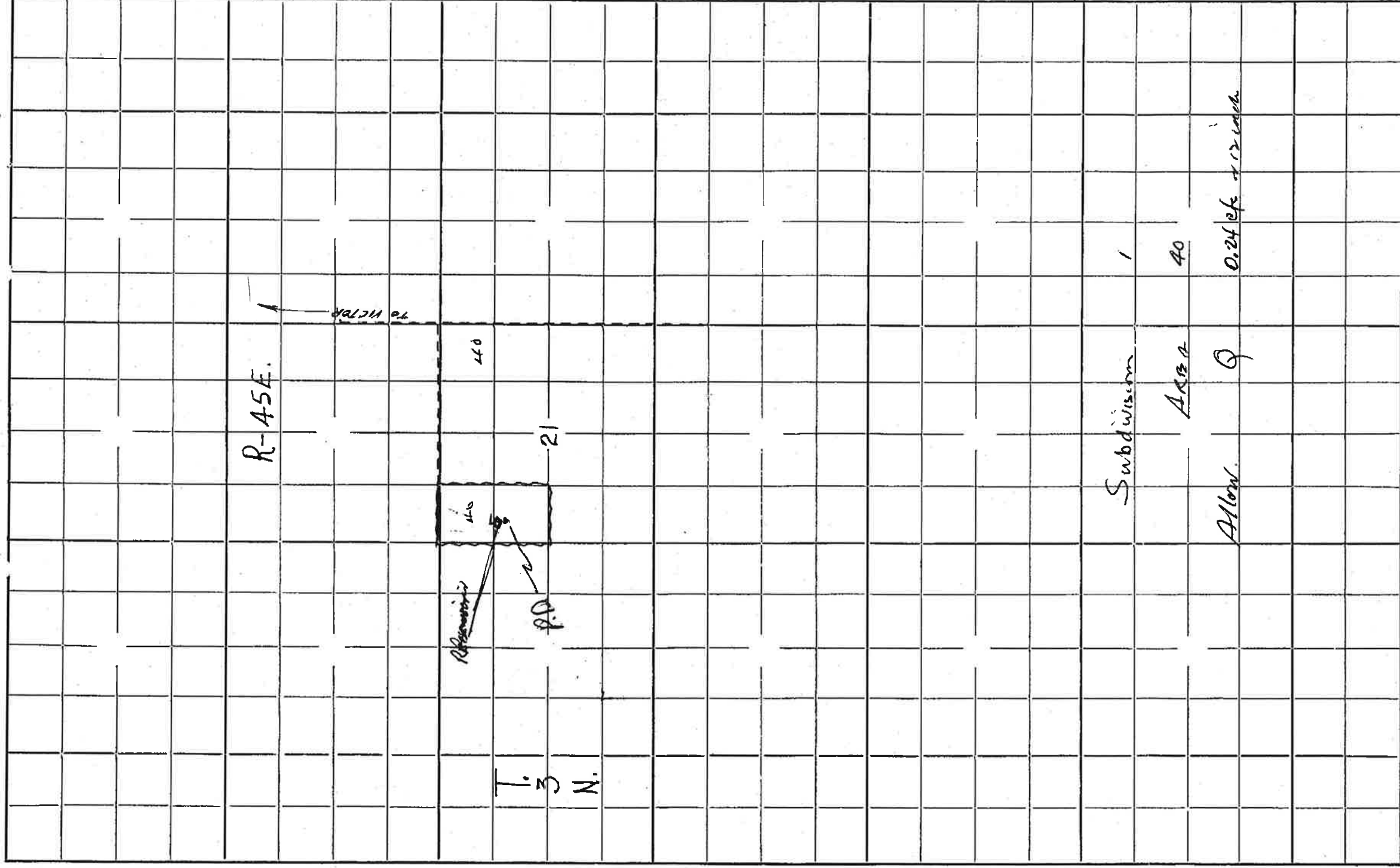
This examination was made on the 15th day of August, 1962

(Signed)

Larry Johnson

Examiner.

29705

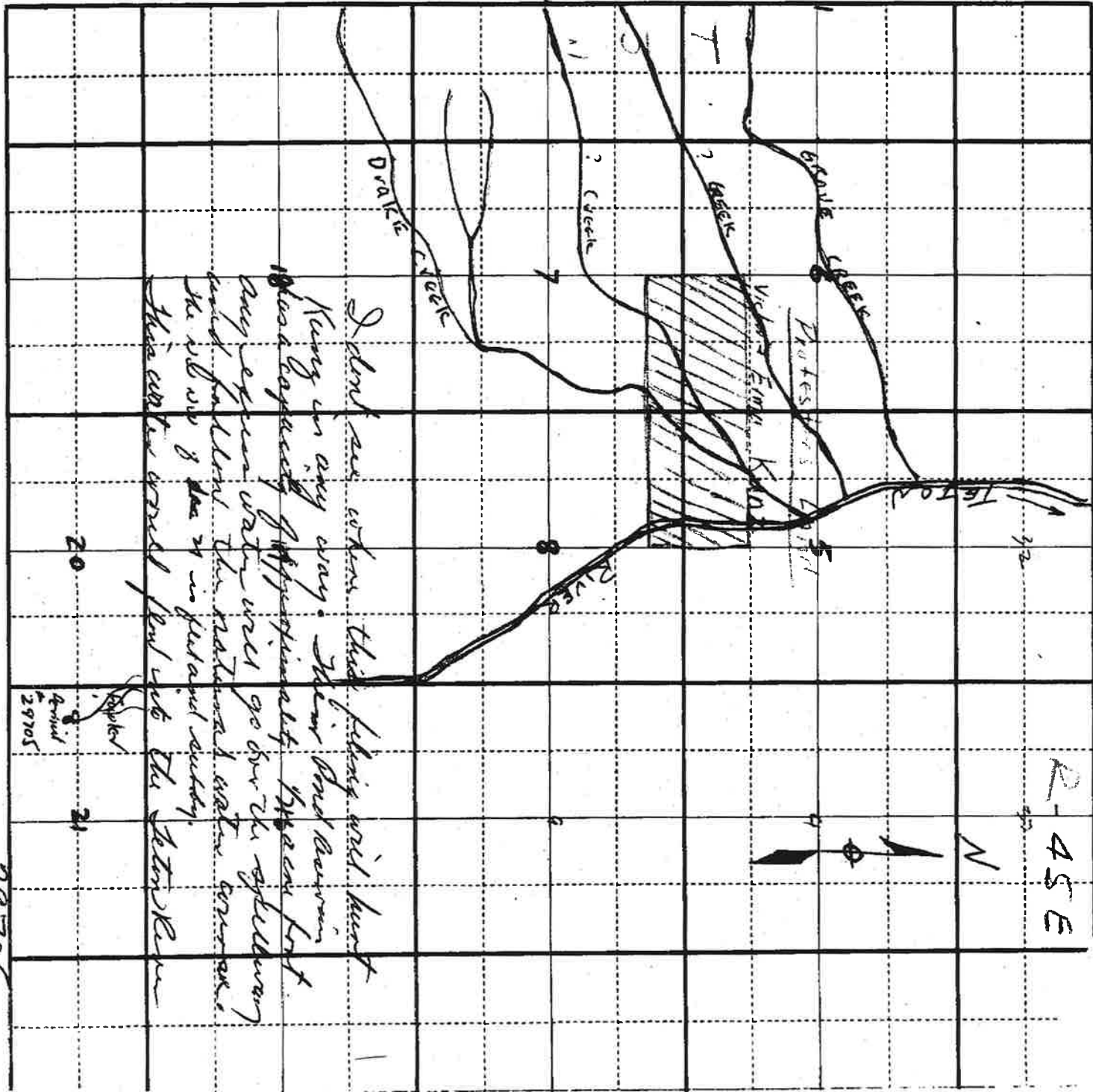


Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

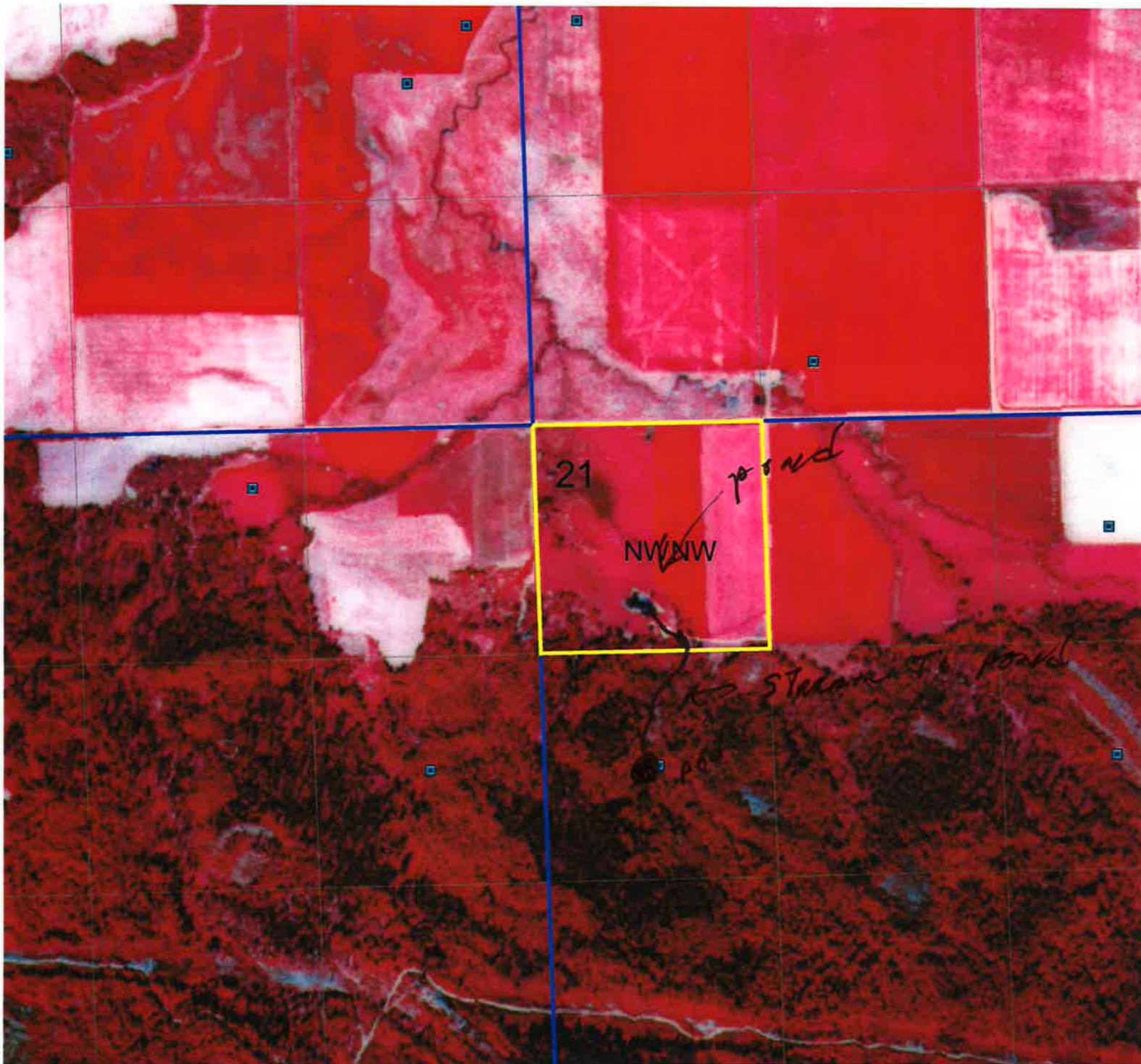
29705

NAME OF APPLICANT _____

Form No. 0



22-2206
3N 45E



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: A22-02206
Date Received: 9/26/1988
Receipt No: E002619
Received By: TO

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HEATH B. FOWLER 801-467-7020
Address: 3413A HONEYCUT RD
SALT LAKE CITY, UT 84106

2. Date of Priority: MAY 12, 1961

3. Source: SPRING Trib. to: WARM CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	45E	21	SW	NW			TETON

5. Description of diverting works:
PIPELINE TO HOUSE TO POND

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	05/01	10/01	0.040		
FISH PROPAGATION	01/01	12/31	0.240		
STOCKWATER	03/01	11/30	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE H/FISH POND S/30 CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	45E	21	NW	NW		STOCK	

A22-02206

Page 1

Date: 09/26/88

A2202206



MICROFILMED
OCT 29 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	45E	21	NW	NW		FISH	

11. Place of use in counties: TETON

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

13. Other Water Rights Used:
TRAIL CREEK SPRINKLER CO.

14. Remarks:
LICENSE ORIGINALLY FOR IRRIGATION, HOWEVER CLAIMANT NO LONGER
USES SPRING FOR IRRIGATION - ONLY FOR DOMESTIC USE AND FISH POND
SINCE DATE OF PRIORITY.

15. Basis of Claim: LICENSE
Water Right Number: 29705

(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.

For Individuals:

foregoing document are true and correct.

Signature of Claimant(s): Heath B. Fowler Date: 9/26/88

Date: _____

Subscribed and sworn (or affirmed) before me this 26th day
of September 19 88 Anthony S.
Notary Public

Residing at Idaho Falls
My Commission Expires 9/12/1994

MICROFILMED
OCT 29 1992

NOT TO SCALE
902206

F
10

CABIN
POND
SPRING

5

8100. alt / sec
50° +