

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

NAME AND ADDRESS: BLAINE R HALL
3332 W 3200 S
REXBURG ID 83440

POINT OF DIVERSION:

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	3.000 CFS

PLACE OF USE:

IRRIGATION Within MADISON County

T05N R39E S02	SWSW	27.0	T05N R39E S03	SESW	2.5
T05N R39E S03	SWSE	10.0	T05N R39E S03	SESE	24.0
T05N R39E S10	NENE	37.0	T05N R39E S10	NWNE	37.0
T05N R39E S10	NENW	20.0	T05N R39E S11	NWNW	18.0

175.5 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.

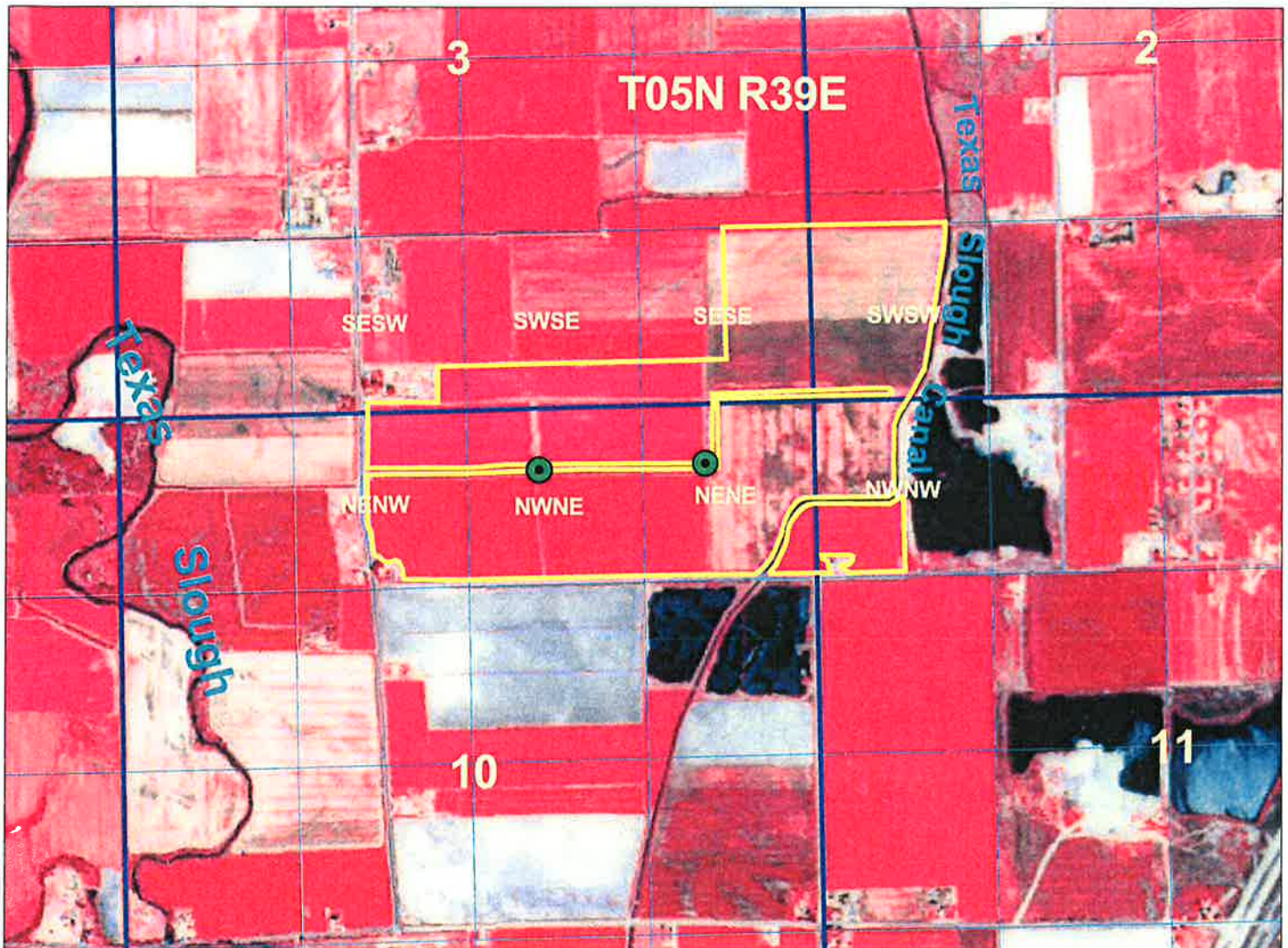
EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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

Department of Water Resources Eastern Region

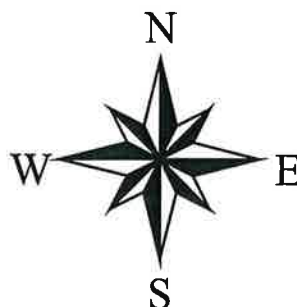


Claim No.: 22-4191

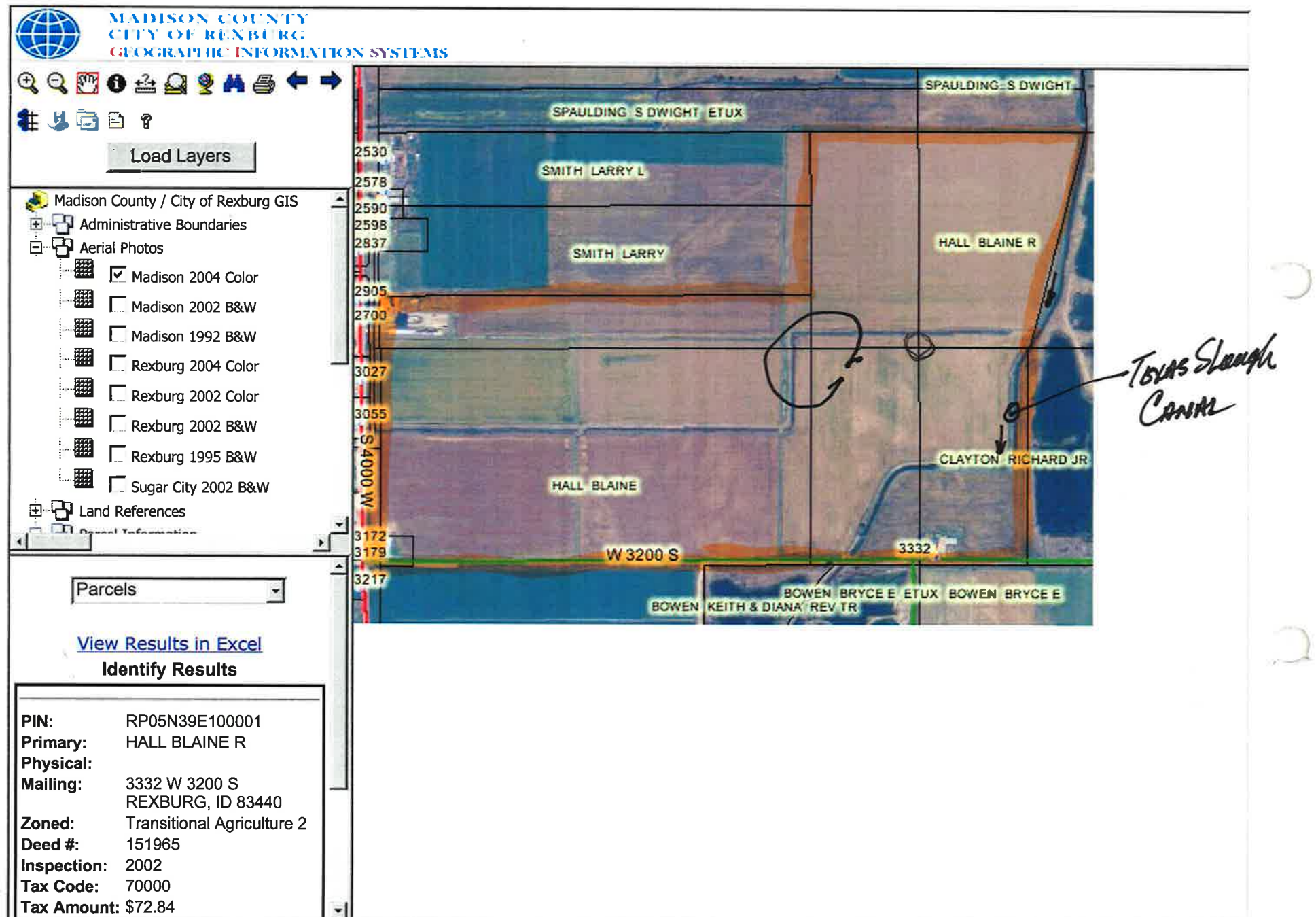


0 0.25 0.5 0.75 1 Miles

- 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: December 2005



T5N, R39E

SMITH LARRY L
SMITH LARRY L

SMITH LARRY

HALL BLAINE R

HALL EARL LAMONT

3 2
10 11

HALL EARL LAMONT

HALL BLAINE R

NO
NO
OK
OK Blaine Hall
OK Blaine Hall
main line
OK Blaine Hall
main line
OK
OK

T5N, R39E

**3 2
10 11**

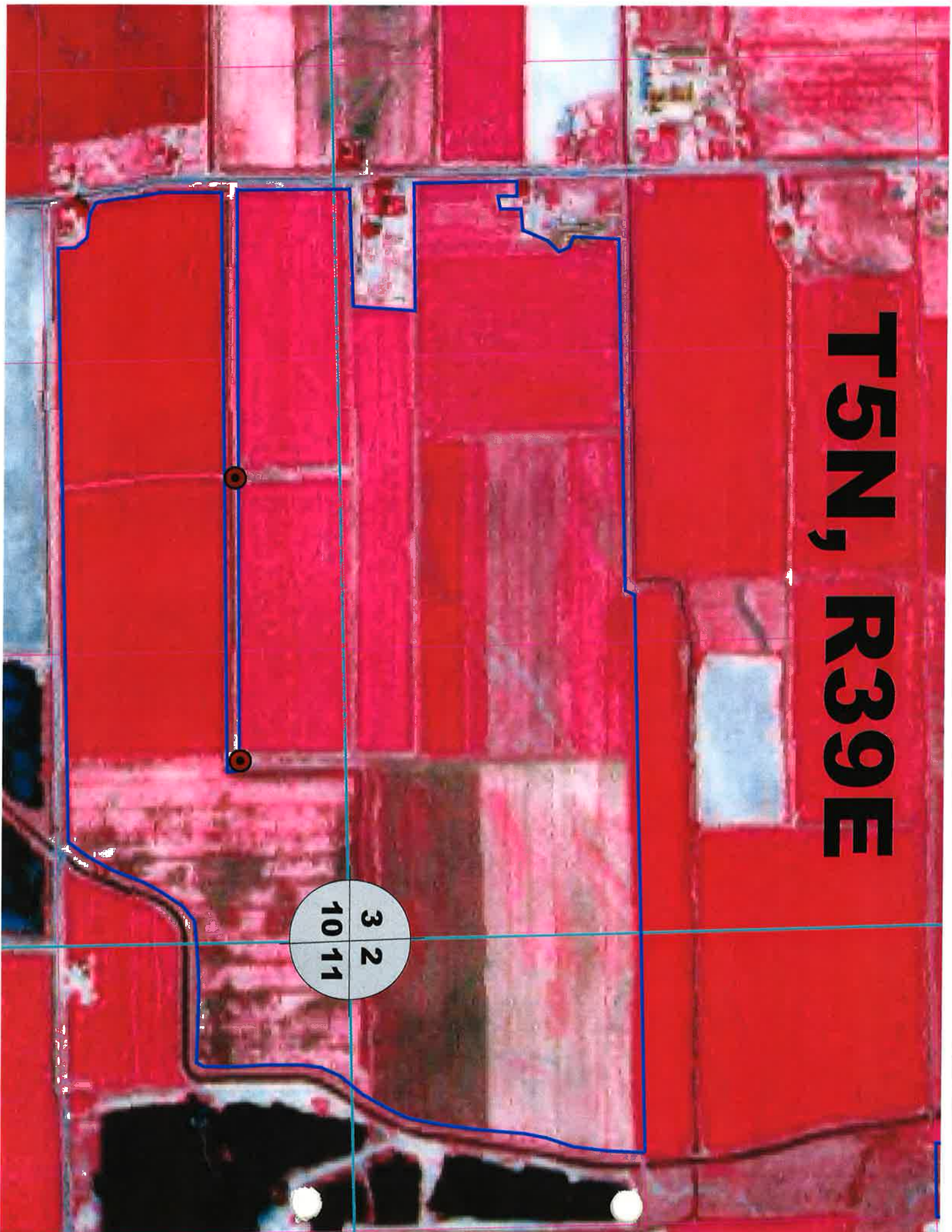




Photo #1, East POD looking south.



Photo #2. POU looking north from east POD and pipe yard showing inventory of handlines.



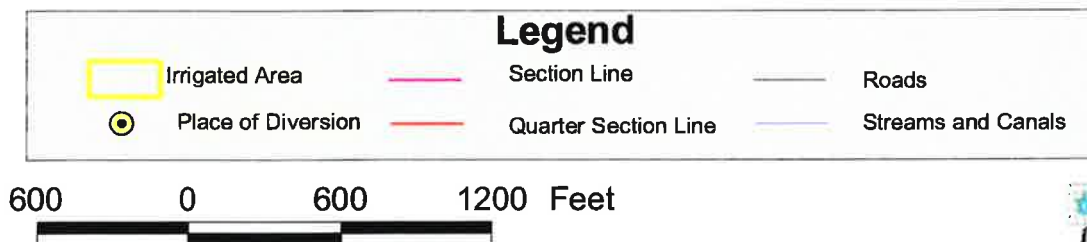
Photo #3. West POD looking south east. Portable pump sits on bank of drain ditch at this location.



Photo #4. One of the pumps used for this water right and other locations, including both POD under A22-10191.

Water Right Claim Number 22-04191
Township , 5N39E

07/02/2001



Supt
~~Aug~~ 9 04

I Bryce Bowen have lived neighbors
to Blaine Hall all my life. I know
he's been sprinkling since at least Spring of
1970. He started with a sprinkler pump
with a tractor from a drain ditch.
The drain ditch is on his own place.
It may have been as early as 1965.

Bryce Bowen

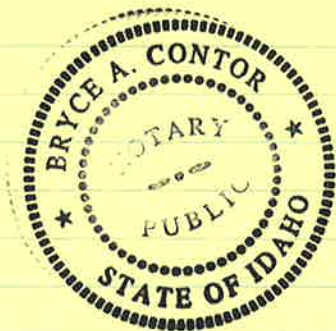
Subscribed before me 9 Sept 2004

Bryce A. Contor

Notary Public

Residing at Mud Lake

Commission expires 10/14/05



98

RENTAL NUMBER 847227

RENTAL RETURN NUMBER

33725 40000 EXCESS

RENTAL
CONTACT
NO



STOMER NUMBER 694040 Hours 1310

STRE COMPANY # 10		BRANCH 98		LOCATION 01		CROP CODE		JRG-SYSTEM CODE		A/R TYPE		FROM-		TO-		PRICING CODE		OPTION NEW PIPE		WRITTEN BY		ACTION FOR		ACTION DATE		ADDITIONAL DISC.		ORDER DATE 6-3-04		METHOD OF SHIPMENT	
UNTY TRSOS		FREIGHT		TERMS		SALESMAN		TERRITORY		CARRIER CODE		CARRIER NAME		CUSTOMER P.O. NUMBER		ORDER TYPE		EXPECTED SHIP DATE		CARRIER NAME		METHOD OF SHIPMENT		ADDITIONAL DISC.		ORDER DATE		METHOD OF SHIPMENT			

PART NUMBER	QUANTITY ORDERED	PRODUCT DESCRIPTION	ACQ	BACK ORDERED	QUANTITY SHIPPED	RENTAL RATE	DISC.	EXTENSION
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1	1	Cornell 328 Pump Unit	✓		1	1350.00		
1	1	6x20 low suction hose	✓		1			
1	1	6 foot valve screen	✓		1			
2	2	6x5 ARLWOR	✓		2			
1	1	6x5 ARLWOR	✓		1			
3	3	6x5 RC	✓		3			
1	1	6x9 primer	✓		1			
1	1	discharge spool	✓		1			
1	1	6 foot valve	✓		1			

Copy of rental receipt for pump currently used for #22-4191 and #22-10191. This receipt printed by Blair Hall

Blair Hall 9/9/2004

TERMS AND CONDITIONS:

"This sale is subject to the terms and conditions stated above and on the reverse side, and customer acknowledges that he has read the terms and conditions on both sides of this form and agrees to be bound thereby."

DRIVERS SIGNATURE

RECEIVED BY

Claim No. 22-4191

Document Checklist

☐ Copy License/Decree

☐ Copy Transfer

☐ Copy Licensing Field Exam

☐ Check if Ownership/Address Change is Required

☒ Generate, mail and file "Evidence of Priority" letter

☒ Generate Arcview Map

7/1/04 not in WMTS
7/26/04 356-6409 5 PM no answer
7/27/04 356-6409 7:20 AM no answer
7/27/04 Post card mailed
8/10/04 2:50 AM no answer
12:15 PM no answer

8/12/04 15:15 356-6409 - Call back in 10 days - Harvesting
8/24/04 7:45 356-6409 - no answer
9/3/04 12:26 356-6409 - no answer
9/3/04 Post card suggesting 7:30 AM Thursday Sept 8
9/9/04 7:00 356-6409 no answer
8:00 met w/ Mr. Hall @ Pou. Bae

Contacts Data Entry Form

Claim Number: A22-4191

Owner Type	Full Name	Address	City	State	Zip
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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.Claimant, address & phone # are correct. BAC 9/9/04

Reviewer: _____ Date: _____

Priority Date Data Entry Form

Claim Number: A22-4191

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: _____ Recommended Basis: _____

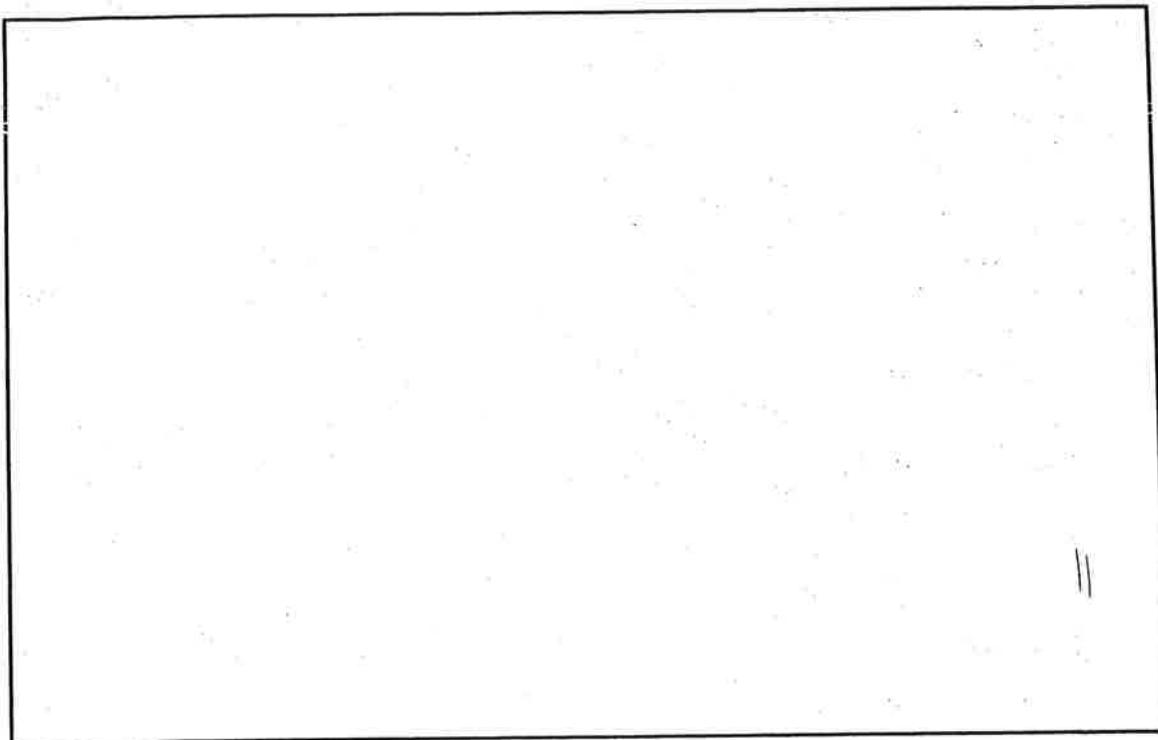
Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

Mr. Hall has repair receipt for pump from 1971. Pump
was purchased new at least 1 yr before repair
was required. Mr Hall will mail copy of repair receipt.
Please see also Bryce Bowen affidavit. Evidence
appears to support 6/1/1970 Bae 9/9/04

Reviewer: _____

Date: _____

Water Right No(s). A22-4191



GPS DATA:

Tag # A00122222 Location: motor panel
(EAST POD)

Diversion Data:

Source: Unnamed Drain Trib to: Texas Slough

MOTOR

Make: GE Model: _____ Hp: 50
SN: AKJ123533 ?

PUMP

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

NOTES:

Two POD as marked on layout. Data above are
for pump at east POD. See "Season & Quantity"
sheet for pump data for second (west) POD.
No place to put tag at west POD. BAC 9/9/04

Field Exam Date: _____ Agent: _____

Point of Diversion and Source Data Entry Form

Claim Number: A22-4191Water Right Point(s) of diversion and Source.

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary to: _____

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary to: _____

Claimed Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to

Recommended Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to

Other rights from this POD? _____

Transfers Pending or approved: _____

Document how the POD and Source were verified:GPS Waypoint 4 2673161 E 1400472 N IDTM 83
electric pumpGPS Waypoint 5 portable ditch pump site
2672771 E 1400463 N IDTM 43ac

Reviewer: _____ Date: _____

Place Of Use Data Entry Form

Claim Number: A22-4191

Claimed Place Of Use			QQ	Q	County	Lot Num	Acres	Purpose of Use
Twp	Rge	Sec						

Total acres _____

Recommended Place of Use			QQ	Q	County	Lot Num	Acres	Purpose of Use
Twp	Rge	Sec						

Total acres _____

Pending or approved Transfers: _____

Overlapping rights: Also has canal shares from ditch for entire place

Document how the POU was verified:

Field inspection & interview w/ claimant confirm POU on layout. Claimant does not irrigate the entire POU from this water right each year but w/ potato rotation all the POU is irrigated from this right over a full rotation. Six lines will water $\approx$ 160 acres w/ 5/32" nozzles. I propose 160 acres per year within 194 acre POU. CBac 9/9/04

Reviewer: _____ Date: _____

Season of Use and Quantity Data Entry Form

Claim Number: A22-4191Water 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

Overall Diversion Rate _____

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:

6 lines x $5/32"$ nozzles $\approx 6 \times 5.15 \text{ gpm} \times 32 = 989.6 \text{ gpm}$
 $\approx 2.2 \text{ cfs}$ OK

Portable pump has 3-53 Detroit Diesel engine.
 Pump is Monarch model NH5L type A serial D94-049
 6" inlet 4" outlet.

Also has rented 6-line diesel pump from Kam For Rent,
 see copy of rental receipt. Both pumps are also
 used on A22-10191. SAC 9/9/04

50 hp x 3960 $\approx 1600 \text{ gpm} \approx 3.6 \text{ cfs}$

Reviewer: _____
 (50' lift + 50' friction r 50 x 2.31)

Date: _____

June 2, 2004

**BLAINE R HALL
3332 W 3200 S
REXBURG ID 83440**

RE: EVIDENCE OF PRIORITY FOR SRBA WATER RIGHT CLAIM 22-4191

Dear Claimant (s):

The Idaho Department of Water Resources is nearing the end of water rights review in Basin 22, the Teton River drainage. The Notice(s) of Claim identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). The Notice of Claim indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Claim. The date the water was first put to beneficial use, known as the priority date, has not been confirmed by License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

Your claim, as referenced above, claims a Priority Date of JUNE 1 1970, from UNNAMED DRAIN.

It is important that each element of the Notice of Claim be verified. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

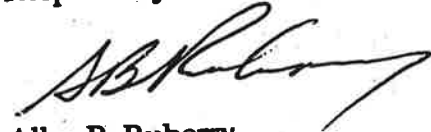
For your reference, I have provided a printout of your Notice of Claim and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence which are acceptable and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date**". **PLEASE READ THE ENCLOSED PAMPHLET.**

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other elements of the Notice of Claim have been or soon will be conducted by Department personnel.

.....
The Department will not recommend the Notice of Claim be decreed by the court if evidence of a priority date is not submitted. The Notice of Claim will be disallowed.
.....

Please submit documentation supporting the priority date within 30 days of the date of this letter, referencing all documents with the corresponding claim number. If you have any questions not covered by this letter or the enclosed pamphlet, please feel free to contact this office.

Respectfully submitted,



Allen B. Ruberry
Sr. Water Resource Agent
Adjudication Bureau

cc: File

Enclosure: Brochure on "Evidence of Priority"

MICROFILMED

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: A22-04191
Date Received: 8/24/1988
Receipt No: E001707
Received By: JO

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BLAINE R. HALL
Address: 3332 W. 3200 S.
REXBURG, ID 83440 208-356-6409

2. Date of Priority: JUN 01, 1970

3. Source: UNNAMED DRAIN Trib. to: TEXAS SLOUGH

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	39E	10	NE	NE			MADISON

5. Description of diverting works:
PUMP/MOTOR, MAINLINES, LATERAL SPRINKLER PIPE & SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.000		

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

8. Total consumptive use is 485.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	39E	2	SW	SW		IRR	32.0
Section Acres							32.0

A22-04191

Page 1

Date: 08/24/88

A2204191



MICROFILMED
OCT 29 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	39E	3	SE	SW		IRR	7.0
			SW	SE		IRR	15.0
			SE	SE		IRR	32.0
						Section Acres	54.0
		10	NE	NE		IRR	38.0
			NW	NE		IRR	40.0
			NE	NW		IRR	18.0
						Section Acres	96.0
		11	NW	NW		IRR	12.0
						Section Acres	12.0
						Total Acres	194.0

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:
TEXAS SLOUGH IRR. DIST.

14. Remarks:

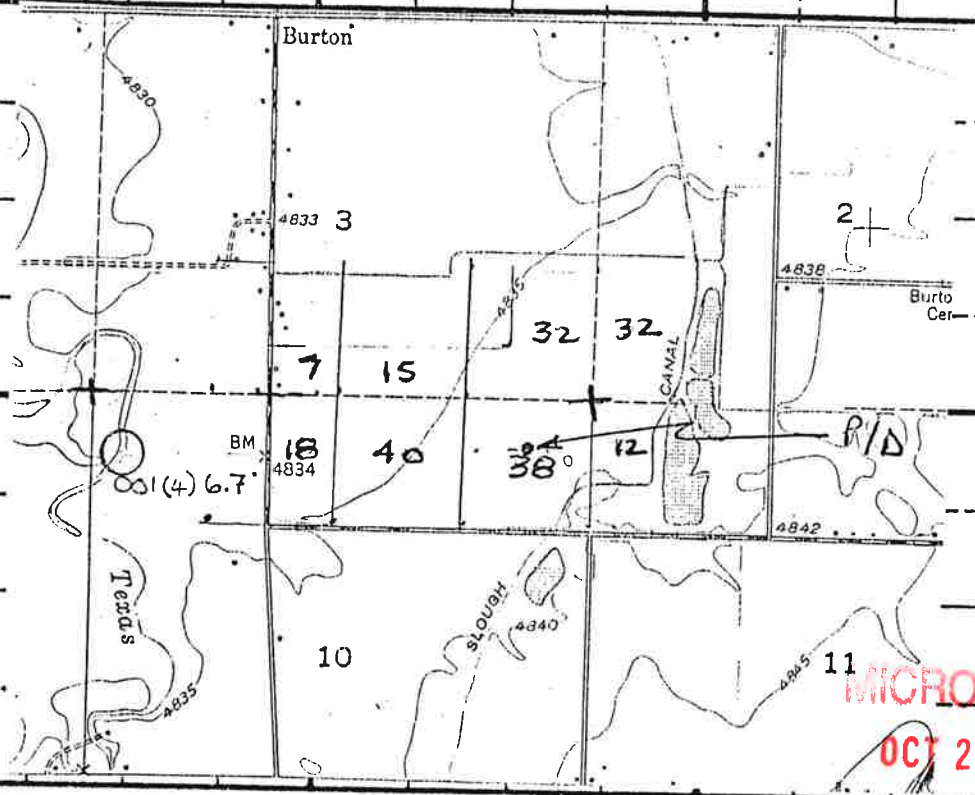
15. Basis of Claim: STATUTORY CLAIM
Water Right Number: 4191

(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.

MICROFILMED
OCT 29 1992

- The drain is manmade over 40 years ago. Applicant and predecessor pumped therefrom with tractor and pump to begin with and in 1974, installed an electrical pump-motor and irrigates with supplemental water the entire 194 acres. The primary water right for the same land is in the Texas Slough Irrigating Company. The drain is a receptacle
- (8) Remarks for surface waters and sub waters and a good part of the time those waters do not reach the slough or the river. Applicant claims the benefit of the provisions contained in paragraph 7.D of the Swan Falls Framework Contract executed by the Governor and Attorney General of the State of Idaho and the Idaho Power Company, and reserves the right under any present or future Department of Water Resources rules and regulations, legislation and adjudication proceedings involving the Snake River and its tributaries to have "grandfathered" the rights claimed herein as of June 1, 1970.

TOWNSHIP 5 North, Range 39 East, Boise Meridian



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.