

12/01/2006

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

RIGHT NUMBER: 22-13634
NAME AND ADDRESS: PETER LINN
PO BOX 255
VICTOR ID 83455

TRUDY LINN
PO BOX 255
VICTOR ID 83455

SOURCE: UNNAMED STREAM TRIBUTARY: SINKS
QUANTITY: 0.760 CFS
PRIORITY DATE: 06/01/1914
POINT OF DIVERSION: T04N R46E S30 NESWSW Within TETON County
PURPOSE AND PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	0.760 CFS
PLACE OF USE:	<u>IRRIGATION in TETON County</u>		
	T04N R46E S30 Lot 4 SWSW	19.00	
	19 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 - Decreed

Source is also known as Pearl Creek.

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

Use of this right is combined with water from Fox Creek Canal.

This right is renumbered from former right 22-143 .



Idaho Department of Water Resources

SRBA Recommendation:

22-13634

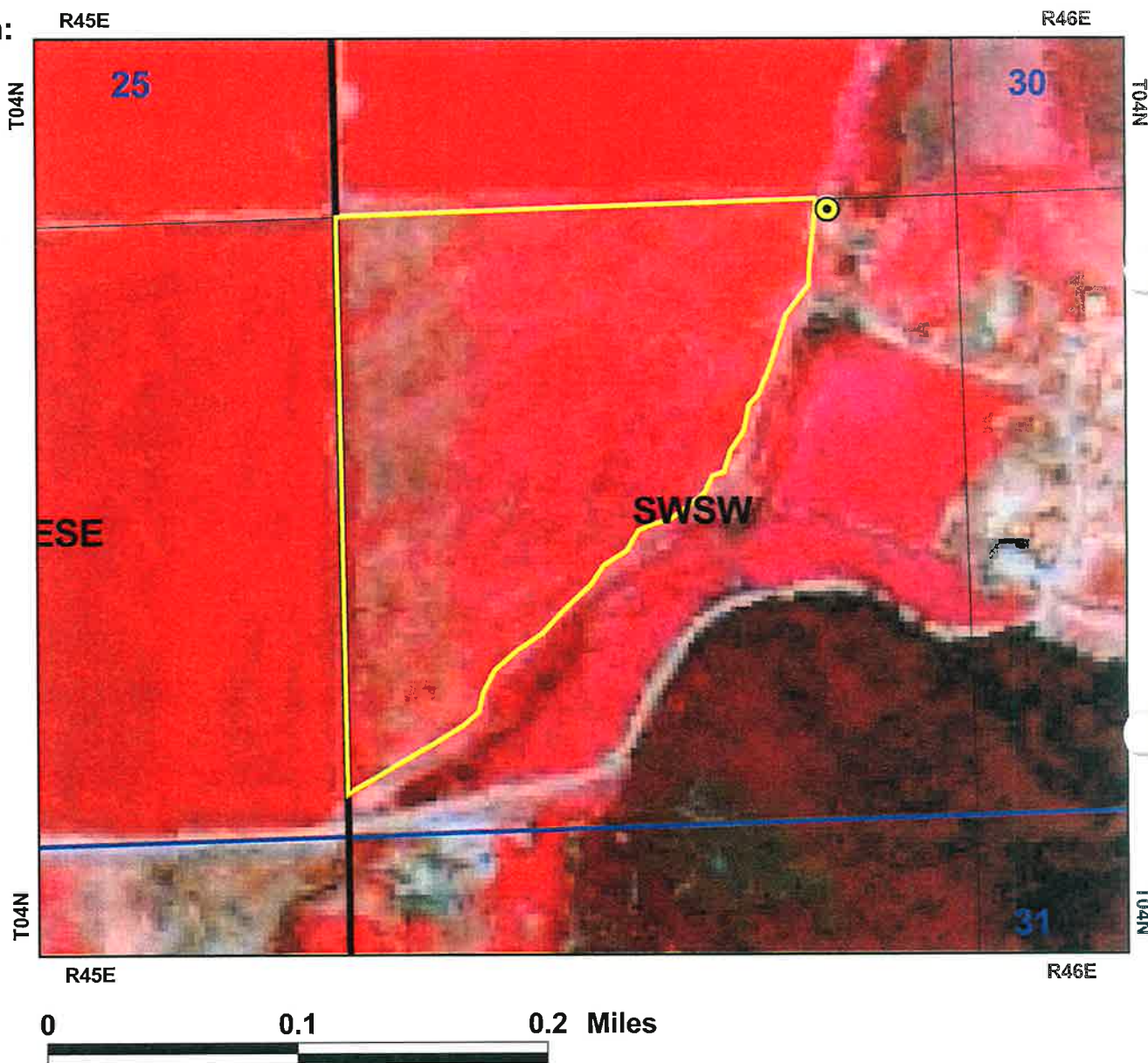
(Irrigation)

Legend

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



Teton County
IDWR Basin 22



Prepared by K. Moore
On Friday, December 1, 2006
1987/88 Aerial Photography

12/01/2006

NOTICE OF ERROR
REPLY

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.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 22-13634

PETER LINN
PO BOX 255
VICTOR ID 83455
Telephone Number: (208) 787-2213

TRUDY LINN
PO BOX 255
VICTOR ID 83455
Telephone Number: (208) 787-2213

RECEIVED

JAN 04 2007

Department of Water Resources
Eastern Region

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:

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: 12-29-2006 SIGNATURE: Peter V. Linn Trudy Linn
Please print your name: PETER V. LINN Trudy Linn

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

OC

Method of irrigation? Flood

Location of Liverston? Parrish Pond

SE NW SW S30
4N 46E.

What land is irrigated from Pearl Creek?

part of SW SW Sec 30. on west side
of Pearl Creek Channel.

Fox Creek

Creek

T4N, R45E

T4N, R46E

P.O.

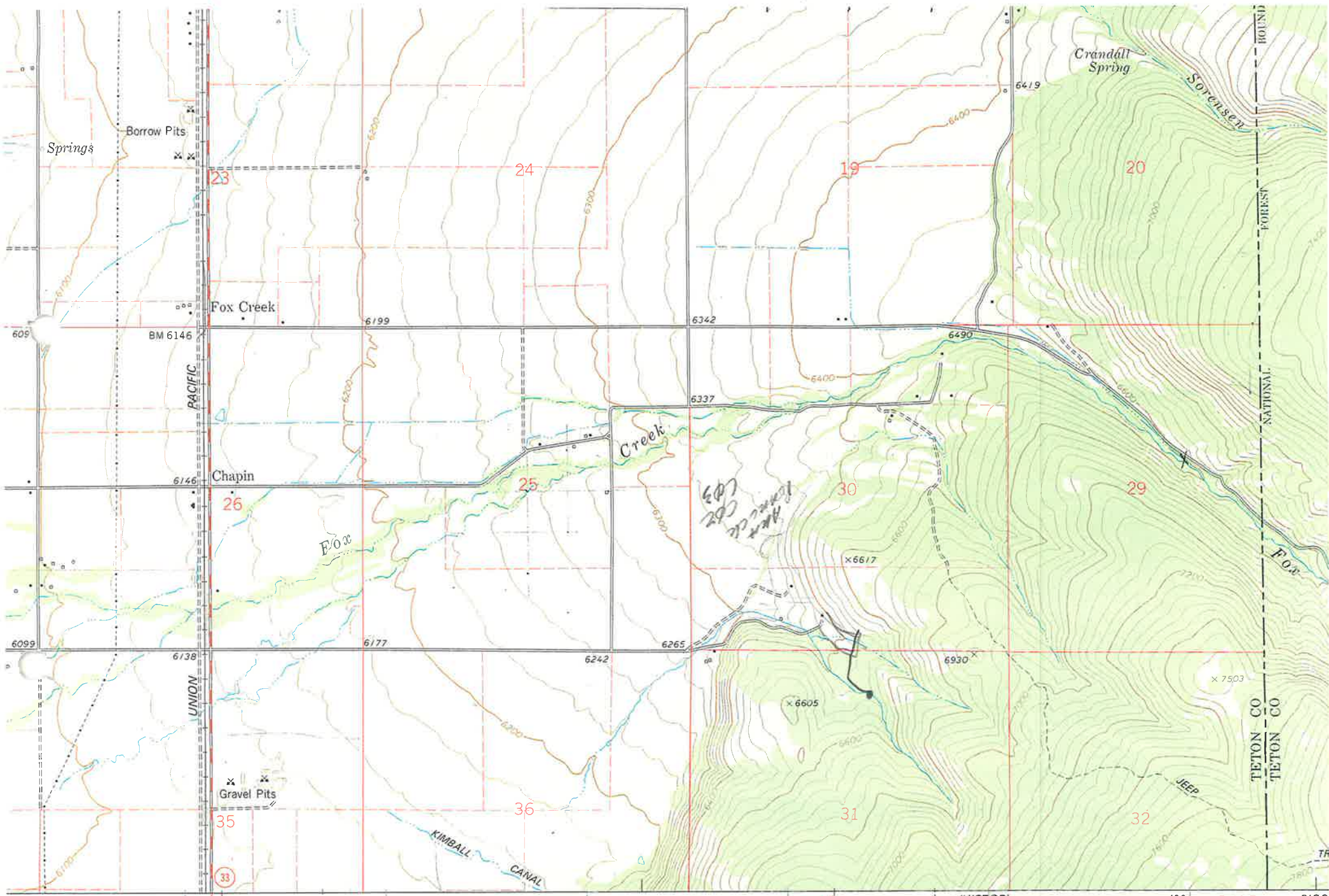
Pearl Creek

22-535
22-2095
22-4002

22-143

25 30
36 31

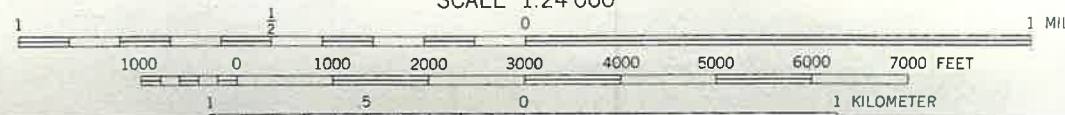
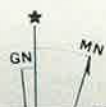
Juanita Creek

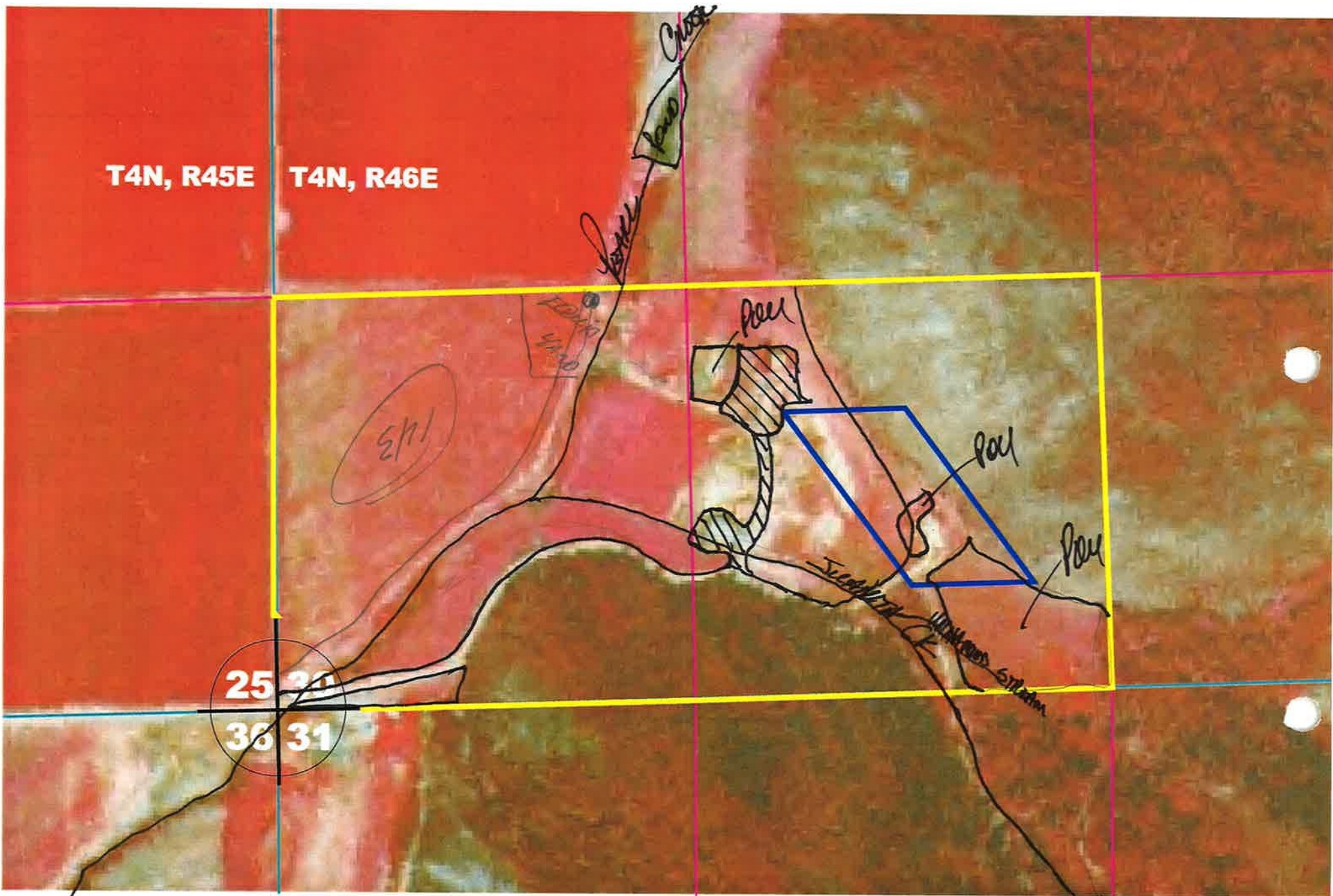


red, edited, and published by the Geological Survey

al by USGS and NOS/NOAA

raphy by photogrammetric methods from aerial
graphs taken 1973. Field checked 1974. Map edited 1978





Water Right(s): 22-143, Rocky Road Irrigation

NOTES:

EXAM MAP
Basin 22 Project

Examiner: _____

Date: _____

12/17/21
01b/LI

507
500
535

143
505
503



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 29, 2005

Reverse L I N Ranch
Attn: Peter Linn
140 E 600 S
Victor ID 83455

RE: 22-143, 22-534, 22-535, 22-2095, 22-4002

Dear Mr. Linn,

This letter is to confirm your meeting with James Joyner (Corps of Engineers), Roger Warner (Water Rights Supervisor), and Allen Ruberry (Senior Water Agent) for April 18, 2005 at 1:00 p.m.

If you have any questions about this, please call (208)525-7161.

Thank you,

Katy Jackson
Office Specialist 1

Cc: James Joyner
Roger Warner
Allen Ruberry

Claim no. 22-143

Claimant Contact Log

Date _____

Remarks

Agent initials

6/3/04 CARLOS PETER LINN TO MIAHO APPT FOR 6/7/04 @
830-900 am -

EXCERPT FROM: *RASMUSSEN AND BALLARD*
VS

L. CRANDALL, WM WID #36

16 MAY 1950.

22-0143 It is further ORDERED, ADJUDGED AND DECREED, that the plaintiff, L. N. Ballard, is entitled to, and is hereby awarded three and two-tenths feet per second (or 150 miners inches, more or less) of the waters of Pearl Creek, with priority date of 1st of June, 1914, for the irrigation of his real property, described in plaintiffs' complaint, and more particularly described as follows, to-wit:

The East Half of the Southeast Quarter (E $\frac{1}{2}$ SE $\frac{1}{4}$) Section Twenty-five (25) Township Four (4), North Range Forty-Five (45) and the South Half of the Southwest Quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$) Section Thirty (30) Township Four (4) North Range Forty-six (46.) E.B.M. In Teton County, Idaho.

E $\frac{1}{2}$ SE 50.25
T4N R45E
S $\frac{1}{2}$ SW 50.30
T4N R46E

and

It is further ORDERED, ADJUDGED AND DECREED, that the foregoing adjudication of water be made subject only to the Decrees, in a certain action in the District Court of the Ninth Judicial District of the State of Idaho, in and for the County of Fremont, entitled "Rexburg Irrigation Company, et al., Plaintiffs, vs. Teton Irrigation Canal Company, et al., Defendants," dated and filed December 16, 1910; in a certain action instituted in the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Twin Falls, entitled "Twin Falls Canal Company, Plaintiff, vs., Charles H. Foster, et. al., Defendants", filed on the 20th day of June, 1913, and the amended decree thereto, dated September 12, 1916, and filed September 21,

Contacts Data Entry Form

Claim Number: 22-143

Owner Type	Full Name	Address	City	State	Zip
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Current Owner:	<u>PETER LINN</u>				
Current Owner:					
Current Owner:					

Current Owner:					
----------------	--	--	--	--	--

Current Owner:					
----------------	--	--	--	--	--

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.

DECEDED UNDER RASMUSSEN AND BALLARD vs L. CRANDALL, WM WD#36.
16 May 1950, to L.N. BALLARD, 160" of PEARL CR, 1 June 1914.

Reviewer: _____ Date: _____

Place Of Use Data Entry Form

Claim Number: _____

Claimed Place Of Use

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

Total acres _____

Recommended Place of Use

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

Total acres _____

Pending or approved Transfers: _____

Overlapping rights: _____

Document how the POU was verified:

DECEDED TO: E²SE SEC. 25 T4N R45E - PARRISH LAND RANCH
S²SW SEC. 30 T4N R46E - LINN RANCH

Reviewer: _____ Date: _____

Season of Use and Quantity Data Entry Form

Claim Number: _____

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
<i>Panig</i>	<i>NOT</i>	<i>Spec.</i>	<i>3³</i>	

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
<i>Panig</i>				

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
<i>Panig</i>	<i>4/15</i>	<i>10/31</i>		

Overall Diversion Rate _____

Overall Diversion Volume _____

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

*DISPERSED @ 3³ cfs - BT TO BE PROPORTIONALLY SPLIT WITH
LYNN AND PARMISH RANCH.*

Reviewer: _____

Date: _____

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 22-13634

Ident. Number ~~22-143~~
Date Received: 6/3/2004
Receipt No: E030805
Received By: ABR

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

PETER LINN Phone: (208) 787-2213
PO BOX 255
VICTOR ID USA 83455

5466

TRUDY LINN Phone: (208) 787-2213
PO BOX 255
VICTOR ID USA 83455

2. Date of Priority: 06/01/1914

3. Source: PEARL CREEK Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	46E	30	SE SW	TETON	

5. Description of diverting works:

HEADGATE OFF CREEK TO OPEN DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/31	3.2	

7. Total Quantity Appropriated is:

3.2 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
04N	46E	30	SW SW	IRRIGATION	19
Section Acres					19
Total Acres					19

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:

14. Remarks:

POD/POU REQUIRE ADJUSTMENTS TO CONFORM TO ACTUAL USE.

RECEIPT NO E030805.

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):

Peter V. Lavin

Date:

4-19-05

Date:

State of Idaho)

County of

Bonneville

) SS.

Subscribed and sworn (or affirmed) before me this 19th

of April 2005

ALEX B. RUBERRY

Notary Public

Residing at

BRAND KANS BOAK

My commission Expires

9/23/09

