

08/13/2004

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

RIGHT NUMBER: 25-56D
NAME AND ADDRESS: EDITH BOLINDER
9584 E RIRIE HWY
IDAHO FALLS ID 83401

BERT BOLINDER
9584 E RIRIE HWY
IDAHO FALLS ID 83401

SOURCE: WILLOW CREEK TRIBUTARY: SNAKE RIVER
QUANTITY: 0.070 CFS
PRIORITY DATE: 04/01/1874
POINT OF DIVERSION:

T03N R39e S19 SWSWNE Within BONNEVILLE County
Water diverted under this right, based on Exchange 3019, is exchanged with water diverted from the Snake River via the Anderson Canal in the T03N R41E S05 NWSWSW. Water diverted under this right is used within the service area of the Progressive Irrigation District.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.070 CFS

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T03N R39E S11 NWSW 1.7

1.7 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:

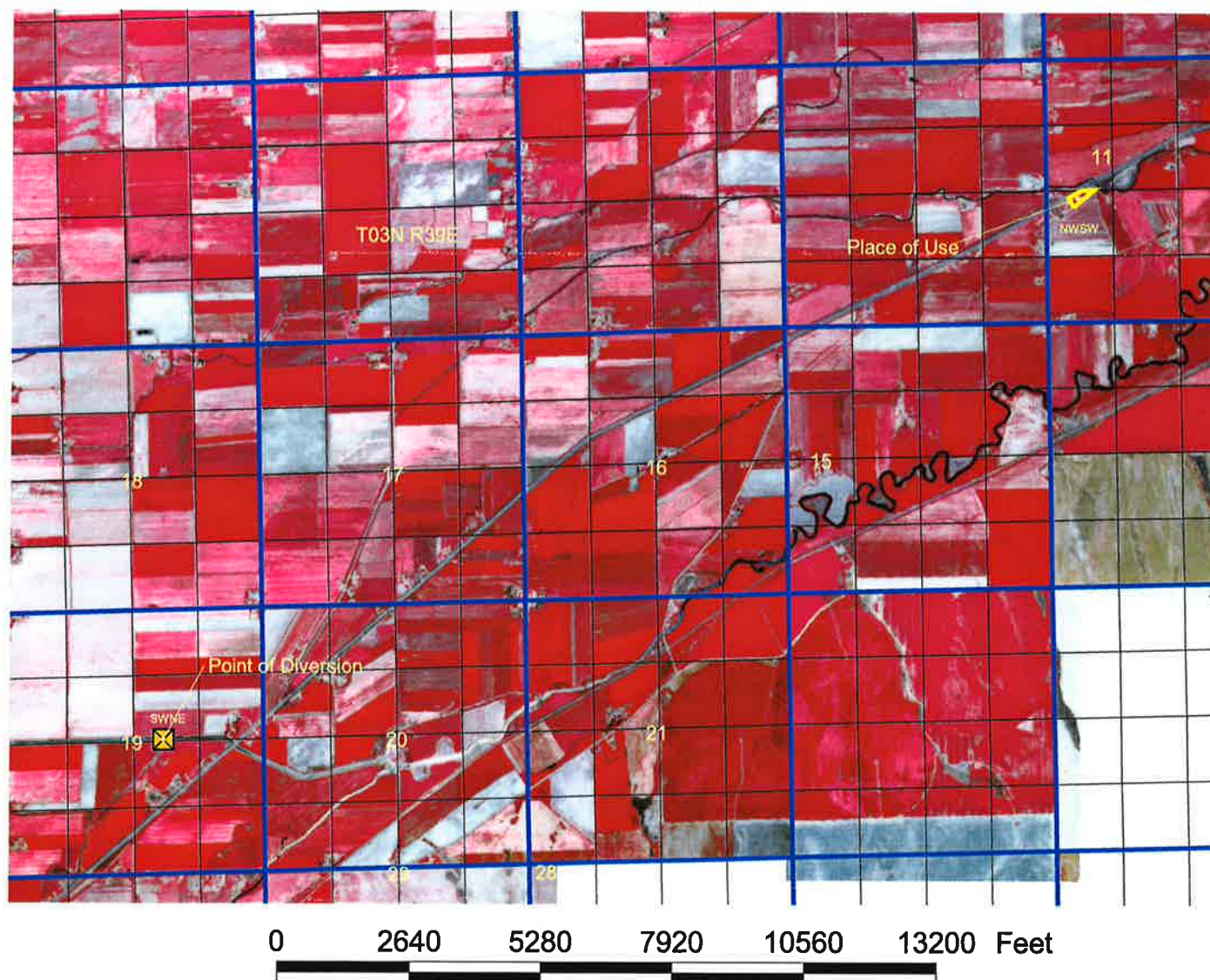
SCANNED

SEP 22 2004

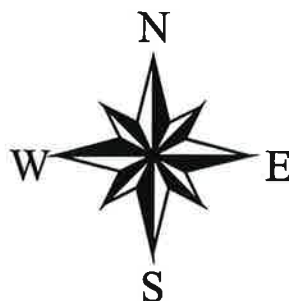
PROFILED

DEPARTMENT OF WATER RESOURCES

Claim No.: 25-56D



-  Point of diversion.shp
-  Place of use.shp
-  Sections
-  QQ



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: E. Carlsen
Date: August 2004

SCANNED
SEP 08 2004

PROFILED

RECEIVED

SEP 07 2004

NOTICE OF ERROR
REPLY

08/13/2004

Department of Water Resources
Eastern Region

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: 25-56D

EDITH BOLINDER
9584 E RIRIE HWY
IDAHO FALLS ID 83401
Telephone Number: (208)523-2890

BERT BOLINDER
9584 E RIRIE HWY
IDAHO FALLS ID 83401
Telephone Number: (208)523-2890

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:

yes I AGREE with this proposed recommendation: no changes need to be made.

DATE: 8-30-04 SIGNATURE: Edith Bolinder Bert Bolinder
Please print your name: BERT C. BOLINDER

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

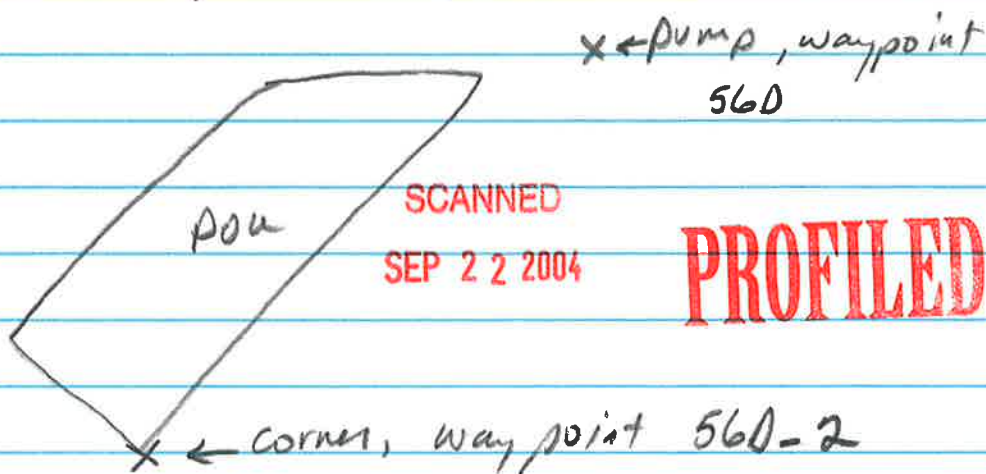
SCANNED

SEP 08 2004

PROFILED

A25-00056D Summary 9/18/03

- 1) Ownership - correct
- 2) POD - Claim lists POD of anderson canal.
I photed pump from canal - GPS 674,355E
280,539N Waypoint 56D. See exchange
agreement, notes re: POD in A25-00056F.
- 3) POA POA is large lawn area, 2 large
gardens, irrigated pasture, associated w/
2 homes. It is hard to tell from aerial
photo where the line is between this POA
and neighbor to the south east. GPS
Waypoint 56D-2, 674,236E 280,434N
is SE corner of this POA



A25-00056A summary 9/18/03 p2

- 4) Overlap. None for Irrigation. Domestic well serves homes.
- 5) Conflict. See conflict notes in A25-00056F.

Bryce A. Contor

Water Resources
Field Services
208 663 4667

SCANNED
SEP 22 2004

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A25-00056 D Field Inspection 9/15/03

Photo 1) POD GPS waypoint S6D
674355 E 280539 N

- 2) N end of POD - calf pasture
- 3) S end of POD - lawn & garden

GPS 2 674236 E 280434 N SE
corner of POD waypoint S6D-2

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Water Resources
Field Services
208 663 4667

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SEP 22 2004

A25-00056D Contract log

9/11/03 523-2890 1635

Mrs. Bolinder - Monday 1 pm
White long circles drive -

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Water Resources
Field Services
208 663 4667

SCANNED

SEP 22 2004

August 18, 2003

Bert and Edith Bolinder
9584 East Ririe Highway
Idaho Falls, ID 83401

Re: Water Right Adjudication Claim(s) A25-00056D

Dear Water User:

Idaho Department of Water Resources (IDWR) is reviewing claims to water rights in the Snake River Basin Adjudication in your area. Water Resources Field Services has been retained to do field inspections to aid the Department in making correct recommendations to the court. In the next weeks and months I will be contacting you to make an appointment to look at your diversion works and uses of water.

The main purpose of this visit is to locate and photograph the headgate(s), ditches, and irrigated lands.

I look forward to helping make sure your water right recommendation is correct. Please contact me if there is a particular time that would be convenient for you. You may call in the evenings, or leave a message on the answering machine.

Sincerely,

Bryce A. Contor

SCANNED

SEP 22 2004

PROFILED

Water Resources
Field Services
208 663 4667

Log for claim 25-00056D

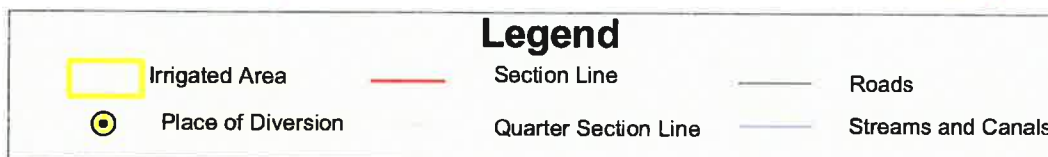
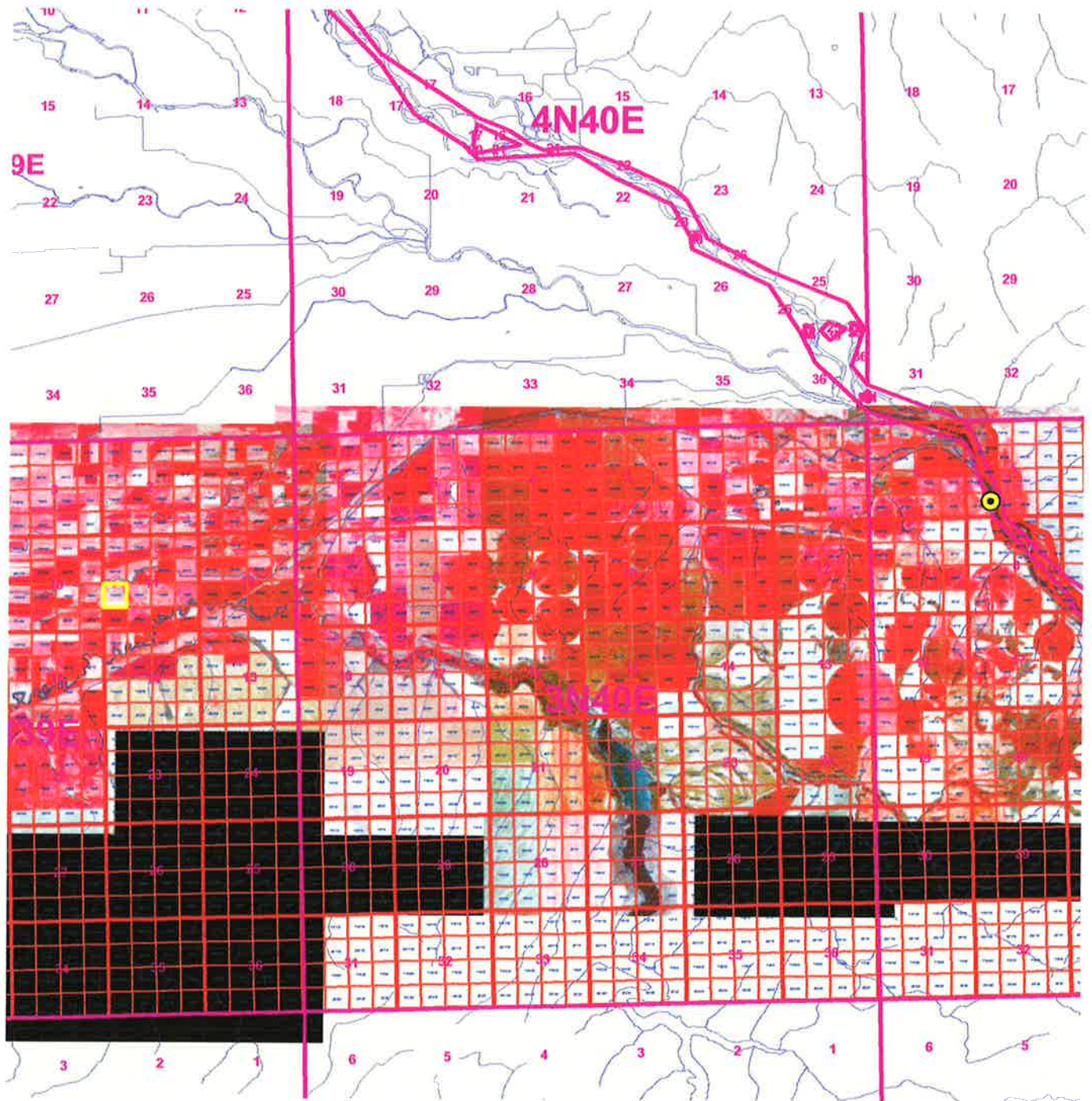
Spatial Dynamics CAT

11/22/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
03n39e	11	NWSW	1	40	Indiscernible
Totals:			1	40	

Water Right Claim Number 25-00056D
Township , 3N39E

11/22/2000

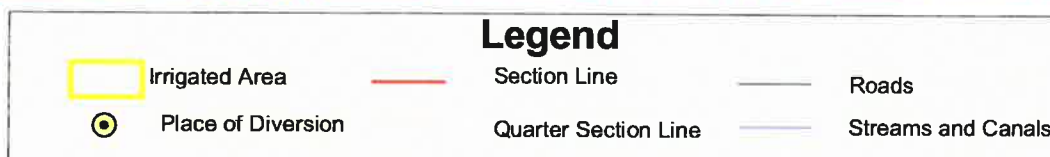
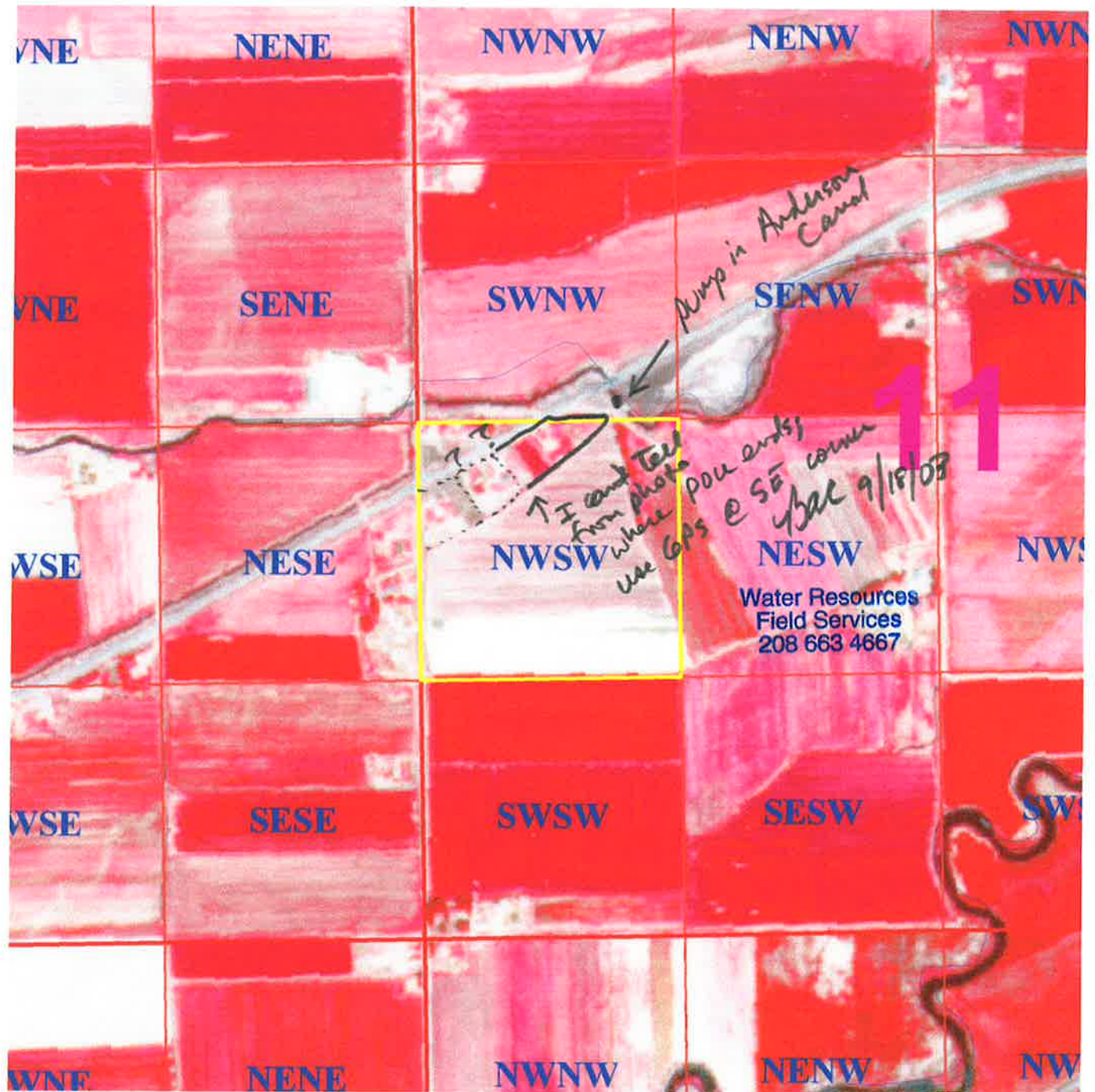


SPATIAL
DYNAMICS



Water Right Claim Number 25-00056D
Township , 3N39E

11/22/2000

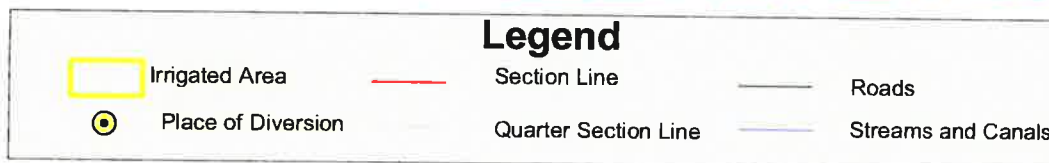
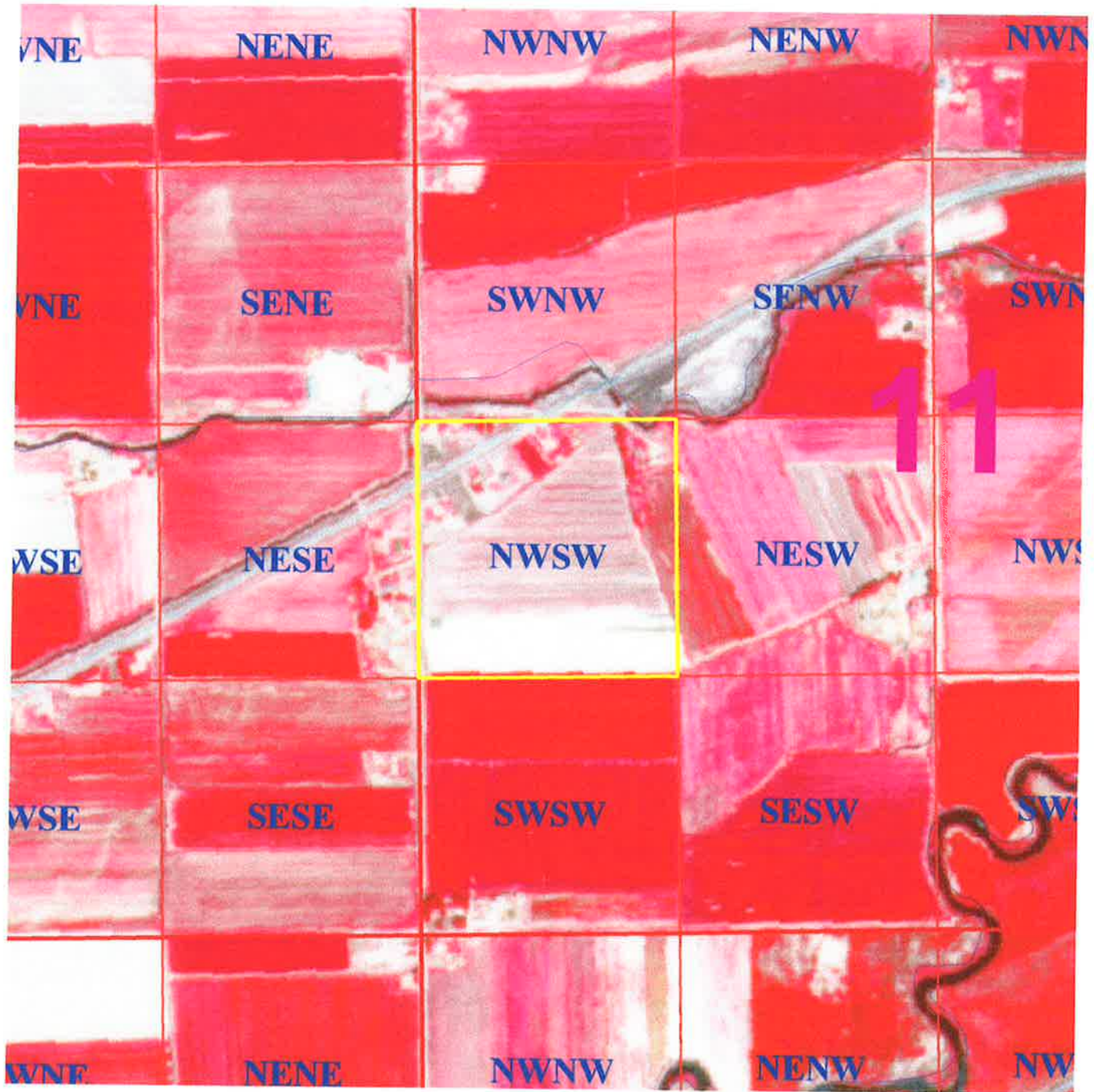


SPATIAL DYNAMICS



Water Right Claim Number 25-00056D
Township , 3N39E

11/22/2000

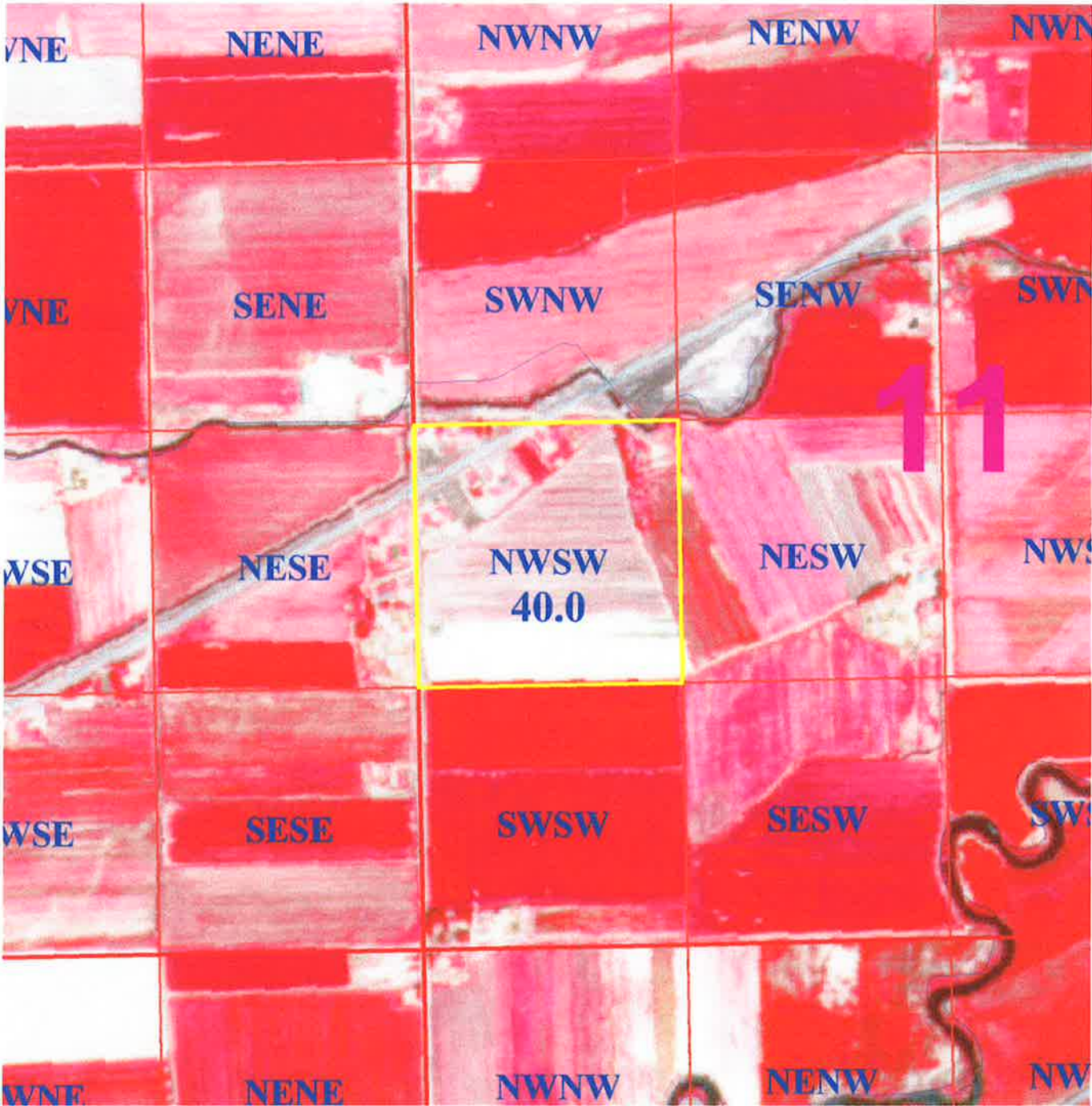


SPATIAL
DYNAMICS



Water Right Claim Number 25-00056D
Township , 3N39E

11/22/2000



 Irrigated Area

 Section Line

 Roads

 Place of Diversion

Quarter Section Line

 Streams and Canals

Legend



 SPATIAL
DYNAMICS

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:	Presumption Flag:
Audit:	04/11/88 VERNER	05/18/88 NOYES	03/29/95 POST-STD

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
	Gleeverly, Frank	2.6		25-0056
Exchange 3004	Anderson, Ruth	0.02		25-0056B~
	Gleeverly, Frank	2.58		25-0056A
Exchange 3019.	Bolinder, Bert &/or Edith	0.07		25-0056D
	Cleeverly, Frank	2.51		25-0056C

T

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MICROFILMED

25-00056D

Identification No. _____

Exchange No. 3019

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR EXCHANGE OF WATER

APPROVED

APPLICANT'S RIGHT - Describe the water right under which you wish to exchange water.

1. Name of Right Holder Bert &/or Edith Bolinder 523-2890
Post office address Star Route #1, Box 14-A Idaho Falls, ID 83401
2. Right obtained by: 25-0056
 - a. Decree to Frank Cleverly in Case of Eagle Rock & Willow Creek
(Name)
vs. Henry W. Kiefer et al, Dated 7-20-1901 in 5th District Court
(Name of Court)
Court, County of Bingham. Fully describe decree _____

 - b. Permit, License, or Claim No. _____ in the records of the Department of Reclamation.
3. Source of water Willow Creek tributary to Snake River
(Name of stream or source)
4. Date of Priority of Right 4-1-1874
5. Amount of water a. 2.6 c.f.s. and/or
b. _____ acre feet/annum
6. Water is used for Irrigation from NOT SPECIFIED to IN DECREE
(Purpose) (Month-Day) (Month-Day)
_____ from _____ to _____
(Purpose) (Month-Day) (Month-Day)
7. Location of point of diversion is NOT SPECIFIED 1/4 of Section IN DECREE,
Township _____, Range _____, B.M., in _____ County;
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	39E	11									X	X	X	X					160

Total number of acres to be irrigated 160

DESCRIBE RIGHT HELD BY USER WITH WHOM YOU WISH TO EXCHANGE WATER

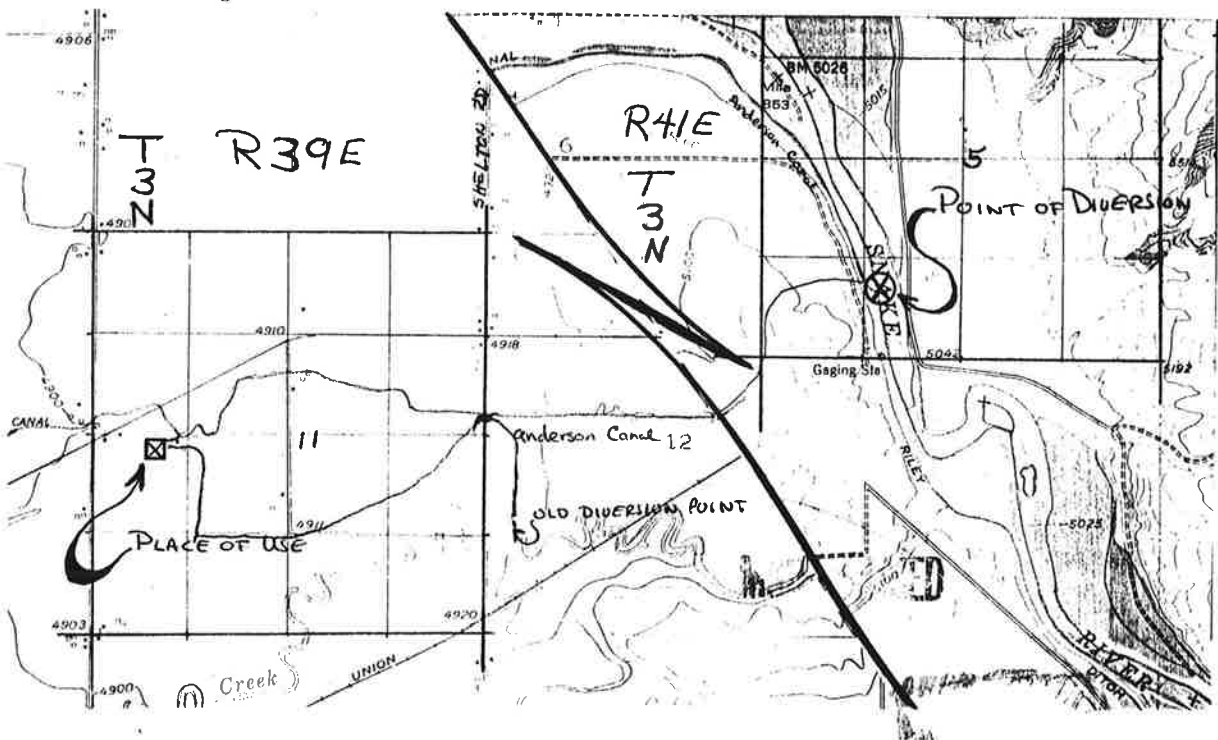
9. Name of Right Holder Progressive Irrigation
Post office address Rt. #1, Box 5 Idaho Falls, ID 83401
10. Source of water Snake River tributary to Columbia River
(Name of stream or source)
11. Name of canal or ditch Anderson Canal
12. Amount of water a. 0.07* c.f.s. and/or *SEE ITEM 16
b. _____ acre feet/annum
13. Right obtained by:
a. Decree to Anderson Canal in Case of Rexburg Irrigation Co. et al
(Name)
vs. Teton Irrigation Co. et al, Dated 12-16-1910 in Sixth Judicial Dist.
(Name of Court)
Court, County of Fremont. Fully describe decree (if known) _____

b. Permit, License, or Claim No. _____ in the records of the Department of Reclamation.

EXCHANGE

14. 0.07 c.f.s and/or _____ acre feet per annum of water diverted at the point described in line 7 and will be delivered into _____ at a point in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, Township 3N, Range 41E, B.M., in Bonneville County; Additional points, if any _____
15. In lieu thereof SEE 16 EXPLANATION c.f.s. and/or _____ acre feet per annum will be diverted from _____ at a point within the $\frac{1}{4}$ of Section _____, Township _____, Range _____, B.M., in _____ County.
16. Explanation (Item #12) Progressive Irrigation District has rights totaling 1180 cfs 01-0064/0065/0066/0241. (Item #15) Water left in Willow Creek for Progressive Irrigation water users on Willow Creek

In the space below draw a sketch map showing your point of diversion under the exchange, where you will return the replacement water, land irrigated, and the general location of your conveyance system. Include any other information which would help in understanding the proposed exchange.



17. REMARKS

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 willfull misrepresentations made in this application may result in voiding its approval.

Edick Bolinder

(Signature of Applicant)

Subscribed and sworn to before me this 16th day of February, 19 84

Agnesha K. McKinley
(Notary Public)

My commission expires 11-27-86

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Exchange of Water Rights No. 25-0056D 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 5th day of October, 19 84

J. Glen Sayton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by KAW Date 2/16/84 Protest filed by _____
 Prelim. check by AWJ Fee 30.00
 Received by BP Date 3/15/84 # 33475
 Published in Post Register Copies of protest forwarded by _____
 Pub. dates 4/11 & 4/18/84 Hearing held by _____ Date _____
 Watermaster recommendation requested on _____ Recommended for approval denial _____
 rec'd by Jim DPA

MICROFILMED

JUL 25 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

Ident. Number: A25-00056D
Date Received: 4/11/1988
Receipt No: E000084

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BERT BOLINDER 208-523-2890
Address: 9584 EAST RIRIE HIGHWAY
IDAHO FALLS, ID 83401
AND/OR
Name: EDITH BOLINDER 208-523-2890
Address: 9584 EAST RIRIE HIGHWAY
IDAHO FALLS, ID 83401



2. Date of Priority: APR 01, 1874

3. Source: WILLOW CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	41E	5	NW	SW	SW	1	BONNEVILLE

5. Description of diverting works:
HEADWORKS OR THE ANDERSON CANAL (SEE REMARKS)

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.070		

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

8. Total consumptive use is 4.2 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	39E	11	NW SW		IRR	1.7
Section Acres						1.7
Total Acres						1.7

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:
NONE

14. Remarks:

P/D NOT GIVEN IN DECREE.
P/U INCOMPLETE IRR. AC. NOT STATED.
EXCHANGE 3019.
FLOWS CARRIED BY ANDERSON CANAL.
THIS RIGHT ORIGINALLY DIVERTED FROM WILLOW CREEK THROUGH DITCH.
IN 1984 AN EXCHANGE AGREEMENT WAS MADE WITH PROGRESSIVE
IRRIGATION CO. TO DIVERT THIS WATER RIGHT THROUGH THE ANDERSON
CANAL. WITNESSED BY EXCHANGE 3019.

15. Basis of Claim: DECREED

Water Right Number:
Case Number:
Court :
Decree date:

EAGLE ROCK WATER CO. ET AL
Decree Plaintiff

vs

HENRY KIEFER 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): Edith Bohinder Date: April 11, 88

Date: _____

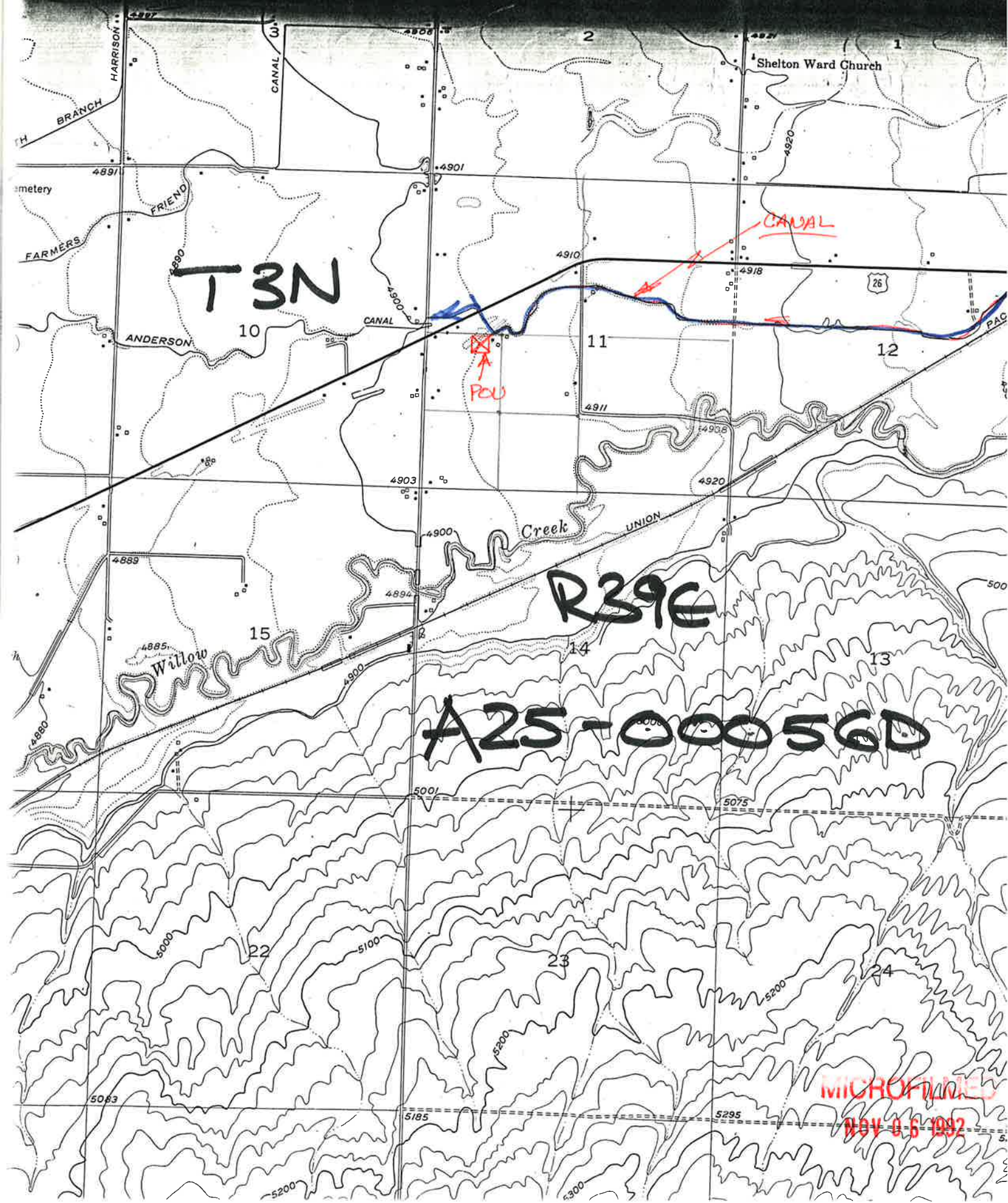
State of Idaho)
County of Bingham) SS.

Subscribed and sworn (or affirmed) before me this 11 day
of April 19 88

Ronald D. Carls
Notary Public

Seal

Residing at Firth, Idaho
My Commission Expires 2/14/92



A25-D0056D

