

12/11/2003

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

RIGHT NUMBER: 25-13117
NAME AND ADDRESS: J ROBB BRADY
314 E SUNNYSIDE RD
IDAHO FALLS ID 83404
SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 0.090 CFS
6.000 AFY
13,000 The quantity of water under this right for domestic use shall not exceed
gallons per day.
PRIORITY DATE: 05/01/1950
POINT OF DIVERSION:
T02N R38E S31 NWNENE Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
IRRIGATION	04/01 10/31	0.050 CFS 6.00 AFY

PLACE OF USE: DOMESTIC Within BONNEVILLE County
T02N R38E S31 NENE
IRRIGATION Within BONNEVILLE County
T02N R38E S31 NENE 1.5

1.5 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.

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

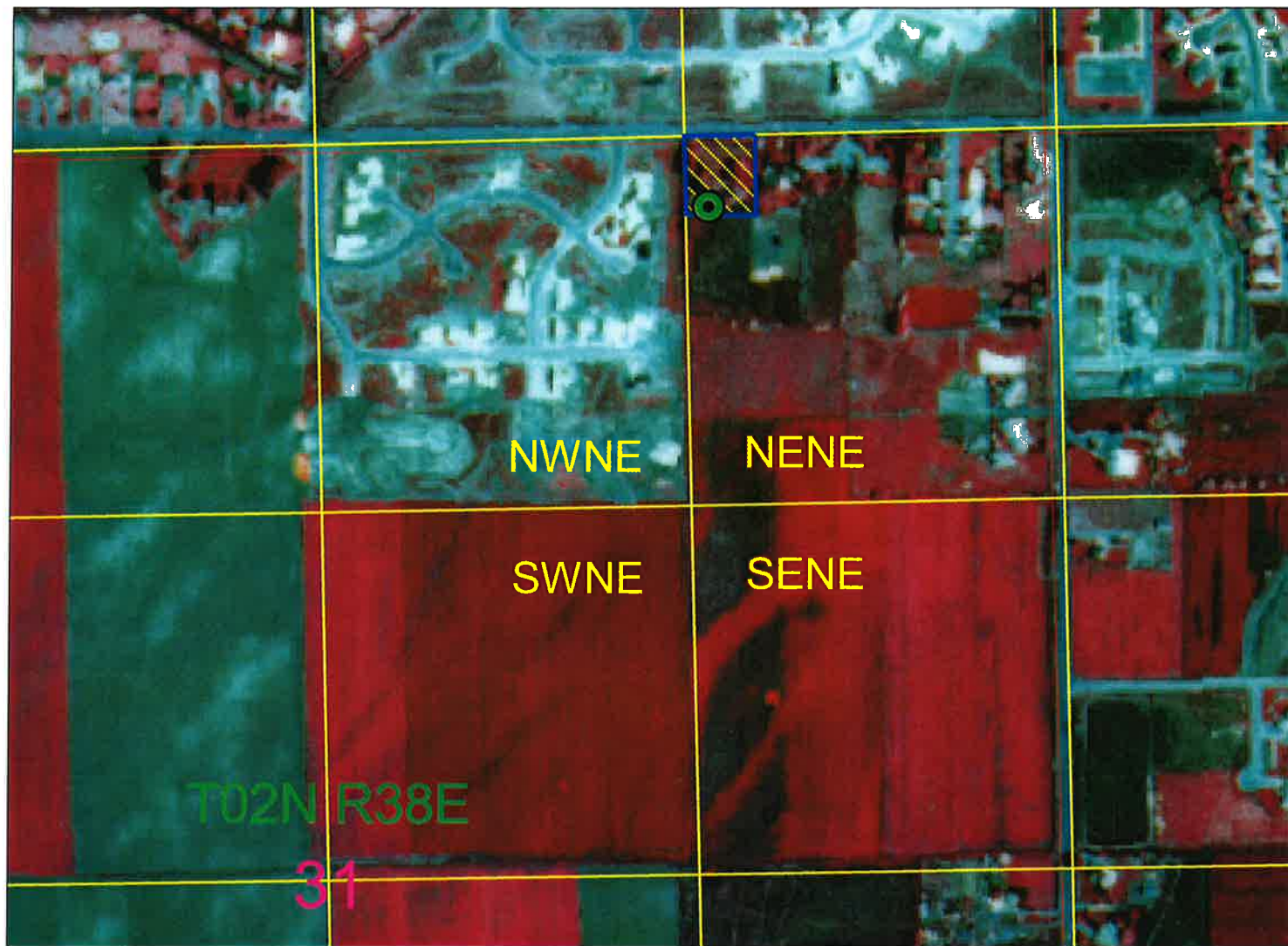
EXPLANATORY MATERIAL: Beneficial Use
Domestic use is for 1 home.

PROFILED



Department of Water Resources

Claim No.: 25-13117



0

1320

2640

3960



Point of diversion



Place of use



QQ

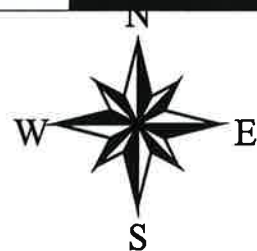


Sections

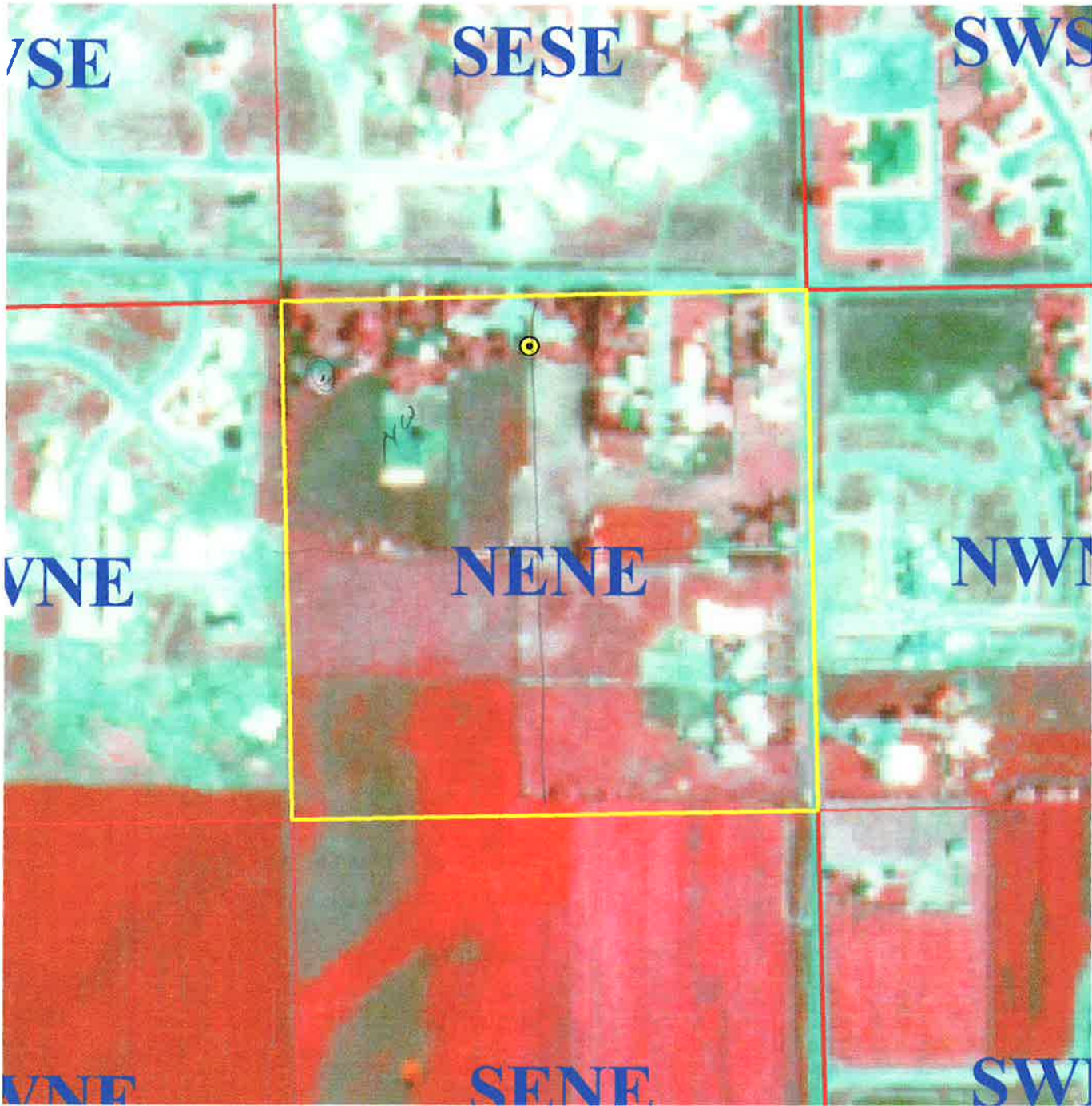
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SCANNED

OCT 29 2004



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by M. Holliday
Date: November 2003



Irrigated Area

Place of Diversion

Section Line

Quarter Section Line

Roads

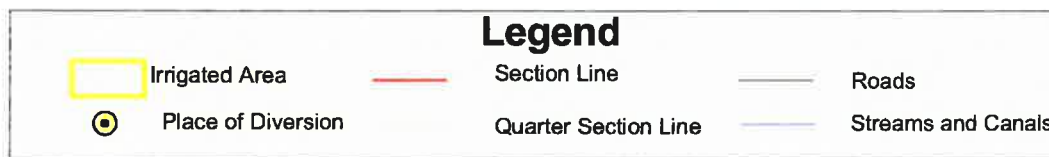
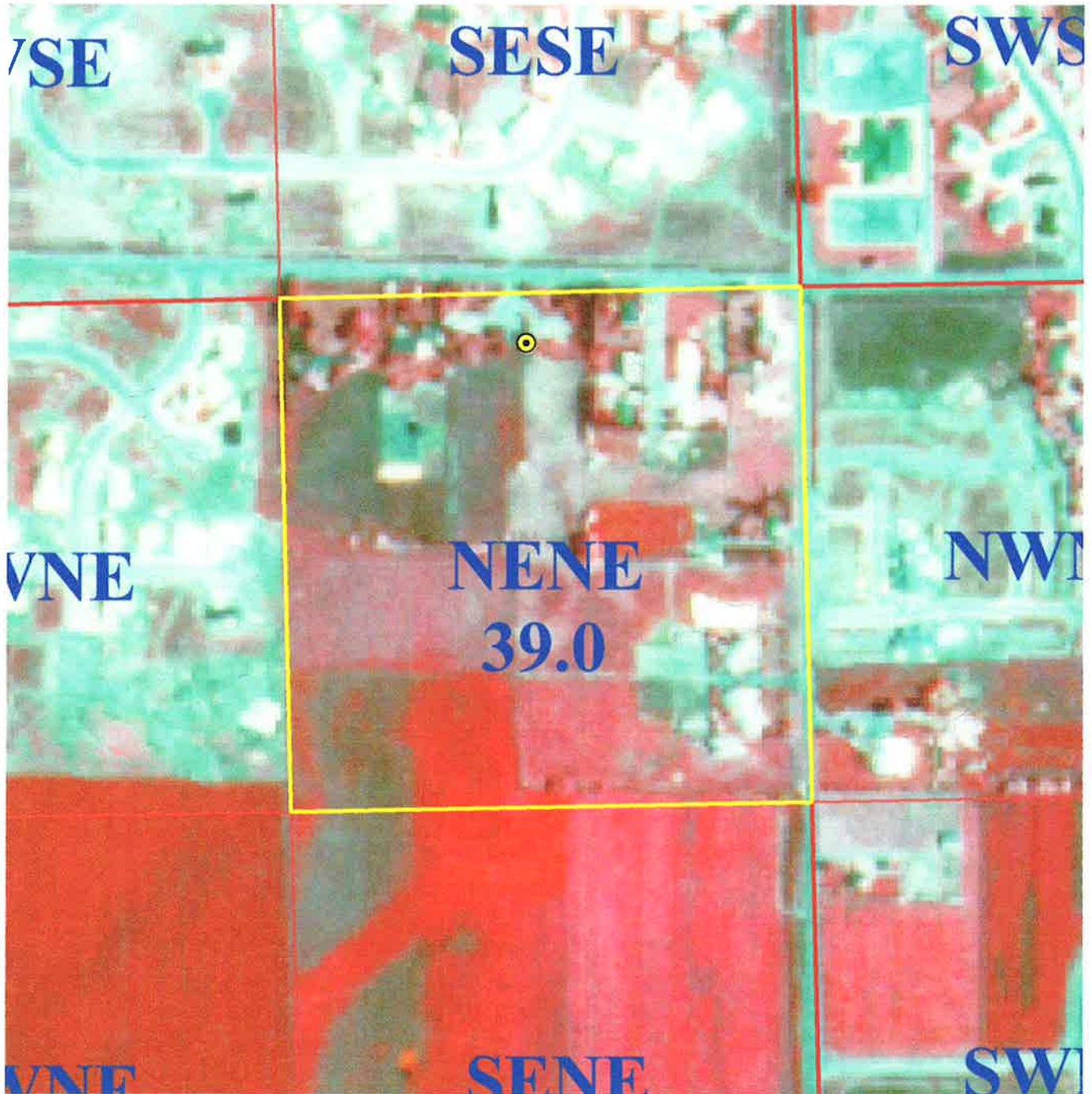
Streams and Canals

Legend



Water Right Claim Number 25-13117
Township , 2N38E

12/07/2000



 SPATIAL DYNAMICS



25-13117

6/12/2003

Called owner but was not able to contact. Visited property and noticed that acreage behind house was not currently being irrigated. Home has a large front lawn.

6/23/2003

Talked to claimant on phone. He explained that the area behind the house was historically irrigated w/ surface water from Idaho Irrigation Dist. He said that the well was used for his home and for approximately an acre and a half of front lawn.

Also his attorney Kent Foster, called and confirmed this information and reported that in 1998 Andrew Well Pulling had installed a start capacitor for a 5 HP pump for this well. Theoretical capacity of pump is as follows assuming 5 HP and 145' lift:

$$\frac{8.814 \times 5 \text{ HP} \times 0.70}{145' + (2.308 \times 40)} = 0.13 \text{ cfs}$$

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Law Offices
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
CHARLES A. HOMER
GARY L. MEIKLE
DONALD L. HARRIS
DALE W. STORER
MARIE T. TYLER
ROBERT M. FOLLETT
FREDERICK J. HAHN, III
KARL R. DECKER
THEL W. CASPER
SHAN B. PERRY
AMELIA A. SHEETS
DeANNE CASPERSON*
*Licensed in Missouri & Kansas

US BANK BUILDING
330 SHOUP AVENUE, THIRD FLOOR
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
FACSIMILE (208) 523-9518
E-MAIL KFOSTER@HOLDENLEGAL.COM

Arthur W. Holden
(1877-1967)
Robert B. Holden
(1911-1971)
Terry L. Crapo
(1939-1982)
William S. Holden
(1907-1988)

Of Counsel
Fred J. Hahn

RECEIVED
JAN 27 2003
Department of Water Resources
Eastern Region

January 24, 2003

Ernie Carlsen
Idaho Department of Water Resources
900 N. Skyline Dr., Ste. A
Idaho Falls, ID 83402

RE: SRBA Claim no. 25-13117

Dear Mr. Carlsen:

We apparently filed the above numbered claim for Mr. J. Robb Brady about September 15, 1989. In May of 1991, we received a letter from you requesting documentation to establish the priority. I see that we responded with a letter and some additional documentation about May 22, 1991.

Recently Mr. Brady contacted us and asked if everything that needed to be done had been done with respect to his well. In our discussion, I suggested that even though the company he thought had drilled the well and provided the pump equipment had gone out of business (Snake River Equipment), the records might very well have been transferred to another well driller such as Andrew Well Drilling. Mr. Brady contacted Andrew Well Drilling and was able to secure some additional information, including an invoice dated August 6, 1949, showing the drilling of a well for Robb Brady to the depth of 174 feet and a certain amount of 8 inch well casing. They also found a second invoice dated July 18, 1978 indicating the deepening of the well from 174 feet to 220 feet. There is also the equivalent of a well log for the deepening effort in 1978. In any event, we are enclosing copies of Mr. Brady's transmittal letter and all of the records he was able to obtain from Andrew Well Drilling, which we would appreciate having you keep in the file related to this claim in case it is needed in the future.

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OCT 29 2004

Thank you for kind attention to this matter.

Very truly yours,



Kent W. Foster

Enclosures

G:\WPDATA\KWF\2037 BRADY, ROBB \Ernie Carlsen 012403.wpd:cdv

PROFILED

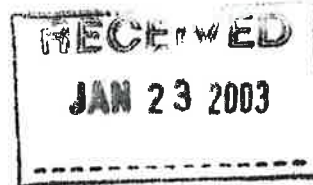
SCANNED
OCT 29 2004

Robb & Rose Brady

314 E. Sunnyside Road
Idaho Falls, Idaho 83404

RECEIVED
JAN 27 2003
Department of Water Resources
Eastern Region

January 21, 2003



Kent Foster
Holden, Kidwell, Hahn and Crapo Law Firm
U.S. Bank Building, Third Floor
P. O. Box 50130
Idaho Falls, Idaho 83405.

Dear Kent:

To provide more confirmation on our resident well at 314 E. Sunnyside Road as you suggested, I contacted Andrew Well Drilling which provided me with significant information. I am enclosing copies of their records.

The office manager for Andrew Well Drilling was able to find the original well record of 1949 when Rose and I were renting a home at 557 L street before we built on our acreage on Sunnyside Road. I believe we bought the property in either 1947 or 1948 and built in 1949. Moreover, the office manager, Margot Stewart, was a Notary Public and, as you see, certified the record on front of the document. I recall that Snake River Equipment provided the 1949 pump system, and may have dug it, too, as I indicated before in a letter to the Water Resource Dept. in 1991. I am gathering that when the Snake River Equipment went out of business, they transferred records to Andrew Well Drilling.

She also found a record when Andrew Well Drilling deepened our well in 1978 from 174 feet, the original depth recorded in 1949, to 200 feet, with another page of corroborative information on the deepening project.

I am enclosing these copies for our water rights file in your office. When the city of Idaho Falls comes to widen Sunnyside Road expected this year, I plan to oppose any proposal to hook onto the city water pipe on Sunnyside Road. Love my well and its hard water.

Unless you tell me otherwise, I believe this record is sufficient additional proof to go with our well filing with the Idaho Department of Water Resources under the adjudication process.

Have to tell you, the editing desk did all too many changes on our editorial on the water situation editorial, especially eliminating the data that Idaho's irrigable acres will really not grow unless new technology allows farmers to tap new, deeper wells at now marginal places at costs they can operate. Anyhow, if you have any comments or corrections, like to know.

Many thanks for your help.

Our Best

Robb Brady
314 E. Sunnyside Road
Idaho Falls, Idaho 83404.

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OCT 29 2004



ANDREW WELL DRILLING
CONTRACTORS

1268 EAST 17TH STREET
IDAHO FALLS, IDAHO

PHONE 522-2794

7-18-78
#61928
paid



Date July 18, 1978

Statement
Well and or Pump Estimate for: _____

Aug 6

49

Robb Brady

557 L st.

Idaho Falls

174'	Drilling 8" Well	\$ 870.00
86'7"	8" Well Casing	131.47
1	8" Drive Shoe	8.00
		\$ 1009.47

I certify this is a true copy
of the original invoice dated
8/6/1949.

1-21-03



Margot Stewart
Notary State of Idaho
Exp. 8/20/03

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OCT 29 2004

Phone 522-2823

Phone 522-794

1268 E. 17th St., Idaho Falls, Idaho

Pump and Well Drilling Equipment Installed

PURE DRINKING WATER IS THE ESSENCE OF LIFE, LET US DRILL YOUR WELL, AND YOU WILL BE SATISFIED.

RILLER: Kevin Brown

IG NO. 210# Domestic ☒ Industrial ☐ Municipal ☐

Origination ☐
 Test ☐
 Other ☐

LÉGAL DESCRIPTION: _____

DATE: RIG TIME: REM/CS:

FOOTAGE:

174-175	cinders
175-180	cinders
180-183	Broken Basalt
183-185	cinders
185-190	Broken Basalt
190-195	" "
195-200	Frim Basalt
200-205	" "
205-210	" "
210-212	opening
212-215	Broken Basalt
215-217	" "
217-220	Blow SWD

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OCT 29 2004

6" casing

207"

207"

207"

20'

20'

20'

20'

207"

20'

20'

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OCT 23 2004

Memo to File: The following letter date November 6, 2002, was sent out to the claimants and no response was received back to Intrepid.

November 6, 2002

Dear Sir or Madam:

Intrepid Technology and Resources, Inc. (ITR) has been contracted by the Idaho Department of Water Resources (IDWR) to verify information in the State's records regarding the enclosed claim(s). This letter is being sent to the address of record for the enclosed claim(s).

In June or July of 2002, ITR employees visited the point(s) of diversion for the claim(s) in question. The purpose of this letter is to follow up on that visit, and ask for your input to verify the boundary of the area irrigated by each point of diversion. IDWR has supplied the enclosed maps and/or aerial photographs. The points of diversion (wellheads, dams, etc.) are indicated as circles. The irrigated areas are traced with bright yellow lines.

Please take the time to review the map, and correct any inaccuracies by marking changes on the map, and sending the map and claim file back to us in the enclosed postage-paid envelope.

If the claim is no longer in use, please note it on the claim file and return it to us in the enclosed envelope.

This applies only to the enclosed claim file. Water rights or claims not included with this package will be dealt with separately. Please DO NOT mark wells, diversions, or irrigated areas not specifically addressed in this package.

If you have any questions about the letter itself or how to respond, please call Doug Larsen or myself at 208-529-5337. We will be happy to discuss it with you.

Sincerely,

Shaun Dustin, PE
Intrepid Technology & Resources, Inc.

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OCT 29 2004

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IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 23-27



RIGHT ID 25 13117

POD ID 180687

Folder No. A2513117

Claim Status In Use

IDTMEAST 659590

IDTMNORTH 264918

GPSID A0009392

Diversion Description

WELL & PUMP.

Assumptions

Horse power, pressure head, and elevation head.

Phase-0 (No Attention)
Phase-I (Ready to Go to Field)
Phase-II (Site Visit - Data Missing)
Phase-III (Complete w/issues)

Linked

photos\25-13117-001.JPG photos\25-13117-003.JPG

Photos

photos\25-13117-002.JPG

GPS Accuracy (ft)

19 Feet

Date (M/D/Y)

07-29-02

Time

12:40

Flow Rate (CFS)

0.13

Invoice #

2000-055-23-27-0

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

- ☐ Less than half full
- ☐ Half full
- ☐ More than half full
- ☐ Full

Diameter 0

Depth 0

☐ Rectangular Channel

Width 0

Depth 0

Flow Calculation

☐ Continuity

Velocity 0

☐ Orifice

(Use only for head over a pipe flowing full with free discharge)

Depth of Water above orifice centerline 0

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe 0

Width of weir 0

☐ Manning (If used, include photo of representative channel section)

Channel Slope

Channel Description

Concrete lined	.016
Smooth earth	.025
Earth	.033
Rough bed, weeds on sides	.04
Smooth natural stream	.033
Rough natural stream	.1

Pumped System ☒

HP 2.5

Pressure Head (psl) 30

Elevation Head (ft) 50

Motor Mfg

Motor Serial #

Pump Type Submersible

Pump Mfg

Pump Serial#

New Contact Information ☐

New Contact Comments

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OCT 29 2004

FOLDER NO.

A2513117

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AUG 03 2001

Log for claim 25-13117

Spatial Dynamics CAT

12/7/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
02n38e	31	NENE	5	39	POD placement? / Indiscernible
Totals:			5	39	

AJ5809NP
No. A25-13117

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/24/00
PAGE: 176

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	J ROBB BRADY RT 3 BOX 1 IDAHO FALLS ID 83401 (208) 523-1954	05/01/1950	IRRIGATION DOMESTIC	04-01 11-01 01-01 12-31	0.100 CFS 0.040 CFS	
TOTAL DIVERSION:					0.140 CFS	
CONSUMPTIVE USE:						17.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T02N R38E S31 NENE BONNEVILLE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE												
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
02N	38E	31	:	05				:					:					:						5.0
TOTAL ACRES																							5.0	

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE												
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
02N	38E	31	:	D				:					:					:						

POU County: BONNEVILLE

Non-Irrigation Uses: D/1 FAMILY DWELLING

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

25-12533 25-12732 25-13241 25-13354 A25-12533 A25-12732 A25-13241 A25-13354

Other Water Rights Listing Overlapping Place(s) of Use:

A01-0007520 A01-0007620 A01-0031220 A01-0036820 A01-0036920 A01-0037020 A25-0022420

Remarks: GEN CONFORMED ATTORNEY MAILING ADDRESS DMS

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 10/18/89 KEISER 02/13/91 THOMPSON 03/29/95 POST-STD 03/30/95 DSMITH

RECEIVED

MAY 22 1991

LAW OFFICES
HOLDEN, KIDWELL, HAHN & CRAPO

WEST ONE BANK BUILDING
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
TELEFAX (208) 523-9518

Department of Water Resources
Eastern District Office

ARTHUR W. HOLDEN (1877-1967)
ROBERT B. HOLDEN (1911-1971)
TERRY L. CRAPO (1939-1982)
WILLIAM S. HOLDEN (1907-1988)

FRED J. HAHN
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MICHAEL D. CRAPO
GAYLE A. SORENSON
DONALD L. HARRIS
RANDALL B. REED
MARIE T. FEELEY
JOHN G. SIMMONS
ROBERT M. FOLLETT

May 22, 1991

Ernest Carlsen, Water Rights
Supervisor, Adjudication
IDAHO DEPARTMENT OF WATER RESOURCES
150 Shoup Avenue, #15
Idaho Falls, Idaho 83402

RE: J. Robb Brady - Notice of Claim No. A25-13117

Dear Mr. Carlsen:

Upon receipt of your recent letter of May 2, 1991, Mr. Brady contacted us and pursuant to our advice, checked a number of possible leads for information regarding his well which provides domestic water for his home and irrigates his 5 acres of land on Sunnyside Road. Mr. Brady prepared a letter addressed to you explaining what he has been able to learn with respect to existing records. We are enclosing that letter and the attachments pursuant to his request.

If you prefer to have this in affidavit form or something additional, will you please let us know and we will try to assist.

Yours very truly,



Kent W. Foster

#3302.00/srs

Enclosure

MICROFILMED

NOV 12 1992

Robb & Rose Brady

314 E. Sunnyside Road
Idaho Falls, Idaho 83404

RECEIVED

MAY 22 1991

Department of Water Resources
May 14, 1991 Eastern District Office

Ernest Carlsen
Idaho Department of Water Resources
150 Shoup Avenue
Suite 15
Idaho Falls, Idaho 83402.

Dear Mr. Carlsen:

You have asked for further evidence to confirm my ownership of a well at my residence at 314 E. Sunnyside Road in Idaho Falls. The evidence is needed, as you know, in connection with the water right adjudication process under way in Idaho.

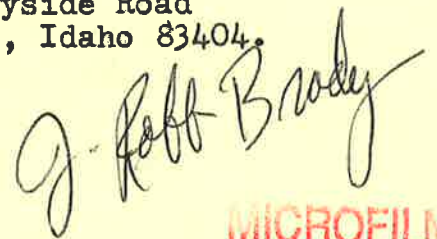
I am enclosing the warranty deed to the property at this address which I hope is sufficient confirmation for your needs. I bought the property in 1948 and built my home on this acreage in 1949 and have continuously resided at this place since 1949.

The well was dug and the pump purchased from Snake River Equipment co. of Idaho Falls, a firm defunct since the past 10 years. I have inquired for further evidence from both the Utah Power and Light co., which would have wired the well, and the First Federal Savings and Loan Association, which serviced us with a loan to build the residence. However, neither of these have records dating back to 1949, unfortunately. The Bonneville county Assessor's office would have a continuous tax record for the home and property, I would assume. If you feel this corroboration is necessary, I would be glad to pursue it. I am uncertain what kind of record they could furnish and would need to know if you need such a record to cover all of the 43 years we have lived on this property.

I, of course, would have little difficulty getting letters of confirmation from any number of residents who know me and know that I have lived at this residence the past 43 years. Please let me know what additional information you may need.

sincerely

J. Robb Brady
314 E. Sunnyside Road
Idaho Falls, Idaho 83404.



MICROFILMED

NOV 12 1992

May 2, 1991

J. Robb Brady
Rt. 3, Box 1
Idaho Falls, ID 83401

RE: **Evidence of Priority**

Dear Mr. Brady:

The Notice of Claim identified with the number shown at the end of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates the water usage is based on "Beneficial Use" or a "Statutory Claim". 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 Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date.

For your reference I have provided a printout of your Notice and the pamphlet entitled **"Evidence of Priority"**. The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the 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"**.

It is our goal to recommend this historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel. **But, the Department will not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.**

Please submit the required evidence supporting the priority date by **June 3, 1991**, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

MICROFILMED

NOV 12 1992

J. Robb Brady

Page 2

All Notices required to submit this evidence are currently being reviewed for recommendation to the court. Hence, the need for expediency on your part or your agency. every effort should be made to submit this information within 30 days of the date of this letter.

Respectfully submitted,

Ernest Carlsen
Water right Supervisor, Adjudication

EC:sc

Enclosure: Brochure on "Evidence of Priority"
Proof Report

A25-13117
J. ROBB BRADY
RT. 3, BOX 1

IDAHO FALLS

ID 83401

MICROFILMED

NOV 12 1992

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

J. Robt. Brady

CLAIM NT. NO.

A2S-13117

DATE RECEIVED

9-14-89

CK #

AMOUNT \$

YES

NO

Required
Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO *
2. Is a priority date entered? ☒ YES ☐ NO *
- Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO *
3. (a) Is a source entered? ☒ YES ☐ NO *
- (b) Is a tributary to entered? (if required) N/A ☒ YES ☐ NO *
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO *
5. Is there a description of the diverting works? ☒ YES ☐ NO *
6. Are the water uses appropriate for the form? The short form is limited
to domestic and stockwater uses with direct diversion. All claims that
include storage or instream stockwater must use long form. ☒ YES ☐ NO *
- Is the period of use included? ☒ YES ☐ NO *
- Is a quantity claimed for each use? ☒ YES ☐ NO *
7. Is a total quantity claimed entered? ☒ YES ☐ NO *
8. If required is a consumptive use entered? N/A ☒ YES ☐ NO *
- Is the consumptive use correct? N/A ☒ YES ☐ NO *
9. Are the non-irrigation uses listed properly? If this claim is on the
short form, and more than one domestic use is listed, single owner-
ship must be stated. If not under single ownership, see
Adjudication Memo # 4. N/A ☒ YES ☐ NO *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO *
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO *
14. If required, are remarks correct? (If the claimant does not own
the place of use, authority for filing the claim must be
explained in the remarks.) N/A ☒ YES ☐ NO *
15. Is the basis of the claim indicated? ☒ YES ☐ NO *
16. If the claimant requested a monthly docket sheet, is payment enclosed?
(If yes, describe payment status in "Comments" below.) N/A ☒ YES ☐ NO *
17. Is the claim signed by the claimant, and is the signature appropriate?
Organizations must complete the organization block. ☒ YES ☐ NO *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO *
20. Is the fee enclosed correct? Exempt ☒ YES ☐ NO *
21. If this claim is based on an existing water right, has the
identification number been entered? N/A ☒ YES ☐ NO *
22. Should this claim be data entered? ☒ YES ☐ NO *

Claim checked by: EBDate: 9-21-89Claim must be returned to claimant: ☐ (Yes) ☒ (No)Claimant must be notified of modifications: ☐ (Yes) ☒ (No)

Receipt Prepared by:

Claim data entered by: SKSent to claimant by: SK

Date:

Date: 10/18/89

Date:

Checked by: _____

Date: _____

Comments: _____

MICROFILMED

NOV 12 1992

LAW OFFICES
HOLDEN, KIDWELL, HAHN & CRAPO

WEST ONE BANK BUILDING
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
TELEFAX (208) 523-9518

ARTHUR W. HOLDEN (1877-1967)
ROBERT B. HOLDEN (1911-1971)
TERRY L. CRAPO (1939-1982)
WILLIAM S. HOLDEN (1907-1988)

R. VERN KIDWELL, OF COUNSEL

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
CHARLES A. HOMER
GARY L. MEIKLE
CURT R. THOMSEN
MICHAEL D. CRAPO
JAMES D. HOLMAN
GAYLE A. SORENSON
DONALD L. HARRIS
GREGOR S. CHVISUK
RANDALL B. REED
G. LANCE NALDER
J. MICHAEL WHEELER
MARIE T. FEELEY
ROBERT M. FOLLETT

September 14, 1989

Idaho Department of
Water Resources
150 Shoup Avenue
Idaho Falls, Idaho 83402

Gentlemen:

We are enclosing with this letter one claim on behalf of J. Robb Brady who owns property in Bonneville County, Idaho. We have also enclosed our check in the amount of \$55.00 for the filing fee. Thank you for your kind assistance.

Very truly yours,



Kent W. Foster

#3302.00/srr

Enclosure

RECEIVED

SEP 14 1989

MICROFILMED

Department of Water Resources

Eastern District Office NOV 12 1992

WARRANTY DEED

THIS INDENTURE, Made this 4th day of May in the year of our Lord, One Thousand Nine Hundred and forty-eight, by and between Allan O. Johnson and Rula Johnson, his wife

of the County of Bonneville, State of Idaho, the parties of the first part, and J. Robb Brady and Rose P. Brady, his wife

of the County of Bonneville, State of Idaho, the parties of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Ten Dollars and other good and valuable consideration DOLLARS lawful money of the United States of America, to them in hand paid by the parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said parties of the second part and to their heirs and assigns forever, all the following described real estate, situated in Bonneville county, State of Idaho, to-wit: Beginning at the NW Corner of the NE 1/4 of the NE 1/4 of Section 31, T. 2 N. R. 38 E. B.M.; thence turning and running South 0° 41' East along the 16th line which is common to the East 1/2 and West 1/2 of the North East 1/4 of the said Section 31, and with land now or formerly belonging to R. E. Hughes, a distance of 634 feet to the North bank of a ditch; thence turning and running South 82° 11' East a distance of 252.3'; thence turning and running North 0° 41' West and parallel to the above referred to 16th line, a distance of 669.0 feet, more or less to the North Section line of said Section 31; thence turning and running South 89° 48' West with said North Section line a distance of 250.0 feet, more or less to the point of beginning. Containing a calculated area of 3.74 Acres more or less.

Subject to taxes and assessments from date.



TOGETHER, With all and singular, the tenements hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion or reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property as well in law as in equity, of the said parties of the first part.

TO HAVE AND TO HOLD, All and singular, the above mentioned and described premises, together with the appurtenances, unto the parties of the second part, and to their heirs and assigns forever. And the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said parties of the second part, and their heirs and assigns against the said parties of the first part and their heirs and against all and every person and persons, whomsoever, lawfully claiming or to claim the same, shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seal, the day and year first above written.

Signed, sealed and delivered in the presence of

Alvan Johnson (SEAL)
Rula Johnson (SEAL)
(SEAL)
(SEAL)

STATE OF IDAHO, }
County of Bonneville } ss.

On this 4th day of May, in the year 1948 before me,

Delbert V. Groberg a notary public in and for State of Idaho, personally appeared Allan O. Johnson and Rula Johnson, his wife

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



Delbert V. Groberg
Notary Public.

Residing at Idaho Falls, Idaho

My commission expires February 1, 1949

INDEXED
RELEASED
ASSIGNED

WARRANTY DEED

TO

Dated 19

STATE OF IDAHO, }
County of Bonneville } ss.

I hereby certify that this instrument was filed for record at the request of

Idaho Title & Trust Co.

at 08 minutes past 3
o'clock P. M. this 15th
day of July, 1948
in my office and duly recorded in
Book 62 of Deeds, at
page 349

Clark H. Parker
Ex-Officio Recorder

By Hazel Markel
Deputy

Fees \$ 1.20

SCANNED

AUG 05 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: A25-13117
Date Received: 9/14/1989
Receipt No: E010556
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: J. ROBB BRADY
Address: RT. 3, BOX 1
IDAHO FALLS, ID 83401
208-523-1954

2. Date of Priority: MAY 01, 1950

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	38E	31	NE	NE	NE		BONNEVILLE

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	0.100		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is 17.5 Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 FAMILY DWELLING

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	38E	31	NE	NE		IRR	5.0
			NE	NE		DOMEST	

Section Acres 5.0

A25-13117

Page 1

Date: 10/18/89

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10. Place of Use: Continued

Total Acres 5.0

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:

15. Basis of Claim: BENEFICIAL USE

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

17. Notice of Appearance:

Notice is hereby given that I, _____ will be
Print Name
acting as attorney at law on behalf of the claimant signing above, and that
all notices required by law to be mailed by the director to the claimant
signing above should be mailed to me at the address listed below.

Signature _____

Address _____

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
Ident. Number A25-13117
Date Received 9/14/89
Receipt Number E010556

RECEIVED

SEP 14 1989

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s) J. Robb Brady Phone (208) 523-1954

Mailing Address Route 3, Box 1, Idaho Falls, Idaho Zip 83401

2. Date of Priority (Only (1) per claim) May 1, 1950

3. Source of water supply (a) Groundwater

which is tributary to (b) _____

4.a. Location of existing

point of diversion is: Township 2N Range 38 Section 31 ,
NE 1/4 of NE 1/4 of _____, Govt. Lot, _____ B.M., County of Bonneville

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of

_____ 1/4 of _____ 1/4 Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well.

Well and Pump

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6. Water is claimed for the following purposes:

(Both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from Apr.1 to Nov.1 amount .1 or _____

For Domestic purposes from Jan.1 to Dec.31 amount .04 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .14 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 17.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.)
Domestic - single family dwelling

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instruction for standard symbols.

TWP:RNG:SEC:	NE1/4			:	NW1/4			:	SW1/4			:	SE1/4			:	TL
:	NE	NW	SW	:	SE	NE	NW	:	SW	SE	NE	:	NW	SW	SE	:	:
2N : 38E: 31:	5			:				:				:				:	5
:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
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:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:

Total number of acres irrigated 5

11. In which county(ies) are lands listed above as place of use located?
Bonneville

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (X)

14. Remarks:

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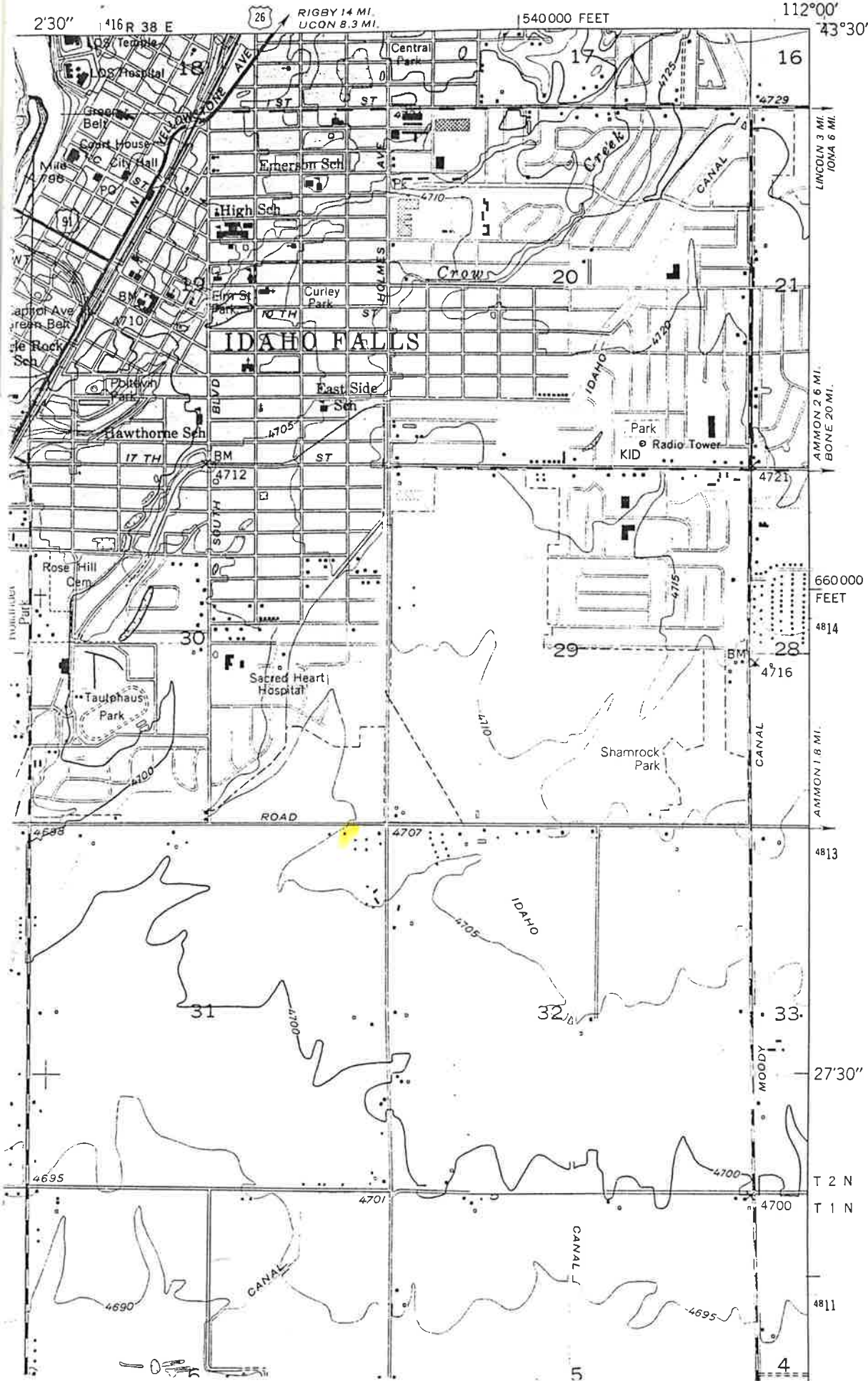
Last Name Brady Ident No. _____

IDAHO FALLS SOUTH QUADRANG
IDAHO

7.5 MINUTE SERIES (TOPOGRAPHIC)

3671 III SW
(UCON)

2'30" 16 R 38 E 1540000 FEET 112°00' 43°30'



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15. Basis of Claim (Check one) Beneficial Use X Posted Notice _____
Permit _____ Decree _____ License _____

If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) J. Peter Brady Date Sept 14, 1989
Date _____

For Organizations: I do solemnly swear or affirm that I am _____ of _____, that I have signed the
Title Organization

foregoing document in the space below as _____ Title
of _____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

State of Idaho/or _____)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 14th day
of September, 1989.

Notary Public Virginia Leary
Residing at Idaho Falls, Idaho
My Commission Expires 01-25-91

17. Notice of Appearance:

Notice is hereby given that I, Kent W. Foster will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Kent W. Foster
Address P.O. Box 50130, Idaho Falls, Idaho 83405
Date _____

Last Name Brady Ident. Number _____

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