

02/11/2004

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

RIGHT NUMBER: 27-4143

NAME AND ADDRESS: JACK VANDERCREEK
PO BOX 952
BLACKFOOT ID 83221

SELMA VANDERCREEK
PO BOX 952
BLACKFOOT ID 83221

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.160 CFS
20.000 AFY

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

PRIORITY DATE: 12/04/1961

POINT OF DIVERSION:

T02S R35E S34 SENE Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
DOMESTIC	01/01 12/31	0.040 CFS
IRRIGATION	04/01 10/31	0.100 CFS 20.00 AFY

PLACE OF USE: STOCKWATER Within BINGHAM County

T02S R35E S34 SENE

DOMESTIC Within BINGHAM County

T02S R35E S34 SENE

IRRIGATION Within BINGHAM County

T02S R35E S34 SENE 3.6

3.6 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 and stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: **Beneficial Use**

08/14/2003

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

RIGHT NUMBER: 27-4143
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PO BOX 952
BLACKFOOT ID 83221

SELMA VANDERCREEK
PO BOX 952
BLACKFOOT ID 83221

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.160 CFS
20.000 AFY

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

PRIORITY DATE: 12/04/1961

POINT OF DIVERSION:

T02S R35E S34 SENE Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
DOMESTIC	01/01 12/31	0.040 CFS
IRRIGATION	04/01 10/31	0.100 CFS 20.00 AFY

PLACE OF USE: STOCKWATER Within BINGHAM County
T02S R35E S34 SENE
DOMESTIC Within BINGHAM County
T02S R35E S34 SENE
IRRIGATION Within BINGHAM County
T02S R35E S34 SENE 5.0

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 and stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use



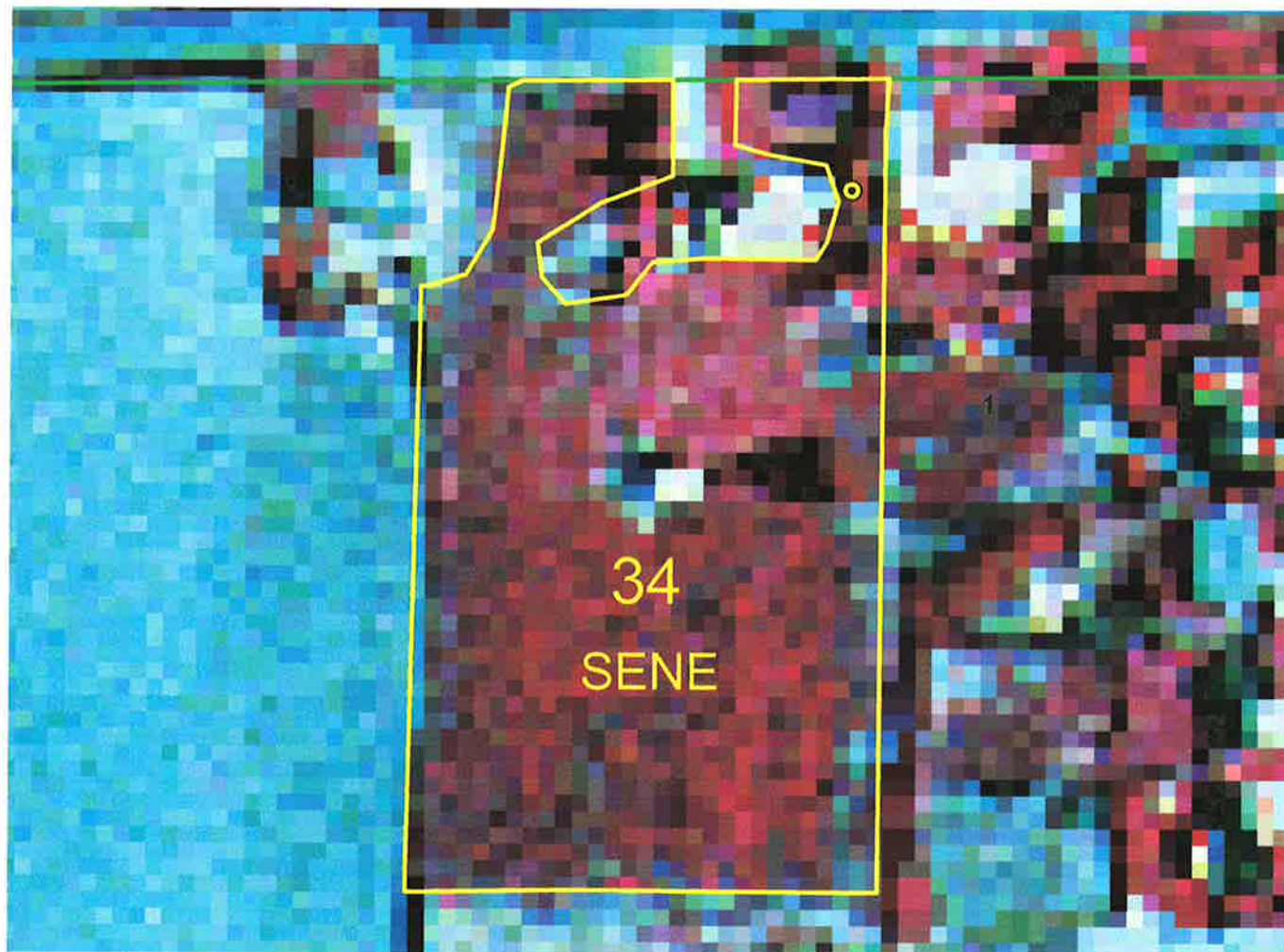
STATE OF IDAHO

Department of Water Resources

Eastern Region



Water Right(s) 27-4143



90 0 90 180 Feet

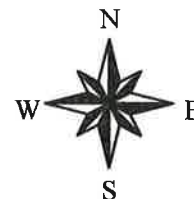
IRRIGATED ACRES 3.6

LEGEND

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

Place of Use: T2S, R35E:
(part of) Sec. 34, SENE

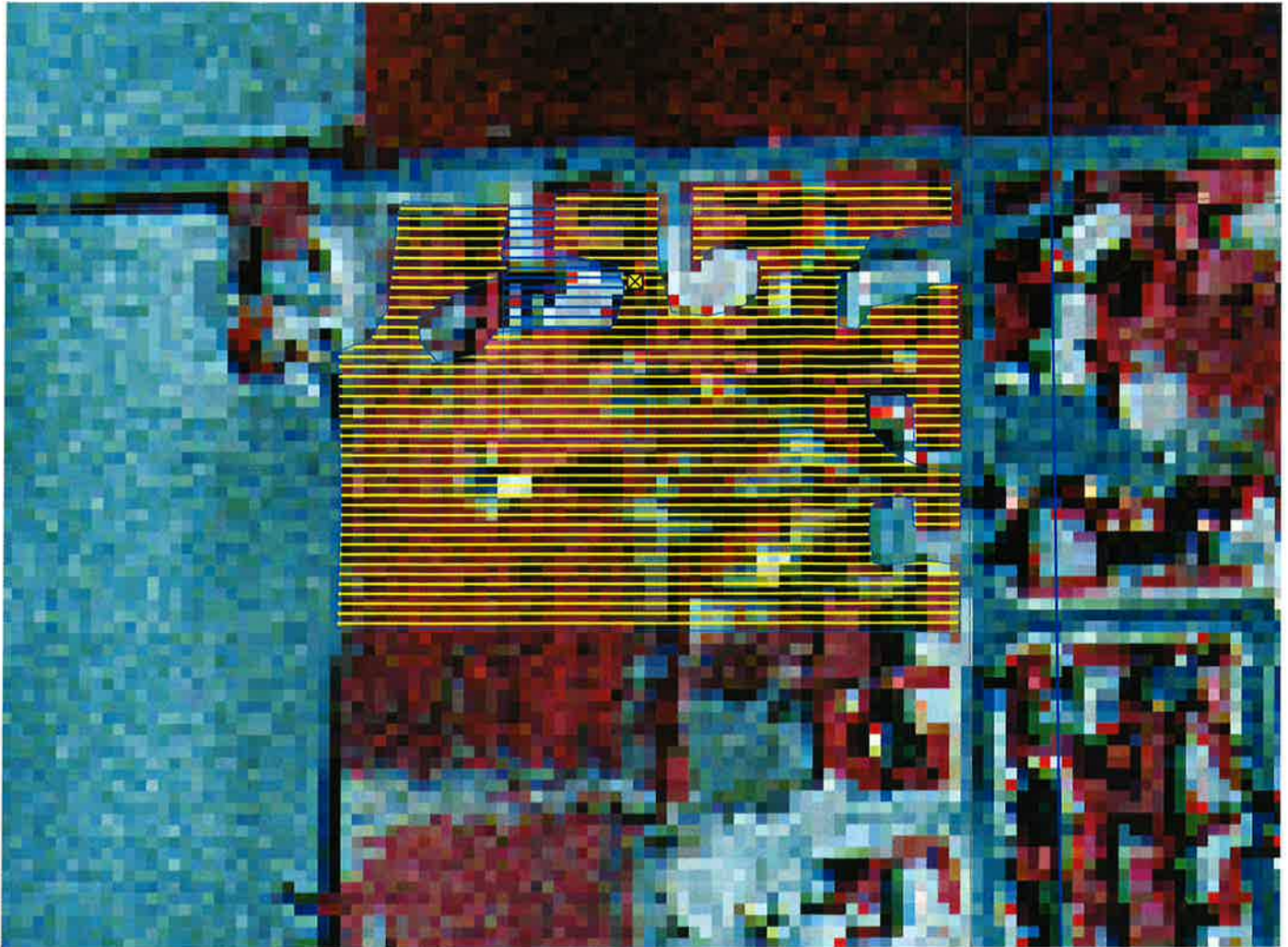
Point(s) of Diversion: T2S, R35E:
Sec. 34, SENE.



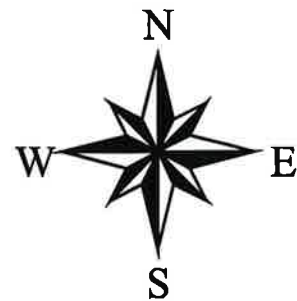
GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: B. Payne
Date: February 2004

27-4143

T02S, R35E, Sec 34, SENE



0.03 0 0.03 0.06 Miles

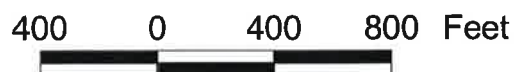
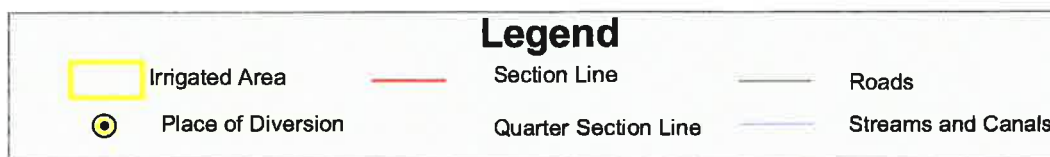
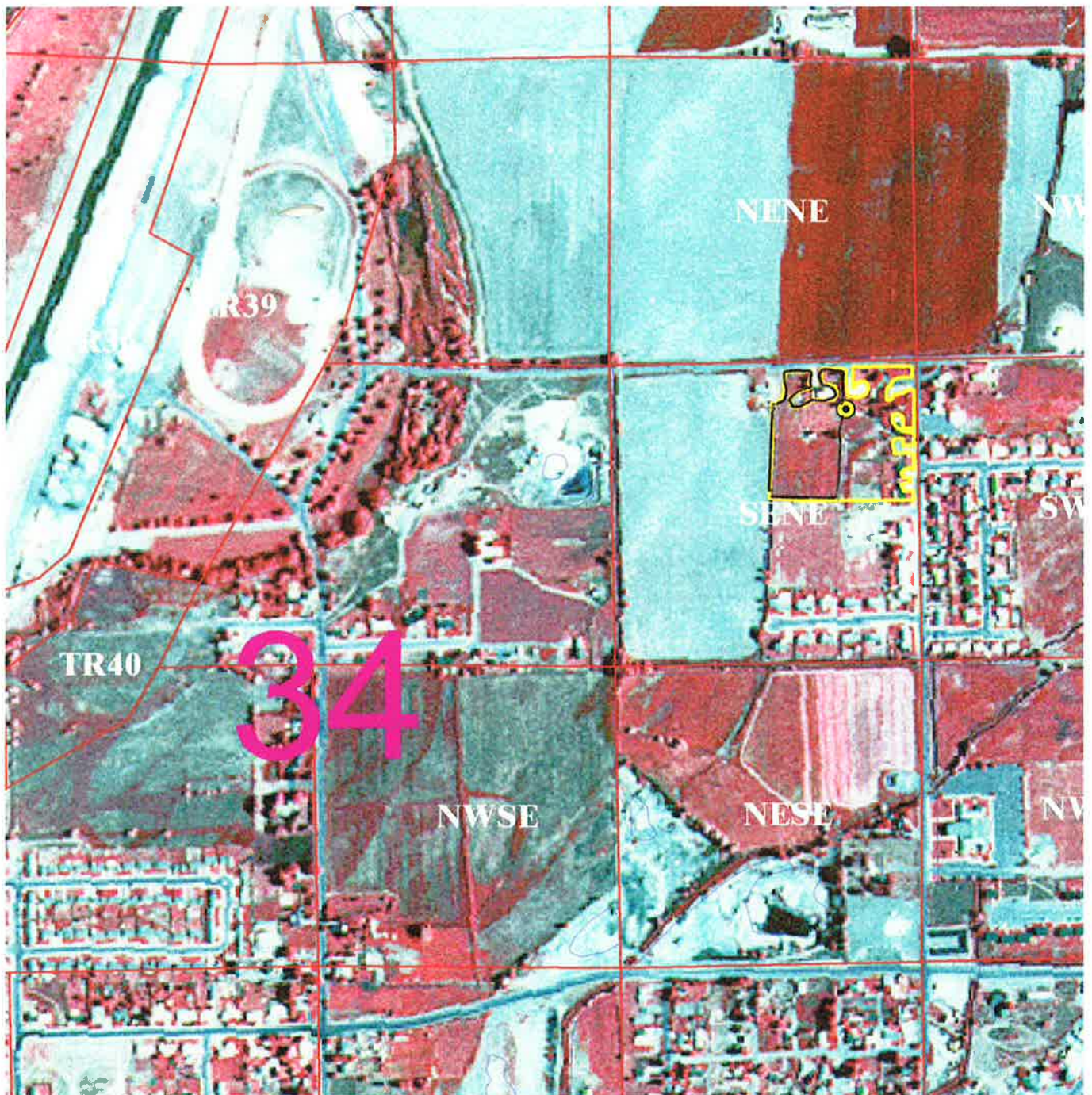


-  Sections
-  GCDB02S35E GCDB
-  Recommendation POD
-  Recommendation POU

D. Shaff
8/14/03

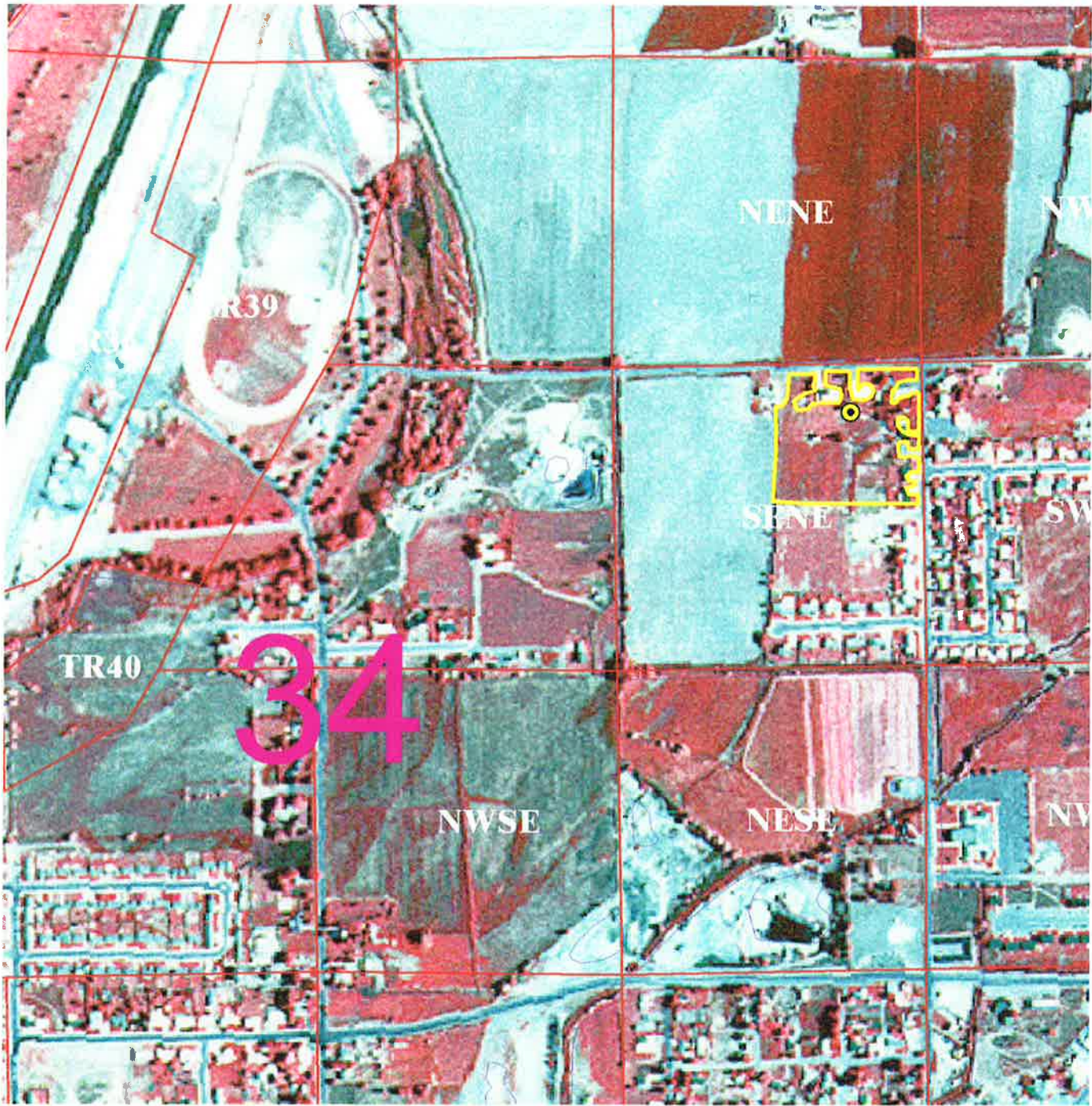
Water Right Claim Number 27-04143
Township , 2S35E

12/27/2000



Water Right Claim Number 27-04143
Township , 2S35E

12/27/2000



 Irrigated Area

 Place of Diversion

 Section Line

 Quarter Section Line

 Roads

 Streams and Canals

Legend



Water Right Claim Number 27-04143
Township , 2S35E

12/27/2000



Legend

 Irrigated Area	 Section Line	 Roads
 Place of Diversion	 Quarter Section Line	 Streams and Canals



12-10-03 Skip met at ^{Claremont}
Notes

1/29/04 Wrong PO4 outlined by Don Shaff.
It should only be the west side
per Skips field exam.

Barbara, please create a shape with Skips
change in boundary and let me
know the number of acres so I
finish the LCVR. CB

2-2-04 Done. BP

Contacts Data Entry Form

[illegible]

Current Owner: See Claim

Name connector: and _____, or _____, and/or _____

Current Owner _____

Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ **Time:** _____

Directions to Property (if different from above) and/or update owner information:

Reviewer: CB

Date: 129/04

Contacts Data Entry Form

Priority Date Data Entry Form

Claim Number: 27-4143.

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: _____ Recommended Basis: _____

☒ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

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

affidavit

Reviewer: RBDate: 1/29/04

Priority Date Data Entry Form

1. Should this water use have been included in a later court decree of the water rights from this source? Yes () No (X)
If Yes, go to 2
If No, go to 4
2. Was the owner or the owner's predecessor in interest of the place of use joined in the later decree? Yes () No ()
If Yes, go to 3a
If No, go to 4
- 3a. Is the date the decree was entered after the date a permit is required for the source and the water use? Yes () No ()
If Yes, consult the attorney assigned to the Basin. Go to 3b
If No, go to 4
- 3b. Do the facts support disallowing the claim, or recommending the claim as an enlargement or an expansion? Yes () No ()
If Yes, go to 11
If No, go to 4
4. Is the basis of claim a decree or license? Yes () No (X)
If Yes, go to 5
If No, go to 7
5. Does the decree or license have a Priority Date? Yes () No ()
If Yes, go to 6
If No, Consult the attorney assigned to the Basin, go to 15
6. Did the Claimant claim the decreed or licensed Priority Date? Yes () No ()
If Yes, recommend the Priority Date claimed. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
If No, Obtain an amended claim if necessary. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
7. Is the basis of claim a Permit or Application? Yes () No (X)
If Yes, go to 10e
If No, go to 8
8. Is the basis of claim a posted notice? Yes () No (X)
If Yes, consult the attorney assigned to the Basin, go to 15
If No, go to 9
9. Is the Priority Date claimed after the date a permit is required for the source and the water use? Yes () No (X)
If Yes, go to 11
If No, go to 12
- 10e. Will the license be issued prior to filing the Director's Report? Yes () No ()
If Yes, recommend the Priority Date shown on the license, go to 15
If No, recommend the Priority Date shown on the Permit. All other elements should be recommended as shown on the Permit.
Add Condition Code A01 to the Recommendation, go to 15
11. Is the claim for an expansion or enlargement under 42-1416B or 42-1426? Yes () No ()
If Yes, go to 12
If No, disallow with condition P01.
12. Does the claim file contain sufficient evidence of Priority Date? Yes (X) No ()
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, Request additional evidence of Priority Date, go to 13
13. Has additional evidence of priority date been submitted? Yes () No ()
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, recommend a Priority Date based on available evidence if possible. If some of the claimed water uses can be recommended with the Priority Date supported by the evidence, then do so, go to 14
14. Can any portion of the claim be recommended as a valid water right? Yes () No ()
If Yes, go to 15
If No, disallow with condition P01.
15. Is the basis of claim coded correctly? Yes (X) No ()
If Yes, go to 16
If No, Enter the appropriate basis of claim.
16. Is a Priority Date remark and/or condition required? Yes () No (X)
If Yes, Enter the appropriate basis of claim. Priority Date review is complete.
If No, Priority Date review is complete.

Priority Date

Claim No. 27 - 4143

Point of Diversion and Source Data Entry FormClaim Number: 27-4143

Water Right Point of Diversion: T____, R____, Sec.____,____,____,____, County:_____

Source:_____ Tributary:_____

Claimed Point of Diversion: T____, R____, Sec.____,____,____,____, County:_____

Source:_____ Tributary:_____

Recommended Point of Diversion: T____, R____, Sec.____,____,____,____, County:_____

Source:_____ Tributary:_____

☒ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						

Other rights from this POD? _____

Document how the POD and Source were verified and/or Pump and Motor data:

field exam
1987 Napp photography

Transfers Changing POD _____

Reviewer: CBDate: 1/29/04

1. Is the basis of claim a Decree or License?

If Yes, go to 4
If No, go to 2

Yes () No (X)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3
If No, go to 6

Yes () No (X)

3. Has the License been issued?

If Yes, go to 5
If No, recommend the POD as shown on the Permit. Go to 10

Yes () No ()

4. Does the parent right have a POD?

If Yes, go to 5
If No, go to 6

Yes () No ()

5. Can the claimed POD be verified using the water right file?

If Yes, recommend the POD as shown in the water right file. Go to 10
If No, go to 6

Yes () No ()

6. Is there evidence that there has been a change in the POD?

If Yes, go to 7
If No, go to 9

Yes () No (X)

7. Can the change be verified as an accomplished transfer?

If Yes, add condition C03, go to 9
If No, Notify claimant that a transfer is necessary before the claimed POD can be recommended. Go to 8

Yes () No ()

8. Was a transfer filed?

If Yes, recommend the POD as shown on the approved transfer. Go to 10
If No, go to 9

Yes () No ()

9. Does the file contain all of the necessary information to verify the POD?

If Yes, recommend the POD as it existed on 11-19-1987. Describe how the POD was verified. Go to 10
If No, collect the necessary information. Conduct field exam if necessary. Recommend the POD as it existed on 11-19-1987. Go to 10

Yes (X) No ()

10. Is a POD remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. POD review is complete
If No, POD review is complete.

Yes () No (X)

Point of Diversion

Claim No. 27-4143

1. Is the basis of claim a Decree or License?

Yes () No (X)
If Yes, go to 4
If No, go to 2

2. Is the basis of claim a Permit or Application?

Yes () No (X)
If Yes, go to 3
If No, go to 6

3. Has the License been issued?

If Yes, go to 5
If No, recommend the Source as shown on the Permit. Go to 11

Yes () No ()

4. Does the parent right have a Source?

If Yes, go to 5
If No, go to 7

Yes () No ()

5. Can the claimed Source be verified using the water right file?

If Yes, recommend the Source as shown in the water right file. Go to 11
If No, go to 7

Yes () No ()

6. Is the basis of claim a Posted Notice?

If Yes, consult the attorney assigned to the basin. Go to 7
If No, go to 7

Yes () No (X)

7. Is there evidence that there has been a change in the Source?

If Yes, go to 8
If No, go to 10

Yes () No (X)

8. Can the change be verified as an accomplished transfer?

If Yes, add condition C02, go to 10
If No, Notify claimant that a transfer is necessary before the claimed Source can be recommended. Go to 9

Yes () No ()

9. Did the claimant file a transfer?

If Yes, recommend the Source as shown in the transfer. Go to 11
If No, go to 10

Yes () No ()

10. Does the file contain all of the necessary information to verify the Source?

If Yes, recommend the Source as it existed on 11-19-1987. Go to 11
If No, collect the necessary information. Recommend the Source as it existed on 11-19-1987. Go to 11

Yes (X) No ()

11. Is a Source remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Source review is complete.
If No, Source review is complete.

Yes () No (X)

Source

Claim No. 27-4143

Purpose of Use Data Entry Form

Claim Number: 27-4143☒ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Document how the Purpose of Use was verified:

1987 Aapp photography
field exam.

Transfers Changing Purpose of Use _____

Reviewer: CBDate: 1/29/04

Purpose of Use Data Entry Form

1. Is the basis of claim a Decree or License?

If Yes, go to 4
If No, go to 2

Yes () No (X)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3
If No, go to 6

Yes () No (X)

3. Has the License been issued?

If Yes, go to 5
If No, recommend the Purpose(s) of Use as shown on the Permit. Go to 13

Yes () No ()

4. Does the parent right have a Purpose of Use?

If Yes, go to 5
If No, go to 6

Yes () No ()

5. Can the claimed Purpose of Use be verified using the water right file?

If Yes, recommend the Purpose(s) of Use that is (are) claimed and shown in the water right file. Go to 13
If No, go to 6

Yes () No ()

6. Is there evidence that there has been a change in the Purpose of Use?

If Yes, go to 7
If No, go to 11

Yes () No (X)

7. Can the change be verified as an accomplished transfer?

If Yes, add condition C04, go to 11
If No, go to 8

Yes () No ()

8. Does the change include an enlargement of the Purpose of Use?

If Yes, describe the evidence that supports that there has been an enlargement in the Purpose of Use. Go to 9
If No, Describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed Purpose(s) of Use can be recommended. Go to 12

Yes () No ()

9. Was an enlargement claim filed?

If Yes, go to 11
If No, Notify claimant that an enlargement claim is necessary. Go to 10

Yes () No ()

10. Did the claimant file an enlargement claim?

If Yes, go to 11
If No, recommend only the Purpose(s) of Use that existed on the date established as the priority date of this right. Go to 13

Yes () No ()

11. Does the file contain all of the necessary information to verify the Water Use?

If Yes, recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13
If No, collect the necessary information. Conduct field exam if necessary. Recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13

Yes (X) No ()

12. Did the claimant file a transfer?

If Yes, recommend the Purpose(s) of Use shown on the approved transfer. Go to 13
If No, recommend only the Purpose(s) of Use in existence on 11-19-1987. Go to 13

Yes () No ()

13. Is a Purpose of Use remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Purpose of Use review is complete.
If No, purpose of Use review is complete.

Yes () No (X)

Purpose of Use

Claim No. 27-4143

Place Of Use Data Entry Form

Claim Number: 27-4143.☐ Use Claimed POU as Recommended POU

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
2S	35E	34	SENE		Bingham		3.6	Irrigation.
2S	35E	34	SENE		"			Domestic/stock.

Total Acres 3.6

Document how the POU was verified:

field exam

Transfers Changing POU _____

Reviewer: CBDate: 1/29/04.

Place Of Use Data Entry Form

1. Is the basis of claim a Decree or License? Yes () No (X)
If Yes, go to 2a
If No, go to 2b
- 2a. Is a POU required? Yes () No ()
If Yes, go to 5
If No, go to 14
- 2b. Is a POU required? Yes (X) No ()
If Yes, go to 3
If No, go to 14
3. Is the basis of claim a Permit or Application? Yes () No (X)
If Yes, go to 4
If No, go to 7
4. Has the License been issued? Yes () No ()
If Yes, go to 6
If No, recommend the POU as shown on the Permit. Go to 14
5. Does the parent right have a POU? Yes () No ()
If Yes, go to 6
If No, go to 7
6. Can the claimed POU be verified using the water right file? Yes () No ()
If Yes, recommend the POU as shown in the water right file. Go to 14
If No, go to 7
7. Is there evidence that there has been a change in the POU? Yes () No (X)
If Yes, go to 8
If No, go to 13
8. Can the change be verified as an accomplished transfer? Yes () No ()
If Yes, add condition C05, go to 13
If No, go to 9
9. Does the change include an enlargement of the POU? Yes () No ()
If Yes, describe the evidence that supports that there has been an enlargement in the POU. Go to 10
If No, describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed POU can be recommended. Go to 12
10. Was an enlargement claim filed? Yes () No ()
If Yes, go to 13
If No, notify claimant that an enlargement claim is necessary. Go to 11
11. Did the claimant file an enlargement claim? Yes () No ()
If Yes, go to 13
If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13
12. Was a transfer filed? Yes () No ()
If Yes, recommend the POU as shown on the approved transfer. Go to 14
If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13
13. Does the file contain all of the necessary information to verify the POU? Yes () No ()
If Yes, go to 14
If No, collect the necessary information. Conduct field exam if necessary. Go to 14
14. Is a POU remark and/or condition required? Yes () No ()
If Yes, enter the appropriate remark and/ or condition. POU review is complete.
If No, POU review is complete.

Place of Use

Claim No. _____

June 8,2003

Idaho State Department of Water Resources
15 West Center Street
Soda Springs, ID 83276

Attn: Cindy E. Bird

Evidence of Priority - Claim No. A27-04143

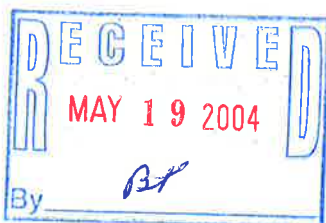
Pursuant to your telephone message, the enclosed , notarized statement from Mr. Stan Jensen is submitted for proof of use regarding our well. Mr. Jensen has been a personal friend for many years.

We hope this will be sufficient for your purposes and that a use permit from the Department of Water Resources will be forthcoming for our well and water.

Jack VanDercreek



Selma VanDercreek



July 1, 2003

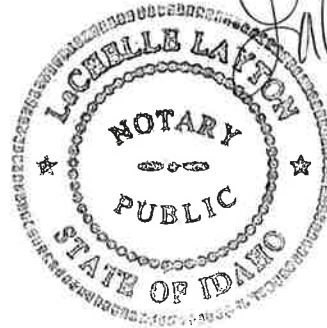
To: Idaho Department of Water Resources,

In the spring of 1962, being a good friend of Dr. Jack VanDercreek and his family, I took my planting equipment consisting of a drill and a tractor to his home and recently acquired acres on what is now called E. Airport Road, in Blackfoot, Idaho.

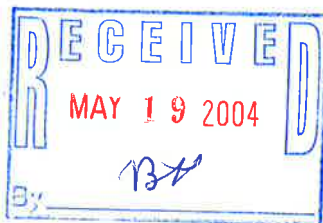
We prepared the dormant soil and drilled grain and pasture grass in the 4 acres. Calves and horses were brought there as soon as possible. Used water pipe was purchased and I suggested a plan for laying it out and for use in irrigating.

Stan Jensen

Stan Jensen



Lochelle Layton



2003 07 01 11:11



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 27-4143 V1

WATER RIGHT NUMBER: 27-4143 V1

Owner Type Name and Address
 Current Owner JACK VANDERCREEK
 PO BOX 952
 BLACKFOOT, ID 83221
 (208)785-2889
 Current Owner SELMA VANDERCREEK
 PO BOX 952
 BLACKFOOT, ID 83221
 (208)785-2889

Priority Date: 12/04/1961

Basis: Beneficial Use

Status: Active

Source Tributary
 GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.020 CFS	
DOMESTIC	01/01 to 12/31	0.040 CFS	
IRRIGATION	04/01 to 10/31	0.100 CFS	20.00 AF
	<u>Total Diversion:</u>	0.160 CFS	20.00 AF

Location of Point(s) of Diversion

GROUND WATER SE1/4NE1/4 Sec. 34, Twp 02S, Rge 35E, B.M.
 BINGHAM County

Place of Use

STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S 35E 34				X													

DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S 35E 34				X													

IRRIGATION

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 27-4143 V1

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S	35E	34				5.0													5.0

Total Acres: 5

Conditions of Approval:

1. C18 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.
2. N09 The quantity of water decreed for this water right for domestic use and stockwater use is not a determination of historical beneficial use.
3. N14 The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.

Remarks:Comments:Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: AND
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:

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.

Enclosures: a/s

No Comment
Doug Larsen

May 20, 2003

Idaho State Department of Water Resources
15 West Center Street
Soda Springs, ID 83276

Attn: Cindy E. Bird



Evidence of Priority - Claim No. A27-04143

Idaho Power Co. Customer Services advises that "hook up" records are kept for eight (8) years only. At the time we initiated power to our pump there was no requirement for separate records.

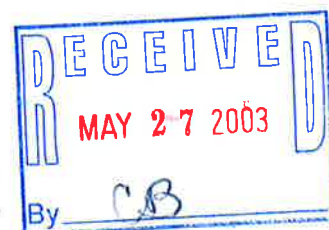
The well was drilled in 1961 by Mr. Guy Cushman (Cushman Drilling Co.). Mr. Cushman died more than twenty years ago. His daughter and grandson are now operating the business. They searched for two days among their grandfather's documents but did not find the drilling records back that far.

Mr. Bill Taylor was the prime contractor who built our home. He built the pump house under a concrete slab outside the back door to the house. Construction was not able to go forward without water. We moved our family into this house in December, 1961.

Mr. Taylor has graciously agreed to sign a statement substantiating his participation. We all hope this notarized testimony will satisfy your needs.

Jack VanDercreek

Selma VanDercreek



May 20, 2003

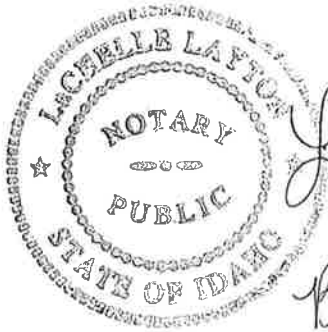
To whom it may concern:

In the summer of 1961, my construction crew began construction of the home still occupied by Jack and Selma VanDercreek. I was on site most days and personally observed the drilling of the well. There was no other water available at that time and it was needed to form the concrete.

Electric power to the water pump on the well preceded power hookup to the house.

J.W. Taylor General Contractor

J. W. Taylor



Laceelle Layton
3/14/2007
Blackfoot, Idaho

5/5/03.

Selma

Van Der creek (phone conversation)

- 5 hp. submersible.
90' deep.

last spring - 2 girls from Intrept Engineering.
- had trouble using the equipment. They didn't know
what they were doing.

- Suggested she contact Idaho Power, to find out when
Power was put to the pump.
- also contact Mr. Jensen and get a better affidavit
with more definite description of what pipe, what
crops and how does he know.

these affidavits are to vague.

5/21/03 Mrs. Van Der creek left a message to call her
at 10:23 AM.

5/23/03 returned the call and left a message @ 8:54 AM.

May 2, 2003

Idaho State Department of Water Resources
15 West Center Street
Soda Springs, ID 83276

Attn: Cindy E. Bird

Evidence of Priority

Thank you for the time you took to advise us of your need for additional documentation.

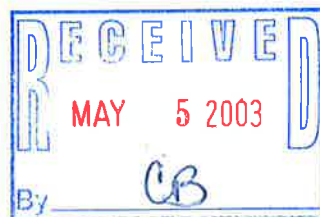
Pursuant to our telephone conversation , May 1, 2003, please find enclosed copies of two letters of verification signed by Carl Staley and Stan Jensen, both of Blackfoot. These documents are dated Nov. 15, 1994, and notarized. Copies of two profile reports are also enclosed.

We hope these will meet your needs.

Jack VanDercreek



Selma VanDercreek





State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Jack VanDercreek
P.O. Box 952
Blackfoot, Idaho 83221

April 23, 2003

Re: Evidence of Priority

Claim No.(s) A27-04143

Dear Claimant (s):

The Idaho Department of Water Resources has begun its water right review in Basin 27. The Notice(s) of Claim identified with the number shown above, has been filed in the Snake River Basin Adjudication (SRBA). The Notice 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 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. As the claimant, you are responsible for submitting the necessary proof to support the priority date.

It is important that each element of the Notice be substantiated. 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 enclosed 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 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".

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible.

.....
The Department cannot recommend the court decree the Notice if no evidence of a priority date is submitted.
.....

Please submit the documentation supporting the priority date by May 23, 2003, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter, please feel free to contact me at 547-3993.

Respectfully,

Cindy E. Bird
Cindy E. Bird
Adjudication Bureau

Enclosure: Brochure on "Evidence of Priority"
 Adjudication Claim Report



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 23-27



RIGHT ID 27 4143

POD ID 155750

Folder No. A2704143

Claim Status In Use

IDTMEAST 635116

IDTMNORTH 235377

GPSID A0011979

Diversion Description

WELL, PUMP, STOCK TROUGH, SPRINKLER LINES. POD located in a man hole in the Southeast corner of the yard.

Assumptions

Horse power, pressure head, and elevation head.

Invoice #

2000-055-23-27-0

Phase-0 (No Attention)

Phase-I (Ready to Go to Field)

Phase-II (Site Visit - Data Missing)

Phase-III (Complete w/issues)

Linked

Photos\27-4143-001.JPG

Photos\27-4143-003.JPG

Photos

Photos\27-4143-002.JPG

Photos\27-4143-004.JPG

GPS Accuracy (ft)

20 Feet

Date (M/D/Y)

07-23-02

Time

13:05

Flow Rate (CFS)

0.16

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 3

Pressure Head (psi) 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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intrepid technology & resources
i n c o r p o r a t e d

FOLDER NO. A2704143

SCANNED

JUL 18 2001

Log for claim 27-04143

Spatial Dynamics BTD

12/27/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
02s35e	34	SENE	5	6.9	POD placement? / Indiscernible
Totals:			5	6.9	

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JACK VANDERCREEK	12/04/1961	IRRIGATION	04-01 11-01	0.100 CFS	
C	SELMA VANDERCREEK		STOCKWATER	01-01 12-31	0.020 CFS	
	PO BOX 952		DOMESTIC	01-01 12-31	0.040 CFS	
	BLACKFOOT ID 83221					
	(208) 785-2889					
TOTAL DIVERSION:					0.160 CFS	
CONSUMPTIVE USE:						12.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

Point(s) of Diversion: T02S R35E S34 SENE BINGHAM County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
02S	35E	34	:			05	:									:	5.0
																TOTAL ACRES	5.0

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
02S	35E	34	:			S	:									:	

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
02S	35E	34	:			D	:									:	

POU County: BINGHAM

Non-Irrigation Uses: D/1 HOUSE, S/6 HEAD CATTLE/HORSES

Other Rights: SECOND HOUSE ON SAME WELL ADDED IN 1966 (FILED SEPARATELY)

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
27-10492 27-10977 A27-10492 A27-10977

Other Water Rights Listing Overlapping Place(s) of Use:
A01-00001J A01-00047E A01-00048 A01-00298 A01-00304 A27-04112

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

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

AJ5809NP
No. A27-04143

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/29/00
PAGE: 78

=====

Audit: 05/08/89 SCHULD 10/03/94 JTHOMPSO 03/29/95 POST-STD

- NOTE: Include here the type and number of stock watered: 4 head of cattle and/or horses

RECEIVED

JAN 03 1995

Department of Water Resources
Eastern District Office

JACK VANDERCREEK
P.O. Box 952
Blackfoot, Idaho 83221

December 30, 1994

Idaho Department of Water Resources
900 N. Skyline Dr.
Idaho Falls, ID 83402

Re: A27-04143

As requested in your letter of Nov. 1, 1994, (copy attached), and pursuant to a visit to your office for clarification of requirements, two statements of two persons who were well acquainted with progress of installing the well, pumps, and systems as indicated in this file. These statements have been notarized as required. Please advise us if further data is necessary.

Jack Van Dercreek
Selma Van Dercreek

MICROFILMED
NOV 13 1996

November 15, 1994

To Idaho Department of Water Resources

This statement is to substantiate that the well owned by Jack VanDercreek and Selma VanDercreek on East Airport Road in Blackfoot, Idaho was drilled in the summer of 1961 and put into operation in December of 1961. It has been used for the purposes set down in profile report AJ5809NP, No. A27-04143 (i.e.: irrigation, stockwater, domestic) beginning December 4, 1961.

Stanley Jansen

*Rue Hunsaker, Notary
12-23-94*

MICROFILMED
NOV 13 1996

November 15, 1994

To Idaho Department of Water Resources

This statement is to substantiate that the well owned by Jack VanDercreek and Selma VanDercreek on East Airport Road in Blackfoot, Idaho was drilled in the summer of 1961 and put into operation in December of 1961. It has been used for the purposes set down in profile report AJ5809NP, No. A27-04143 (i.e.: irrigation, stockwater, domestic) beginning December 4, 1961.

Carl Staley, Blackfoot, Id.

Ruth Husaker
expire 5-17-99

MICROFILMED
NOV 13 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

DATE: NOV. 1, 1994

A27-04143
JACK VANDERCREEK
SELMA VANDERCREEK
PO BOX 952
BLACKFOOT ID 83221

EVIDENCE OF PRIORITY

Dear Claimant:

The Notice of Claim identified above and or below has been filed in the Snake River Basin Adjudication (SRBA). The notice indicates a water usage of irrigation, or other commercial application that is based on **BENEFICIAL USE**. Water rights of this type are established by the historical use of water, dating back to when the water was first used for the purpose claimed. This date is 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. **As the claimant, you are responsible for submitting the necessary proof to support the PRIORITY DATE.**

For your reference, I have provided a printout of your Notice of claim and the pamphlet **EVIDENCE OF PRIORITY**. The pamphlet suggests which documents will fulfill this requirement.

The IDWR can not recommend the notice be decreed by the court if no evidence of a priority date is submitted.

Please submit the documentation supporting the priority date by Feb. 1, 1995, referencing the information with the corresponding Water right number. If you have any questions, please contact this office.

Dave Carlson
Water Right Agent, Adjudications

MICROFILMED
NOV 13 1996

JUL 18 2001

\$55

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: A27-04143
Date Received: 5/8/89
Receipt No: m003453
Received By: Rat

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JACK VanDERCREEK 208-785-2889
Address: P.O. BOX 952
BLACKFOOT, ID 83221

AND/OR

Name: SELMA VanDERCREEK 208-785-2889
Address: P.O. BOX 952
BLACKFOOT, ID 83221

2. Date of Priority: DEC 04, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02S	35E	34	SE	NE			BINGHAM

5. Description of diverting works:
WELL, PUMP, STOCK TROUGH, SPRINKLER LINES

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		
STOCKWATER	01/01	12/31	0.020		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is 12.5 Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE, S/6 HEAD CATTLE/HORSES

A27-04143

Page 1

Date: 05/08/89

A2704143

MICROFILMED
NOV 12 1992

10. Place of Use:

Township 02S	Range 35E	Section 34	1/4 of 1/4 SE NE SE NE SE NE	Lot	Use IRR STOCK DOMEST	Acres 5.0
-----------------	--------------	---------------	---------------------------------------	-----	-------------------------------	--------------

Section Acres 5.0

Total Acres **5.0**

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:

SECOND HOUSE ON SAME WELL ADDED IN 1966 (FILED SEPARATELY)

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

MICROFILMED
NOV 12 1992

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): X *Helma K. Dercock* Date: May 8, 1989
_____ Date: _____

State of Idaho)
County of Bingham) SS.

Subscribed and sworn (or affirmed) before me this 8th day
of May 19 89 *Helen Harrington*
Notary Public

Seal

Residing at Helen Harrington, Notary Public
Residing at Boise, Idaho
My Commission Expires December 1, 1994

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JACK VANDERCREEK	12/04/1961	IRRIGATION	04-01 11-01	0.10 CFS	
C	SELMA VANDERCREEK		STOCKWATER	01-01 12-31	0.02 CFS	
	PO BOX 952		DOMESTIC	01-01 12-31	0.04 CFS	
	BLACKFOOT ID 83221					
	(208) 785-2889					
TOTAL DIVERSION:					0.16 CFS	
CONSUMPTIVE USE:						12.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

Point(s) of Diversion: T02S R35E S34

SENE

BINGHAM 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	Lt	Ac	Lt	Ac	:																
02S	35E	34	:					05	:					:					:						:	5.0															
																							TOTAL ACRES																		
																																									5.0

Place of use Legal Description for: STOCKWATER

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	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
02S	35E	34								S	:									:								:									:	

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	Lt	Ac	:								
02S	35E	34	:				D	:					:					:					:								

POU County: BINGHAM

Non-Irrigation Uses: D/1 HOUSE, S/6 HEAD CATTLE/HORSES

Other Rights: SECOND HOUSE ON SAME WELL ADDED IN 1966 (FILED SEPARATELY)

Dates: Exam Made Date: Verified Date:
Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

MICROFILMED
NOV 13 1996