

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

1



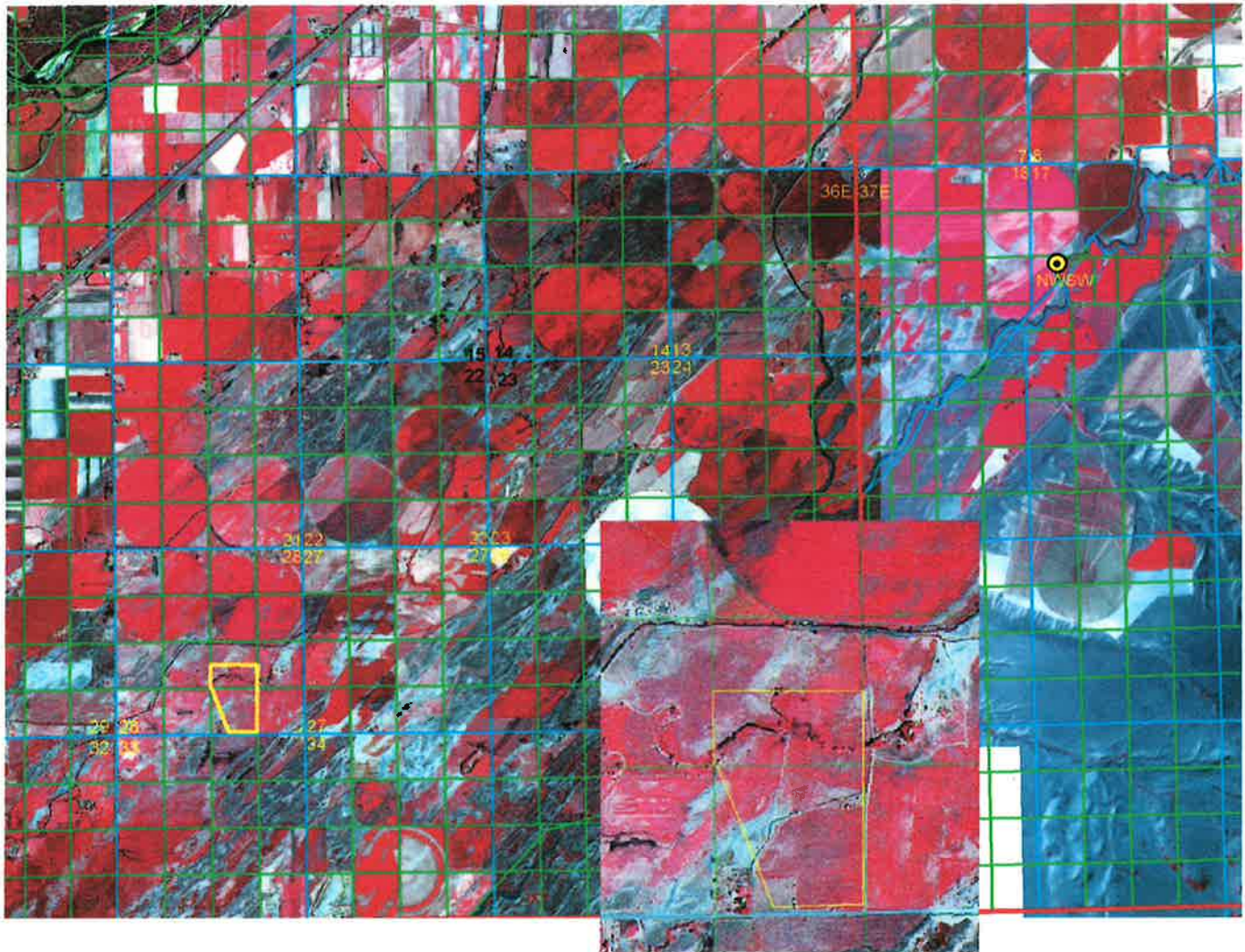
STATE OF IDAHO

Department of Water Resources

Eastern Region



Water Right(s) 27-11236



0.8 0 0.8 1.6 Miles

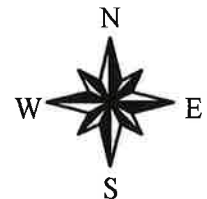
IRRIGATED ACRES 50.0

LEGEND

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

Place of Use: T2S, R36E:
(part of) Sec. 28, NWSE, SWSE

Point(s) of Diversion: T2S, R37E:
Sec. 17, □NWSW L-3

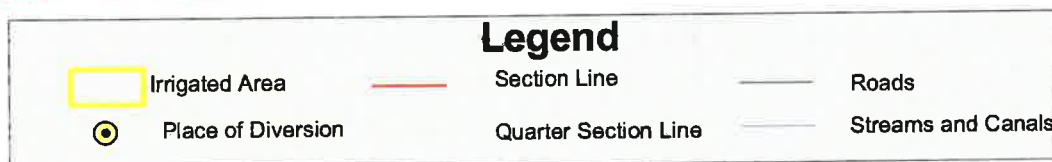
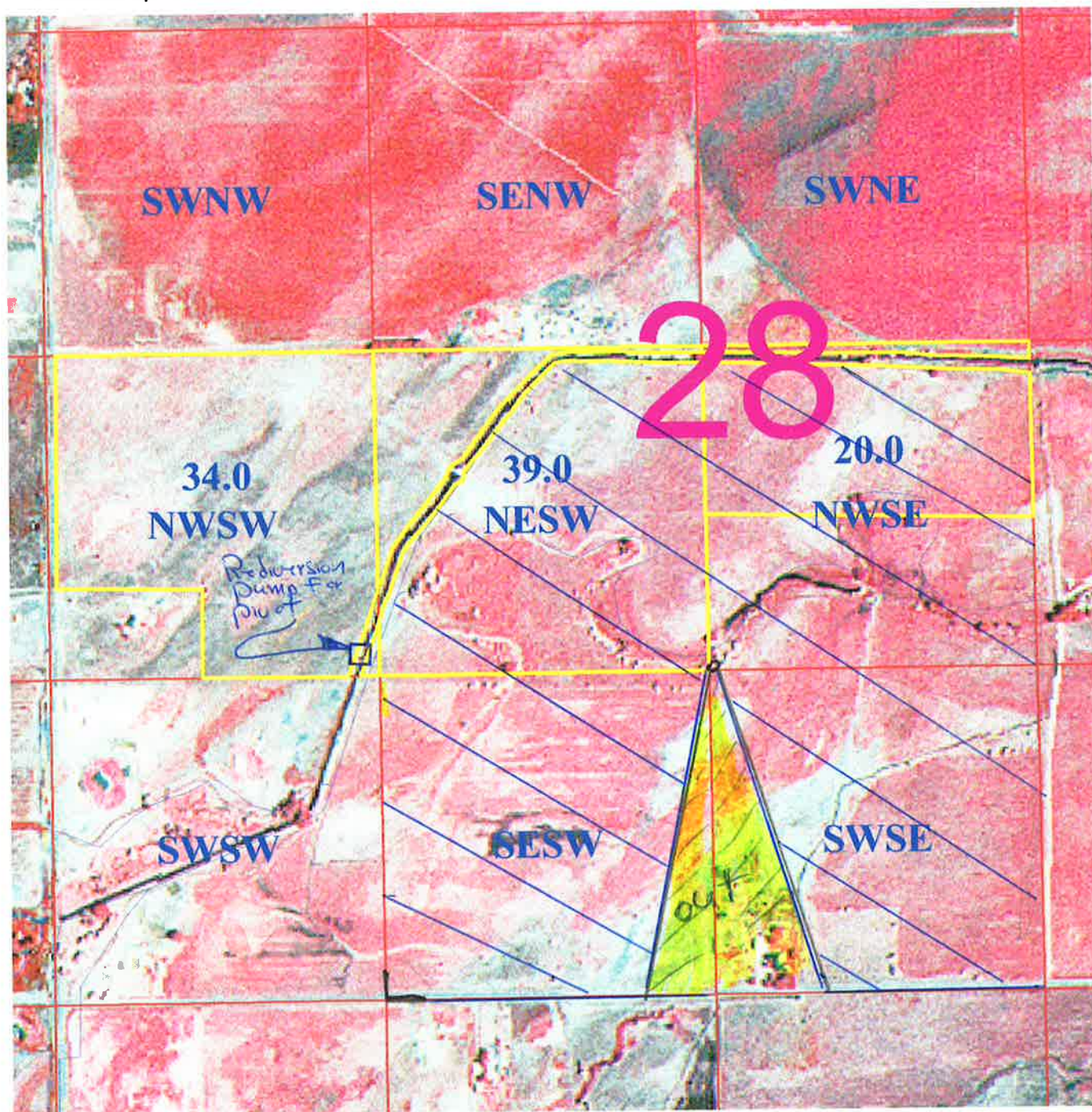


GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: C. Bird
Date: March, 2005

MAY 25 2006

Water Right Claim Number 27-11236
Township , 2S36E

01/05/2001



400 0 400 800 Feet

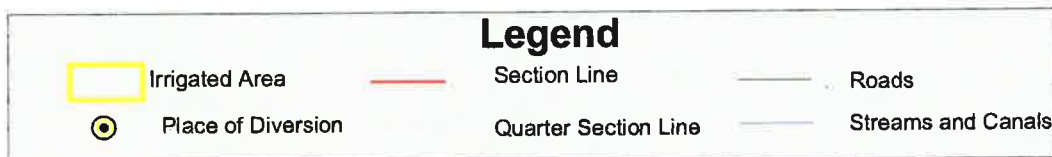
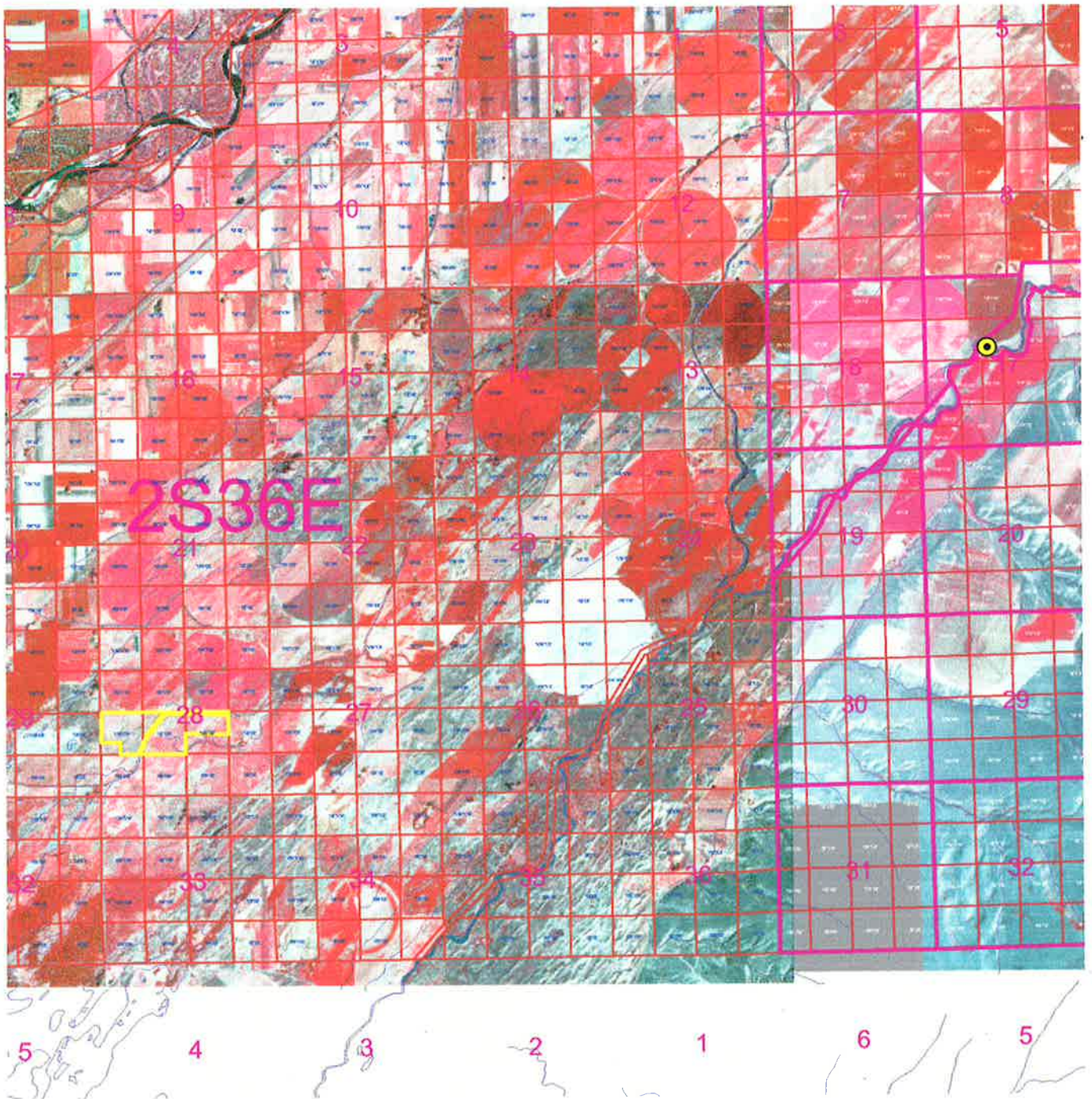
Pivot now covers
cross hatched area
above.
July 8-15-2003



SPATIAL
DYNAMICS

Water Right Claim Number 27-11236
Township , 2S36E

01/05/2001

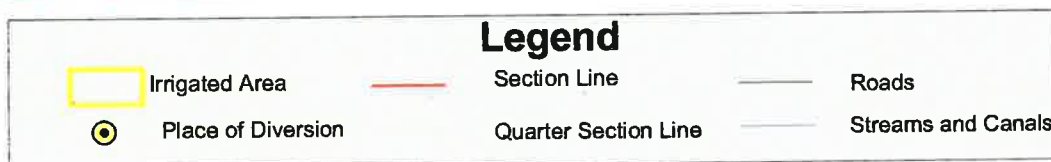
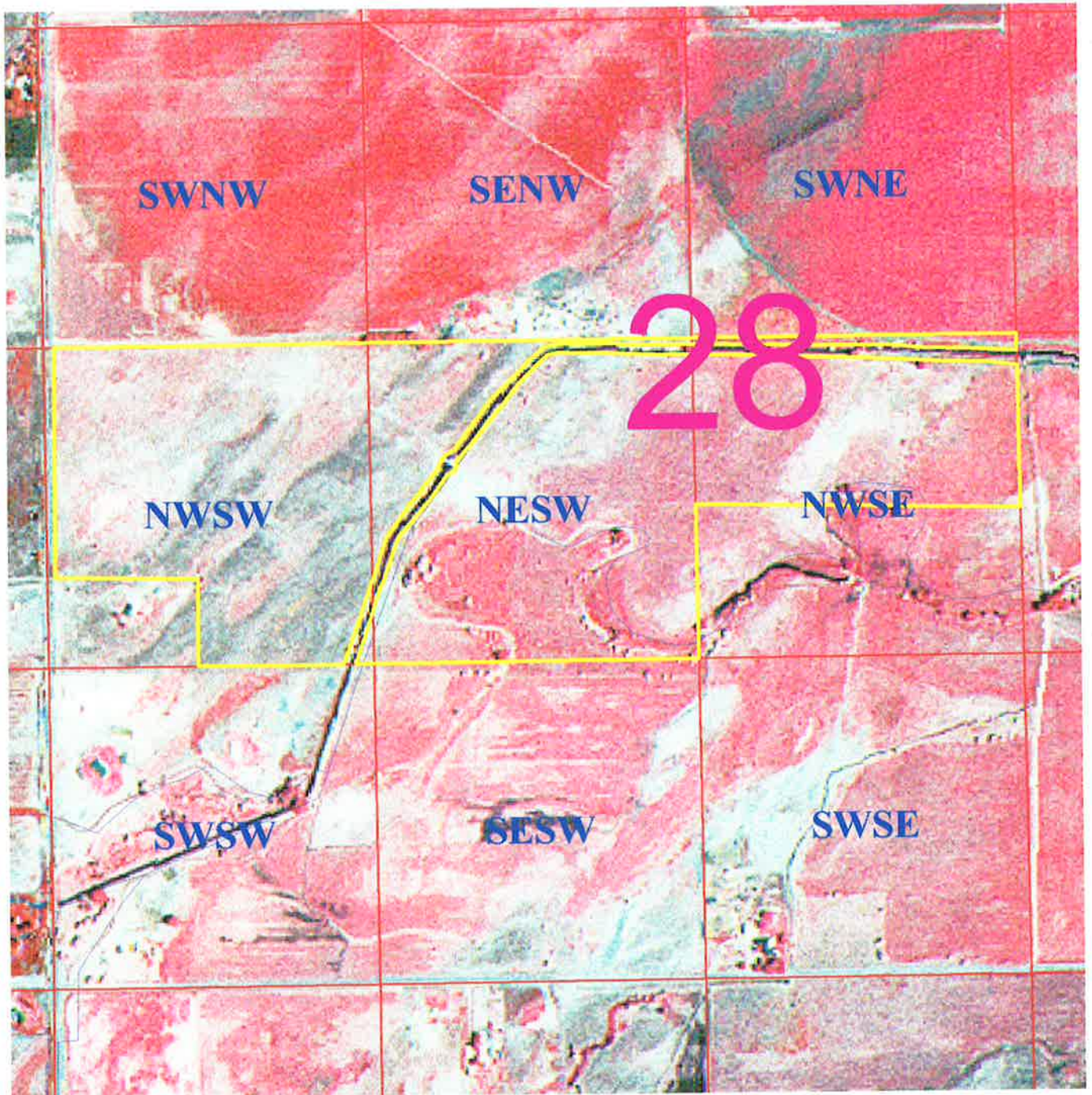


3000 0 3000 6000 Feet

SPATIAL DYNAMICS

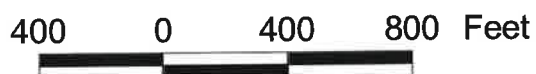
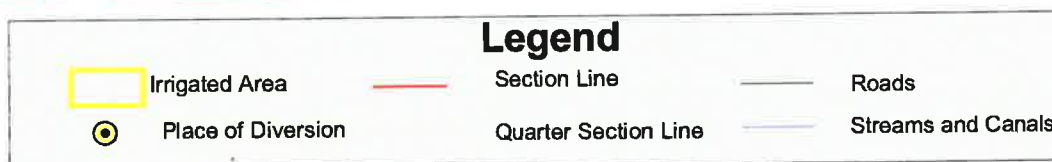
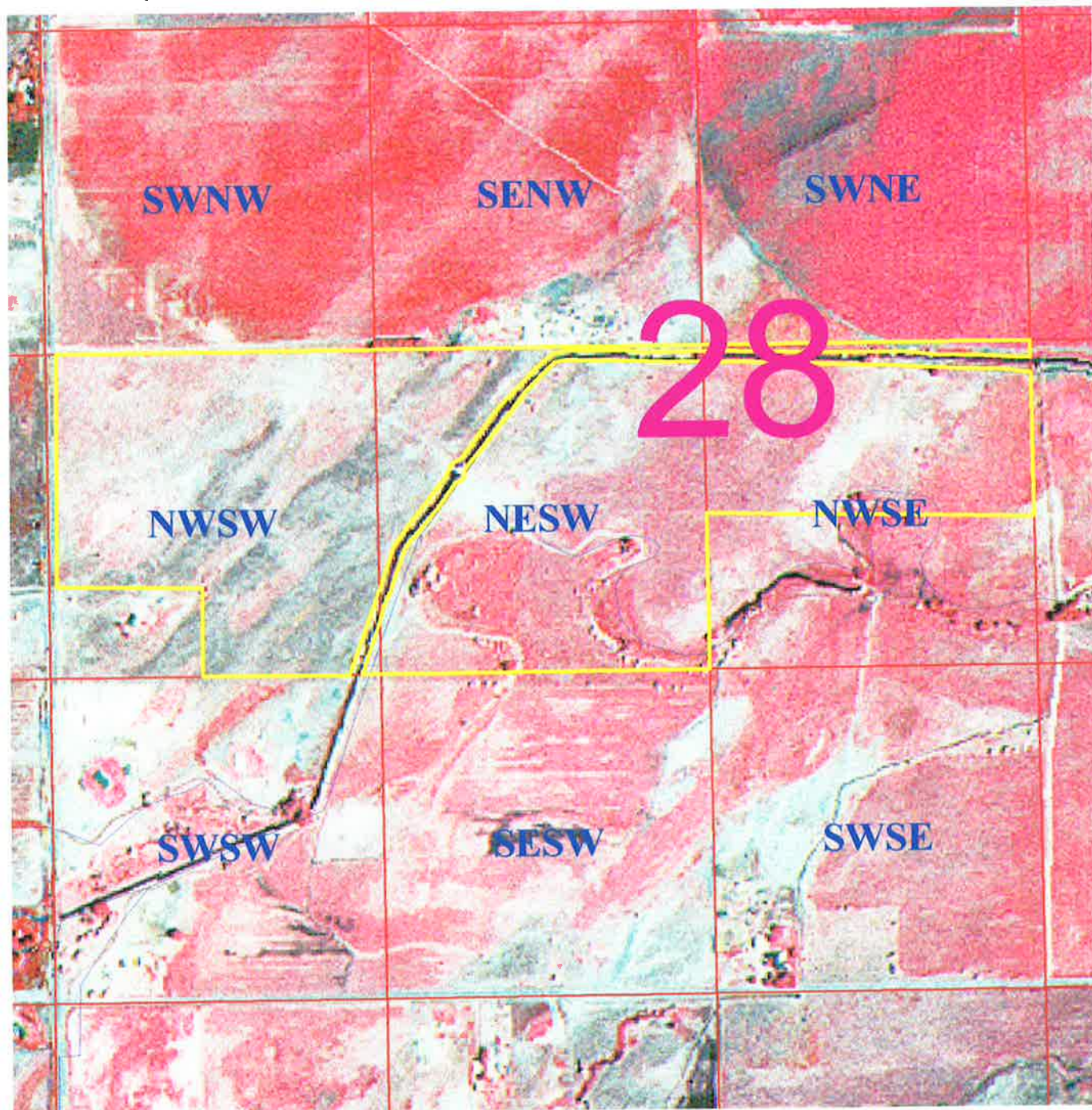
Water Right Claim Number 27-11236
Township , 2S36E

01/05/2001



Water Right Claim Number 27-11236
Township , 2S36E

01/05/2001



PEDIGREE
PRIORITY DATE

06/01/1885

27-00004(WR)	27-00004a (WR)	27-10293	renumbered to	27-00004v	renumbered to 27-12116
				27-00004aa	disallowed
		27-00004w		27-00004ab	disallowed
	27-00004b (WR)				
	27-00004c (WR)	27-00004ac			
	27-00004d (WR)				
	27-00004e (WR)	27-00004r			
		27-00004f			
	27-00004f (WR)				
		27-00004h			
	27-00004g (WR)	27-00004g	renumbered to	27-10539	
	27-00004h (WR)	27-10505			
		27-10388			
		27-10390			
	27-00004j (WR)	27-00004t	renumbered to	27-12064	
		27-00004y			
		27-00004z			
		27-00004k			
	27-00004k (WR)				
		27-10389	Combined with 27-00004r then renumbered to	27-12064	
	27-00004l (WR)	27-00004l			
		27-00004N (WR)			
	27-00004m (WR)	27-00004P (WR)			
		27-00004Q (WR)			
		27-00004n	renumbered to	27-00004u	renumbered to 27-12029
	27-00004n (WR)				
		27-00004p	renumbered to	27-12030	
	27-00004q (WR)	27-00004q	renumbered to	27-12027	
		27-10555			
		27-10116			
		27-10362			
	27-00004s (WR)				
		27-10728			
		27-10790			
		27-11236			
	27-00004t (WR)				
		27-00004s			
	27-00004u (WR)				
		27-00004m			

PROFILED

SCANNED
MAY 25 2006

27-00004	Water right #	to adjudication #	Miscellaneous Info
	27-00004a	27-10293	renumbered to 27-00004v
		27-00004w	27-00004aa disallowed
			27-00004ab disallowed
	27-00004b		
	27-00004c	27-00004ac	
	27-00004d		
	27-00004e	27-00004r	
	27-00004f	27-00004f	
		27-00004h	
	27-00004g	27-00004g	renumbered to 27-10539
	27-00004h	27-10505	
	27-00004j	27-10388	
		27-10390	
		27-00004t	renumbered to 27-12064
		27-00004y	
		27-00004z	
	27-00004k	27-00004k	
		27-10389	
	27-00004l	27-00004l	
	27-00004m	27-00004m split to n/p/q on water rights side	
	27-00004n	27-00004n	renumbered to 27-00004u
		27-00004p	renumbered to 27-12030
	27-00004q	27-00004q	renumbered to 27-12027
	27-00004s	27-10555	
		27-10116	
		27-10362	
		27-10728	
		27-10790	
		27-11236	
	27-00004t		
	27-00004u	27-00004s	
		27-00004m	

03/09/2005

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 27-11236

Neal K. Powell
252 East 100 North
Blackfoot, ID 83221
Telephone Number: (208) 785-4404

Diane B. Powell
252 East 100 North
Blackfoot, ID 83221
Telephone Number: (208) 785-4404

**RECEIVED
AUG 01 2005**

Department of Water Resources
Eastern Region

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

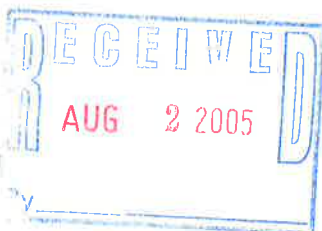
2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

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

DATE: 29 JUL 05 SIGNATURE: Neal Powell

Please print your name: NEAL K. POWELL



IDWR Regional Office, 900 N Skyline Dr. Ste A, Idaho Falls, ID 83402, (208) 525-7161

KUT
8/12

Notes

conveyance of property from his grandfather to his dad, his dad (mom) to him
I explained we need to make sure the water was conveyed

1-5-04 returned Neal Powell's called from 1-31-03. Sent information to Boise, papers going back to 1910. Will wait for response from Vicky Musie, Boise A.G's office.

3-4-04 Letter to Claimant re amendment. BT

3-15-04 Amended claim received. BT

3/9/05 recommended as noted CB

Notes

1/ Claim coded incorrectly - should have "Decree" as basis.

2/ This appears to be a part of the Whitten right #27-00004. (claim # should be changed)

3/ Place of use is 50 acres within the pivot area shown. Pivot put on approx 9 years ago (see 1994 NRCS photo). The rest of P.O.U. irrigated with Blackfoot Irrig. + Eastern ID water comp. shares.

4/ Point of Diversion is the Blackfoot Slough. GPS - Headgate - 0649632 - entered in file 0239979

"Basin 27" on Allan Rubenry's computer.

Headgate Tag - #A0012451

5/ If 50 acres not included in a P.P.U., applicant wants p.o.u. to be W/2 SE 1/4 Sec 28, T2S R36E.

6/ This portion of 27-00004 is not included in any of the IDWR Transfers recorded thus far.

7/ Dred provided for sale of water in 1917 is to claimant's Grandfather.

8/ Rediversion pump for this claim + other shares is 60hp pump in Blackfoot Slough Canal.

HL Jones

Water Rights Contracting Services

11-6-03 AA sent letter to claimant. BP

12/22/03. Neil Power - called to find out what information we needed. He's going to send a copy of the

Water Right No. A27-11236

Current Owner: Same as claim

Current Owner _____

Current Owner _____

Accompanied By: Neal K. Powell Phone Number: 785-4404

Relationship to Claimant: Claimant

Date of Field Exam: 8-12-2003 Time: _____

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

Reviewer: CB

Date: 2/5/04

Priority Date Data Entry Form

Claim Number: A27-11236
Water Right Priority Date: 6-01-1885 Water Right Basis: Decree
Claimed Priority Date: _____ Claimed Basis: _____
Recommended Priority Date: 6-1-1885 Recommended Basis: Decree

4

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:

Deed showing purchase of A. & Susan Whitten
water (50"). This appears consistent with
Decree 27-00004 given to A. & Susan Whitten
with a priority of 6-01-1885.

A claim # should be changed to a variant
of 27-00004. Hub

Reviewer: CB

Date: 2/5/04

Priority Date

Claim No. _____

1. Should this water use have been included in a later court decree of the water rights from this source? Yes ☐ No ☒
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 ☐
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 ☐
If Yes, go to 10e
If No, go to 8
8. Is the basis of claim a posted notice? Yes ☐ No ☐
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 ☐
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 ☐ 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 ☒ 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 ☒
If Yes, Enter the appropriate basis of claim. Priority Date review is complete
If No, Priority Date review is complete.

*Decree***Priority Date**

Point of Diversion and Source Data Entry Form

Claim Number: A27-11236
Water Right Point of Diversion: T , R , Sec. N.A., County:
Source: Blackfoot River Tributary:
Claimed Point of Diversion: T 2S, R 37E, Sec. 17, SW, SE, NW, County: Bingham
Source: Blackfoot River Tributary: Sndie River
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
					Bingham	Blackfoot River
GPS Coordinates: <u>0649632</u>					<u>0239979</u>	
GPS Coordinates: <u> </u>					<u> </u>	
GPS Coordinates: <u> </u>					<u> </u>	
GPS Coordinates: <u> </u>					<u> </u>	
GPS Coordinates: <u> </u>					<u> </u>	
GPS Coordinates: <u> </u>					<u> </u>	

Other rights from this POD? Canal shares

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

On-site. Point of diversion is the
headworks of the Blackfoot Slough Comp.

Transfers Changing POD no

Reviewer: CB

Date: 3/4/04

Point of Diversion

Claim No. 27 - 11236

1. Is the basis of claim a Decree or License?
If Yes, go to 4
If No, go to 2
Yes ☒ No ☐
2. Is the basis of claim a Permit or Application?
If Yes, go to 3
If No, go to 6
Yes ☐ No ☐
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 ☒
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 ☒ 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 ☒

Point of Diversion

Source

Claim No. 27 - 11236

1. Is the basis of claim a Decree or License?
If Yes, go to 4
If No, go to 2
Yes ☒ No ☐
2. Is the basis of claim a Permit or Application?
If Yes, go to 3
If No, go to 6
Yes ☐ No ☐
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 ☐
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 ☐
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 ☐ 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 ☒

Source

Purpose of Use Data Entry Form

Claim Number: 27-11234☒ 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:

decree, field exam

Transfers Changing Purpose of Use noReviewer: CBDate: 3/4/04

Purpose of Use Data Entry Form

Purpose of Use

Claim No. 27-11236

1. Is the basis of claim a Decree or License?
If Yes, go to 4
If No, go to 2
Yes (X) No ()
2. Is the basis of claim a Permit or Application?
If Yes, go to 3
If No, go to 6
Yes () No ()
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 (X) 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 (X) 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 ()
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 () 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

Place Of Use Data Entry Form

Claim Number:

A27-11236☐ Use Claimed POU as Recommended POU

Claimed Place of Use

Twsp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
2S	36E	28	NES	1/4	Bingham		23	Irrig
		"	NW	1/4	"		13	"
		"	NW	1/2	"		14	"

Total Acres 50

Recommended Place of Use

Twsp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
2S	36E	28	NW	1/2	Bingham		20	Irrig
		"	SW	1/2	"		30	Irrig

Total Acres 50

Document how the POU was verified:

Arc view map & on-site.
 Stockwater was listed in ~~rem~~ non-irrigated use
 line but not claimed. *WJ*

Transfers Changing POU

no

Reviewer:

CB

Date:

3/4/04

Place of Use

Claim No. 27-11236

1. Is the basis of claim a Decree or License.
If Yes, go to 2a
If No, go to 2b
Yes ☒ No ☐
- 2a. Is a POU required?
If Yes, go to 5
If No, go to 14
Yes ☒ No ☐
- 2b. Is a POU required?
If Yes, go to 3
If No, go to 14
Yes ☐ No ☐
3. Is the basis of claim a Permit or Application?
If Yes, go to 4
If No, go to 7
Yes ☐ No ☐
4. Has the License been issued?
If Yes, go to 6
If No, recommend the POU as shown on the Permit. Go to 14
Yes ☐ No ☐
5. Does the parent right have a POU?
If Yes, go to 6
If No, go to 7
Yes ☐ No ☒
6. Can the claimed POU be verified using the water right file?
If Yes, recommend the POU as shown in the water right file. Go to 14
If No, go to 7
Yes ☐ No ☐
7. Is there evidence that there has been a change in the POU?
If Yes, go to 8
If No, go to 13
Yes ☐ No ☒
8. Can the change be verified as an accomplished transfer?
If Yes, add condition C05, go to 13
If No, go to 9
Yes ☐ No ☐
9. Does the change include an enlargement of the POU?
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
Yes ☐ No ☐
10. Was an enlargement claim filed?
If Yes, go to 13
If No, notify claimant that an enlargement claim is necessary. Go to 11
Yes ☐ No ☐
11. Did the claimant file an enlargement claim?
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
Yes ☐ No ☐
12. Was a transfer filed?
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
Yes ☐ No ☐
13. Does the file contain all of the necessary information to verify the POU?
If Yes, go to 14
If No, collect the necessary information. Conduct field exam if necessary. Go to 14
Yes ☒ No ☐
14. Is a POU remark and/or condition required?
If Yes, enter the appropriate remark and/or condition. POU review is complete.
If No, POU review is complete.
Yes ☐ No ☒

Place of Use

Period of Use and Quantity Data Entry Form

Claim Number: A27-11236

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	3-15	11-15	1.00 cfs	

Overall Diversion Rate 1.00 cfs

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4-01	10-31	1.00 cfs	

Overall Diversion Rate 1.00 cfs

Overall Diversion Volume _____

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

Diversion rate based on deed of sale. Water
co-mingled with canal shares for use on
pivot. Period of use does not appear
defined in Stewarts decree for this right so
Dept Period of use utilized. *[Signature]*

Reviewer: CB

Date: 3/4/04

1. Is the basis of claim a Decree or License? Yes ☒ No ☐
If Yes, go to 4
If No, go to 2
2. Is the basis of claim a Permit or Application? Yes ☐ No ☐
If Yes, go to 3
If No, go to 6
3. Has the License been issued? Yes ☐ No ☐
If Yes, go to 5
If No, recommend the Period of Use as shown on the Permit. Go to 18
4. Does the parent right have a Period of Use? Yes ☐ No ☒
If Yes, go to 5
If No, go to 6
5. Can the claimed Period of Use be verified using the water right file? Yes ☐ No ☐
If Yes, go to 14
If No, go to 6
6. Is there evidence that there has been a change in the Period of Use? Yes ☐ No ☒
If Yes, go to 7
If No, go to 12
7. Does the change include an enlargement in the Period of Use? Yes ☐ No ☐
If Yes, go to 9
If No, go to 8
8. Can the change be recommended as an accomplished transfer? Yes ☐ No ☐
If Yes, add Condition C10. Describe the evidence that supports the change occurred after 11-19-1987. Go to 12
If No, notify claimant that a transfer is necessary. Go to 11
9. Was an enlargement claim filed? Yes ☐ No ☐
If Yes, go to 12
If No, notify claimant that an enlargement claim is necessary. Go to 10
10. Did the claimant file an enlargement claim? Yes ☐ No ☐
If Yes, go to 12
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12
11. Was a transfer filed? Yes ☐ No ☐
If Yes, go to 14
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12
12. Does the file contain all of the necessary information to verify the Period of Use? Yes ☒ No ☐
If Yes, go to 13
If No, collect the necessary information. Conduct field exam if necessary. Go to 13
13. Is the basis of claim a decree, license or a transferred beneficial use right that has had the Period of Use administratively determined? Yes ☐ No ☒
If Yes, go to 14
If No, go to 15
14. Is irrigation claimed as a purpose of use? Yes ☐ No ☐
If Yes, go to 16
If No, recommend the Period of Use of the parent right. Go to 18
15. Is irrigation claimed as a purpose of use? Yes ☒ No ☐
If Yes, recommend the "standard" Period of Use for the location of the POU. Go to 18
If No, the Period of Use is usually recommended as claimed. Go to 18
16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? Yes ☐ No ☐
If Yes, go to 17
If No, recommend the Period of Use of the parent right. Go to 18
17. Was the Period of Use shortened by a Transfer to a "standard" Period of Use that is shorter than the current standard Period of Use? Yes ☐ No ☐
If Yes, recommend the current standard Period of Use if the Period of Use of the parent right prior to the transfer was not established, equal to, or longer than the current standard. If the Period of Use of the parent right prior to the transfer was shorter than the current standard, recommend the Period of Use of the parent right and add the appropriate shoulder remark. Consult attorney assigned to the Basin if the Period of Use was an element transferred. Go to 18
If No, recommend the Period of Use of the parent right. Add appropriate shoulder remark. Go to 18
18. Is a Period of Use remark and/or condition required? Yes ☐ No ☒
If Yes, enter the appropriate remark and/or condition. Period of Use review is complete.

Period of Use

Quantity

Claim No. 27-11236

1. Is the basis of claim a Decree or License?
If Yes, go to 4
If No, go to 2
Yes ☒ No ☐
2. Is the basis of claim a Permit or Application?
If Yes, go to 3
If No, go to 6
Yes ☐ No ☐
3. Has the License been issued?
If Yes, go to 5
If No, recommend the Quantity shown on the Permit. Go to 11
Yes ☐ No ☐
4. Does the parent right have a diversion rate and/or volume?
If Yes, go to 5
If No, go to 7
Yes ☒ No ☐
5. Can the claimed diversion rate and/or volume be verified using the water right file?
If Yes, go to 8
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 ☐
7. Is a flow measurement required?
If Yes, attach all related measurement documents. Describe the flow measurement that was made. Go to 9
If No, describe why a flow measurement is not required. Go to 9
Yes ☐ No ☐
8. Does the parent right have an annual diversion volume limit?
If Yes, go to 10
If No, go to 9
Yes ☐ No ☒
9. Is the source Ground Water and does the purpose of use require a diversion volume limit?
If Yes, go to 10
If No, go to 11
Yes ☐ No ☒
10. Is irrigation a purpose of use?
If Yes, view the map of field irrigation requirements. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12
If No, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12
Yes ☐ No ☐
11. Has a diversion volume limit for this water use been established by a decree, license or transfer?
If Yes, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12
If No, go to 12
Yes ☐ No ☒
12. Is a Quantity remark and/or condition required?
If Yes, enter the appropriate remark and/or condition. Quantity review is complete.
If No, quantity review is complete.
Yes ☐ No ☒

Quantity

Summary

Claim No. 27-11236

1. Is the basis of claim a Decree, License, Permit, Application or Posted Notice?
If Yes, go to 2
If No, go to 3
Yes (☒) No (☐)
2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?
If Yes, consult the attorney assigned to the Basin. Document the period of time the right or portion of the right was not used. Go to 4
If No, status will be set as Active. Go to 5
Yes (☐) No (☒)
3. Is the water being used for all of the purposes claimed and to the extent claimed?
If Yes, status will be set as Active. Go to 5
If No, consult the attorney assigned to the Basin. Recommend only the uses found and limit the elements of those uses to the extent of the beneficial use found. Go to 4
Yes (☐) No (☐)
4. Is any portion of the claim being recommended?
If Yes, status will be set as Active. Go to 5
If No, claim will be disallowed. Enter the appropriate condition code. Status will be set as Disallowed. Go to 5
Yes (☐) No (☐)
5. Is an additional remark and/or condition required?
If Yes, enter the appropriate remark and/or condition. Go to 6
If No, go to 6
Yes (☒) No (☐)
6. Would you like to view the recommended right?
If Yes, go to 7
If No, the review is incomplete. The recommendation must be viewed to complete the review.
Yes (☒) No (☐)
7. Is this a "split" or "combined" right?
If Yes, go to the Update Pedigree Process in Workflow when the review is complete. Do any necessary data entry. Go to 8
If No, go to 8
Yes (☒) No (☐)
8. Do you have documents you would like to attach or link to the file?
If Yes, go to PowerDOCS and profile the documents. Go to 9
If No, go to 9
Yes (☐) No (☒)
9. Would you like to set the verification date?
If Yes, the review is complete.
If No, the review is incomplete. The recommendation must be verified to complete the review.
Yes (☒) No (☐)

Summary

Summary Data Entry Form

Claim No.: _____

Remarks and Conditions (Include Type, Category and Code if applicable):

C18

P20 Rem ~~Exp~~ Exp 27-4

F01 Rem Exp Blackfoot Slough

R31 Cond Qty

Split or Combined Right Analysis:

Attached Field Notes or Other Documents:

yes

Claim No.:

27-11236

Reviewer

CB

Date

3/4/04



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

March 4, 2004

Neal K. Powell
Diane B. Powell
252 E. 100 N.
Blackfoot, ID 83221

Re: Snake River Basin Adjudication (SRBA)
Claim 27-11236

Subject: AMENDING YOUR CLAIM

RESPONSE DATE: March 25, 2004

Dear Claimant(s):

After reviewing Harold Jones notes on your SRBA claim A27-11236. I'm recommending you amend your claim to correct the place of use. For your convenience I've enclosed the amended claim for your review and signature.

If you agree with the amended claim please sign it in front of a notary. This office must receive your response by the date shown above. If no response is received, then your claim to water **will not** be recommended to be decreed. If you have any questions please feel free to contact me at 547-3993 in Soda Springs.

Respectfully,

COPY

Cindy E. Bird
Adjudication Bureau

CEB/ceb

Enclosure: Amended Notice of Claim 27-11236

Claim 27-11236

Basin No.	Sequence Number	Split Suffix	Name	yyyy-mm-dd Priority Date	Useage	Other Water Rights Used	S=Stevens	Stevens Decree #	Total CFS
						27-4141, 4137, 10096, 10097 & 10098	S	4	
27	4	Q	Allen & Sons, Preston R.	1885-06-01	irrigation		s	4	2.00
27	4	F	Bean, Audrey H.	1885-06-01	irrigation		s	4	0.20
27	10505		Bergeman, Rodney E.	1885-06-01	irrigation		s	4	0.30
27	4	R	Elison, Jimmy K.	1885-06-01	irrigation		s	4	0.04
27	4	N	Esplin, Don	1885-06-01	irrigation		s	4	5.44
27	4	AC	Fielding, Arvel	1885-06-01	irrigation		s	4	1.00
27	4	AB	Gundersen, Kim C.	1885-06-01	stockwater		s	4	0.16
27	10790		Hamilton, John	1885-06-01	irrigation	27-29	s	4	0.68
27	10539		Hamilton, Wesley	1885-06-01	irrigation	27-37A	s	4	0.60
27	10543		Hill, Stanley & Cronquist, Susan	1885-06-01	irrigation		s	4	0.48
27	10267		Hoskins, Robert	1885-06-01	irrigation		s	4	0.60
27	10362		LDS Church	1885-06-01	irrigation		s	4	0.36
27	10878		Little Butte Irrigation Co.	1885-06-01	irrigation	27-38, 39, 40, 41	s	4	0.40
27	4	AA	Marriott, James	1885-06-01	irrigation		s	4	0.24
27	4	U	Matteson, Susan	1885-06-01	irrigation		s	4	0.21
27	4	L	Natural Guardian (Cox Enterprises)	1885-06-01	irrigation		s	4	0.57
27	11236		Powell, Neal K.	1885-06-01	irrigation		s	4	1.00
27	10728		Pratt, Eldro B.	1885-06-01	irrigation		s	4	0.55
27	4	M	Pratt, Gary L.	1885-06-01	irrigation		s	4	0.50
27	4	U	Pratt, Mark	1885-06-01	irrigation		s	4	0.50
27	4	Y	Reid, Casey W.	1885-06-01	irrigation		s	4	0.695
27	4	T	Reid, Fred	1885-06-01	irrigation		s	4	3.50
27	10388		Reid, Fred	1885-06-01	irrigation		s	4	1.14
27	4	Z	Reid, Paul	1885-06-01	irrigation		s	4	0.525
27	10657		Reid, Paul	1885-06-01	irrigation		s	4	0.48
27	11931		Reid, Paul	1885-06-01	irrigation		s	4	0.80
27	10667		Reid, Robert	1885-06-01	irrigation		s	4	0.57
27	10390		Reid, Wallace	1885-06-01	irrigation	27-21, 14, 4K	s	4	1.14
27	10398		Reid, Wallace	1885-06-01	irrigation	27-4J, 14, 21	s	4	1.05
27	10555		Stecklein, LaVerelle	1885-03-25	irrigation		s	4	1.00
27	4	H	Stokes, Richard	1885-06-01	irrigation		s	4	0.20
27	4	P	Whitten, Sherman	1885-06-01	irrigation		s	4	2.40
27	4	V	Wright, Gary	1885-06-01	irrigation		s	4	0.80
27	10116		Yancey, Marvin	1885-06-01	irrigation		s	4	0.36
							34	4	30.49



CLAIM A27-11236

0649632
GPS coordinates are USA 0239979

Claim A27-11236 For Neal Powell.
Photo is headgate of Bladfoot
Sleigh looking SW. Applicant
gets shares + portion of
27-00004 from this division.



GPS is located
TAG on concrete wall
Tag # A0012451

A27-11236

134.0

5.2

134.5

T1847

4068

2

30.0

2

101.2

3

3.6

T26057
4784

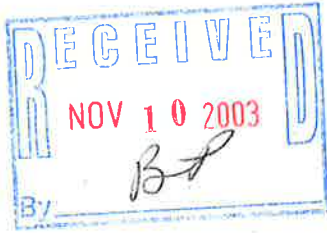
A27-11236

(1994)
(Av. photo)

43.1

28
33

28 | 27
33 | 34



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

November 6, 2003

Neal Powell
252 East 100 North
Blackfoot, ID 83221

Re: Claim No. 27-11236

Dear Mr. Powell:

I am the Deputy Attorney General assigned to represent the Idaho Department of Water Resources in Basin 27 in the Snake River Basin Adjudication.

In order to make a complete and accurate recommendation of your water rights, each element of the water right must be proven. At this time, the Department does not have proof of ownership for your claim number referenced above. Please submit deed and proof of your ownership of the water right referenced above to the attention of Vicky Music, IDWR, 1301 N. Orchard, Boise, ID, 83706 Please submit your proof by **November 30, 2003.**

If you have questions regarding this request, please contact Cindy Bird at the Soda Springs Office for the Idaho Department of Water Resources at 208-547-3993 or you can contact me directly at 208-327-7900.

Very truly yours,

SUSAN HAMLIN NYGARD
Deputy Attorney General
Idaho Department of Water Resources

cc: Cindy Bird



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

Neal K. Powell
252 East 100 North
Blackfoot, Idaho 83221

May 9, 2003

Re: Evidence of Priority

Claim No.(s) A27-11236

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 June 26, 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
Adjudication Bureau

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

SCANNED

JUL 25 2001

Log for claim 27-11236

Spatial Dynamics LTD

1/5/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
02s36e	28	NWSW	13	34	Indiscernible
02s36e	28	NESW	23	39	Indiscernible
02s36e	28	NWSE	14	20	Indiscernible
Totals:			50	93	

AJ5809NP
No. A27-11236

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/29/00
PAGE: 198

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	NEAL K POWELL	06/01/1885	IRRIGATION	03-15 11-15	1.000 CFS	
C	DIANE B POWELL					
	252 E 100 N					
	BLACKFOOT ID 83221			TOTAL DIVERSION:	1.000 CFS	
	(208) 785-4404			CONSUMPTIVE USE:		125.00 AFA

Water Source: BLACKFOOT RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion:

T02S R37E S17

SWSNW

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		
02S	36E	28	:					:					:			23	13	:				14	:	50.0
																							TOTAL ACRES	50.0

POU County: BINGHAM

Non-Irrigation Uses: STOCKWATER FOR 100 COWS, 6 HORSES

Other Rights: NONE

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

A27-00022D A27-00035D

Remarks: GEN RELATED WATER RIGHTS IRRIGATE AS FOLLOWS: EASTERN IDAHO WATER CO.
SE4, SEC. 28, 41.7 AC; BLACKFOOT IRRIG. CO. SE4, SEC. 29, 30.6 AC

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

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

Audit: 08/31/89 THOMPSON 12/02/94 JTHOMPSO 03/29/95 POST-STD



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 27, 1999

NEAL POWELL
2102 RENDEZVOUS
IDAHO FALLS ID 83402-3882

RE: CHANGE OF ADDRESS FOR A27-10069 & A27-11236

Dear Mr. Powell:

It has come to our attention that your address may have recently changed. The address currently recorded on the above referenced water right(s) is as follows:

Neal Powell
252 E 100 N
Blackfoot Id 83221

We recommend if, in fact, the address in question has been changed, you file a "Change in Address" with this department in order that we may send all further correspondence to the appropriate address.

Enclosed is a Change in Address form. Please fill out the form completely, sign and date it and return it to my attention.

If you have any questions regarding this matter, please call 525-7161.

Respectfully submitted,

Autumn Jones
Records Clerk

Enclosure(s)

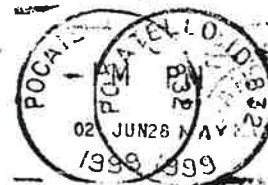
COPY

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern District Office
900 N. Skyline Dr.
Idaho Falls, ID 83402-1718

Return Service Requested



FORWARDING
ORDER
EXPIRED



Return
to
SENDER

27-10069 &
27-11236

NEAL POWELL
2102 RENDEZVOUS
IDAHO FALLS ID 83402-3882

POWE102 834023004 IN 05 06/05/99
RETURN TO SENDER

NO FORWARD ORDER ON FILE
UNABLE TO FORWARD
RETURN TO SENDER



02/23/89
10:43:53

POWELL, NEAL/DIANE

ADJUDICATION FEE

0410162 9337 6490

\$100.00

\$100.00

CHECK 5510

WR/NO: A27-11236

Idaho Department of Water Resources

Region: EASTERN

Signature:

Ernest Carlson
31 Aug 89.

Number changed from A22-12574

DO NOT FILM

252 East 100 North
Blackfoot, ID 83221
February 22, 1989

Idaho Department of Water Resources
Eastern District Office
150 Shoup Avenue
Idaho Falls, ID 83402

ATTENTION: Mr. Ernie Carlsen

Gentlemen:

Attached please find my check for \$100.00 to cover my share of the Idaho Water Resource Board fees in the general adjudication of the Snake River Basin water rights. It is my understanding that I owe \$1.00 per acre irrigated plus a \$50.00 filing fee.

Copies of my deed and the court decree for the Fox and Whitten water (50 inches) and a map designating the acres by Quarter-Quarter Section (40 ac) to which this water is beneficially applied are attached for your use. Other water rights owned by me are indicated on the map also, but I am filing appropriate fees and information with each water company.

I am also enclosing tax notices which indicate ownership of the land. Note that Genevieve B. Powell, my mother, has passed away and my wife, Diane, and I are the owners of record.

Very truly yours,



Neal K. Powell

Attachments: As Stated

MICROFILMED
NOV 13 1992

Powell, N.

T2S R36E BM

see m9

Neal Powell T24834
30.6 Ac
BI Water

13A
NW4 SW4
F&W Water

23 Ac
NE4 SW4
F&W Water

14 Ac
NW4 SE4
F&W Water

L&R Encumbrments

Neal Powell
41.7 Ac
EI Water

Reduction
Pump

2129
3339

D331
T24656

D-204

L-10

NOV 13 1982

REPROFILMED

1728

76.6

T1701
D51
1794

45.8

98.4

3.7

123.3

2867
3339

37.2

+1105

D307

1591

33.7

92

Powell, N

CONSOLIDATED TAX NOTICE AND RECEIPT
BINGHAM COUNTY TAX COLLECTOR 1987
P.O. BOX 190
BLACKFOOT, ID 83221 REAL PROPERTY

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
122,848	14-00	RP0437700	A 5961
HM- 39,258			
83,590			
L 40,737			
I 82,111			

T2S R36E SEC 28
N2NWSE* N2SW LS T-5333*
SWSE* S2NWSE

AC 155.000 POWELL, GENEVIEVE B AND SONS
252 E 100 N
BLACKFOOT ID 83221

DELINQUENT CERT

TAXING DISTRICT	RATE	AMOUNT	RECEIPT
STATE			FULL PAYMENT
COUNTY	.006150	514.08	TAX 1,360.32
SCHOOL 55	.008657	723.64	PEN
AMBULANCE DIST	.000339	28.34	SUB TOT
FLOOD #1	.000033	2.76	INT
BLKFT/SR FIRE	.000616	51.50	TOT
			1ST INSTALLMENT
			TAX 680.16
			PEN
			SUB TOT
			INT
			TOT
SOLID WASTE		40.00	2ND INSTALLMENT
			TAX 680.16
			PEN
			SUB TOT
			INT
			TOT
TOTAL	.015795	1,360.32	

YOUR CANCELLED CHECK IS YOUR RECEIPT. LEVY SHEETS
ARE OBTAINABLE IN THE OFFICE. PLEASE READ BACK.

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT

REAL PROPERTY 1987 RP0437700 A
POWELL, GENEVIEVE B AND SONS
252 E 100 N 5961

SPECIAL CODE	TAX	CODE	AREA	TAX	2ND INSTALLMENT
92	20.00		660.16		680.16 14-00
				PEN	2nd
				SUB TOT	48
				INT	
				TOT	

PERSONAL CHECKS SUBJECT TO BANK CLEARANCE
MAKE CHECKS PAYABLE TO

GAIL CRONQUIST
TAX COLLECTOR
P.O. BOX 190
BLACKFOOT, ID 83221

DELINQUENT IF NOT PAID ON OR BEFORE JUNE 20, 1980

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT

REAL PROPERTY 1987 RP0437700 A
POWELL, GENEVIEVE B AND SONS
252 E 100 N 5961

SPECIAL CODE	TAX	CODE	AREA	TAX	TOTAL TAX
92	40.00		1,320.32		1,360.32 14-00
				PEN	FULL
				SUB TOT	48
				INT	
				TOT	
SPECIAL CODE	TAX	CODE	AREA	TAX	1ST INSTALLMENT
92	20.00		660.16		680.16 14-00
				PEN	1st
				SUB TOT	48
				INT	
				TOT	

DELINQUENT IF NOT PAID ON OR BEFORE DECEMBER 20, 1987

IDAHO WATER RIGHTS ADJUDICATION

Neal K. and Diane B Powell

BINGHAM COUNTY IDAHO

T2S R36E BM

I. Eastern Idaho Water Co (1 1/4 Shares)

@ 33 1/3 in/sh = 41.7"

parcel 1 - SW4 SE4 Sec 28 27 Ac

parcel 2 - NW4 SE4 Sec 28 14.7 Ac

II. Blackfoot Irrigation Co. (4/7 + 2/50 Shares)

@ 50 in/sh = 28.6 + 2 = 30.6"

parcel 1 - NE4 SE4 Sec 29 23.6 Ac

parcel 2 - NW4 SE4 Sec 29 7 Ac

→ III Fox and Whitten Water (50 inches deeded)

parcel 1 - NW4 SE4 Sec 28 14 Ac

parcel 2 - NE4 SW4 Sec 28 23 Ac

parcel 3 - NW4 SW4 Sec 28 13 Ac

IV Domestic Well

SW4 SW4 SE4 Sec 28

Note: Items I & III Pt. of Diversion is:

(Estimated: SW4 SE4 NW4 Sec. 17 T2S R37E BM)

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NOV 13 1992

POWELL, N.

10/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Powell CLAIM NO. 122-12574
DATE RECEIVED 2/23/89 CK # 5510 AMOUNT \$ 100⁰⁰

- | | YES | NO |
|--|-------------------------------------|--------------------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ |
| 2. Is a priority date entered? | ☒ | ☐ |
| Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?
A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS. | | |
| 3. (a) Is a source entered? | ☒ | ☐ |
| (b) Is a tributary to entered? (if required) | ☒ | ☐ |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ |
| 5. Is there a description of the diverting works? | ☒ | ☐ |
| 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. | ☒ | ☐ |
| Is the period of use included? | ☒ | ☐ |
| Is a quantity claimed for each use? | ☒ | ☐ |
| 7. Is a total quantity claimed entered? | ☒ | ☐ |
| 8. If required is a consumptive use entered? | ☒ | ☐ |
| Is the consumptive use correct? | ☒ | ☐ |
| 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 ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | ☒ | ☐ |
| 10. Is (are) the place(s) of use entered? | ☒ | ☐ |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ |
| 13. Are other water rights listed or "none" indicated? | ☒ | ☐ |
| 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.) | ☒ | ☐ |
| 15. Is the basis of the claim checked? | ☒ | ☐ |
| 16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) | ☒ | ☐ |
| Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ |
| Was this claim filed on time, or was an extension granted? | ☒ | ☐ |
| Is the fee enclosed correct? | ☒ | ☐ |
| If this claim is based on an existing water right, has the identification number been entered? | ☒ | ☐ |
| Should this claim be receipted and data entered? | ☒ | ☐ |

Claim checked by: TO

Comments: _____

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NOV 13 1992

E005672

D E D.

THIS INDENTURE, made the 8th day of August in the year 1917, between A. Whitten and Susan E. Whitten, husband and wife, of Bingham County, Idaho the parties of the first part and George A. Powell of the same place the party of the second part.

WITNESSETH, that the parties of the first part for and in consideration of the sum of (250.00), Two Hundred Fifty Dollars lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do by these presents grant, sell, bargain, convey, and demise unto the said party of the second part and to his heirs and assigns forever the following described property to-wit:

Fifty (50) inches of the waters of the Blackfoot River, measured under a four inch pressure, as decreed by the District Court of the Fifth Judicial District of the State of Idaho in and for the County of Bingham, in an action wherein Fred Stevens was plaintiff and Eastern Idaho water Company, et al. were defendants, the rights of the said parties of the first part under said decree, hereby conveyed dating from June the first, 1886.

Together with all and singular the appurtenances thereto belonging are in anywise appertaining.

To have and to hold all and singular the said premises together with the appurtenances and privileges thereto incident, unto the said party of the second part and to his heirs and assigns forever.

In witness whereof, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

A. Whitten (SEAL)
Susan E. Whitten (SEAL)

In the Presence of,

Geo. J. Gagon

POWELL, N.

State of Idaho }
County of Bingham } SS.

On this 20th day of August in the year 1917, before me,
Geo. F. Gagon, a notary public, within said County and State,
personally appeared A. Whitten and Susan E. Whitten known to me
to be the persons whose names are subscribed to the within and
foregoing instrument and acknowledged to me that they executed
the same.

In witness whereof I have hereunto set my hand and fixed
my official seal the day and year in this certificate above
written.

Geo. F. Gagon
Notary Public, residing at
Blackfoot, Idaho.

My commission expires,
Dec. 15, 1919.

Powell, N.

WATER DECREE ON BLACKFOOT RIVER

Book 1 of Judgments
Page 107-116

In the District Court of the Fifth Judicial District of the State of Idaho, in and for Bingham County,

Fred S. Stevens et al, Plaintiffs

Ed HALL
346-6668

Ed HALL
785 2816

Eastern Idaho Water Company et al, Defendants

This cause having been heretofore tried by the Court, without a jury, and the court having made its findings of fact and conclusions of law,

It is now ordered, adjudged and decreed that the following parties are entitled to divert from the Blackfoot River the amount of water herein indicated, and the right of each party dates from the time hereinafter stated and set opposite each name, to-wit:

Fred S. Stevens, July 6, A.D. 1869	138 inches	
Henry Dunn, July 1, A.D. 1870	300 inches	
N. A. Just and Emma Just, August 1, A.D. 1871	200 inches	
Leon Misslen, July 1, A.D. 1873	200 inches	
John Misslen, April 1, A.D. 1874	120 inches	
H. R. Lewis, March 1, A.D. 1875	100 inches	
Presto Burrell, March 1, A.D. 1876	100 inches	
William Kirkpatrick, May 1, A.D. 1878	100 inches	
F. M. Shoemaker, April 1, A.D. 1879	90 inches	
Eastern Idaho Water Co., March 25, A.D. 1880	1800 inches	
P. B. Fox, Jr.		
William Howard,		
A. Whitten,		
Susan E. Whitten,		
Calvin Miles		
March 25, A.D. 1880	600 inches	
Levi Warren, April 1, A.D. 1882	50 inches	
Emily Warren, April 1, A.D. 1883	106 inches	
Daniel Y. Miller, April 1, A.D. 1883	100 inches	
Fred S. Stevens, Oct. 1, A.D. 1884	140 inches	
H. A. Just & Emma Just, April 1, A.D. 1885	100 inches	
Leon Misslen, May 1, A.D. 1885	300 inches	
Robert Millen, May 1st, A.D. 1885	150 inches	
P. B. Fox, Jr.,		
William Howard		
A. Whitten		
Susan E. Whitten		
Calvin Miles		
June 1, A.D. 1885	1500 inches	
W. W. Ritter, July 23, A.D. 1885	560 inches	
Thomas G. Weber, July 23, A.D. 1885	480 inches	
James Drew, Oct. 1, A.D. 1885	6 inches	
Eastern Idaho Water Co., Oct. 1, A.D. 1885	1000 inches	
H. R. Lewis & Sarah Lewis, March 1, A.D. 1886	160 inches	
James Welch, March 20, A.D. 1886	400 inches	
William H. Danilson, April 5, A.D. 1886	352 inches	
David S. Morgan, April 5, A.D. 1886	132 inches	
William Morgan, April 5, A.D. 1886	100 inches	
William A. Dowling, April 5, A.D. 1886	120 inches	
F. Little, Oct. 4, A.D. 1886	240 inches	
Chas. S. Burton, Oct. 4, A.D. 1886	240 inches	
John Sharp, Sr., Nov. 1, A.D. 1886	320 inches	
F. W. Jennings, Nov. 1, A.D. 1886	400 inches	
Donald Tolmie, April 1, A.D. 1887	100 inches	
Samuel Borup, April 1, A.D. 1887	50 inches	
Jacob Eliason & Caroline Eliason, May 1, 1889, A.D.	145 inches	
Maylan C. Fox, Dec 4, A.D. 1889	640 inches	

That the following rights hereinbefore set forth, to-wit:

The right of H. R. Lewis dating from the first day of March, A. D. 1875, for 100 inches; the right of W. W. Ritter, dating from the 23rd day of July A. D. 1885, for 560 inches; the right of Thomas G. Webber, dating from the 23rd day of July A.D. 1885, for 480 inches; the right of H. R. Lewis and Sarah Lewis dating from the 1st day of March, A.D. 1886, for 160 inches; the right of F. Little dating from the 4th day of October A.D., 1886, for 240 inches; the right of Charles S. Burton, dating from the 4th day of October, A. D. 1886 for 240 inches

POWELL, N.

the right of John Sharp, Sr. dating from the 1st day of November A.D. 1886, for 320 inches; the right of F. W. Jennings, dating from the 1st day of November, A.D., 1886, for 400 inches; the right of Donald Tolmie, dating from the 1st day of April A.D. 1887 for 100 inches; the right of Jacob Eliason and Caroline Eliason dating from the 1st day of May, A.D. 1889, for 145 inches; and the right of Maylan C. Fox, dating from the 4th day of December A.D. 1889, for 640 inches, shall only extend to the 1st day of July in each year for irrigating purposes, and the said H. R. Lewis, W. W. Hitter, Thomas G. Webber, Sarah Lewis, F. Little, Charles S. Burton, John Sharp, Sr., F. W. Jennings, Donald Tolmie, Jacob Eliason, Caroline Eliason, Maylan C. Fox and each and all of them are hereby enjoined from diverting or using in any manner any part of the said water rights aforesaid, after the 1st day of July in each and every year hereafter, for irrigating or any other than domestic purposes.

It is further ordered, adjudged and decreed that the following parties are entitled to divert from the Wolverine Creek a tributary of said Blackfoot River the amount of water herein indicated, and the right of each party dates from the time hereinafter stated, and set opposite each name, to-wit:

Peter Morris, March 1, A.D. 1882	- - - - -	-60 inches
Sample Orr, July 1, A.D. 1882	- - - - -	-80 inches
Peter Morris, April 1, A.D. 1887	- - - - -	-60 inches
Daniel M. Taylor, April 1, A.D. 1888	- - - - -	-10 inches

It is further ordered, adjudged and decreed that the following parties are entitled to divert from Cedar Creek, a tributary of Blackfoot River, the amount of water herein indicated and the right of each party dates from the times hereinafter stated and set opposite each name, to-wit:

George Monroe and John Lyon, April 1, A.D. 1884	- - - - -	-100 inches
Samuel Borup, April 1, A.D. 1887	- - - - -	50 inches

It is ordered, adjudged and decreed that George Heaton is entitled to divert from the east fork of Brush Creek, a tributary of Blackfoot River, 125 inches of water, said rights dating from the first day of May A.D., 1888, but the said right shall only extend to the 1st day of July in each year, for irrigating purposes, and the said Heaton is hereby enjoined from diverting or using in any manner any part of the said water right after the 1st day of July in each and every year hereafter for irrigating or any other than domestic purposes.

It is ordered, adjudged and decreed that the following parties are entitled to divert from Canon View Creek, a tributary of Blackfoot River, the amount of water herein indicated and the right of each party dates from the time hereinafter stated and set opposite each name to-wit:

Enoch Hansen, May 1, A.D. 1885	- - - - -	-150 inches
James Sharp, October 11, A.D. 1886	- - - - -	-640 inches
W. H. Rowe, Oct. 11, A.D. 1886	- - - - -	-560 inches

But these said rights of said Enoch Hansen, James Sharp and W. H. Rowe to waters of Canon View Creek herein set forth shall only extend to the first day of July in each year, for irrigating purposes, and the said Hansen, Sharp and Rowe, and each and all of them are hereby enjoined from diverting or using in any manner any part of the said water rights after the first day of July in each and every year hereafter for irrigating or any other than domestic purposes.

It is ordered, adjudged and decreed, that the following parties are entitled to divert from Dimond Creek, a tributary of Blackfoot River, the amount of water herein indicated, and the right of each party dates from the time hereinafter stated, and set opposite each name, to-wit:

James Sharp, Oct. 4, A.D. 1886	- - - - -	560 inches
James T. Little, Oct. 11, A.D. 1886	- - - - -	-560 inches
Charles Burton, Oct. 11, A.D. 1886	- - - - -	-200 inches

But these rights of said Sharp, Little and Burton to the waters of Dimond Creek herein set forth shall only extend to the first day of July in each year, for irrigating purposes, and the said Sharp, Little and Burton, and each and all of them are hereby enjoined from diverting or using in any manner any part of said water rights after the first day of July in each and every year hereafter, for irrigating or any other than domestic purposes.

POWELL, N.

It is ordered, adjudged and decreed that the following parties are entitled to divert from Little Blackfoot River, a tributary of Blackfoot River, the amount of water herein indicated and the right of each party dates from the time hereinafter stated, and set opposite each name, to-wit:

Thomas Collett, April 1, A.D. 1887	- - - - -	-75 inches
Abe Anderson, April 1, A.D. 1889	- - - - -	-170 inches
Andrew Christensen, April 1, A.D. 1889	- - - - -	-60 inches
Peter Hansen, May 1, A.D. 1889	- - - - -	-160 inches

But these said rights of said Collett, Anderson, Hansen, Christensen, to the waters of Little Blackfoot River herein set forth shall only extend to the first day of July in each year, for irrigating purposes, and the said Collett, Anderson, Christensen, and Hansen and each and all of them are hereby enjoined from diverting or using in any manner any part of the said water rights after the first day of July in each and every year hereafter for irrigating or any other than domestic purposes.

It is ordered, adjudged and decreed that John Sharp, Sr., is entitled to divert from Tre Creek, a tributary of Blackfoot River, five hundred and sixty inches of water, said right dating from October 11, A.D. 1886; that John Sharp, Sr., George Romney and W. W. Riter are entitled to divert from Lake Creek, Dale Creek and Pale Creek, all tributaries of Blackfoot River, six hundred and ten (610) inches of water, said rights dating from October 11, A.D. 1886; that F. Little is entitled to divert from Duck Spring Creek, a tributary of Blackfoot River, six hundred and forty (640) inches of water, said right dating from October 4, A.D. 1886; that John Sharp, Jr. is entitled to divert from Highland Creek, a tributary of Blackfoot River, six hundred and forty (640) inches of water, said right dating from October 4, 1886; that L. S. Hills is entitled to divert from Butte Creek, a tributary of Blackfoot River, four hundred (400) inches of water, said right dating from October 11, A.D. 1886; that J. T. Little is entitled to divert from Rock Creek, a tributary of Blackfoot River, four hundred eighty (480) inches of water, said right dating from October 17, A.D. 1886; that Evin McPherson is entitled to divert from Sheep Creek, a tributary of Blackfoot River, fifty (50) inches of water, said right dating from May 15, A.D. 1890; that Nels Christensen is entitled to divert one hundred sixty (160) inches of water from Spring Creek, a tributary of Blackfoot River, said right dating from April 1, A.D. 1886; that H. Hansen is entitled to divert one hundred fifty (150) inches of water from Spring Creek, a tributary of Blackfoot River, said right dating from April 1, A.D. 1884; that S. Goodwin is entitled to divert one hundred seventy (170) inches of water from Lone Pine Creek, a tributary of Blackfoot River, said right dating from April 1, A.D. 1885; that J. E. Davis is entitled to divert one hundred sixty (160) inches of water from Grouse Creek and Sheep Creek, tributaries of Blackfoot River, said right dating from May 15, A.D. 1890; that Samuel J. Rich and John A. Bagley are entitled to divert two hundred (200) inches of water from Lane Creek and from Springs at or near said Lane Creek, the said springs and Lane Creek being tributaries of Blackfoot River, said right dating from October 1, A.D. 1888; that R. J. Rasmussen is entitled to divert fifty (50) inches of water from Pine Creek and one hundred fifty (150) inches of water from Deep Creek, the said creeks being tributaries of Blackfoot River, said rights dating from July 1, A.D. 1889; the said rights aforesaid, to-wit: the right of John Sharp, Sr., to the waters of Trail Creek, the right of John Sharp, Sr., George Romney and W. W. Riter, to the waters of Lake Creek, Dale Creek, and Pale Creek, the right of F. Little to the waters of Duck Spring Creek, the right of John Sharp, Jr., to the waters of Highland Creek, the right of J. T. Little to the waters of Rock Creek, the right of Evin McPherson to the waters of Sheep Creek, the right of Nels Christensen to the waters of Spring Creek, the right of H. Hansen to the waters of Spring Creek, the right of S. Goodwin to the waters of Lone Pine Creek, the right of J. E. Davis to the waters of Grouse Creek and Sheep Creek, the right of R. J. Rasmussen to the waters of Pine Creek and Deep Creek, and the rights of Samuel J. Rich and John A. Bagley aforesaid shall only extend to the first day of July in each year, and the said John Sharp, Sr., George Romney, W. W. Riter, F. Little, John Sharp, Jr., L. S. Hills, J. T. Little, Evin McPherson, Nels Christensen, H. Hansen, S. Goodwin, J. E. Davis, R. J. Rasmussen, Samuel J. Rich and John A. Bagley, and each and all of them are hereby enjoined from diverting or using in any manner any part of the said water rights after the first day of July in each and every year hereafter, for irrigating or any other than domestic purposes.

It is ordered, adjudged, and decreed that the following parties shall pay none of the costs of this suit, viz: W. R. Jones, C. T. Woodall, Thomas Horsley, Chas. B. Wilson, Frank S. Brereton, James B. Hansen, George H. Lacy, James Heatley, Charles Haddock, Samuel Kountze, P.B. Fox, Sr. and H. S. Woolley.

POWELL, N.

It is ordered, adjudged and decreed that the costs of the Judge Protem, shall be and the same is hereby taxed as costs of suit and the same is fixed at two hundred and ten dollars (\$210.00).

It is ordered, adjudged and decreed that the several quantities of water herein decreed shall be the quantities hereinbefore named measured under a four inch pressure, and that the first appropriation in point of time is first in point of right, and all appropriations of equal or of the same date are of equal rights.

It is further adjudged and decreed, that in case of insufficiency of water to supply all parties the entire volume is to be devoted to, and used by those appropriators who are first in point of time.

It is further adjudged and decreed that all water diverted from any streams mentioned in this decree by any party hereto shall be diverted through a box or flume so arranged and constructed as to permit of the water so diverted, being measured under a four-inch pressure and when the waters of the streams mentioned in this decree are not used for irrigation of lands all water shall be returned to the natural channel of the stream, and no diversion thereof allowed.

It is adjudged and decreed, that the plaintiffs to this action shall pay one-sixth of all the costs of this action, and each and all of said plaintiffs shall be jointly and severally liable for the one-sixth part until such part of one-sixth is fully paid.

It is adjudged and decreed that Henry Dunn, N. A. Just, Emma Just, John Misslen, Leon Misslen, Robert Millen, Peter Morris and Daniel Y. Miller, shall pay one-sixth of all the costs of this action, and said parties shall be jointly and severally liable for the said one-sixth until such part is fully paid.

It is adjudged and decreed that P. B. Forx, Jr., Wm. Howard, A. Whitten, Susan E. Whitten, Calvin Miles, Eastern Idaho Water Company, F. M. Shoemaker, Sample Orr, Daniel M. Taylor, George Monroe, John Lyon, George Heaton, Levi Warren and Presto Burrell shall pay one-fourth of all the costs of this action, and said parties shall be jointly and severally liable for said one-fourth until such part is fully paid.

It is adjudged and decreed, that Caroline Eliason, Jacob Eliason, W. H. Eliason, Abe Anderson, Thomas Collett, W. H. Edwards, I. J. Edwards, Evin McPherson, Elizabeth Collett, Nels Christensen, O. B. Hansen, H. Hansen, Enoch Hansen, S. Goodwin, James Durney, Peter Hansen, J. E. Davis, Donald Tolmie, Lars Hansen, Wm. Kountze, R. J. Rasmussen, John Kountze, H. R. Lewis, Sarah Lewis, H. C. Messingale, James Drew and Samuel Borop, shall pay one-sixth of all the costs of this action, and said parties shall be jointly and severally liable for the said one-sixth until such part is fully paid.

It is adjudged and decreed that James Shapr, John Sharp, Sr., John Sharp, Jr., Elias A. Smith, Geo. Rompey, W. W. Riter, F. Little, Maylan C. Fox, James T. Little, F. W. Jennings, Thomas G. Webber, Henry Dinwoody, Heber M. Wells, L. S. Hills, W. H. Rowe, Charles Burton, Samuel J. Rich and John Bagley, shall pay one-fourth of all the costs of this action and said parties shall be jointly and severally liable for the said one-fourth until such part is fully paid.

It is further ordered, adjudged and decreed that all parties to this action shall have the right to use the waters of the several streams named in this decree for domestic purposes

Done in Open Court
this August 1st, A.D. 1891 }

Chas. Cobb
Judge Protem.

Powell, N.

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 27-11236
Date Received: 2/23/1989
Receipt No: E005872
Received By:

AMENDED

AMENDED

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

DIANE B POWELL Phone: (208)785-4404

252 E 100 N
BLACKFOOT ID USA 83221

NEAL K POWELL Phone: (208)785-4404

252 E 100 N
BLACKFOOT ID USA 83221

2. Date of Priority: 06/01/1885

3. Source: BLACKFOOT RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02S	37E	17	SW SE NW	BINGHAM	

5. Description of diverting works:

COFFER DAM IN BLACKFOOT RIVER, MAINTAINED BY BLACKFOOT SLOUGH CO.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	1.0	

7. Total Quantity Appropriated is:
1.0 C.F.S.



8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02S	36E	28	NW	SE	IRRIGATION	20
			SW	SE	IRRIGATION	30
Section Acres						50
Total Acres						50

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:

14. Remarks:

3-4-04 CLAIM AMENDED TO CORRECT THE POU. CB

RELATED WATER RIGHTS IRRIGATE AS FOLLOWS: EASTERN IDAHO WATER CO. SE4, SEC. 28, 41.7 AC; BLACKFOOT IRRIG. CO. SE4, SEC. 29, 30.6 AC

15. Basis of Claim: Decreed

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Neal Powell Date: 12 MAR 04

Date: _____

State of Idaho)
County of Bingham) SS.

Subscribed and sworn (or affirmed) before me this 12th day of March, 2004.

Marilyn D. Ackelsd

Notary Public

Residing at Blackfoot, Idaho

My commission Expires 10-10-06

SCANNED

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: A27-11236

Date Received: 2/23/1989

Receipt No: 8005872

Received By: Epc

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NEAL K. POWELL 208-785-4404
Address: 252 E. 100 N.
BLACKFOOT, ID 83221

AND/OR

Name: DIANE B. POWELL 208-785-4404
Address: 252 E. 100 N.
BLACKFOOT, ID 83221

2. Date of Priority: JUN 01, 1885

3. Source: BLACKFOOT RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02S	37E	17	SW	SE	NW		BINGHAM

5. Description of diverting works:

COFFER DAM IN BLACKFOOT RIVER, MAINTAINED BY BLACKFOOT SLOUGH CO.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.000		

7. Total Quantity Appropriated is:

1.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 125.0 Acre Feet Per Annum.

9. Non-irrigation uses:

STOCKWATER FOR 100 COWS, 6 HORSES

A27-11236

Page 1

Date: 08/31/89

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NOV 13 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	36E	28	NE	SW		IRR	23.0
			NW	SW		IRR	13.0
			NW	SE		IRR	14.0
						Section Acres	50.0
						Total Acres	50.0

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:
NONE

14. Remarks:

RELATED WATER RIGHTS IRRIGATE AS FOLLOWS: EASTERN IDAHO WATER CO.
SE4, SEC. 28, 41.7 AC; BLACKFOOT IRRIG. CO. SE4, SEC. 29, 30.6 AC

15. Basis of Claim: BENEFICIAL USE

error - should be
Deer
Hef

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 _____

MICROFILMED
NOV 13 1992

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

Number charged to A27-11236
Ident. Number: ~~A22-12574~~
Date Received: 2/23/1989
Receipt No: E005872
Received By: *JK*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NEAL K. POWELL 208-785-4404
Address: 252 E. 100 N.
BLACKFOOT, ID 83221

AND/OR

Name: DIANE B. POWELL 208-785-4404
Address: 252 E. 100 N.
BLACKFOOT, ID 83221

2. Date of Priority: JUN 01, 1885

3. Source: BLACKFOOT RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02S	37E	17	SW	SE	NW		BINGHAM

5. Description of diverting works:

COFFER DAM IN BLACKFOOT RIVER, MAINTAINED BY BLACKFOOT SLOUGH CO.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.000		

7. Total Quantity Appropriated is:

1.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 125.0 Acre Feet Per Annum.

9. Non-irrigation uses:

STOCKWATER FOR 100 COWS, 6 HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	36E	28	NE	SW		IRR	23.0
			NW	SW		IRR	13.0
			NW	SE		IRR	14.0
						Section Acres	50.0
						Total Acres	50.0

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:
NONE

14. Remarks:
RELATED WATER RIGHTS IRRIGATE AS FOLLOWS: EASTERN IDAHO WATER CO.
SE4, SEC. 28, 41.7 AC; BLACKFOOT IRRIG. CO. SE4, SEC. 29, 30.6 AC

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

FRED S. STEVENS
Decree Plaintiff

vs

EASTERN IDAHO WATER CO.
Decree Defendant

16. Signature(s)

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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 _____

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: A27-11236Ident. Number 39576Date Received 2-23-89Receipt Number E005872
CK # 5510 / 100.

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
FEB 23 1989

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) Neal K. and Diane B. POWELL Phone (208) 785-4404Mailing Address 252 East 100 North, Blackfoot, ID Zip 832212. Date of Priority (Only one (1) per claim) 1885 6-03. Source of water supply (a) Blackfoot River
which is tributary to (b) Snake River4. a. Location of existing point of diversion is: Township 2S Range 37E Section 17,
SW 1/4 of SE 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of Bingham

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 _____

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.

Coffar dam in
Blackfoot River, maintained by
Blackfoot Slough Co.

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NOV 13 1992

A271236



6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3/15 to 11/15 amount 1 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 125 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stockwater for 100 cows, 6 horses

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 instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
2S	36E	28									23	13				14			50

Total number of acres irrigated 50

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

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: Related water rights irrigate as follows:

Eastern Idaho Water Co SE4 sec28 41.7Ac

Blackfoot Irrigation Co. SE4 Sec 29 30.6 Ac

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Last Name POWELL, N. Ident No. _____

NOV 13 1992

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

Point of Diversion: T2SR37EBM (See Attached)
Place of Use: T2SR36EBM

[illegible]

REF ID: A66051

NOV 13 1992

Last Name

Powell, N.

Ident No.

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree ☒

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____

Decree Date 1885

Plaintiff vs Defendant Fred S. Stevens v Eastern Idaho Water Co.

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 7

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

Signature of Claimant (s) Neal Powell Date 2/22/89

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the 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 23rd day of Feb 19 89

SEAL

Notary Public Betty J. Thompson

Residing at _____

BETTY J. THOMPSON, NOTARY PUBLIC

My Commission Expires _____

RESIDING AT IDAHO FALLS, IDAHO

MY COMMISSION EXPIRES: 6-30-94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ 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 _____

Address _____

Date _____

Last Name POWELL, N. Ident. Number _____

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NOV 4 3 1992
Copied into State, Idaho-Claimant

R. 36 E.

R. 35 E.

POWELL, N

T. 1 S.

