

02/08/2002

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

RIGHT NUMBER: 29-32
NAME AND ADDRESS: CANDICE SYMONS
10098 E SYMONS RD
LAVA HOT SPRINGS ID 83246

LYNDEN SYMONS
10098 E SYMONS RD
LAVA HOT SPRINGS ID 83246

SOURCE: PORTNEUF RIVER TRIBUTARY: SNAKE RIVER
QUANTITY: 0.30 CFS

USE OF THIS RIGHT WITH RIGHT NO. 29-13279 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 0.30 CFS.

PRIORITY DATE: 07/01/1889

POINT OF DIVERSION:

T08S R38E S28 SWNESW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/15 9/15	0.300 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T09S R38E S04 Lot 3 NENW 18.7

18.7 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 29-13279 IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 18.7 ACRES IN A SINGLE IRRIGATION SEASON.

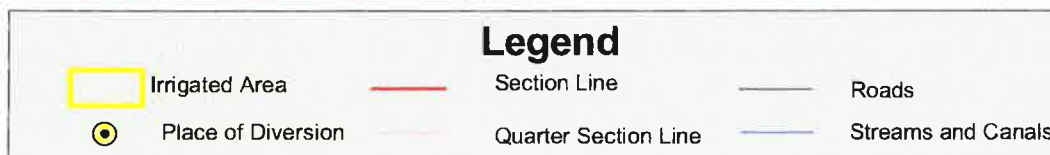
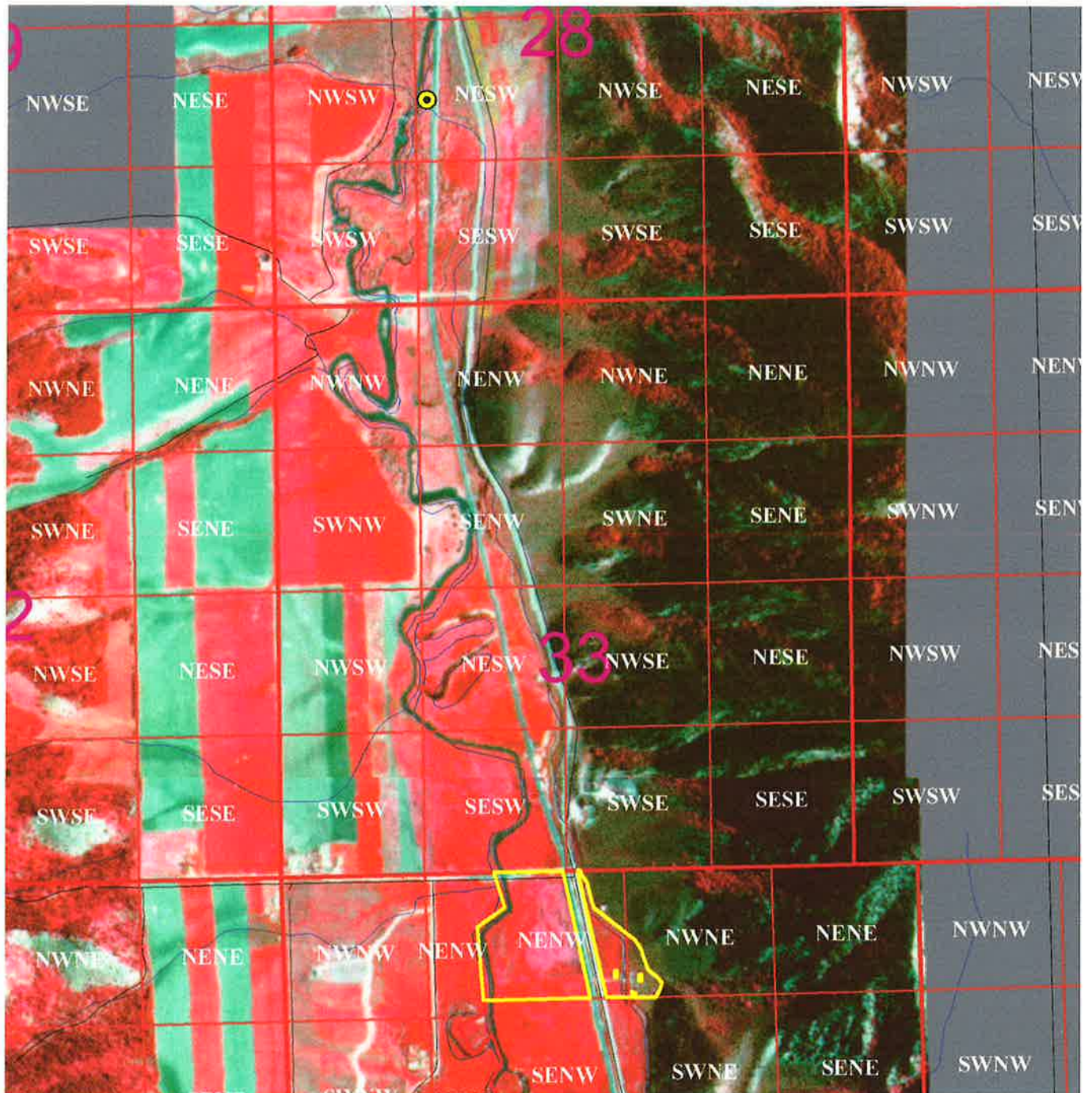
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: Decreed

WATER IS DELIVERED THROUGH DEMPSEY-TOPAZ CANAL.

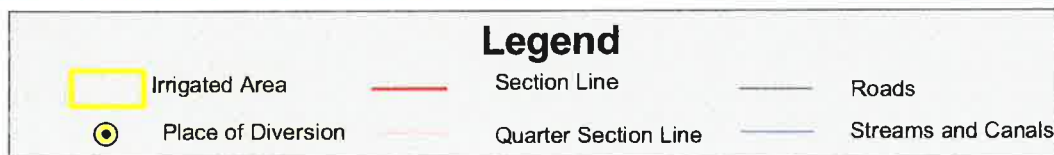
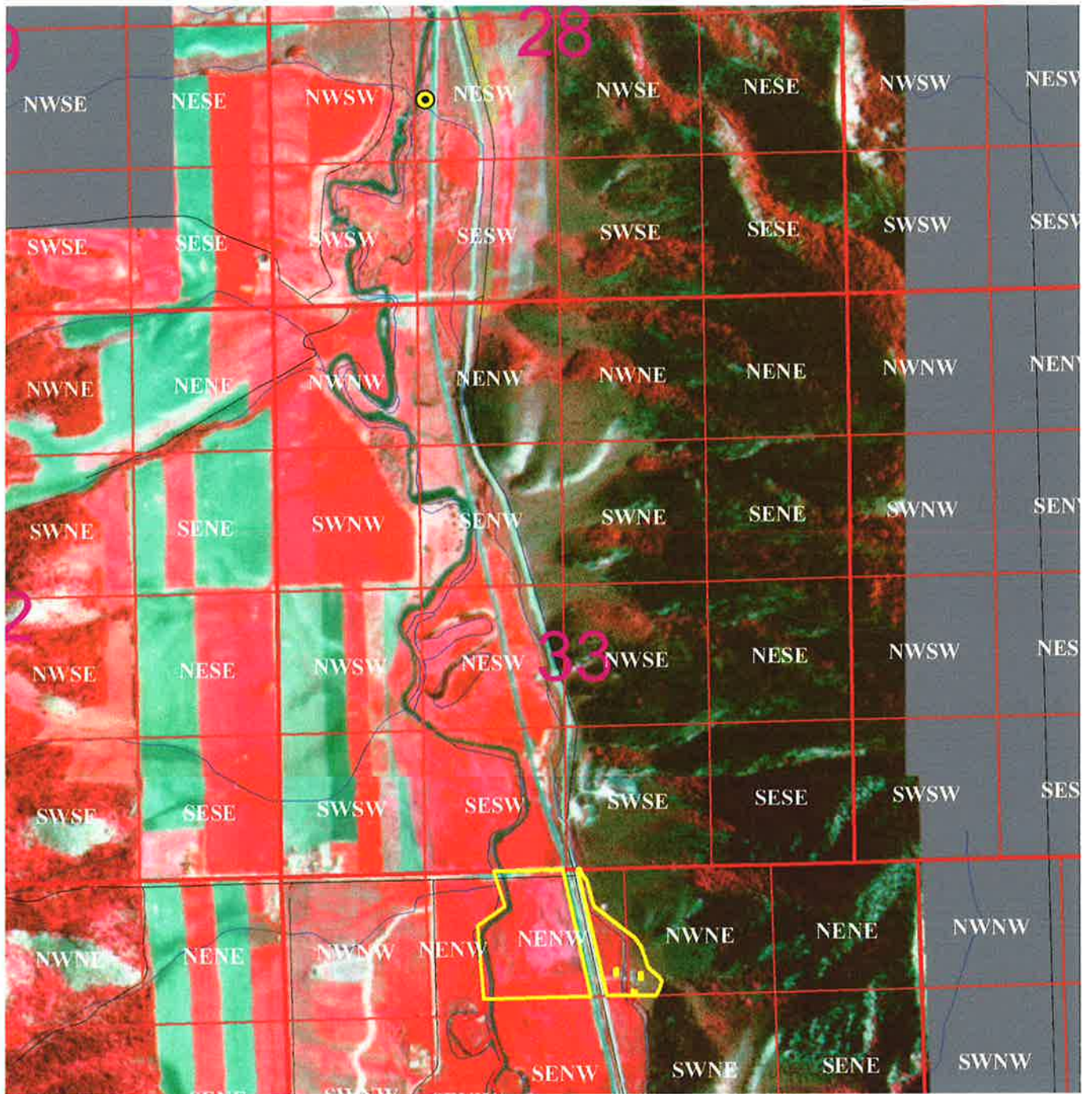
Townships , 8S38E, 9S38E



Water Right Claim Number A29-00032

07/28/2000

Townships , 8S38E, 9S38E



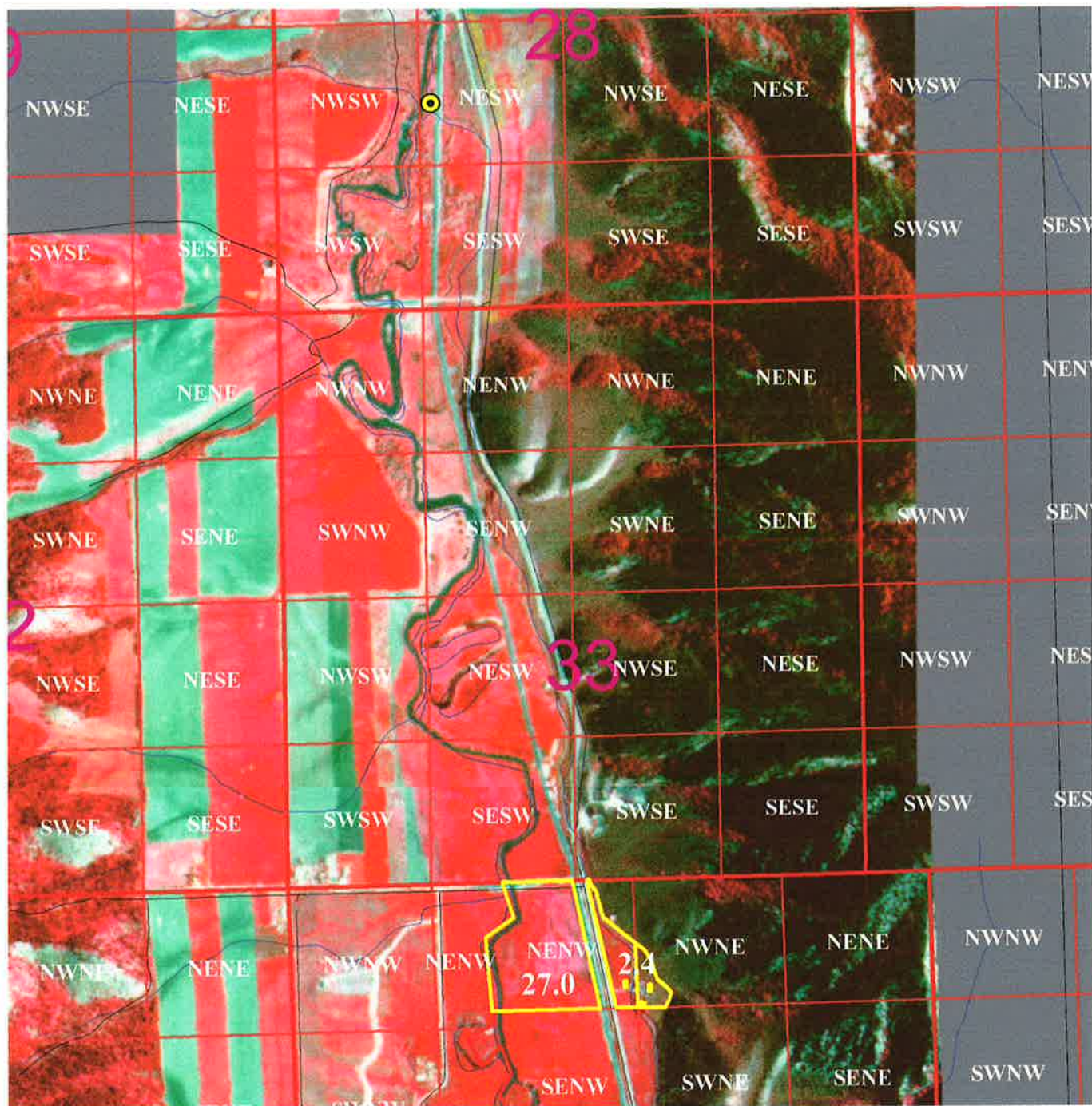
900 0 900 1800 Feet



Water Right Claim Number A29-00032

07/28/2000

Townships , 8S38E, 9S38E



Legend

 Irrigated Area

 Place of Diversion

 Section Line

 Quarter Section Line

 Roads

 Streams and Canals

900 0 900 1800 Feet



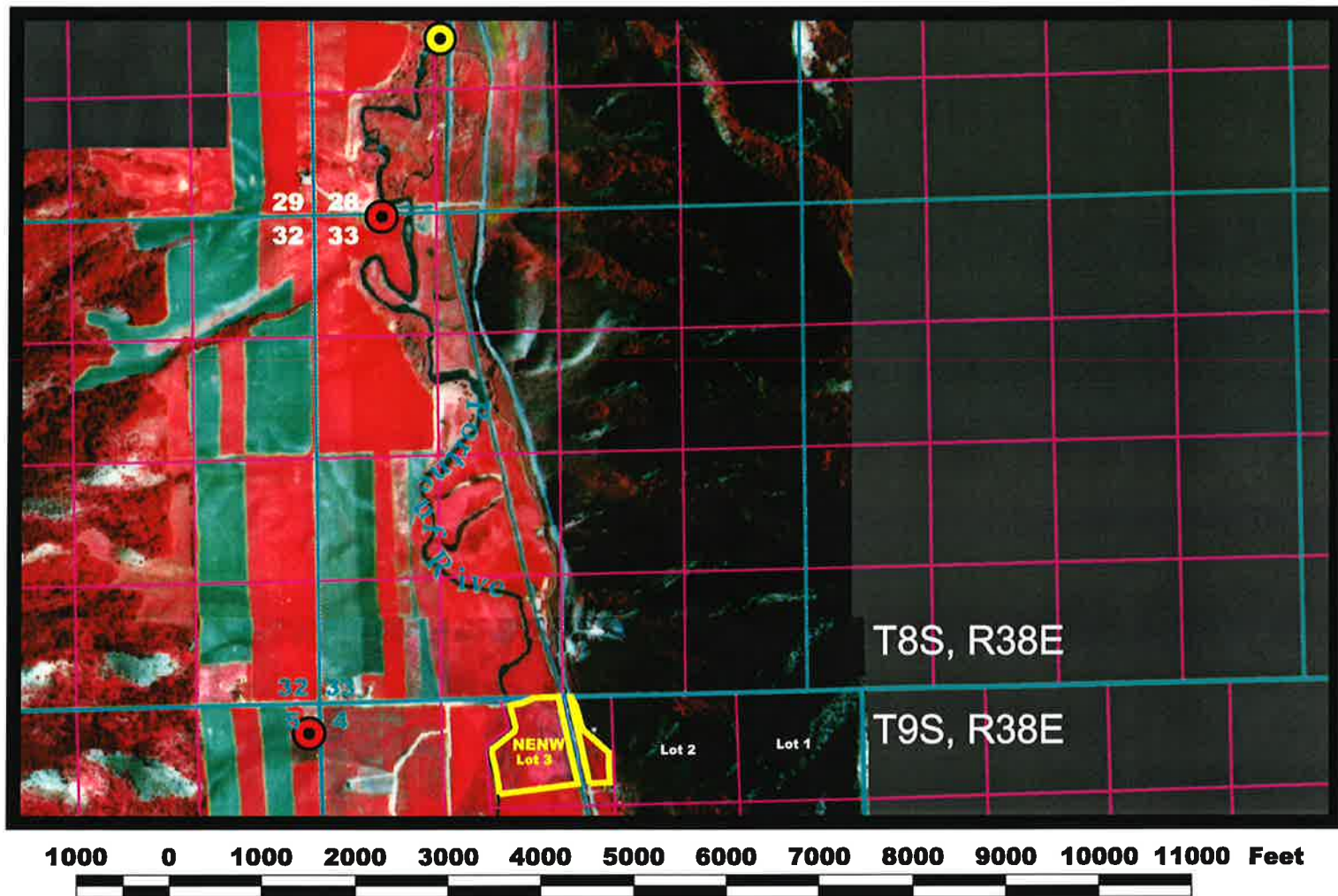


STATE OF IDAHO

Department of Water Resources

Eastern Region

Water Right(s): 29-00032, 29-13279



LEGEND

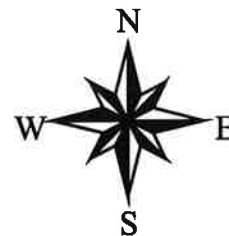
-  Place of Use
-  Section
-  Quarter-Quarter
-  Point of Diversion

Place of Use: T9S, R38E
(parts of) Sec. 4 NENW (L3)

Point(s) of Diversion: T8S, R38E
Sec. 28 SWNESW

SCANNED

MAY 12 2005



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: February 2002

Allen

02/18/2003

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: April 21, 2003

Water right number: 29-32

CANDICE SYMONS
PO BOX 604
LAVA HOT SPRINGS ID 83246
Telephone Number: (208)776-5316

LYNDEN SYMONS
PO BOX 604
LAVA HOT SPRINGS ID 83246
Telephone Number: (208)776-5316

RECEIVED

APR 23 2003

Department of Water Resources
Eastern District Office

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:

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

DATE: 4/19/03 SIGNATURE: Lynda Symons
Please print your name: Lynden Symons

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

PROFILED

SCANNED
MAY 12 2005

29-00032

DECEASED AS: 0.30 cfs DIVERTED THROUGH DEMPSEY/TOPAZ CANAL(S)
NO ACREAGE SPECIFIED. PERIOD OF USE BY DECEASED IS
4/15 TO 9/15.

CLAIMED AS: 0.30 cfs, SAME POD AS DEMPSEY/TOPAZ, ASSUMES
DELIVERY THROUGH CANAL SYSTEM. PERIOD OF USE
AS DECEASED.

Q ⇒ POU: WHERE IS ACREAGE IN SEC. 4, LOT 2? NONE

6/20/01 MET MR. SYMONS, DISCUSSED POU/POD. THIS PL.
IS DELIVERED THROUGH DEMPSEY CANAL.

Problem: ① Seems to BE A GCDB prob - FENCE LINES DO NOT LINE-
up w/ GCDB. (FENCE LINE?) ⇒ SURVEY PROB. SEE DECREE.

② MR. SYMONS ALSO WANTS TO FILE ⁽²⁾ A STOCK CLAIM ON
Done 8-15-01 3A SPRINGS FURTHER UP STREAM ON HIS PROPERTY.
AND IN-STREAM. Postmort.

→ ①a. DODD CAUSE: 69rds So, 90°W, RIVER MOUND
TO SOC LINE, E TO POB.

PROFILE

SCANNED
MAY 12 2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

December 27, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JOHN W SYMONS
LYNDEN SYMONS
CANDICE SYMONS
PO BOX 604
LAVA HOT SPRINGS ID 83246-0604

4-8-02
response.

RE: Snake River Basin Adjudication (SRBA)
Water Rights #29-32, 29-39

Dear Water Right Holders:

Mail we sent to you was returned undeliverable. We have enclosed the returned mail. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, list any other water rights you have, and return this letter by January 14, 2002. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water rights referenced above, please call this office toll-free at 1/800-451-4129 to obtain a form to make this required change to the water right records.

Sincerely,

Sally Sherman
Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:
Returned Mail

#####

The address is correct as shown above or as otherwise changed.

Water Right Holder's Signature

Telephone No.

SCANNED
MAY 12 2005

PROFITED

MAY 12 2005

SCANNED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

~~Return Service Requested~~

2932
2731

09411014

DEC 2 2001

10098 E SY

ADDRESS SERVICE
REQUESTED

POSTAGE
NECESSARY
FOR MAILING



CANDICE SYMONS

JOHN W SYMONS

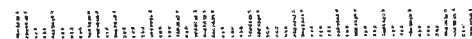
LYNDEN SYMONS

10098 E SY
LAVA HOT

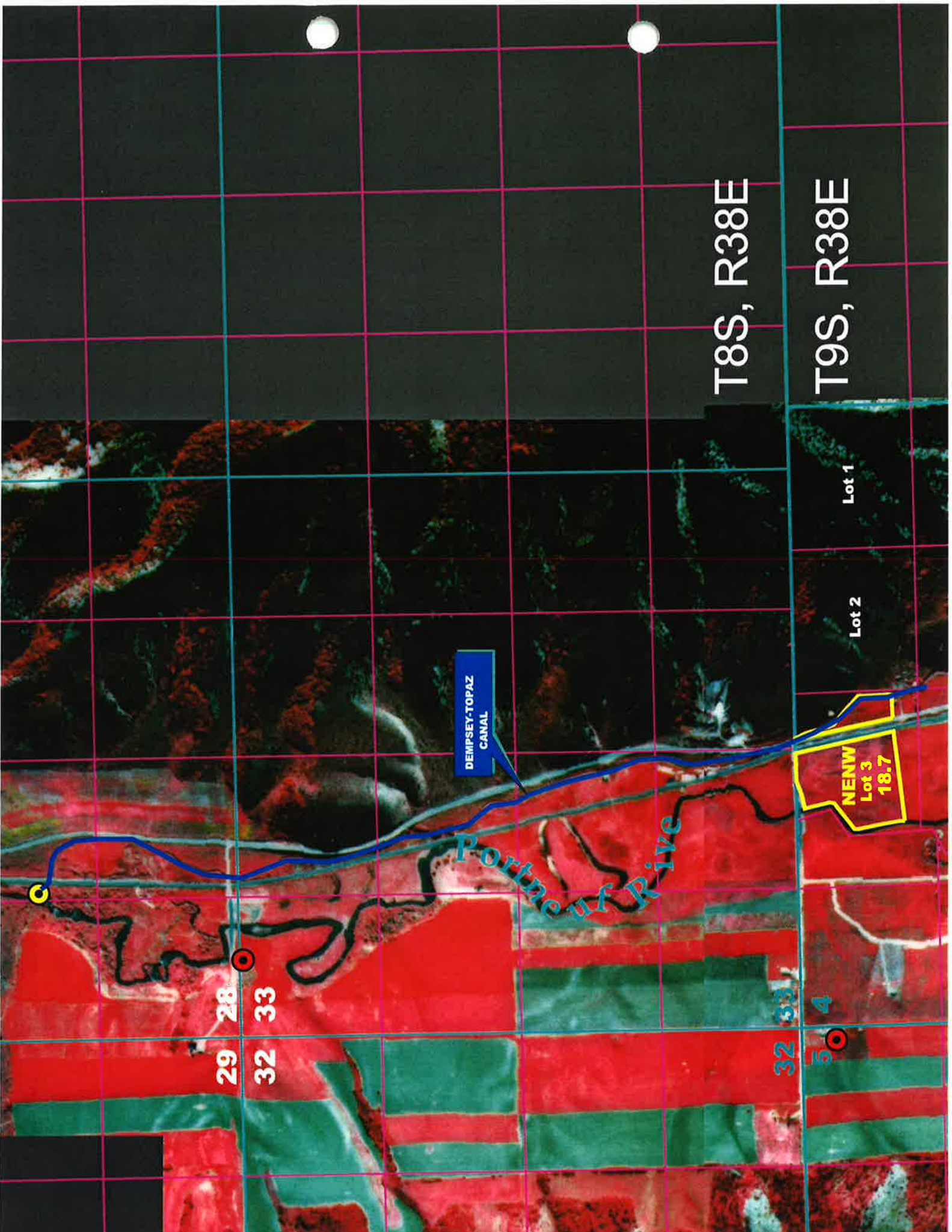
SYMO0098* 832462005 1900 05 12/22/01
FORWARD TIME EXP RTN TO SEND
SYMONS
PO BOX 604
LAVA HOT SPRINGS ID 83246-0604

RETURN TO SENDER

AUM5 832460062



PRINTED



T8S, R38E

T9S, R38E

DEMPSEY-TOPAZ
CANAL

Portneuf River

Lot 1

Lot 2

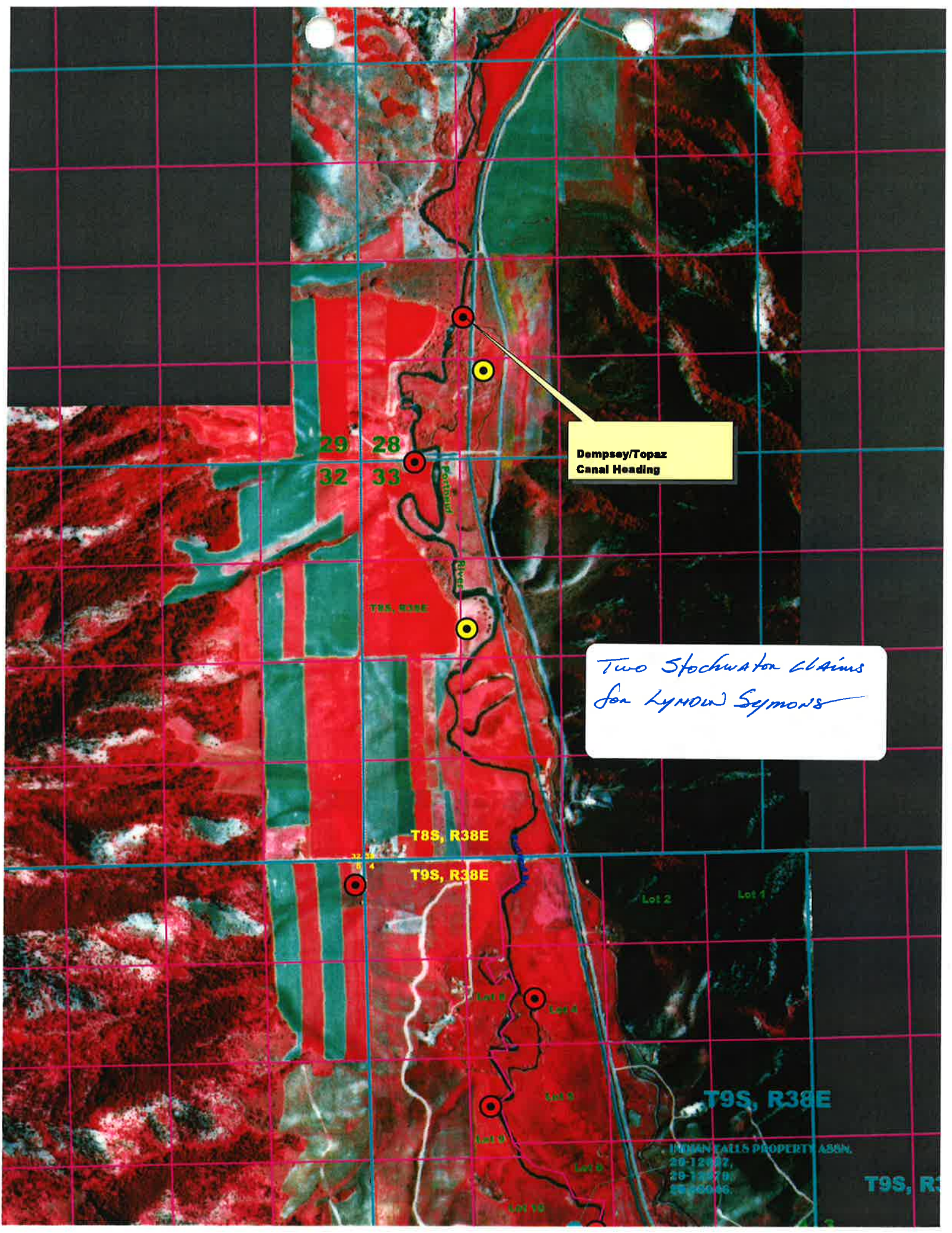
NENW
Lot 3
18.7

29 28

32 33

32 33

5 4



Dempsey/Topaz
Canal Heading

Two Stockwater Claims
for LYNDON SEYMORS

29 28
32 33

T8S, R38E

T8S, R38E

T9S, R38E

T9S, R38E

INDIAN FALLS PROPERTY ASSN.
20-12007,
20-12008,
20-12009.

T9S, R39E

Lot 2

Lot 1

Lot 8

Lot 4

Lot 3

Lot 9

Lot 6

Lot 10

tion 18; 34.0 acres in the East half of the Northeast quarter, Section 19; 35.16 acres in the Southwest quarter of the Northeast quarter; Section 19, 41.3 acres in Lots 2 and 3, Section 19; 40.9 acres in the North half of the Southeast quarter, Section 19, all in Township 7 South, Range 39 East.

23. SYMONS, John W. .30 c.f.s.
7-0032 1889 July 1

Said water to be diverted through the Dempsey and Topaz Canals. The Dempsey and Topaz Canals have a common heading from the River, the Topaz being a continuation of the Dempsey. The Dempsey Canal diverts in the Northeast quarter of the Southwest quarter of Section 28, Township 8 South, Range 38 East. From the South quarter corner of Section 28, the point of diversion bears North 34 degrees west, 2130 feet, for the irrigation of land described as follows: Beginning at the Northeast corner of Lot 2, Section 4, Township 9 South, Range 38 East, running thence South 69 rods; thence West at right angles 160 rods to the East bank of Portneuf River; thence running North following the meandering of said East bank of said River to the North line of Lot 3; running thence East on the Township line to the point of beginning, being the North 69 rods of Lots 2 and 3, Section 4, Township 9 South, Range 38 East.

24. WHITWORTH, Geo. A. .40 c.f.s.
1-0033 1889 July 1.

Said water to be diverted through the said Dempsey and Topaz Canals, last above described for the irrigation of 20 acres of land in the West half of the Southeast Quarter, Section 4, Township 9 South, Range 38 East.

25. JOHN, George .70 c.f.s.
1-0034 1889 May 1

Said water to be diverted through the said Dempsey and Topaz Canals, last above described, for the irrigation of that portion of land of Lot 2, and the Northeast quarter of the Northeast quarter, Section 9, Township 9 South, Range 38 East, lying East of the O.S.L.R.R. right of way.

26. WARNER, Cordelia .10 c.f.s.
1-0035 1890 April 1

Said water to be diverted through the said Dempsey and Topaz Canals, last above described for the irrigation of 5.3 acres of land lying in Lot 4, the Southwest quarter of the Northeast quarter, Section 4, Township 9 South, Range 38 East, bounded on the East by the Dempsey Canal, and on the West by the right of way of the O.S.L.R.R.

SCANNED

MAY 12 2005

FILED

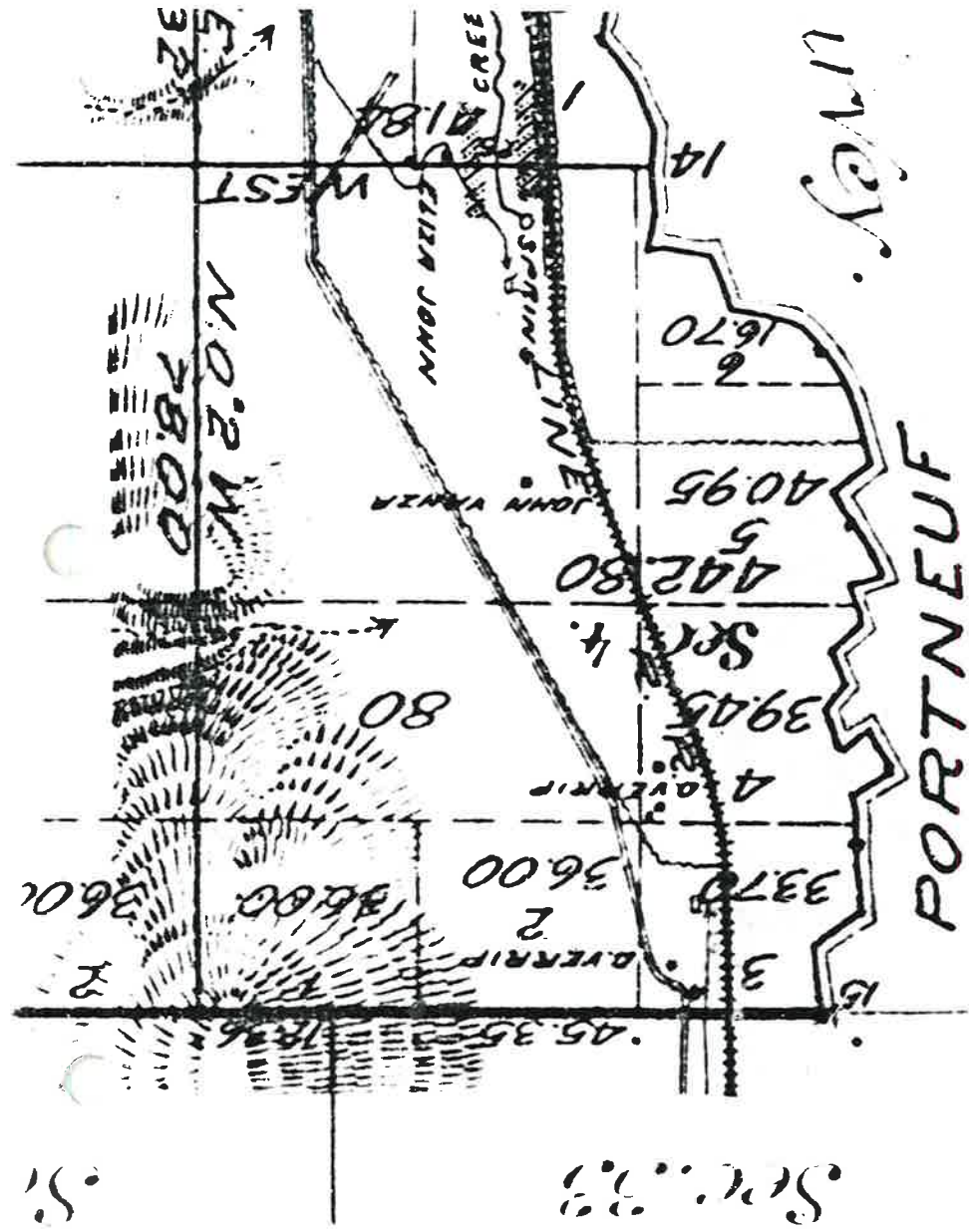
27. DEMPSEY IRRIGATING COMPANY
and TOPAZ IRRIGATION COMPANY.
9-0036 1898 April 18 32 c.f.s.
9-0037 1907 Jan. 14 7.5 c.f.s.

Said water to be diverted through the said Dempsey and Topaz Canals, last above described for the irrigation of lands under

27787

9 South, Range No 35 Elev

F
G
H
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M
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O
P
Q
R
S
T
U
V
W
X
Y
Z



Sec. 33

PROFILE

SCANNED
MAY 12 2005

WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

04/03/01 13:20:40
Page 1

Water Right Number - 29-00032

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
SYMONS

JOHN W.

1 -
2 -
3 -
City-
Phone -

State- Zip-

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
07/01/1889 *OK* 15 EASTERN D - DECREED

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
PORTNEUF RIVER *OK* SNAKE RIVER

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.

08S 38E 28 NE SW *OK* (5) BANNOCK

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

04/15 *OK* 09/15

0.300 *OK*

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.300 0.0

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

09S 38E 4 NW NE
09S 38E 4 NE NW

2
3

*OK by
Decree*

01 IRRIGATION
01 IRRIGATION

(5) BANNOCK
(5) BANNOCK

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +

GEN P/D & P/U INCOMPLETE.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +

UNION GRAIN & ELEVATOR CO.

MCCAMMON DITCH CO. ET. AL.

08/06/1932

No Ac Spec. = Claims 15 Acres

JUN 08 2001

Log for claim A29-00032

Spatial Dynamics AMH

7/28/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s38e	4	NWNE	3	2.4	
09s38e	4	NENW	15	27	Indiscernible
Totals:			18	29.4	

JUN 08 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: A29-00032
Date Received: 3/26/1990
Receipt No: 8012532
Received By: EAC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ~~JOHN W.~~ SYMONS 208-776-5316
Address: 10098 E. SYMONS RD.
LAVA HOT SPRINGS, ID 83246
OR
Name: CANDICE SYMONS 208-776-5316
Address: 10098 E. SYMONS RD.
LAVA HOT SPRINGS, ID 83246

2. Date of Priority: JUL 01, 1889

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	38E	28	NE	SW			BANNOCK

5. Description of diverting works:
HEADING FOR DEMPSEY AND TOPAZ CANAL.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	09/15	0.300		

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

8. Total consumptive use is 6.2 Acre Feet Per Annum.

9. Non-irrigation uses:

A2900032

A29-00032

Page 1

Date: 03/26/90

MICROFILMED
NOV 13 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	
09S	38E	4	NW	NE	2	IRR	3.0
			NE	NW	3	IRR	15.0
					Section Acres		18.0
					Total Acres		18.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
NONE

14. Remarks:
P/D & P/U INCOMPLETE.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 12/04/1922

UNION GRAIN & ELEVATOR CO.
Decree Plaintiff

vs

MCCAMMON DITCH CO. ET. AL.
Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X 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): Lynnda Symons Date: March 26, 90

Date: _____

State of Idaho)
County of Bonanza) SS.

Subscribed and sworn (or affirmed) before me this 26 day
of March 19 90.

Ernest Carlsen
Notary Public



Residing at Shoshone Falls, ID
My Commission Expires 6-14-1994

Twp 8S.
Rge 38E.

London Township
T27N
R38E

32.23
5.14

T29
R38E



MICROFILMED
NOV 13 1992