

02/06/2003

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

RIGHT NUMBER: 29-90A

NAME AND ADDRESS: WAYNE C PERKINS
13825 N 7TH ST STE M
PHOENIX AZ 85022

SOURCE: TOPONCE CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.300 CFS

USE OF THE RIGHTS LISTED BELOW ARE LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 1.2 CFS. COMBINED RIGHT NOS.: 29-13482, 29-93A, 29-90A,
29-91A, 29-92A, 29-10248 & 29-13248.

PRIORITY DATE: 07/01/1908

POINT OF DIVERSION:

T06S R38E S33 SESE Within CARIBOU 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 CARIBOU County

T06S R38E S26	NESW	19.0	T06S R38E S26	SESW	40.0
---------------	------	------	---------------	------	------

49
59 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW ARE LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 59 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 29-13482, 29-90A, 29-91A, 29-92A, 29-93A,
29-10248 & 29-13248.

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

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

WATER IS DELIVERED THROUGH THE FEEDER CANAL.

RIGHT NOS. 29-13482, 29-90A, 29-91A, 29-92A, 29-93A, 29-10248 &
29-13248 ARE ALL DIVERTED THROUGH POINT OF DIVERSION DESCRIBED
ABOVE.

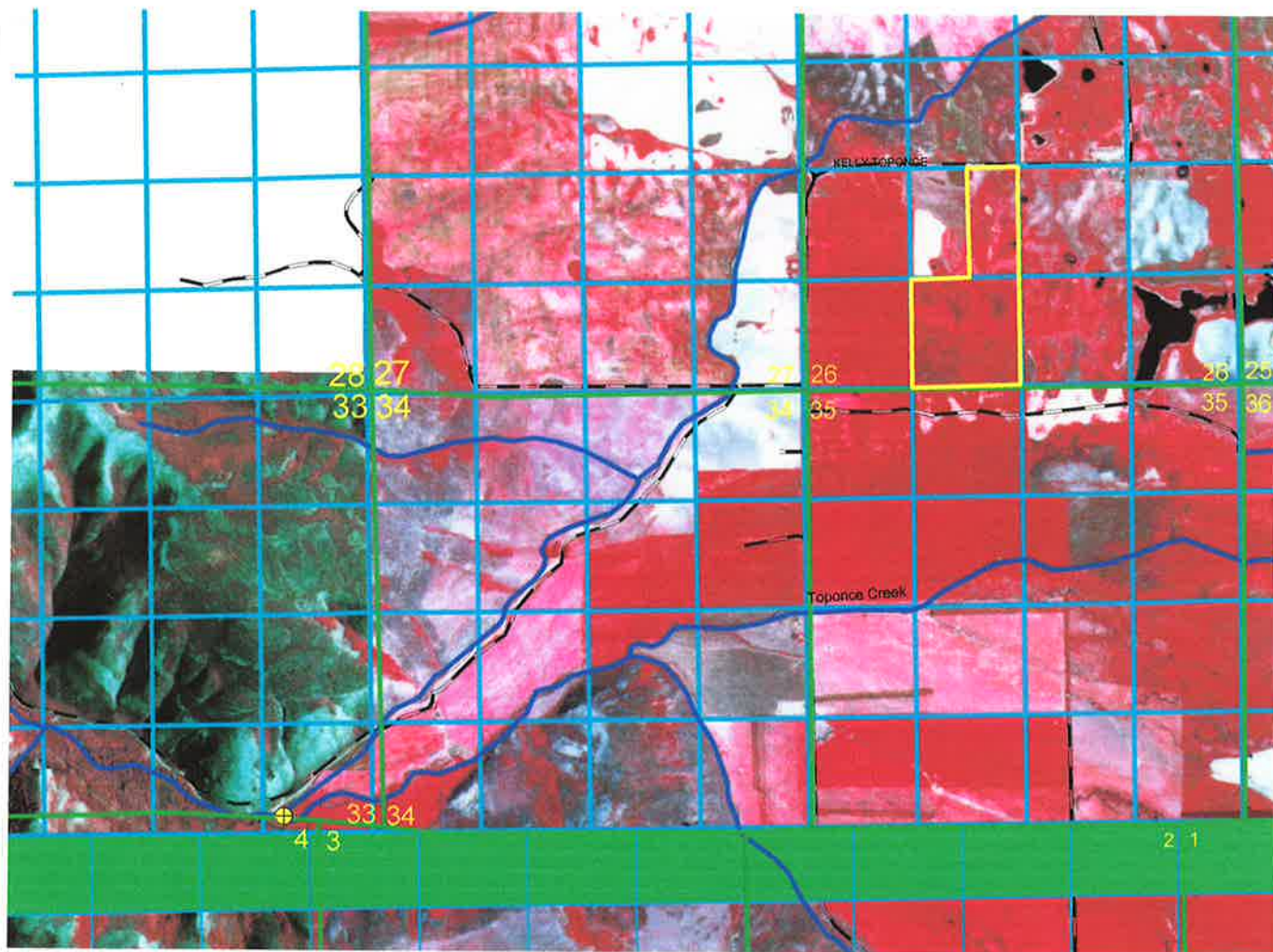
RIGHT NO. 29-13482 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO
SECTION 42-1426, IDAHO CODE.



STATE OF IDAHO

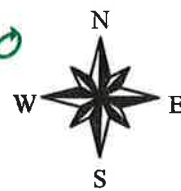
Department of Water Resources
Eastern Region

**Water Rights: 29-10248, 29-13248, 29-90A,
29-91A, 29-92A, 29-93A and 29-13482**



0.4 0 0.4 0.8 1.2 1.6 2 Miles

IRRIGATED ACRES ~~59~~ 60



LEGEND

- Point of Diversion
- Place of Use
- STREETS
- SECTIONS
- QUATER-QUATERS
- STREAMS

Place of Use: T6S, R38E,
(part of) Section 26.

Points of Diversion: T6S, R38E,
Sec. 33 SWSESE

GIS Place of Use Illustration
1987/88 NAPP PHOTOGRAPHY
Prepared by C. Bird
Date: FEBRUARY 2003

<u>Basin</u>	<u>Seque</u>	<u>Suffix</u>	<u>Basis</u>	<u>Status</u>	<u>Priority Date</u>	<u>Rate(cfs)</u>	<u>Source</u>	<u>Water Use(s)</u>	<u>Owner(s)</u>
~~29~~	90	A	Decreed	Active	7/1/1908	0.3	TOPONCE CREEK	IRRIGATION	PERKINS, WAYNE C (Current)
~~29~~	91	A	Decreed	Active	7/1/1909	0.48	TOPONCE CREEK	IRRIGATION	PERKINS, WAYNE C (Current)
~~29~~	92	A	Decreed	Active	7/1/1910	0.15	TOPONCE CREEK	IRRIGATION	PERKINS, WAYNE C (Current)
~~29~~	93	A	Decreed	Active	7/1/1913	0.06	TOPONCE CREEK	IRRIGATION	PERKINS, WAYNE C (Current)
~~29~~	94	A	Decreed	Active	6/2/1905	1.04	TOPONCE CREEK	IRRIGATION	PERKINS, WAYNE C (Current)
~~29~~	585	B-L	Beneficial	Active	1/1/1978	0.04	GROUND WATER	DOMESTIC	PERKINS, WAYNE C (Current)
Modersitzki	2313		License	Active	4/14/1952	2.34	GROUND WATER	IRRIGATION	MODERSITZKI, DAVID (Current); MC
Rindlisbacher	7253		License	Active	3/11/1975	2.55	GROUND WATER	IRRIGATION	PERKINS, WAYNE C (Current)
Rindlisbacher	10242		Beneficial	Active	4/1/1978	0.16	GROUND WATER	IRRIGATION	PERKINS, WAYNE C (Current)
disallow	10243	Toponce cany	Decreed	Active	6/28/1902	3.72	TOPONCE CREEK	IRRIGATION	PERKINS, WAYNE C (Current)
Domestic	10244		Beneficial	Active	4/1/1902	0.07	SPRING	IRRIGATION, STOCKWA	PERKINS, WAYNE C (Current)
disallow	10248	(29-83)	Decreed	Active	7/1/1906	0.07	TOPONCE CREEK	IRRIGATION	PERKINS, WAYNE C (Current)
disallow	10255		Beneficial	Active	5/1/1940	0.04	SPRING	STOCKWATER	PERKINS, WAYNE C (Current)
disallow	12130		Beneficial	Active	1896-04-01	1.08	TOLMAN CANYON CREEK	IRRIGATION	PERKINS, WAYNE C (Current)
	13248	(29-99)	Decreed	Active	7/1/1907	0.11	TOPONCE CREEK	IRRIGATION	PERKINS, WAYNE C (Current)

Spring in section 28 - I think

29-90A

Perkins / Andrus Analysis: A29-0090

A29-90A Perkins
A29-10329 Andrus combined 29-90 & 124.

Diversion rate decreed: transfer 525 (29-124)

29-90 0.60 cfs.

-124 2.68 cfs.

29-90A Perkins (0.30 cfs)

-10329 Andrus. 0.887. (90 - 0.60 cfs + 124 - 2.871 cfs)

Priority date 29-90 7-1-1908

-124 7-1-1908.

both claims match priority date.

Source 29-90 Topance crk.

-124 N. FK. Topance crk.

Claimed: 29-90A Topance Creek.

* -10329 Topance Creek. Chg of Source?

POD: 29-90 SESE Sect. 33 T6S, 38E

29-124 NE~~SE~~W Section 35 T6S, 38E.

29-90A claimed original 90 POD - Perkins.

* POD change 29-10329 claimed 6S, 38E, sect 35 SW SE~~NE~~W?

Season of Use:

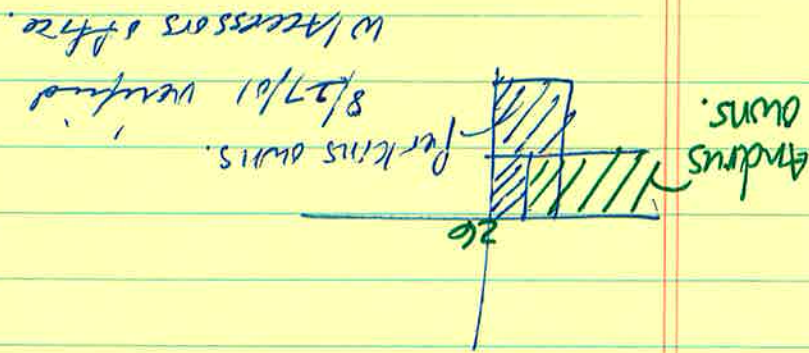
29-90A claimed 4/15 - 9/15

29-10329 " 4/1 - 11/1 ?

Perkins / Andrus 29-0090 cont'd.

P.O.U. : Claim 29-90+ claimed 1/2 of the original
 POU from the device:

Sect. 26, Access NE SW
 40 SE SW.



65,38E. POU Under 29-124 (check TSS)
 Sect 25. 5 acres NE SW

10 " NW SE

5 acres Lot 3

2 " SE SW

30 " SW SE

38 " Lot 4

Sect 34. 33.4" Lot 1

33.4 Lot 2

Sect 31 40 " Lot 2 T65, R39E.

55.44" N 1/2 NW.

8/27/01 4:03pm called Sunny Hickey for a copy
 of TSS.

- Initially none of the land claimed by Andrus in
 A29-10329 is in the original POU.

Andrus on 29-10329 (29-124) has no
claim to this water. (TS25)

Therefore, 29-10329 is $\frac{1}{2}$ of w/R 29-90.
or 0.30 cfs.

Andrus / Perkins:
A29-91: 91A.

A29-91 claimed the entire amount
from the donor. (0.96 cts).

Wayne Perkins also claimed 1/2 of the
water in A29-91A (0.48 cts).

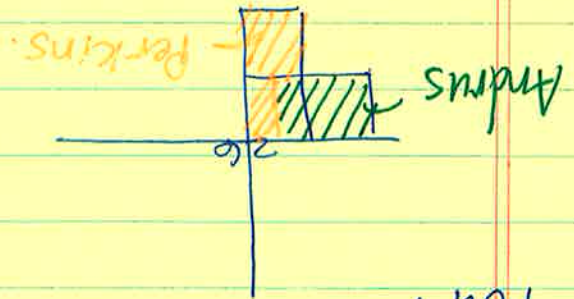
Priority date: matter decide.
Source - same.

✓ POD: West & Branham ditch, which diverts
from Topance Creek, in SSE Section 33,
T6S, R38E.

✓ Wayne Perkins has claimed the original POD.
Wayne Perkins claimed the land in the
SESU & 20 acres. NESU.

- Andrus claimed 14550 & 20 acres in NESU.

POU:



Renumbered Andrus to 29-91B

Perkins/Andrus Analysis: 29-0092

29-0092 0.29 cfs 7-1-1910 Priority

claims:
 29-0092A Perkins: 0.145 (1/2) Priority makes.
 29-10330 Andrus: combined 29-92 & 125A.

29-92 0.29 Priority 7-1-1910.

29-125A 0.006855

Priority 6-1-1910

0.296 cfs

Claim 29-10330 claimed priority of 7-1-1910 (92).

PDD: 29-92 + Perkins makes due 29-92

* 29-10330 Andrus: claimed 65,38E, Sect 35 SENE
 deemed. 29-92 65,38E, Sect 33 SESE

chk & TSAS

29-125 65,38E Sect 35, NEXID.

Season of Use:

29-92A 4/15-9/15

29-10330 4/1-11/1

4/15-9/15

SOB Reman

Source: 29-92 Topance Ck.
 29-125 N.Fk. Topance Ck.

Claim 29-92A Topance Ck.
 29-10330 Topance Ck.

TSAS Changed the POU to Lands Not owned
 by Andrus. Recommending 0.14 for 1/2 29-92
 for Andrus.

Perkins / Andrus:

Decreed @ 0.19 cfs.

A29-93 claimed by Andrus:

0.19 cfs

A29-93A claimed by Perkins:

0.055 cfs.

- Priority date - matches
- Source - matches.

POD: Change for Andrus to.

06S 38E sect 35 SW SENW.

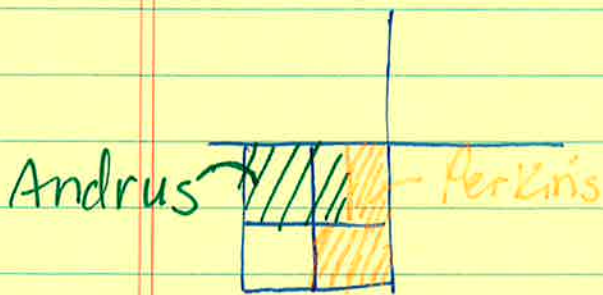
- Buried Mainline with H.L. add CO3 Remark.

Perkins POD: As decreed.

POU - Perkins owns 60 of the original 100 acres with the same decreed POU.

$E\frac{1}{2}$ NESW (20 acres) & SESW. of section 26.

Andrus owns 60: 20 acres $w\frac{1}{2}$ NESW; NWSE.



Diversiion rate: 0.19 cfs total. decreed.

$\frac{1}{2}$ of 0.19 cfs = 0.095 cfs. (Perkins?)

decreed diversion rate is enough for 120 acres. (2.4 cfs)
for 29-88 thru 93.

Renumbered Andrus to 29-93B.

1987 POD?

Andrus Analysis:

	rate (cfs)	Priority date.
A29-00091B	0.48	7-1-1909
A29-10330 / 29-92	0.145	7-1-1910
\ 29-125A	∅	
A29-00093B	0.095	7-1-1913
A29-123C	disallow	
A29-10329 / 29-90	0.30	7-1-1908
\ 29-124	∅	7-1-1908.
A29-10328 / 29-88	0.07	7-1-1906 29-13231
\ 29-89	0.11	7-1-1907 29-13232
A29-107B	1.5	6-17-1902
A29-10331 / 29-234	1.764 cfs	7-6-1868
\ 29-252	1.58 cfs.	7-6-1868
A29-10327 / 29-87 ✓	1.76 cfs	6-18-1902
\ 29-102 ✓	1.23 cfs.	

diverted
in the
pipeline *

(diverted acre limit) Total Acres 444.4

(B.U.) A29-10332 ✓ $\frac{9.034 \text{ cfs}}{.02 \text{ cfs/acre}} = 451.7 \text{ ac. total div. rate } 9.034 \text{ cfs.}$

29-88/89

A29-10248/10328

Wayne Perkins analysis: / Andrus
Diversion: 29-88 (0.14 cfs) 29-89 (.22 cfs)

A29-10248 - Part of 29-0088. 0.07 cfs.
claim 1/2 of the original quantity of 0.14 cfs

A29-10328 Andrus: claimed all of
29-88 & 89 for 0.36 cfs.

Priority date: 29-88 July 1, 1906.
29-89 July 1, 1907.

Canola Wayne Perkins A29-10248 claimed 7-1-1906.
Andrus claimed A29-10328 7-1-1906.
*Combined the 2 decreed rights and claimed
the earliest priority date.*

POD: Perkin - Claimed decreed POD.
Andrus - changed the POD.

Season of Use:
Perkins 4/15 - 9/15
Andrus 4/1 - 11/1

POU:

andrus  Perkins

Andrus Analysis:

		rate (cfs)	Priority date.
	A29-00091B ✓	0.48	7-1-1909
	A29-10330 / 29-92 ✓	0.145	7-1-1910
	29-125A	∅	
	A29-00093B ✓	0.095	7-1-1913
0 acres.	A29-123C	disallow	
	A29-10329 / 29-90 ✓	0.30	7-1-1908
	29-124	∅	7-1-1908.
	A29-10328 / 29-88	0.07	7-1-1906 29-13231 ✓
50 acres 29-88 thru 93	split to claim different priority dates 29-89	0.11	7-1-1907 29-13232 ✓
102 acres	A29-107B	1.5	6-17-1902
157.41 AC.	A29-10331 / 29-234	1.764 cfs	7-6-1868
	29-252	1.58 cfs.	7-6-1868
135 AC.	A29-10327 / 29-87	1.76 cfs	6-18-1902
	29-102	1.23 cfs.	

(decreed acre limit) Total Acres 444.4
total div. rate 9.034 cfs.

$$\frac{9.034 \text{ cfs}}{.02 \text{ cfs/acre}} = 451.7 \text{ acres}$$

Andrus:

A29-00091 0.48.

* POD chg.
1987?

A29-10330 (29-92^{only}) 0.145.
disallowing 29-125A.

A29-00093 0.095 cfs.

A29-123C - disallow.

50 acrs. A29-10329 (29-90 only - disallowing 124) (0.30 cfs)

A29-10328 / 29-88 0.07 7-1-1906 29-13231
29-89 0.11 7-1-1907. 29-13232

* Andrus has no claim to 123, 124 n 125.

102 ac. A29-107B. 1.5 cfs. (102 Acres)

Changing 29-88 & 89.

- Copy w/R needs. priority date.

Change status on A29-10328 - invalid
see right # 29-88 & 89.

- Split by ownership or transfer.

w.R. #.

No. of claims.

- You have successfully completed.

select child -

Next - w/R #'s.

select Next child. - make changes - print report.

- Complete process.

A29-10331 — 29-234 88.2 Acres. 1.764 cfs.
 \ 29-252 69.2 Acres 1.58 cfs

A29-10327 — 29-87 73.3 acres 1.74 cfs.
 \ 29-102 61.7 acres 1.23 cfs

Total Acres 444.4 acres.
 Total 9.034 cfs.

* Check with Carol n Preston if Andrus owns
 NW NE., N 1/2 NW of section 36, T6S, R38E. B.M.
 (Claim 29-87 decreed in section 36)
 Andrus combined 29-87 & 102 under 29-10327.
 A29-10331 (29-234 & 252).
 Andrus - owns this property.

~~4~~ <

29-90A

stock

Wayne Perkins.

1. T6S R38E
 2 above the house spring.
 sinks.

① Sec. 22. Use to
 NE SW. SW. (POD) Troughs.

2, - 1,000 g Tanks

Sec. 22. SW SW. POLL

T6S R38E.

Runs across into section

S22 NENESE.

~~23~~

Spring -

sinks.

②

300 head
of cattle

POLL Section. 22.

- Stock ponds.

pipes water to stock ponds
above the old house.

~~2 - 1,000 gal tanks.~~

③

over on the Crump place

300 head

T6S R39E Sec. 27

SE NE NW.

PO.D.

Spring, mine down
to a wash.

dugg it out and put in gravel
2m ponds pond.

Springs, Sink -

29-90A - 1/1 - 12/31.

(4)

TLS R39E. Sec. 22.
NW SE NW POD.
Spring =

late summer / fall at dry
up.

Stock ponds. developed

(5)

up by old lower lake
Hatchery house

Stock

TLS R39E Sec 2

1

POD / POU

L-3.

NW corner

Stock Ponds.

fax: 602-993-1017
perkinswcp@aol.com

cell phone - 1-602-524-0589

11:18 AM Wayne Park

4-15-

Spring →

Stock Springs

29-40161

Domestic Springs behind
one pivot

29-10244

102451

10251

102521

102541

102551

11:30 Puckton



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 22, 2003

Mr. Wayne Perkins
1445 W. Caribbean Lane
Phoenix, AZ 85023-6792

NOTICE OF UNAUTHORIZED WELL USE

Dear Mr. Perkins,

On January 3, 2003, the Idaho Department of Water Resources inspected a well located in $\frac{1}{4}$ SW, $\frac{1}{4}$ NE, Sec. 10, T.7 S, R.39E that appears to be under your ownership and operation. A copy of our field inspection report and a map with the well identified as 29-Illegal-5 is enclosed for your review.

The results of our field inspection show this well is improperly abandoned and poses a health and safety risk. The well must be permanently abandoned or constructed in a manor for production purposes that meets Well Construction Standards Rules, IDAPA 37.03.09.

Please contact me within 30 days by telephone at (208) 327-7885 or at the address listed above to discuss a resolution to this situation. At this time, we are seeking your cooperation in this matter before pursuing a Notice of Violation enforcement action.

Sincerely,

Chris Duncan, UIC Program

cc: Cindy Bird, IDWR, Soda Springs
Dennis Dunn, IDWR, Idaho Falls

IDWR UIC PROGRAM - RECORD OF INSPECTION OF INJECTION WELL

UIC Permit Number 29-ILLEGAL-5

1. GENERAL

Date 1/3/03 Time 10:45 Inspector Cindy Bird

Type of Inspection: ☐ Permit ☐ Renewal ☒ Compliance ☐ Abandonment

Well Permit Expiration Date NONE

UIC Well Classification UNKNOWN ☒ from field observation ☐ from permit

5A5 Electric Power Generation	5D4 Industrial Storm Runoff	5W11 Septic Systems (General)	5X16 Spent Brine Return Flow
5A6 Geothermal Heat	5F1 Agricultural Runoff Waste	5W12 Water Treatment Plant Effluent	5X25 Experimental Technology
5A7 Closed-Loop Heat Pump Return	5G30 Special Drainage Water	5W20 Industrial Process Water	5X26 Aquifer Recharge
5A8 Aquaculture Return Flow	5N24 Low-Level Radioactive Waste	5W31 Septic Systems (Well Disposal)	5X27 Other Wells
5A19 Cooling Water Return	5R21 Aquifer Recharge	5W32 Septic Systems (Drainfield)	5X28 Service Station Wells
5B22 Saline Water Intrusion Barrier	5S23 Subsidence Control	5X13 Mine Tailing Backfill	5X29 Abandon Drinking Wells
5D2 Storm Water Runoff	5W9 Untreated Sewage	5X14 Solution Mining	
5D3 Improved Sinkholes	5W10 Cesspools	5X15 In-Situ Fossil Fuel Recovery	

Contact ☒ Legal Owner ☐ Representative

Name WAYNE PERKINS

Owner Address 1445 W. Caribbean Lane Phoenix, AZ 85023-6792

Well Address _____

Telephone Number -1 _____ Telephone Number -2 _____

Well Location: T. 7S R. 39E Sec. 10 QQQ QQ SW Q NE

GPS Location: Lat/Northing _____ Long/Easting _____

GPS Tag Number: _____

Well Tag Number: NONE

Drilling Permit Number: _____

2. FACILITY DESCRIPTION

Well Status: ☐ Active Well ☒ Temp. Abandonment ☐ Permanent Abandonment

Abandonment Description: OPEN CASING, NO PUMP OR MOTOR. SURFACE CASING IN PLACE W/ CONCRETE ERODED AWAY.

Well Construction:

Depth to Water: UNKNOWN (ft) ☐ Measured ☐ Well Log ☐ Permit

Well Depth: 715 (ft) ☐ Measured ☐ Well Log ☐ Permit ESTIMATED

Well Casing: Diameter 18" (in) Approx

Casing Depth UNKNOWN (ft) Type: ☒ Steel ☐ PVC

Surface Casing Stick-Up Height 2 1/2 (ft) Type: ☒ Steel ☐ PVC

Treatment:

☐ Retention Pond Length NONE (ft) Width _____ (ft) Depth _____ (ft)

☐ Well Screen Description _____

☐ Filtration Description _____

☐ Chemical Description _____

☐ Other Description _____

3. WATER USE

Injection Rate (during inspection) 0 ☐ cfs ☐ gpm ☐ Field Estimated ☐ Permit

Description NOT IN USE ☐ Field Measured - Equip. _____

Distance to Nearest Domestic Well 5280 (ft) ☒ Field Estimated

☐ Field Measured

☐ Permit

5. Analytical Samples

Date	Time	Sample No.	Media (surface water Injectate, GW, domestic supply)	Q/A (replicate, trip blank, field blank, Equip. blank, split sample)	No. of Container(s)	Sample Vol.	Sample Container Type								Preservative (4°C, ect...)	Result	Validation	COC Record No.	Sample Location (GPS, diagram attached, description)	Sampling Method (direct dip, device, decon. procedur description)

Notes:

7. Physical Water Parameters (Field Measurements)

7. Physical Water Parameters (Field Measurements)					Analysis										Sampling Method (direct dip, device, procedure description)	Sample Location (GPS, diagram attached, description)
Date	Time	Correspondin g Sample No.	Media (surface water injectate, GW, domestic supply)	Q/A (replicate, trip blank, field blank, Equip. blank, split sample)	Sample Vol.	Sample Container Type	Results									
							Temperature (°C)	Specific Conductance (µmohs/cm)	pH	Turbidity (NTU)	Salinity (ppt)	D.O. (mg/l)				

Notes: (Include equip. and equip. calibration form)

4. LAND USE

Business Type: ☒ Ag. Farming ☐ Ag Processing ☐ Automotive Repair ☐ Domestic Home
☐ Manufacturing ☐ Mining ☐ Other _____
Description poss. Ag GRAZING land. NOT UNDER LITIGATION.

Constituents of Concern in Waste Stream (based on process) None

7. Conclusion(s) Is well in permit in compliance? ☐ yes ☒ no

Appears to be a Temp. Abandoned production well. Open casing. poses a Health and Safety danger along with water quality risk. The well appears to be an old turbine production well that was not properly abandoned.

7. Corrective Action(s) / Recommendations(s)

Recommend permanent abandonment of well ASAP. Does not meet VIC SR well construction standards.

Field Agent: Signature: _____

Date: _____

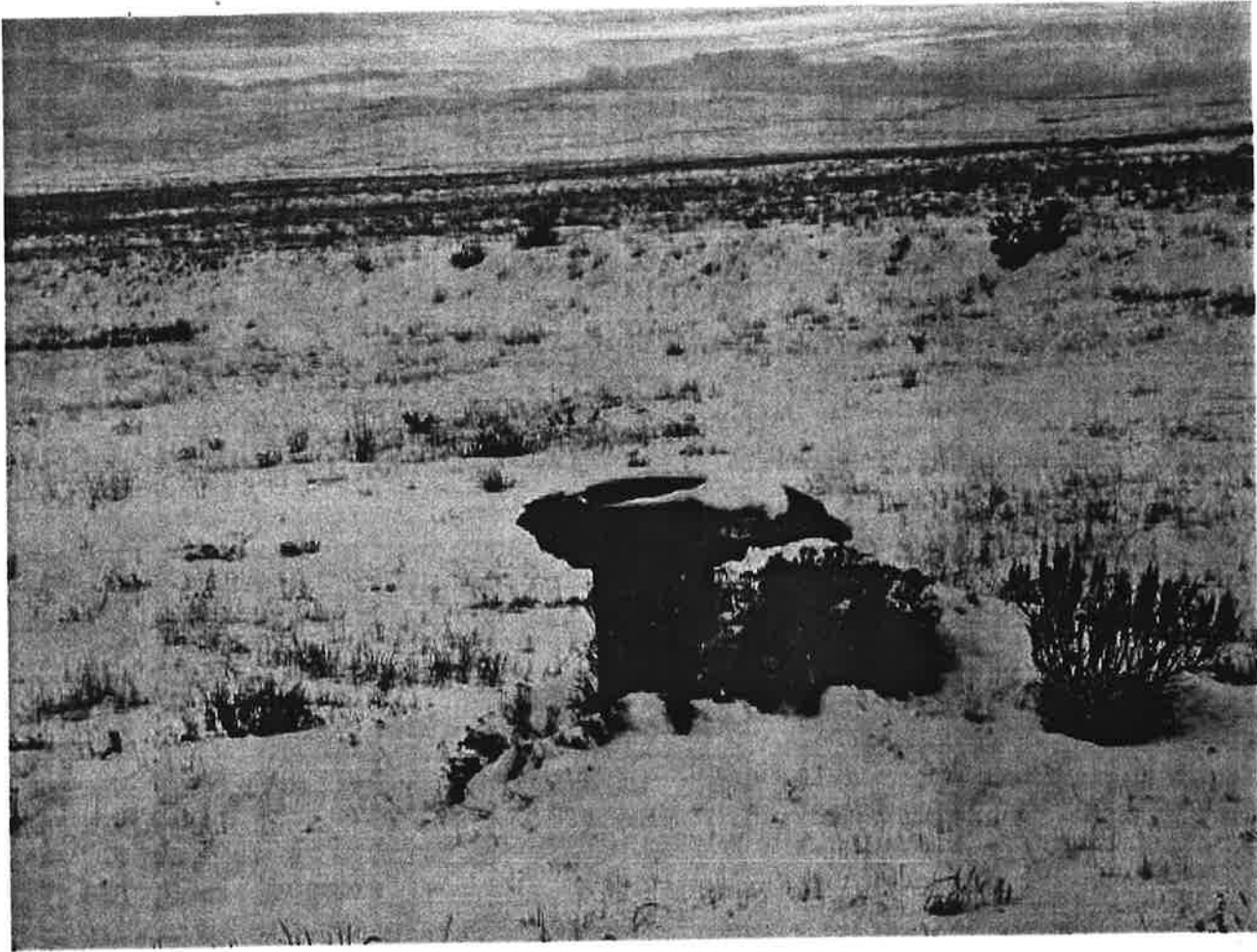
Name/Title: _____

Attachments:

- ☐ Lab Report
- ☐ Ground sample / well purge sheet
- ☐ Water system diagram

- ☐ Sample location diagram
- ☐ Well location Map
- ☐ Other _____

- ☐ Equipment calibration sheet
- ☒ Photo sheets



29-ILLEGAL-5

Well Head 1/3/03 C.D.

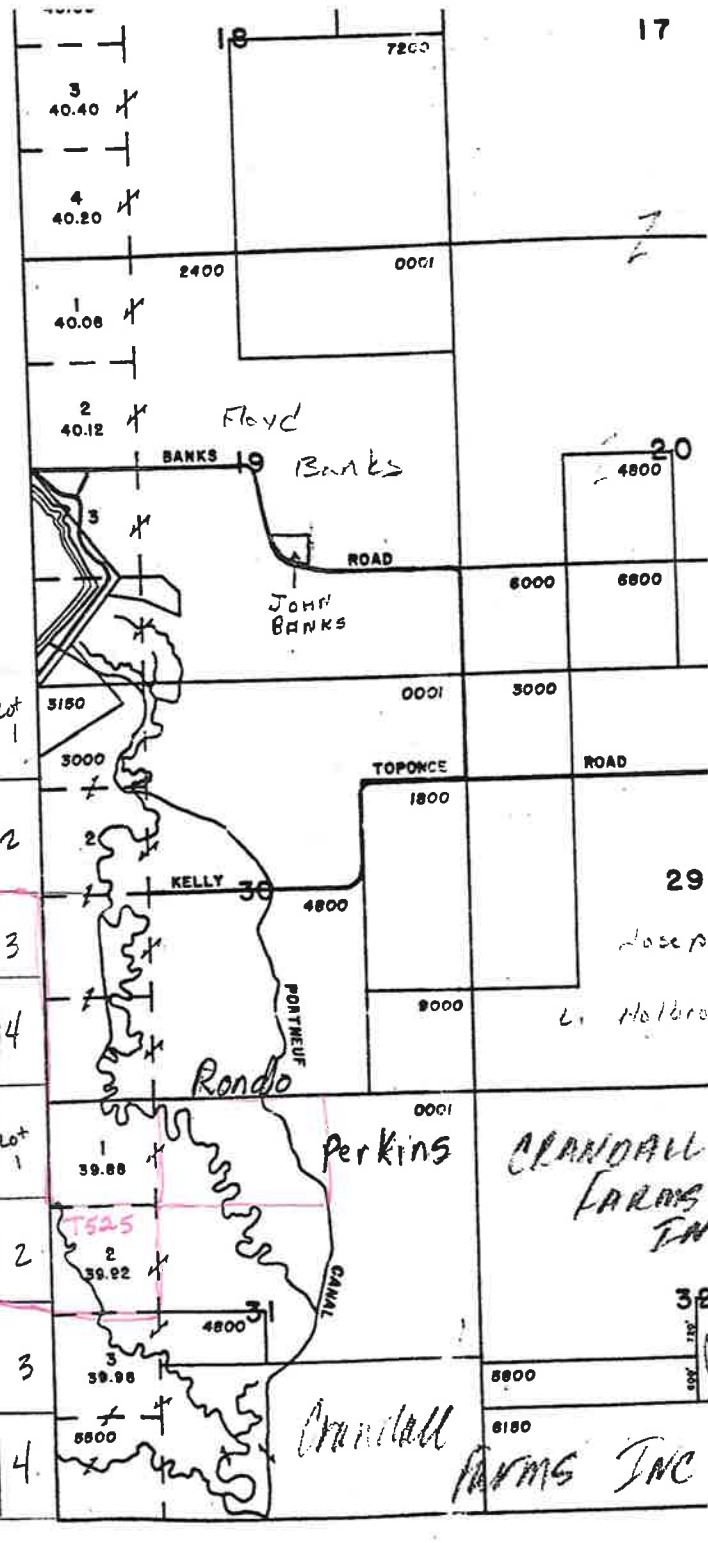
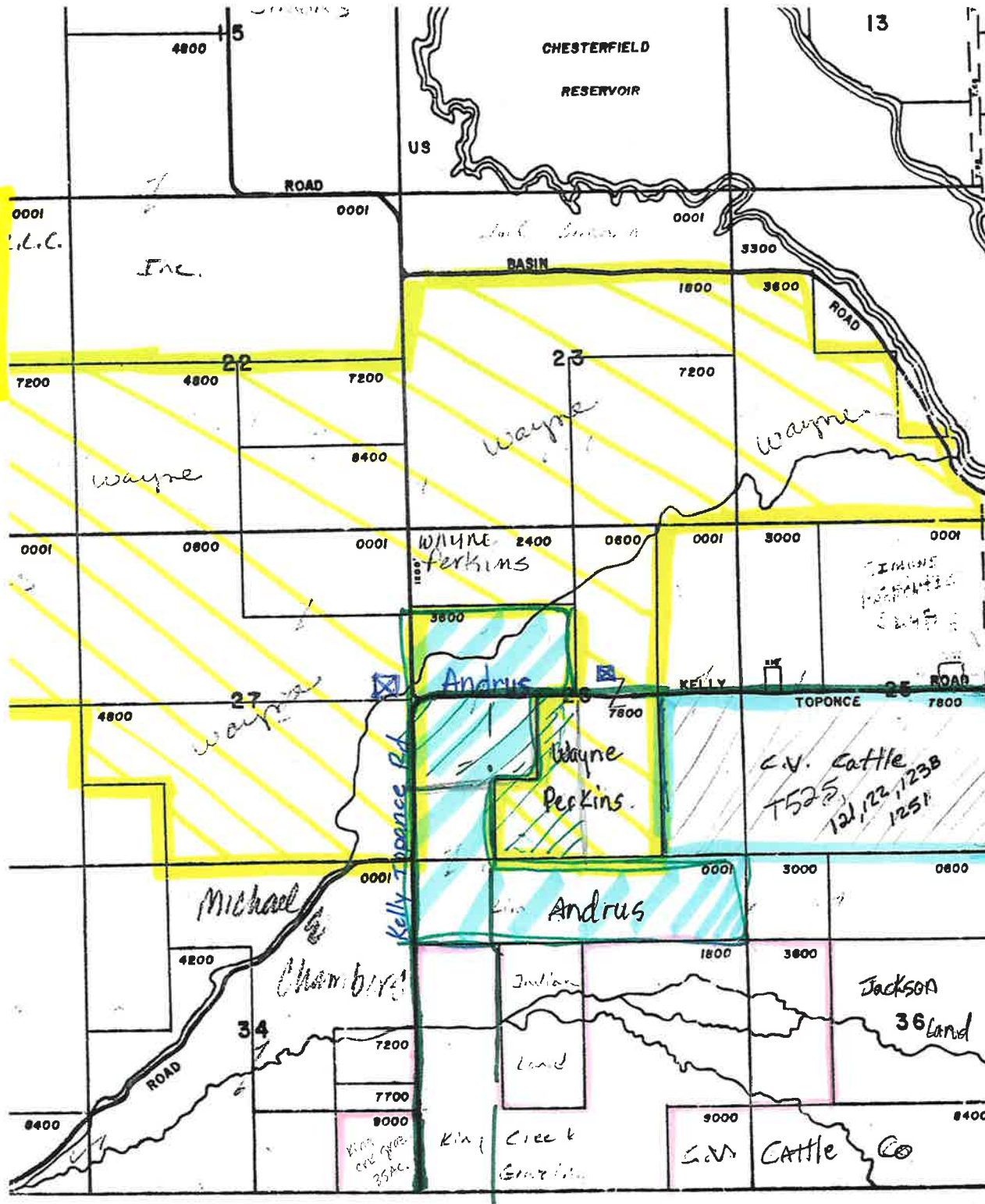


29 - ILLEGAL - 5

Well Head 1/2/03 C.D.



29-90A



02/13/2003

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: 29-90A

WAYNE C PERKINS
13825 N 7TH ST STE M
PHOENIX AZ 85022
Telephone Number: (602)993-0940

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: 2/26/03

SIGNATURE:

Please print your name:

Wayne C Perkins

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

Notes

1/27/03 This is 1/2 of the right 29-90.

Claimant owns 60 of the 120 acres decreed POH under the UG & E decree. Andrews owns the other 60 acres. 100 acre limit in the decree. So, Perkins has a 50 acre limit.

Enlargement claim filed 29-13482

2/11/03 link POD 29-88-93 podwp. shp.

2/11/03 link POH 29-91A.shp.

- Reprint Layout and update PLS/
acreage!

2/11/03 Didn't reprint layout but I did link the shape

POD & POH linked.

Summary Data Entry Form

Claim No.: 29-90A

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

C18

~~E14~~ 50 acre limit ~~Combined rights~~ 29-10248,
29-13248, 29-90A, 29-91A, 29-92A & 29-93A.

C05

E14 59 acre limit

F01

X01

F05

Split or Combined Right Analysis:

see attached sheet

Attached Field Notes or Other Documents:

Claim No.: 29-90A

Reviewer

Cindy Bird

Date

1/27/83



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

May 7, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

WAYNE C PERKINS
13825 N 7TH ST STE M
PHOENIX AZ 85022-4342

RE: CHANGE OF ADDRESS FOR A29-00090A, A29-00091A,
A29-00092A, A29-00093A, A29-00094A, A29-00585,
A29-02313, A29-04016, *pd.* A29-07253, A29-10242, A29-10243,
A29-10244, A29-10245, *pd.* A29-10248, A29-10251, *pd.* A29-10252, *pd.*
A29-10254, *pd.* A29-10255, A29-12130

Dear Mr. Perkins:

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:

Wayne C Perkins
850 Kelly Toponce Rd
Bancroft ID 83217

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,

Cheri Vandermeulen

Cheri Vandermeulen
Records Clerk

Enclosure(s)



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

January 28, 2003

Wayne Perkins
1445 W. Caribbean Lane
Phoenix, AZ 85023-6792

REF: Snake River Basin Adjudication (SRBA) Claims
29-90A, 29-91A, 29-92A, 29-93A, 29-13231, and 29-13248.

Subject: Amend claim 29-93A and filing an enlargement claim in the SRBA.

Dear Wayne,

The Union Grain and Elevator decree decreed 6 water rights (29-88 thru 29-93) for irrigation of 100 acres of land in the north half of the southwest quarter and the southeast quarter of the southwest quarter, section 26, township 6 south, range 38 east. The legal description describes 120 acres, 60 acres of which you own and you can irrigate 50 acres under these decreed rights. You SRBA claims claim to irrigate the entire 60 acres. If you are irrigating the entire parcel of land as shown in the attached imagery you will need to file an enlargement claim to cover the additional acres. The yellow boundary in the attached map show 59 acres once you take out for the road. An enlargement claim for the additional 9 acres would allow you to continue irrigating the additional 9 acres but will not give you any additional flow. If you do not file the enlargement claim you will be restricted to 50 acres of irrigation in the described place of use.

Since you own one-half of the decreed place of use under the Union Grain and Elevator decree I'm recommending the rights be split in half between you and the other party. Your adjudication claim 29-93A claimed 0.055cfs and you should of claimed 0.095 cfs. To recommend the high diversion rate to the SRBA court you will need to amend your claim to reflect the higher diversion rate. I'm recommending that you claim the higher diversion rate.

Please let me know as soon as possible if you would like to amend your claim 29-93A and file the enlargement claim. There is no fee associated with filing the amended claim. A \$50.00 filing fee will need to accompany the enlargement claim. Since we are very close to filing our preliminary directors report in this basin time is of the essence.

Both the amended and enlargement claims must be notarized to be considered valid. If you have any further questions. Please don't hesitate to call.

Sincerely,

Cindy E. Bird
Adjudication Bureau

Enclosure: ArcView layout

29-88 $\begin{cases} \text{Andrus} & 29-13231 & (0.07) \\ \text{Perkins} & 29-10248 & (0.07) \end{cases}$
 0.14 cfs
 7-1-1906

29-89 $\begin{cases} \text{Andrus} & 29-13232 & (0.11) \\ \text{Perkins} & 29-13248 & (0.11) \end{cases}$
 0.22 cfs
 7-1-1907

29-90 $\begin{cases} \text{Andrus} & 29-10329 & (0.30 \text{ cfs}) \\ \text{Perkins} & 29-90A & (0.30 \text{ cfs}) \end{cases}$
 0.60
 7-1-1908

29-91 $\begin{cases} \text{Andrus} & \text{renumber } 29-91B & (0.48) \\ \text{Perkins} & 29-91A & (0.48) \end{cases}$
 0.96
 7-1-1909

29-92 $\begin{cases} \text{Andrus} & 29-10330 & (0.14) \\ \text{Perkins} & 29-92A & (0.15) \end{cases}$
 0.29
 7-1-1910

29-93 $\begin{cases} \text{Andrus} & \text{Renumber } 29-93B & (0.10) \\ \text{Perkins} & 29-93A & (0.09) \end{cases}$
 0.19
 7-1-1913

$\frac{1}{2}$ to Andrus ; $\frac{1}{2}$ to Perkins.

original Decreed POU described 120 acre POU, but irrigation of only 100 acres. EACH party now OWNES 60 acres of the decreed POU. SPLITting the rights in half between W. Perkins and Andrus.

WR5809NP
No. 29-00090

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 07/27/01
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	KEPLER SESSIONS	07/01/1908	IRRIGATION	04/15 09/15	0.600 CFS	
TOTAL DIVERSION:					0.600 CFS	

Water Source: TOPONCE CREEK

Tributary to: PORTNEUF RIVER

Stage: DECREED

Point(s) of Diversion: T06S R38E S33 SESE

CARIBOU County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
06S	38E	26	:																	:	
			:																	:	

Pou County: CARIBOU

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

29-00053	29-00082	29-00083	29-00084	29-00085	29-00086	29-00087	29-00088	29-00089	29-00091
29-00092	29-00093	29-00094	29-00095	29-00107A	29-02027	29-02032A	29-02032B	29-04346	29-04347

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

29-00088	29-00089	29-00091	29-00092	29-00093	29-02043	29-04016	29-04346
----------	----------	----------	----------	----------	----------	----------	----------

Remarks: GEN P/U INCOMPLETE - ACRES IRR. 100.

Dates:	App. Received:	Priority Date:	07/01/1908
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 29 Field Exam Fee:

Audit: 06/18/85 05/22/88 CONVERT

71. BUTTERFIELD, A. J. ✓
29 0086 1911 June 15. .05 c.f.s.
(2.24 inches)

Said water to be diverted through the Jensen No. 7, sometimes called Jensen Ditch, last above described, for the irrigation of 2.24 acres of land in the West half of the Southwest quarter, Section 34, Township 6, South, Range 38 East.

72. JENSEN, PARLEY P. ✓
29 0083 1905. May 19. 1.0 c.f.s.

Said water to be diverted through the Jensen No. 7, sometimes called the Jensen Ditch, last above described for the irrigation of 49.9 acres of land in the North half of the Southwest quarter, the Southeast quarter of the Northwest quarter, the Northwest quarter of the Southeast quarter, Section 34, Township 6 South, Range 38 East.

73. JENSEN, BEN D. ✓
29 0085 1902 June 18. 1.88 c.f.s.

Said water to be diverted through the West and Brangham Ditch, which diverts from Toponce Creek in the Southeast quarter of the Southeast quarter, Section 33, Township 6 South, Range 38 East. From the Northwest corner of Section 3, Township 7 South, Range 38 East, the point of diversion bears North 42 degrees and 40 minutes East, 652 feet, for the irrigation of 33.2 acres of land in the Northeast quarter of the Northeast quarter; 15 acres in the Southeast quarter of the Northeast quarter; 30 acres in the Southwest quarter of the Northeast quarter, Section 34, Township 6 South, Range 38 East.

74. JENSEN, PARLEY P. ✓
29 0086 1902. June 18. .07 c.f.s.

Said water to be diverted through the said West and Brangham Ditch, last above described, for the irrigation of 3 acres of land in the Northwest quarter of the Northeast quarter, Section 34, Township 6 South, Range 38 East.

75. BRANGHAM, GEORGE ✓
29 0087 1902. June 18. 1.76 c.f.s.

Said water to be diverted through the said West and Brangham Ditch, last above described, for the irrigation of 73.3 acres of land in the Southwest quarter of the Southwest quarter, Section 26; and the North half of the Northwest quarter, Section 36, Township 6 South, Range 38 East.

76. SESSIONS, KEPLER ✓
29 0088 1906. July 1. .14 c.f.s. ✓
29 0089 1907. July 1. .22 c.f.s. ✓
29 0090 1908. July 1. .60 c.f.s. ✓
29 0091 1909. July 1. .96 c.f.s. ✓
29 0092 1910. July 1. .29 c.f.s. ✓
29 0093 1913. July 1. .19 c.f.s. ✓
Total 2.4 c.f.s. ✓

Said water to be diverted through the said West and Brangham Ditch, last above described, for the irrigation of 100 acres of land in the North half of the South west quarter and the Southeast quarter of the Southwest quarter, Section 26, Township 6 South, Range 38 East.

MAY 15 1996

MAY 4 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: A29-00090A
Date Received: 1/25/1990
Receipt No: 6011858
Received By: SSV

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WAYNE C. PERKINS
Address: 850 KELLY TOPONCE RD.
BANCROFT, ID 83217 208-648-7819

2. Date of Priority: JUL 01, 1908

3. Source: TOPONCE CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	38E	33	SE	SE			CARIBOU

5. Description of diverting works:
HEADWORKS OF THE TOPONCE FEEDER CANAL TO REDIVER PUMPS/POND

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 150.0 Acre Feet Per Annum.

9. Non-irrigation uses:
INCIDENTAL STOCKWATERING FOR 200 HEAD OF RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	38E	26	NE	SW		IRR	20.0
			SE	SW		IRR	40.0
Section Acres							60.0

A29-00090A

Page 1

Date: 01/25/90

MICROFILMED

NOV 13 1992



10. Place of Use: Continued

Total Acres 60.0

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:

29-00088, 00089, 00091, 00092, AND 00093

14. Remarks:

THIS NOTICE IS FILED FOR PORTION OF THIS RIGHT NOW OWNED BY
CLAIMANT. ~~PROPORTION FIGURED ON A 58/100 ACRE SPLIT.~~

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 8/06/1932

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: 1

For Individuals:

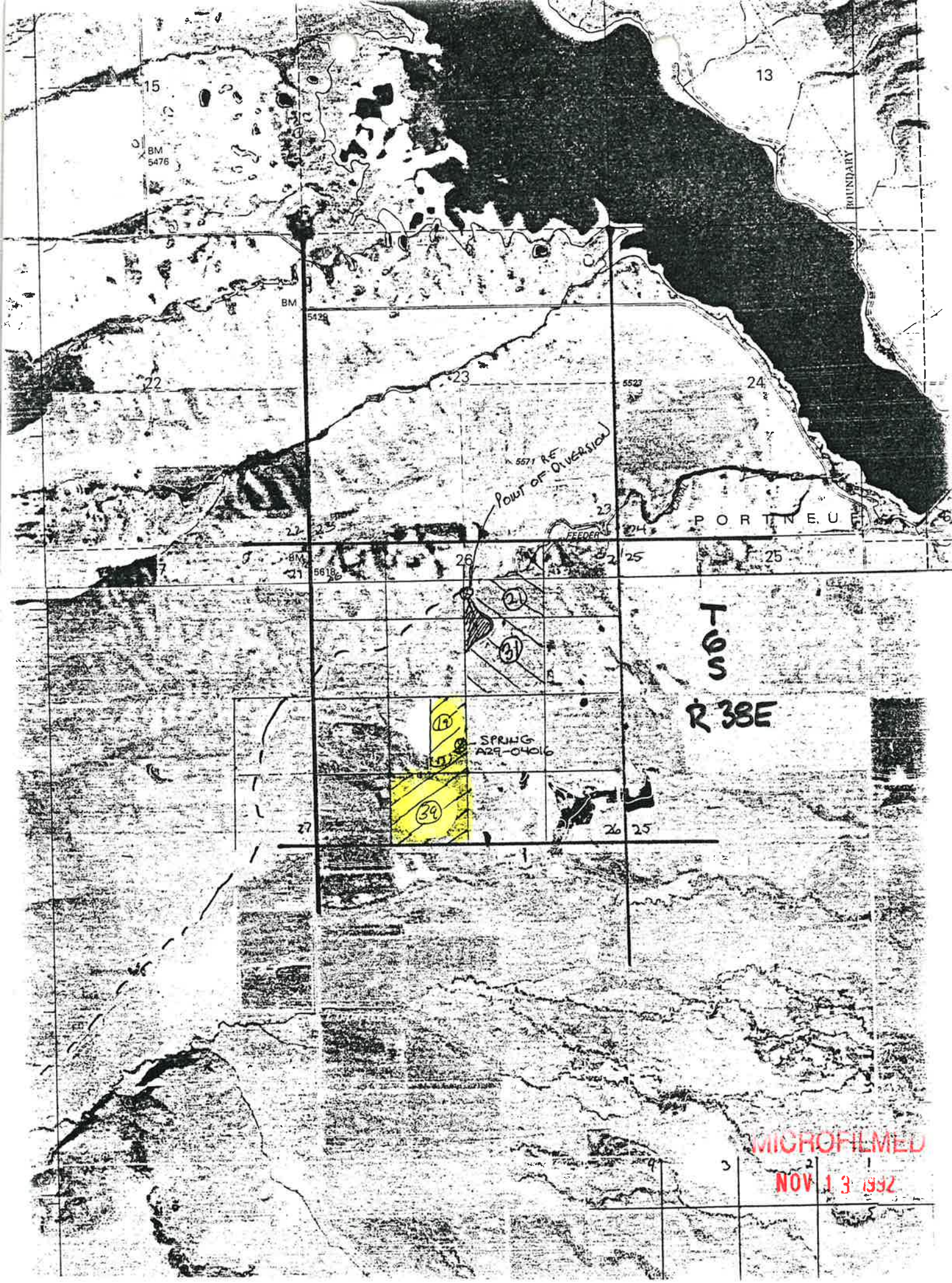
I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): [Signature] Date: 1/25/90
Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 28 day
of January 19 90
Seal

[Signature]
Notary Public
Residing at Boise, Idaho
My Commission Expires 22 Aug 1994



15

BM
5476

13

BOUNDARY

BM
5429

22

23

5523

24

POINT OF DIVERSION

FEEDER

PORT NEUE

BM
5618

27

26

25

25

T
6
S

R 38E

39

SPRING
A29-04016

27

26

25

MICROFILMED

NOV 13 1992