

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

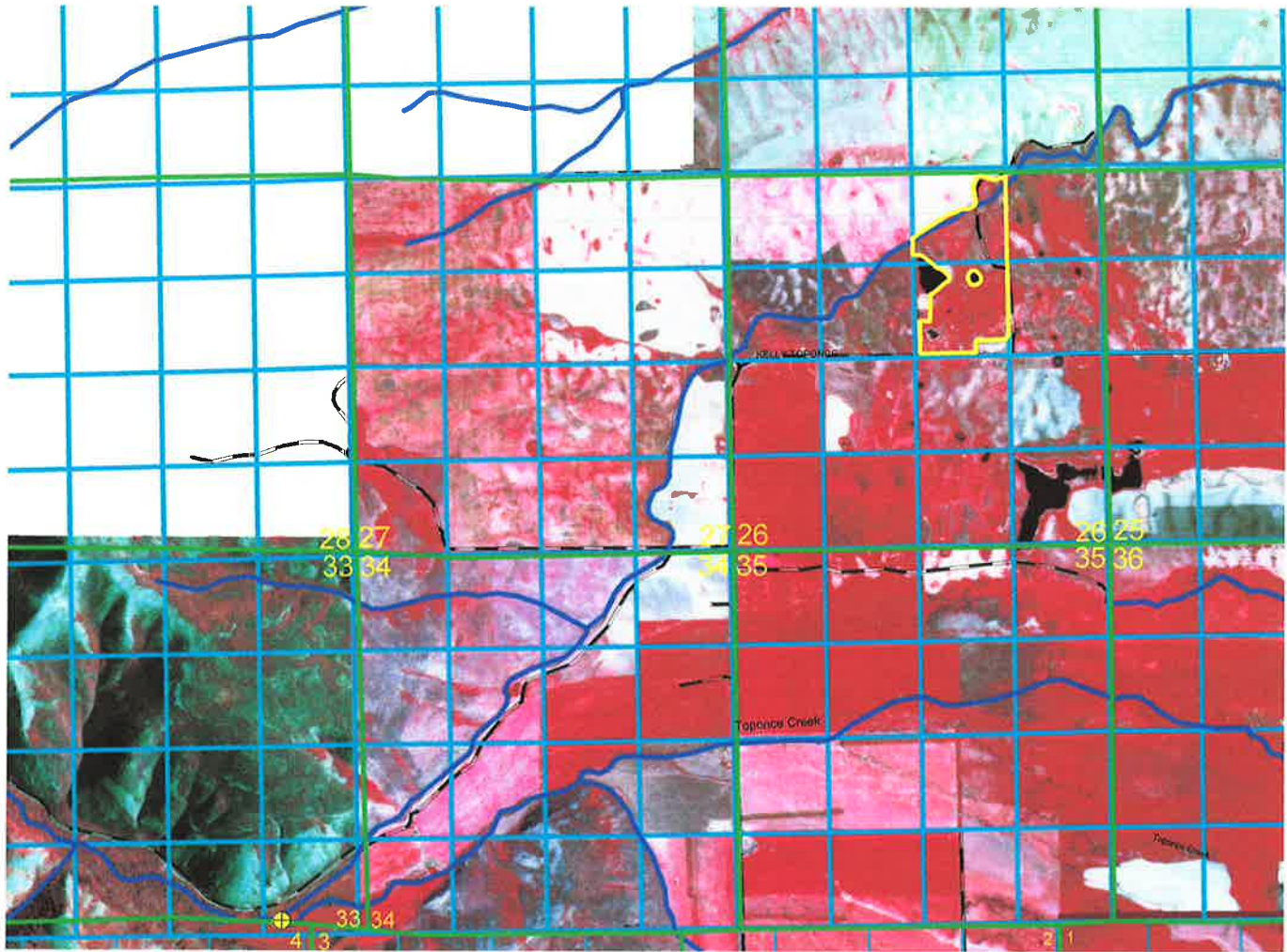
1



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right: 29-94A



0.2 0 0.2 0.4 0.6 0.8 Miles



IRRIGATED ACRES 52

LEGEND

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

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

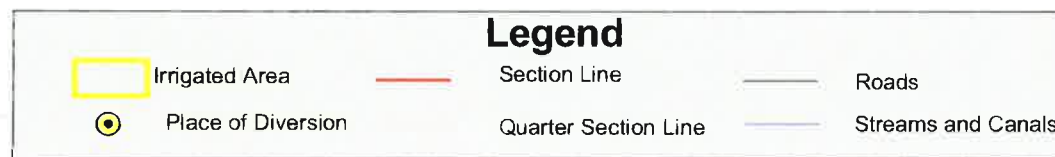
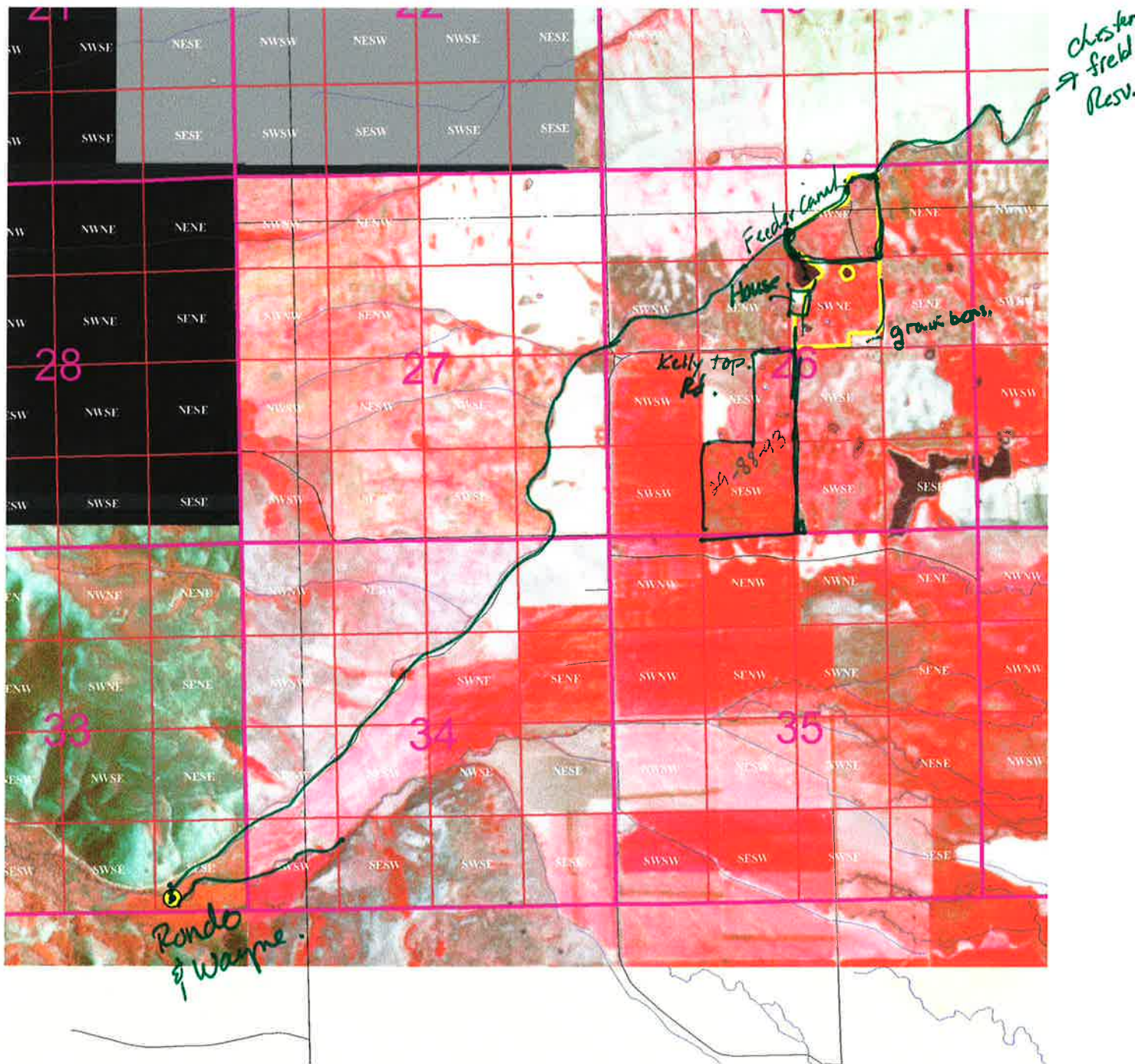
Points of Diversion: T6S, R38E,
Sec. 33 SWSESE



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

Water Right Claim Number A29-00094A
Township , 6S38E

09/08/2000



1000 0 1000 2000 Feet



Irrigated Area

Place of Diversion

Section Line

Quarter Section Line

Roads

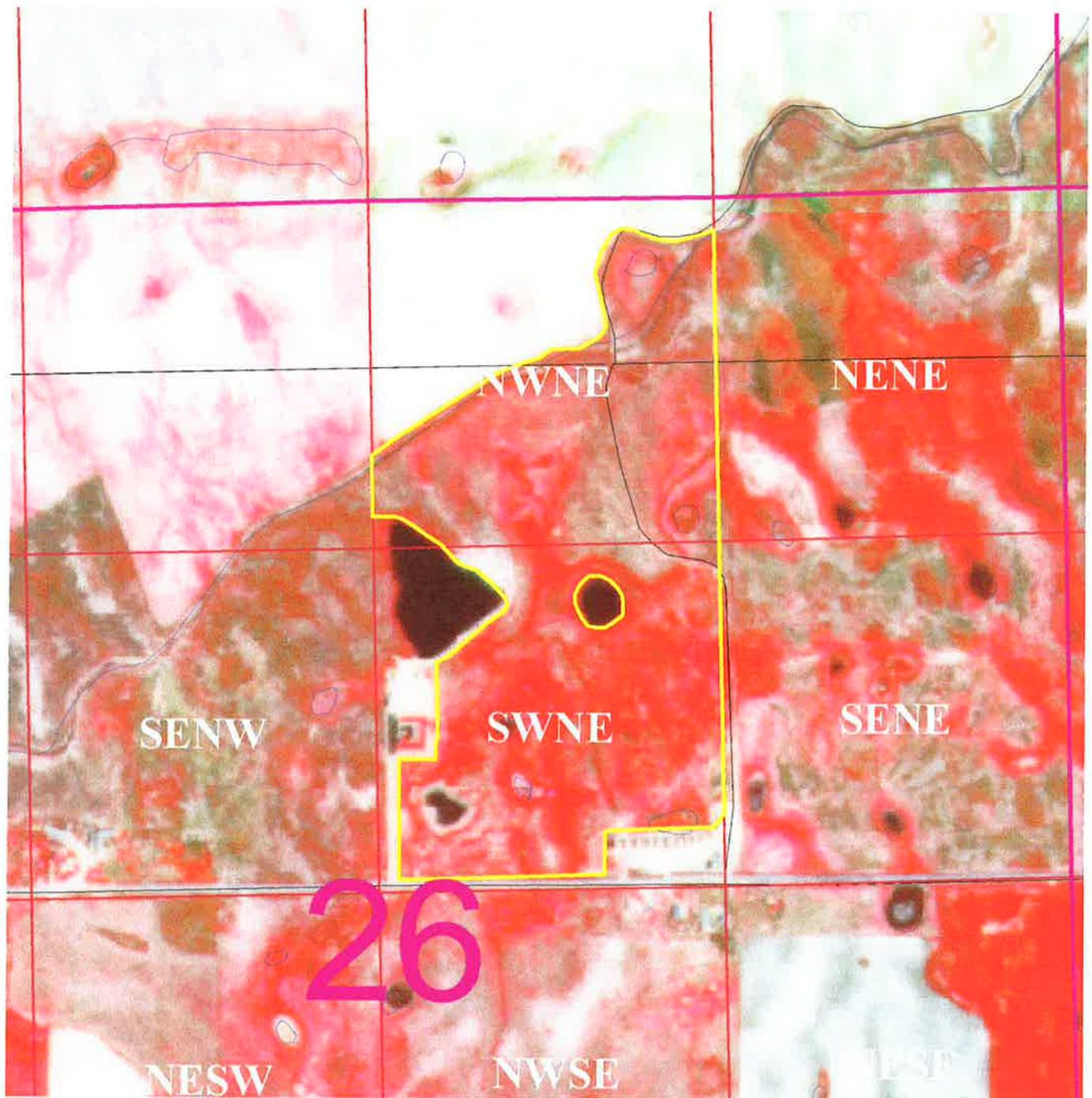
Streams and Canals

Legend



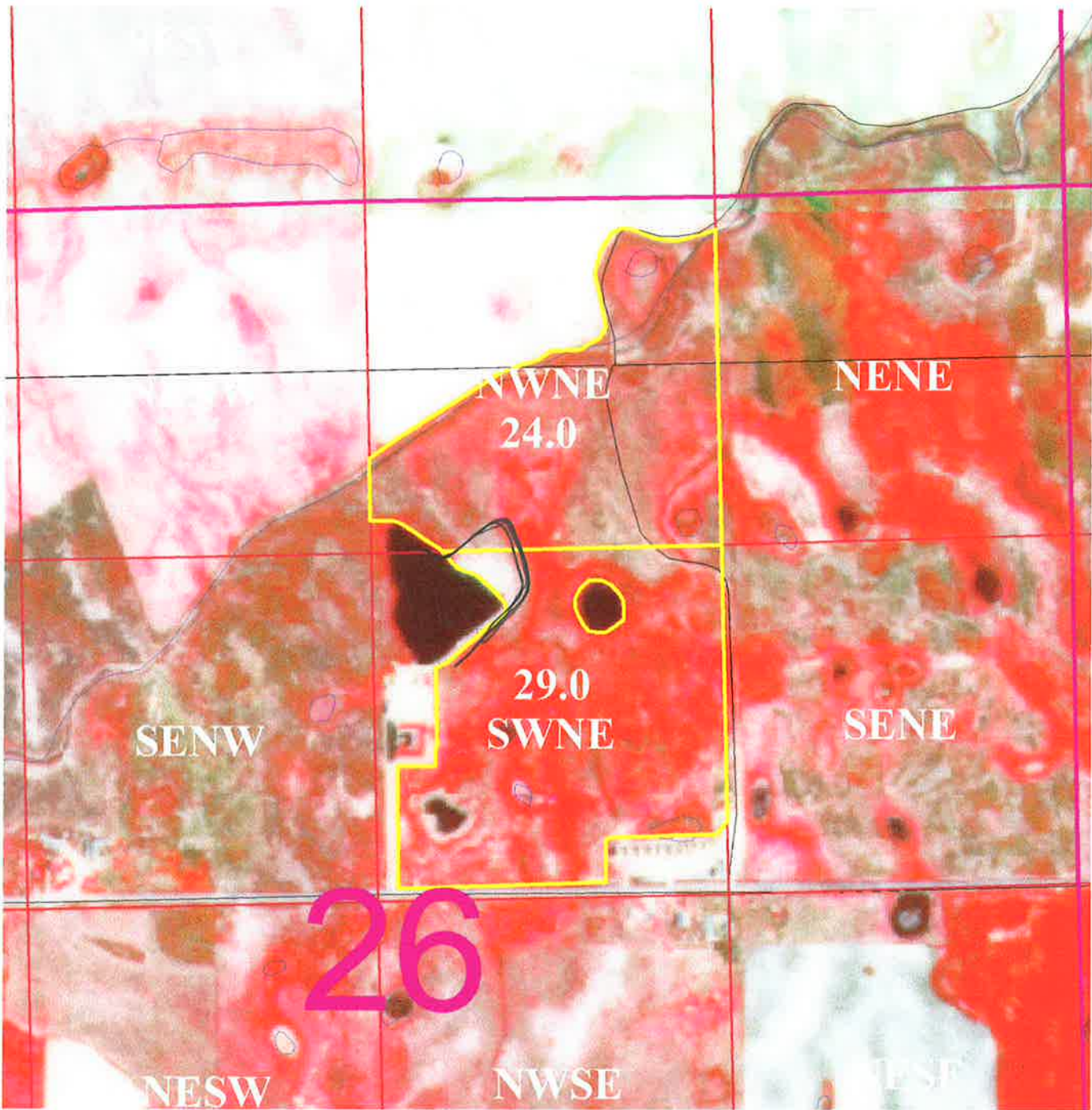
Water Right Claim Number A29-00094A
Township , 6S38E

09/08/2000



Water Right Claim Number A29-00094A
Township , 6S38E

09/08/2000





Irrigated Area



Place of Diversion



Section Line



Quarter Section Line



Roads



Streams and Canals

300 0 300 600 Feet

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: 29-94A

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: Wayne C Perkins

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 Westside Canal company is defunct. Irma Banks, Joe Holbrook (29-94C) also claimed the Canal water

Wayne Perkin has a diversion off the feeder canal for irrigation of this land.

see map for POH boundaries.

- Recommend claimed POD.

Other elements of the claim are correct. No change needed

- Correct POH Shape - link shape and update. PLS/acreage

legal description in Claim has the wrong range listed see corrected range.

- 1/28/03 Linked Shape for POH: POD.

Updated PLS/acreage.

JPEG file created.

Summary Data Entry Form

Claim No.: 29-94A

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

C18

COS-

Split or Combined Right Analysis:

A Wayne Perkins

29-94

B Emma Banks

C Joe Holbrook

Attached Field Notes or Other Documents:

Claim No.:

29-94A

Reviewer

Cindy Bird

Date

1/27/03

8/23/01

Claim A29-94A. is a portion from the decreed right 29-0094 - West Side Canal Company.

The Canal Company is now defunct?
Did anyone else pick up the claim?

The only portion of this claim that is listed in the decreed POU is T6S, R38E, Section 26, SW NE. (32.6 acres total).

* The land claimed in T6S, R39E, sect 26, NWNE was not part of the decree. Is it a wrong claimed POU? Should it be T6S, R38E section 26?

- Map attached to the claim indicates T6S, 38E.

- The property in the NWNE. has been irrigated

~~Bob~~

- Clyde Rybar.
Rex Hebden.

Wayne. Born 1939 - he remembers the NWNE. as being irrigated with syptoms. Grandfather homesteaded in east/north of Wayne home now. He was born & raised in this area.

77. WEST SIDE CANAL
COMPANY.
9 0094 1905. June 2. 13.14 c.f.s.
29 0095 1913. April 1. 3.48 c.f.s.

Said water to be diverted through the West Side Canal, a continuation of the West and Brangham Ditch, Point of diversion, see West and Brangham Ditch, for the irrigation of 692.6 acres of land described as follows: 32.6 acres in the Southwest quarter of the Northeast Quarter, Section 26, Township 6 South, Range 38 East; 58 acres in the Northeast quarter of the Northeast quarter, Section 30; the Southeast quarter of the Southeast quarter, Section 19, Township 6 South, Range 39 East; 25 acres in the Northwest quarter of the Northwest quarter, Section 29; 30 acres in the Southwest quarter of the Northwest quarter, Section 29; the Southeast quarter of the Northeast quarter, Section 30; 60 acres in the West half of the Northeast quarter, the East half of the Northwest quarter, Section 32; 50 acres in the Northeast quarter of the Southwest quarter, the Southwest quarter of the Northeast quarter, the Southeast quarter of the Northwest quarter, Section 32; 40 acres in the Southeast quarter of the Northwest quarter, 32 acres in the Southwest quarter of the Northeast quarter, 30 acres in the East half of the Southwest quarter, 80 acres in the West half of the Southeast quarter, 15 acres in the Southwest quarter of the Southwest quarter in Section 29, Township 6 South, Range 39 East.

T6S, R38E

6S, 39E

40 acres in the South half of the Southwest quarter, Section 3, 35 acres in the West half of the Northwest quarter, Section 10; 15 acres in the Northeast quarter of Northeast quarter; 60 acres in the South half of the Northeast quarter, 40 acres in the Southeast quarter of the Northwest quarter, Section 9, Township 7 South, range 39 East.

T7S, R39E

78. JENSEN, PARLEY P.
29 0096 1905. May 19. .05 c.f.s.
(2.72 inches)

Said water to be diverted through said Jensen Ditch No. 1, which diverts from Toponce Creek, in the Southeast quarter of the Southwest quarter, Section 34, Township 6 South, Range 38 East. From the South quarter corner of Section 34, the Point of diversion bears north, 31 degrees and 40 minutes west, 1504 feet, for the irrigation of 2.72 acres of land, in the Northeast quarter of the Southwest quarter, Section 34, Township 6 South, Range 38 East.

79. JENSEN, PARLEY P.
29 0097 1905. May 19. .27 c.f.s.
(13.4 inches)

Said water to be diverted through Jensen Ditch No. 2, which diverts from Toponce Creek, in the Northeast quarter of the Southwest quarter, Section 34, Township 6 South, Range 38 East. From the South quarter corner of Section 34, the point of diversion bears North, 3 degrees and 15 minutes West, 1350 feet, for the irrigation of 13.4 acres of land in the Northwest quarter of the Southeast quarter, Section 34, Township 6 South, Range 36 East.

MAY 15 1906



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
Eastern District Office
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

RETURN SERVICE REQUESTED

29-90A 29-233 29-10248
29-91A 29-4016 29-10251
29-92A 29-7253 29-10253
29-93A 29-10242 29-10254
29-94A 29-10243 29-10255
29-585 29-10244 29-12130
29-10245

PERK 850

PERKINS, WAYNE C
850 KELLY TOPONCE RD
RANCHOPT ID 83217

PERK850 832172005 1600 04 05/03/01
RETURN TO SENDER
PERKINS
13825 N 7TH ST STE M
PHOENIX AZ 85022-4342
RETURN TO SENDER

832172005

WR5809NP
No. 29-00094

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 07/27/01
PAGE: 6

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WEST SIDE CANAL CO.	06/02/1905	IRRIGATION	04/15 09/15	13.140 CFS	
TOTAL DIVERSION:					13.140 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																					
			NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM			
06S	38E	26	:					I				:							:																	
06S	39E	19	:									:							:																	
06S	39E	29	:									:			I		I		:																	
06S	39E	30	:			I				I		:							:																	
06S	39E	32	:					I				:							:																	
07S	39E	3	:									:							:																	
07S	39E	9	:			I				I		:							:																	
07S	39E	10	:									:			I		I		:																	

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	29-00090
29-00091	29-00092	29-00093	29-00095	29-00107A	29-02027	29-02032A	29-02032B	29-04346	29-04347

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

29-00011	29-00012B	29-00071	29-00095	29-02008	29-02027	29-02415	29-02435	29-02558	29-04347
29-04488									

Remarks: GEN P/U INCOMPLETE - ACRES IRR. 692.6.

Dates:	App. Received:	Priority Date:	06/02/1905
	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: 08/18/86 05/22/88 CONVERT 02/06/98 CLEARFLD

SCANNED

MAY 4 2001

Log for claim A29-00094A

Spatial Dynamics LTD

9/8/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06s38e	26	NWNE	21	24	Wrong tract in database?
06s38e	26	SWNE	31	29	
Totals:			52	53	

AJ5809NP
No. A29-00094A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/28/00
PAGE: 5

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WAYNE C PERKINS 850 KELLY TOPONCE RD BANCROFT ID 83217 (208) 648-7819	06/02/1905	IRRIGATION	04-15 09-15	1.040 CFS	
					TOTAL DIVERSION: CONSUMPTIVE USE:	1.040 CFS 130.00 AFA

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	:					31	:										31.0	
06S	39E	26	:			21	:												21.0	
																			TOTAL ACRES	52.0

POU County: CARIBOU

Non-Irrigation Uses: INCIDENTAL STOCKWATERING FOR 200 HEAD RANGE CATTLE

Other Rights: NONE

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

A29-00090A A29-00091A A29-00092A A29-00093A A29-00094B A29-00121 A29-00122 A29-00123 A29-00124 A29-00125
A29-10248 A29-10318 A29-10319 A29-10320

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

A29-00094

Remarks: GEN WEST SIDE CANAL COMPANY HAS BEEN DISBANDED. OWNERS OF WATER
THAT WAS DELIVERED THROUGH THE OLD SYSTEM HAVE AND AGREEMENT
TO CARRY THIS WATER THROUGH THE TOPONCE FEEDER CANAL.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 29

Field Inspection Flag:
Presumption Flag: D

Audit: 01/25/90 VERNER 04/04/94 THOMPSON 03/29/95 POST-STD

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: A29-00094A

Date Received: 1/25/1990

Receipt No: 6011858

Received By: SAI

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WAYNE C. PERKINS
Address: 850 KELLY TOPONCE RD.
BANCROFT, ID

208-648-7819

83217

2. Date of Priority: JUN 02, 1905

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 TOPANCE FEEDER CANAL. REDIVERSION PUMPS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	09/15	1.040		

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

A.F.A.

8. Total consumptive use is 130.0 Acre Feet Per Annum.

9. Non-irrigation uses:

INCIDENTAL STOCKWATERING FOR 200 HEAD RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	38E	26	SW	NE		IRR	31.0
	39E	26	NW	NE		IRR	21.0
	38E						52.0

Section Acres

A29-00094A

Page 1

Date: 01/25/90

MICROFILMED

NOV 13 1992

A2900094A

10. Place of Use: Continued

Total Acres 52.0

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:
NONE

14. Remarks:

WEST SIDE CANAL COMPANY HAS BEEN DISBANDED. OWNERS OF WATER
THAT WAS DELIVERED THROUGH THE OLD SYSTEM HAVE AND AGREEMENT
TO CARRY THIS WATER THROUGH THE TOPONCE FEEDER CANAL.

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 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): *Wayne C. Perkins* Date: 1/25/90
Date:

State of Idaho)
County of *Bannock*) SS.

Subscribed and sworn (or affirmed) before me this 25 day
of *January 25* 19 94
Seal

 [Signature]
Notary Public

Residing at *Idaho Falls, B.*
My Commission Expires 22 Aug 1994

P O R T I N E U E L

T 6 S

R 38 E

Spring
A&F-Ochoa

Point of Overlook

Canal

with 100 ft. 100 ft. 100 ft.
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

Ident. Number: A29-00094A
Date Received: 1-25-90
Receipt No: MOD5594
Received By: B

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ERMA M.. BANKS 208-648-7856
Address: 3229 BANKS RD.
BANCROFT, ID 83217

2. Date of Priority: MAY 02, 1905

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	SW	SE	SE		CARIBOU

5. Description of diverting works:
CARRIED TO PORT. RES. BY FEEDER CANAL, SIPHON ON DAM, 40HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	09/15	2.000		

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

8. Total consumptive use is 1312.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lo	Use	Acres
06S	38E	24	NE	NE		IRR	4.0
			SE	NE		IRR	20.0
Section Acres							24.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres			
06S	39E	19	NE		NW		IRR	5.0			
			NW		NW		IRR	5.0			
			SW		NW		IRR	40.0			
			SE		NW		IRR	40.0			
			NE		SW		IRR	40.0			
			NW		SW		IRR	26.0			
			SW		SW		IRR	4.0			
			SE		SW		IRR	40.0			
			NW		SE		IRR	14.0			
			SW		SE		IRR	40.0			
			SE		SE		IRR	40.0			
										Section Acres	294.0
			30			NE		NE		IRR	40.0
NW		NE					IRR	40.0			
SW		NE					IRR	40.0			
NE		NW					IRR	40.0			
NW		NW					IRR	5.0			
SW		NW					IRR	4.5			
SE		NW					IRR	37.5			
							Section Acres	207.0			
							Total Acres	525.0			

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:

A29-10246, -00010, -07391, 24 MILE CREEK CANAL CO.

14. Remarks:

PLACE OF USE INCOMPLETE.

THIS CLAIM REPRESENTS A PORTION OF DECREED RIGHT 29-00094.
THIS RIGHT BELONGED TO THE WESTSIDE CANAL CO. WHICH IS DEFUNCT,
WE HAVE MAINTAIN THE USE OF OUR PORTION OF THIS WATER INITIALLY
UTILIZING A DITCH WHICH RAN AROUND AND UNDER THE DAM AND WHEN THE
DAM WAS RAISED A SIPHON WAS PUT ON THE DAM FOR OUR DIVERSION.
THE WATER WAS BROUGHT INTO THE RESERVOIR BY THE FEEDER CANAL
WHICH THE INITIAL CANAL(WESTSIDES) JOINS ALMOST IMMEDIATELY AFTER
DIVERTING FROM TOPONCE CREEK, SEE ATTACHED MAP OF INITIAL POINT

14. Remarks: Continued
OF DIVERSION.

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

UNION GRAIN & ELEVATOR CO.
Decree Plaintiff

vs

MC CAMMON 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 _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): X Ernie M. Banks Date: 1-25-90
_____ Date: _____

State of Idaho)
County of Caribou) ss.

Subscribed and sworn (or affirmed) before me this 25th day

of January 19 90

Seal

Anna Baumhoff
Notary Public

Residing at Anna Baumhoff, Notary Public
My Commission Expires Residing at Boise, Idaho
My Commission Expires December 7, 1994

2' 30"

416

540 000 FEET

418

112° 00'

42° 52' 30"

440 000
FEET

A29-06094A

4746

CHESTERFIELD 6 MI.

4745

T. 6 S.

T. 7 S.

4744

T6S
T7S

original POO

SW, SE, SE sec 33 6 S 38 E

44-38861-1000

$$\begin{array}{r} 31 \\ 32 \\ \hline 63 \end{array}$$

26/25

POINT OF REDUSSION
SIPHON DAM 2

Feeding Canal

Hydrex Springs

384 390