

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-134 V1

WATER RIGHT NUMBER: 29-134 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MAE TAYLOR PO BOX 27 BANCROFT, ID 83217 (208)648-7884
Original Owner	O MORIOTTO , ID
Original Owner	J BELLU , ID

Priority Date: 06/05/1906

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
PEBBLE CREEK	PORTNEUF RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15 to 9/15	1.200 CFS	
	<u>Total Diversion:</u>	1.200 CFS	

Location of Point(s) of Diversion

PEBBLE CREEK	NE1/4SE1/4SE1/4	Sec. 8, Twp 08S, Rge 38E, B.M.
CARIBOU County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	38E	4									2.2			28.0			30.0		60.2

Total Acres: 60.2

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

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1. Purpose of Use THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Comments:Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector:
 Water District Number: 29
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	11/4/2002 4:21:58 PM	rwarner			Active
Priority Date	11/4/2002 4:22:45 PM	rwarner			Active
POD	11/4/2002 4:23:17 PM	rwarner			Active
Source	11/4/2002 4:23:33 PM	rwarner			Active
POU	11/4/2002 4:23:49 PM	rwarner			Active
Use	11/4/2002 4:24:06 PM	rwarner			Active
Season	11/4/2002 4:30:54 PM	rwarner			Active
Quantity	11/4/2002 4:32:03 PM	rwarner			Active
Summary			11/04/2002	rwarner	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	11/4/2002 4:12:27 PM	rwarner	Edited shape boundary
POU	11/4/2002 4:14:03 PM	rwarner	Edited PLS
POD	11/4/2002 4:20:08 PM	rwarner	Edited point location

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-134 V1

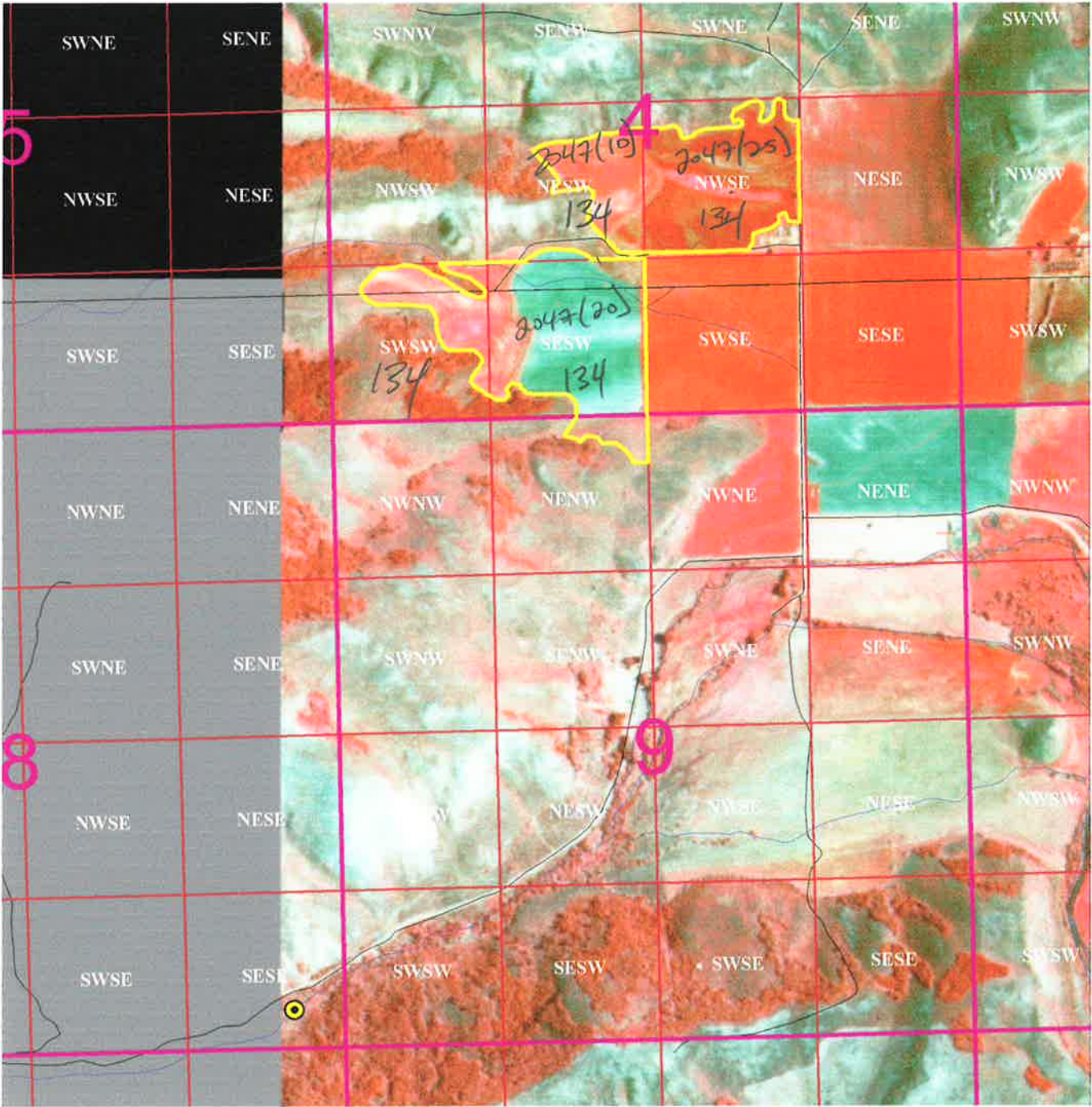
Contacts	11/4/2002 4:21:58 PM	rwarner	(No) 1. Do you want to schedule an appointment? Comment for 1: desktop review
Priority Date	11/4/2002 4:22:45 PM	rwarner	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	11/4/2002 4:23:16 PM	rwarner	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
Source	11/4/2002 4:23:32 PM	rwarner	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	11/4/2002 4:23:48 PM	rwarner	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
Use	11/4/2002 4:24:05 PM	rwarner	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-134 V1

Season	11/4/2002 4:30:54 PM	rwarnar	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 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? (No) 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) 18. Is a Period of Use remark and/or condition required?
Quantity	11/4/2002 4:32:03 PM	rwarnar	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required?
Summary	11/4/2002 4:32:43 PM	rwarnar	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (No) 7. Is this a split or combined right? (No) 8. Do you have documents you would like to attach or link to the file? (Yes) 9. Would you like to set the verification date?

Township , 8S38E



 Irrigated Area

 Place of Diversion

 Section Line

 Quarter Section Line

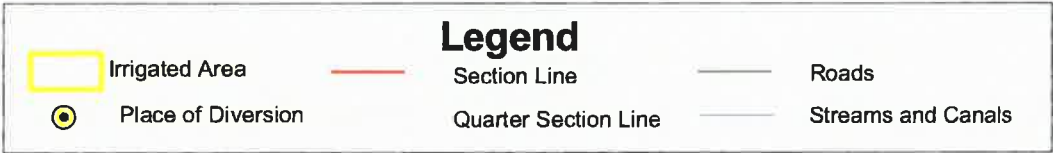
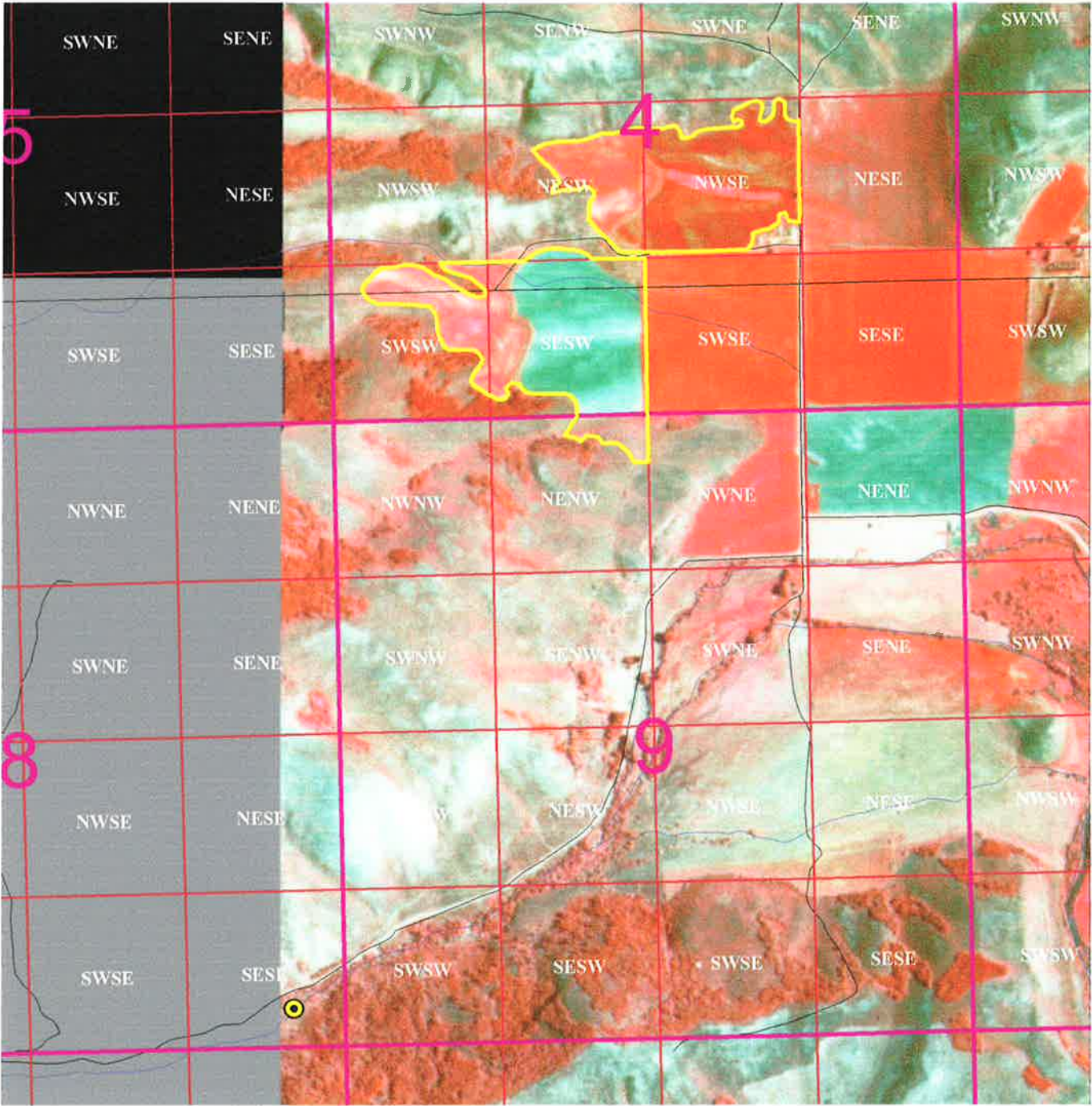
 Roads

 Streams and Canals

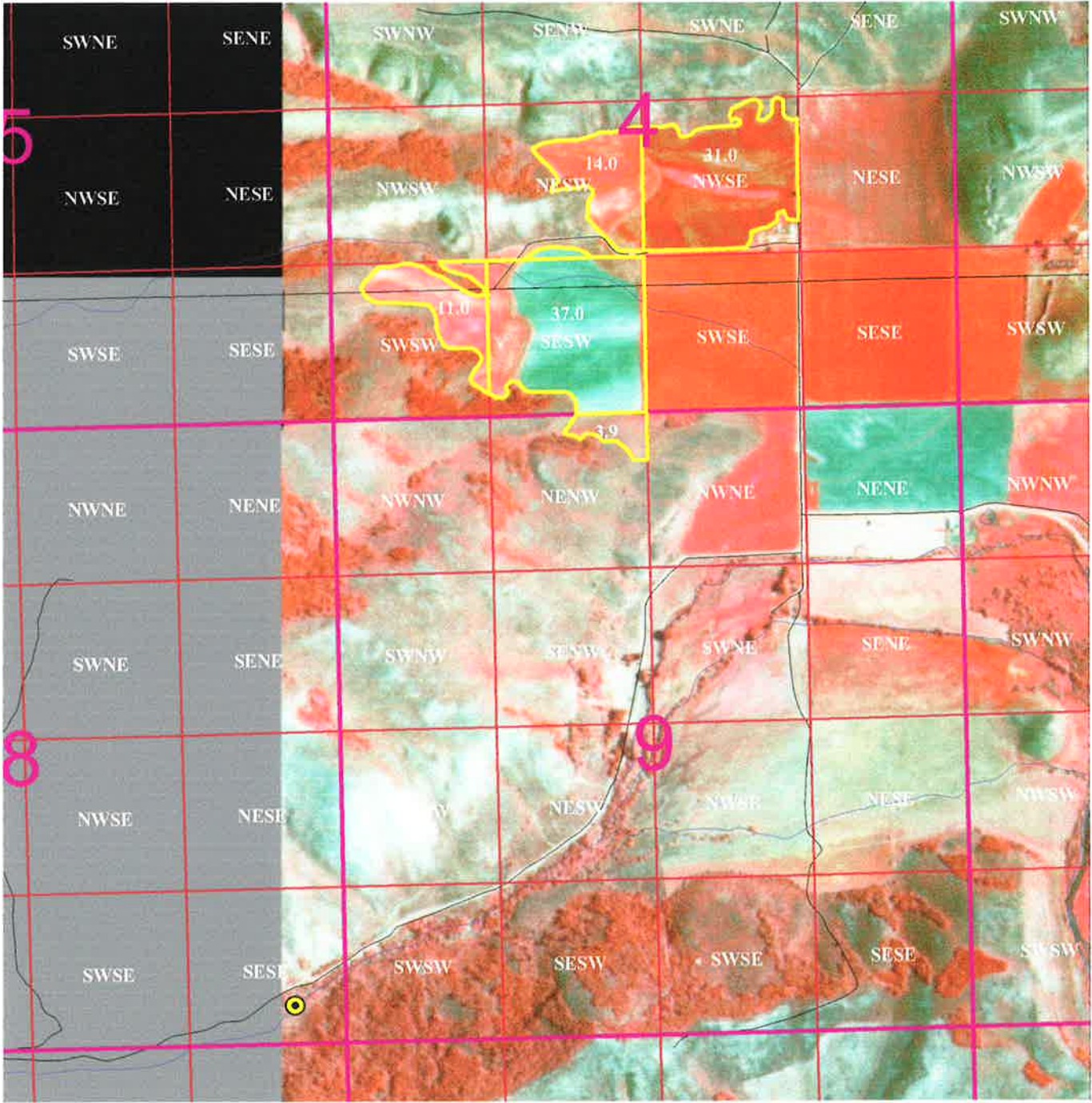
Legend



Township , 8S38E



Township , 8S38E



 Irrigated Area

 Place of Diversion

 Section Line

 Quarter Section Line

 Roads

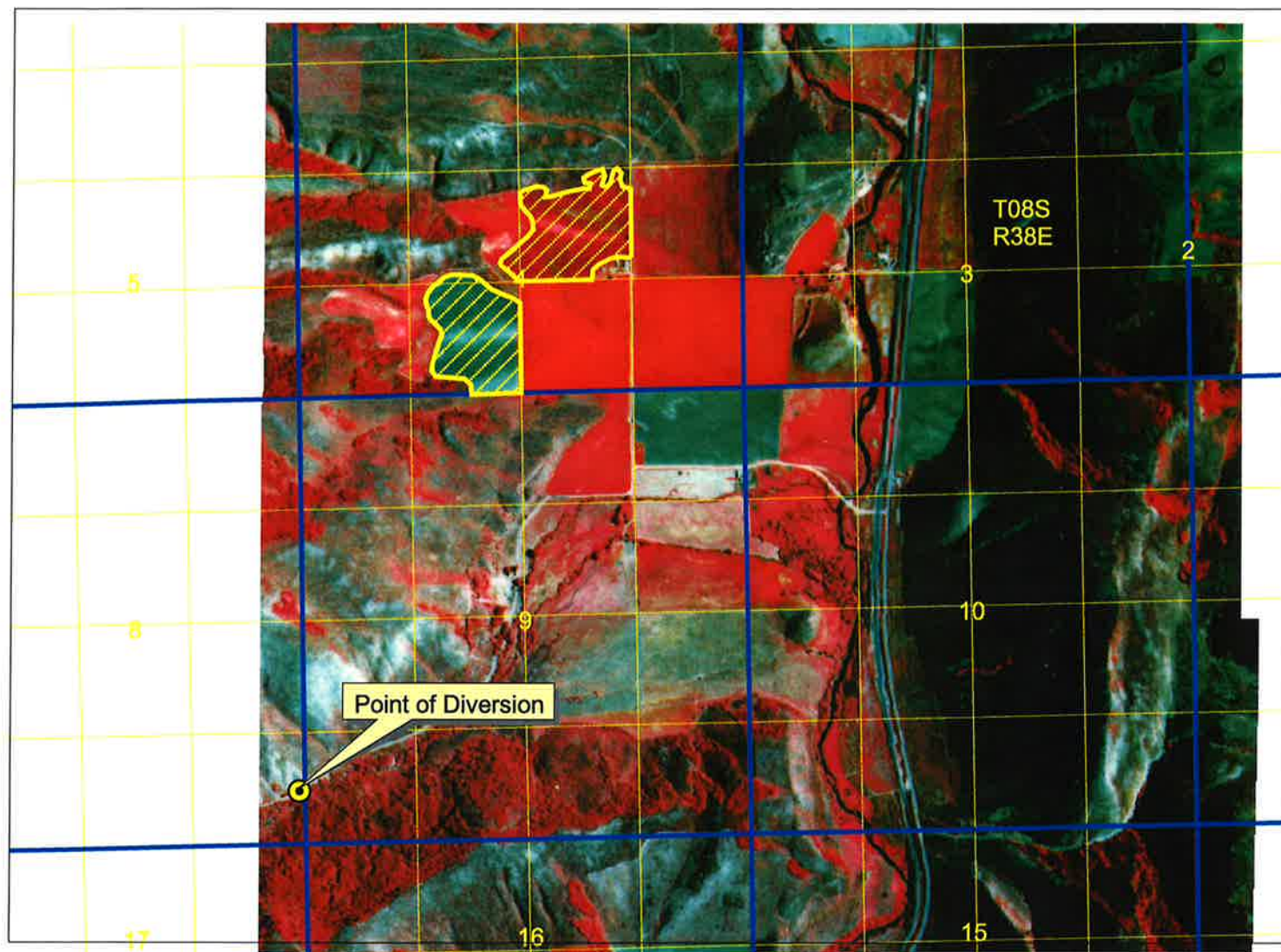
 Streams and Canals

Legend





State of Idaho
Department of Water Resources
Eastern Region
Claim No.: 29-134



0.5 0 0.5 1 Miles

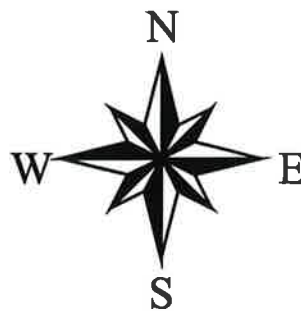
Irrigated Acres = 60

- **Diversion.shp**
-  **Place of use.shp**
-  **Sections**
-  **QQ**

PROFILED

SCANNED

JUN 29 2005



CRP-1 F Addendum
(03-21-06)U.S. DEPARTMENT OF AGRICULTURE
Commodity Credit Corporation1A. State Code
161B. County Code
029CRP-1 MODIFICATION TO EXTEND THE CONTRACT EXPIRATION
DATE FOR 3 Year2. Contract Number
617B3. Farm Number
0000476

4. TERMS TO EXTEND EXPIRATION DATE OF THE CRP-1 CONTRACT

This contract modification is entered into by the Commodity Credit Corporation (CCC) and the undersigned participant(s) of the Conservation Reserve Program (CRP) contract in Item 2 above.

By signing this contract modification, the participant(s) and CCC agree:

to extend the expiration date of the CRP contract identified in Item 2 above for the period from October 1, 2007 through September 30, 2010

to comply with the terms and conditions of the cited contract as contained in the corresponding CRP-1, CRP-1 Appendix, and any addendum thereto.

to extend the lifespan of all CRP practices established for the contract identified in Item 2 above for 3 years longer than indicated on AD-245, page 2 or for 3 years longer than was agreed to under other extension provisions.

that the benefits under this CRP-1 Contract for the extended period shall not be available to persons whose adjusted gross income exceeds \$2.5 million annually as determined under the standards set out in the regulations at 7 CFR part 1400 and provided for at 7 CFR 1410.44.

It is so agreed and understood.

Participant's Name (Printed) Mae E Taylor	Participant's Signature <i>Mae E Taylor</i>	Date (MM-DD-YYYY) 07/11/2006
Participant's Name (Printed)	Participant's Signature <i>By Patricia E. Dodson</i>	Date (MM-DD-YYYY) 07/11/2006
Participant's Name (Printed)	Participant's Signature	Date (MM-DD-YYYY)
Participant's Name (Printed)	Participant's Signature	Date (MM-DD-YYYY)

5. Signature of CCC Representative	Date (MM-DD-YYYY)	6. County FSA Office Name and Address (Including ZIP Code) CARIBOU COUNTY FARM SERVICE AGENCY 390 E HOOPER AVE SODA SPRINGS, ID 83276-1443 Telephone No. (Including Area Code): (208)547-4396
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NOTE: The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a) and the Paperwork Reduction Act of 1995, as amended. The authority for requesting the following information is 7 CFR Part 1410. The information will be used to modify the CRP-1 contract by extending the expiration date for 1 year. Furnishing the requested information is voluntary. Failure to furnish the requested information will result in loss of benefits. This information may be provided to other agencies, IRS, Department of Justice or other State and Federal Law enforcement agencies and in response to a court magistrate or administrative tribunal. The provisions of criminal and civil fraud statutes, including 18 USC 286, 287, 371, 641, 651, 1001, 15 USC 714m, and 31 USC 3729, may be applicable to the information provided.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0560-0125. The time required to complete this information collection is estimated to average 5 minutes per response including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

JUL 01 2011

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CRP-1
(01-30-97)U.S. DEPARTMENT OF AGRICULTURE
Commodity Credit Corporation

1. ST. & CO. CODE & C/D 16 029	2. SIGN-UP NUMBER 15
3. CONTRACT NUMBER 217	4. ACRES FOR ENROLLMENT 1220
5. FARM NUMBER 476	6. TRACT NUMBER(S) 1220
8. OFFER (Select one) STANDARD ENVIRONMENTAL PRIORITY	9. CONTRACT PERIOD FROM (M/D/Y) 10-1-97 TO (M/D/Y) 9-30-2007

CONSERVATION RESERVE PROGRAM CONTRACT

7. COUNTY OFFICE ADDRESS AND PHONE NO. (area code)

Caribou County FSA
159 E 2 S, #1
Soda Springs ID 83276

THIS CONTRACT is entered into between the Commodity Credit Corporation (referred to as "CCC") and the undersigned owners, operators, or tenants (who may be referred to as "Owner", "Operator", and "Tenant", respectively) on the farm identified above. The undersigned person or persons may hereafter collectively be referred to as "the Participant." The Participant agrees to place the designated acreage into the Conservation Reserve Program ("CRP") for the stipulated contract period from the date the Contract is executed by the CCC or other use set by CCC. The Participant also agrees to implement on such designated acreage the Conservation Plan developed for such acreage and approved by the CCC and the Participant. Additionally, the Participant and CCC agree to comply with the terms and conditions contained in this Contract including the Appendix to this Contract, entitled Appendix to CRP-1, Conservation Reserve Program Contract (referred to as "Appendix"). By signing below, the Participant acknowledges that a copy of the Appendix for the applicable sign-up period has been provided to such person. Such person also agrees to pay such liquidated damages in an amount specified in the Appendix if the Participant withdraws prior to CCC acceptance or rejection. The terms and conditions of this contract are contained in this Form CRP-1 and in the CRP-1 Appendix and any addendum thereto. BY SIGNING THIS CONTRACT PRODUCERS ACKNOWLEDGE RECEIPT OF THE FOLLOWING FORMS: CRP-1; CRP-1 Appendix and any addendum thereto; CRP-2; and if applicable, CRP-15 and CRP-1 Continuation.

10. OFFER FOR PERMISSION TO ALLEY CROP

In order to participate in CRP under CP19, Alley Cropping, I/we submit an offer of \$ N/A per acre reduction, from the amount specified in item 11A, in the annual rental payments for permission to produce agricultural commodities on eligible acres in accordance with the provisions for alley cropping set out in the applicable regulations. I/we understand that for each year of the CRP contract the annual rental payment will be reduced by the amount agreed to above, which reduction must be a reduction of at least 50 percent in the annual rental payment.

11A. Rental Rate Per Acre	\$ 40.00	12. Identification of CRP Land				
B. Annual Contract Payment	\$ 3,756.00	A. Tract No.	B. Field No.	C. Practice	D. Acres	E. Total C/S
C. First Year Payment	\$	1220	1	CP10	11.2	0
(Item 11C applicable only to continuous signup when the first year payment is prorated.)		1220	2	CP10	32.2	0
		1220	3	CP10	2.5	0

13. OWNERS, OPERATORS, AND TENANTS

A. OPERATOR NAME AND ADDRESS Mae E. Taylor Bancroft, Idaho 83217	100 %	SOCIAL SECURITY NUMBER 238 14 2994	SIGNATURE <i>Mae E. Taylor</i>	DATE 3/24/97
B. OWNER NAME AND ADDRESS		SOCIAL SECURITY NUMBER	SIGNATURE	DATE
C. NAME AND ADDRESS	%	SOCIAL SECURITY NUMBER	SIGNATURE	DATE
	%	SOCIAL SECURITY NUMBER	SIGNATURE	DATE

14. CCC USE ONLY - Payments according to the shares are approved. SIGNATURE OF CCC REPRESENTATIVE DATE

NOTE: The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a) and the Paperwork Reduction Act of 1995, as amended. The authority for requesting the following information is the Food Security Act of 1985, (Pub. L. 99-198), as amended, and regulations promulgated at 7 CFR PART 1410 and the Internal Revenue Code (26 USC 6109). The information requested is necessary for CCC to consider and process the offer to enter into a Conservation Reserve Program Contract, to assist in determining eligibility, and to determine the correct parties to the contract. Furnishing the requested information is voluntary. Failure to furnish the requested information will result in determination of ineligibility for certain program benefits and other financial assistance administered by USDA agency. This information may be provided to other agencies, IRS, Department of Justice, or other State and Federal Law enforcement agencies, and in response to a court magistrate or administrative tribunal. The provisions of criminal and civil fraud statutes, including 18 USC 286, 287, 371, 651, 1001; 15 USC 714m; and 31 USC 3729, may be applicable to the information provided.

Federal Agencies may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. Public reporting burden for this collection of information is estimated to average 4 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Agriculture, Clearance Officer, OIRM, (OMB No. 0560-0125), STOP 7630, Washington, D.C. 20250-7630. RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.

This program or activity will be conducted on a nondiscriminatory basis without regard to race, color, religion, national origin, age, sex, marital status, or disability.

☐ Original - County Office Copy ☐ Owner's Copy ☐ Operator's Copy ☐ NRCS Copy

JUN 29 2005

COPY

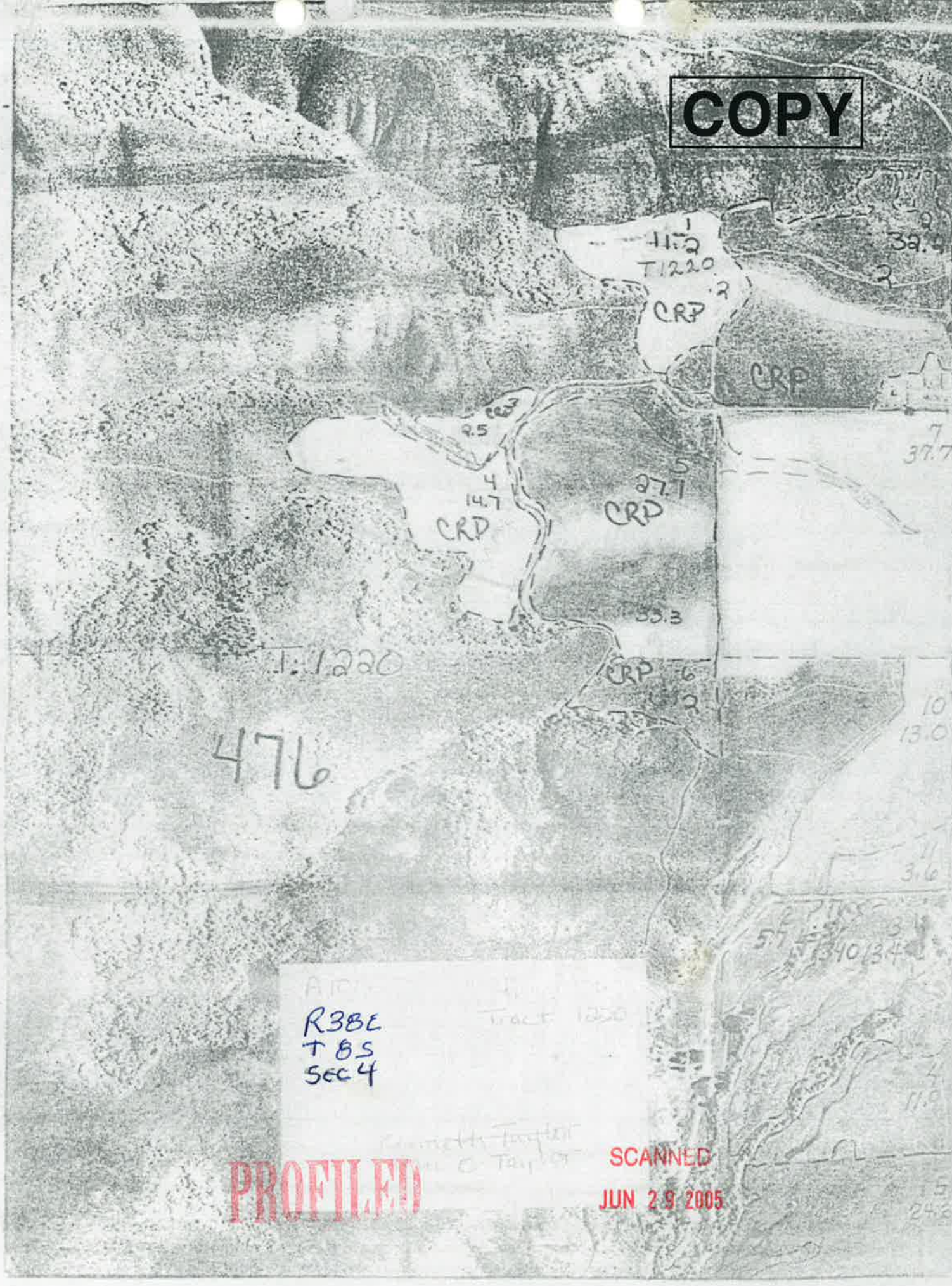
476

T: 1220

R38E
T 8S
SEC 4

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JUN 29 2005



the Northwest quarter of the Southwest quarter of Section 10, Township 8 South, Range 38 E.B.M.

29 0133 ✓
100. CORBETT, J. FRED
1906 June 5. .7 c.f.s.

Said water to be diverted through a ditch having intake North 16 degrees 35 minutes West 671 feet from the Southwest quarter corner of Section 9, Township 8 South, range 38 E. B. M.; and also through another ditch having intake 40 degrees West, 1688 feet from the Southwest corner of the Southeast quarter of said Section 9, same Township and Range, for the irrigation of the Southwest quarter of the Southwest quarter, of Section 3, Township 8 South, Range 38 E.B.M.

29 0134 ✓
101. BELLU, J. and
MORIOTTO, O.
1906 June 5. 1.2 c.f.s.

Said water to be diverted through a ditch having intake at a point North 16 degrees 35 minutes West 671 feet from the Southwest corner of Section 9, Township 8 South, Range 38 E.B.M., for the irrigation of the Northwest quarter of the Southeast quarter; the East half of the Southwest quarter, the Southwest quarter of the Southwest quarter of Section 4, Township 8 South, Range 38, E. B. M.

40
80
40
160

29 0135 ✓
102. SMITH, JOSEPH A.
1907 Mar. 27. 2.6 c.f.s.
29 0136 ✓
1912 Jun. 1 1.4 c.f.s.

Said water to be diverted through a ditch having intake North 27 degrees 15 minutes West, 1331 feet from the South quarter corner, Section 9, Township 8 South, Range 38 E.B.M., for the irrigation of the South half of the Northeast quarter, and the Southeast quarter of Section 21; the West half of the Northeast quarter and the East half of the Northwest quarter of Section 28, Township 8 South, Range 38 E. B. M.

29 0137 ✓
103. MOSS, COMMODORE EARL
1907 March 27 1 c.f.s.

Said water to be diverted by means of a ditch, having intake North 27 degrees 15 minutes West, 1531 feet from the South quarter corner of Section 9, Township 8 South, Range 38 E. B. M., for the irrigation of the Southwest quarter of the Southwest quarter of Section 10; the West half of the Northwest quarter and the Northeast quarter of the Northwest quarter, Section 15, Township 8 South, Range 38 E.B.M.

29 0138 ✓
104. HOUTZ, KARL D.
1908 June 1. 2.5 c.f.s.

Said water to be diverted through a ditch having intake West bank of Pebble Creek at a point in the Southwest quarter of the Southwest quarter of Section 36, Township 7 South, Range 37 E.B.M. for the irrigation of the East half of the Northwest quarter; the Southwest quarter of the Northeast quarter and the Northwest quarter of the Southeast quarter, Section 1, Township 8 South, Range 37 East B. M.

PROFILE

SCANNED

JUN 29 2005

MAY 15 1996

SCANNED

MAY - 4 2001

Log for claim A29-00134

Spatial Dynamics LTD

6/8/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
08s38e	4	NESW	11	14	
08s38e	4	SWSW	10	11	
08s38e	4	SESW	33	37	
08s38e	4	NWSE	30	31	
08s38e	9	NENW	5	3.9	Indiscernible
Totals:			89	96.9	



660 sarker

+

1

1/2
CRP 165
1988-1997
HEL

2
32.2
2 CRP 165
1988-1997

HEL

CRP 165
2.5 888-1997

HEL 4
CRP 165
1988-1997

HEL 5
27.1

7
37.7
HEL

5/4
8/9

1220

476

HEL 6
CRP 165
6.2

13.0

10
13.0
HEL

11
3.6

2
5.7

3
13.4

4
11.9

AJ5809NP
No. A29-00134

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/21/00
PAGE: 39

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MAE TAYLOR RT 1 BANCROFT ID 83217 (208) 648-7884	06/05/1906	IRRIGATION	04-15 09-15	1.200 CFS	
				TOTAL DIVERSION: CONSUMPTIVE USE:	1.200 CFS	226.50 AFA
	Water Source: PEBBLE CREEK		Tributary to: PORTNEUF RIVER		Stage: DECREED	

AJ5809NP
No. A29-00134

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/21/00
PAGE: 40

Point(s) of Diversion: T08S R38E S08 NESESE CARIBOU County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE																				
T	R	S	NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE		SUM
			Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac			
08S	38E	4	:		:		:		:		:		:		:		:		:		:		:		:		:		:		:		:	85.1	
08S	38E	9	:		:		:		:		:		:		:		:		:		:		:		:		:		:		:		:	5.5	
			:		:		:		:		:		:		:		:		:		:		:		:		:		:		:		:	TOTAL ACRES	
			:		:		:		:		:		:		:		:		:		:		:		:		:		:		:		:	90.6	

POU County: CARIBOU

Other Rights: A29-02047

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-00131 A29-00133 A29-02047 A29-02048

Other Water Rights Listing Overlapping Place(s) of Use:
A29-02047

Remarks: GEN THESE LANDS ARE CURRENTLY IN CRP AND WILL REMAIN UNTIL THE
IRRIGATION SEASON OF 1998.

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

Misc: Water District Number: 29 Field Inspection Flag:
Presumption Flag:

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

SEP 22 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Eastern District Office

Application for Extension of Time to Avoid Forfeiture of a Water Right

Section 42-222 of the Idaho Code provides that a water right shall be lost and forfeited and the water revert to the state upon the failure of a water user to apply the water to beneficial use for a period of five (5) years. The Director may allow an additional five (5) year period of non-use without forfeiture upon a showing of reasonable cause.

Complete fully the following application and submit it to the Department of Water Resources, Statehouse, Boise, Idaho, 83720, with the statutory fee of \$30.00 if the application involves 0.2 cfs or 20 acre feet or \$50.00 if in excess of these amounts.

1. Name of water right holder Kenneth R. Taylor
Post office address Bancroft, Idaho 83217
2. The right was obtained or is evidenced by:
a. Decree to J. Bellu in Case of Union Grain & Elevator Co.
(Name)
vs. M^cCammon Ditch Co. Et al Dated 6-Aug.-1932 in Fifth Judicial District
(Name of Court)
Court, County of Bannock. Fully describe decree #29-0134
- b. License No. _____ issued by the Department of Water Resources.
c. Claim No. _____ on file with the Department of Water Resources.
3. Source of water Pebble Creek tributary to Portneuf River
(Name of stream or source)
4. Date of priority of right 5 - June - 1906
5. Amount of water a. 1.2 c.f.s. and/or
b. _____ acre feet/annum
6. Water is used for Irrigation from April, 1 to November 1
from _____ to _____
from _____ to _____
(Purpose) (Month-Day) (Month-Day)
7. Location of point of diversion is SE 1/4 SE 1/4 of Section 8
Township 8S, Range 38E, B.M., in Caribou County;
Additional points of diversion, if any _____
8. Lands irrigated or place of use: _____

[illegible]

Total number of acres irrigated 60

9. Give last date when water was applied to beneficial use 1987 irrigation season
Length of extension of time requested 10 years, or until 1997 irrigation season
(Date)
10. Explain fully your reasons for requesting an extension of time within which to resume the use of your water right and reasons for non-use We have put the land under this right into the Federal C.R.P. program (10 year set-aside) and will not need the water during the next ten years. Domestic use from this source will be continued.

I hereby assert that no one will be injured by such extension. The information contained in this application is true to the best of my knowledge.

Kenneth R Taylor
(Signature of Applicant)

Subscribed and sworn to before me this 21st day of September, 19 87.

Donald A. Kiverton
(Notary Public)

My commission expires 3-11-93

Residing at Laurel Hill Springs

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined this application for extension of time within which to resume the use of a water right and I hereby APPROVE said application subject to the following conditions or reasons.

Beneficial use of water under this right shall resume on or before November 1, 1998.

Witness my hand this 23rd day of December, 19 87.

RECORDED

FEB 25 1988

J. Glen Sayton
Chief, Operations Bureau

For Department Use Only

Received by dg Date 9-23-87 Time 1:10p Preliminary check by dg
Fee \$ 30.00 Receipted by dg Date 9-23-87 Publication prepared by dg
Published in ID State Journal; protest date 10-19-87 Dates 10-1 + 10-8-87
Publication approved by dg Date 10-15-87 Protests filed by:

Copies of protests forwarded by Hearing held by Date
Recommended for // Approval // Denial by Jim

UNION GRAIN & ELEVATOR COMPANY, a corporation
Plaintiff,

-vs-

McCammon Ditch Co., a corporation, defendants

McCammon Ditch Company, a corporation; Portneuf Irrigating Company,
a corporation; Sunnyside Ditch Company, a corporation; Topaz Irriga-
tion Company, a corporation; Dempsey Irrigation Company, a corpora-
tion; Toponce Canal Company, Limited, a corporation; Portneuf-Marsh
Valley Canal Company, Limited, a corporation; Portneuf Marsh Valley
Irrigation Company, a corporation; Oregon Short Line Railroad Company,
a corporation; Elizabeth Kinport, Administratrix of the estate of
Harry B. Kinport, deceased; George Goodenough, William Lewis, Edward
Murphy, C. C. Peoples, Charles West, A. J. Knollin, W. A. Hibner, An-
drew Cutler, W. A. Barron, George Romriell, Frank Warner, John Symons,
Joseph Simons, S. J. Palmer, W. W. Cooper, John Hall, Roe White, Wil-
lard Bell, Patrick Bell, J. E. Dunn, Charles J. McGuinn, Leslie Gil-
lett, and Fish Creek Irrigating Company, a co-partnership composed of
John Hall, Charles J. McGuinn, Frank C. Potter, J. F. Dunn and J. A. Eldredge,
spoken of as Defendants.

The following parties were upon application of the attorneys for
the plaintiff, by reason of the statute in such cases made and provided,
afterwards brought in as parties defendant in order that a complete
determination of the controversy could be had, to-wit:

Roy Faulkner, Kepler Sessions, Thomas J. Nipper, Stephen Grimm, George
John, Emmel Byington, Frank Reed, Smith Ranch (Donald Monson and R.
Monson), Charles Byington, James Byington, Noah Reese, Tom Hallinan,
George A. Whitworth, J. T. Gittens, George Lewis, Joseph Cutler, Thomas
E. Orgill, John Gooch, Fred Johnson, Ira Call, C. V. Call, Chris Call,
Carl Loveland, Josiah Loveland, David Butterfield, Andrew Butterfield,
Osmond Call, Earl Holbrook, Chester Call Estate (Sarah Call, Adminis-
tratrix), Arthur Naylor, Bryant Perkins, Parley Jensen, Forest Cornel-
ison, West Side Canal Co., a corporation, I. E. Thompson, Ben D. Jen-
sen, George Brangham, Jas. A. Eldredge, John Gooch, Robert Redford,
Alma Hogan, Joseph Purvis, Dave Butterfield, Thomas J. Nipper, Thomas
J. Nipper, M. Whitworth, John Whitworth, Neal Williams, J. Buckindorf,
J. F. Corbett, Peter Zadron, Joseph Smith, Earl Moss, E. J. Dolbeer,
Hall City Ditch, a co-partnership composed of C. J. McGuinn, Rebecca
Warner, A. W. Hall, John Hall Estate, Thomas F. Terrell, Mrs. J. G.
Bristol, Leslie Sharp, Lew White, Leslie Bowden, James Kofod, David
Aslett, James C. Allen, Mrs. Anna Norton, Lee Merrick, Rebecca Warner,
John Potter, George Harrison, A. M. Boyce, J. H. Maughn, G. H. Maughn,
F. D. Faght, Nephi Hemmingway, F. V. Briscoe, Clarence Avery, John
N. Avery, John Byington W. R. Godfrey, Alonzo Avery, Jesse Avery,
J. M. Jensen, W. Deo Jensen, Claud Jensen, Arthur Roswell, H. A. Wed-
dell, Ray Bloxum, Charles Strom, Joseph Bell, Herbert Byington, John
Ramsey, H. K. Ward, C. F. Potter, Adrian Campbell, Ira Byington, Alfred
Baker, Charley Bell, Ernest Byington, D. A. Monroe Martin, O. K. Exum,
A. A. Kofod, Tom Harper, Brady Stolpe, Spencer Godfrey, A. B. Cheney,
Bert Lish, Archie Lish, James Higgins, John M. Fairchilds,
Foster, Edward Wilmore, Edgar Beebe, James T. Benson, Arthur Fopront, Ray
Kedley, James Roddy, George Chapman, D. K. Merrick, L. S. Wight, Leo

plaintiff and defendants herein, and counsel for
revelved by and on behalf of the

FEB 25 1988

the Northwest quarter of the Southwest quarter Section 10, Township 8 South, Range 38 E.B.M.

29 0132

100. CORBETT, J. FRED
1906 June 5.

.7 c.f.s.

Said water to be diverted through a ditch having intake North 16 degrees 35 minutes West 671 feet from the Southwest quarter corner of Section 9, Township 8 South, range 38 E. B. M.; and also through another ditch having intake 40 degrees West, 1688 feet from the Southwest corner of the Southeast quarter of said Section 9, same Township and Range, for the irrigation of the Southwest quarter of the Southwest quarter, of Section 3, Township 8 South, Range 38 E.B.M.

29 0134

101. BELLU, J. and
MORIOTTO, O.
1906 June 5.

1.2 c.f.s.

Said water to be diverted through a ditch heving intake at a point North 16 degrees 35 minutes West 671 feet from the Southwest corner of Section 9, Township 8 South, Range 38 E.B.M., for the irrigation of the Northwest quarter of the Southeast quarter; the East half of the Southwest quarter, the Southwest quarter of the Southwest quarter of Section 4, Township 8 South, Range 38, E. B. M.

102/SMITH, JOSEPH A.

29 0135 1907 Mar. 27.
29 0136 1912 Jun. 1

3.6 c.f.s.

1.4 c.f.s.

Said water to be diverted through a ditch having intake North 27 degrees 15 minutes West, 1331 feet from the South quarter corner, Section 9, Township 8 South, Range 38 E.B.M., for the irrigation of the South half of the Northeast quarter, and the Southeast quarter of Section 21; the West half of the Northeast quarter and the East half of the Northwest quarter of Section 28, Township 8 South, Range 38 E. B. M.

103.MOSS, COMMODORE EARL

29 0137 1907 March 27

1 c.f.s.

Said water to be diverted by means of a ditch, having intake North 27 degrees 15 minutes West, 1531 feet from the South quarter corner of Section 9, Township 8 South, Range 38 E. B. M., for the irrigation of the Southwest quarter of the Southwest quarter of Section 10; the West half of the Northwest quarter and the Northeast quarter of the Northwest quarter, Section 15, Township 8 South, Range 38 E.B.M.

104. HOUTZ, KARL D.

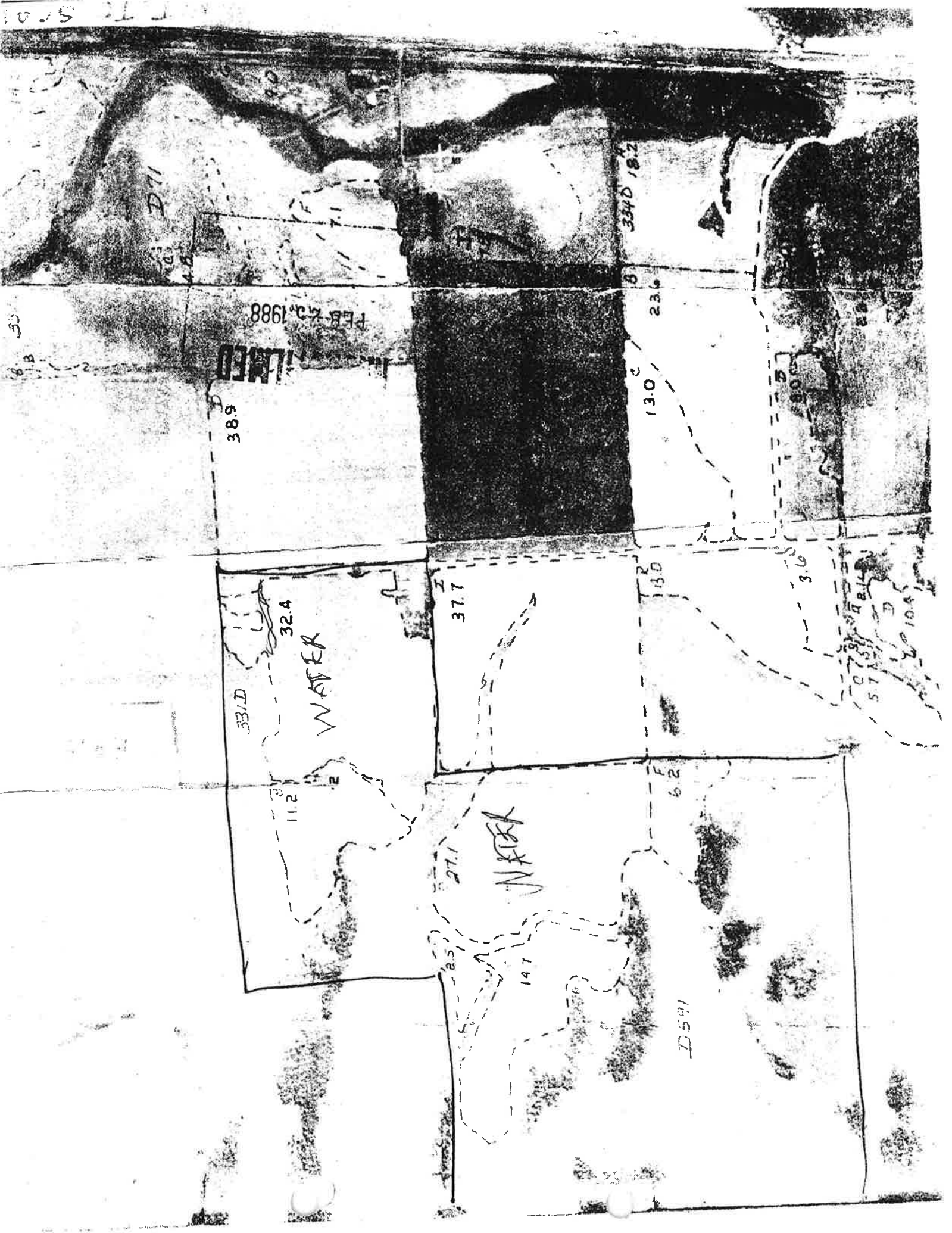
29 0138 1908 June 1.

2.5 c.f.s.

Said water to be diverted through a ditch having intake West bank of Pebble Creek at a point in the Southwest quarter of the Southwest quarter of Section 36, Township 7 South, Range 37 E.B.M. for the irrigation of the East half of the Northwest quarter; the Southwest quarter of the Northeast quarter and the Northwest quarter of the Southeast quarter, Section 1, Township 8 South, Range 37 East B. M.

RECEIVED

FEB 25 1988



Elden R. Moore
Caribou County Assessor
Caribou County Courthouse
159 S. Main
Soda Springs, ID 83276

THIS IS NOT A BILL

000000026700

CATEGORY DESCRIPTION	LOTS/ACRES	MARKET VALUE
03 NON-IRRIGATED AG	102.00	18,415
05 DRY GRAZING	57.00	3,111
10 HOMESITE VALUE CAT		4,050
31 IMP ON CAT 10 (RES		9,347
32 NONRESIDENTIAL IMP		3,080
58 FARM MACH/TOOLS/EG		4,000

**1986 TAXPAYERS
VALUATION ASSESSMENT NOTICE**

Taxes are based on the valuation
listed on this statement

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

Mail To:

TAYLOR, KENNETH R
ROUTE #1, BOX 1600

BANCROFT

ID 83217-0000

TOTALS* 159.00 42,003

NE1/4SW1/4, S1/2SW1/4, TAX 2
159.24 AC SEC 4 T8S-R38E

MICROFILMED

FEB 25 1988

PROPERTY ADDRESS

PARCEL NO. 000000026700 TAX CODE 5

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

Sandra K. Herald

NOTICE OF APPLICATION FOR
EXTENSION OF TIME TO AVOID
FORFEITURE OF WATER RIGHT
Notice is hereby given that Kenneth R.
Taylor, Bancroft, Idaho, has filed an
application for extension of time to avoid
forfeiture of a Decree No. 29-0134.
The decree was issued for 1.2 cfs of water
from Pebble Creek tributary to Portneuf
River with the point of diversion within
the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8, T. 8S, R. 38E, B.M.,
Caribou County, for irrigation purposes of
59 acres, with a priority of June 5, 1906, to
be used within the S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 4, T. 8S,
R. 38E., B.M.
Sec. 42-222, Idaho Code provides that a
water right shall be lost and forfeited and
the water revert to the state upon failure
to apply water to beneficial use for a
period of five years. The State may allow
an additional five year period of non-use
without forfeiture upon a showing of
reasonable cause. The license holder has
applied for this extension while the land
is temporarily in the Federal C.R.P.
Program.
Any protest against the granting of this
extension may be filed with the Idaho
Department of Water Resources, 150
Shoup Ave., Suite 15, Idaho Falls, Idaho
83402 on or before October 19, 1987.
S/R. Keith Higginson
Director
October 1, 8, 1987
No. 930

being first duly sworn on oath deposes and says: That she
was at all times herein mentioned a citizen of the United States of Ameri-
ca, more than 21 years of age, and the Principal Clerk of THE IDAHO
STATE JOURNAL, a daily newspaper, printed and published at Pocatello,
Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was
published in the said IDAHO STATE JOURNAL, on the following dates,
to-wit:

<u>October 1</u>	<u>19 87</u>	<u>19</u>
<u>October 8</u>	<u>19 87</u>	<u>19</u>
<u> </u>	<u>19</u>	<u>19</u>
<u> </u>	<u>19</u>	<u>19</u>
<u> </u>	<u>19</u>	<u>19</u>

That said paper has been continuously and uninterruptedly published
in said County for a period of seventy-eight weeks prior to the publication
of said notice or advertisement and is a newspaper within the meaning
of the laws of Idaho.

Sandra K. Herald

Subscribed and sworn to before me this 9th

day of October, 19 87

Jim L. Larsen

Notary Public, State of Idaho
Residence: Pocatello, Idaho

RECEIVED
OCT 13 1987

Department of Water Resources
Eastern District Office

RECEIVED
FEB 25 1988

Old (D) Number -

+ - - - - - Address - - - - - +

```

-
2 -
3 -
City-                State-        Zip-
Phone -
1 -
2 -
3 -
City-                State-        Zip-
Phone -

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Source	Tributary
PEBBLE CREEK	PORTNEUF RIVER

08S 38E 8 SE SE (29) CARIBOU

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

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
08S	38E	4	NE SW			01	IRRIGATION	(29) CARIBOU
08S	38E	4	SW SW			01	IRRIGATION	(29) CARIBOU
08S	38E	4	SE SW			01	IRRIGATION	(29) CARIBOU
08S	38E	4	NW SE			01	IRRIGATION	(29) CARIBOU

+ - - - - -	Remarks	+ - - - - -
P/U INCOMPLETE.		

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT

01/24/90 16:48:11
Page 2

Water right number - 29-00134

Adj. flag translation: Standard Water Right Number

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

+ - - - - Decree Plaintiff - - - +
UNION GRAIN & ELEVATOR CO.

+ - - - - Decree Defendant - - - +
MCCAMMON DITCH CO. ET. AL.

+ - Decree Date - +
08/06/1932

+ - - Audit Fields - 12/09/85

05/22/88 CONVERT

+ - - - - Water Rights Dates and Flags Area - - - - -

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 12/09/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 29
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 08/06/1932				

DO NOT FILM

TITLE
OF
CASE

vs McCammon Ditch Co., et al, defendants.
applies from Portneuf-Marsh Valley Reservoir to McCammon

WATER DIST. 29

COUNTY Lannock

JUDICIAL DIST. 5th

JUDGE O. R. Baum

DATE OF DECREE Dec. 4, 1922

RECORDED
IN BOOK NO. 4 AT PAGE NO. 292 FILE NO. 529

EN.	DN.	DECEDED OWNER	NAME	PRESENT OWNER	AMT. INCHES SEC. FT.	PRIORITY	DIVERSION SUBDIV.	SEC.	TWR.	RB.	REMARKS, LAND TO BE IRRIGATED, ETC.	C.T.
29	121	A. J. Knollin	Deles Perkins	Trans. #525	(.48)	7-1-82	NE NW	35	6S	38E	NE SW, NW SE, Lot 3, SE SW, SW SE, Lot 4, Sec 25, TP 6S, R 38E. Lot 1, Lot 2, Sec 36, TP 6S, R 38E	.48
29	122	A. J. Knolling	Deles Perkins	"	(.72)	6-17-02	NE NW	35	6S	38E	" " " " " " " " " " " " " " " "	1.20
29	123	A. J. Knollin	Deles Perkins	"	(1.1)	7-1-03	NE NW	35	6S	38E	" " " " " " " " " " " " " " " "	2.30
29	124	A. J. Knollin	Deles Perkins	"	(2.68)	7-1-08	NE NW	35	6S	38E	" " " " " " " " " " " " " " " "	4.98
29	125	A. J. Knollin	Deles Perkins	"	(1.09)	6-1-10	NE NW	35	6S	38E	" " " " " " " " " " " " " " " "	6.06
											see sheet No. 8a for transfer	
29	126	Thomas J. Nipper			1.0	6-17-02	SW SW	14	7S	38E	Lot 4, SW SE, SE SE, Sec 18; Lots 1&2, NW NE, NE NE, SW NE Sec 19, TP 7S, R 39E	1.0
29	127	Michael Whitworth			.40	6-18-02	SW SE	14	7S	38E	3 1/2 NE, Sec 23; 3 1/2 NW, Sec 34, TP 7S, R 38E	1.40
29	128	E. F. Kelly			.40	6-18-02	SW SE	14	7S	38E	N 1/2 SE, Sec 23; N 1/2 SW, Sec 24, TP 7S, R 38E	1.80
29	129	John T. Whitworth			.40	6-17-02	NE SW	11	7S	38E	SE NE, Sec 11, TP 7S, R 38E	.40
29	130	Elizabeth Kimport Denton			3.1	6-17-02	SW NE	9	8S	38E	NE NE, Sec 9; W 1/2 NW, Sec 10, TP 8S, R 38E	3.1
29	131	Joseph E. Corbett			3.17	6-25-02	SE SE	8	8S	38E	E 1/2 SE, SW SE, Sec 4; NW NE, Sec 9, TP 8S, R 38E	6.27
29	132	E. F. Shore			3.0	6-25-02	NE SW	9	8S	38E	SW NE, N 1/2 SE, S 1/2 SE, Sec 9; NW SW Sec 10, TP 8S, R 38E	9.27
29	133	Fred J. Corbett			.7	6-5-06	SE SE	8	8S	38E	SW SW, Sec 3, TP 8S, R 38E	9.97
29	134	J. Bellu & Moriotto	O. Bellu		1.2	6-7-06	SE SE	8	8S	38E	NW SE, E 1/2 SW, SW SW, Sec 4, TP 8S, R 38E	11.17
29	135	Joseph A. Smith			3.6	3-27-07	SW	9	8S	38E	1 1/2 NE, SE, Sec 21; 1 1/2 NE, E 1/2 NW, Sec 28, TP 8S, R 38E	14.17

NOV 13 1932

MICROFILMED

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: A29-00134
Date Received: 1-25-90
Receipt No: A005587
Received By: JB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MAE TAYLOR 208-648-7884
Address: RT. 1
BANCROFT, ID 83217

2. Date of Priority: JUN 05, 1906

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	38E	8	NE	SE	SE		CARIBOU

5. Description of diverting works:
DAM TO DITCH, PUMP TO HANDLINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	09/15	1.200		

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

8. Total consumptive use is 226.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	38E	4	NE	SW		IRR	11.0
			SW	SW		IRR	10.0
			SE	SW		IRR	33.7
			NW	SE		IRR	30.4

Section Acres 85.1

A29-00134

Page 1

Date: 01/25/90

MICROFILMED
NOV 13 1992

A2900134

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	38E	9	NE	NW		IRR	5.5
Section Acres							5.5
Total Acres							90.6

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:
A29-02047

14. Remarks:
THESE LANDS ARE CURRENTLY IN CRP AND WILL REMAIN UNTIL THE
IRRIGATION SEASON OF 1998.

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

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: 2

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 *Mae Taylor* 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 *Anna Baumhoff*
Notary Public

Seal

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

T7S
T8S



POD

PEBBLE CR.

38E

A24-00134

4735
T. 7 S.
T. 8 S.
4734000m N
Mile 67
Mile 68
BANCROFT 8 MI
SODA SPRINGS 24 MI.
30N
4732
390 000
FEET

MICROFILMED
NOV 13 1992

90.6