

12/13/2002

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

RIGHT NUMBER: 29-143

NAME AND ADDRESS: GRANT B EGLEY
11217 S BALDY MOUNTAIN RD
LAVA HOT SPRINGS ID 83246

DEBORAH EGLEY
11217 S BALDY MOUNTAIN RD
LAVA HOT SPRINGS ID 83246

SOURCE: SPRING CREEK

TRIBUTARY: FISH CREEK

QUANTITY: 1.000 CFS

USE OF THIS RIGHT WITH RIGHT NO. 29-142 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 2.0 CFS.

PRIORITY DATE: 03/01/1888

POINT OF DIVERSION:

T09S R38E S36 SESENE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 09/15	1.000 CFS
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.		

PLACE OF USE: IRRIGATION Within BANNOCK County

T09S R38E S36	NENE	40.0	T09S R38E S36	SENE	39.0
T09S R39E S31	NWNW	22.0	T09S R39E S31	SWNW	14.0

115 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 29-142 IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 115 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 56.0 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

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

EXPLANATORY MATERIAL: Decreed

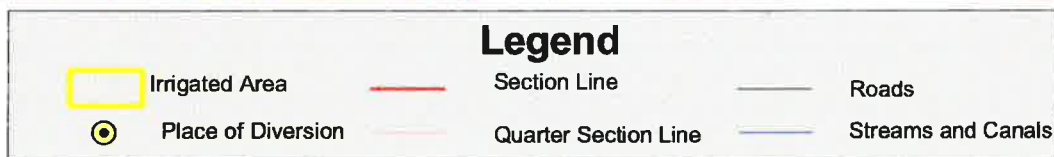
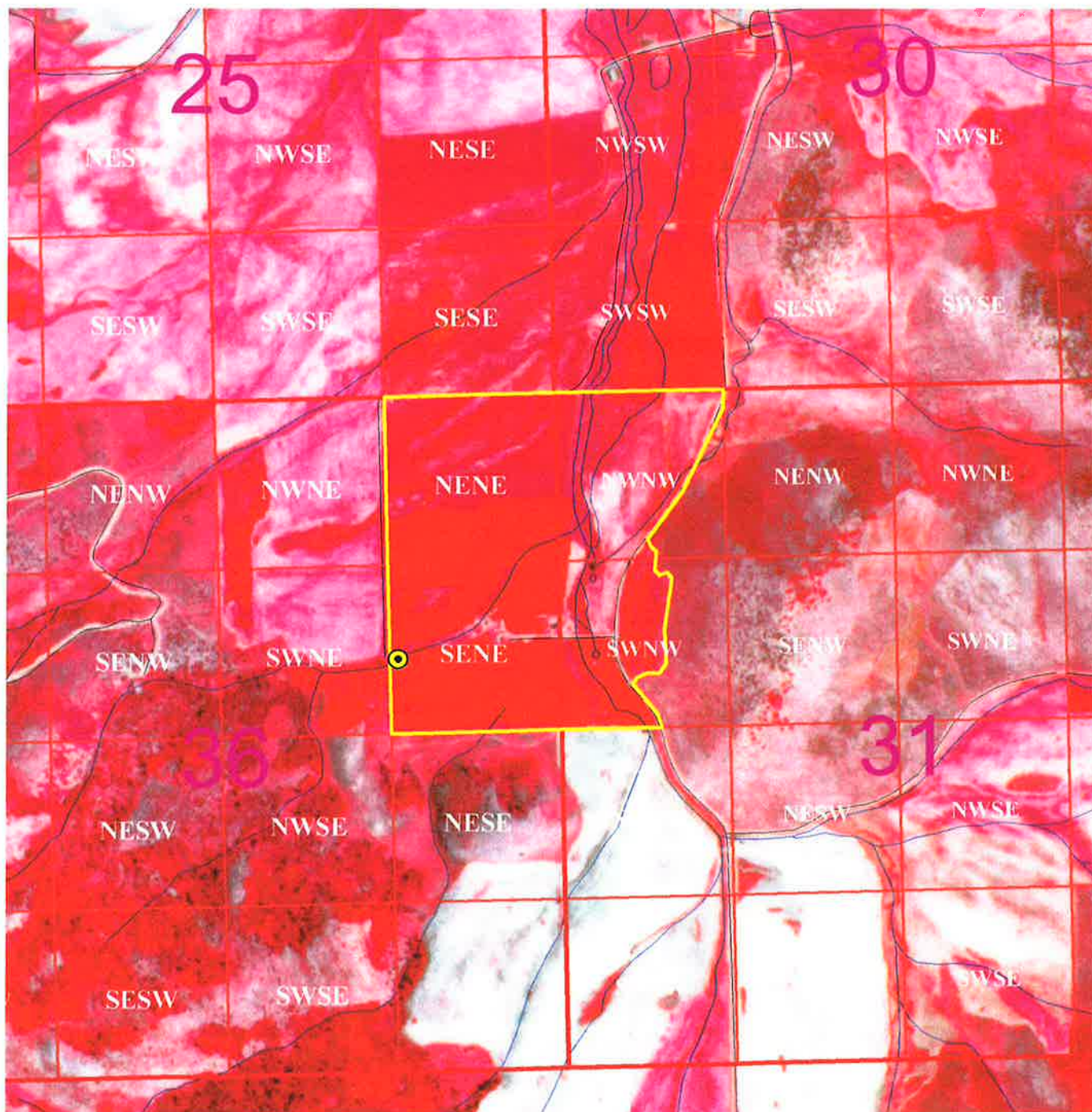
THIS RIGHT SERVES A ROTATION PERIOD WITH 29-00140.

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

Water Right Claim Number A29-00143

08/04/2000

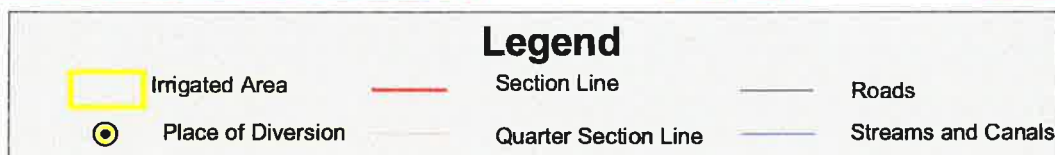
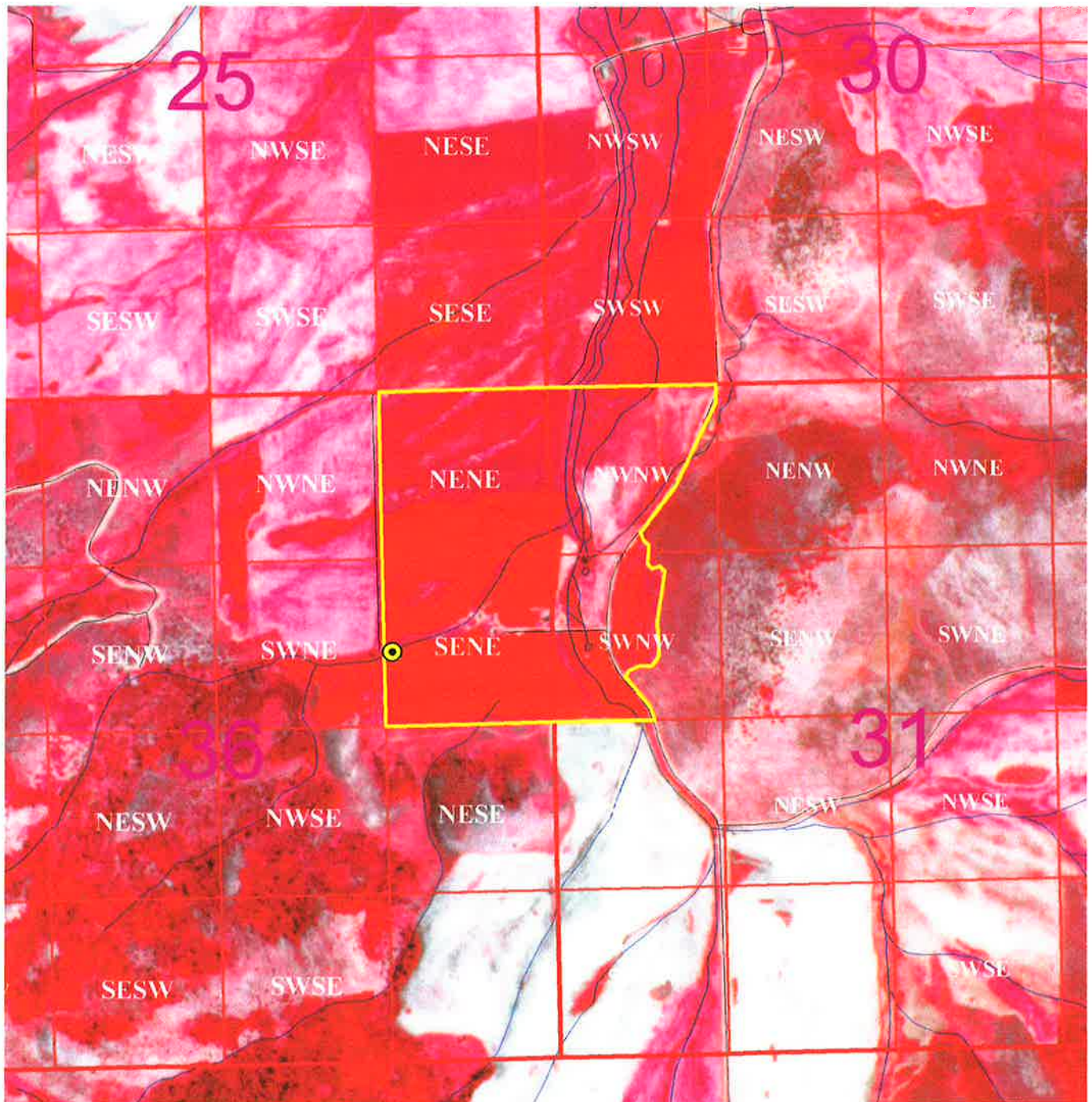
Townships , 9S39E, 9S38E



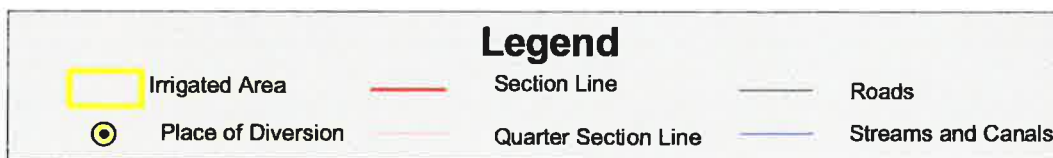
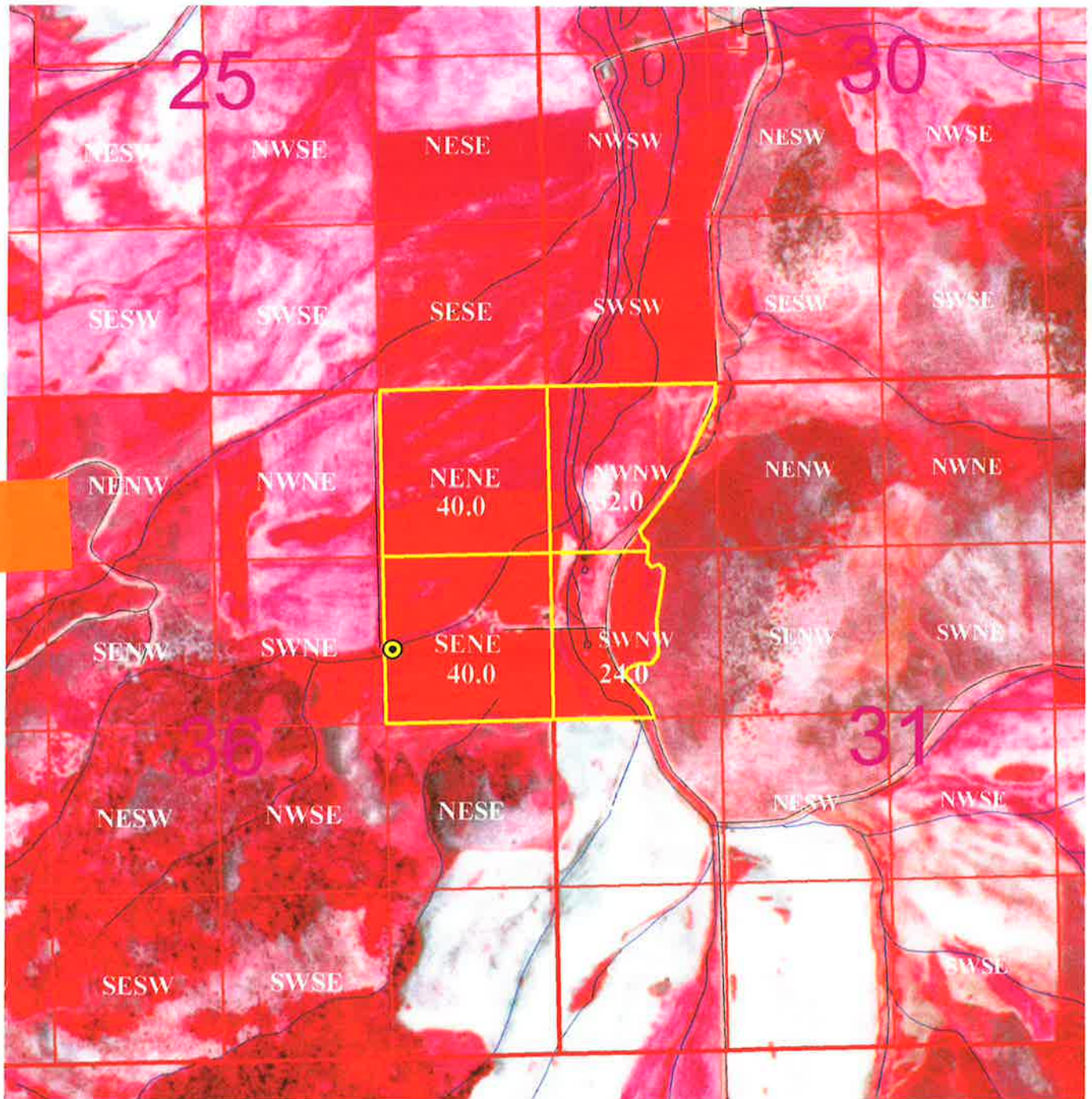
Water Right Claim Number A29-00143

08/04/2000

Townships , 9S39E, 9S38E



Townships , 9S39E, 9S38E



700 0 700 1400 Feet



02/08/2003

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: 29-143

GRANT B EGLEY
11217 S BALDY MOUNTAIN RD
LAVA HOT SPRINGS ID 83246
Telephone Number: (208)776-5604

DEBORAH EGLEY
11217 S BALDY MOUNTAIN RD
LAVA HOT SPRINGS ID 83246

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:

3-3-03

SIGNATURE:

Grant Egley

Please print your name:

GRANT Egley

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

PROFILE

SCANNED
JUN 29 2005

T9S, R38E

T9S, R39E

Fish Creek

**NENE
40**

**NWNW
22**

**SENE
39**

SWNW

14

**Grant Egley
29-00142,
29-00143**

Spring Creek

SCANNED

JUN 28 2003



JUN 29 2005

SCANNED

State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):

29-00143

Place of Use: (parts of)

T9S, R38E Sec. 36 E2NE

T9S, R39E Sec. 31 W2NW

Point(s) of Diversion: T9S, R39E

Sec. 36 SESENW



LEGEND



Point of Diversion

SESE

Place of Use



Section



Quarter-Quarter

GIS Place of Use Illustration
1987/1988 NAFF Photography
Prepared by: A. Ruberry
Date: December 2002

29-00143

DECEASED

JUN 08 2001

SCANNED

- ① POD (BY GPS) REQUIRES FIELD EXAM. AREA OF OUTAGE IN W²NW SEC. 31. $\Rightarrow$ Steep Hillside

A. By Decree, POD is stated as W²NW SEC. 30 T. 9S., R. 39E. Actual POD in 9S39E is w/ SEC. 31. (ERROR OF DECREE $\Rightarrow$ C ϕ 5)

(Q: DOES THIS STILL HAPPEN?)

yes

- ② POD APPEARS TO BE CLAIMED AS DECEASED. HOWEVER, DECREE SPECIFICS OTHER USERS (ASLETT AND ALLEN) "ARE OF EQUAL DIGNITY AND EACH OF THE PARTIES... ENTIRE FLOW OF THE CREEK AND SPRING BY ROTATION FOR CONSECUTIVE PERIODS OF SEVEN DAYS"

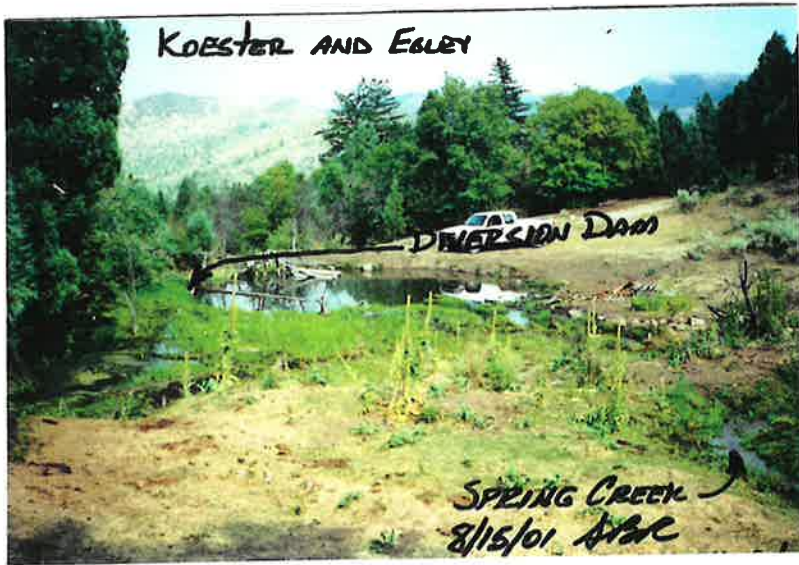
- ③ DECEASED w/ PROPER NAMES: APPARENTLY UNANIMOUS BY USGS. RECOMMEND DECEASED NAMES w/ REMARK TO QUALIFY.

6/15/01 BANSBY SP. SPCK WATER IS ROTATED ON 7 DAY ROTATION $\frac{1}{2}$ TO EACH.

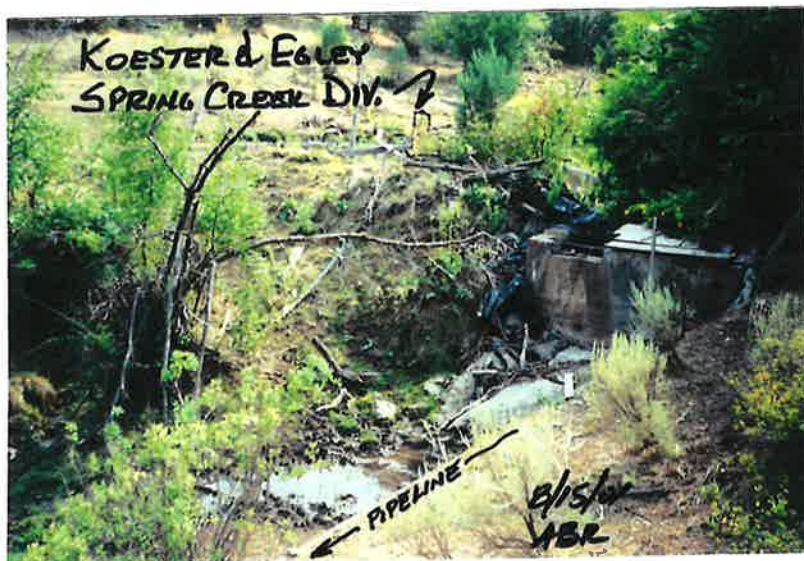
VISITED POD (PHOTO & GPS). DID NOT LOCATE A SPRING - THE CREEK FLOW A GOOD HEAD WHICH IS STOPPED BY A DAM AND SCREEN BARRIERS ENTERING THE MAIN LINES. NO GPS TAG.

* RECOMMEND ONLY SPRING CREEK SINCE THAT'S THE POD.

* ADD DECEASED TEXT "... EQUAL DIGNITY ... ENTITLED TO THE ENTIRE FLOW OF THE CREEK ... BY ROTATION ... OF SEVEN DAYS." (SEE DECEASED EXCERPT)



KOESTER AND EGLEY POOL
FROM Spring Creek



Shows INTAKE FOR PIPOLINE

CLAIMS FROM Spring Creek:
29-140 KOESTER
29-143 EGLEY

The rights of David Aslett → KOESTER 29-00140
and J. C. Allen, Jr., to → EGLEY 29-00143
Bansey Spring and Spring
Creek are of equal dignity
and each of the parties is
entitled to the entire
flow of the creek and
spring by rotation for con-
secutive periods of seven
days.

T9S, R38E

T9S, R39E

Fish Creek

**NENE
40**

**NWNW
22**

**Grant Egley
29-00142,
29-00143**

**SENE
39**

**SWNW
14**

Spring Creek

DELOG AR
9/12/01

RECEIVED

SEP 12 2001

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIPPlease print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
29-00142					
00143					

2. The following **REQUIRED** information must be submitted with this form:

☒ The appropriate **FILING FEE**. See instructions for fee amounts.

☒ A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

☒ Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Grant H. Ealey
11291 S. Baldy Mt Rd
Jawa Hot Springs Id 83246

4. New Owner/Claimant(s)

Grant B Ealey & Deborah A Ealey
Name Connector (check one): [] and, [] or [] and/or

New Mailing Address

11217 S. Baldy Mt Rd
Jawa Hot Springs Id. 83246

City, State and ZIP Code

New Telephone Number

(208) 176-5604

5. Date you acquired the property

26 April 1999



G.H. EGLEY
29-00142,
29-00143

T9S, R38E

T9S, R39E

T10S, R38E

T10S, R39E

8/15/01
AOS

Page 1

Old (D) Number -

State-	ID	Zip-
AL	0001	36001
AL	0002	36002
AL	0003	36003
AL	0004	36004
AL	0005	36005
AL	0006	36006
AL	0007	36007
AL	0008	36008
AL	0009	36009
AL	0010	36010
AL	0011	36011
AL	0012	36012
AL	0013	36013
AL	0014	36014
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AL	0020	36020
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AL	0113	36113
AL	0114	36114
AL	0115	36115
AL	0116	36116</

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

1-0143

ALLEN, J. C. JR.
1888 March 1 1 c.f.s.
Being one-half the flow of
Bansey Spring and Spring
Creek.

POU: E²NE SEC. 36 95/38E
W²NW SEC. 30 95/39E

The rights of David Aslett
and J. C. Allen, Jr., to
Bansey Spring and Spring
Creek are of equal dignity
and each of the parties is
entitled to the entire
flow of the creek and
spring by rotation for con-
secutive periods of seven
days.

Said water to be diverted in the Northeast
quarter of Section 36, Township 9 South,
Range 38 E.B.M., the same being Bansey Spring
and a stream arising therefrom known as
Spring Creek, for the irrigation of the East
half of the Northeast quarter, Section 36,
Township 9 South, Range 38 E.B.M. The West
half of the Northwest quarter of Section 30,
Township 9 South, Range 39 E.B.M.

→ ALSO SEE 29-140
SAME SOURCE

KOESTER FARMS

109. KOFOED, JAMES W.
1-0144 1897 Mar. 1 2.4 c.f.s.

Said water to be diverted through a ditch
taken out at a point which bears South 6
degrees East 1920 feet from the Southwest
corner of Section 30, Township 9 South,
Range 39 E.B.M.; and also through another
ditch taken out at a point which bears
South 14 degrees 30 minutes East 1400 feet
from the Southwest corner of said Section
30, for the irrigation of the North half
of the Northeast quarter, Section 25, Town-
ship 9 South, Range 38 E.B.M. excepting
therefrom the following: Beginning at the
Southeast corner of the Northwest quarter of
the Northeast quarter, Section 25, thence
North 28 rods, thence East 80 rods, thence
South 28 rods, thence west 80 rods to point
of beginning; also the North half of the
Northwest quarter, Section 30, Township 9
South, Range 39 E.B.M., excepting therefrom
the following; Beginning at the Southwest
corner of the Northwest quarter of the North-
west quarter, said Section 30, thence East
94 rods, thence North 12 degrees 5 minutes
38 seconds West, 28.64 rods, thence West
88 rods, thence South 28 rods to place of be-
ginning.

1-0145

110. BELL, W. D.
1897 Mar. 1 .5 c.f.s.

Said water to be diverted through a ditch
taken out at a point which bears North 78
degrees, WEST, 2880 feet, from the West
quarter corner, Section 31, Township 9 South
Range 39 E.B.M.; also through another ditch
taken out at a point which bears South 31
degrees 30 minutes East, 1580 feet from the
North quarter corner Section 25, Township 9

Log for claim A29-00143

Spatial Dynamics AMH

8/4/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s38e	36	NENE	40	40	
09s38e	36	SENE	37	40	
09s39e	31	NWNW	21	32	
09s39e	31	SWNW	8	24	
Totals:			106	136	

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 29-143
Date Received: 10/11/1988
Receipt No: E003034
Received By:

AMENDED

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DEBIE EGLEY Phone: (208)776-5604

11217 S BALDY MTN RD
LAVA HOT SPRINGS ID USA 83246

GRANT B EGLEY Phone: (208)776-5604

11217 S BALDY MTN RD
LAVA HOT SPRINGS ID USA 83246

2. Date of Priority: 03/01/1888

3. Source: SPRING CREEK Trib. to: FISH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
09S	38E	36	SW	SE	NE	BANNOCK	

5. Description of diverting works:

COLLECTION POND TO GRAVITY IRRIGATION SYSTEM WITH SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	1	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

PROFILED

SCANNED
JUN 29 2005

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09S	38E	36	NE	NE	IRRIGATION	40
			SE	NE	IRRIGATION	39
					Section Acres	79
09S	39E	31	NW	NW	IRRIGATION	22
			SW	NW	IRRIGATION	14
					Section Acres	36
					Total Acres	115

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

14. Remarks:

SOURCES NOT NAMED ON USGS MAP

CLAIMANTS FIRST BELIEVED THAT THEY OWNED ONLY 1/2 OF 29-0143 SO THIS FILING WAS MADE USING THE "A" PORTION OF RIGHT. AFTER REVIEWING THE RIGHTS THE CLAIMANTS ARE NOW CLAIMING ALL OF THE ORIGINAL RIGHT 29-0143 UNDER THIS CLAIM

* RENUMBERED BACK TO THE ORIGINAL NUMBER 2/22/95 SC
AMENDED TO ADD 9 ACRES AND PERMISSIBLE POU.

15. Basis of Claim: Decreed

SCANNED

JUN 29 2005

29-00142

29-00143

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):

Grant B EgleDate: 8-23-01

and

Deborah A EgleDate: 8-23-01

For Organizations:

I do solemnly swear or affirm that I am _____ of _____ Title

_____, that I have signed the foregoing Organization document in the space below as _____ of

Title

_____ and that the statements contained in the Organization foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)

County of

Bonneville

) SS.

Subscribed and sworn (or affirmed) before me this 23RD dayof August 20 01Aaron B. Ruberry
Notary Public

Seal

Residing at

Franklin St

My Commission Expires

9/23/03

NOTE: THIS AMENDMENT ADDS PAGES TO 29-00143 AND 29-00142. ALSO ADDS TWO PDS w/ SWNW SEC. 31 T9S R31E. Both pts are used as Commissioned Poll.

PROFILED

SCANNED

JUN 29 2005

1002 90 NOV
SCANNED

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

Renumbered: A29-00143
Ident. Number: A29-00143A
Date Received: 10/11/1988
Receipt No: E003034
Received By: *KCW*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

*Grant B.
776-5604*

1. Name: GRANT H. EGLEY
Address: 11221 SOUTH BALDY MOUNTAIN RD.
P.O. BOX 216
LAVA HOT SPRINGS, ID 83246

208-776-5385

OR
Name: JaLaine EGLEY
Address: 11221 SOUTH BALDY MOUNTAIN RD.
P.O. BOX 216
LAVA HOT SPRINGS, ID 83246

208-776-5385

2. Date of Priority: MAR 01, 1888

3. Source: BANSEY SPRING
SPRING CREEK

Trib. to: SPRING CREEK
FISH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	38E	36	SW	SE	NE		BANNOCK

5. Description of diverting works:
COLLECTION POND TO GRAVITY IRRIGATION SYSTEM WITH SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.000		

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

8. Total consumptive use is 265.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A29-00143A

Page 1

Date: 10/11/88

MICROFILMED
NOV 13 1996
MICROFILMED
NOV 13 1992

A2900143



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N S	38E	36	NE	NE		IRR	40.0
			SE	NE		IRR	37.0
						Section Acres	77.0
	39E	31	NW	NW		IRR	21.0
			SW	NW		IRR	8.0
						Section Acres	29.0
						Total Acres	106.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
A29-00142

14. Remarks:

SOURCES NOT NAMED ON USGS MAP
CLAIMANTS FIRST BELIEVED THAT THEY OWNED ONLY 1/2 OF 29-0143 SO
THIS FILING WAS MADE USING THE "A" PORTION OF RIGHT. AFTER
REVIEWING THE RIGHTS THE CLAIMANTS ARE NOW CLAIMING ALL OF THE
ORIGIONAL RIGHT 29-0143 UNDER THIS CLAIM.

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:

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): Grant H. Egley Date: Oct. 11, 1988
Date:

State of Idaho)
County of Bonneville) SS.

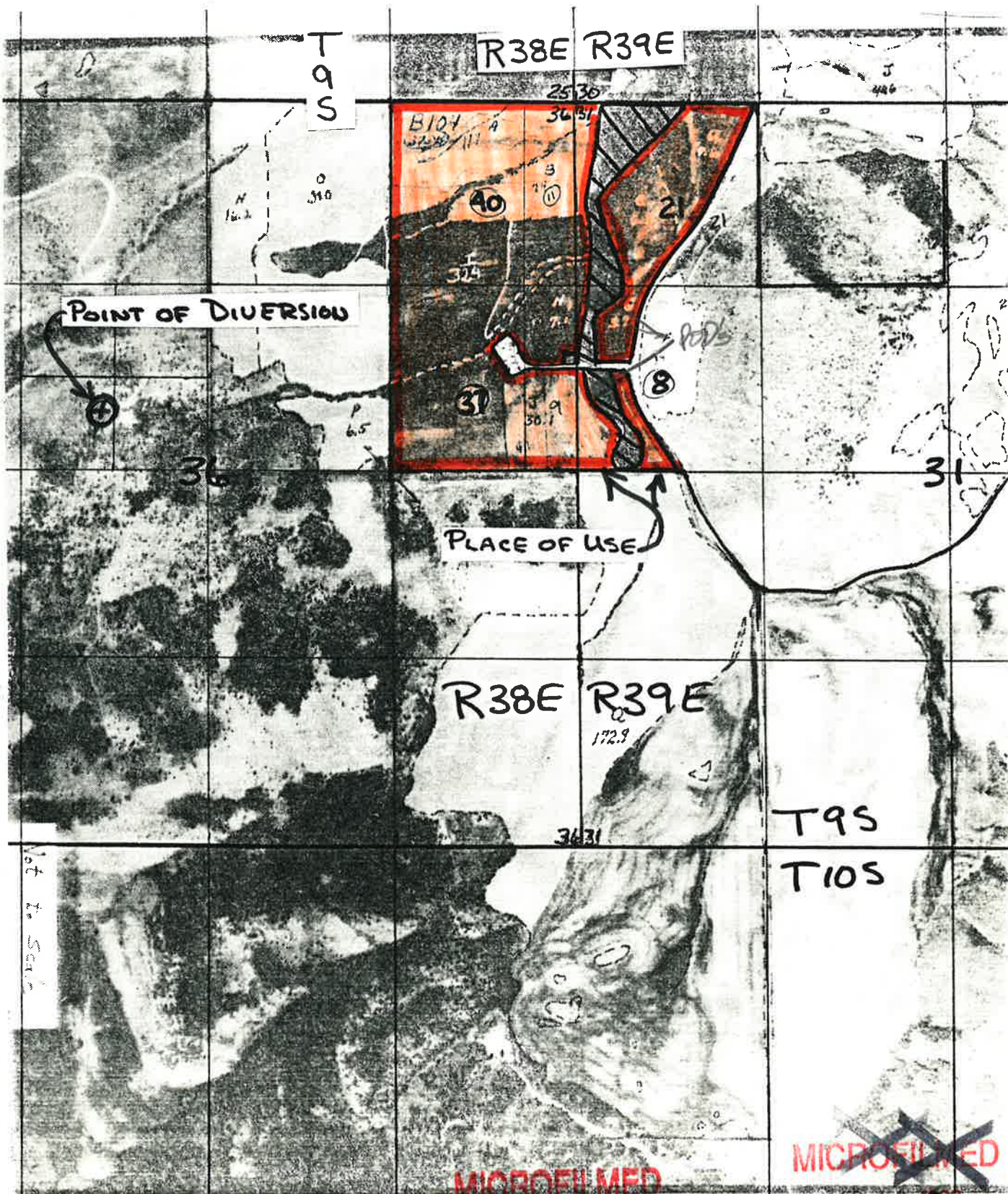
Subscribed and sworn (or affirmed) before me this 11 day
of October 19 88

Betty J. Thompson
Notary Public

Residing at Idaho Falls
My Commission Expires 6/94



POOR ORIGINAL



A29-00143A