

IDAHO DEPARTMENT OF WATER RESOURCES 01/10/2002
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

Water Right 29-153A

NAME AND ADDRESS: DOUGLAS ALLEY
1533 AMMON
POCATELLO ID 83201

IRIS ALLEY
PO BOX 164
11759 E FISH CK RD
LAVA HOT SPRINGS ID 83246

SOURCE: FISH CREEK TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.37 CFS

USE OF THIS RIGHT WITH RIGHT NO. 29-152A IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 0.37 CFS.

THIS RIGHT WHEN COMBINED WITH RIGHT NO. 29-152A SHALL PROVIDE NO MORE
THAN .02 CFS PER ACRE.

PRIORITY DATE: 05/01/1893

POINT OF DIVERSION:

T09S R38E S26 NWNWNW Within BANNOCK County

POINT OF DIVERSION IS THE SAME USED FOR FISH CREEK CANAL.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 09/15	0.370 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 S22 Lot 4 NWSE 14.7 T09S R38E S22 SWSE 3.8

18.5 ACRES TOTAL

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.

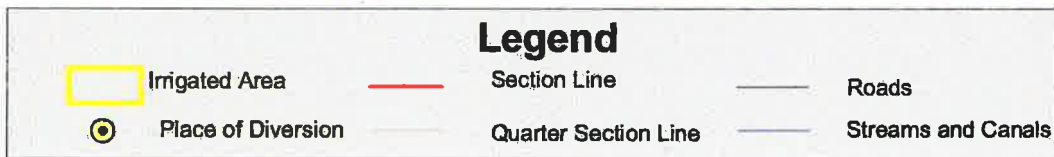
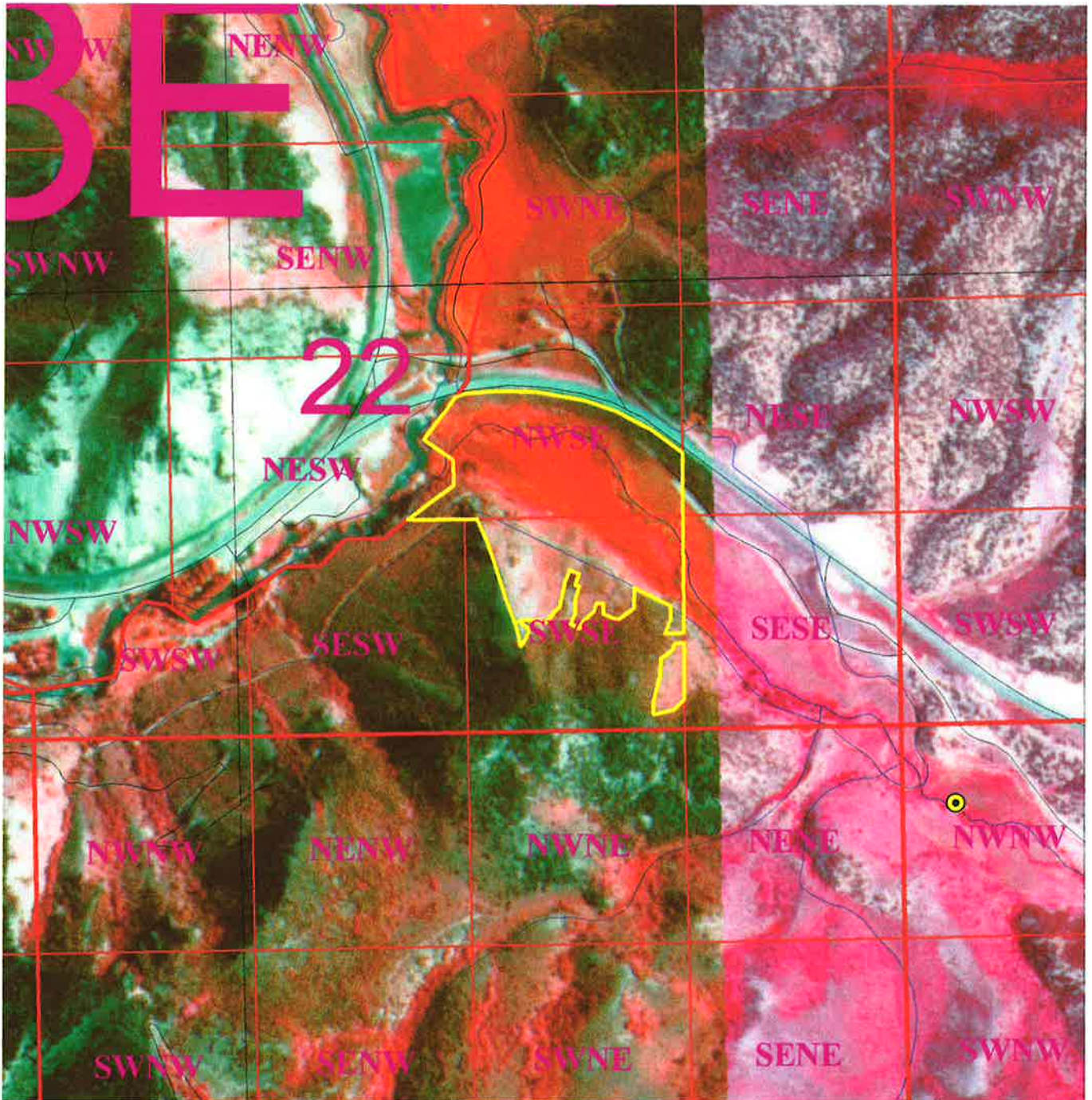
EXPLANATORY MATERIAL: Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.
USE OF WATER UNDER THIS RIGHT IS COMBINED WITH WATERS FROM
DEMPSEY IRRIGATION CO. AND FISH CREEK CANAL.

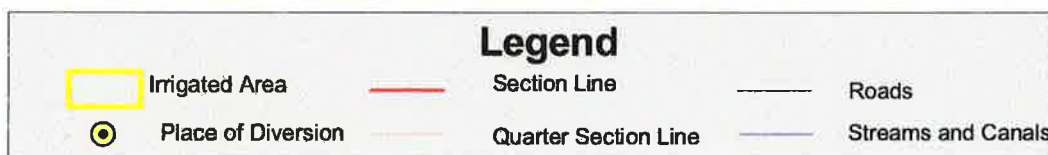
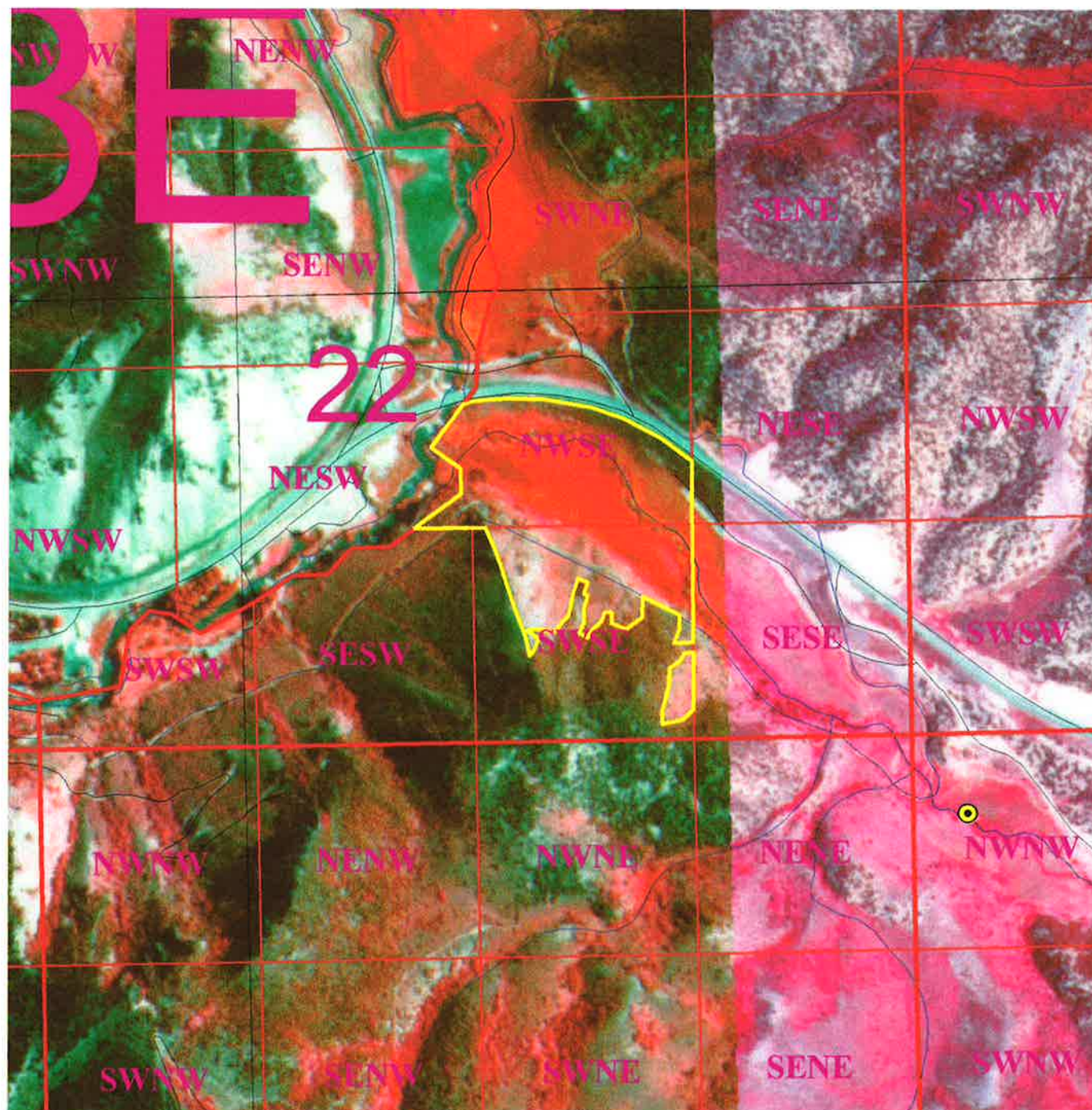
Water Right Claim Number A29-00153A

08/07/2000

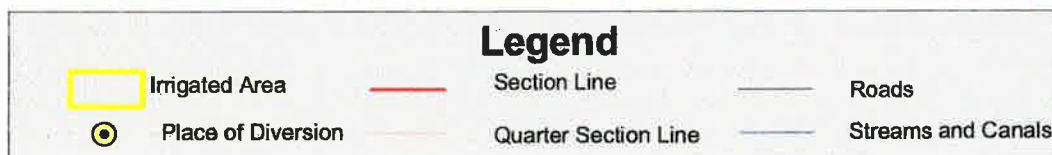
Township , 9S38E



Township , 9S38E



Township , 9S38E



**T9S, R38E
SECTION 22**

**NWSE
14.7**

**SWSE
3.8**

Fish Creek and Dempsey-Toponce Canal Systems

**29-00152A
29-00153A
As Amended**

Dempsey-Toponce Canal

Fish Creek





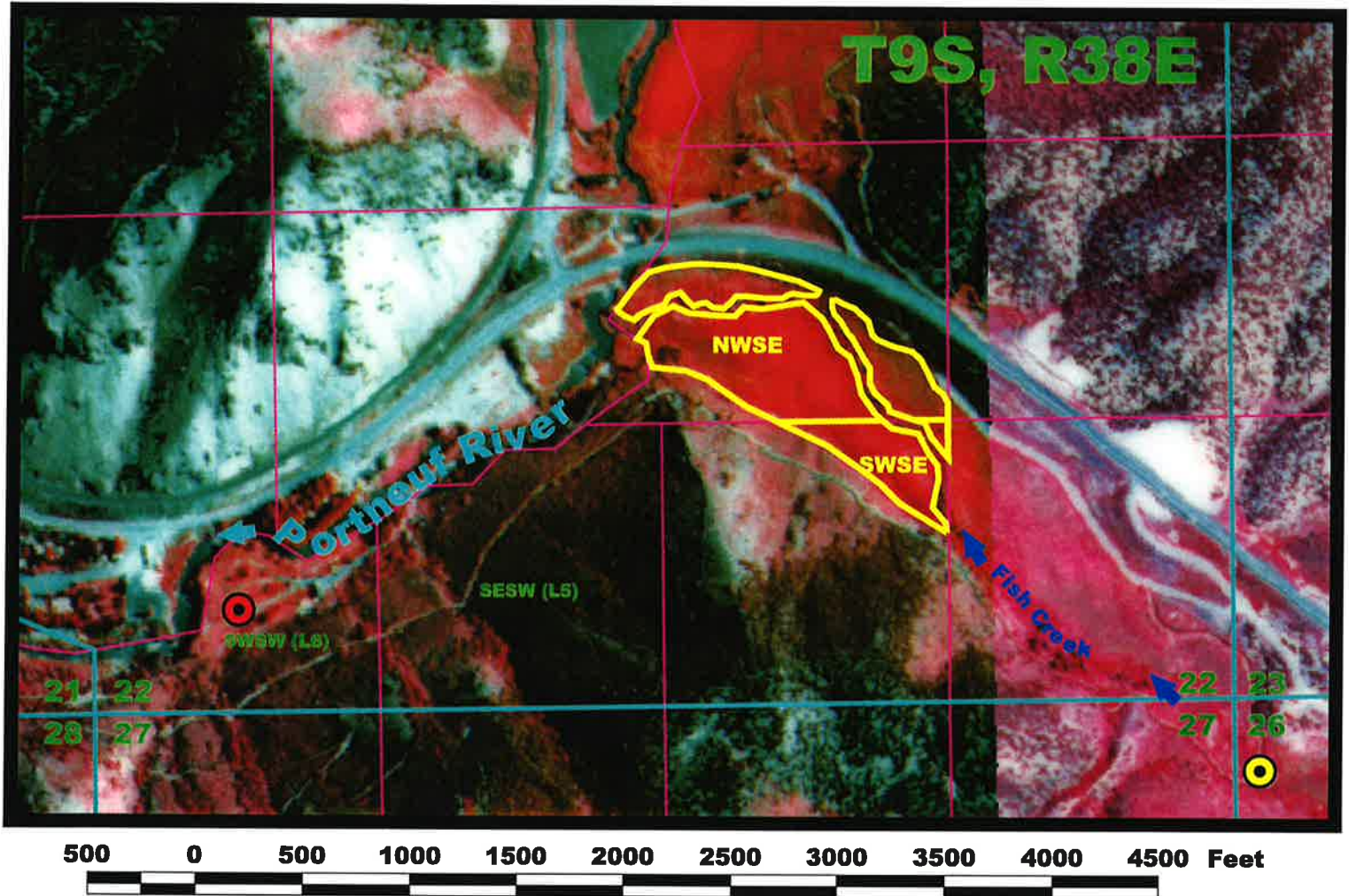
STATE OF IDAHO

Department of Water Resources

Eastern Region

Water Right(s): 29-00152A

29-00153A



LEGEND

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

**Place of Use: T9S, R38E (parts of)
Sec. 22 NWSE (L4), SWSE**

**Point(s) of Diversion: T9S, R38E
Sec. 26 NWNWNW**



SCANNED
JUN 28 2006

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

29-00153A DUESOLD (NO PART B FOUND)

29-00153A CLAIMS 0.52 cfs

29-00153 DUESOLD 1.20 cfs

0.68 cfs UNCLAIMED

DD w/ 152A

★ NO ADDITIONAL CLAIMS FOUND BY RECORD SEARCH.

I. POD @ CROSSING OF DUMPSY CANAL ACROSS Fish Cr.

VERIFY POD - CHANGED FROM DUESOLD POD $\Rightarrow$ CFS when _____

Q1 $\rightarrow$

Is this RT PART OF Fish Cr CANAL OR ONLY CARRIED BY IT? Dumps of Canal

II. WHAT HAPPENED TO THE REMAINDER OF THIS RIGHT?

CLAIMS 13.2 AC w/ 29-00152A (SAME CIRCUMSTANCES).

REDUCES TO 0.264 cfs SEE § 42-202 IC

III. POD DUESOLD IN SEC. 15 AND SEC. 22 - CFS when _____

WHAT HAPPENED TO LANDS IN SEC. 15? UNCLAIMED BY THIS OR 29-00152A.

IV. THIS RIGHT WHEN USED - SUPERCEDES 29-00152A DUE TO THE PRIORITY DATE. THUS, MAKING 29-00152A USELESS.

PLUS THIS CLAIM WILL BE REDUCED BY ABOUT HALF BECAUSE OF THE 13.2 AC @ 0.02 cfs/AC = 0.264 cfs

V. ANSWERS - SEE NOTES IN 152A.

Re: 7/11/01 Meeting w/ Tris & Doug Arvey.

IV. 152A AND 153A ARE ALSO USED w/ DUMPSY CANAL AND Fish Cr CANAL SHARPS. AND,

CARRIED THROUGH THE CANAL SYSTEM.

PROFIT

SCANNED

JUN 28 2005

117. COOPER, W. W.
-0152 1889 Mar. 1 2 c.f.s.
-0153 1893 May 1 1.2 c.f.s.

SOURCE: FISH CREEK

POD: SW NW 1/4 Sec. 26

POU: Lots 1-4, SWS 1/4
Sec. 22 and

Lot 3 Sec. 15

Said water to be diverted through a ditch
taken out at point which bears South 59 de-
grees 25 minutes East, 1740 feet from the
Northwest corner of Section 26, Township 9
South, Range 38 E.B.M., for the irrigation
of Lots 1, 2, 3, and 4, and the Southwest
quarter of the Southeast quarter, Section
22, Township 9 South, Range 38 E.B.M., and
Lot 3, Section 15, Township 9 South, Range
38 E.B.M.

SRBA Claim: 29-00152A (No Part B?)

Claims 0.52 cfs = Reduced to 0.37 cfs
1.63 cfs UNCLAIMED

29-00153A (No Part B?)

Claims 0.52 cfs = Reduced to 0.37 cfs
0.83 cfs UNCLAIMED

PROFILED

SCANNED
JUN 28 2005

T9S, R38E



Northcut River

Fish Creek

SESW (L5)

SWSW (L6)

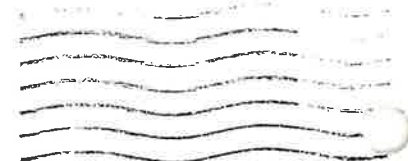
22 23

27 26



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern District Office
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

RETURN SERVICE REQUESTED

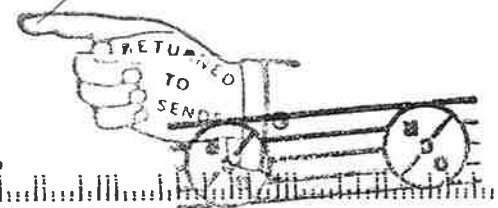


RETURNED TO SENDER
ATTEMPTED, NOT KNOWN

NOT AT
THIS

29-152A
29-153A

ALLEY, IRIS
PO BOX 4405
POCATELLO ID 83205



PO Box 164
11759 E. Fish Cr Rd. Box
Lava Hot Springs ID 83246
83205+4405

SCANNED
JUN 28 2005

WR5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

05/10/01 13:06:10
Page 1

Water Right Number - 29-00153

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***
COOPER

W. W.

1 -
2 -
3 -
City-
Phone -

State- Zip-

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
05/01/1893 *OK* 15 EASTERN *D - DECREED*

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
FISH CREEK *OK* PORTNEUF RIVER

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

09S 38E 26 NE NW (5) BANNOCK

Claims NW NW Sec 26

c#3 when

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

01 - IRRIGATION *OK*

04/15 *OK* 09/15

1.200

Claims 0.52 cfs

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
1.200 0.0

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

09S	38E	15	SE SW	3		01	IRRIGATION	(5) BANNOCK
09S	38E	22	NW NE	1		01	IRRIGATION	(5) BANNOCK
09S	38E	22	SW NE	3		01	IRRIGATION	(5) BANNOCK
09S	38E	22	NE NW	2		01	IRRIGATION	(5) BANNOCK
09S	38E	22	NW SE	4	11.7	01	IRRIGATION	(5) BANNOCK
09S	38E	22	SW SE		1.5	01	IRRIGATION	(5) BANNOCK

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

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

GEN P/U INCOMPLETE.

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

NOTE:

*RIGHT CARRIED BY: Dampson Canal
w/ 29-00152A*

PROPERTY

JUN 28 2005

SCANNED

Log for claim A29-00153A

Spatial Dynamics AMH

8/7/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s38e	22	NWSE	11	24	
09s38e	22	SWSE	1	17	Permissible place of use?
Totals:			12	41	

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 29-153A
Date Received: 4/23/1990
Receipt No: E013558
Received By:

AMENDED

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DOUGLAS ALLEY Phone: (208)233-1387

1533 AMMON
POCATELLO ID USA 83201

IRIS ALLEY Phone:

PO BOX 164
11759 E FISH CK RD
LAVA HOT SPRINGS ID USA 83246

2. Date of Priority: 05/01/1893

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
09S	38E	26	NW NW NW	BANNOCK	

5. Description of diverting works:

GRAVITY FLOW MAINLINE TO PLACE OF USE (FROM FISH CREEK CANAL).

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	09/15	0.37	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

SCANNED
JUN 28 2005

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09S	38E	22	NW	SE	4	IRRIGATION
			SW	SE		IRRIGATION
						Section Acres
						Total Acres

14.7
3.8

18.5

18.5

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:

POD IS WHERE DEMPSEY CANAL CROSSES FISH CREEK. DEMPSEY CANAL/FISH CREEK CANAL CARRIES THIS RIGHT. AMENDED TO CORRECT SOU, DIV. RATE, AND ADD ACRES.

15. Basis of Claim: Decreed

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.

PROFILE

SCANNED
JUN 28 2005

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): Iris J. Alley Date: 7/16/2001
_____ Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 16th
of July 2001 A. B. Ruberry

Notary Public

Residing at Idaho Falls Rd
My commission Expires 9/23/03



FILED

SCANNED
JUN 28 2005

JUN 08 2001

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A29-00153A
Date Received: 4/23/1990
Receipt No: E013558
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DOUGLAS ALLEY 208-233-1387
Address: 1533 AMMON
POCATELLO ID 83201

Name: IRIS ALLEY 208-233-1387
Address: PO BOX 4405
POCATELLO ID 83205

2. Date of Priority: MAY 1, 1893

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	38E	26	NW	NW			BANNOCK

5. Description of diverting works:
GRAVITY FLOW MAINLINE TO PLACE OF USE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.520		

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

8. Total consumptive use is 32.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

MICROFILMED
NOV 13 1996

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	38E	22	NW	SE	4	IRR	11.7
			SW	SE		IRR	1.5

Section Acres 13.2

Total Acres 13.2

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:

A29-00152 AND SHARES IN DEMPSEY CANAL COMPANY

14. Remarks:

p.d. IS WHERE DEMPSEY CANAL CROSSES
FISH CREEK. DEMPSEY CANAL CARRIES THIS RIGHT.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

UNION GRAIN & ELEVATOR CO.

Decree Plaintiff

MCCAMMON DITCH CO. ET. AL.

vs

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: _____

MICROFILMED

NOV 13 1996

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 A29-00153A

Ident. Number: A29-00153

Date Received: 4/23/1990

Receipt No: E013558

Received By: ACJ

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: IRIS ALLEY 208-233-1387
Address: P.O. BOX 4405
POCATELLO, ID 83205

Name: DOUGLAS ALLEY 208-233-1387
Address: 1533 AMMON
POCATELLO, ID 83201

2. Date of Priority: MAY 01, 1893

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	38E	26	NW	NW			BANNOCK

5. Description of diverting works:
GRAVITY FLOW MAINLINE TO PLACE OF USE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.520		

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

8. Total consumptive use is 32.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A29-00153

Page 1

Date: 04/23/90

MICROFILMED
NOV 13 1996
MICROFILMED
NOV 13 1992

A2900153A



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	38E	22	NW	SE	4	IRR	11.7
			SW	SE		IRR	1.5
Section Acres							13.2
Total Acres							13.2

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:

A29-00152 AND SHARES IN DEMPSEY CANAL COMPANY

14. Remarks:

p.d. IS WHERE DEMPSEY CANAL CROSSES
FISH CREEK. DEMPSEY CANAL CARRIES THIS RIGHT.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

UNION GRAIN & ELEVATOR CO.

Decree Plaintiff

vs

MCCAMMON DITCH CO. ET. AL.

Decree Defendant

*Some acreage paid for
by Dempsey Irrigation Corp
See A29-00036*

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Douglas W. Alley Date: 4-23-90

Date: _____

State of Idaho)
County of Bonanza) SS.

Subscribed and sworn (or affirmed) before me this 23rd day

of April 19 90

Robert Wray
Notary Public

Seal

Residing at Adams Falls
My Commission Expires 5/29/91

