

03/15/2002

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

RIGHT NUMBER: 29-158F
NAME AND ADDRESS: DEANNA K FRANDSEN
PO BOX 548
LAVA HOT SPRINGS ID 83246
SOURCE: DEMPSEY CREEK TRIBUTARY: PORTNEUF RIVER
QUANTITY: 0.20 CFS
USE OF THIS RIGHT WITH RIGHT NO. 29-159D IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 0.24 CFS.
PRIORITY DATE: 04/01/1880
POINT OF DIVERSION:
T09S R38E S33 NWNESE 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	0.200 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 S28 SWSW 2.0 T09S R38E S28 SESW 10.0

12 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 29-159D IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 12 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 10 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.

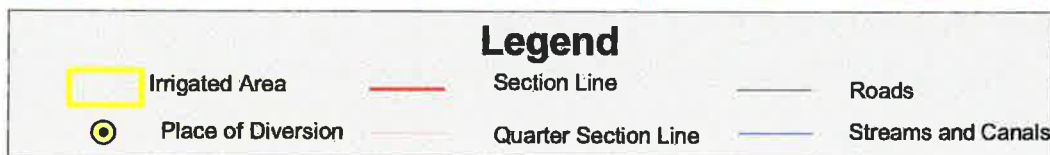
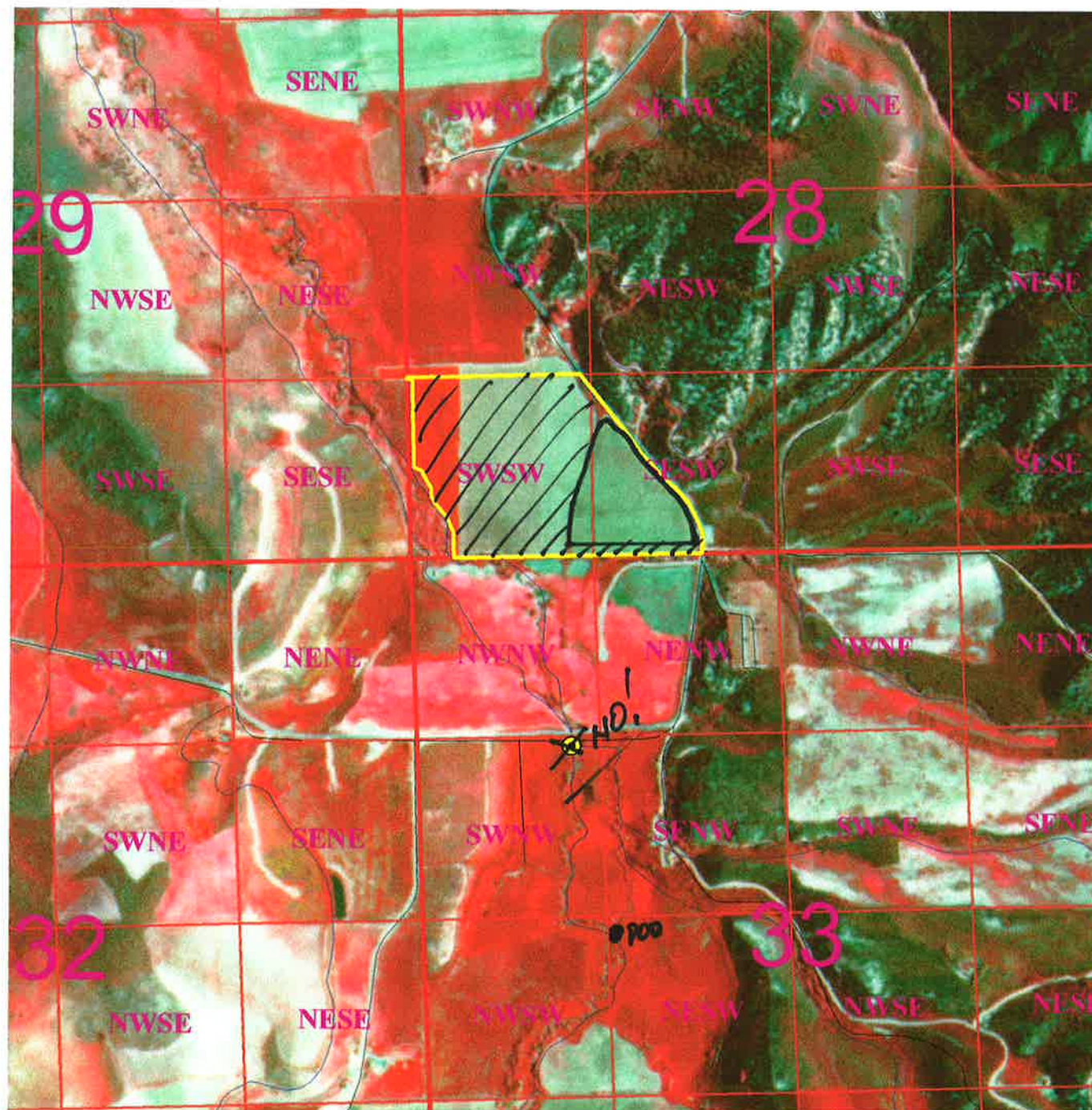
EXPLANATORY MATERIAL: Decreed

RIGHT NO. 29-159D IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.
THIS RIGHT IS A SPLIT FROM FORMER RIGHT 29-158B.

Water Right Claim Number A29-00158F

08/07/2000

Township , 9S38E



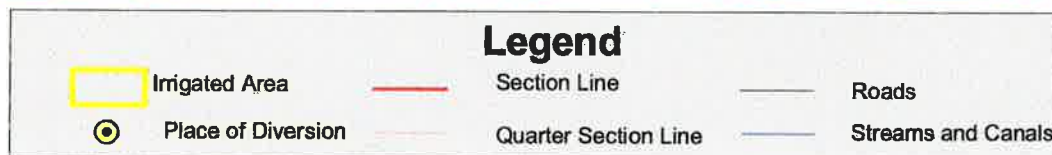
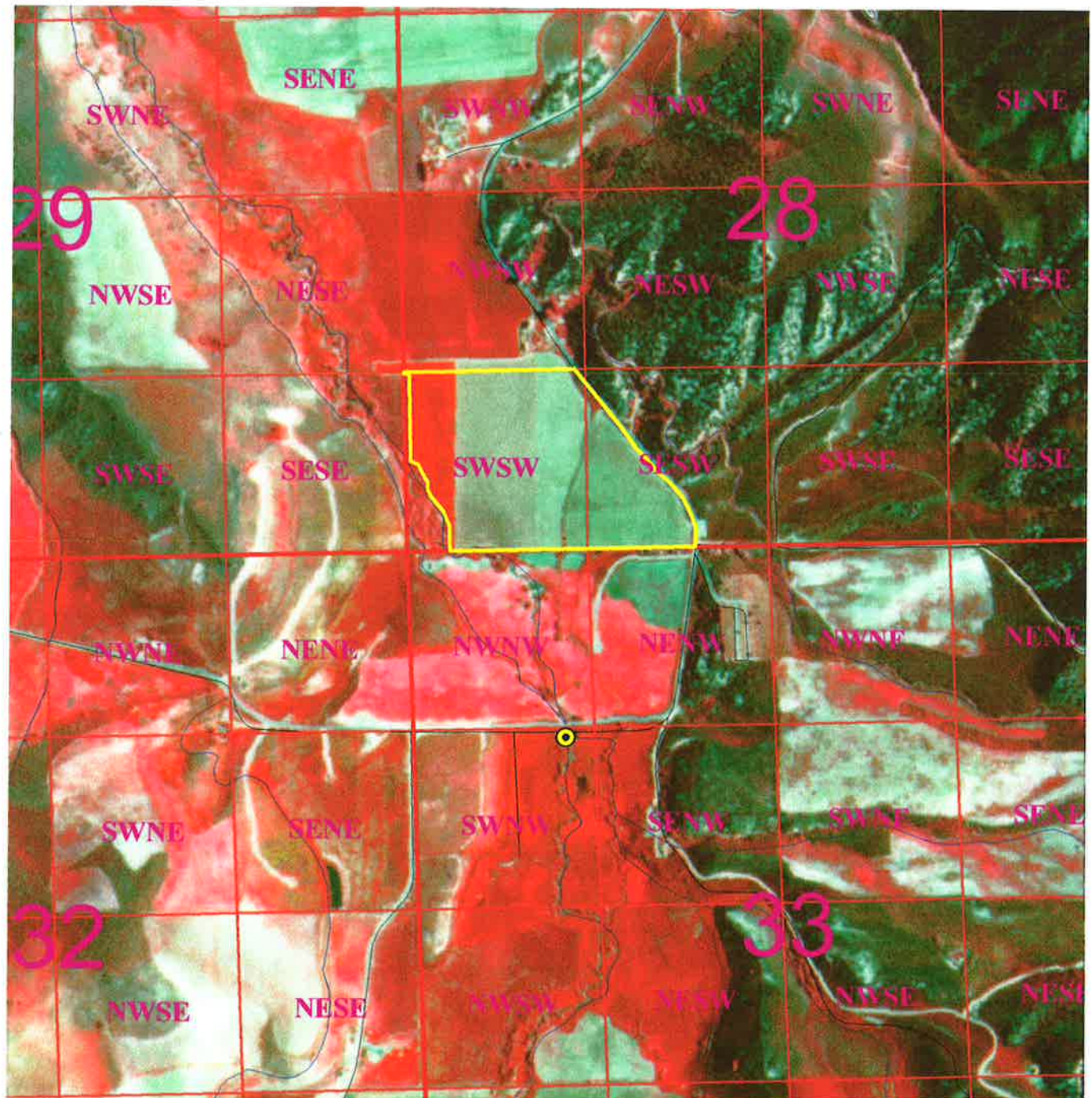
700 0 700 1400 Feet



Water Right Claim Number A29-00158F

08/07/2000

Township , 9S38E



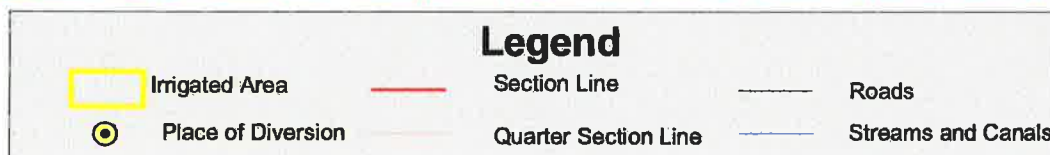
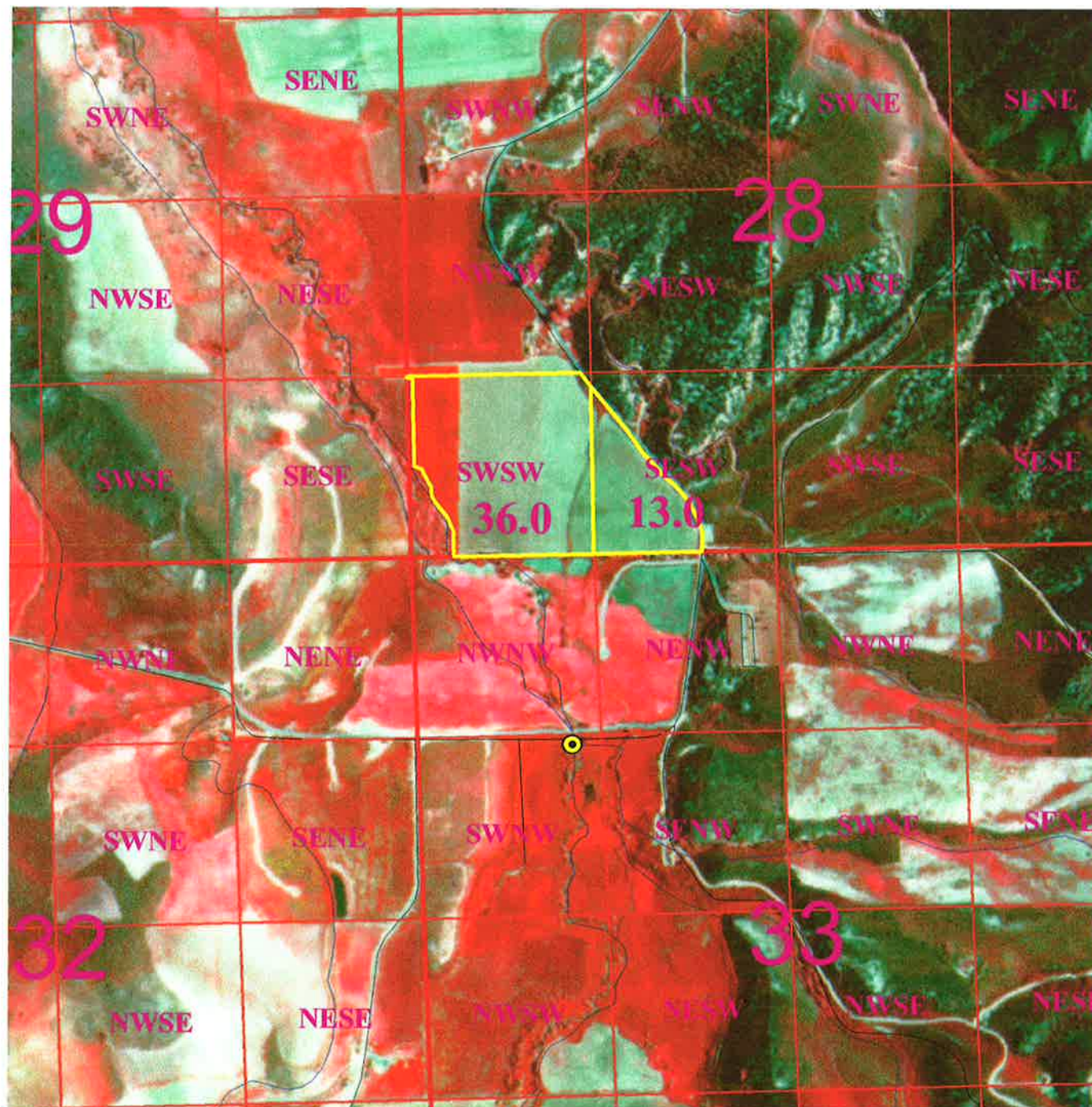
700 0 700 1400 Feet



Water Right Claim Number A29-00158F

08/07/2000

Township , 9S38E





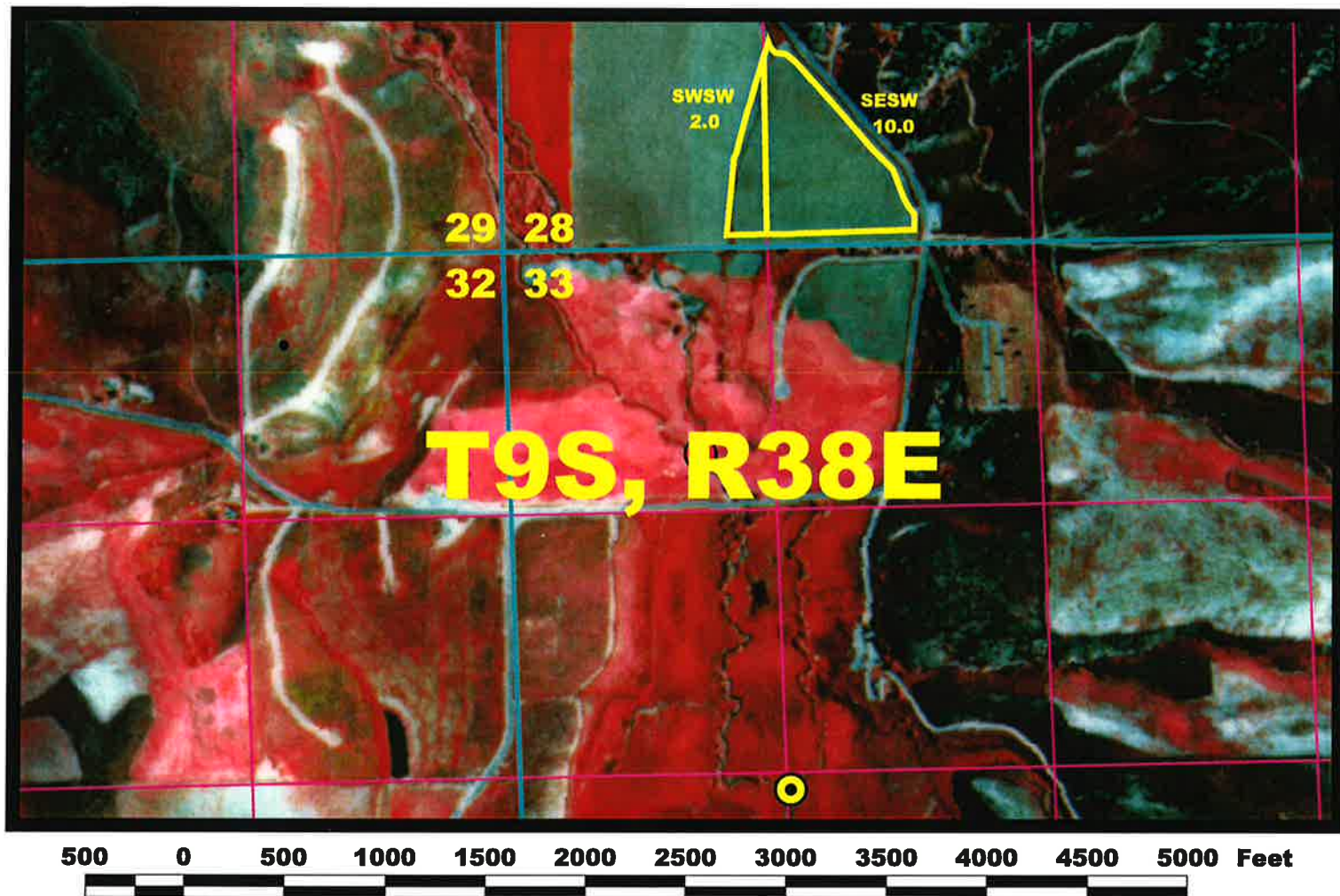
STATE OF IDAHO

Department of Water Resources

Eastern Region



**Water Right(s): 29-00158F,
29-00159D**



LEGEND

PROFIT

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

**Place of Use: T9S, R38E
(part of) Secs. 28 S2SW**

**Point(s) of Diversion: T9S, R38E
Sec. 33 NWNESW**

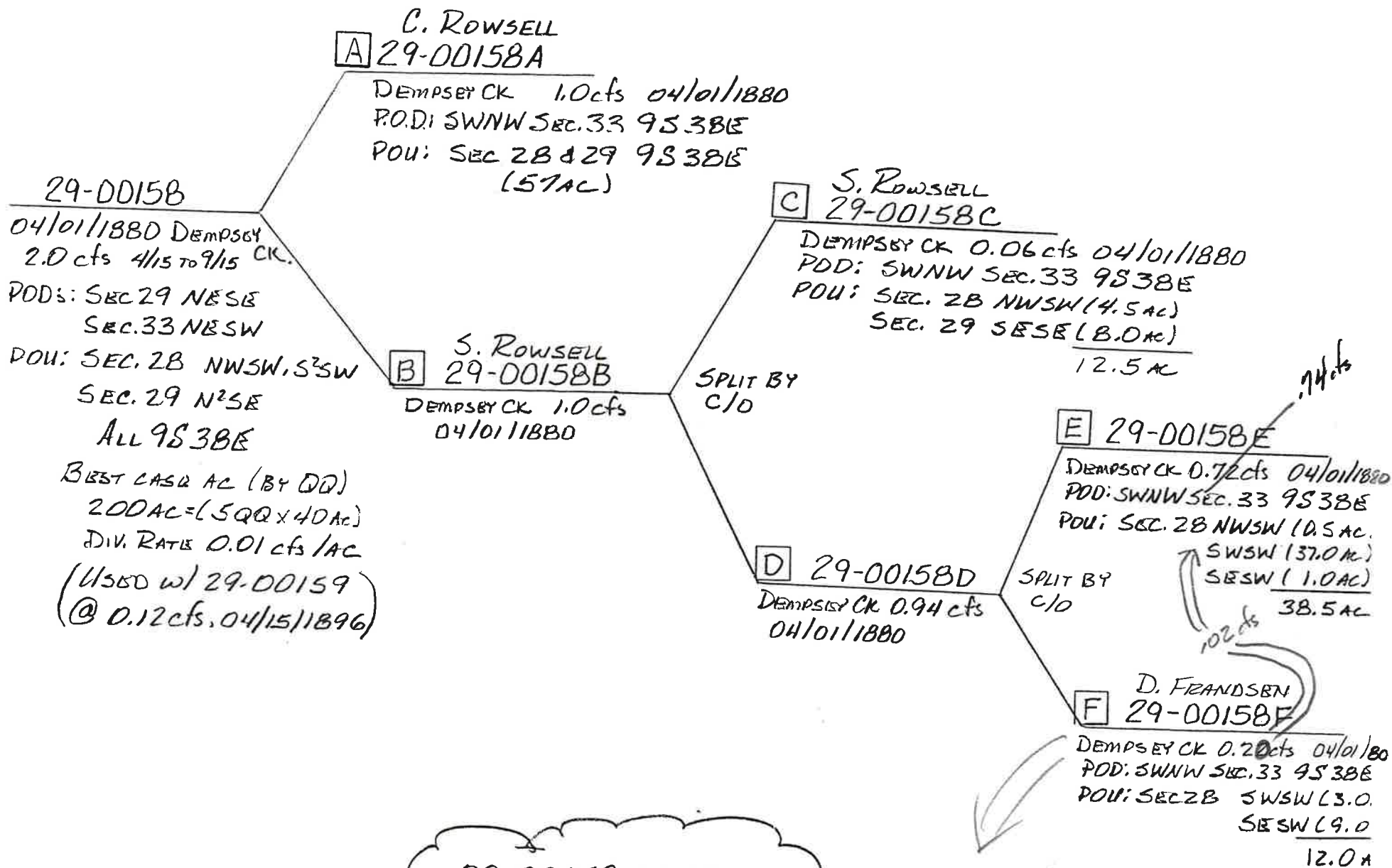
**Note: Delivery is through
the Kit Tillotson pipeline.**

SCANNED

JUL 06 2005



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



29-00158 AS SPLIT
IS CLAIMED IN-ENIL.
2.0 cfs on 120 AC.

PROFILE

SCANNED

JUL 06 2005

3" FROM 159
10" FROM 158
13" Total

5/11/01

ABR

SWSW
2.0

SESW
10.0

29 28

32 33

T9S, R38E





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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

November 4, 1999

DEANNA K FRANDSEN
PO BOX 548
LAVA HOT SPRINGS ID 83246

RE: CHANGE IN OWNERSHIP FOR A29-00158D, A29-00159B

Dear Ms. Frandsen:

The request for Change in Ownership for a portion of the above-referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

A29-00158E, 0.74 CFS ON 38.5 ACRES, TILLOTSON
A29-00158F, 0.22 CFS ON 12 ACRES, FRANDSEN

A29-00159C, 0.05 CFS ON 51 ACRES, TILLOTSON
A29-00159D, 0.01 CFS ON 12 ACRES, FRANDSEN

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

Jennifer Crabtree

Jennifer Crabtree
Technical Records Specialist

Enclosure

PROFILE

SCANNED
JUL 06 2005

10-1499

RECEIVED

OCT 14 1999

Department of Water Resources
Eastern RegionSTATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIPPlease print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.1. Water Right Number(s) A29-00158D
Adjudication Claim Number(s) _____

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

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) Kit H. and Connie M. Tillotson
P.O. Box 701 Lava Hot Springs, ID 832464. New Owner/Claimant(s) Deanna K. Frandsen
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address P.O. Box 548 Lava Hot Springs, ID 83246

City, State and ZIP Code _____

New Telephone Number (208) 776-54925. Date you acquired the property 9-25-95

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated 13 Number and type of stock NoneDiversion rate in CFS 20 Number of homes 1 Other uses None
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) Deanna Frandsen Date 9-13-99

Date _____

JUL 06 2005

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your

quarter, and the Northeast quarter of the Southeast quarter, and the Northeast quarter of the Southeast quarter, Section 22, Township 9 South, Range 38 E.B.M.

DEMPSEY CREEK, TRIBUTARY TO THE PORTNEUF RIVER

119. GODFREY, WILLIAM R.
-0156 1881 May 1 .78 c.f.s.
-0157 1882 May 1 .70 c.f.s.
- Said water to be diverted through a ditch having intake in the East half of the Northwest quarter, Section 9, Township 10 South, Range 38, E.B.M.;-also through another ditch having intake in the Northwest quarter of the Southeast quarter of Section 4, Township 10 South, Range 38 E.B.M.;-also through another ditch having intake North 53 degrees East 1550 feet from the Southwest corner of section 4;-also through two ditches in West Creek (tributary of Dempsey Creek) in the Northeast quarter of the Southeast quarter, Section 5, Township 10 South, Range 38 E.B.M. for the irrigation of the Northeast quarter of the Northwest quarter, Section 9, Lots 3 and 4 and the Southwest quarter of the Northwest quarter, and the Northwest quarter of the Southwest quarter of Section 4, and the Northeast quarter of the Southeast quarter, Section 5, Township 10 South, Range 38 E.B.M.
120. ROWSELL, A. A.
ROWSELL, WALTER
ROWSELL, S. A.
ROWSELL, J. A.
-0158 1880 April 1 2 c.f.s.
-0159 1896 April, 15 .12 c.f.s.
- Said water to be diverted through a ditch having intake near where Dempsey Creek crosses the line between townships 9 and 10 South (Byington-Merrick Ditch).
- Said water to be diverted through a ditch having intake South 88 degrees East, 1430 feet from the Northwest corner of the Southwest quarter, Section 33, Township 9 South, Range 38 E.B.M.;-and also through a ditch having intake which bears South 35 degrees 40 minutes West, 1044 feet from the East quarter corner section 29, Township 9 South, Range 38 E.B.M., for the irrigation of the South half of the Southwest quarter, Section 28, Township 9 South, Range 38 E.; also beginning at the Sutheast corner of the Northwest quarter of the Southwest quarter of said Section 28, and running thence West 240 rods; thence North 13.3 rods; thence East 240 rods; thence South 13.3 rods to place of beginning. Also beginning at the Northeast corner of the Northwest quarter of the Southwest quarter of Section 28, and running thence South 66.7 rods; thence West 240 rods; thence North 66.7 rods; thence East 240 rods to place of beginning.
- Said water to be diverted through a ditch having intake South 88 degrees East 1430 feet from the Northwest quarter of the Southwest quarter, Section 33, Township 9 South, Range 38 E.B.M.
- NWNE SW Sec. 33*
- PROFILED**
- 0166
121. POTTER, JOHN
1880 April 1 .8 c.f.s.
- SCANNED**
- JUL 06 2005**

JUN 08 2001

Log for claim A29-00158F

Spatial Dynamics AMH

8/7/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s38e	28	SWSW	3	36	Indiscernible
09s38e	28	SESW	9	13	
Totals:			12	49	

- I. SOB SPLIT History (attach) and % (attach) SALE
 INCLUDED 0.20 ac of 29-158D $\begin{cases} \text{E TIMOTSON, K. 0.74} \\ \text{F FRANKSON, D. 0.20} \end{cases}$
 (NOT 0.22 ac as claimed)
- II. DECREASED SOU 4/15 TO 9/15 $\Rightarrow$ SØB (no EXT. SOU claim)
- III. POD is actually in NWNE SW SEC. 33 (Now POD/PIPELINE
 installed 1990 by K. Timotson). POD claim is in ERROR.

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: **A29-00158F**
Date Received: 3/20/1990
Receipt No: X777777
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DEANNA K FRANDSEN 208-776-5492
Address: PO BOX 548
LAVA HOT SPRINGS ID 83246

2. Date of Priority: APR 1, 1880

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	38E	33	SW		NW		BANNOCK

5. Description of diverting works:
DITCH FROM CREEK TO RELIFT PUMP TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.220		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
09S	38E	28	SW	SW		IRR	3.0
			SE	SW		IRR	9.0

Section Acres 12.0



10. Place of Use: Continued

Total Acres 12.0

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:
A29-00159D

14. Remarks:
RIGHT SPLIT BECAUSE OF CHANGE IN OWNERSHIP.
RIGHT PAID FOR UNDER RECEIPT #E012451.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

UNION GRAIN AND ELEVATOR COMP
Decree Plaintiff

MCCAMMON DITCH COMP, 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: _____

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): _____ Date: _____
_____ Date: _____

PROFILED

SCANNED

JUL 06 2005