

02/12/2003

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

RIGHT NUMBER: 29-226
NAME AND ADDRESS: VAL J DAVIDS
1178 CHESTERFIELD RD
BANCROFT ID 83217
SOURCE: JOE WILLEY CREEK TRIBUTARY: TWENTYFOURMILE CREEK
QUANTITY: 0.190 CFS
PRIORITY DATE: 05/01/1883
POINT OF DIVERSION:
T06S R38E S28 SESWSE Injection Within CARIBOU County Source: JOE WILLEY CREEK
T06S R38E S28 SWSESE Within CARIBOU County Source: JOE WILLEY CREEK
T06S R39E S33 SWNWNW Rediversion Within CARIBOU County Source: JOE WILLEY
CREEK

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 09/15	0.190 CFS

PLACE OF USE: IRRIGATION Within CARIBOU County

T06S R39E S33	NENE	39.0	T06S R39E S33	NWNE	31.0
T06S R39E S33	SWNE	33.0	T06S R39E S33	SENE	39.0
T06S R39E S33	NENW	1.7	T06S R39E S33	SENW	12.0

155.7 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 9.4 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.

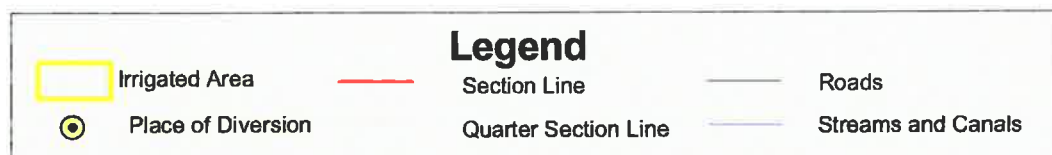
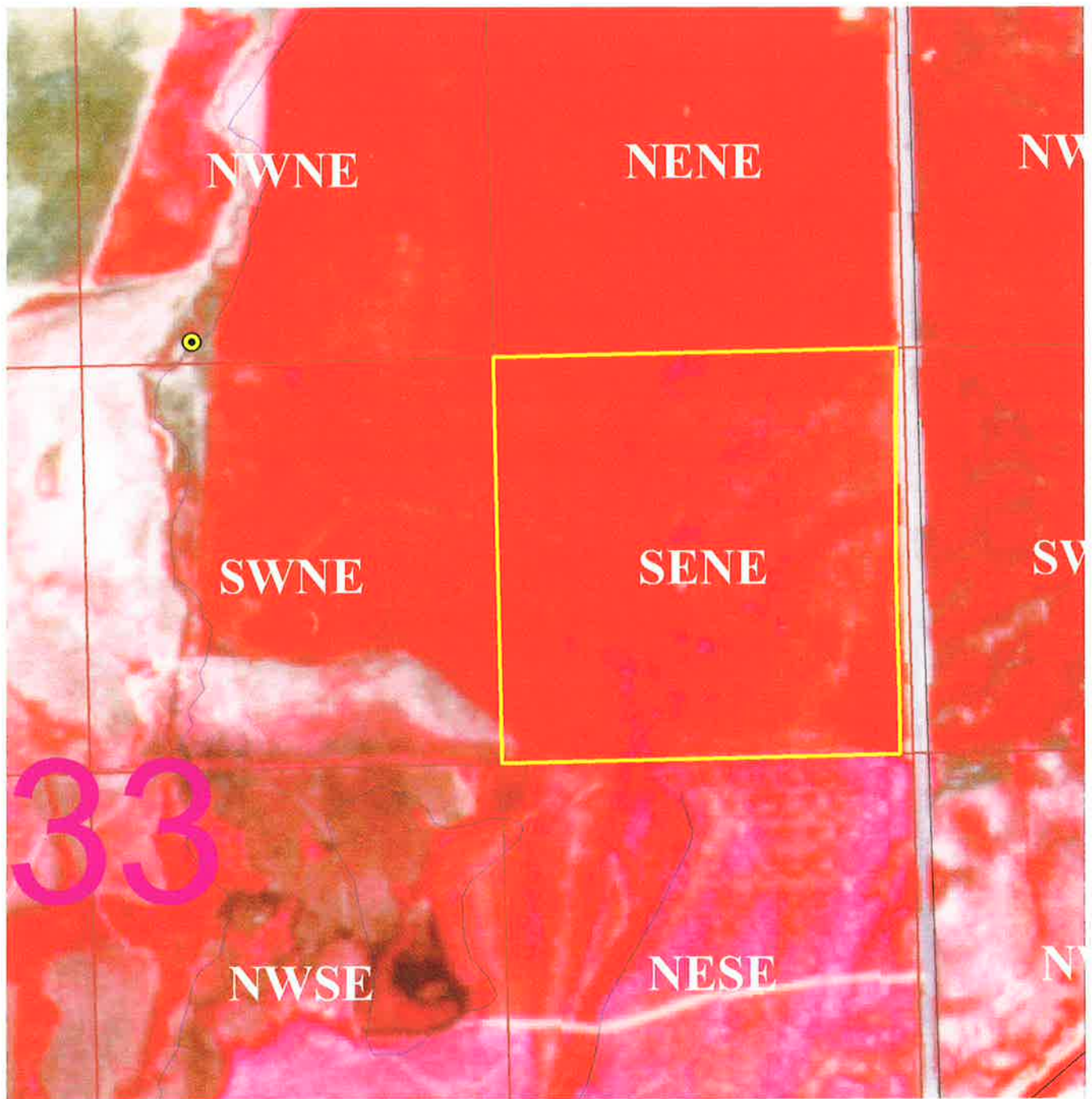
EXPLANATORY MATERIAL: Decreed

USE OF WATER UNDER THIS RIGHT IS COMBINED WITH WATER FROM
CHESTERFIELD CANAL & IRRIGATION COMPANY.

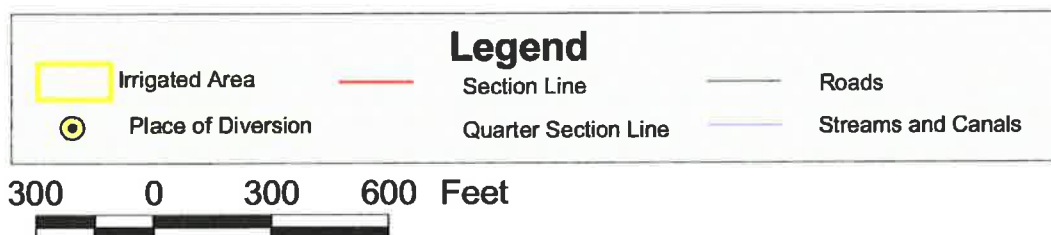
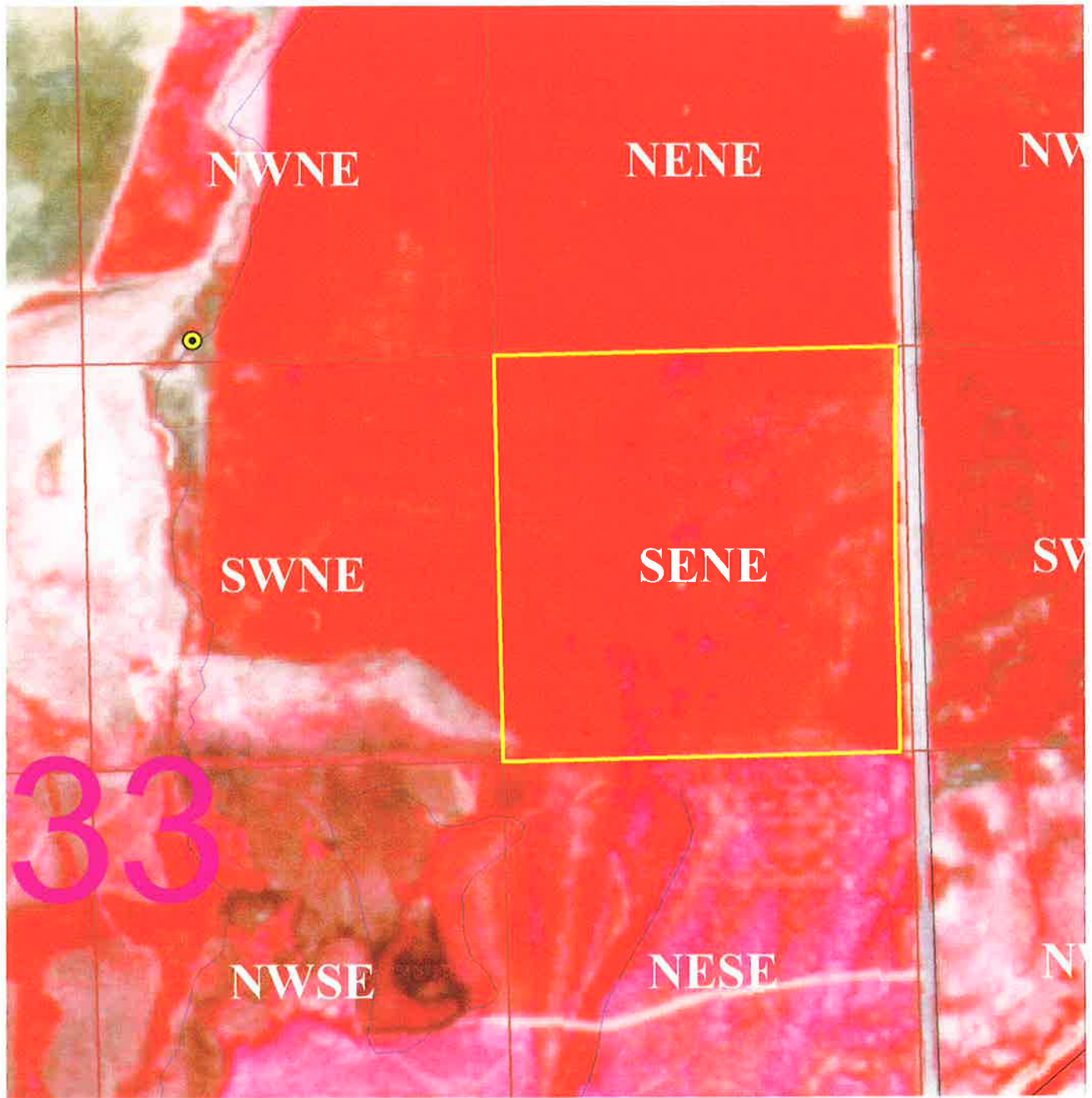
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

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

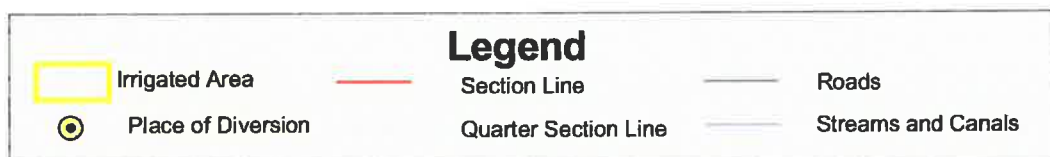
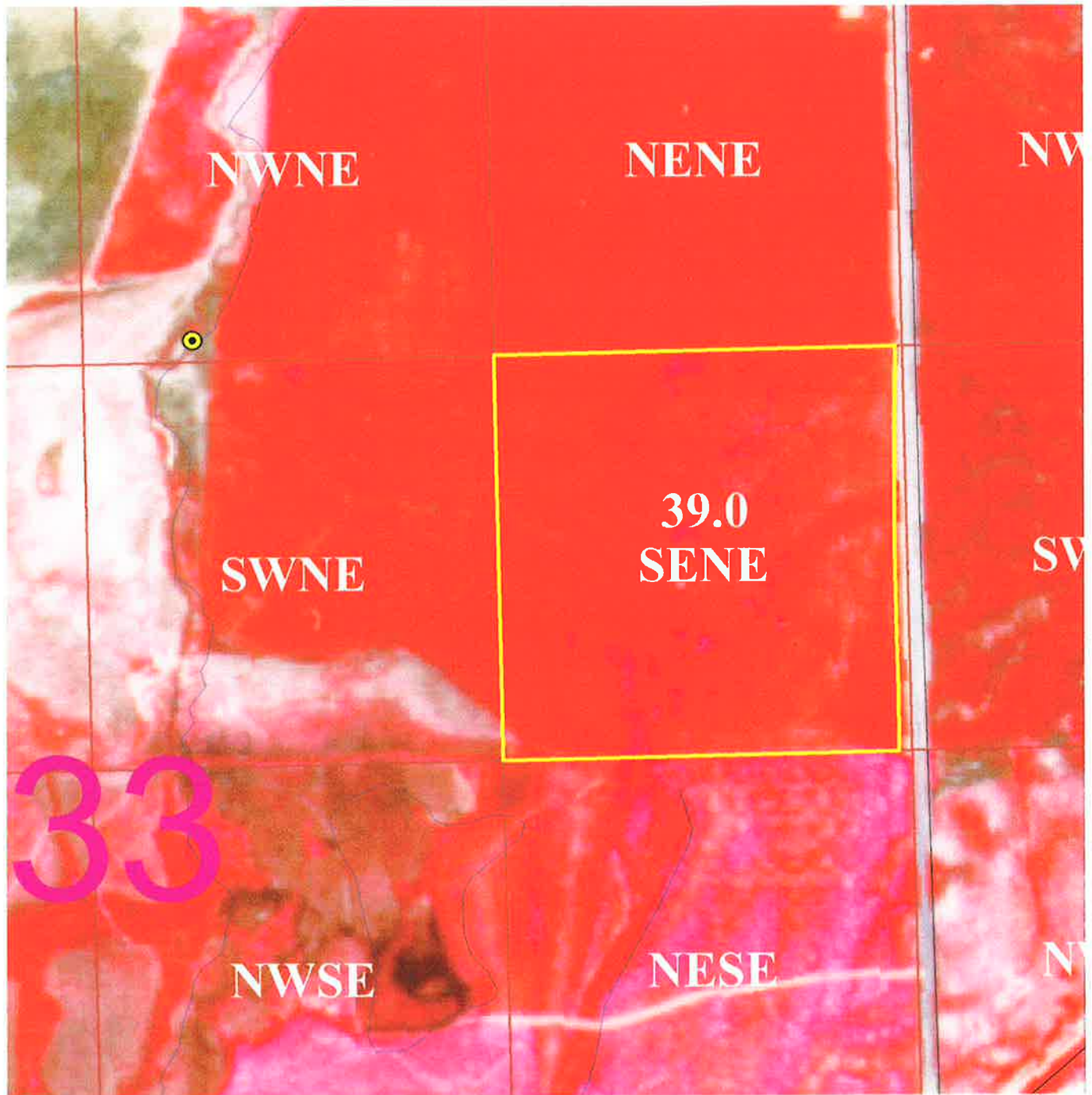
Township , 6S39E



Township , 6S39E



Township , 6S39E

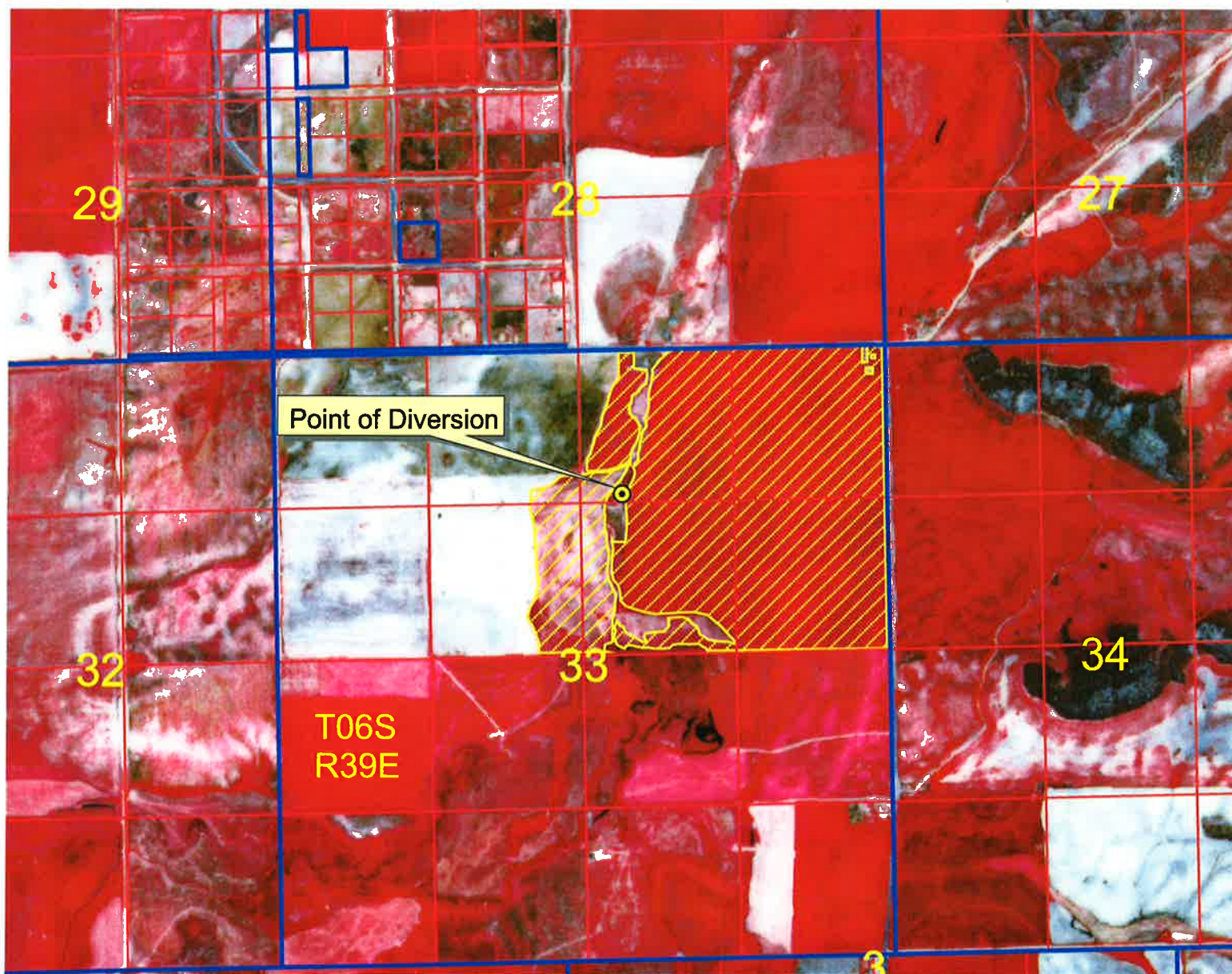


300 0 300 600 Feet





State of Idaho
Department of Water Resources
Eastern Region
Water Right 29-72A, 29-226



0.5 0 0.5 1 Miles

1:16000



- ⊙ Point(s) of Diversion
- ▨ Place of Use
- ▭ Section Lines
- ▭ Quarter Quarter Lines

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: P. Meyer
Date: February 2003

IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED
WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-226

NAME AND ADDRESS:

VAL J DAVIDS
1178 CHESTERFIELD RD
BANCROFT ID 83217

SOURCE:

Source:

JOE WILLEY CREEK

Tributary:

TWENTYFOURMILE CREEK

QUANTITY:

0.190 CFS

0.000 AFY

PRIORITY DATE:

05/01/1883

POINT OF DIVERSION:

~~T06S R39E S28 SESWSE Injection~~
~~Within CARIBOU County~~
~~T06S R39E S28 SWESE~~
~~Within CARIBOU County~~

T06S R39E S28 SESWSE Injection
Within CARIBOU County

T06S R39E S28 SWESE
Within CARIBOU County

T06S R39E S33 SNNWNE Rediversion
Within CARIBOU County

**PURPOSE AND
PERIOD OF USE:**

Purpose of use

Period of use:

Quantity:

IRRIGATION

04/15 09/15

0.190 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.

IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED
WATER RIGHTS ACQUIRED UNDER STATE LAW

PLACE OF USE: IRRIGATION within CARIBOU County

T06S R39E S33 NENE 39.0

T06S R39E S33 NWNE 31.0

T06S R39E S33 SWNE 33.0

T06S R39E S33 SENE 39.0

T06S R39E S33 NENW 1.7

T06S R39E S33 SENW 12.0

155.7 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 9.4 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: BASIS OF CLAIM - Decreed

USE OF WATER UNDER THIS RIGHT IS COMBINED WITH WATER FROM
CHESTERFIELD CANAL & IRRIGATION COMPANY.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 21, 2003

Val J. Davids
1178 Chesterfield Road
Bancroft, ID 83217

REF: Snake River Basin Adjudication
Claim: A29-226

Subject: AMENDING YOUR CLAIM

Dear Val,

After reviewing your SRBA claim A29-226. I'm recommending you amend your claim to claim the decreed diversion rate of 0.19 cfs. When your SRBA claims were filed only 0.06 cfs was filed on instead of the 0.19 cfs under the decree. In order for me to recommend the higher diversion rate to the SRBA court you will have to amend your claim to request the additional flow.

Please let me know as soon as possible if you would like to amend the claim. I can make the changes and send you the form to sign but it will need to be signed in front of a notary. Or you can make an appointment with me at the Soda Springs office to amend the claim. The preliminary director's report will be coming out soon in this basin so you will need to let me know as soon as possible.

If you have any questions please feel free to contact me at 547-3993 in Soda Springs.

Respectfully,

Cindy E. Bird
Adjudication Bureau

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

In Re SRBA)

Case No. 39576)

A. Subcase 29-00226
(Insert water right number)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 fax
United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Val J. Davids

Address: 1178 Chesterfield Road; Bancroft, Idaho 83217

Name:

Address: ;

Name:

Address: ;

Name:

Address: ;

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____

2. ☐ **Source**
Should be: _____

3. ☐ **Quantity**
Should be: _____

4. ☐ **Priority Date**
Should be: _____

5. ☒ **Point(s) of Diversion**
Should be: See attached.

6. ☐ **Instream Flow Description**
Should be: _____

7. ☐ **Purpose(s) of Use**
Should be: _____

8. ☐ **Period of Year**
Should be: _____

9. ☐ **Place of Use**
Should be: _____

11. **I object because:**

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant's use of Federal land is unauthorized. See attached POD. Claimant's water right should not include this POD. The POD element appears to contain a typographical error in range for two PODs (should be R39E).

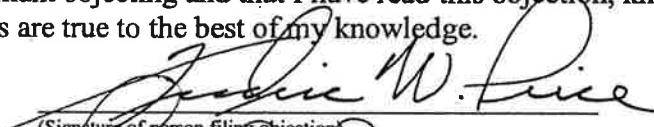
F.

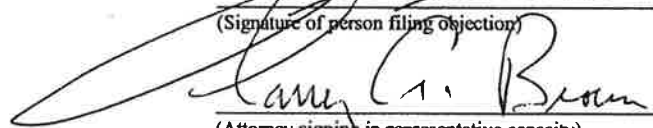
VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)


(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 11/05/03




Casey R. O'Brien
Notary Public in and for the State of Idaho
Residing at: Nampa, ID.
My Commission Expires: 10-31-2009

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.**
You must also send a copy to all the parties listed below in the Certificate of Mailing.

G.

CERTIFICATE OF MAILING

I certify that on Nov. 13, 2003, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

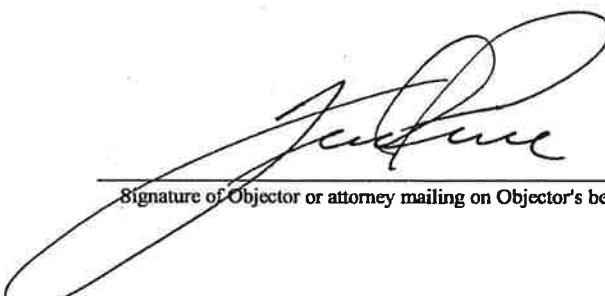
Name: Val J. Davids
Address: 1178 Chesterfield Road; Bancroft, Idaho 83217
Name:
Address: ;
Name:
Address: ;
Name:
Address: ;

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney mailing on Objector's behalf

07/10/2003

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-226
NAME AND ADDRESS: VAL J DAVIDS
1178 CHESTERFIELD RD
BANCROFT ID 83217

POD ON BLM

**-NO POD EXISTS ON BLM AT THIS LOCATION
-PERHAPS THIS IS A TYPOGRAPHICAL ERROR.**

SOURCE: JOE WILLEY CREEK

TRIBUTARY: TWENTYFOURMILE CREEK

QUANTITY: 0.190 CFS

PRIORITY DATE: 05/01/1883

POINT OF

DIVERSION: **BLM** T06S R38E S28 SESWSE Injection Within CARIBOU County
BLM T06S R38E S28 SWSESE Within CARIBOU County
T06S R39E S33 SWNWNE Rediversion Within CARIBOU County

SHOULD BE R39E.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 09/15	0.190 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 CARIBOU County

T06S R39E S33	NENE	39.0	T06S R39E S33	NWNE	31.0
T06S R39E S33	SWNE	33.0	T06S R39E S33	SENE	39.0
T06S R39E S33	NENW	1.7	T06S R39E S33	SENE	12.0

155.7 ACRES TOTAL

07/10/2003

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 9.4 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: BASIS OF CLAIM - Decreed

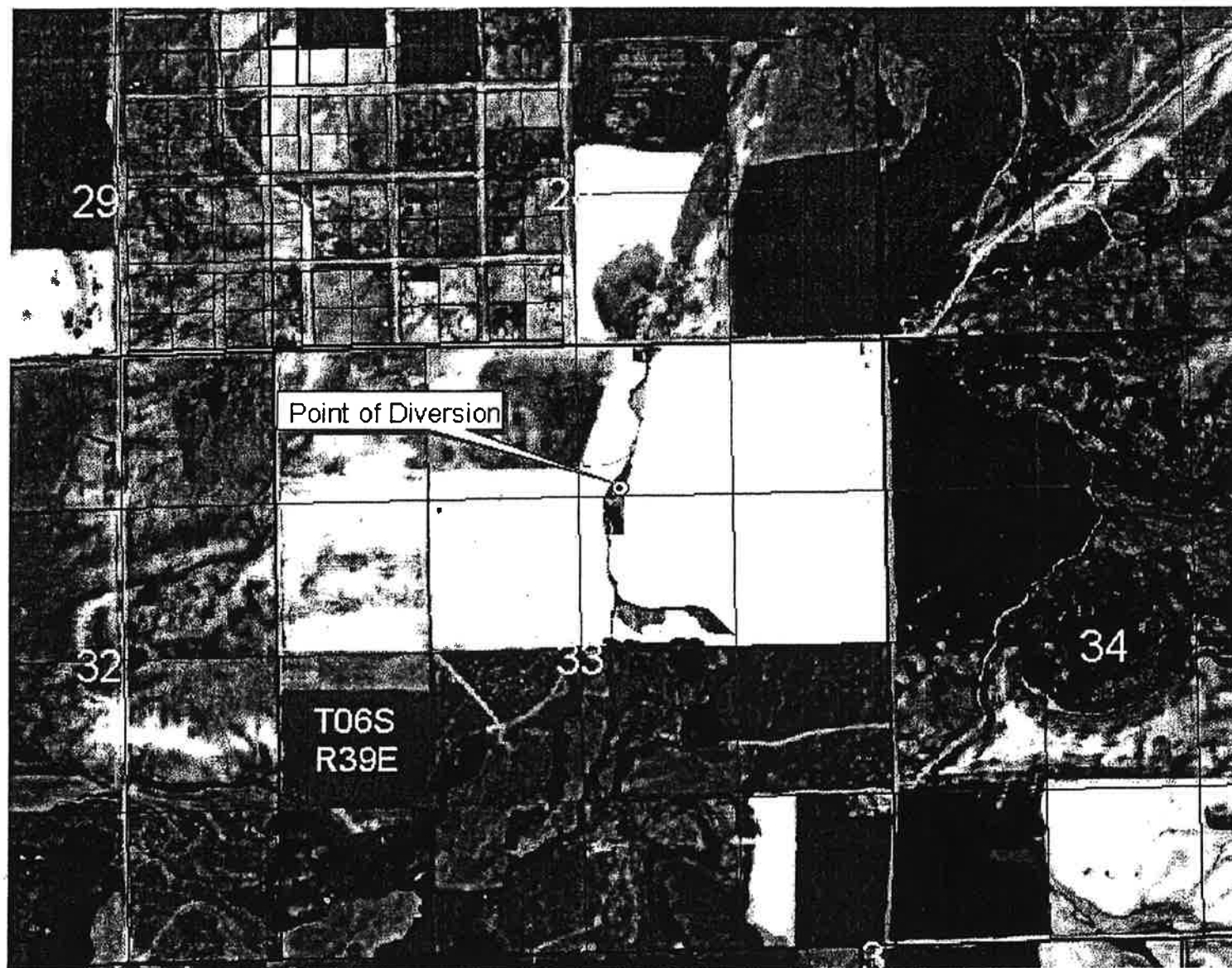
USE OF WATER UNDER THIS RIGHT IS COMBINED WITH WATER FROM
CHESTERFIELD CANAL & IRRIGATION COMPANY.

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

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



State of Idaho
Department of Water Resources
Eastern Region
Water Right 29-72A, 29-226



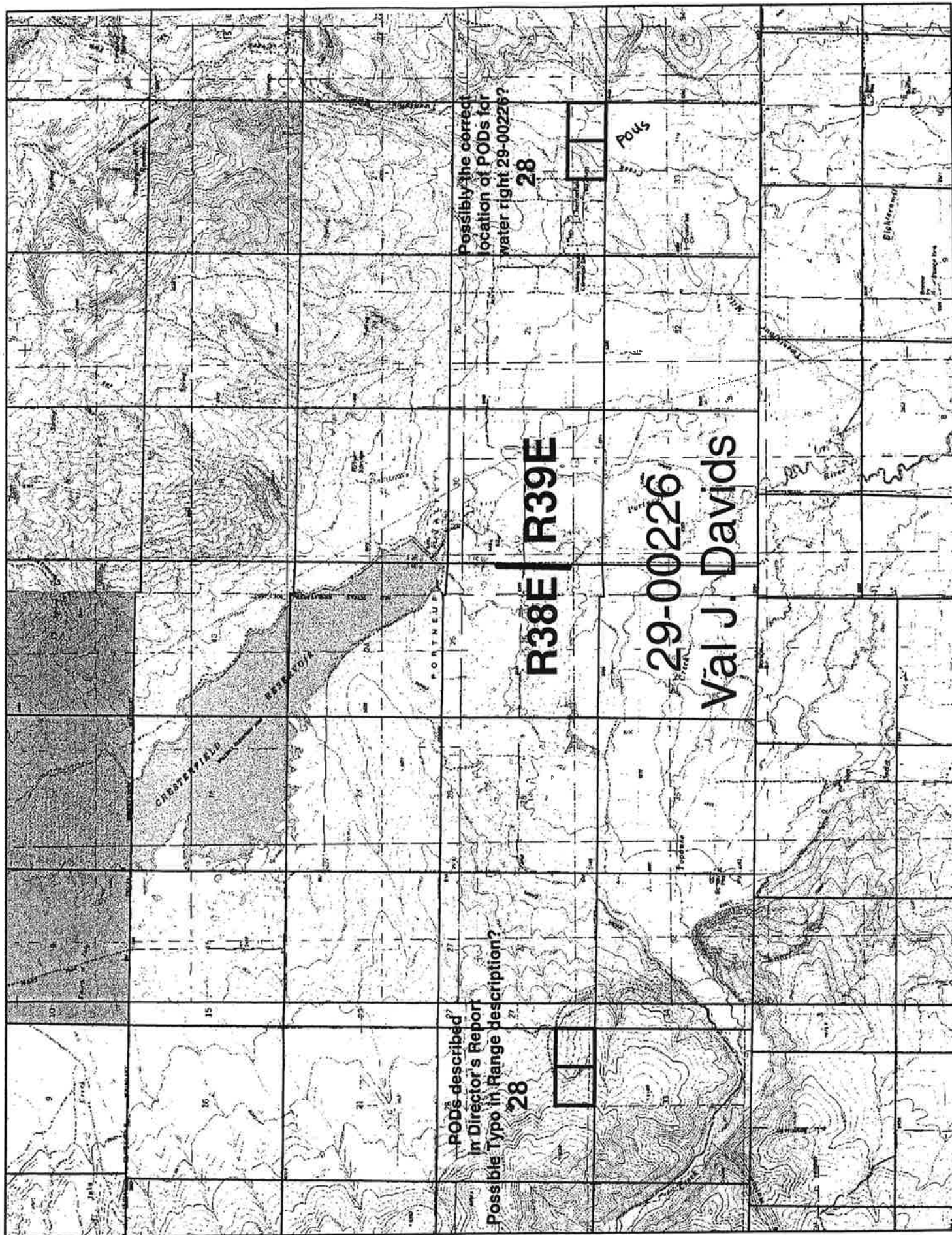
0.5 0 0.5 1 Miles

1:16000



- ⊙ Point(s) of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: P. Meyer
Date: February 2003



PODs described
in Director's Report
Possible Type in Range description?

28

R38E | R39E

29-00226

Vai J. Davids

Possibly the correct
location of PODs for
water right 29-00226?

28

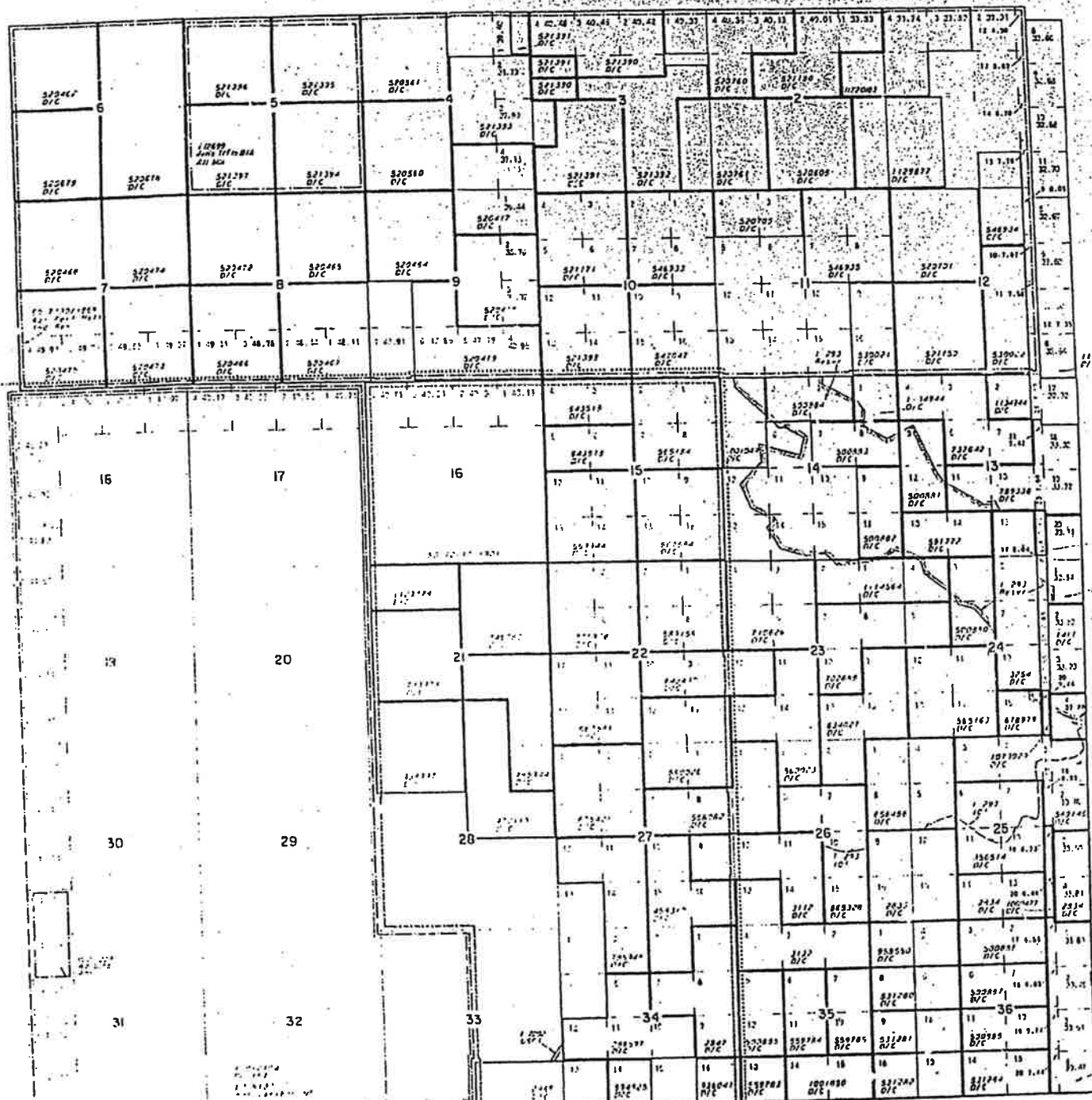
Pous



POCATELLO RAY

T65
R38E

MT PLAT

[illegible]

EO 7868 4/15/1930 Ter Juris of Acq Lands from
Dept of Agr to Dept of Int. BIA
All land lying within Fort Hall Ind Res

1 012104 Del PL 167 (Act of Cong 7/23/1951)
completed 6/28/1961, still at surface WSW by 03/3

120419 KTLA Crestedside Ranch
Soc 1: 6, 14, 2, 8, 9, 1, 3, 11, 12, 13

FOR ORDERS EFFECTIVE IMMEDIATELY USE OF
UNIDENTIFIED LAYERS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

CURRENT TO
CURRENT 1

USE PLAIN

Lat. 42° 12'
Long. 111° 4'

T 6 S

R 38 E

Boise Meridian

20

21

X

X

298997
D12

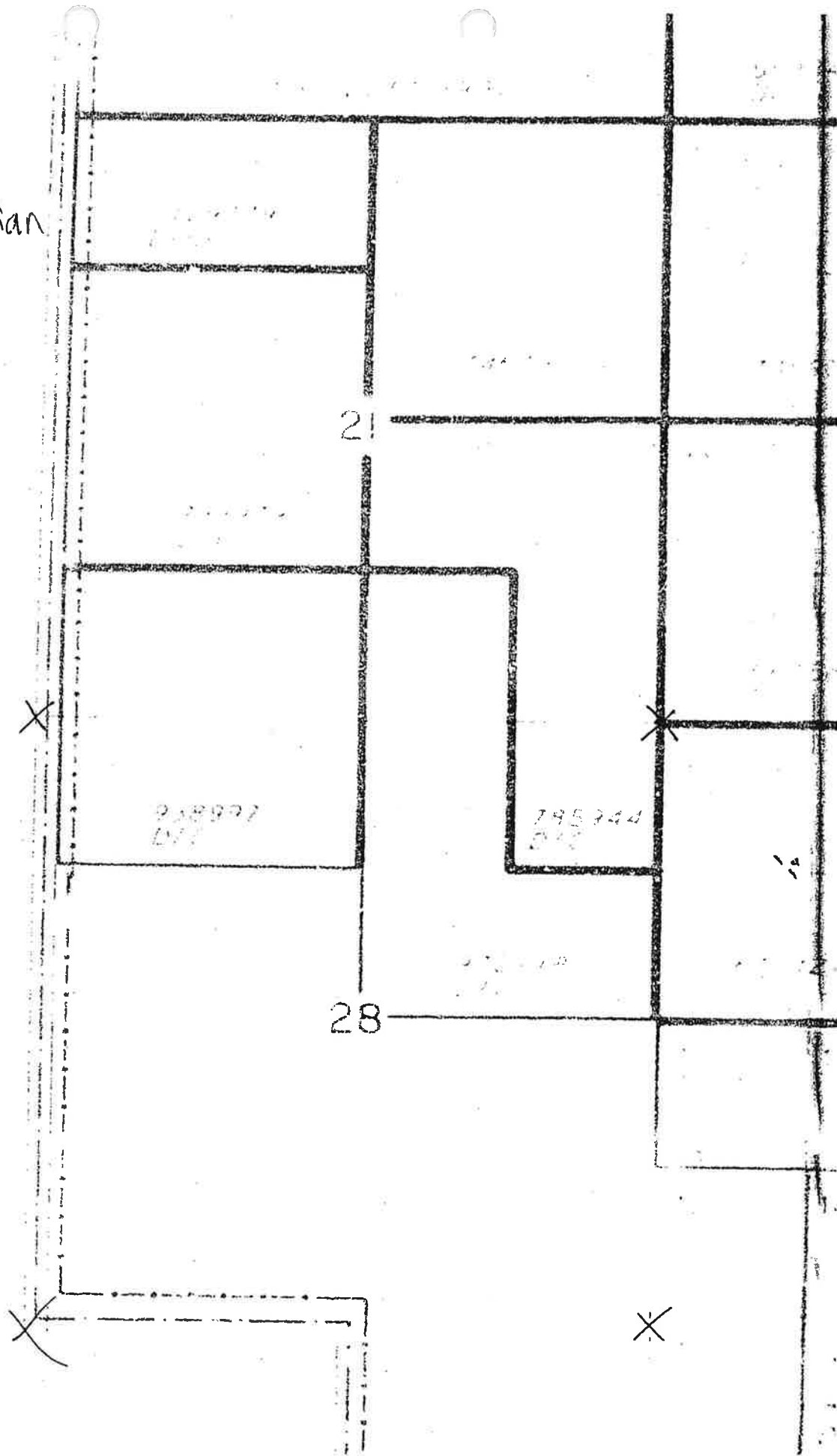
795744
D12

29

28

X

X



CARIBOU COUNTY 029
IDAHO FALLS DISTRICT SEC 15
POCATELLO RAN

MT PLAT

[illegible]

Sec. 1: SW $\frac{1}{4}$ NW $\frac{1}{4}$ 4 SE $\frac{1}{4}$ 1/4
Sec. 2: SW $\frac{1}{4}$ 2 SE $\frac{1}{4}$ 2 NE $\frac{1}{4}$ 1/4
NE $\frac{1}{4}$ 2 SE
Sec. 6: Lot 2 NW $\frac{1}{4}$ SW $\frac{1}{4}$ 4 SE $\frac{1}{4}$ NW $\frac{1}{4}$ 4
E $\frac{1}{4}$ 2 NW $\frac{1}{4}$ SE $\frac{1}{4}$ 1/4
Sec. 7: Lot 1 SW $\frac{1}{4}$ NE $\frac{1}{4}$ 4 NW $\frac{1}{4}$ 4 SE $\frac{1}{4}$ 1/4
Sec. 12: NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ 4
Sec. 17: SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ 4 SW $\frac{1}{4}$ 1/4
Sec. 18: E $\frac{1}{4}$ 2 NE $\frac{1}{4}$ 4
Sec. 28: SW $\frac{1}{4}$ 2 NW $\frac{1}{4}$ 4
Sec. 28: SW $\frac{1}{4}$ NE $\frac{1}{4}$ E $\frac{1}{4}$ 2 NW $\frac{1}{4}$ 4 SE $\frac{1}{4}$ 1/4

FOR ORDERS EFFECTING DISPOSAL OR USE OF UNIDENTIFIED LANDS REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

CURRENT TO	CURRENT TO

USE PLATS:

[illegible]

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears slightly aged or off-white. There is no handwriting or other markings on the page.

Date: _____

Priority Date Data Entry FormClaim Number: 29-226

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: _____ Recommended Basis: _____

X Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

Reviewer: CBDate: 4/10/03

Point of Diversion and Source Data Entry Form

Claim Number: 29-226

Water Right Point of Diversion: T____, R____, Sec.____,____,____,____. County:_____

Source:_____ Tributary:_____

Claimed Point of Diversion: T____, R____, Sec.____,____,____,____. County:_____

Source:_____ Tributary:_____

Recommended Point of Diversion: T____, R____, Sec.____,____,____,____. County:_____

Source:_____ Tributary:_____

____ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						

Other rights from this POD?

29-227 929-72A

Document how the POD and Source were verified and/or Pump and Motor data:

T6S R39E Sec 33 SWNWNE Pt of rediversion.
T6S R38E Sec 28 SESWSE Pt of injection.

Field exam (during time of 24 mi)
Source is Joe Wiley Crk. (decided) Not 24 mi - Crk.

Transfers Changing POD

NO

Reviewer:

CB

Date:

1/10/03

Place Of Use Data Entry Form

Claim Number: _____

☒ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

FPLS - K06 9.4 acre limit.

Recommend PPU with 29-226, 29-227 & 29-72A.

Transfers Changing POU _____

Reviewer: CBDate: 4/10/06

Purpose of Use Data Entry Form

Claim Number:

29-224☐ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
Irrigation			9.4	

Document how the Purpose of Use was verified:

Kob 9.4 acres. PPLS.

Transfers Changing Purpose of Use

No

Reviewer:

CB

Date:

4/10/03

Period of Use and Quantity Data Entry Form

Claim Number: 29-226☒ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
irrigation	4/15	9/15	0.19	(9.4 inches)

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate 0.06

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

Right is underclaimed. Unable to meet
with claimed, he didn't show where
apts were made, recommend as
claimed.
Durer (716 + E)
to

Reviewer: CBDate: 4/10/03

Summary Data Entry Form

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

C18

C03

K06 9.4 acre limit (9 3/8 acres)

G02 Remark. - POF Source

E4 29-226 & 29-227 Combined total 0.12 cfs

E29 - Also uses Chesterfield Canal & Res on POU.

- water must be available at historic diversion of Joe Willie Creek
under this priority. see recent transfers changing source for
conditions to prevent injury. -

Split or Combined Right Analysis:

no

Attached Field Notes or Other Documents:

none

Claim No.:

Reviewer

Cindy Bird

Date

1/10/03

Notes

- PPLS for all rights 29-226, 227, 72A.
 - Recommend as decreed.
 - changed claimed POD AS Rediversion Point
 - added SESWSE sec 28, T6S, R 38E as inject.
ion pt.
- Source is the Wilby Ck NOT 24-mile.

JOE WILLEY CREEK, TRIBUTARY TO TWENTY FOUR MILE CREEK.

CALL DITCH NO. 21, Diverts from Joe Willey Creek in the Southeast quarter of the Northeast quarter, Section 27, Township 6 South, Range 39 East. From the East quarter corner of Section 27, the point of diversion bears North 53 degrees and 25 minutes West, 952 feet.

CALL DITCH NO. 2 diverts from Joe Willey Creek in the Southwest quarter of the Southwest quarter, Section 27, Township 6 South, Range 39 East. From the Southwest corner of Section 27, the point of diversion bears North 61 degrees and 15 minutes East, 1210 feet.

29 0225

✓
161. CALL, OSMOND
1883 May 1. .75 c.f.s.
(37.5 inches)

Said water to be diverted through the said Call Ditch No. 1, and Call Ditch No. 2, last above described, for the irrigation of 75 acres of land in the West half of the Southeast quarter, and the Southeast quarter, and the Southeast quarter of the Southwest quarter, Section 27, Township 6 South, Range 39 East.

9 0226

✓
162. HOLBROOK, JONATHAN
1883 May 1. .19 c.f.s.
(9.4 inches)

Said water to be diverted through the said Call Ditch No. 1 and Call Ditch No. 2, last above described, for the irrigation of 9 3/8 acres of land in the Southeast quarter of the Northeast quarter, Section 33, Township 6, South, Range 39 East.

9 0227

✓
163. CORNELISON, FORREST L.
1883 May 1. .06 c.f.s.
(3.1 inches)

Said water to be diverted through the said Call Ditch No. 1, and Call Ditch No 2, last above described, for the irrigation of 3 1/8 acres of land in the Northeast quarter of the Northeast quarter, Section 33, Township 6 South, Range 39 East.

The 1 Court having found that 18-Mile Creek and Mose Canyon Creek are not tributaries to the Portneuf River,

IT IS FURTHER ORDERED, ADJUDGED AND DECREED: That the following named persons so far as their rights to the waters of said Creeks are concerned, be dismissed from this action, to-wit:

Frank Butterfield, Robert L. Redford, Alma Hogan, E. A. Madison, Margarette Hatch, Administratrix of the Estate of Ramson Hatch, Deceased, Nels Hogan, William Higginson, and Thomas Hatch.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED: That Sarah Harkness, Ernest Byington, John Byington, Charles Mills, Robert Redford, Charles Byington, C. F. Potter, Leslie Sharp, James Higgins, James Roddy, Alfred Baker, Chas. Bell, John Ramsey, Jesse Avery, A. M. Boyce, Ray Bloxum, Mrs. N. Norton, Joseph Bell, Arthur Naylor, E. J. Dolbeer, H. A. Weddell, Stephan Grimm and Will Bowers, have no right, title, interest or claim in or to any of the waters of the Portneuf River, or its tributaries and sources, and the parties and each of them, their agents, servants, attorneys, successors in interest and assigns, are perpetually enjoined from diverting or using any of the water of the Portneuf River, or its tributaries and sources.

No costs or disbursements are allowed to any of the parties to this action, but each shall pay his, her or its own costs.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED: That when the natural flow of the streams, the water of which is awarded by this decree, is not sufficient to furnish all parties claiming water therefrom with the full

MAY 15 1996

[Close](#)

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

06/14/2002

WATER RIGHT NO. 29-226

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	VAL J DAVIDS 1178 CHESTERFIELD BANCROFT, ID 83271 (208)648-7703

Priority Date: 05/01/1883

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
TWENTYFOUR MILE CREEK	PORTNEUF RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/15	9/15	0.06 CFS	
Total Diversion			6 CFS	

Location of Point(s) of Diversion:

TWENTYFOUR MILE CREEK	SWNWNE	Sec. 33	Township 06S	Range 39E	CARIBOU County
-----------------------	--------	---------	--------------	-----------	----------------

Place(s) of use:

Place of Use Legal Description: IRRIGATION CARIBOU County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
06S	39E	33		SENE	9.6									

Total Acres: 9.6

Remarks:

1.	General	WATER DIVERTED FROM TWENTY-FOUR MILE CREEK BY MEANS OF AN EARTHEN DAM INTO A HOLDING POND FROM WHICH THE WATER IS PUMPED BY MEANS OF AN ELECTRIC MOTOR AND CENTRIFUGAL PUMP INTO A SPRINKLER IRRIGATION SYSTEM. TOTAL NUMBER OF ACRES IN #10 9 3/8.
----	---------	---

Dates:

Licensed Date:

Claim Received Date:

Decreed Date: 08/06/1932
Enlargement Use Priority Date:
Enlargement Statute Priority Date:

Other Information:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Close

4/11/02

29-226 was decreed at 0.19 cfs.
different Source.

Joe Willey Creek trib to: 24 mi Ck.?

Check with region about exchange water on 24 mi
Creek.

MAY 4 2001

Log for claim A29-00226

Spatial Dynamics BTD

6/8/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06s39e	33	SENE	9	39	Indiscernible
Totals:			9	39	

AJ5809NP
No. A29-00226

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/21/00
PAGE: 44

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	VAL J DAVIDS 1178 CHESTERFIELD BANCROFT ID 83271 (208) 648-7703	05/01/1883	IRRIGATION	04-15 09-15	0.060 CFS	
					TOTAL DIVERSION: CONSUMPTIVE USE:	6.000 CFS 6.00 AFA

Water Source: TWENTY-FOUR MILE CREEK

Tributary to: PORTNEUF RIVER

Stage: DECREED

Point(s) of Diversion:

T06S R39E S33

SWNWNE

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	39E	33	:					09	:											9.6
																			9.6	
																			TOTAL ACRES	9.6

POU County: CARIBOU

Other Rights: CHESTERFIELD CANAL & RESERVOIR CO. - STORAGE WATER

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-00072A A29-00227

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00071 A29-00072 A29-00072A A29-00227 A29-02558

Remarks: GEN WATER DIVERTED FROM TWENTY-FOUR MILE CREEK BY MEANS OF AN EARTHEN
DAM INTO A HOLDING POND FROM WHICH THE WATER IS PUMPED BY MEANS
OF AN ELECTRIC MOTOR AND CENTRIFUGAL PUMP INTO A SPRINKLER
IRRIGATION SYSTEM.
TOTAL NUMBER OF ACRES IN #10 9 3/8.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 01/24/90 KEISER 04/04/94 THOMPSON 03/29/95 POST-STD

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME David's CLAI DENT. NO. A29-00226
DATE RECEIVED 1-22-1990 CK # 5337 AMOUNT \$ 59.50

	YES	NO	Required Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered?	☒	☐	*
Is the priority date acceptable in view of mandatory filing dates?	☒	☐	*
See Adjudication Memos #1 and #4 to determine if a Permit is required.	☒	☐	*
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required)	☒	☐	
4. Is the legal description of the p.d. sufficient?	☒	☐	*
5. Is there a description of the diverting works?	☒	☐	
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.	☒	☐	*
Is the period of use included?	☒	☐	
Is a quantity claimed for each use?	☒	☐	*
7. Is a total quantity claimed entered?	☒	☐	
8. If required is a consumptive use entered?	☒	☐	
Is the consumptive use correct?	☐	☒	
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.	☒	☐	*
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	*
11. Is (are) the county(ies) entered?	☒	☐	
12. Is the ownership of p.u. checked?	☒	☐	
13. Are other water rights listed or "none" indicated?	☒	☐	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	☒	☐	
15. Is the basis of the claim indicated?	☒	☐	
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)	☐	☒	
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.	☒	☐	*
18. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
19. Was this claim filed on time, or was an extension granted?	☒	☐	*
20. Is the fee enclosed correct?	☒	☐	*
21. If this claim is based on an existing water right, has the identification number been entered?	☒	☐	
22. Should this claim be data entered?	☒	☐	

Claim checked by: Ernest Carlson Date: 1-23-1990Claim must be returned to claimant: (Yes) (No)Claimant must be notified of modifications: (Yes) (No)Receipt Prepared by:
Claim data entered by:
Sent to claimant by: Date:
Date: 1/24/90 Checked by: Date: Comments: The location for the point of diversion indicates the same in 24 milecreek not Joe Willie Creek.

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 29-226
Date Received: 1/23/1990
Receipt No: E011834
Received By:

AMENDED

AMENDED

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

COPY

1. Name of Claimant(s)

VAL J DAVIDS Phone: (208) 648-7703

1178 CHESTERFIELD
BANCROFT ID USA 83271

2. Date of Priority: 05/01/1883

3. Source: TWENTYFOUR MILE CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06S	39E	33	SW NW NE	CARIBOU	

5. Description of diverting works:

REFER TO REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	09/15	0.19	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06S	39E	33	SE	NE	IRRIGATION	9.6
					Section Acres	9.6
					Total Acres	9.6

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:

14. Remarks:

WATER DIVERTED FROM TWENTY-FOUR MILE CREEK BY MEANS OF AN EARTHEN DAM INTO A HOLDING POND FROM WHICH THE WATER IS PUMPED BY MEANS OF AN ELECTRIC MOTOR AND CENTRIFUGAL PUMP INTO A SPRINKLER IRRIGATION SYSTEM.
TOTAL NUMBER OF ACRES IN #10 9 3/8.

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.

Number of attachments: _____

For Individuals:

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

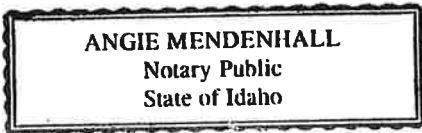
Signature of Claimant(s): Val J. Jaramila Date: 2/6/03

Date:

State of Idaho)
County of Caribou) SS.

Subscribed and sworn (or affirmed) before me this
of 6th day of Feb 2003

Angie Mendenhall
Notary Public



Residing at Grace, Idaho
My commission Expires 01-10-06

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: A29-00226
Date Received: 1/22/1990
Receipt No: E011834
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: VAL J. DAVIDS
Address: 1178 CHESTERFIELD
BANCROFT, ID 83271
208-648-7703

2. Date of Priority: MAY 01, 1883

3. Source: TWENTY-FOUR MILE CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion: *Joe Willeys Creek? 24 mi*

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	39E	33	SW	NW	NE		CARIBOU

5. Description of diverting works:
REFER TO REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	09/15	0.060		

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

A.F.A.

8. Total consumptive use is 6.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	39E	33	SE	NE		IRR	9.6

Section Acres 9.6

Total Acres 9.6

A29-00226

Page 1

Date: 01/24/90

MICROFILMED

NOV 13 1992

A2900226



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:

CHESTERFIELD CANAL & RESERVOIR CO. - STORAGE WATER

14. Remarks:

WATER DIVERTED FROM TWENTY-FOUR MILE CREEK BY MEANS OF AN EARTHEN
DAM INTO A HOLDING POND FROM WHICH THE WATER IS PUMPED BY MEANS
OF AN ELECTRIC MOTOR AND CENTRIFUGAL PUMP INTO A SPRINKLER
IRRIGATION SYSTEM.

TOTAL NUMBER OF ACRES IN #10 9 3/8.

15. Basis of Claim: DECREED

Water Right Number: 290226

Case Number: 2203

Court : FIFTH

Decree date: 12/02/1922

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

17. Notice of Appearance:

Notice is hereby given that I, _____ will be
_____ Print Name
acting as attorney at law on behalf of the claimant signing above, and that
all notices required by law to be mailed by the director to the claimant
signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

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

RECEIVED

JAN 22 1990

Department of Water Resources
Eastern District Office

Ident. Number: A29-00226
Date Received: 1-22-90
Receipt No: E011834
Received By: EC/jc

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s) Val J. Davids Phone (208) 648-7703
Mailing Address: 1178 Chesterfield Zip: 83271
Bancroft, Idaho
2. Date of Priority: May 1, 1883.
3. Source of water supply (a) Joe Willie Creek which is tributary of (b) Twenty Four Mile Creek which is tributary to of the Portneuf River.
4. a. Location of existing point of diversion is:
Township 6 S. Range 39 East Section 33, SW 1/4 of NW 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of Caribou.
Additional points of diversion if any: _____
5. Description of diverting works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well.

Water diverted from Twenty-Four Mile Creek by means of an earthen dam into a holding pond from which the water is pumped by means of an electric motor and centrifugal pump into a sprinkler irrigation system.

6. Water is used for the following purposes:

(both dates are inclusive) (cfs) (acre ft)
For Irrigation purposes from 4-15 to 9-15 amount .06 or

MICROFILMED

NOV 13 1992

7. Total Quantity claimed (a) .06 (cfs) and/or (b) _____
(acre feet)

8. Total consumptive use claimed is 6 acre feet per annum.

9. Non-irrigation uses; described fully (eg. Domestic: Give number of households served, Stockwater: type and number of livestock, etc.)

10. Description of place of us:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D of Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6S	39E	33				9 3/8													9 3/8

Total number of acres irrigated 9 3/8

11. In which county (ies) are lands listed above as place of use located? Caribou

12. Do you own the property listed above as place of use?
Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any water rights used at the same place and for the same purposes as described above. Chesterfield Canal and Reservoir Company - Storage Water.

MICROFILMED

NOV 13 1992

14. Remarks:

15. Basis of Claim (check one) Beneficial Use _____ Posted _____
Notice _____ License _____ Permit _____ Decree X

If applicable provide IDWR Right Number: 29-0226
Court: Fifth Judicial District, Case Number: 22-03, Decree
Date: 12-2-22.

Plaintiffs v. Defendant: Union Grain and Elevator Company,
Plaintiff v. McCammon Ditch Company, et al., Defendants, Decreed
Right No. 162, page 75.

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 Adjudication." (b) I/We do
X do not _____ wish to received and pay a small annual fee
for monthly copies of the docket sheet.

Number of attachments

For Individuals: I do solemnly swear or affirm that the
statements contained in the foregoing document are true and
correct.

Signature of Claimant(s) *Val Salas* Date 1-18-90
(name)

State of Idaho)
: ss
County of Caribou)

Subscribed and sworn (or affirmed) before me this 18th day
of ~~December~~ January, 1990.

(SEAL)

Randall C. Budge
NOTARY PUBLIC FOR IDAHO
Residing at Recatello, Id
My Commission expires 10-15-90

MICROFILMED

NOV 13 1992

17. Notice of Appearance:

Notice is hereby given that I, Randall C. Budge, of the firm of Racine, Olson, Nye, Cooper & Budge, Chartered, will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature

Randall C. Budge

Address: P. O. Box 1391
Pocatello, Idaho 83204

Date:

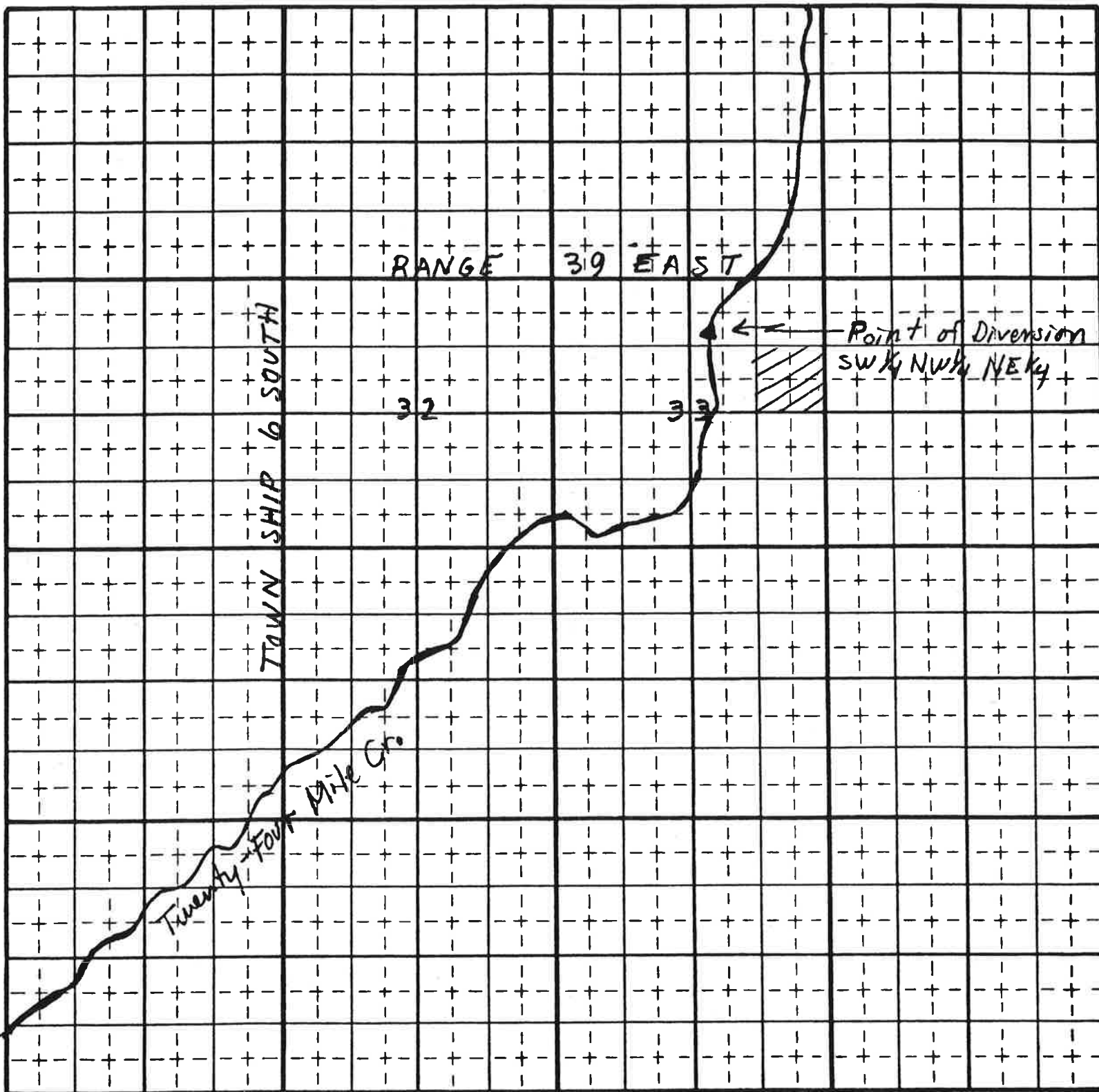
1/18/90

MICROFILMED

NOV 13 1992

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



MICROFILMED

NOV 13 1992

Last Name Val J. Dawids Ident No. _____

Copies: White-State, Yellow-Claimant