

06/10/2003

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

RIGHT NUMBER: 29-274G

NAME AND ADDRESS: GEORGE D WOOD
1680 N MINK CREEK RD
POCATELLO ID 83204

SOURCE: MINK CREEK TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.020 CFS

PRIORITY DATE: 06/17/1902

POINT OF DIVERSION:

T07S R35E S29 NWSWN 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	0.020 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

T07S R35E S30 SENE 1.0

1 ACRES TOTAL

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

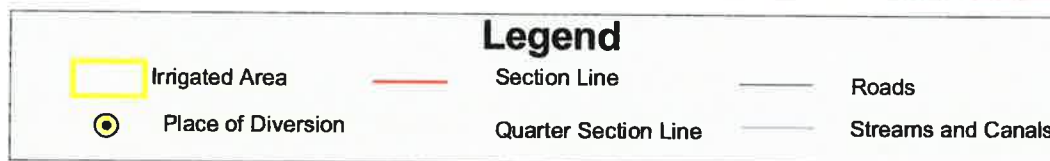
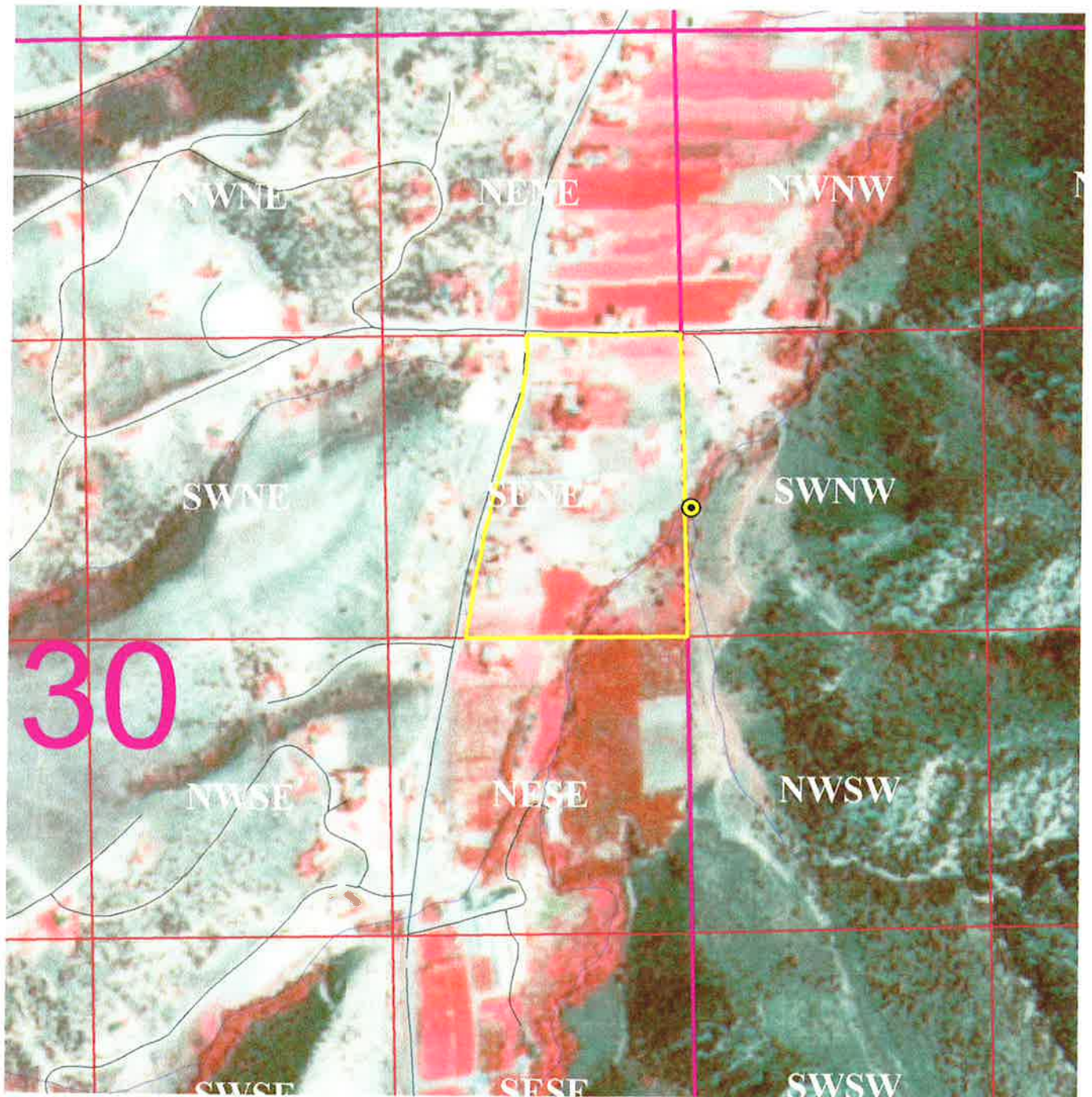
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Decreed

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

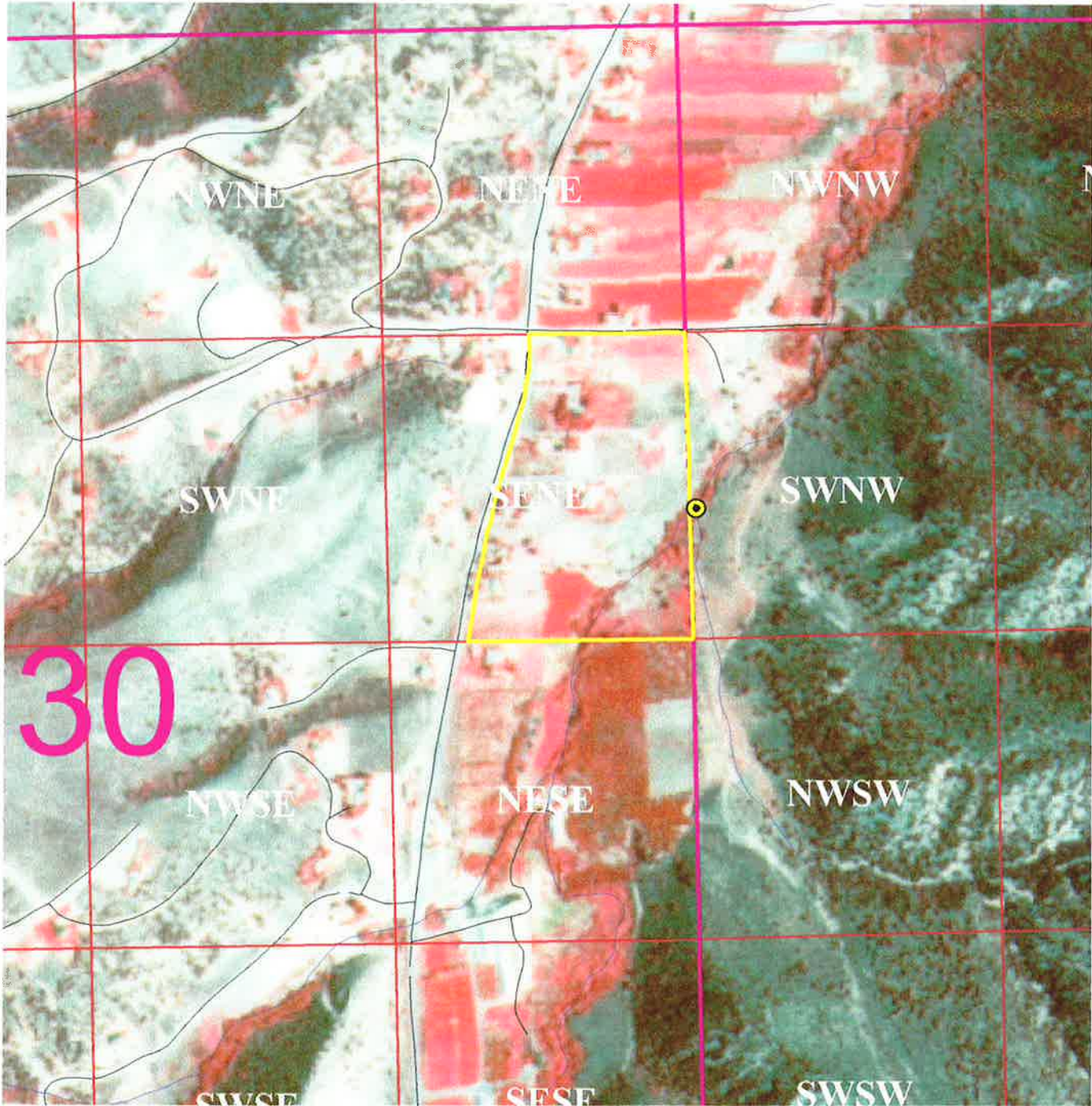
Water Right Claim Number A29-00274G
Township , 7S35E

08/23/2000



Water Right Claim Number A29-00274G
Township , 7S35E

08/23/2000



 Irrigated Area

 Place of Diversion

 Section Line

 Quarter Section Line

 Roads

 Streams and Canals

Legend



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-274G V1

WATER RIGHT NUMBER: 29-274G V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GEORGE D WOOD 1680 N MINK CREEK RD POCATELLO, ID 83204 (208)233-3421
Original Owner	JAMES S CAMPBELL

, ID

Priority Date: 06/17/1902

Basis: Decreed

Status: Active

Source

MINK CREEK

Tributary

PORTNEUF RIVER

Beneficial Use

IRRIGATION

From To

04/15 to 09/15

Diversion Rate

0.020 CFS

Annual VolumeTotal Diversion:

0.020 CFS

Location of Point(s) of Diversion

MINK CREEK

NW1/4SW1/4NW1/4

Sec. 29, Twp 07S, Rge 35E, B.M.

BANNOCK 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	
07S	35E	30				1.0													1.0

Total Acres: 1

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. 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

Adjudication Recommendation Report 29-274G V1

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:

1. csaxton 10/30/2002 POU & POD

Comment: Per claimant statement, water is diverted from neighbor (Fishers) pump and is used for orchard, garden and yard. Fishers pump started being used 2 owners ago.

2. csaxton 10/30/2002 Source

Comment: Campbell creek no longer provides water to this POU.

3. csaxton 6/10/2003 NOE

Comment: Per NOE, acreage and diversion rate adjusted to 1 acre and 0.02 cfs.

4. csaxton 6/10/2003 SOU

Comment: Season of use defined in the decree.

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: OR

Water District Number:

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	10/30/2002 9:55:01 AM	csaxton			Active
Priority Date	10/30/2002 9:55:25 AM	csaxton			Active
POD	10/30/2002 9:55:48 AM	csaxton			Active
Source	10/30/2002 9:57:18 AM	csaxton			Active
POU	10/30/2002 9:57:41 AM	csaxton			Active
Use	10/30/2002 9:58:43 AM	csaxton			Active
Season	10/30/2002 10:00:18 AM	csaxton			Active
Quantity	10/30/2002 10:01:23 AM	csaxton			Active
Summary			10/30/2002	csaxton	Active

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-274G V1

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Summary	10/30/2002 10:09:24 AM	csaxton	(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? (Yes) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (Yes) 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?
Contacts	10/30/2002 9:55:01 AM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Field Exam 8/14/02
Priority Date	10/30/2002 9:55:25 AM	csaxton	(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 ? (No) 15. Is the basis of claim coded correctly? (Yes) 16. Is a Priority Date remark and/or condition required?
POD	10/30/2002 9:55:48 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (No) 5. Can the claimed POD be verified using the water right file? (Yes) 6. Is there evidence that there has been a change in the POD? (Yes) 7. Can the change be verified as an accomplished transfer? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POD	10/30/2002 9:56:37 AM	csaxton	Edited point location
POD	10/30/2002 9:56:54 AM	csaxton	Edited PLS
Source	10/30/2002 9:57:18 AM	csaxton	(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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-274G V1

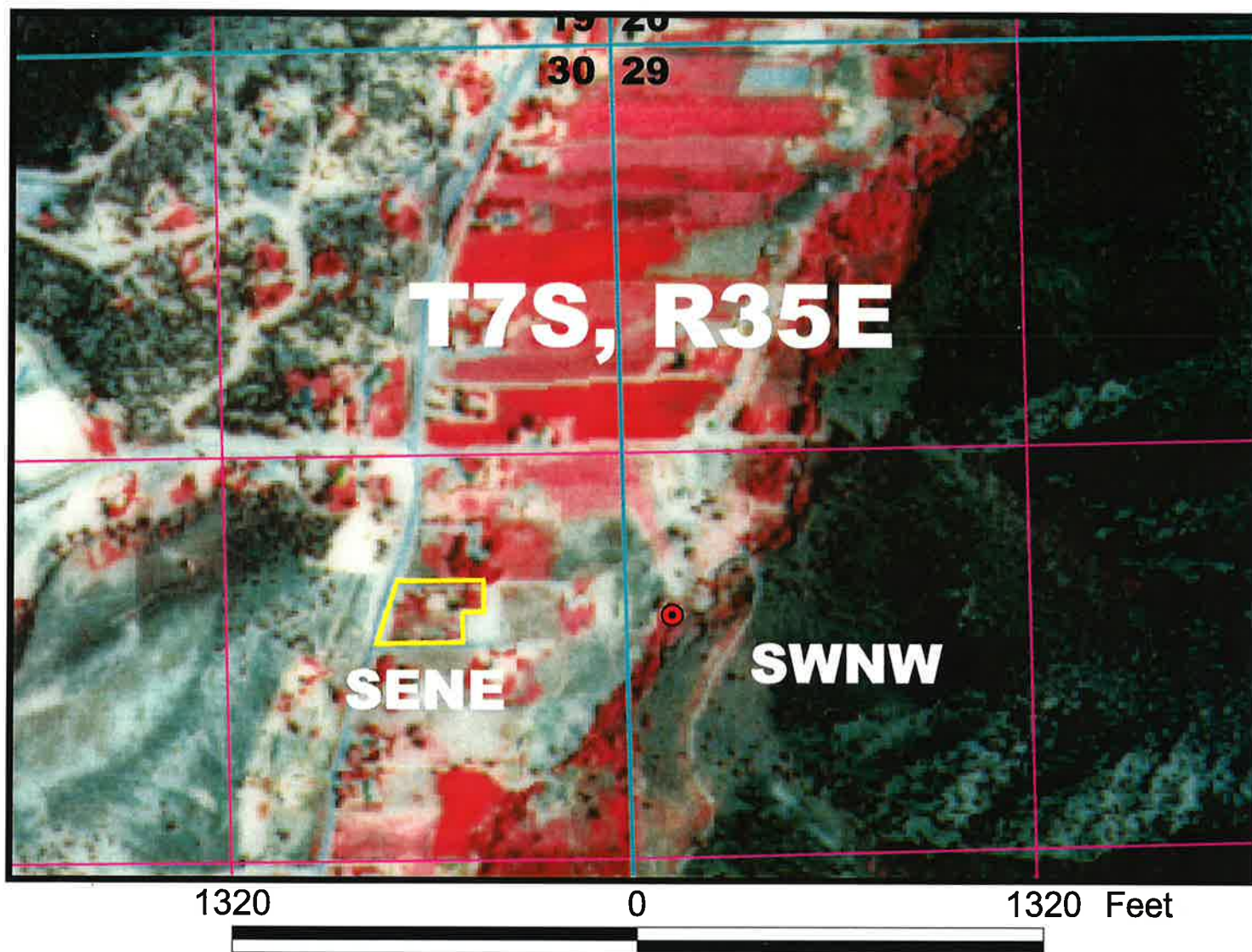
POU	10/30/2002 9:57:41 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
POU	10/30/2002 9:57:55 AM	csaxton	Edited shape boundary
POU	10/30/2002 9:58:14 AM	csaxton	Edited PLS
Use	10/30/2002 9:58:44 AM	csaxton	(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?
Season	10/30/2002 10:00:18 AM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (Yes) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (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? (Yes) 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	10/30/2002 10:01:23 AM	csaxton	(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?
POD	1/13/2003 11:36:20 AM	csaxton	Edited point location
POU	6/10/2003 9:37:01 AM	csaxton	Edited shape boundary



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s): 29-00274G



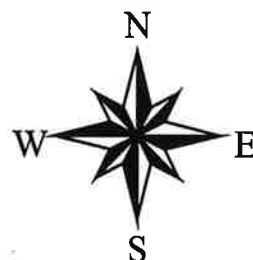
Total Irrigated Acres: 1.0

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

PROFILED

SCANNED

JUL 14 2005



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: June 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 10, 2003

GEORGE D WOOD
1680 N MINK CREEK RD
POCATELLO ID 83204

RE: Notice of Error (NOE) for Snake River Basin Adjudication (SRBA) preliminary recommendation 29-00274G

Dear Mr. Wood,

Per your NOE request, I have adjusted the recommended irrigated acreage to show 1 acre and increased the recommended diversion rate accordingly.

You will be notified by the SRBA court at the time the directors report is issued.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Craig L. Saxton'.

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

SCANNED
JUL 14 2005

PROFILED

02/18/2003

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: 29-274G

GEORGE D WOOD
1680 N MINK CREEK RD
POCATELLO ID 83204
Telephone Number: (208)233-3421

RECEIVED
APR 03 2003
Department of Water Resources
Eastern Region

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Place of use:

2. Describe the changes you wish to make in the proposed recommendation:

We believe it should be 1 acre (rather than .3 acre) total

3. Give a brief explanation as to why you disagree with these portions:

Our orchard area, garden, yard take up an acre at least. We used to own 4 acres and did not sell water rights when we split the land.

I AGREE with this proposed recommendation: no changes need to be made.

DATE: 3/25/03

SIGNATURE:

Barbara Wood for George D. Wood

Please print your name:

Barbara Wood for George D. Wood

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

George has had a stroke and has requested that I help him with this. You can contact me at 237-6008 home
232-4100 wk

Mailing

~~850~~

1303 Delphic Way
Pocatello, ID
83201

SCANNED
JUL 14 2005

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Thank you,
Barb Wood

8-11-02 : Domestic 29-12150 PD'd

29-02816 O.S. Fr Spring - PD'd 12/2/1998

29-04048 - Not claimed

8-14-02 : Spoke with Mrs Wood and son? (not sure)
FE

Use water for orchard only and are tapped into
Fishers System

1) Water Line Fr Fisher
Black 1"

2) orchard 2

: Mrs Wood said they have been using water since
1956. Said 2 owners ago (Fisher place) they tapped
into Fisher system. I don't know when

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JUL 14 2005

Split history for Decreed Right 29-00274

		Claimed	Recommend
29-00274 1.4 Decree Silent	29-00274A Campbell	29-00274C Schubert	Disallow
	1.259	0.14	
	?	7	
		29-00274D Phillips	
		0.06	0.06
		3	3
	29-00274B McKee	29-00274E Worthington	
	0.141	0.024	0.02
	7	1.2	0.9
		29-00274F Schiebe	
		0.08	0.07
		4	3.6
		29-00274G Wood	
		0.08	0.02
		2	1
		29-00274H Grewing	
		0.17	0.03
		8.7	1.6
		29-00274I Matkin, GK	
		0.19	0.11
		10	5.3
		29-00274J Holte	
		0.04	0.04
		2	2
		29-11331 Matkin, Jeff	
		1.5	0.33
		27	16.5
		29-11334 Matkin, Jeff	Disallow
		0.1	Recommended under
		5	29-11331
		29-11345 Fisher, Michael	
		0.07	0.06
		3.5	3.2
Sum of claimed CFS =		2.454	
Sum of claimed Acreage =		73.4	

Sum CFS=	0.74
Sum Acre=	37.1

Un-accounted for CFS= 0.66
Un-accounted for Acres= N/A

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JUL 14 2005

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 29-274G

WATER RIGHT NUMBER: 29-274G

Owner Type Name and Address
 Current Owner GEORGE D WOOD *ok*
 1680 N MINK CREEK RD
 POCATELLO, ID 83204
 (208)233-3421
 Original Owner JAMES S CAMPBELL

, ID

Priority Date: 06/17/1902 *ok*Basis: Decreed *ok*Status: Active *ok*SourceMINK CREEK *ok*TributaryPORTNEUF RIVER *ok*Beneficial UseIRRIGATION *ok*From To4/15 to 9/15 *ok*Diversion Rate~~0.080 CFS~~
*not 0.02*Annual Volume*N/A*Total Diversion:~~0.080 CFS~~
*not 0.02*Location of Point(s) of DiversionMINK CREEK *ok*
BANNOCK County*NW* SW1/4NW1/4 *ok**ok* Sec. 29, *ok* Twp 07S, *ok* Rge 35E, B.M.Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
07S	35E	30	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
						2.0													2.0
						<i>0.3</i>													<i>0.3</i>
						<i>1.0</i>													<i>1.0</i>

Total Acres: *2.03*
*1.0*Conditions of Approval:Remarks:

1. General

AS PER TRANS. #252.

*****MEMO 02/15/95***** SPOKE WITH MR. WOOD BY TELEPHONE ABOUT WHETHER OR NOT HE WANTED TO FILE THIS NOTICE. HE INDICATED THAT DO TO MAINTANCE COSTS THEY HAD CEASED USING WATER FROM MINK CREEK AND NOW RELIED ON THEIR HOUSE WELL FOR IRRIGATION OF THE LAWN AND GARDEN.

HE SAID HE DIDN'T KNOW HOW LONG IT HAD BE THEYNC USED WATER OUT OF MINK CREEK. HOWEVER HE WAS NOT WILLING TO SAY HE CHOSE NOT TO FILE ON THE WATER. I AGREED TO SEND HIM A NOTICE *****

502
C03
C18

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JUL 14 2005

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 29-274G

Comments:

Dates and Other Information:

Claim Received Date: 4/24/1995
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: OR
Water District Number:
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

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JUL 14 2005

Water Right Report 29-274A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JAMES S CAMPBELL
	, ID

Status: Active

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15 to 9/15	1.259 CFS	
	<u>Total Diversion:</u>	1.259 CFS	

<u>Location of Point(s) of Diversion</u>		
MINK CREEK	NW1/4NE1/4	Sec. 31, Twp 07S, Rge 35E, B.M.
BANNOCK County		

[illegible]

1. General AS PER TRANS. #252.

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-274A

Dates and Other Information:

Licensed Date:
Decreed Date: 6/5/1926
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

29-00274G

POU

Field Exam: 8/14/02



Looking South at orchard. Claimant said they only irrigate the orchard (csaxton).



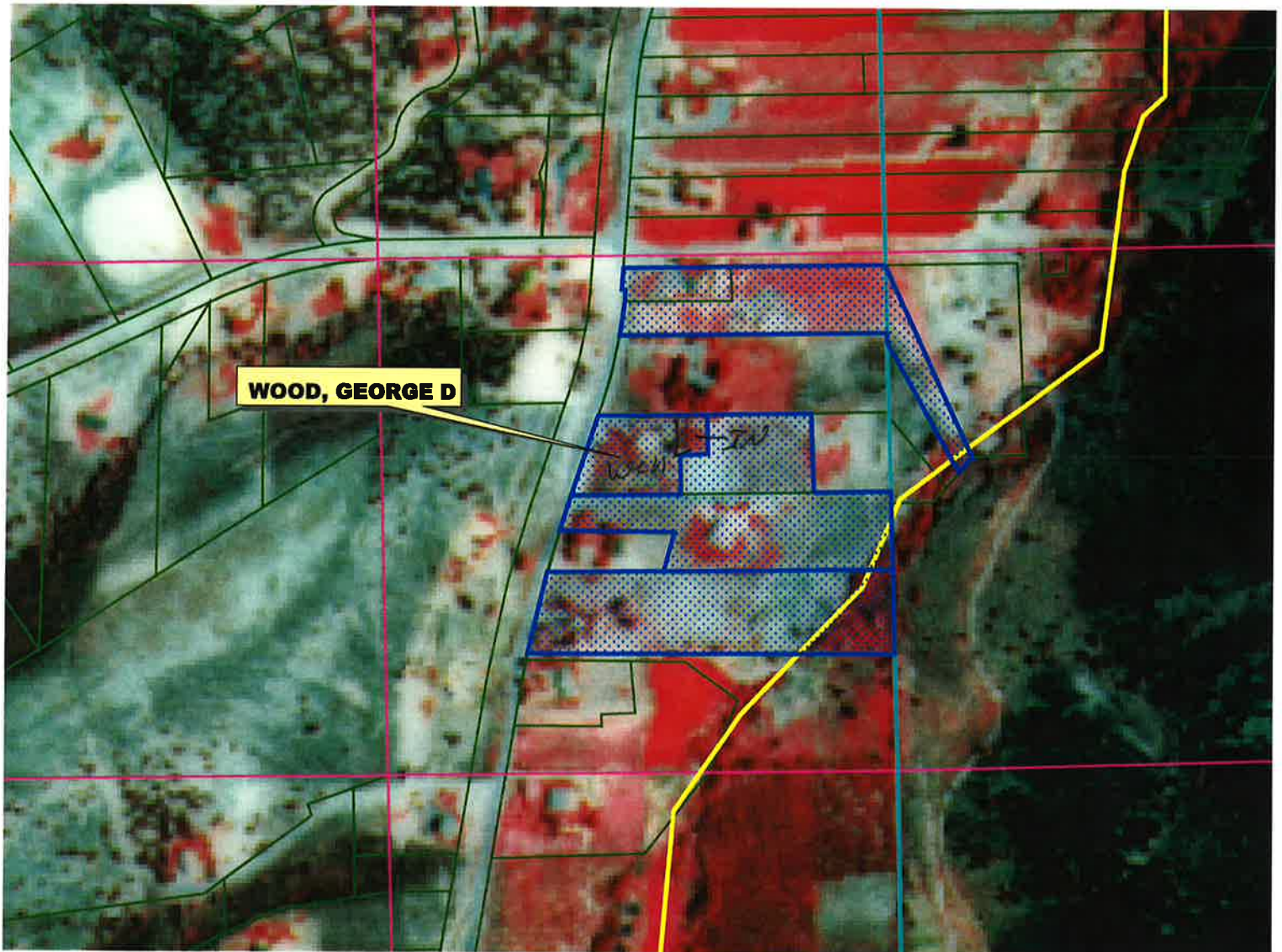
Hoses from the Fisher property that supply the Orchard with water. POD on Fisher Property (csaxton).

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JUL 14 2005

29-00274G



Point of Diversion

Total Property Acreage: 1.32



Roughly - Claimed Place of Use



Licensed POU - N/A



Bannock Co Tax Lot Data



Section Lines

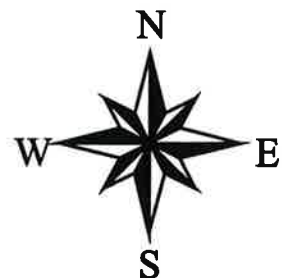


Quarter Quarter Lines

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SCANNED

JUL 14 2005



Prepared By: Craig Saxton
August 2002

SCANNED

JUN 1 1 2001

Log for claim A29-00274G

Spatial Dynamics LTD

8/23/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s35e	30	SENE	2	25	Indiscernible
Totals:			2	25	

AJ5809NP
No. A29-00274G

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 8

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GEORGE D WOOD 1680 N MINK CREEK RD POCATELLO ID 83204 (208) 233-3421	06/17/1902	IRRIGATION	04-15 09-15	0.080 CFS	
TOTAL DIVERSION:					0.080 CFS	
CONSUMPTIVE USE:						5.00 AFA

Water Source: MINK CREEK

Tributary to: PORTNEUF RIVER

Stage: DECREED

Point(s) of Diversion: T07S R35E S29

SWNW

BANNOCK 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			
07S	35E	30	:						02	:															2.0
TOTAL ACRES																							2.0		

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

29-10362 29-10368 A29-10362 A29-10368 A29-11345

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

A29-00274A A29-00274B A29-00274C A29-00274D A29-00274F A29-00274I A29-02402 A29-11345

Remarks: GEN AS PER TRANS. #252.

*****MEMO 02/15/95*****

SPOKE WITH MR. WOOD BY TELEPHONE ABOUT WHETHER OR NOT HE
WANTED TO FILE THIS NOTICE. HE INDICATED THAT DO TO
MAINTANCE COSTS THEY HAD CEASED USING WATER FROM MINK CREEK AND
NOW RELIED ON THEIR HOUSE WELL FOR IRRIGATION OF THE LAWN AND
GARDEN. _____ HE SAID HE DIDN'T KNOW HOW LONG IT HAD BE THEYNC
USED WATER OUT OF MINK CREEK. HOWEVER HE WAS NOT WILLING TO SAY
HE CHOSE NOT TO FILE ON THE WATER. I AGREED TO SEND HIM A NOTICE

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

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

Audit: 04/24/95 JTHOMPSO

FEBRUARY 15, 1995

GEORGE D WOOD
1680 N MINK CREEK RD
POCATELLO ID 83204

RE: SRBA NOTICE A29-00274G

Dear George:

In March 1990, an electronic record was generated in the IDWR database describing a portion of water right 29-00274, supposedly appurtenant to your property along Mink Creek.

Though the information was probably provided by you, the fees for the Notice of Claim were not paid, and consequently, the Notice was not filed. The enclosed Notice of Claim, A29-00274G, represents the information furnished in 1990.

During our telephone conversation this morning, you mentioned the Mink Creek water had not been used for some time. This may be a factor in your determining whether or not to file the Notice. Continuous beneficial use is an essential factor for maintaining a water right. Per Idaho Code 42-222, failure to use a water right for five consecutive years raises the question of abandonment or forfeiture.

Should you decide to file the Notice, simply sign it before a Notary Public, and return it to this office along with the filing fee of \$102.

Please feel free to contact me should you have questions.

Respectfully submitted,

Ernie Carlsen
Adjudications Supervisor

Enclosure

EC:jt

1680 N. Mink Creek Rd
Pocatello Idaho 83201
31 April 1995

State of Idaho

Department of Water Resources

900 N. Skyline Dr.

Idaho Falls, Idaho 83402

Attention: Ernest Carlson

RECEIVED

APR 24 1995

Department of Water Resources
Eastern District Office

Dear Sir:

As I do all the irrigating here on the place, my husband has forgotten that we had a water hook up to the sprinkling system of Willard Ellison, next door.

When his place was sold, each succeeding owner has honored our hook up and I've been able to irrigate with a hose from the sprinkling pipe.

The present ~~owner~~ owner Mike Fisher has also allowed us the water.

His address is 1724 N Mink Creek Rd.
In 1990 when my husband went to Idaho Falls on our water claim he did not find the office open and no answering telephone.

We definitely want to keep our water right
Enclosed find my check for \$102.

Sincerely,
Notice claim, A29-002746 Viola J. Wood
water right 29-00274

B

Form 20

Copy

RECEIVED

JUN 6 1981

Department of Reclamation

Application For Transfer of Water Right

STATE OF IDAHO

County of Bannock } ss.

Mrs. H.E. McKee, being first duly sworn, deposes and says:
That ^{her} his name is P; that ~~he~~ she is of lawful age, a citizen
of the United States and of the State of Idaho, and that his postoffice address is P

That he is the owner and using a certain water right, bearing date of priority of June 17, 1902,
for linch per second cubic feet per second of the waters of Mink Creek and Campbell Creek
County of Bannock, State of Idaho, decreed to James S. Campbell
by decree of Judge O.R. Baum of the 5th Judicial District of the State of
Idaho, in and for the county of Bannock, in the case of Sam P. Smith
vs. City of Pocatello et al, said decree bearing date of June 5th 1926
(or obtained by virtue of License No. —, issued by the State Department of Reclamation of
the State of Idaho, dated —, 19—, bearing date of —, 19—)
for the purpose of irrigating the following described lands situate, lying and being in Water District
No. 17-D in the County of Bannock and State of Idaho, to-wit: Portion of
SE⁴ NE⁴ Section 30, T. 7 S., R. 35 E. B.M.
(as per attached description)

— and is the person (or representative of
the corporation) to whom such right so issued, or has become the owner thereof in the following man-
ner, i.e. By purchase, shown by attached copy of Deed
as per abstract of title of said water right hereto attached and made a part of this statement;

That said waters are now diverted from said stream in the NW⁴ NW⁴ SW⁴ of
Section 32, Township 7 S., Range 35 E., B. M., and con-
ducted to the above described lands through Mink Creek Ditch
as per map herewith and of this affidavit made a part.

CHANGE IN PLACE OF USE

That affiant and petitioner desires to abandon the use of No change cubic feet per second
of said water upon the above described land, and to convey and use same upon the following tract,
situate, lying and being in the County of — and State of Idaho, to-wit:

X X

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That reasons for desiring to make such transfer are as follows: X X

That he intends to divert and convey said.....X.....X.....second feet of water to the tract of land last above described in the following manner and, as per map accompanying this application:

Note—If this water right has heretofore been carried jointly in a ditch with other water, affiant should secure written consent of other owners or users to removal from its original carrier and file such consent with this affidavit.

See attached form of Consent

CHANGE IN POINT OF DIVERSION

That affiant desires to change the point of diversion of said waters from the point above described to a point located in *SE 1/4* of *NE 1/4* of Section *30*, Township *7S*, Range *35E* *R.M.* and thereafter conduct same to the above described land through the *To be pumped* ditch, *from Mink Creek* as per map appended.

That his reasons for desiring to make such change are as follows: *Proposed change will result in less water loss and greater overall efficiency of operation.*

Petitioner asserts that no one will be injured by such transfer, or change in point of diversion, and that the change will be made at petitioner's own risk.

WHEREFORE, Affiant and Petitioner prays that the State Reclamation Engineer of the State of Idaho issue to him the proper certificate authorizing such change in point of diversion and/or place of use, in accordance with the provisions of Sections 42-108 and 42-222 of the Idaho Code.

My H E Mc Kee

Applicant.

Subscribed and sworn to before me this *1st* day of *June*, 19*61*

George F. Phelps

Notary Public.

APPLICANT WILL ANSWER THE FOLLOWING QUESTIONS:

From what stream is the water diverted? *Mink Creek and Campbell Creek*

Where is the diversion point located? *NW 1/4 NW 1/4 Sec. 32, T.7S, R.35E*

Through what ditch is it now conducted? *Mink Creek Ditch*

How much land is now irrigated by the water sought to be transferred? *7.06 acres*

Give the description: *See description on attached Deed*

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RECEIVED
1981

Department of Reclamation

CONSENT TO CHANGE OF
POINT OF DIVERSION

We, the undersigned, being owners of a water right in the water of Mink Creek in Bannock County, State of Idaho, do hereby consent to the change of point of diversion of the water belonging to Miss H.E. McKee in Mink Creek in Bannock County, Idaho.

<u>Odeil J. Maden</u>	<u>225 Matthew</u>
<u>Willard H. Ellison</u>	<u>J. H. Anderson</u>
<u>Herb Chaney</u>	<u>E. B. Chaney</u>
<u>Naomi Stanger</u>	
<u>Wesley P. Freckleton</u>	
<u>W. H. Wood</u>	
<u>O. G. Meyer</u>	
<u>J. V. Frazier</u>	

TITLE
OF
CASE

Sam R. Smith et al
vs,
City of Pocatello et al

SOURCE Mink Creek & Campbell Creek

WATER DIST 17-D

COUNTY Bannock

PAGE

JUDICIAL DIST 5

JUDGE O. R. Pamm

DATE OF DECREE 6-5-26

RECORDED

IN BOOK NO 5 AT PAGE NO 78

FILE NO 434

PN	DN	DECREE OWNER	NAME	PRESENT OWNER	AMT. INCHES ~~FEET~~	PRIORITY	DIVERSION SUBDIV SEC TWP RG	REMARKS, LAND TO BE IRRIGATED, ETC	CT.
1		T. B. Smith Est.			10.	2-26-69	center 20 7 S. 35E	NW 1/4, NE 1/4 SW 1/4 17, SW 1/4 SE 1/4 8 T 7S-R35 E	10.
1		Elkhorn Dairy & Livestock Co.			15.	"	"	SE 1/4 NW 1/4, E 1/2 SW 1/4 17	25.
1		Joseph Munn			5.	"	"	SE 1/4 NE 1/4 18, N 18 A. of SW 1/4 NW 1/4 17	30.
1		Wm. H. Edwards			20.	"	"	N 1/2 NE 1/4 18	50.
1		City of Pocatello			161.1	"	At a point 30383 W. 728.348 from E. corner S. 18-35-34 E.	Municipal purposes	211. 1
1		Big Elk Indian Allotment			58.71	"		Plus one additional inch of water for each additional acre added to the present irrigated area which is 97.17 acres.	269. 8
1		Toams			57.46	"			307. 26
2		City of Pocatello			28.	10-1-01	See Above.	See Above.	335. 26
3		James S. Campbell			70.	6-17-02	Mink Creek and Campbell Cr. (P.D. in NW 1/4 NE 1/4 S. 31-73-35E.)	See. 31-T. 7S.-R. 35 E.	415. 26
4		T. B. Smith Est.			44.65	7-21-02	Center 20 7 S. 35E.	See above.	459. 91
4		Elkhorn Dairy and Livestock Co.			47.22	"	"	"	507. 13
4		Joseph Munn			25.98	"	"	See above.	534. 11
4		Wm H. Edwards			51.53	"	"	"	565. 64
5		Arthur Say (SAY)			75.	9-7-04	SE 1/4 SW 1/4 19	SE 1/4 SE 1/4 19, NE 1/4 NE 1/4 30, NW 1/4 NW 1/4 29, SW 1/4 SW 1/4 20.	640. 64
6		H. F. Calloway			20.	8-7-07	SW 1/4 20	NE 1/4 SW 1/4, NW 1/4 SE 1/4, 20	660. 64
7		J. H. McKinnon			12.	7-10-10	SW 1/4 31	S 1/2 NE 1/4, SE 1/4 NW 1/4, NE 1/4 SE 1/4, 31	672. 64
8		City of Pocatello			60.9	10-1-17	See Above.	See above.	733. 54

LEGEND P.N. - PRIORITY NUMBER

DN. - DECREE NUMBER

B

What is the total amount of water in inches, or second feet, dedicated to said land? 1 inch per acre

What kind of crops are being raised? Hay and pasture

How much water per acre is now required to irrigate said land? 1 inch per acre

What will be the effect on the land now irrigated, if the use of water on it is discontinued?.....

Not to be discontinued (change in point of diversion only)

Give location of new point of diversion, if change is to be made Approximately 300 ft West and 30 ft North of SE Cor. of SE 1/4 NE 1/4 Sec. 30, T. 7S, R. 35E

Through what ditch will it be conducted after transfer? Water pumped from Mink Creek

How much water will be required per acre to irrigate the land to which this water is transferred?.....

Not to be transferred

Do you claim any other water right for the land from which you seek to abandon the use of this water?

If so, give amount, date and source None

Is there any other water right for the land to which you seek to make this transfer? If so, give amount, date and source None

Signed Mrs. H.E. McKee
Applicant.

STATE OF IDAHO,

County of Bannock ss.

I, Alma J. Tolman, Watermaster of Mink Creek

Water District No. 17-D, County of Bannock, State of Idaho, whose postoffice address is Pocatello, Idaho, have read or heard read the foregoing affidavit and petition

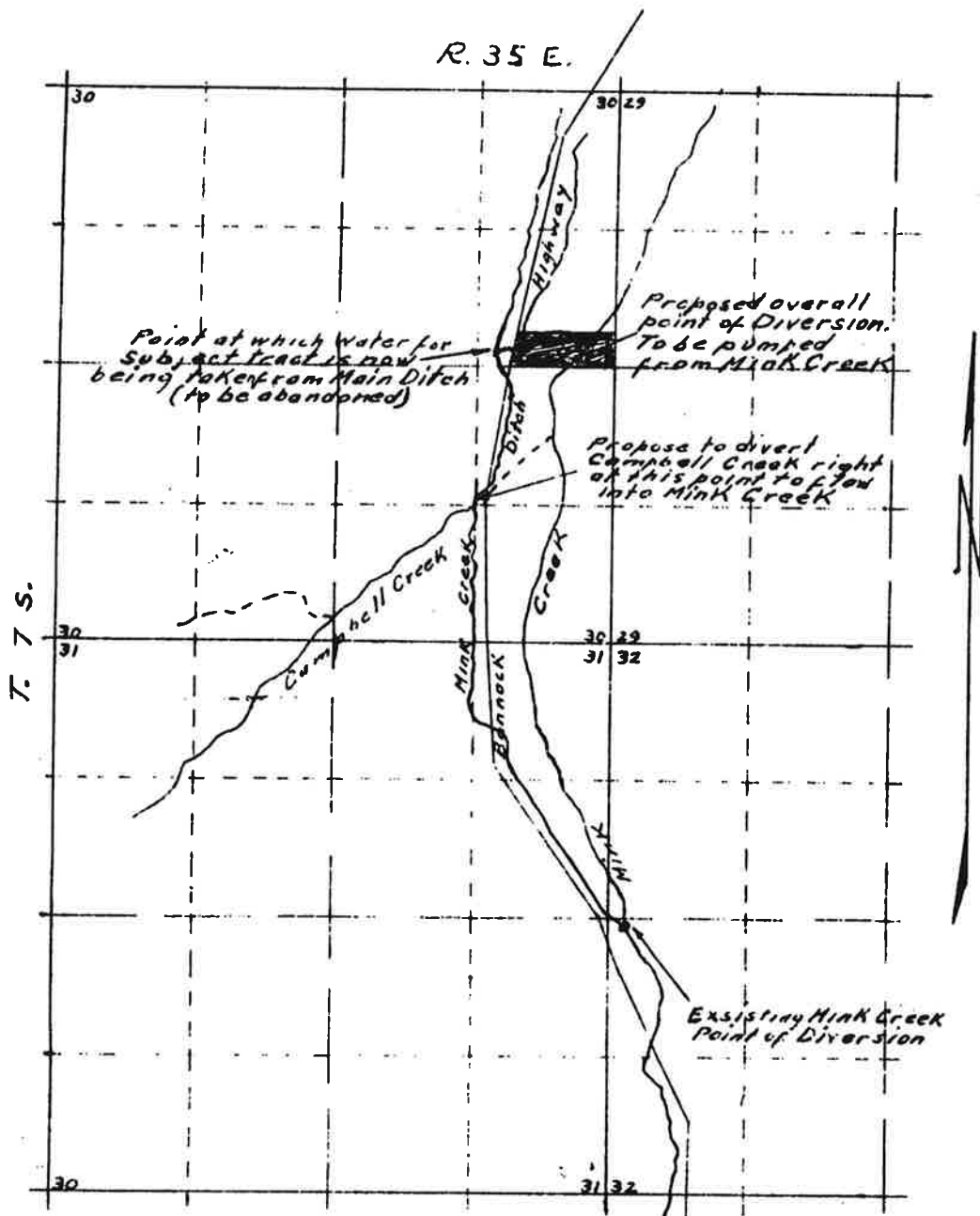
of Mrs. H.E. McKee, and, of my own knowledge, believe the same to be true as to all matters therein alleged, and that no one will be injured by the transfer prayed to be authorized; and I hereby endorse my approval of said petition, and request that the State Reclamation Engineer issue the certificate of transfer as petitioned; or (do not approve of the issuance of the certificate of transfer prayed for) for the following reasons:.....

Watermaster, District No. 17-D

Alma J. Tolman

Dated at Pocatello, Idaho, this 1st day of June, 1961.

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Scale: 4" = 1 mile
Subject Tract in Red

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SCANNED
RECEIVED
JUN 11 2001

APR 24 1995

Department of Water Resources
Eastern District Office

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: A29-00274G

Date Received: 3/28/1990

Receipt No: EO 20944 Jo

Received By: 4-24-95

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GEORGE D. WOOD
Address: 1680 N MINK CREEK RD
POCATELLO ID

208-233-3421

83204

2. Date of Priority: JUN 17, 1902

3. Source: MINK CREEK

Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	35E	29		SW	NW		BANNOCK

5. Description of diverting works:
PUMP/ PIPE TO SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	09/15	0.080		

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

A.F.A.

8. Total consumptive use is 5.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
07S	35E	30	SE	NE		IRR	2.0

A2900274G



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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	2.0
					Total Acres	2.0

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:
NONE

14. Remarks:
AS PER TRANS. #252.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

SMITH ADMIN., ET. AL.
Decree Plaintiff

CITY OF POCA TELLO, ET. AL.
vs Decree Defendant

16. Signature(s)

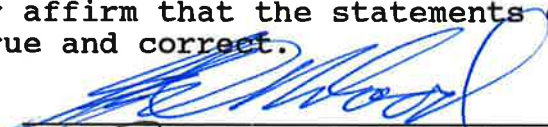
(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

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: 4/21/95
Vicki S. Ward Date: 4/21/95

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 21 day
of April 19 95

Glenn Peak
Notary Public

Seal

Residing at Locatello

My Commission Expires Nov. 1995