

06/10/2003

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

RIGHT NUMBER: 29-274H

NAME AND ADDRESS: HERB GREWING
902 N MINK CREEK RD
POCATELLO ID 83204

ARDIS GREWING
902 N MINK CREEK RD
POCATELLO ID 83204

SOURCE: MINK CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.060 CFS

PRIORITY DATE: 06/17/1902

POINT OF DIVERSION:

T07S R35E S31 SWNE NE 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	0.060 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 S31 NENE 3.0

3 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

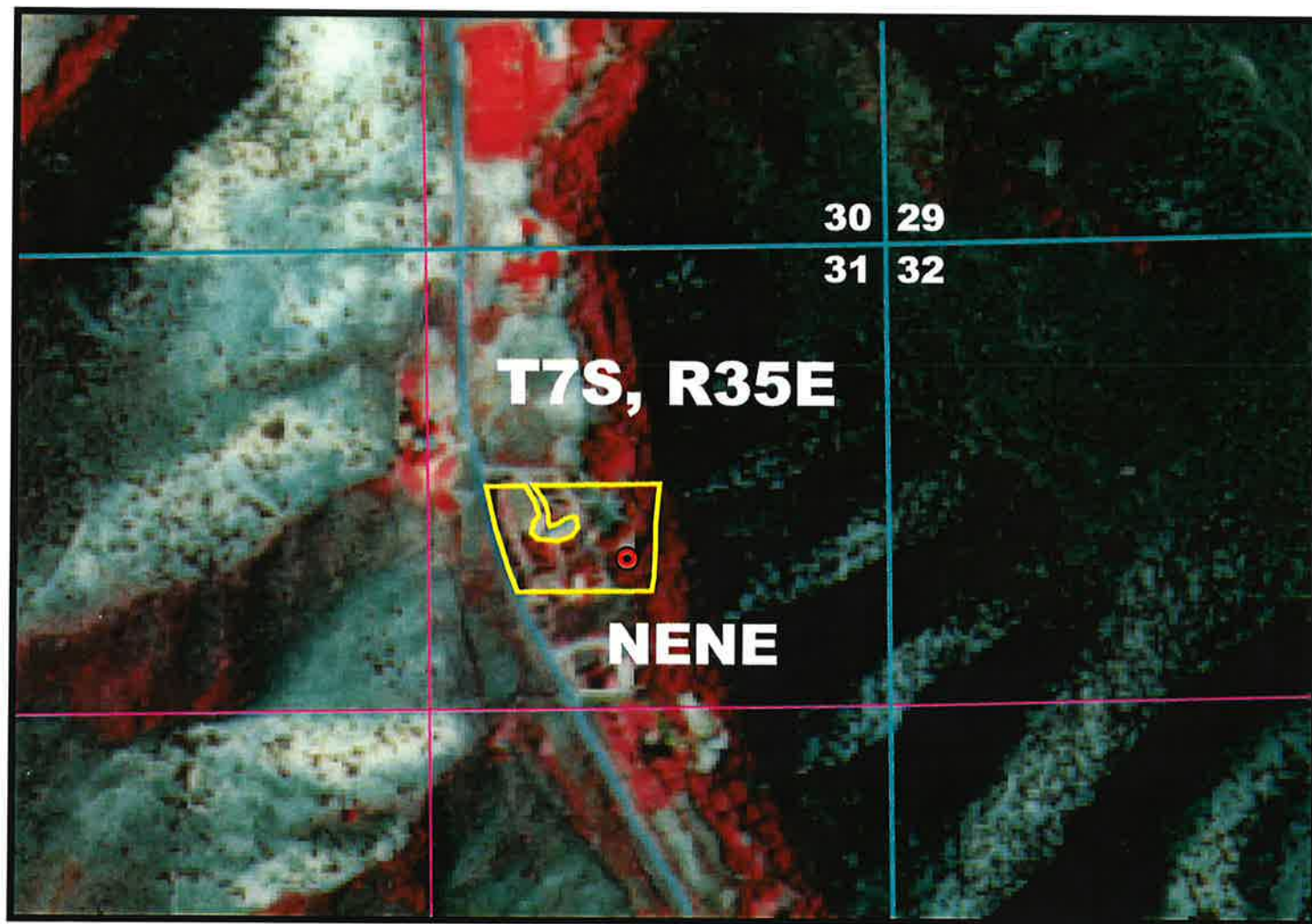
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s): 29-00274H



0

1320 Feet

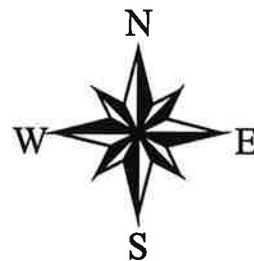
Total Irrigated Acres: 3.0

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

PROFILE

SCANNED

JUL 14 2005



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

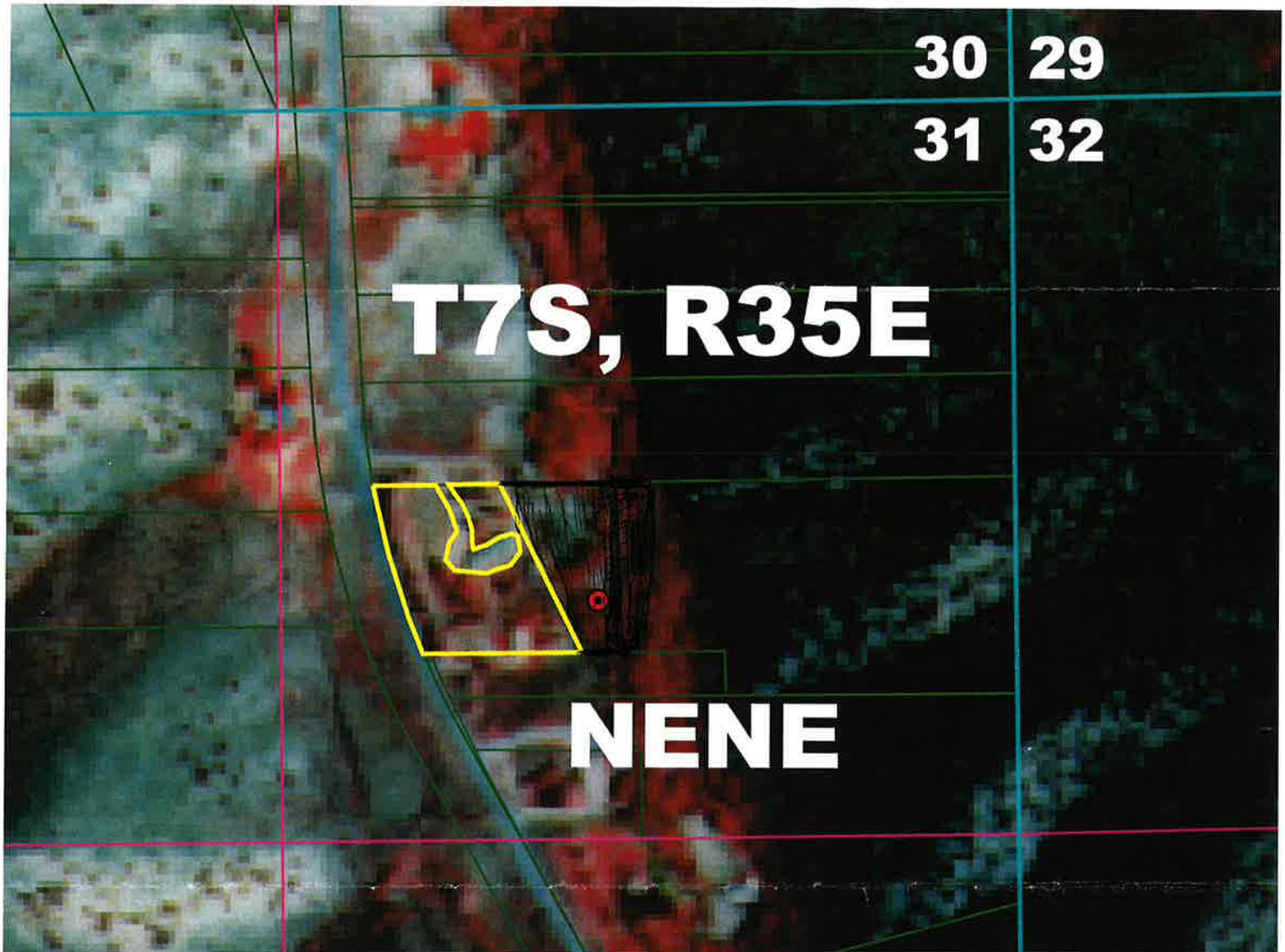
Grewing

29-00274H

RECEIVED

MAY 14 2003

WATER RESOURCES
WESTERN REGION



Point of Diversion - N/A



Bannock County Tax Lot Data



Recommended POU



Indian Allotment Boundary N/A



Section Lines



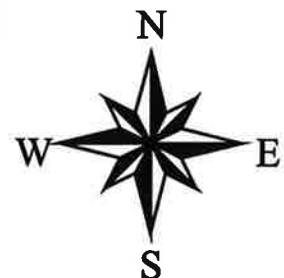
Quarter Quarter Lines

Total Acres: 1.6

PROFILED

SCANNED

JUL 14 2005



Prepared By: Craig Saxton
April 2003

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-274H V1

WATER RIGHT NUMBER: 29-274H V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	R JOE MYLER 674 TIPPERARY DR VACAVILLE, CA 95688 (707)446-4882
Current Owner	HERB GREWING 902 N MINK CREEK RD POCATELLO, ID 83204 (208)232-9349
Current Owner	ARDIS GREWING 902 N MINK CREEK RD POCATELLO, ID 83204 (208)232-9349
Original Owner	THORA MYLER 902 N MINK CREEK RD POCATELLO, ID 83204 (208)232-7811

Priority Date: 06/17/1902

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
MINK CREEK	PORTNEUF RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 09/15	0.060 CFS	
<u>Total Diversion:</u>		0.060 CFS	

Location of Point(s) of Diversion

MINK CREEK	SW1/4NE1/4NE1/4	Sec. 31, 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	31	3.0																3.0

Total Acres: 3

Conditions of Approval:

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-274H V1

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:

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 TR 252
Comment: TR 252 set Season of Use.

2. csaxton 6/10/2003 NOE
Comment: Adjusted recommended acreage and diversion rate per NOE. Giving claimant benefit of the doubt because aerial photography is un-clear as to where the creek runs through the property. Despite that the POD was located via GPS, due to the heavy tree canopy, the POD location could be off.

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 10:28:47 AM	csaxton			Active
Priority Date	10/30/2002 10:29:25 AM	csaxton			Active
POD	10/30/2002 10:30:02 AM	csaxton			Active
Source	10/30/2002 10:31:27 AM	csaxton			Active
POU	10/30/2002 10:31:46 AM	csaxton			Active
Use	10/30/2002 10:32:53 AM	csaxton			Active
Season	10/30/2002 10:34:11 AM	csaxton			Active
Quantity	10/30/2002 10:35:20 AM	csaxton			Active
Summary			10/30/2002	csaxton	Active

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

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Quantity	10/30/2002 10:35:21 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?
Contacts	10/30/2002 10:28:48 AM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Field Exam 8/14/02
Priority Date	10/30/2002 10:29:25 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 ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	10/30/2002 10:30:02 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 10:30:32 AM	csaxton	Edited point location
POD	10/30/2002 10:31:02 AM	csaxton	Edited PLS
Source	10/30/2002 10:31:27 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 29-274H V1

POU	10/30/2002 10:31:46 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 10:32:10 AM	csaxton	Edited shape boundary
POU	10/30/2002 10:32:29 AM	csaxton	Edited PLS
Use	10/30/2002 10:32:53 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 10:34:11 AM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (No) 5. Can the claimed Period of Use be verified using the water right file? (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?
Summary	10/30/2002 10:37:29 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?
POU	6/10/2003 11:17:46 AM	csaxton	Edited shape boundary

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 29-274H

WATER RIGHT NUMBER: 29-274H

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	R JOE MYLER 674 TIPPERARY DR VACAVILLE, CA 95688 (707)446-4882
Current Owner	HERB GREWING 902 N MINK CREEK RD POCATELLO, ID 83204 (208)232-9349
Current Owner	ARDIS GREWING 902 N MINK CREEK RD POCATELLO, ID 83204 (208)232-9349
Original Owner	THORA MYLER 902 N MINK CREEK RD POCATELLO, ID 83204 (208)232-7811

Priority Date: 06/17/1902

Basis: Decreed

Status: Active

Source

MINK CREEK

Tributary

PORTNEUF RIVER

Beneficial Use

IRRIGATION

From To

3/15 to 11/15

Diversion Rate

0.170 CFS

Annual VolumeTotal Diversion:

0.170 CFS

Location of Point(s) of Diversion

MINK CREEK

NE1/4NE1/4

Sec. 31, 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	31	8.7																8.7

Total Acres: 8.7

Conditions of Approval:Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 29-274H

1. General CHANGED OWNERSHIP 3/6/95/JT/GT

Comments:

Dates and Other Information:

Claim Received Date: 4/2/1990
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

MARCH 7, 1995

HERB GREWING
902 N MINK CREEK RD
POCATELLO ID 83204

RE: CHANGE IN OWNERSHIP FOR A29-00274H, A29-10929

Dear Mr. Grewing:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed are typed Notices with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep these Notices for your records.

Respectfully submitted,

Jo Thompson
Adjudication Secretary

Enclosure: Notice of Claim

MICROFILMED
NOV 13 1996



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

HERB GREWING
ARDIS GREWING
902 N MINK CK RD
POCATELLO ID 83204

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

Dear Mr. and Ms. Grewing,

I received the information you sent on May 14, 2003. I reviewed the data and made the changes you requested. Enclose is a revised version of the preliminary recommendation for 29-00274H (enclosed).

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

Respectfully submitted,

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

PROFILE

SCANNED

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	0.06
		8.7	3
		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=	0.77
Sum Acre=	38.5

Un-accounted for CFS= 0.63
Un-accounted for Acres= N/A

PROFILE

SCANNED
JUL 14 2005

May 05, 2003

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705-5082

RECEIVED

MAY 14 2003

WATER RESOURCES
WESTERN REGION

RE: Notice of Error Reply For 29-00274h

Dear Mr. Saxton

Thank you for Your reply addressing my concerns about the recommendation on 29-00274h.

The place of use as represented on the original map is irrigated with the creek water via an underground irrigation system. The area to and by the creek is irrigated with creek water via above ground pipes and hoses. I have outlined on the map the additional areas I feel should be included.

I apologize for the misunderstanding.

This additional area is out of view from neighbors, therefor I can not get an affidavit from them.

I do state that the additional requested area has been and will be irrigated with creek water via above ground pipes and hoses. The additional area was last irrigated with creek water during the fall of 2002.

If I can be of further assistance, please call me at (208)232-9349.

Respectfully,

Herb Grewing
Herbert Grewing

SCANNED

JUL 14 2005

PROFILED



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

FEBRUARY 2, 1995

HERB GREWING
902 N MINK CREEK RD
POCATELLO ID 83204

RE: CHANGE IN OWNERSHIP

Dear Mr. Grewing:

I am returning the "change in ownership" form you submitted to this office. I cannot determine which water rights you are requesting we transfer into your name.

In order to process the request, it is necessary you send me a copy of your Warranty Deed, with a land description of property involved in the transfer.

If you have questions, please contact me at 525-7161.

Respectfully,

Jo Thompson
Adjudication Secretary

Enclosure

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR



PROFILED

SCANNED
JUL 22 2005

MICROFILMED
NOV 13 1996



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

April 22, 2003

HERB GREWING
ARDIS GREWING
902 N MINK CK RD
POCATELLO ID 83204

RE: Notice of Error Reply for Snake River Basin Adjudication (SRBA) recommendation
29-00274h

Dear Mr. and Ms. Grewing,

The Idaho Dept. of Water Resources received the Notice of Error (NOE) reply you sent on 4/21/03. I reviewed the NOE and the file and will try to address your concerns.

29-00274H:

1) You stated you disagreed with the recommended place of use.

The place of use recommended was determined based on a field exam conducted on 8/14/02. At that time I met with Ms. Grewing and she stated that only that area around the house was irrigated with the creek water and the land by the creek was irrigated from the well. From that information I drew in what I determined as the place of use and using a program called ArcView calculated the acres.

I am enclosing a map. If you still feel that the recommended place of use is incorrect, please take that map and draw in the additional acreage that should be included. Then submit that map to this office along with an affidavit from yourself or a neighbor who knows the historical irrigation practice of your property. This affidavit should describe how the water historically and currently reaches that ground, along with when it was last put to beneficial use on that ground.

2) You stated that you disagreed with the recommended quantity.

This claim is for a portion of decreed right 29-00274. The quantity recommended was based on acreage. Evidence collected supported 1.6 acres of irrigation. Support of additional irrigated acreage would support and increase in recommended diversion rate.

3) You stated that you disagree with the recommended period of use.

SCANNED
JUL 14 2005

PROFILED

The Mink Creek decree *Smith et al vs. City of Pocatello et al* defines the season of use from 4/15 to 9/15. Because you are claiming a portion of a decreed right described in the decree, IDWR cannot overrule the prior decree and recommend a different Season of Use. I have enclosed a copy of the page in the Mink Creek decree that address this issue for your records.

However, since IDWR has determined that the standard season of use for your area is 4/1 to 10/31, the remark was added to the recommendation stating that water can be used from 4/1 to 10/31 provided that it does not injure another user.

If you still disagree with the season of use, you can file an objection at the time the directors report is issued and be heard by the SRBA court.

Conclusion:

I realize that this can get very complicated. Please feel free to contact me with any questions.

Respectfully submitted,



Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

SCANNED

JUL 14 2005

PROFILED

8-12-02: 29-10929 - Domestic P.O.'d

8-14-02: O+S Well Drilling Permit tag # D#414#86
FE

: Found Pump: Tan color

HP=5

Make: Sta-Rite or Marathon Electric

Model: TURB184TCOR70110NL

SN: ?

3" AD's Intake and out take

17 Tan Pump

27 White Pipe - Barn

37 Horse - Horse - Creek Bottom

: Bought 8 yrs ago

: Claimant Stated only area around the home
is irrigated w/ creek water. Land by creek
is irrigated from well

10/13/02: claimed in decreed POU
C#3 For P.O.D.

PROFILED

SCANNED

JUL 14 2005

Craig

02/08/2003

RECEIVED

APR 21 2003

WATER RESOURCES
WESTERN REGION

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: 29-274H

HERB GREWING
902 N MINK CREEK RD
POCATELLO ID 83204
Telephone Number: (208)232-9349

ARDIS GREWING
902 N MINK CREEK RD
POCATELLO ID 83204
Telephone Number: (208)232-9349

RECEIVED
APR 14 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):

- Period of use
- Quantity (cfs)
- acres (total)

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

- Period of use $\Rightarrow$ change to 03/15 - 10/15
- Quantity $\Rightarrow$ change to 0.060 cfs
- acres total $\Rightarrow$ change to 3 acres total

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

- At times need water before 4/15 and after 9/15
- 0.030 not sufficient for present use
- 1.6 acres is not enough to cover present use.

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

DATE: 4/9/03

SIGNATURE: Herb Grewing

Please print your name: Herb Grewing

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

PROFILED

SCANNED

JUL 14 2005

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 29-274H

WATER RIGHT NUMBER: 29-274H

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	R JOE MYLER 674 TIPPERARY DR VACAVILLE, CA 95688 (707)446-4882
Current Owner	HERB GREWING 902 N MINK CREEK RD POCATELLO, ID 83204 (208)232-9349
Current Owner	ARDIS GREWING 902 N MINK CREEK RD POCATELLO, ID 83204 (208)232-9349
Original Owner	THORA MYLER 902 N MINK CREEK RD POCATELLO, ID 83204 (208)232-7811

Priority Date: 06/17/1902 OK

Basis: Decreed OK

Status: Active OK

Source

MINK CREEK OK

Tributary

PORTNEUF RIVER OK

Beneficial Use

IRRIGATION OK

From To

3/15 to 11/15

4/15 9/15

Diversion Rate

0.170 CFS

0.03

Total Diversion:

0.170 CFS

0.03

Annual Volume

N/A

Location of Point(s) of Diversion

MINK CREEK OK

SW NE1/4NE1/4

Sec. 31, Twp 07S, Rge 35E, B.M.

BANNOCK County OK

Place of Use

IRRIGATION OK

Twp	Rge	Sec	NE	NW	SW	SE	Totals
07S	35E	31	8.7				8.7
			1.6				1.6

Total Acres: 8.7

Conditions of Approval:Remarks:

1.

General

CHANGED OWNERSHIP 3/6/95/JT/GT

SCANNED

JUL 14 2005

PROFILED

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	0.01
		2	0.3
		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=	0.73
Sum Acre=	36.4

Un-accounted for CFS= 0.67
Un-accounted for Acres= N/A

PROFILED

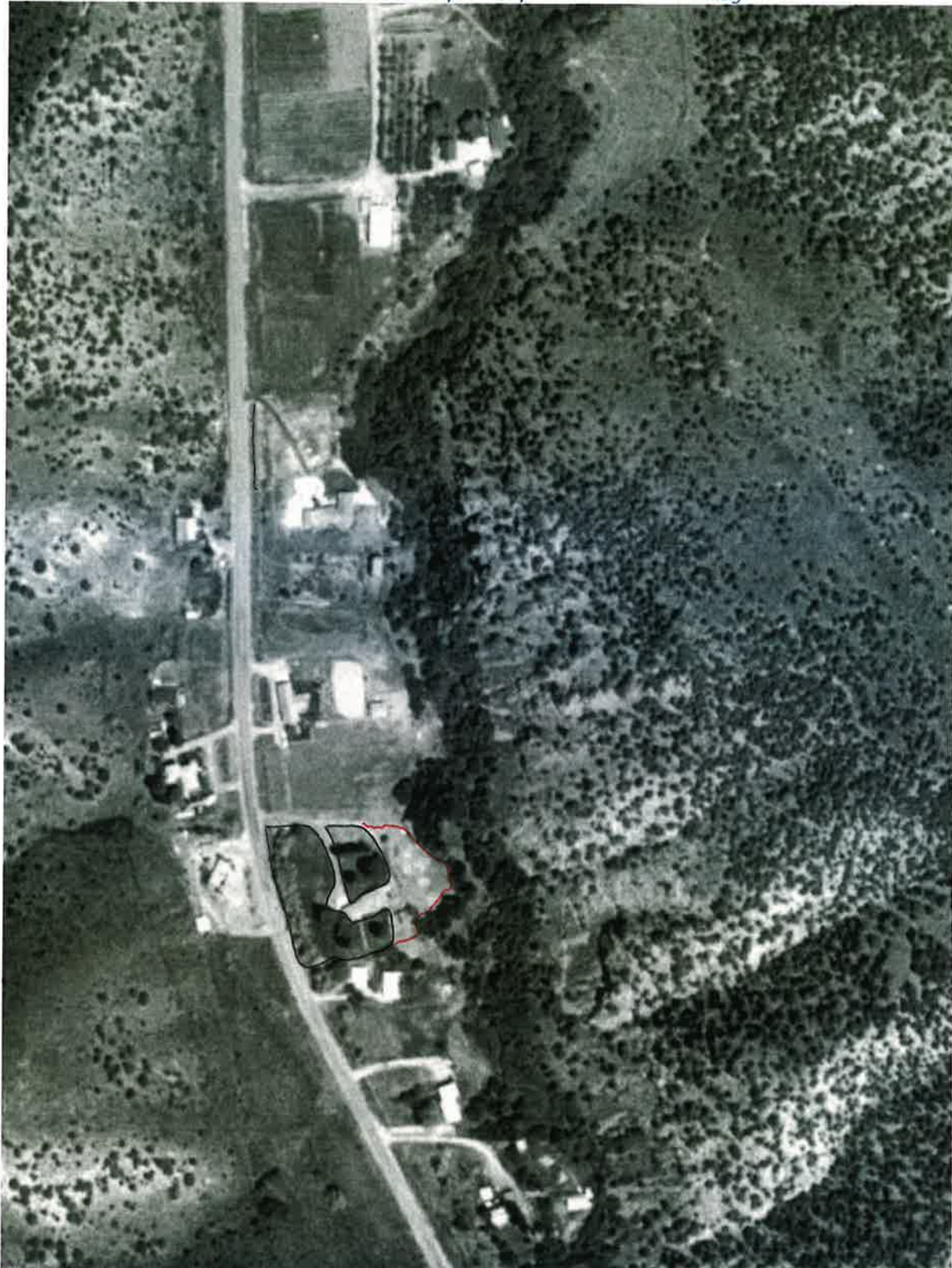
SCANNED
JUL 14 2005

[Send To Printer](#)

[Back To TerraServer](#)

[11 x 17 Print Size](#)

USGS 12 km S of Pocatello, Idaho, United States 23 Aug 1998



0 100M

0 100yd

PROFILED

Image courtesy of the U.S. Geological Survey
© 2002 Microsoft Corporation. All rights reserved. [Terms of Use](#)

SCANNED

JUL 14 2005

29-00276H

POD

Field Exam: 8/14/02



Looking East at POD pump. Pump Info: Make = Sta-Rite; HP = 5; Model = TVB184TCDR7011DNL (csaxton).



Looking South at claimed POU. Pic shows claimants front yard (csaxton).

PROFILE

SCANNED
JUL 14 2005

29-00276H

POU

Field Exam: 8/14/02



Looking North. Claimant stated that this land is not irrigated with the creek water. This pic shows the claimants property that is next to Mink Creek. Mink Creek to the right of the picture (csaxton).

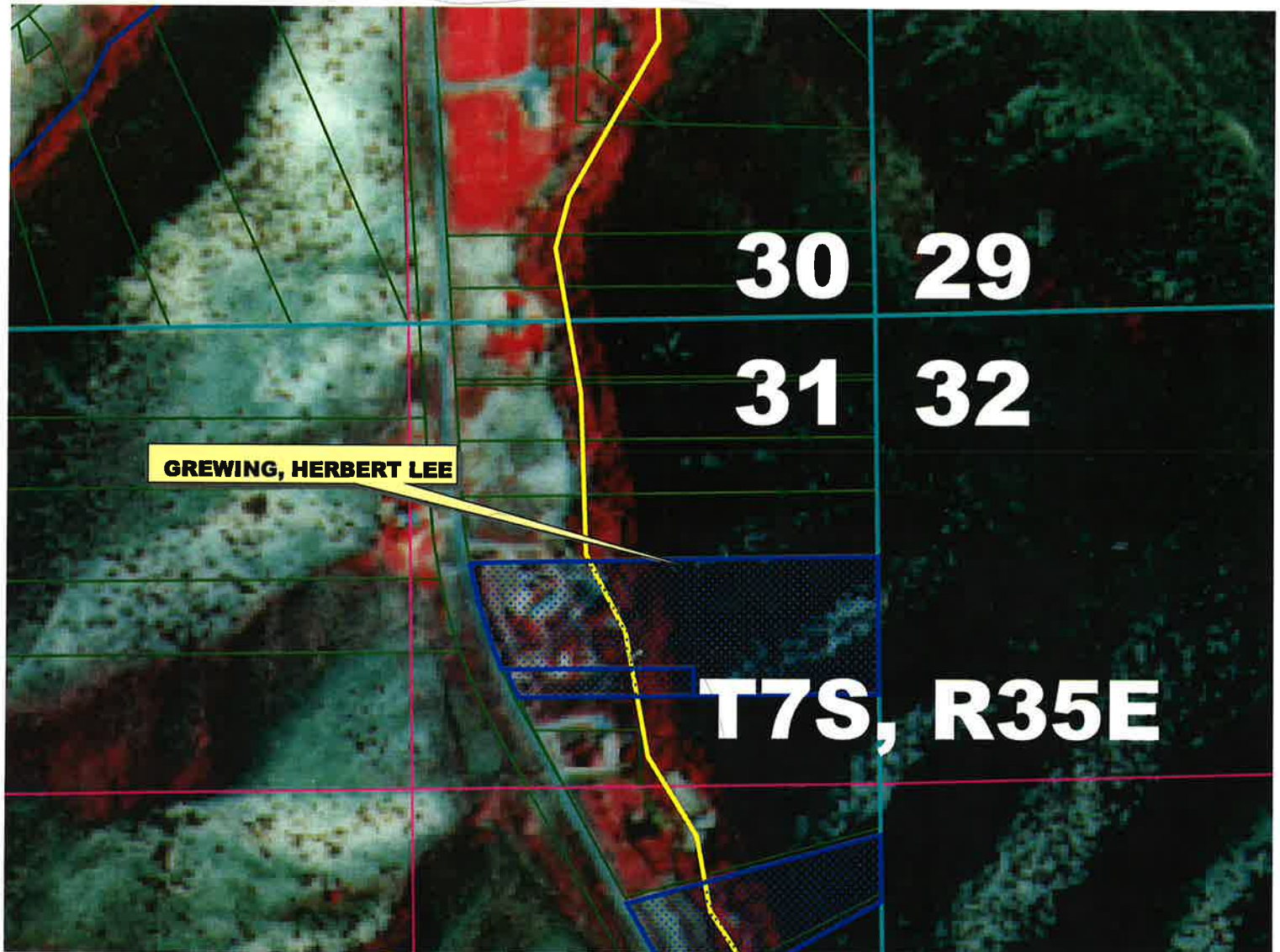
*No, later statement
Confirmed that it
is. CS 6-10-03*

PROFILE

SCANNED

JUL 14 2005

29-00274H



Point of Diversion

Total Property Acreage: 8.62



Roughly - Claimed Place of Use

PROFILED



Licensed POU - N/A



Bannock Co Tax Lot Data



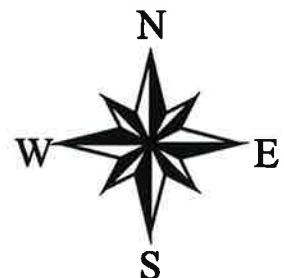
Section Lines



Quarter Quarter Lines

SCANNED

JUL 14 2005



Prepared By: Craig Saxton
August 2002

AJ5809NP
No. A29-00274H

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 9

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HERB GREWING	06/17/1902	IRRIGATION	03-15 11-15	0.170 CFS	
C	ARDIS GREWING					
	902 N MINK CREEK RD			TOTAL DIVERSION:	0.170 CFS	
	POCATELLO ID 83204			CONSUMPTIVE USE:		21.90 AFA
	(208) 232-9349					

Water Source: MINK CREEK

Tributary to: PORTNEUF RIVER

Stage: DECREED

Point(s) of Diversion: T07S R35E S31 NENE 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	31	:	08				:					:					:						8.7
																							TOTAL ACRES	8.7

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: NONE

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

29-10929 29-10946 29-11461 29-11568 29-11736 A29-00274E A29-10929 A29-10946 A29-11331 A29-11461
A29-11568 A29-11736

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

A29-00274A A29-00274E A29-11331

Remarks: GEN CHANGED OWNERSHIP 3/6/95/JT/GT

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

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

Audit: 08/09/90 CARLSEN 04/04/94 THOMPSON 03/06/95 JTHOMPSO 03/29/95 POST-STD



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED
JAN 31 1995

DATE OF CLOSING: 11/17/95

LEGAL DESCRIPTION OF PROPERTY: Township 07S Range 35E
Section 31, SW 1/4 of SWNE 1/4 of NE 1/4, Govt. Lot _____
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

Department of Water Resources
Bureau Eastern District Office

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR:

A29-00274 H, A29-00274 F, A29-10929

☐ Name and Address of Former Owner/Claimant(s)(Seller):

Thora Myler
902 N. Mink Creek Rd.
Pocatello, Id 83204

☐ New Owner/Claimant (Purchaser):

Herb or Ardi's Growing

☐ New Mailing Address:

902 N. Mink Creek Rd
Pocatello Id 83204

☐ New Telephone Number:

(208) 232-9349

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

N/A

☐ Attach proof of ownership, describe proof attached:

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s)

Herb Growing Date 1/23/95

☐ Signature of Former Owner/Claimant(s):

Ardi's Growing Date 1-23-95
Thora Myler Date 12-3-94

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

SCANNED

JUL 22 2005

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

PROFILED

MICROFILMED

NOV 13 1996

3-1
WARRANTY DEED

94020730

For Value Received KENNETH MYLER, SURVIVING PRESIDENT AS STATUTORY TRUSTEE OF O. G. MYLER AND SONS, INC., A DEFUNCT CORPORATION AND PAUL MYLER, SURVIVING DIRECTOR AS STATUTORY TRUSTEE OF O.A. MYLER AND SONS, INC., A DEFUNCT CORPORATION

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

ARDIS ANN GREWING AND HERBERT LEE GREWING, WIFE AND HUSBAND

whose address is: 902 N. MINK CREEK ROAD, POCA TELLO, ID, 83204

**SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF BY
REFERENCE**

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with the appurtenances including any and all water rights including, without limitation, rights under identification #A29-00274H, 06/05/1926 Decree unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

DATED this 15 day of Nov., 1994.

*Kenneth Myler President
and Statutory Trustee*
KENNETH MYLER, PRESIDENT AND
STATUTORY TRUSTEE

*Paul Myler Director
AND Statutory Trustee*
PAUL MYLER, DIRECTOR AND
STATUTORY TRUSTEE

RECEIVED
FEB 28 1995

Department of Water Resources
Eastern District Office

PROFILED

SCANNED
JUL 22 2005

MICROFILMED
NOV 13 1996

STATE OF IDAHO)
 : ss.
County of Bannock)

3-2

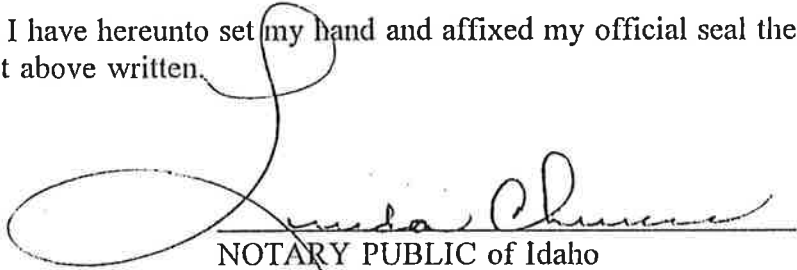
94020730

On this 15th day of April, 1994, before me, a Notary Public in and for the State of Idaho, personally appeared KENNETH MYLER AND PAUL MYLER, known or identified to me to be the surviving President, Director and Statutory Trustees of O. G. Myler and Sons, Inc., a defunct corporation, that executed the instrument or the persons who executed the instrument on behalf of said corporation and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



NOTARY SEAL



NOTARY PUBLIC of Idaho
Residing at Pocatello, ID.
My Commission expires: 2-18-99

NO. **94020730**
RECORDED AT REQUEST OF
FIRST AMERICAN TITLE

'94 NOV 17 P2:09

OFFICIAL RECORD BOOK NO 629
BANNOCK COUNTY IDAHO
LARRY W. WILSON RECORDED
EE 9.00 DEPUTY 216

PROFILED

SCANNED
JUL 22 2005

MICROFILMED
NOV 13 1996

3-3
EXHIBIT A

94020730

Beginning at the Northeast Corner of South one-half of the Northeast Quarter of the Northeast Quarter of Section 31, Township 7 South, Range 35 East, Boise Meridian thence go South along the East line of said Section 385 feet to a point, thence go West parallel with the North line of the South one-half of the Northeast Quarter of the Northeast Quarter of said Section, 1027 feet more or less to the intersection of said line with East right of way line of State Highway as described in Book 77 of Deeds at Page 327 thence Northwesterly along said East right of way line of Highway on a 4° curve to the right to a point, said point being the intersection of the North line of the South half of the Northeast Quarter of the Northeast Quarter of said Section and East right of way line of said Highway, thence East along said North line 1155 feet more or less to POINT OF BEGINNING. Same being part of BANNOCK COUNTY, STATE OF IDAHO.

EXCEPTING THEREFROM:

Beginning at the Northeast Corner of the South half of the Northeast Quarter of the Northeast Quarter of Section 31, Township 7 South, Range 35 East of Boise Meridian; thence Southerly along the East line of said Section, 385 feet to a point; thence at right angles Westerly parallel with the North line of the South half of the Northeast Quarter, Northeast Quarter, Section 31, 1027 feet, more or less, to the POINT OF BEGINNING of this Survey; thence following the East right of way line of State Highway as designated in Book 77 of Deeds at Page 327, a distance of 75 feet on a 4° curve to the right, thence at right angles in an Easterly direction parallel with the North line of the South half of the Northeast Quarter, Northeast Quarter, Section 31, a distance of 150 feet; thence Southerly at right angles a distance of 75 feet; thence at right angles in a Westerly direction a distance of 148 feet, more or less, to the POINT OF BEGINNING of this Survey, BANNOCK COUNTY, STATE OF IDAHO.

ALSO EXCEPTING THEREFROM:

Beginning at the Northeast Corner of the South half of the Northeast Quarter of the Northeast Quarter of Section 31, Township 7 South, Range 35 East of Boise Meridian; thence Southerly along the East line of said Section, 385 feet to a point; thence at right angles Westerly parallel with the North line of the South half of the Northeast Quarter, Northeast Quarter, Section 31, 1027 feet, more or less, thence following the East right of way line of State Highway No. 38 as designated in Book 77 of Deeds at Page 327, a distance of 75 feet on a 4° curve to the right, to the POINT OF BEGINNING of this Survey; thence following the East right of way line of State Highway No. 38 as designated in Book 77 of Deeds at Page 327 a distance of 25 feet on a 4° curve to the right, thence at right angles in an Easterly direction parallel with the North line of the South half of the Northeast Quarter, Northeast Quarter, Section 31, a distance of 5 feet; thence at right angles in a Southerly direction a distance of 18 feet; thence at right angles in an Easterly direction parallel with the North line of the South half of the Northeast Quarter, Northeast Quarter, Section 31, a distance of 526 feet; thence Southerly at right angles a distance of 82 feet; thence at right angles in a Westerly direction a distance of 381 feet; thence Northerly at right angles a distance of 75 feet; thence at right angles in a Westerly direction parallel with the North line of the South half of the Northeast Quarter, Northeast Quarter, Section 31, a distance of 150 feet, more or less, to the POINT OF BEGINNING of this survey.

SCANNED

JUL 22 2005

MICROFILMED

NOV 13 1996

PROFILED

August 10, 1990

Thora Myler
902 N Mink Creek Road
Pocatello, ID 83204

RE: Notice of Claim - Duplicate Number

Dear Ms. Myler:

The water right number assigned to the Notice of Claim for your property in Bannock County had previously been used. Therefore, we have renumbered your Notice from A29-00274F to A29-00274H and modified Receipt No. E012723 to reflect this change.

The enclosed form is an exact duplicate of the original notice but with the newer water right number. Please retain this Notice for your records and future reference.

I apologize for any inconvenience caused by the renumbering of this Notice. The issuing of duplicate numbers occurs when there are several offices used by the public to file their Notices of Claim.

If you have any questions, please feel free to call.

Respectfully submitted,

EC

Ernest Carlsen
Adjudication Supervisor

EC:jt

Enclosure

SCANNED

JUL 22 2005

MICROFILMED

NOV 13 1992

PROFILED



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

April 5, 1990

Thora Myler
902 N Mink Creek Rd.
Pocatello, ID 83204

Dear Ms. Myler:

The water right number assigned to the Notice of Claim for your property in Bannock County had previously been used. Therefore, we have renumbered your Notice from A29-00274D to A29-00274F and modified Receipt No.E012723 to reflect this change.

The enclosed form is an exact duplicate of the original notice but with the newer water right number. Please retain this Notice for your records and future reference.

If you have any questions, please feel free to call.

Respectfully submitted,

Ernest Carlsen
Adjudication Supervisor

EC:jt

Enclosure

PROFILED

SCANNED
JUL 22 2005

MICROFILMED
NOV 13 1992

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 ~~she~~ ^{he} 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 1 inch per second foot 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. 7S, 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 manner, 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 7S, Range 35 E., B.M., and conducted 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

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

X

X

RECEIVED

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 RM*, 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.

Mr H E McKee

Applicant.

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

George R Phillips

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*

RECORDED

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1961

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 Mr H E McKee in Mink Creek in Bannock County, Idaho.

<u>Odell J. Mader</u>	<u>225 Matthew</u>
<u>Willard W. Ellison</u>	<u>J. Anderson</u>
<u>Ken Chaney</u>	<u>E. B. Chaney</u>
<u>Naomi Stanger</u>	
<u>Wesley P. Erickson</u>	
<u>W. W. Wood</u>	
<u>O. S. Myler</u>	
<u>J. V. Frasier</u>	

TITLE
OF
CASE

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

SOURCE Mink Creek & Campbell Creek

PAGE

WATER DIST

17-D

COUNTY Bannock

JUDICIAL DIST

5

JUDGE O. R. Dunn

DATE OF DECREE

6-5-26

RECORDED

IN BOOK NO. 5 AT PAGE NO. 78

FILE NO. 434

PN.	DN.	DECREED OWNER	NAME	PRESENT OWNER	AMT. INCHES	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 $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ 17, SW $\frac{1}{4}$ SE $\frac{1}{4}$ 8 T 7S-R35 E	10.
1		Elkhorn Dairy & Livestock Co.			15.	"	"	SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ 17	25.
1		Joseph Munn			5.	"	"	SE $\frac{1}{4}$ NE $\frac{1}{4}$ 18, N 18 A. of SW $\frac{1}{4}$ NW $\frac{1}{4}$ 17	30.
1		Wm. H. Edwards			20.	"	"	N $\frac{1}{2}$ NE $\frac{1}{4}$ 18	50.
1		City of Pocatello			161.1	"	At a point 50383 W. 728.344 from E. corner S. 13-35-24 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		Toade			37.46	"			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	SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ 30, NE $\frac{1}{4}$ Sec. 31 T. 7S. - R. 35 E. NW $\frac{1}{4}$ NE $\frac{1}{4}$, S. 31-7S.-35E.)	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			26.98	"	"	See above.	534. 11
4		Wm H. Edwards			31.53	"	"	"	565. 64
5		Arthur Say (SAY)			75.	9-7-04	SE $\frac{1}{4}$ SE $\frac{1}{4}$ 19	SE $\frac{1}{4}$ SE $\frac{1}{4}$ 19, NE $\frac{1}{4}$ NE $\frac{1}{4}$ 30, NW $\frac{1}{4}$ NW $\frac{1}{4}$ 29, SW $\frac{1}{4}$ SW $\frac{1}{4}$ 20.	640. 64
6		H. F. Calloway			20.	8-7-07	SW $\frac{1}{4}$ 20	NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, 20	660. 64
7		J. H. McKinnon			12.	7-10-10	SW $\frac{1}{4}$ NE $\frac{1}{4}$ 31	S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, 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? linch per acre

What kind of crops are being raised? Hay and pasture

How much water per acre is now required to irrigate said land? linch 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? To be 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

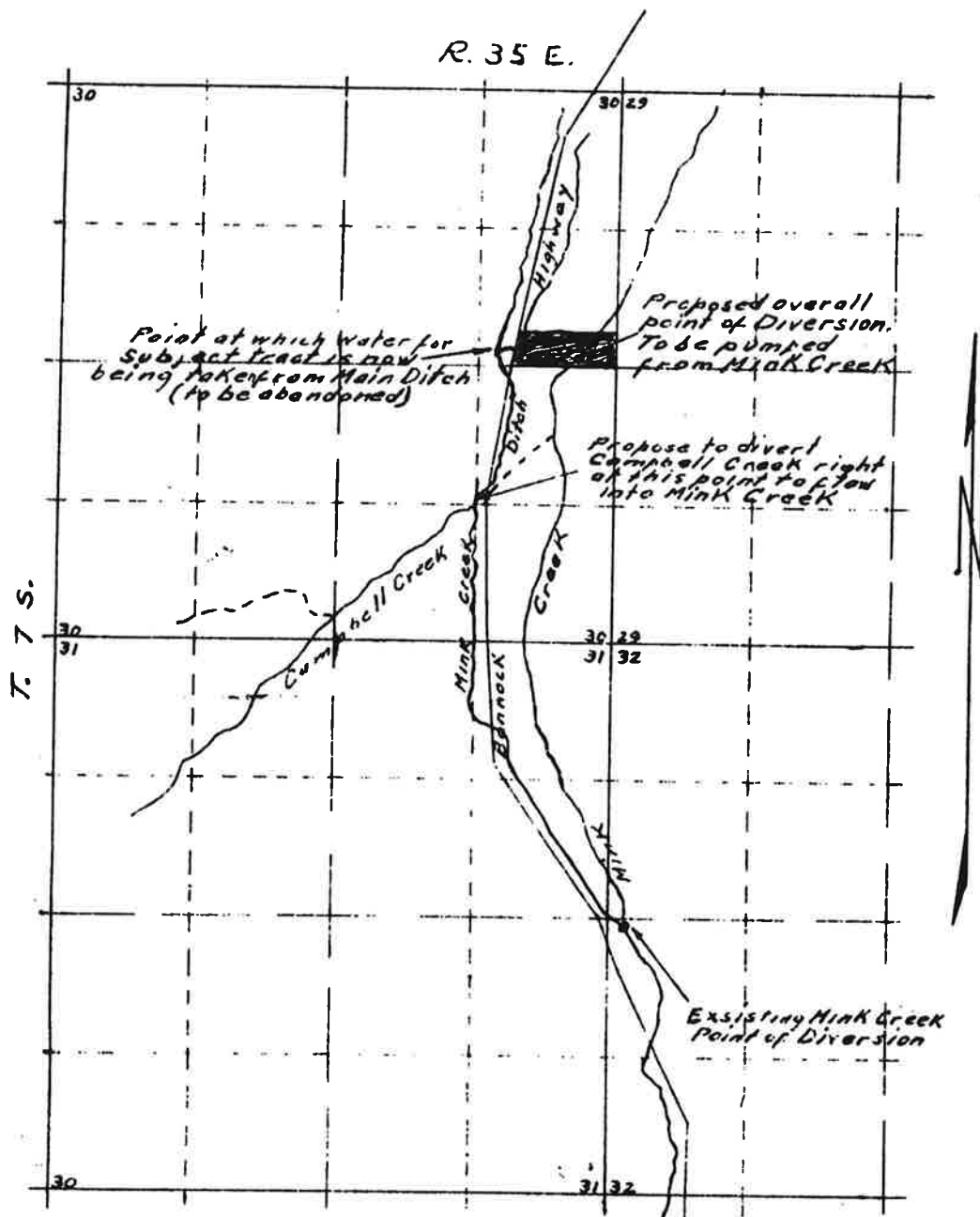
Alma J. Tolman

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

MICROFILMED

Name of Applicant

Mr. H. F. McKee



Scale: 4" = 1 mile
Subject Tract in Red

MICROFILMED

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: **A29-00274H**
Date Received: 4/ 2/1990
Receipt No: E012723
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name:	HERB GREWING	208-232-9349
Address:	902 N MINK CREEK RD POCATELLO ID 83204	
OR		
Name:	ARDIS GREWING	208-232-9349
Address:	902 N MINK CREEK RD POCATELLO ID 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	Lot	County
07S	35E	31		NE	NE		BANNOCK

5. Description of diverting works:
PUMP IN CREEK TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.170		

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

8. Total consumptive use is 21.9 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

SCANNED

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A29-00274H

JUL 22 2005

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Date: 03/06/95

NOV 13 1996

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	35E	31	NE	NE		IRR	8.7

Section Acres 8.7

Total Acres 8.7

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:
CHANGED OWNERSHIP 3/6/95/JT/GT

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

SMITH, ET AL.

Decree Plaintiff

CITY OF POCA TELLO

vs Decree Defendant

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Date: 03/06/95

JUL 22 2005

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

Ident. Number: A29-00274H
Date Received: 4/02/1990
Receipt No: E012723
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THORA MYLER
Address: 902 N. MINK CREEK RD
POCATELLO, ID 83204
208-232-7811

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	31	NE	NE	NE		BANNOCK

5. Description of diverting works:
PUMP IN CREEK TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.170		

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

A.F.A.

8. Total consumptive use is 21.9 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	31	NE	NE		IRR	8.7

A29-00274H

Page 1

Date: 08/09/90

PROFILED

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	8.7
					Total Acres	8.7

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:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

SMITH, ET AL.

Decree Plaintiff

vs

CITY OF POCA TELLO

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 22 2005

MICROFILMED
NOV 13 1992

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 _____

PROFILED

SCANNED
JUL 22 2005

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NOV 13 1992

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 ^{4/5/90} *ENE*

Renumbered - ~~A29-00274H~~
Ident. Number: ~~A29-00274D~~
Date Received: 4/02/1990
Receipt No: E012723
Received By: HLJ

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THORA MYLER 208-232-7811
Address: 902 N. MINK CREEK RD
POCATELLO, ID 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	Lot	Count
07S	35E	31	NE	NE			BANNOC

5. Description of diverting works:
PUMP IN CREEK TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.170		

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

8. Total consumptive use is 21.9 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	35E	31	NE	NE		IRR	8.7

Section Acres 8.7

A29-00274D

Page 1

Date: 04/02/90

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NOV 13 1992



10. Place of Use: Continued

Total Acres 8.7

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:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 6/05/1926

SMITH, ET AL.

Decree Plaintiff

vs

CITY OF POCA TELLO

Decree Defendant

PROFILED

SCANNED
JUL 22 2005

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NOV 13 1992

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): Thora E. Myler Date: 4-2-1990

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 2nd day

of April 19 90

Betty J. Thompson
Notary Public

Seal

Residing at BETTY J. THOMPSON, NOTARY PUBLIC
RESIDING AT IDAHO FALLS, IDAHO
My Commission Expires MY COMMISSION EXPIRES: 6-30-94

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JUL 22 2005

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Bannock County
ASSESSORS OFFICE

SECTION PLAT

SCALE 1" = 300

TOWNSHIP 2 S.,

RANGE 33 E. B.M.

NE⁴ SECTION 31



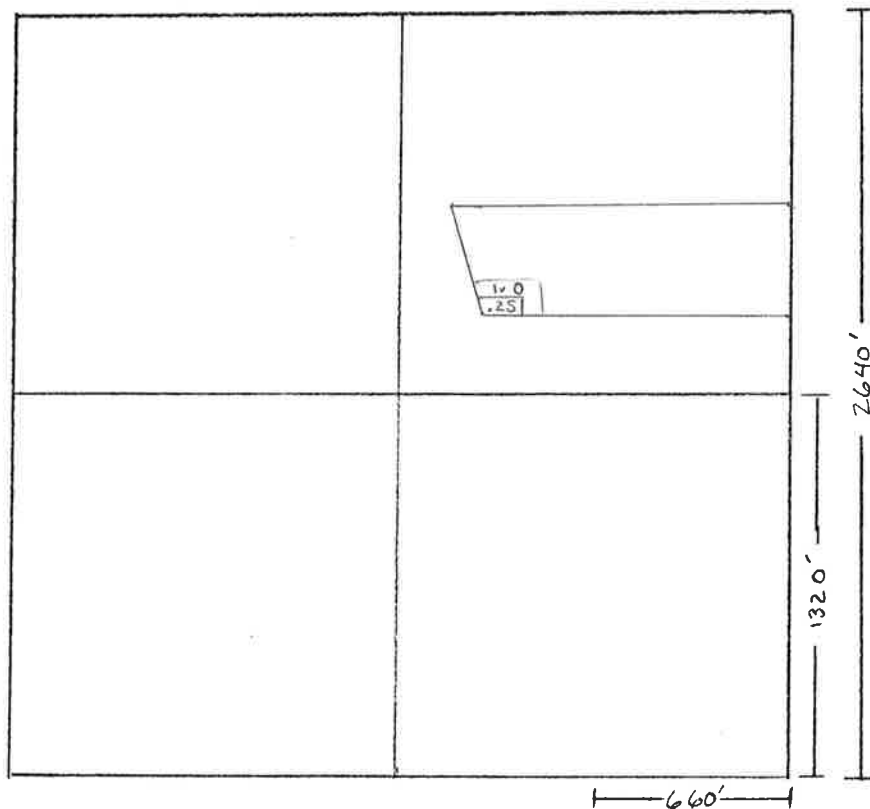
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Introduction

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JUL 22 2005

MICROFILMED
NOV 13 1996