

12/04/2002

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

RIGHT NUMBER: 29-274I

NAME AND ADDRESS: JEANNE MATKIN
1508 N MINK CREEK RD
POCATELLO ID 83204

GK MATKIN
1508 N MINK CREEK RD
POCATELLO ID 83204

SOURCE: MINK CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.120 CFS

USE OF THIS RIGHT WITH RIGHT NO. 29-02402 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 0.12 CFS.

PRIORITY DATE: 06/17/1902

POINT OF DIVERSION:

T07S R35E S30 SESENE 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	0.120 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 6.0

6 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 29-02402 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 6.0 ACRES IN A SINGLE
IRRIGATION SEASON.

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

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

EXPLANATORY MATERIAL: Decreed

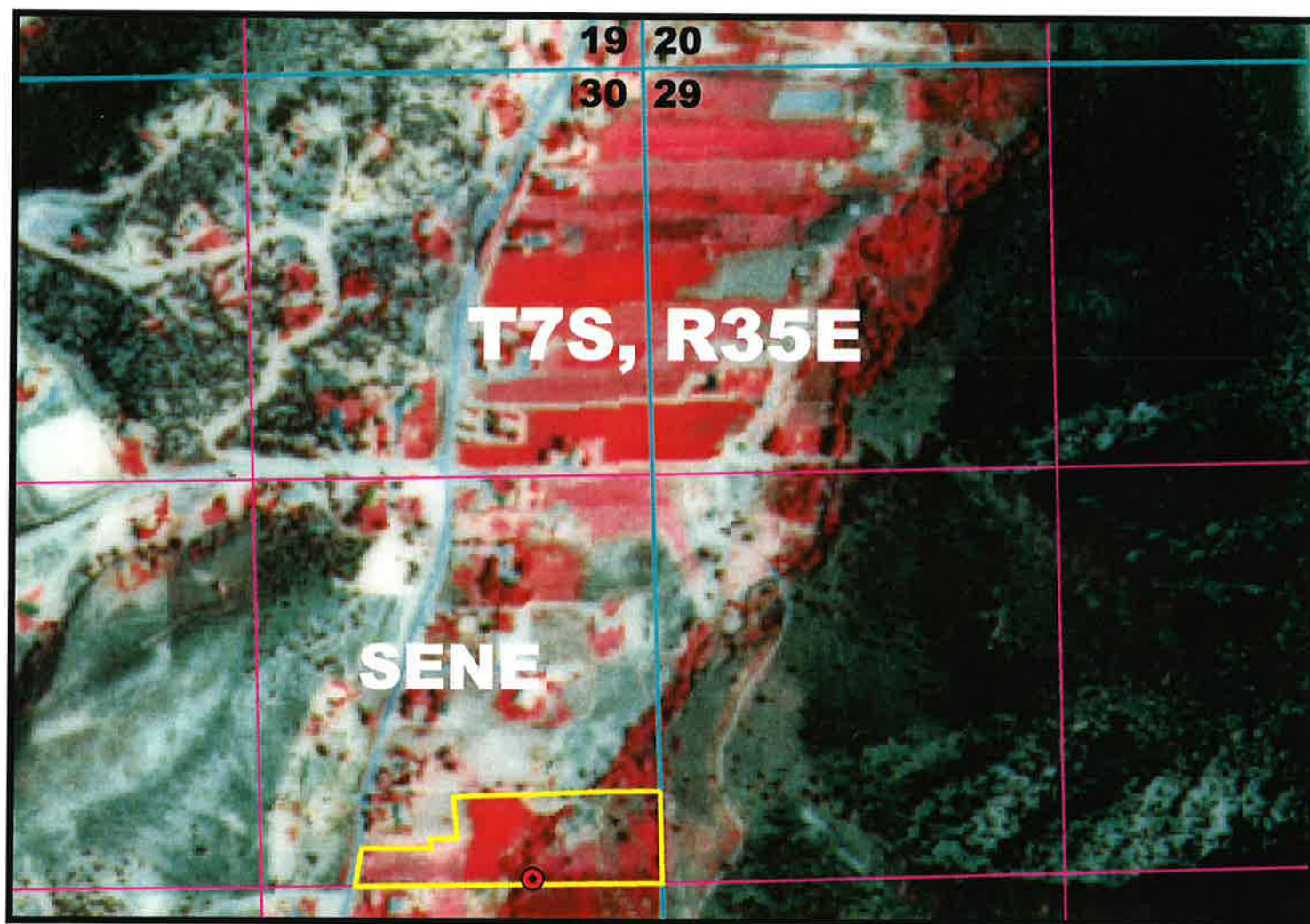
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s): 29-002741



1320 0 1320 Feet

Total Irrigated Acres: 6.0

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Point(s) of Diversion



Place of Use



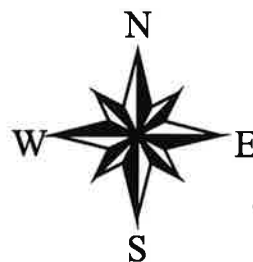
Quarter Quarter Lines



Section Lines

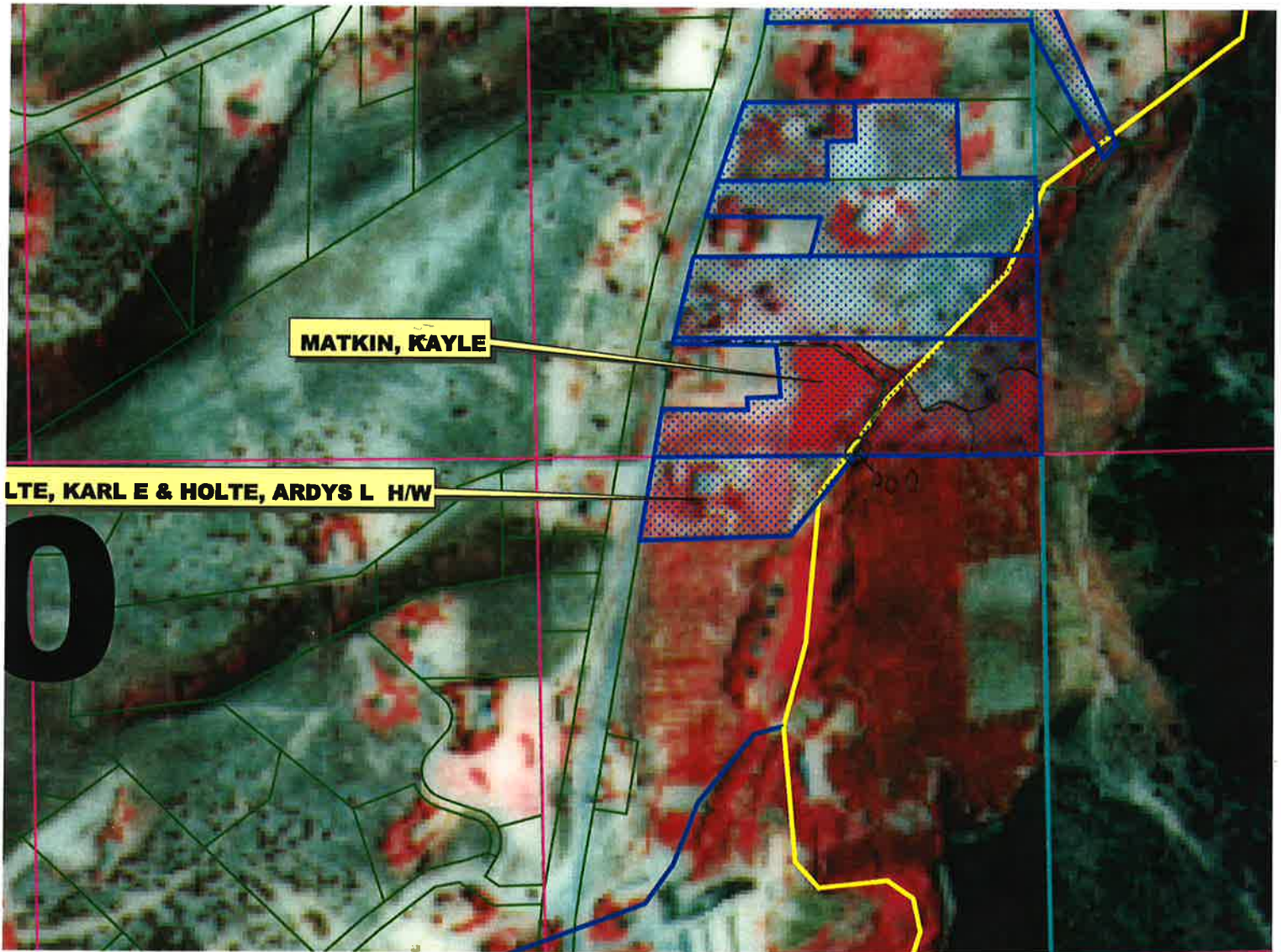
SCANNED

JUL 14 2005



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: November 2002

29-00274I and 29-02402



Point of Diversion

Total Property Acreage:



Roughly - Claimed Place of Use



Licensed POU - N/A



Bannock Co Tax Lot Data



Section Lines

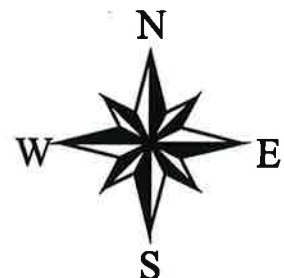


Quarter Quarter Lines

PROFILED

SCANNED

JUL 14 2005



**Prepared By: Craig Saxton
August 2002**

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-274I V1

WATER RIGHT NUMBER: 29-274I V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JEANNE MATKIN 1508 N MINK CREEK RD POCATELLO, ID 83204 (208) 847-2009
Original Owner	MRS H E MC KEE
Current Owner	POCATELLO, ID GK MATKIN 1508 N MINK CREEK RD POCATELLO, ID 83204 (208) 847-2009

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	0.120 CFS	
	<u>Total Diversion:</u>	0.120 CFS	

Location of Point(s) of Diversion

MINK CREEK	SE1/4SE1/4NE1/4	Sec. 30, Twp 07S, Rge 35E, B.M.
BANNOCK County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
07S	35E	30	6.0				6.0

Total Acres: 6

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 29-274I V1

1. Quantity USE OF THIS RIGHT WITH RIGHT NO. 29-02402 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.12 CFS.
2. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NO. 29-02402 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 6.0 ACRES IN A SINGLE IRRIGATION SEASON.
3. 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 Purpose of Use
Comment: Stockwater was mentioned in the claim, but was not actually claimed as a use.
2. csaxton 10/30/2002 Priority Date
Comment: Claimant claimed priority date of July 17, 1902 and it should have been June 17, 1902. Amended claim.
3. csaxton 10/30/2002 POD
Comment: Also POD for 29-00274F.
4. csaxton 10/30/2002 Overlap
Comment: This right overlaps with 29-02402.
5. csaxton 11/7/2002 Windham Property
Comment: GK stated that mink creek water has not been used on Windham property.

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 1:43:39 PM	csaxton			Active
Priority Date	10/30/2002 2:01:36 PM	csaxton			Active
POD	10/30/2002 2:01:57 PM	csaxton			Active
Source	10/30/2002 2:04:08 PM	csaxton			Active
POU	10/30/2002 2:04:28 PM	csaxton			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-274I V1

Use	10/30/2002 2:05:25 PM	csaxton	Active
Season	10/30/2002 2:06:32 PM	csaxton	Active
Season	10/30/2002 2:07:32 PM	csaxton	Active
Quantity	10/30/2002 2:07:46 PM	csaxton	Active
Summary		10/30/2002 csaxton	Active
Priority Date	12/4/2002 11:32:10 AM	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	10/30/2002 2:03:23 PM	csaxton	Edited point location
POD	10/30/2002 2:03:45 PM	csaxton	Edited PLS
Use	10/30/2002 2:05:25 PM	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?
Source	10/30/2002 2:04:08 PM	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?
POU	10/30/2002 2:04:28 PM	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 2:05:05 PM	csaxton	Edited PLS
Contacts	10/30/2002 1:43:39 PM	csaxton	(No) 1. Do you want to schedule an appointment?
Priority Date	10/30/2002 2:01:36 PM	csaxton	Comment for 1: Field exam 8/14/02 (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? (No) 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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-274I V1

POD	10/30/2002 2:01:57 PM	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?
POU	10/30/2002 2:04:42 PM	csaxton	Edited shape boundary
Season	10/30/2002 2:06:32 PM	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? (No) 18. Is a Period of Use remark and/or condition required?
Season	10/30/2002 2:07:32 PM	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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-274I V1

Quantity	10/30/2002 2:07:46 PM	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?
Summary	10/30/2002 2:09:31 PM	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	10/30/2002 3:22:43 PM	csaxton	Edited shape boundary
POU	10/30/2002 3:38:25 PM	csaxton	Edited shape boundary
Priority Date	12/4/2002 11:32:11 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?
POU	11/7/2002 2:53:29 PM	csaxton	Edited shape boundary

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS OF NOTICE OF CLAIM

RECEIVED

DEC 02 2002

WATER RESOURCES
WESTERN REGION

[] Water Right Number(s): 29-002741

[] Claimant Name(s): E K MATTHEW

[] Old Mailing Address: 1506 North main creek Road

[] New Mailing Address: 1508 North main creek Road

Telephone Number: (208) 847 - 2009

[] Signature of Claimant(s): EX Matthew

Date: 11-26-02

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8-12-02: 29-11596 Domestic PO'd

: Possible NCO: Karl E and Andys L Holte
1506 N Mink Cr Rd
Pocatello ID 83204-7255

8-14-02: Pump: Jacuzzi Intake 4" line
FE HP=? Outtake 3" line
Power line still to Pump

- 1) Black intake
- 2) Grey Pump in open shed
- 3) Outtake At Fire line
- 4) 800 E of Creek. Green Host
- 5) Irrigation line w. Tractor - Yellow in Air

Holte Prop: Purchased Property in 1999.

Holte, Karl + Andys; Mink Creek + GW has been used as recently as 17 well inside House this year.

- 2) Well House
- 3) Well House w/claimant

: 6" Domestic well in Pump house.

: Pump Info: Crane
SN-448037
HP ?

Pump Hasnt been used since 1999,
But was irrigated from Kayles
Pump.

- 1) some others
- 4) N @ River
- 5) N @ River

10-30-02: Overlap with 29-02402

11-7-02 : GIK Matkin called and said Even though he irrigated Holte's Property when he owned it, it was his understanding that He was using Fraisers water Right. He isn't going to amend claim.

: But he did say that he Allowed Holte to tap into his line this year To irrigate his trees

: Didn't know last time water was pumped from Pump on Holte's property but probably at least 12 yrs.

: GIK said water never used on Susanne's property

11-12-02 : Susanne Windham called and says she has no interest in this Right. Her Property was never owned by GIK Matkin (208) 478-7045

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100 North 10th
P.O. Box 307
Montpelier ID 83254

208-847-0465
1-800-847-0465
Fax 208-847-0467

Walton Feed, Inc.

Mr. Saxton

If this isn't right please call,

there were no point of
diversion ever set up for the
Holt place.

my phone # 208-847-2009

thanks

D K Mathis

11-26-02

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JUL 14 20

P S Joanne don't own any of
this property. her name needs to be
~~PELLETS - BLOCKS - FERTILIZERS - HOME STORAGE SUPPLIES~~
taken of from this



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

October 31, 2002

SUZANNE B WINDHAM
1556 N MINK CK RD
POCATELLO ID 83204-7225

RE: CHANGE IN OWNERSHIP FOR 29-00274I AND 29-02402

Dear Ms. Windham:

It has come to our attention that you may have recently purchased a tract of land in Bannock County. According to our records, the property to which I am referring to was most recently owned by G.K. Matkin. The legal description is as follows:

T07S R35E S30 SE1/4 NE1/4

This property was filed on in the Snake River Basin Adjudication (SRBA). IDWR is currently in the processing of reviewing the Adjudication claims in basin 29. We recommend that if, in fact, you now own the property in question, and do use the water for the purposes claimed, you file a "Change in Ownership" with this department in order that we may send all further correspondence to the appropriate owner(s).

Enclosed is a Change in Ownership form. Please fill out the form completely, sign and date it and return it to my attention along with a "copy" of your Warranty Deed and legal description of the property you have purchased.

If you have any questions regarding this matter, please call 334-2190.

Respectfully submitted,

Craig L. Saxton
Water Resource Agent
Enclosure(s)

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JUL 14 2005

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 29-2741

WATER RIGHT NUMBER: 29-2741

Owner Type Name and Address
 Current Owner JEANNE MATKIN
 1506 N MINK CREEK RD
 POCA TELLO, ID 83204
 (208)233-2441
 Original Owner MRS H E MC KEE
 POCA TELLO, ID
 Current Owner GK MATKIN
 1506 N MINK CREEK RD
 POCA TELLO, ID 83204
 (208)233-2441

*need Address change but
 NO Return correspondence*

Priority Date: 07/17/1902 - *should be 6/17/02 but no amended claim received*
 Basis: Decreed *OK* *SO = OK*
 Status: Active *OK*

Source Tributary
 MINK CREEK *OK* PORTNEUF RIVER *OK*

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION <i>OK</i>	5/01 to	10/01	0.190 CFS	
	<i>4/15</i>	<i>9/15</i>	<i>0.12</i>	
	Total Diversion:		0.190 CFS	
			<i>0.12</i>	

Location of Point(s) of Diversion
 MINK CREEK *OK* NE1/4NE1/4NE1/4 Sec. 30, Twp 07S, Rge 35E, B.M.
 BANNOCK County *✓* *SESENE*

Place of Use
 IRRIGATION *OK*

Twp	Rge	Sec	NE	NW	SW	SE	Totals
07S	35E	30	NE	NW	SW	SE	10.0
			<i>8.3</i>				<i>6</i>

Total Acres: *10*Conditions of Approval:Remarks:Comments:Dates and Other Information:

Claim Received Date: 4/23/1990

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JUL 14 2005

PROFILE

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

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JUL 14 2005
PROTECTED

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-274B

WATER RIGHT NUMBER: 29-274B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MRS N E MC KEE
	, ID
Original Owner	JAMES S CAMPBELL
	, ID

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	4/15 to 9/15	0.141 CFS	
	<u>Total Diversion:</u>	0.141 CFS	

Location of Point(s) of Diversion

MINK CREEK	SE1/4NE1/4	Sec. 30, Twp 07S, Rge 35E, B.M.
BANNOCK County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
07S	35E	30	7.0				7.0

Total Acres: 7

Conditions of Approval:Remarks:

- General AS PER TRANS #252.

Comments:Dates and Other Information:

Decreed Date: 6/5/1926



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

October 30, 2002

GK MATKIN
JEANNE MATKEN
8428 NOUNAN RD
MONTPELIER ID 83254

RE: Amendment of Snake River Basin (SRBA) claim 29-00274I and Change of Address follow up letter.

Dear Mr. and Ms. Matkin:

On September 6, 2002 I sent a request for an amended claim and change of address (enclosed). At this time I have not received any response.

At that time I did not notice that you had claimed a priority date of 7/17/1902. The decreed right that your claim is based on has a priority date of 6/17/1902. I feel it would be to your benefit to amend your claim to the earlier priority date as well as changing your mailing address.

For your convenience I am enclosing another copy of the amended claim with the earlier priority date. If you would like your claim to reflect the earlier priority date the claim needs to be amended. Please look over the claim and initial any changes you wish to make. When satisfied, sign the claim in front of a notary and return it to this office by **November 30, 2002.**

Please feel free to contact me if you have any questions.

Respectfully submitted,

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

Enclosure (s)

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SCANNED
JUL 14 2005



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

September 6, 2002

GK MATKIN
JEANNE MATKEN
8428 NOUNAN RD
MONTPELIER ID 83254

RE: Amendment of Snake River Basin (SRBA) claim 29-00274I and Change of Address

Dear Mr. and Ms. Matkin:

The Idaho Dept. of Water Resources is currently in the process of reviewing SRBA claims in your area. During my initial review, I found that Karl and Ardys Holte purchased a little over 2 acres from you in 1999. It is my understanding that this property is and has been irrigated from Mink Creek and in 1990 you filed claim 29-00274I.

The department views water rights as being applicable to the property. Karl and Ardys Holte filed a Notice of Change in Water Right Ownership form to change a portion of 29-00274I into their name.

The problem is that 29-00274I claims 10 acres of irrigation in T7S, R35E, Sec 30, SENE. The property purchased by the Holte's is located in T7S, R35E, Sec 30, NESE (see enclosed map).

From speaking to you on 8/21/02, and conducting a field exam on 8/14/02, it is my belief that your intension in filing claim 29-00274I was to include irrigation on the NESE or what is now the Holte property. If my assessment is accurate, 29-00274I needs to be amended so I can split the claim and put the appropriate portion of the claim in the Holte's name.

For your convenience I am enclosing an amended claim. Please look over the claim and initial any changes you wish to make. When satisfied, sign the claim in front of a notary and return it to this office as soon as possible.

In addition, it appears that your mailing address has changed. Enclosed is a change of address form that needs to be completed to ensure you receive any future mailings.

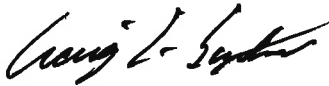
SCANNED

JUL 14 2005

PROFILED

Please feel free to contact me if you have any questions.

Respectfully submitted,



Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

Enclosure (s)

Cc: Karl and Ardys Holte

SCANNED
JUL 14 2005

PROFILED

29-00274I System Field Exam: 8/14/02



Looking South East at pipeline that supplies water to claimed POU (csaxton)



Looking North at claimed POU and hose used to convey water to claimed POU (csaxton).

PROFILED

**SCANNED
JUL 14 2005**

29-00274I

POU

Field Exam: 8/14/02



Looking SW at claimed POU (csaxton).

PROFILED

SCANNED
JUL 14 2005

29-00274I

POD

Field Exam: 8/14/02



Looking South at POD. Black intake hose can be seen in picture (csaxton).



Looking South at Pump. Pump Info: Make = Jacuzzi; HP = ?; Intake = 4" line; out flow = 3" line (csaxton).

SCANNED

JUL 14 2005

PROFILED

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 29-274I
Date Received: 4/23/1990
Receipt No: E013474
Received By:

AMENDED

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JEANNE MATKIN Phone: (208)233-2441

1506 N MINK CREEK RD
POCATELLO ID USA 83204

GK MATKIN Phone: (208)233-2441

1506 N MINK CREEK RD
POCATELLO ID USA 83204

2. Date of Priority: *06* 8/17/1902

Initial

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	Type
07S	35E	30	NE NE NE	BANNOCK	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	5/01	10/01	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
07S	35E	30	SE	NE	IRRIGATION	7
			NE	SE	IRRIGATION	3
					Section Acres	10
					Total Acres	10

11. Place of use in counties: BANNOCK

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

Claim Amended to more accurately describe the acreage distribution.

Database has not been changed until amended claim signed in front of a notary and returned to this office.

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): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this

of _____ 20____

Notary Public

Residing at _____

My commission Expires _____

B

Copy

RECEIVED
JUN 6 1981

Form 20

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 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 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. 14
(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 7S, Range 35 E, R. 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 16 change cubic feet per second
in place of use
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

MICROFILMED

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, as per map appended. from Mink Creek

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, 1961

George B. Phillips

Notary Public.

APPLICANT WILL ANSWER THE FOLLOWING QUESTIONS:

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

MICROFILMED

RECEIVED

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. Maden</u>	<u>225 Nathan</u>
<u>Willard W. Ellison</u>	<u>J. Anderson</u>
<u>Herb Chaney</u>	<u>E. R. Chaney</u>
<u>Naomi Stanger</u>	
<u>Red P. Frockleton</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

WATER DIST 17-D

COUNTY Bannock

PAGE

JUDICIAL DIST 5

JUDGE Q. R. Bann

DATE OF DECREE 6-5-26

RECORDED

IN BOOK NO 5 AT PAGE NO 78

FILE NO 424

PN	DN	DECREED OWNER	NAME	PRESENT OWNER	AMT INCHES	PRIORITY	DIVERSION SUBDIV SEC TWP AG	REMARKS, LAND TO BE IRRIGATED, ETC	CT.
1		T. B. Smith Est.			10.	2-26-69	center 20 7 S. 35E	NW ¹ 1, NE ¹ SW ¹ 17, SW ¹ SW ¹ 8 T 7S-R35 E	10.
1		Elkhorn Dairy & Livestock Co.			15.	"	" " " "	SE ¹ NW ¹ , E ¹ SW ¹ 17	25.
1		Joseph Munn			5.	"	" " " "	SE ¹ NE ¹ 16, N 18 A. of SW ¹ NW ¹ 17	30.
1		Wm. H. Edwards			20.	"	" " " "	N ¹ NE ¹ 18	50.
1		City of Pocatello			161.1	"	At a point 30383 W. 728.34 ft from E. corner S. 13-25-04 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		Toane			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	SE ¹ NE ¹ , E ¹ SE ¹ 30, NE ¹ Sec. 31 T. 7S. - R. 35 E. NW ¹ NE ¹ , S. 31-73. - 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			25.98	"	" " " "	See above.	534. 11
4		Wm H. Edwards			31.53	"	" " " "	" "	565. 64
5		Arthur Say (SAY)			75.	9-7-04	SE ¹ SE ¹ 19	SE ¹ SE ¹ 19, NE ¹ NE ¹ 30, NW ¹ NW ¹ 29, SW ¹ SW ¹ 20.	640. 64
6		H. F. Calloway			20.	8-7-07	SW ¹ 20	NE ¹ SW ¹ , NW ¹ SE ¹ , 20	660. 64
7		J. H. McKinnon			12.	7-10-10	SW ¹ 31	S ¹ NE ¹ , SE ¹ NW ¹ , NE ¹ SE ¹ , 31	672. 64
8		City of Pocatello			60.9	10-1-17	See Above.	See above.	735. 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? 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:.....

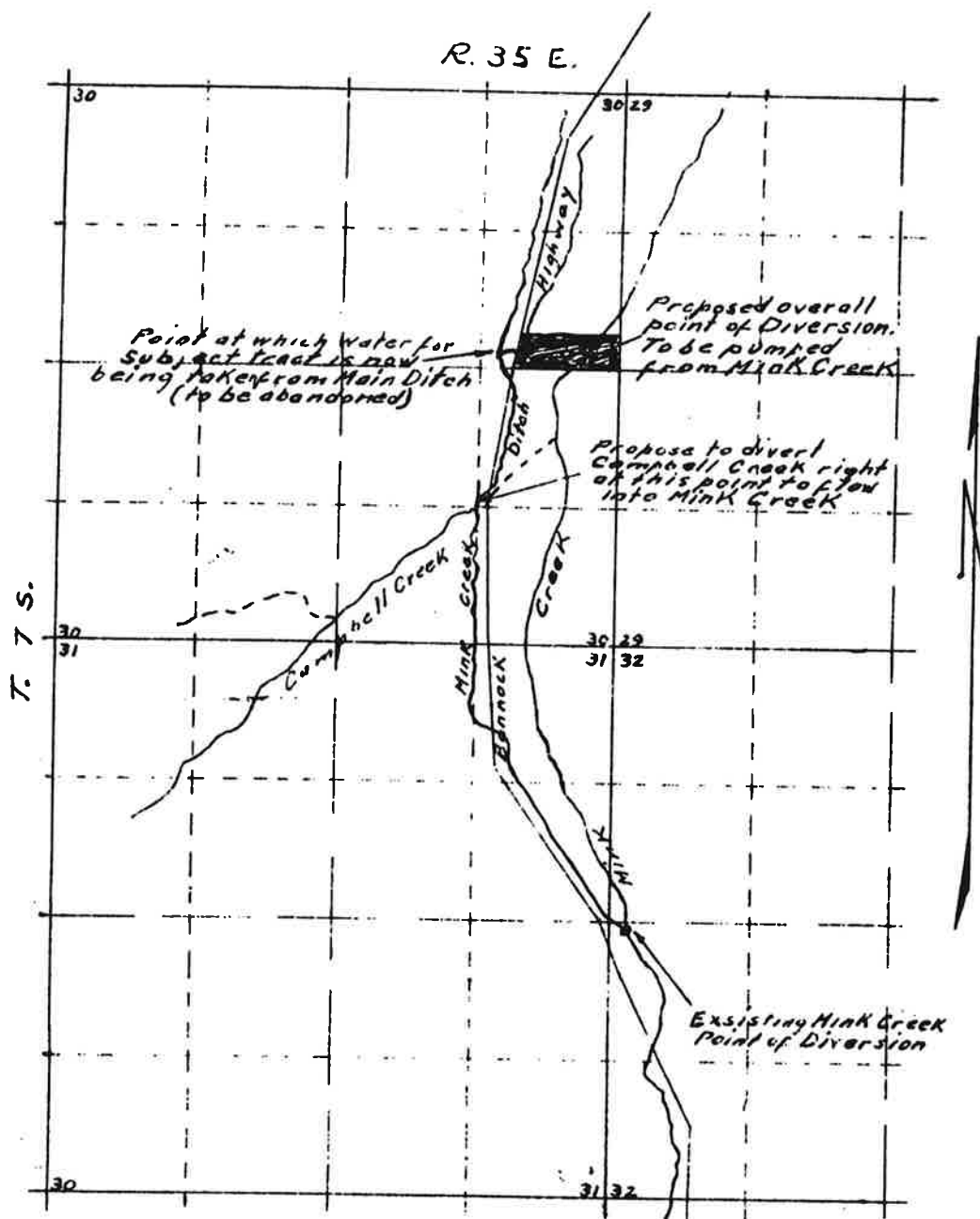
Watermaster, District No. 17-D

Alma J. Tolman

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

RECORDED

Mrs. H. E. McKee



Scale: 4" = 1 mile
Subject Tract in Red

MICROGRAINED

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 29-274I
Date Received: 4/23/1990
Receipt No: E013474
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

GK MATKIN Phone: (208) 847-2009

1508 N MINK CREEK RD
POCATELLO ID USA 83204

JEANNE MATKIN Phone: (208) 847-2009

1508 N MINK CREEK RD
POCATELLO ID USA 83204

2. Date of Priority: 06/17/1902

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	Type
07S	35E	30	NE NE NE	BANNOCK	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	5/01	10/01	0.19	

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

8. Total consumptive use:

SCANNED

JUL 14 2005

PROFILE

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	35E	30	SE	NE	IRRIGATION	10
Section Acres						10
Total Acres						10

11. Place of use in counties: BANNOCK

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

Claim amended per claimant request and address changed per claimant request
(csaxton 12/4/02)

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.

SCANNED

JUL 14 2005

FILED

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 29-274I
Date Received: 4/23/1990
Receipt No: E013474
Received By:

AMENDED

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JEANNE MATKIN Phone: (208)233-2441

1506 N MINK CREEK RD
POCATELLO ID USA 83204

GK MATKIN Phone: (208)233-2441

1506 N MINK CREEK RD
POCATELLO ID USA 83204

RECEIVED

DEC 02 2002

WATER
WESTERN REGION

2. Date of Priority: 06/17/1902

JK Matkin's Initial

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	Type
07S	35E	30	NE NE NE	BANNOCK	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	5/01	10/01	0.19	

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

8. Total consumptive use:

SCANNED

JUL 14 2005

FILED

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	35E	30	SE	NE	IRRIGATION	7 10 215
			NE	SE	IRRIGATION	2
					Section Acres	10
					Total Acres	10

11. Place of use in counties: BANNOCK

12. Do you own the property listed above as place of use? ☒ Yes

13. Other Water Rights Used:

14. Remarks:

Claim Amended to more accurately describe the acreage distribution.

Database has not been changed until amended claim signed in front of a notary and returned to this office.

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.

PROFILED

09/06/2002

SCANNED

JUL 14 2005

Number of attachments: ~~3~~ 4 *EX*

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): *2 X Mothers* Date: *11-26-02*

Date: _____

State of Idaho)
County of *Carbon*) SS.

Subscribed and sworn (or affirmed) before me this *26th* Day
of *November* 200*2* *Sharon Averett*

Notary Public
SHARON AVERETT
Notary Public
State of Idaho
Residing at *Soda Springs ID*
My commission Expires *1-10-2006*

11/07/2002

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

RIGHT NUMBER: 29-274I

NAME AND ADDRESS: JEANNE MATKIN
1506 N MINK CREEK RD
POCATELLO ID 83204

GK MATKIN
1506 N MINK CREEK RD
POCATELLO ID 83204

SOURCE: MINK CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.120 CFS

USE OF THIS RIGHT WITH RIGHT NO. 29-02402 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 0.12 CFS.

PRIORITY DATE: 07/17/1902

POINT OF DIVERSION:

T07S R35E S30 SESENE 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	0.120 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 6.0

6 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 29-02402 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 6.0 ACRES IN A SINGLE
IRRIGATION SEASON.

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

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

EXPLANATORY MATERIAL: Decreed

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-274I V1

WATER RIGHT NUMBER: 29-274I V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JEANNE MATKIN 1506 N MINK CREEK RD POCATELLO, ID 83204 (208)233-2441
Original Owner	MRS H E MC KEE POCATELLO, ID
Current Owner	GK MATKIN 1506 N MINK CREEK RD POCATELLO, ID 83204 (208)233-2441

Priority Date: 07/17/1902

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	0.120 CFS	
	<u>Total Diversion:</u>	0.120 CFS	

Location of Point(s) of Diversion

MINK CREEK	SE1/4SE1/4NE1/4	Sec. 30, 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				6.0													6.0

Total Acres: 6

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 29-274I V1

1. Quantity USE OF THIS RIGHT WITH RIGHT NO. 29-02402 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.12 CFS.
2. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NO. 29-02402 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 6.0 ACRES IN A SINGLE IRRIGATION SEASON.
3. 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 Purpose of Use
Comment: Stockwater was mentioned in the claim, but was not actually claimed as a use.
2. csaxton 10/30/2002 Priority Date
Comment: Claimant claimed priority date of July 17, 1902 and it should have been June 17, 1902. Amended claim.
3. csaxton 10/30/2002 Change of Address
Comment: Address is no longer valid. Letter sent concerning this issue.
4. csaxton 10/30/2002 POD
Comment: Also POD for 29-00274F.
5. csaxton 10/30/2002 Overlap
Comment: This right overlaps with 29-02402.
6. csaxton 11/7/2002 Windham Property
Comment: GK stated that mink creek water has not been used on Windham property.

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 1:43:39 PM	csaxton			Active
Priority Date	10/30/2002 2:01:36 PM	csaxton			Active
POD	10/30/2002 2:01:57 PM	csaxton			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-274I V1

Source	10/30/2002 2:04:08 PM	csaxton	Active
POU	10/30/2002 2:04:28 PM	csaxton	Active
Use	10/30/2002 2:05:25 PM	csaxton	Active
Season	10/30/2002 2:06:32 PM	csaxton	Active
Season	10/30/2002 2:07:32 PM	csaxton	Active
Quantity	10/30/2002 2:07:46 PM	csaxton	Active
Summary	10/30/2002	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	10/30/2002 2:03:23 PM	csaxton	Edited point location
POD	10/30/2002 2:03:45 PM	csaxton	Edited PLS
Use	10/30/2002 2:05:25 PM	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?
Source	10/30/2002 2:04:08 PM	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?
POU	10/30/2002 2:04:28 PM	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 2:05:05 PM	csaxton	Edited PLS
Contacts	10/30/2002 1:43:39 PM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Field exam 8/14/02
Priority Date	10/30/2002 2:01:36 PM	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? (No) 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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-274I V1

POD	10/30/2002 2:01:57 PM	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?
POU	10/30/2002 2:04:42 PM	csaxton	Edited shape boundary
Season	10/30/2002 2:06:32 PM	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? (No) 18. Is a Period of Use remark and/or condition required?
Season	10/30/2002 2:07:32 PM	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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-274I V1

Quantity	10/30/2002 2:07:46 PM	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?
Summary	10/30/2002 2:09:31 PM	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	10/30/2002 3:22:43 PM	csaxton	Edited shape boundary
POU	10/30/2002 3:38:25 PM	csaxton	Edited shape boundary
POU	11/7/2002 2:53:29 PM	csaxton	Edited shape boundary

JUN 11 2001

AJ5809NP
No. A29-00274I

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 10

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GK MATKIN	07/17/1902	IRRIGATION	05-01 10-01	0.190 CFS	
C	JEANNE MATKIN 1506 N MINK CREEK RD POCATELLO ID 83204 (208) 233-2441					
TOTAL DIVERSION:					0.190 CFS	

Water Source: MINK CREEK

Tributary to: PORTNEUF RIVER

Stage: DECREED

Point(s) of Diversion: T07S R35E S30 NENENE BANNOCK 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
07S	35E	30	:			10	:							:							:	10.0
																					TOTAL ACRES	10.0

POU County: BANNOCK

Non-Irrigation Uses: STOCKWATER; 50

Other Rights: A2902402

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

29-02507	29-10472	29-10492	29-10524	29-10862	29-11134	29-11567	29-11569	29-11596	29-12208
29-12272	A29-02402	A29-02507	A29-02543	A29-10472	A29-10492	A29-10524	A29-10862	A29-11134	A29-11567
A29-11569	A29-11596	A29-12208	A29-12272						

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

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

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

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

Audit: 05/11/94 DCARLSON 03/29/95 POST-STD

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: **A29-00274I**
Date Received: 4/23/1990
Receipt No: E013474
Received By: _____

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

1. Name: ~~G.K.~~ MATKIN 208-233-2441
Address: 1506 ~~N~~ MINK CREEK RD
POCATELLO ID 83204
OR
Name: JEANNE MATKIN 208-233-2441
Address: 1506 ~~N~~ MINK CREEK RD
POCATELLO ID 83204

A2900274I



2. Date of Priority: JUL 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	30	NE	NE	NE		BANNOCK

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	10/01	0.190		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER; 50

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	35E	30	SE	NE		IRR	10.0

Section Acres 10.0

Total Acres 10.0

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:
A2902402

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

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:

Ident. Number

Date Received

Receipt Number

39576

A29 - 00274A I

4-19-90 P.M.

E013474

CK# 50 602 96135

RECEIVED

APR 20 1990

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) SK on Joanne Mathen Phone (208) 233-2441
Mailing Address 1506 No. Mink Creek Rd Zip 83204

2. Date of Priority (Only one (1) per claim) 7/17/1902

3. Source of water supply (a) Mink Cr
which is tributary to (b) Portneuf R.

4. a. Location of existing point of diversion is: Township 07S Range 35E Section 30,
NE 1/4 of NE 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of Bannock

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

5. Description of existing diversion 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.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation creek purposes from May 1 to Oct 1 amount 0.19 or _____

For 10 acres purposes from _____ to _____ amount _____ or _____

For well 10 acres purposes from Jan 1 to Dec 31 amount 0.19 or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.19 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 1/2" per acre acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stock 50

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for 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	
<u>57S</u>	<u>35E</u>	<u>30</u>				<u>10.0</u>													

Total number of acres irrigated 10

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

12. Do you own the property listed above as place of use? Yes yes No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None ()

14. Remarks: A 29-00274A

Last Name Mathis Ident No. _____

Scale: 2 inches equals 1 mile

[illegible]

Ident No. A29-00774A Copies: White-State, Yellow-Claimant

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree ☒
If applicable provide IDWR Water Right Number A29-00274A
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Janne Mathis Date 4-6-90

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

_____ Title
of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or Id)
County of Bernook) SS.

Subscribed and sworn (or affirmed) before me this 6 day of April 19 90

SEAL

Notary Public John Dal Carer

Residing at Boise Id

My Commission Expires 6/2/94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ 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 _____

Address _____

Date _____

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant