

06/19/2003

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

RIGHT NUMBER: 29-285G

NAME AND ADDRESS: TAMRA J KENT
3122 RAPID CREEK RD
INKOM ID 83245

WESLEY J KENT
3122 RAPID CREEK RD
INKOM ID 83245

SOURCE: RAPID CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.200 CFS

The water rights listed below shall only be used in rotation as provided for in Stewart v. Damron, Decree (Fifth Jud. Dist. Ct., Bannock County, June 22, 1906) and are limited to a total combined diversion rate of 0.20 cfs: Right Nos. 29-00285A, 29-00258B, 29-00285C, 29-00285E, 29-00285F, 29-00285G, 29-00285I, and 29-00258J.

PRIORITY DATE: 06/01/1884

POINT OF DIVERSION:

T07S R36E S14 SWSWSW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.200 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T07S R36E S14	SWSW	1.2	T07S R36E S15	SESE	3.0
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4.2 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 4.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-00285G, 29-00297D, and 29-00302A.

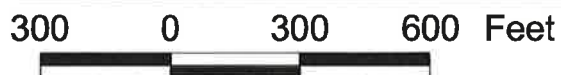
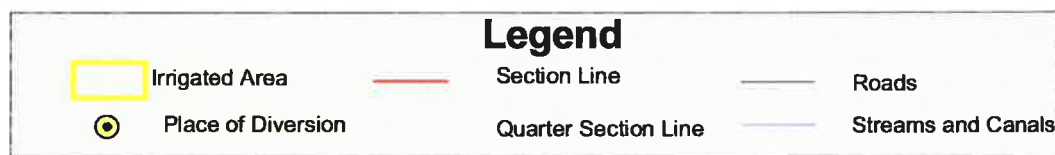
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

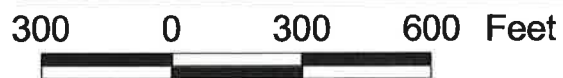
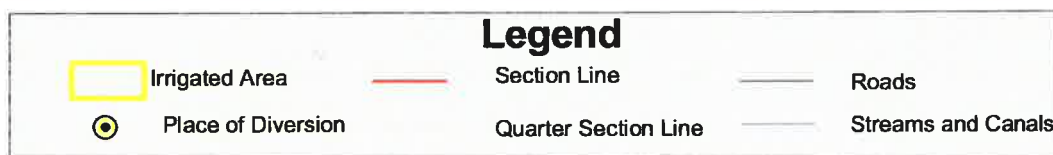
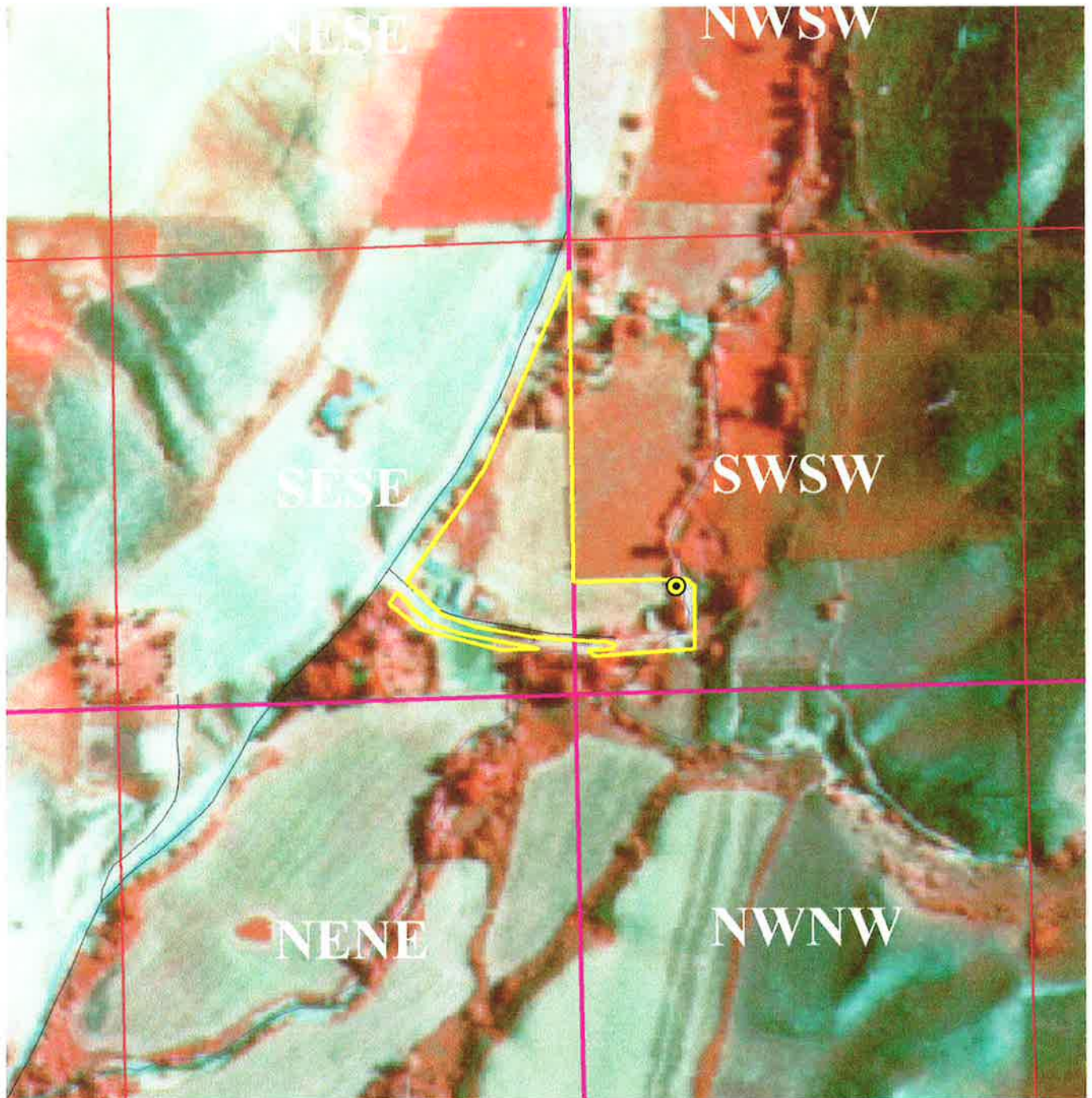
Water Right Claim Number A29-00285G
Township , 7S36E

08/24/2000



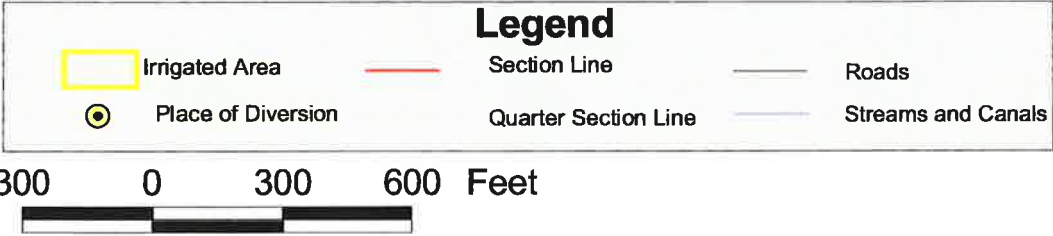
Water Right Claim Number A29-00285G
Township , 7S36E

08/24/2000



Water Right Claim Number A29-00285G
Township , 7S36E

08/24/2000



IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-285G V1

WATER RIGHT NUMBER: 29-285G V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	TAMRA J KENT 3122 RAPID CREEK RD INKOM, ID 83245 (208)775-3492
Current Owner	WESLEY J KENT 3122 RAPID CREEK RD INKOM, ID 83245 (208)775-3492

Priority Date: 06/01/1884

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.200 CFS	
	<u>Total Diversion:</u>	0.200 CFS	

<u>Location of Point(s) of Diversion</u>	
RAPID CREEK	SW1/4SW1/4SW1/4 Sec. 14, Twp 07S, Rge 36E, 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	36E	14											1.2						1.2
07S	36E	15																3.0	3.0

Total Acres: 4.2

Conditions of Approval:

1. 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 29-285G V1

1. Quantity The water rights listed below shall only be used in rotation as provided for in Stewart v. Damron, Decree (Fifth Jud. Dist. Ct., Bannock County, June 22, 1906) and are limited to a total combined diversion rate of 0.20 cfs: Right Nos. 29-00285A, 29-00258B, 29-00285C, 29-00285E, 29-00285F, 29-00285G, 29-00285I, and 29-00258J.
2. Place of Use - Irrigation USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 4.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-00285G, 29-00297D, and 29-00302A.

Comments:

1. csaxton 1/6/2003 POD

Comment: POD not defined in Decree. No C03.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

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	1/6/2003 12:48:14 PM	csaxton			Active
Priority Date	1/6/2003 12:48:39 PM	csaxton			Active
POD	1/6/2003 12:48:52 PM	csaxton			Active
Source	1/6/2003 12:51:13 PM	csaxton			Active
POU	1/6/2003 12:51:31 PM	csaxton			Active
Use	1/6/2003 12:52:29 PM	csaxton			Active
Season	1/6/2003 12:52:49 PM	csaxton			Active
Quantity	1/6/2003 12:55:15 PM	csaxton			Active
Summary			01/06/2003	csaxton	Active

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-285G V1

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Source	1/6/2003 12:51:14 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?
Contacts	1/6/2003 12:48:16 PM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: FE 8/13/02
POU	1/6/2003 12:51:32 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	1/6/2003 12:51:47 PM	csaxton	Edited shape boundary
Use	1/6/2003 12:52:31 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?
Priority Date	1/6/2003 12:48:40 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? (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	1/6/2003 12:48:54 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (No) 4. Does the Decree or License have a POD? (No) 6. Is there evidence that there has been a change in the POD? (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	1/6/2003 12:49:18 PM	csaxton	Edited point location
POD	1/6/2003 12:49:36 PM	csaxton	Edited PLS

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Adjudication Recommendation Report 29-285G V1

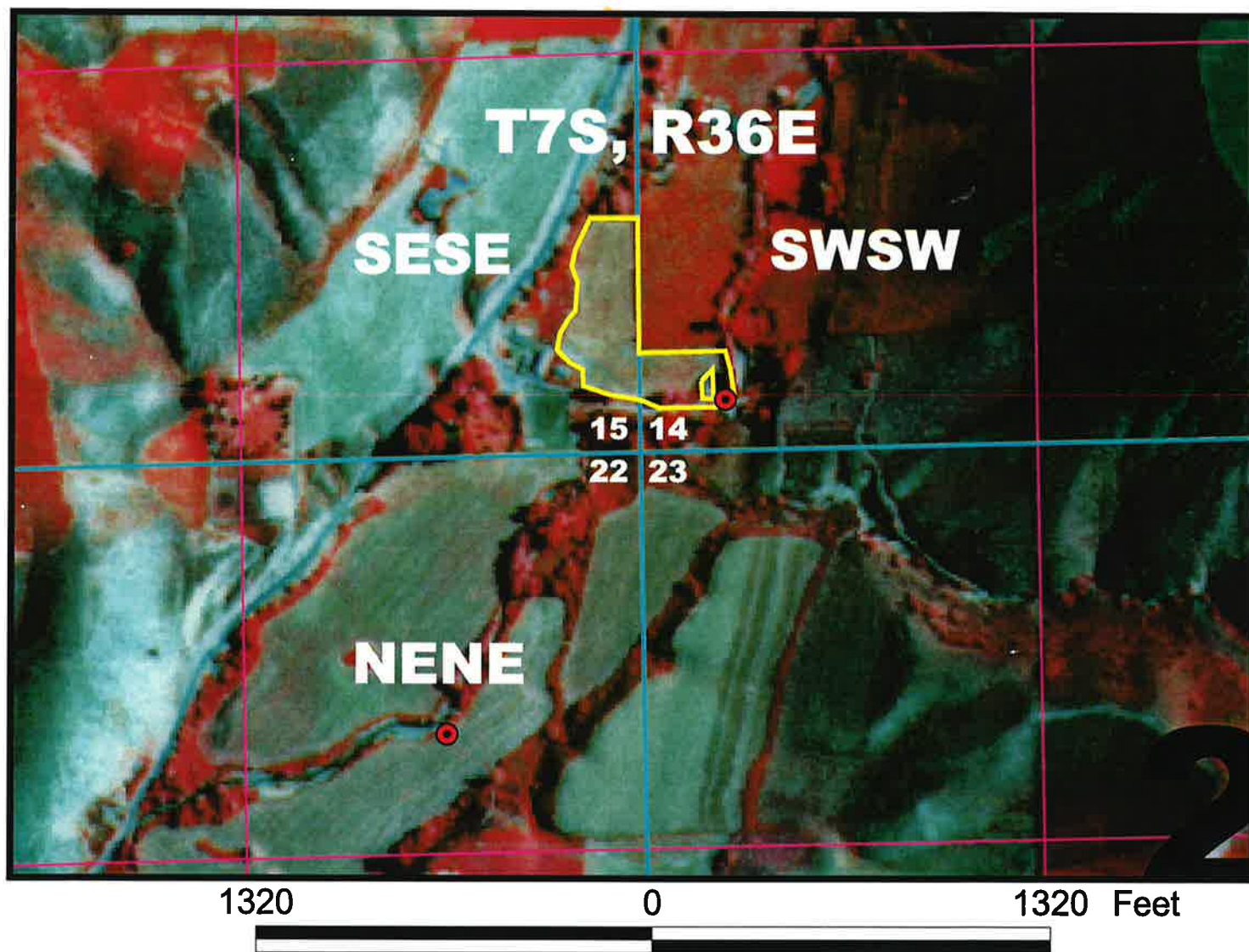
POU	1/6/2003 12:52:08 PM	csaxton	Edited PLS
Season	1/6/2003 12:52:50 PM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 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) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	1/6/2003 12:55:16 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	1/6/2003 12:56:30 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? (No) 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	6/19/2003 8:40:02 AM	csaxton	Edited shape boundary
POU	6/19/2003 8:40:29 AM	csaxton	Edited PLS



STATE OF IDAHO

Department of Water Resources
Eastern Region

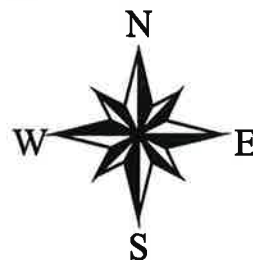
Water Right(s): 29-00285G, 29-00297D
and 29-00302A



Total Irrigated Acres: 4.2

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

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 16, 2003

WESLEY J KENT
TAMARA J KENT
3122 RAPID CK RD
INKOM ID 83245

RE: Amendment of Snake River Basin Adjudication (SRBA) claim 29-00285G

Dear Mr. and Ms. Kent,

In reviewing claim 29-00285G which claims a portion of rotation right 29-00285, I found that you only claimed 0.16 cfs. Originally the recommendation for this right was for 0.01 cfs, but through the notice of error process, Idaho Dept. of Water Resources is planning on recommending the full decreed diversion rate of 0.20 cfs to each of the users of the right, to be used in rotation. However, for me to recommend 0.20 cfs as the diversion rate for 29-00285G, that amount needs to be claimed.

I am enclosing an amended claim. If you choose to file the amended claim, 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 this week. I apologize for the rush on this, but the deadline for all recommendations for Basin 29 to be completed is Friday June 20, 2003. However, keep in mind that if we cannot get this change made by Friday, you will be notified at the time the director's report is issued and will have a chance to object and be heard by the SRBA court.

Respectfully submitted,

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

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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 18, 2003

WESLY J KENT
TAMRA J KENT
3122 RAPID CK RD
INKOM ID 83245

RE: Notice of Error Reply for 29-00285G

Dear Mr. and Ms. Kent,

Per our phone conversation with Mr. Kent on April 17, 2003, I researched the historical water rights that might be applicable to your property.

Your property was originally owned by two different individuals that at the time the Rapid Creek decree was signed. T7S, R36E, S15, SESE was owned by A.J. Damron. T7S, R36E, S14 was owned by George A. Whitworth. Both Mr. Damron and Mr. Whitworth were party to the Rapid Creek decree, *Charles E Stewart, et al vs A. J. Damron, et al*. Both Mr. Damron and Mr. Whitworth were granted water rights from Rapid creek.

You claimed a portion of rotational right 29-00285. Through the notice of error process, issues with how this water right was recommended to the different users have surfaced and I will address those issues in a separate mailing.

However, at this time, you have only claimed a portion of that rotational right. If this is your historical practice, that is fine. But if you use the water on a regular basis I feel it would be in your benefit to claim portions of the additional rights decreed to Mr. Damron and Mr. Whitworth.

Mr. Damron was decreed right 29-00302 with a 6/1/1904 priority date. Mr. Whitworth was decreed right 29-00297 with a 6/19/1902 priority date. Both of these decreed rights define a place of use (POU) that was located on what is now your property.

For your convenience I am enclosing claims for a portion of the two above mentioned rights. If you chose to file the claims, look over them and initial any changes you wish to make. When satisfied, sign the claims in front of a notary and return it to this office as soon as possible with the appropriate filing fee. Filing fees are \$50.00 per claim and \$1.00 per acre. However you have already paid for the acreage when you filed 29-00285G. So if you filed both claims the fee would be \$100.00. Note that when I wrote

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up the claims I left out the pasture by Rapid Creek road since you said that area was irrigated from your domestic well.

In addition, in order for me to support recommending any of the new claims, or increasing the recommended acreage under 29-00285G, I need additional evidence to support historical use.

As we spoke about on the phone, evidence of use could be in the form of affidavits from yourself or a neighbor describing when Rapid Creek water was last put to beneficial use on your property, the extent of use, and how it was put to beneficial use (describe the irrigation system). Other evidence would be pictures of the riser you mentioned on the phone, pictures of the irrigation pipe, or historical CFSA photos that show your pasture as irrigated ground.

I realize this can get really complicated so please feel free to contact me if you have any questions.

Respectfully submitted,



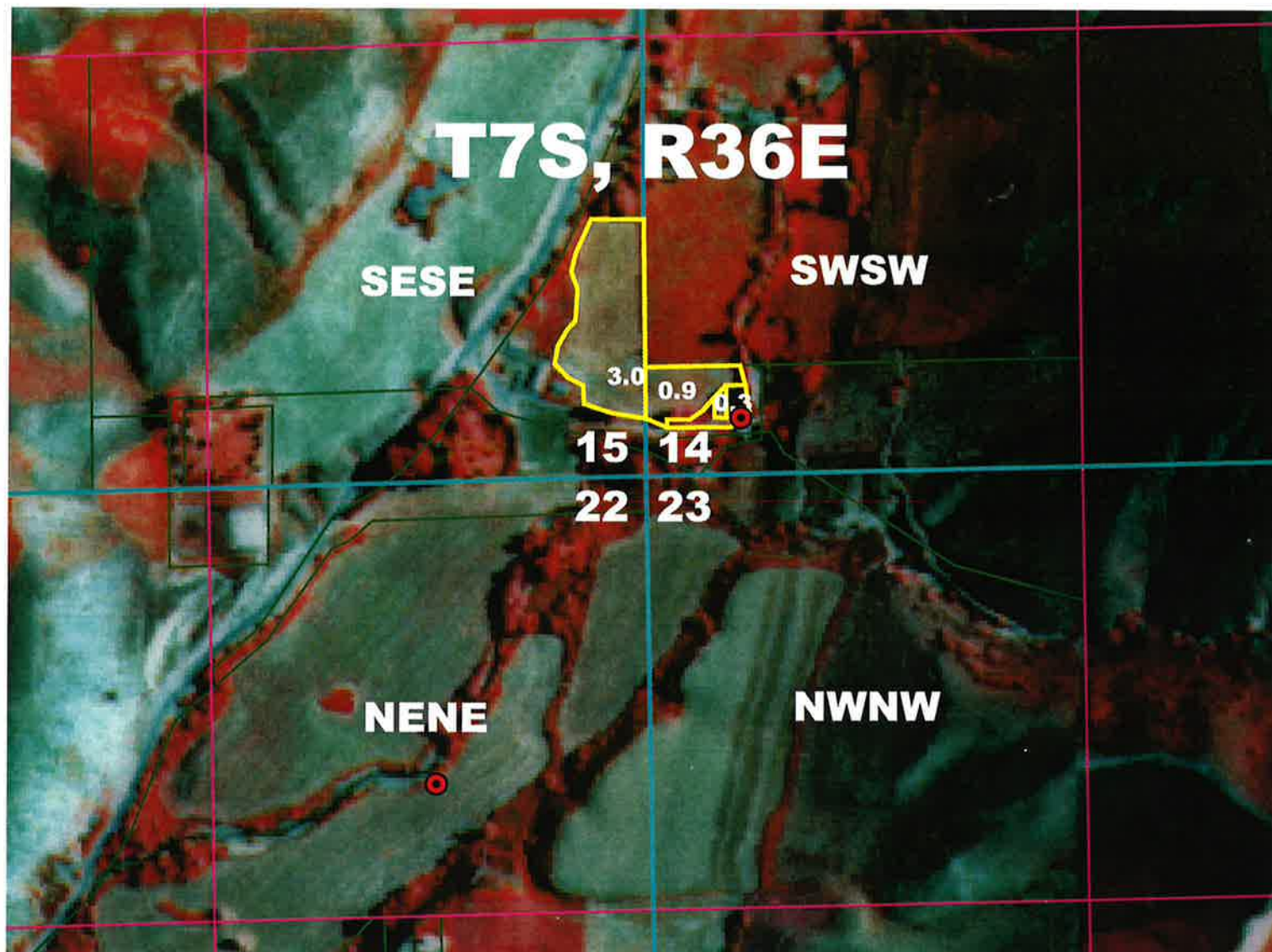
Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

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Wesley Kent

POU and POD - New Claims



Point of Diversion - N/A



Bannock County Tax Lot Data N/A



Recommended POU



Indian Allotment Boundary N/A



Section Lines



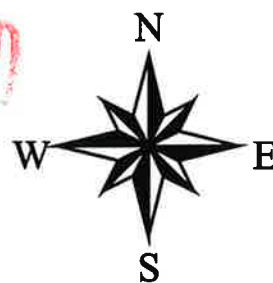
Quarter Quarter Lines

Total Acres:

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Prepared By: Craig Saxton
April 2003

RECEIVED

FEB 27 2003

02/08/2003

NOTICE OF ERROR
REPLY

Department of Water Resources
Eastern Region

Craig

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: 29-285G

TAMRA J KENT
3122 RAPID CREEK RD
INKOM ID 83245
Telephone Number: (208) 775-3492

WESLEY J KENT
3122 RAPID CREEK RD
INKOM ID 83245
Telephone Number: (208) 775-3492

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

Quantity of .010 cfs and 0.3 acres Total

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

It should show 7 acres and Quantity to match

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

*I have 5 acres of hay and some small pastures about 2 acres.
The preliminary only shows one small pasture 0.3 acres.*

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

DATE: 2-23-03

SIGNATURE:

Wesley Kent

Please print your name:

Wesley Kent

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

*No one from the IDWR ever spoke to me
only to my minor children. Please look at this
preliminary again and adjust.*

*Thank you
Wesley Kent*

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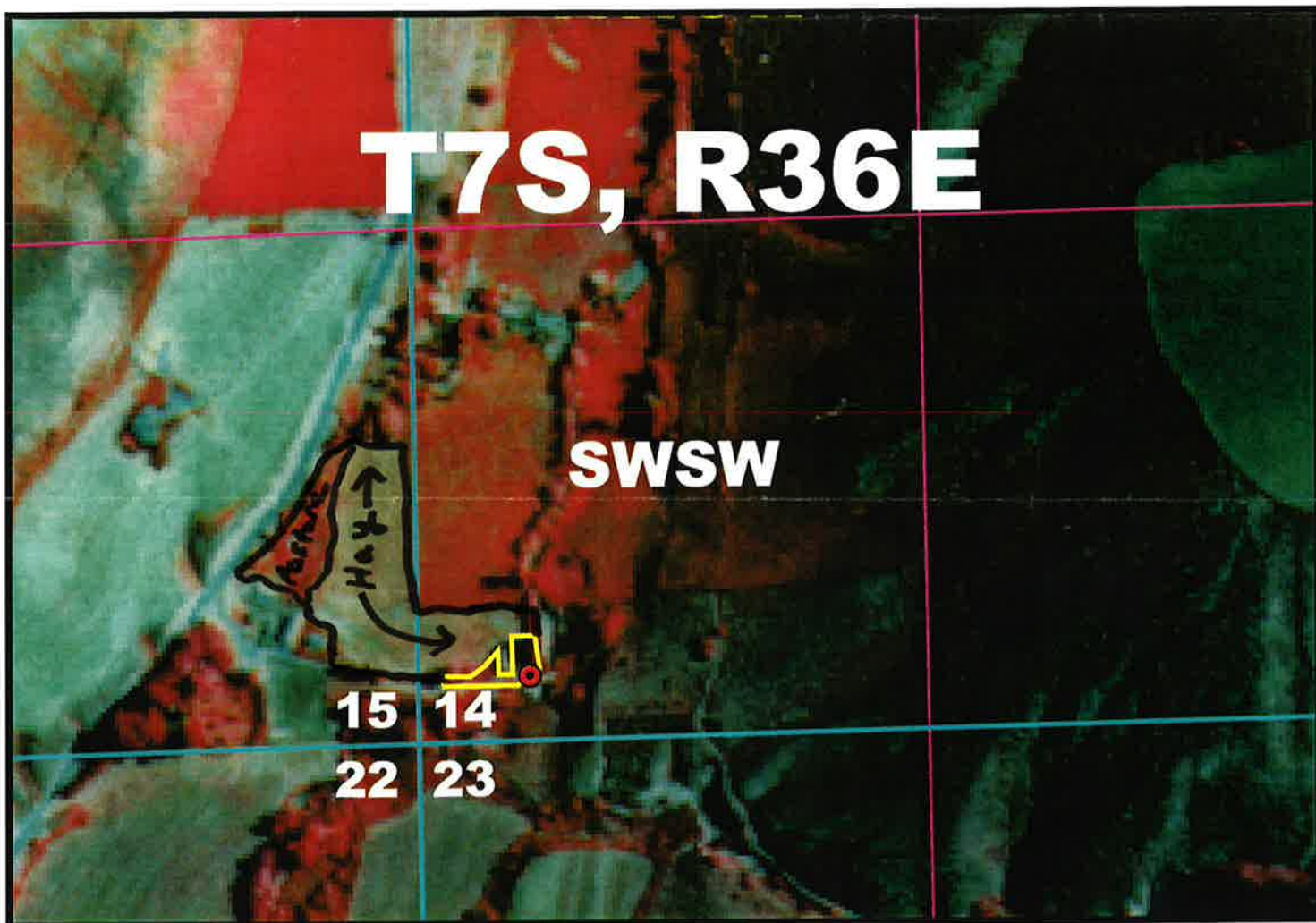
JUL 20 2005



STATE OF IDAHO

Department of Water Resources
Eastern Region

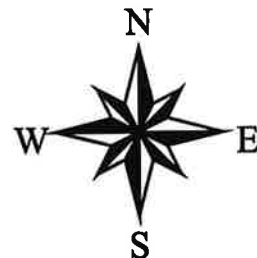
Water Right(s): 29-00285G



0 1320 Feet

Total Irrigated Acres: 0.3

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



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

Split history for Decreed Right 29-00285

WR	Claimed	Source	Decreed Owner of POU	Rec	Revised	
29-00285 0.2 rotational	29-00285A Chandler, Sam	<i>Inman</i>	Whitworth, George	*		1/4 share
	0.2			0.01	0.20	
	20			20	20	
	29-00285B Chandler, George	<i>Inman</i>	Whitworth, George	*		1/4 share
	0.2			0.01	0.20	
	22.7			22.7	22.7	
	29-00285C Spraker, Irvin	<i>Rapid</i>	Whitworth, George	*		1/4 share
	0.2			0.01	0.20	
	1.5			1.5	1.5	
	29-00285E Anderson, Melvin	<i>Webb</i>	Hargraves, Samuel	*		Full Share
	0.2			0.029	0.200	
	102			54.1	54.1	
	29-00285F Anderson, Melvin	<i>Webb</i>	Webb, E.M	*		Full share
	0.2			0.029	0.200	
	102			54.1	54.1	
	29-00285G Kent, Wes	<i>Rapid</i>	Whitworth, George	*		1/4 share
	0.16		Damron, A.J.	0.01	0.20	Amended claim Requested.
	8			0.3	4.2	1/2 share
	29-00285H Morrison, MD	<i>Rapid</i>	Damron, A.J.	* Disallowed	Disallowed	1/2 share
	0.2					
	10					
	29-00285I Chandler, James	<i>Rapid</i>	Ferguson, Phillips	*		1/2 share
	0.2			0.014	0.200	
	10			4.6	4.6	
	29-00285J Chandler, Seren	<i>Rapid</i>	Ferguson, Phillips	*		1/2 share
	0.2			0.014	0.200	
	10			7.6	7.6	

Total Recommended CFS/Shares =	0.114	N/A
Unclaimed Shares =	0.086	N/A
Total Check=	0.200	
Total Acreage	164.900	

* Anderson, Melvin claimed two shares of the rotational right. I don't know which claim is for which decreed piece of property. Calimed as PPU
7 original users: 0.20cfs / 7 users = 0.02857 per share holder

Each user recommended the full decreed diversion rate to be used only in rotation with the other users of the right.

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Saxton, Craig

Subject: FW: Rotation Remark

Craig,

My understanding is that the following be added as a quantity remark:

The water rights listed below shall only be used in rotation as provided for in Stewart v. Damron, Decree (Fifth Jud. Dist. Ct., Bannock County, June 22, 1906) and are limited to a total combined diversion rate of 0.20 cfs: Right Nos.

The waterusers will have to work out their rotation schedules. I don't see a need for a remark requiring this, unless someone else has a different idea...

Dave

-----Original Message-----

From: Saxton, Craig

Sent: Friday, June 13, 2003 12:58 PM

To: Tuthill, Dave; McHugh, Candice; Carlsen, Ernie

Subject: RE: Rotation Remark

Hello,

I need some guidance on if we are adding the remark requiring that a rotation plan for that year be submitted to the Department for administrative purposes.

I can not tell from the E-mail if a decision was made on this subject.

Thanks,

Craig S.

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En Fiehl

8-13-02: note Stay away From brown dog on Chain
FE

i Pump intake line not hooked up.

- 17 Pic of red Army
- 27 Pic of red outflow
line
- 37 Pic with Red
Pipe next to shed
- 47 claimed POU
no sprinklers

1-6-02 : I do not know why Mr Kent only claimed a portion of the Rotational Right. If Historical Practice is to use water outside of the rotation, Claimant could claim portions of 29-00297 + 29-00314.

* Diversion Rate Proportioned out amongst users.
Clairmont Gets $1/4$ share.

4-17-03 : Spoke with Wes Kent. He said he hasn't used water on main Pasture for about 5 years. When he does POD is on Stewart Nelsons Place. I told him I would research other water rights (besides Rotational) and get back to him possibly with a new claim. Meanwhile he is getting pictures of rivers and sprinkler pipe to send to me along with affidavits from himself or neighbors.

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Saxton, Craig

From: Saxton, Craig
Sent: Tuesday, November 26, 2002 1:24 PM
To: Carlsen, Ernie; McHugh, Candice
Subject: Rotational Right 29-00285

Hi,

Ok, I did manage to speak with George Chandler. Here is what he said:

He said that 29-00285 was originally decreed to 5 people (we know there were actually 7 users). George said that they rotated every 5 day's were each person got the full 10 inches or 0.20 cfs on day a week (this would work better with the decreed 7 users, but this is what he said).

When asked who the users were on the rotational right now, he confirmed that everyone who had claimed part of 29-00285 were users of the right and used the right. With one exception...he never said that MD Morrison used his portion of the rotational right (which I don't think he does), but George confirmed that it was understood that MD Morrison held a portion of this right.

I asked about current practice. He stated that they split up the right and each use an for example... inch of water at all times at the same time for everyone. This makes me think we might want to pro-rate the diversion rate. In addition, George confirmed that George, Sam, Wes, and Irvin all have a part of one of the originally decreed portions. So...if we prorated the right between the original 7 (example would be 0.0285 cfs for George Whitworths original property), then one of those portions would need to be pro-rated out to the four users (so George's 0.0285 cfs would need to be split 4 times for 0.007 cfs). If we did it this way, we are going to have extra diversion rate because 2 of the original 7 users portions were not claimed....could this be a possible accomplished transfer to save loss of diversion rate?

Different from what Irvin Spraker said: George said that they did hire a water master as recent as 5 years ago, but they did not regulate right 29-00285 as a fully rotated right as originally done at time of the decree.

Your thoughts/guidance?

Let me know if you have further questions.

Thanks,

Craig

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11/26/2002

Saxton, Craig**Subject:** FW: 29-00285 Rotational

Hey Ernie,

Attached are several files:

- 1) JPG of Decreed POU
- 2) JPG of possible recommended POU overlying Decreed POU
- 3) Shape file for Decreed POU
- 4) Shape file for possible recommended POU
- 5) Updated 29-00285 spread sheet

Let me know if you don't receive one of these.

Now, to summarize:

Original Owners of Decreed right 29-00285:

Damron, A.J.	Current owners of Property: Morrison, MD Kent, Wes
Ferguson, Phillip	Chandler, James Chandler, Seren
Hargraves, Samuel	Anderson, Melvin
Webb, E.M	Anderson, Melvin
Kelsey, Fred	Not claimed
Richardson, John & Fanny	Not claimed
Whitworth, George	Chandler, Sam Chandler, George Spraker, Irvin Kent, Wes

So, some of the rotational rights haven't been claimed, and some have been claimed by several users.

Lets note some other things:

- 1) Wes Kent only claimed a portion of the rotational right. If he uses the water year round, he should claim portions of 29-00297 and 29-00314 also.
- 2) Absolutely nothing was claimed on Richardson or Kelsey property. No high water, low water, rotational, bene-use, etc.
- 3) Note EM Webbs property could never have been irrigated by Rapid Creek. Could only be irrigated from Webb Creek. Yet he was still included as part of the rotation.
- 4) Even though it is not possible now, MD Morrison's property could have historically been irrigated from Rapid Creek.

JUL 20 2005

PROFILED

I guess take a look at this and let me know if you would like additional information. When completed, I can pass this stuff onto Candice.

I appreciate your help with this.

Thanks Ernie,

Craig

SCANNED
JUL 20 2005

PROFILED

29-00285G

POD

Field Exam: 8/13/02



Looking West at red hose that is assumed to be used to convey water from Rapid Creek to the claimed POU (csaxton).



Looking North at claimed POU. No signs of irrigation system that serves this field (csaxton).

PROFILED

SCANNED

JUL 20 2005

29-00285G

POD

Field Exam: 8/13/02



Looking East at POD. Claimed POU behind me in picture. Rapid creek in background (csaxton).



Looking East at claimed POU. Can see red hose in center of picture that seems to be used to convey water to the claimed POU (csaxton).

PROFILED

SCANNED

JUL 20 2005



PROFILE

SCANNED
JUL 20 2005

PROFILED
SCANNED
JUL 20 2005



SCANNED

JUN 11 2001

Log for claim A29-00285G

Spatial Dynamics LTD

8/24/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s36e	14	SWSW	2	1.6	
07s36e	15	SESE	6	6.1	
Totals:			8	7.7	

AJ5809NP
No. A29-00285G

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 25

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	TAMRA J KENT	06/01/1884	IRRIGATION	03-15 11-15	0.160 CFS	
C	WESLEY J KENT					
	3122 RAPID CREEK RD			TOTAL DIVERSION:	0.160 CFS	
	INKOM ID 83245			CONSUMPTIVE USE:		20.00 AFA
	(208) 775-3492					

Water Source: RAPID CREEK

Tributary to: PORTNEUF RIVER

Stage: DECREED

Point(s) of Diversion:

T07S R36E S14

SWSWSW

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	36E	14	:					:					:			02		:						:	2.0
07S	36E	15	:					:					:					:					06	:	6.0
																							TOTAL ACRES		8.0

POU County: BANNOCK

Other Rights: NONE

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

29-10018 A29-00285C A29-00297C A29-10018 A29-10071

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

A29-00285C A29-00291A A29-00297C A29-07602

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 03/22/90 MOBILE2 04/04/94 THOMPSON 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 29-285G
Date Received: 3/22/1990
Receipt No: M006331
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

JUN 20 2003

WATER RESOURCES
WESTERN REGION

1. Name of Claimant(s)

TAMRA J KENT Phone: (208)775-3492

3122 RAPID CREEK RD
INKOM ID USA 83245

WESLEY J KENT Phone: (208)775-3492

3122 RAPID CREEK RD
INKOM ID USA 83245

2. Date of Priority: 06/01/1884

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07S	36E	14	SW SW SW	BANNOCK	

5. Description of diverting works:

PORTABLE PUMP, SPRINKLER LINES

6. Water is used for the following purposes:

Purpose
IRRIGATIONFrom To C.F.S.
3/15 11/15 0.20

(or) A.F.A

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

PROFILED

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	36E	14	SW	SW	IRRIGATION	2
					Section Acres	2
07S	36E	15	SE	SE	IRRIGATION	6
					Section Acres	6
					Total Acres	8

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:

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): [Signature] Date: 6-17-03

Date: 6-17-03

State of Idaho

County of Bannock } SS.

Subscribed and sworn (or affirmed) before me this 17th

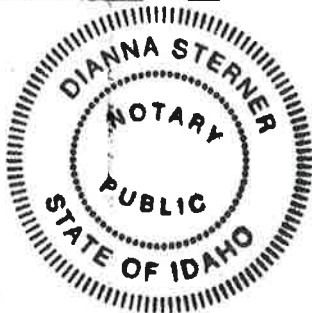
of June 2003

[Signature]

Notary Public

Residing at [Signature]

My commission Expires 10-27-03



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 29-285G
Date Received: 3/22/1990
Receipt No: M006331
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

TAMRA J KENT Phone: (208)775-3492

3122 RAPID CREEK RD
INKOM ID USA 83245

WESLEY J KENT Phone: (208)775-3492

3122 RAPID CREEK RD
INKOM ID USA 83245

2. Date of Priority: 06/01/1884

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07S	36E	14	SW SW SW	BANNOCK	

5. Description of diverting works:

PORTABLE PUMP, SPRINKLER LINES

6. Water is used for the following purposes:

Purpose
IRRIGATION

From To C.F.S.
3/15 11/15 0.20

(or) A.F.A

7. Total Quantity Appropriated is:
0.20 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	36E	14	SW	SW	IRRIGATION	2
					Section Acres	2
07S	36E	15	SE	SE	IRRIGATION	6
					Section Acres	6
					Total Acres	8

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:

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: 6-17-03

Date: 6-17-03

State of Idaho

County of Bannock } SS.

Subscribed and sworn (or affirmed) before me this 17th

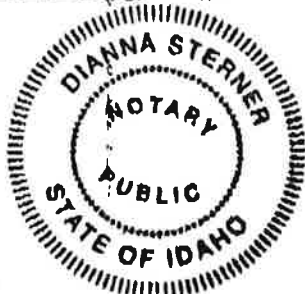
of June 2003

Dianna Sterner

Notary Public

Residing at 211 Kern

My commission Expires 10-27-03



JUN 11 2001

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A29-00285G
Date Received: 3/22/1990
Receipt No: MOOG331
Received By: JKR

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WESLEY J. KENT 208-775-3492
Address: 3122 RAPID CREEK RD.
INKOM, ID 83245
OR
Name: TAMARA J. KENT 208-775-3492
Address: 3122 RAPID CREEK RD.
INKOM, ID 83245

2. Date of Priority: JUN 01, 1884

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	36E	14	SW	SW	SW		BANNOCK

5. Description of diverting works:
PORTABLE PUMP, SPRINKLER LINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.160		

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

8. Total consumptive use is 20.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A29-00285G

Page 1

Date: 03/22/90

MICROFILMED

NOV 13 1992

A2900285G



10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	36E	14	SW	SW	IRR	2.0
					Section Acres	2.0
		15	SE	SE	IRR	6.0
					Section Acres	6.0
					Total Acres	8.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 6/22/1906

STEWART ET AL

Decree Plaintiff

vs

DAMRON ET AL

Decree Defendant

16. Signature(s)

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

Number of attachments: 1

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): x Wally J Kent Date: x 3-22-90

Date: _____

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 22nd day
of March 19 90

Helen Harrington
Notary Public

Seal

Residing at Helen Harrington, Notary Public
Residing at Boise, Idaho
My Commission Expires December 1, 1994

