

12/23/2002

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-285H V1

WATER RIGHT NUMBER: 29-285H V1

RECEIVED

MAY 17 2004

Department of Water Resources

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	PHILLIP FERGUSON
	INKOM, ID 83245
Original Owner	SAMUEL HARGRAVES
	, ID
Original Owner	E M WEBB
	, ID
Original Owner	FRED M KELSEY
	, ID
Current Owner	BARBARA E MORRISON PO BOX 564 INKOM, ID 83245 (208)775-3771
Current Owner	M D MORRISON PO BOX 564 INKOM, ID 83245 (208)775-3771
Original Owner	A J DAMRON
	, ID

Priority Date: 06/01/1884

Basis: Decreed

Status: **Disallowed**

<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	3/15 to 11/15	0.200 CFS	
	<u>Total Diversion:</u>	0.200 CFS	

Location of Point(s) of Diversion

RAPID CREEK	SE1/4NW1/4SW1/4	Sec. 11, Twp 07S, Rge 36E, B.M.
BANNOCK County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
07S	36E	15	NE	NW	SW	SE	10.0
			NE	NW	SW	SE	10.0

Total Acres: 10

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

Conditions of Approval:

1. P04 FORFEITED/ABANDONED: This is included for a claim based on a decree or license that is PROPOSED to be disallowed on the basis that the water right no longer exists because forfeiture of the right by nonuse was confirmed and a defense to forfeiture was not confirmed, or because abandonment of the right was confirmed.

Remarks:

1. General FORFEITED/ABANDONED DUE TO NON-USE FROM 1976 TO 2002.

Comments:

1. csaxton 7/12/2002 Forfieted
Comment: See memo in file.

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: 29F
 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	12/23/2002 10:56:15 AM	csaxton			Disallowed
Summary			12/23/2002	csaxton	Disallowed

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	12/23/2002 10:56:15 AM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: FE 6/26/02

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-285H V1

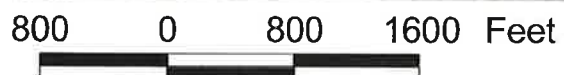
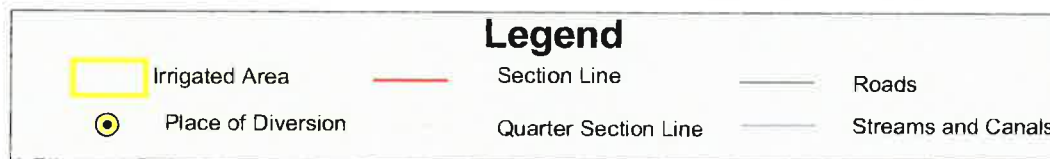
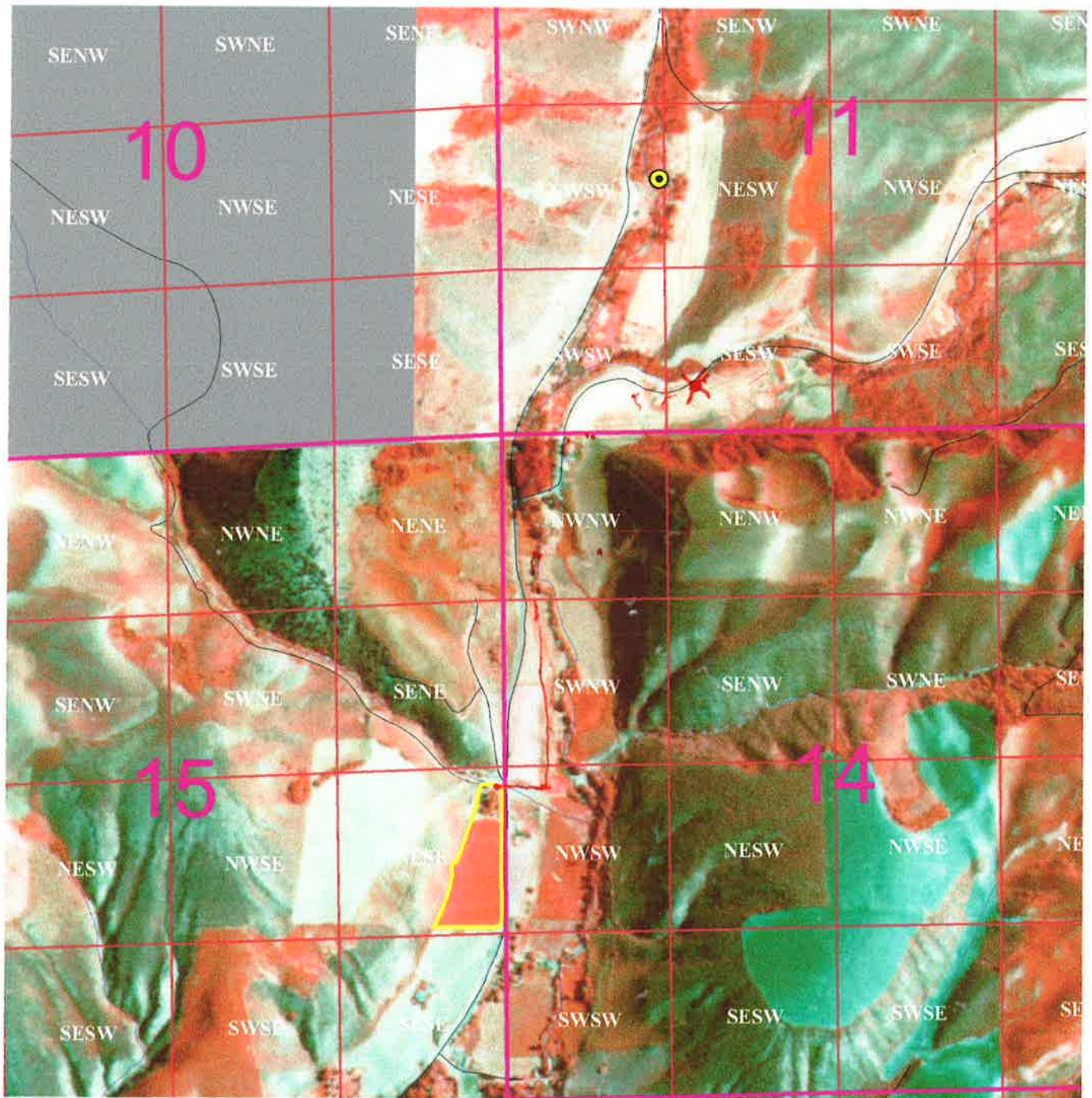
Summary	12/23/2002 10:57:54 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 4. Is any portion of the claim be recommended? (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?
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Contacts	7/12/2002 2:10:49 PM	csaxton	(No) 1. Do you want to schedule an appointment?
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Comment for 1: Field Exam 6/26/02

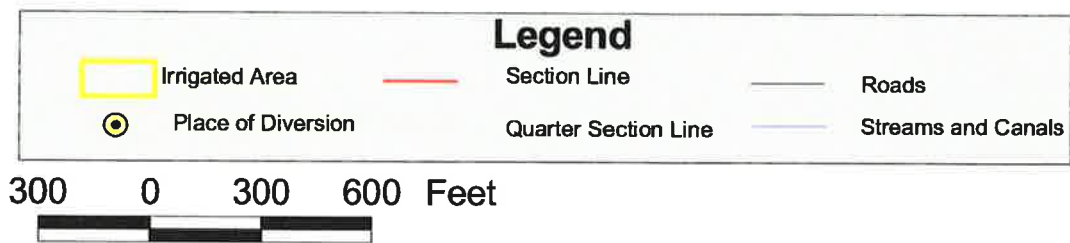
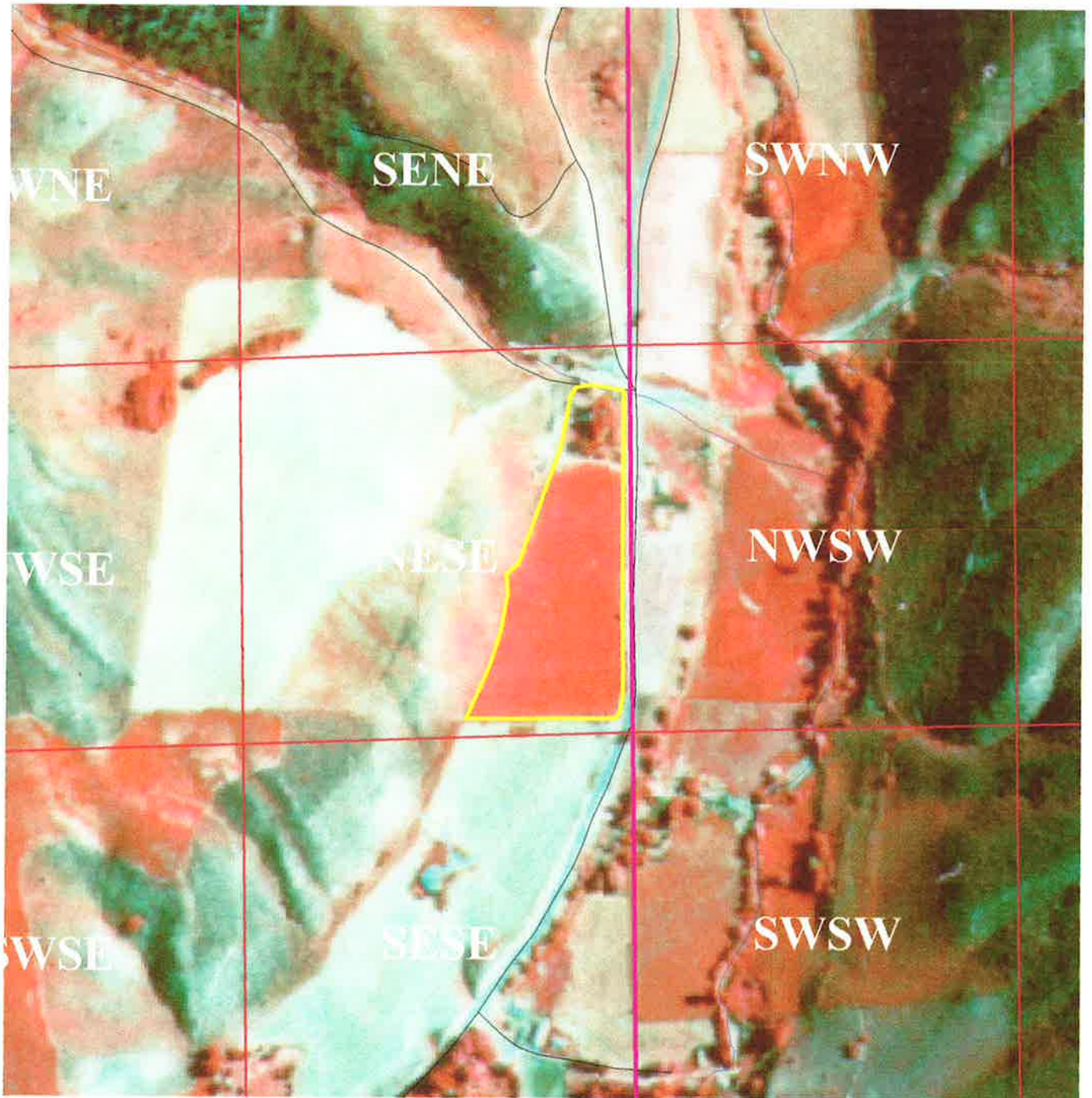
Water Right Claim Number A29-00285H
Township , 7S36E

08/24/2000



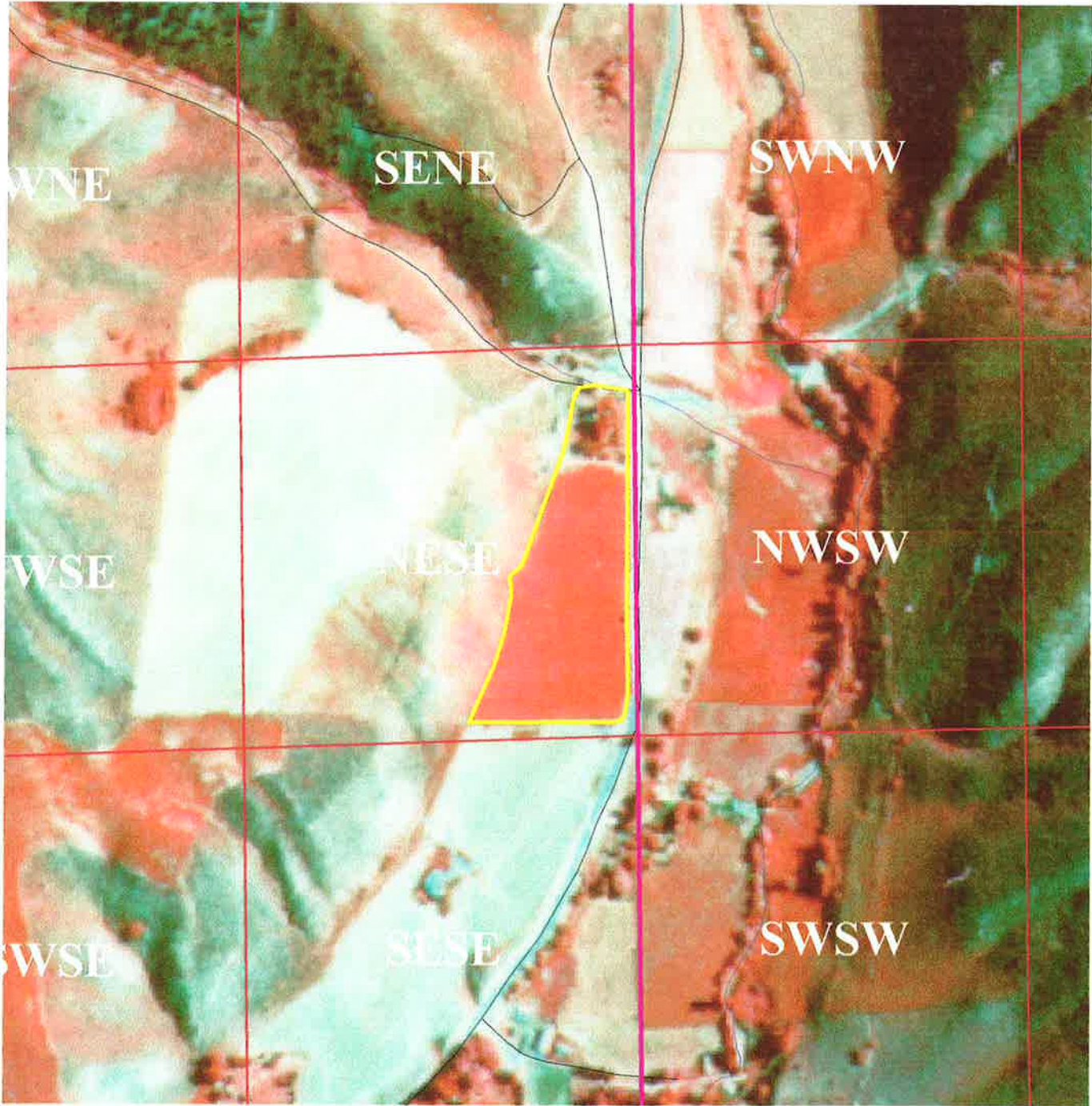
Water Right Claim Number A29-00285H
Township , 7S36E

08/24/2000



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

08/24/2000



Irrigated Area

Place of Diversion

Section Line

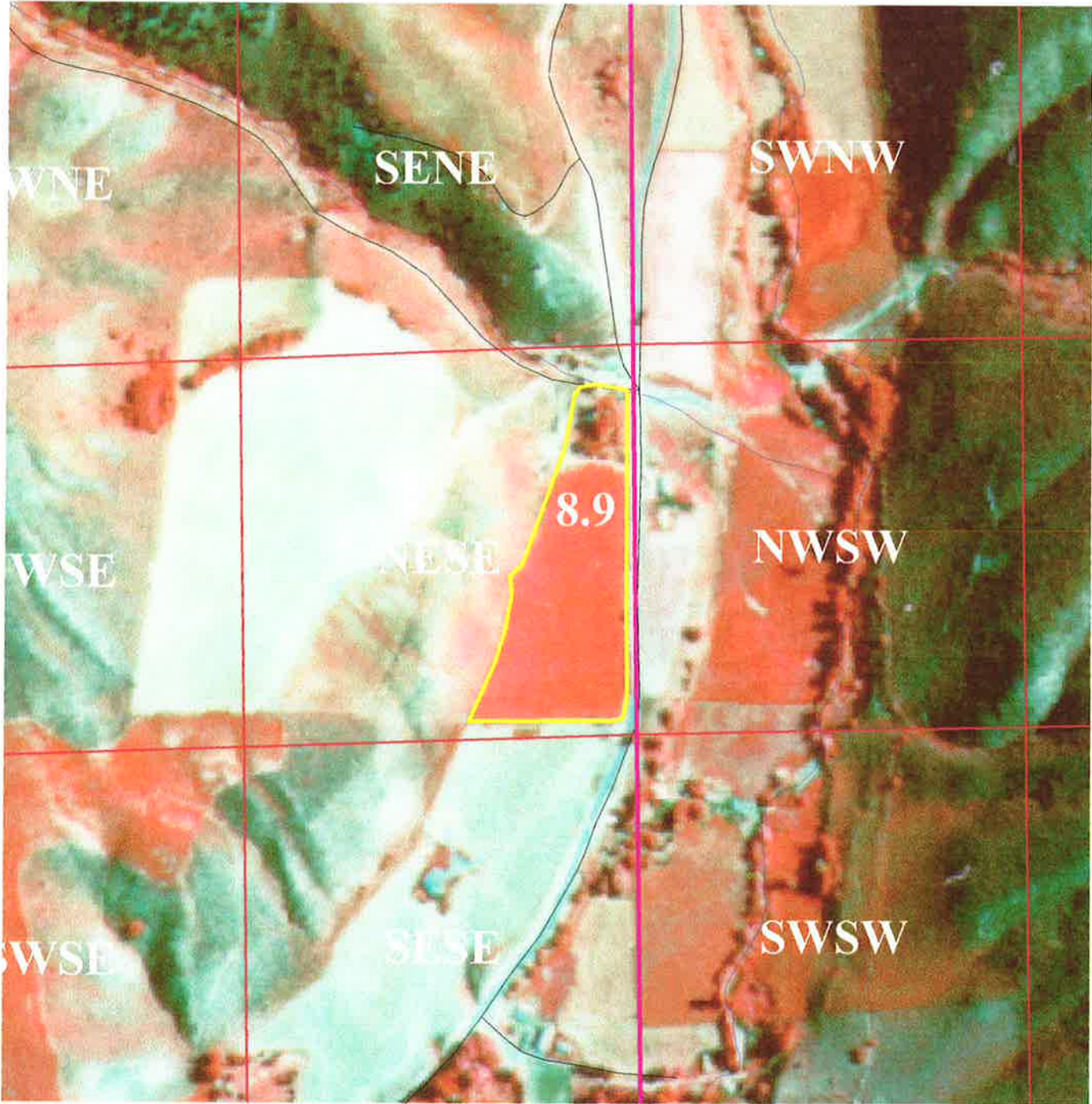
Quarter Section Line

Roads

Streams and Canals

Legend





Irrigated Area

Place of Diversion

Section Line

Quarter Section Line

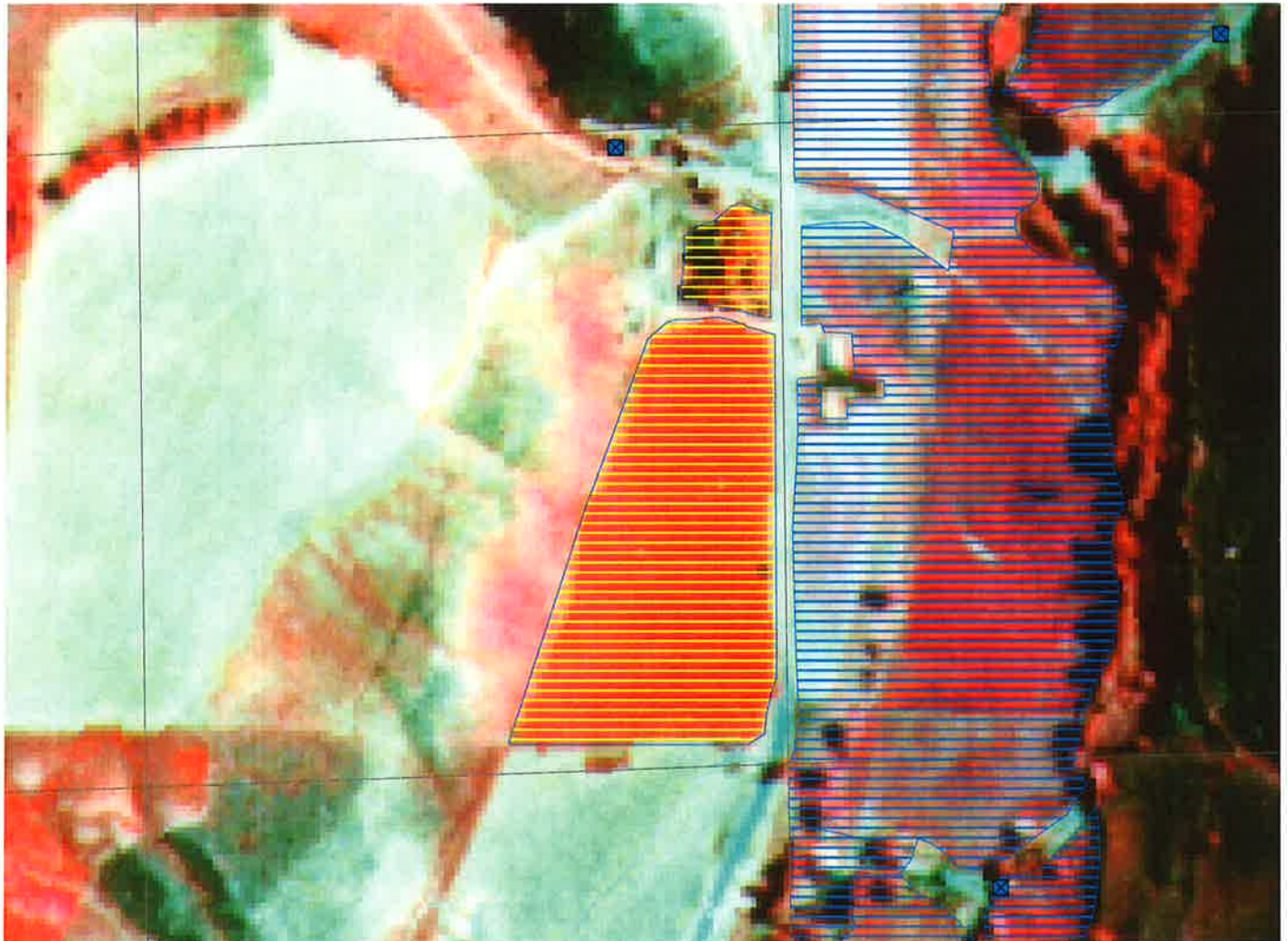
Roads

Streams and Canals

Legend

29-285H

Idaho Dept of Water Resources



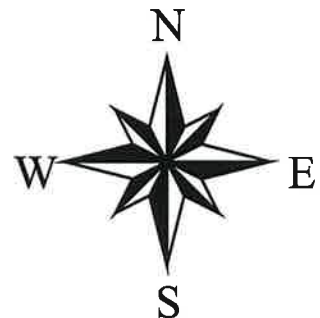
0.08 0 0.08 0.16 Miles

-  GCDB07S36E GCDB
-  Recommendation POD
-  Recommendation POU

POD - Not in view

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PROFILE

GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: D Shaff
Date: 5-19-04

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MAY 17 2004

Department of Water Resources

MEMO

TO: Candice McHugh
FROM: Harold W Jones
dba Water Rights Contracting Services
RE: Claim A29-00285H

A re-exam was done on May 11, 2004 with the claimant M.D. Morrison to determine the viability of the irrigation system to bring surface water from Inman Creek (tributary to Rapid Creek) to a place of use in the NESE Sec. 15 T7S, R36E. This was requested by Ernest Carlsen of IDWR's Eastern Region.

It appears an application for transfer to change the point of diversion and source from Rapid Creek to Inman Creek was started in 1990 with the help of staff at Eastern Region. For some reason this transfer was never completed. The applicant-claimant, Mr. Morrison, tells me he had been using the system as proposed in the transfer for some years prior to 1990. He initiated the transfer on the advice of his brother, who Mr. Morrison states, was acting as water master of Rapid Creek at the time.

Claimant Morrison states that he started using the Inman Creek source in 1977 when he purchased the claimed place of use from the estate of Elna Highnote.

Photo #1 shows the splitter ditch at the point of diversion which takes Inman Creek water to a headgate approximately 100' down the ditch. Photo #2 shows that headgate. At that point a portion of the water in the ditch is taken for irrigation uses (Photo #3) and the rest returned to Inman Creek.

The initial point of diversion at the splitter ditch was located with a GPS unit. The coordinates are; 2646438 GPS file# 29285H
1292550 USR

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A GPS tag #A0012284 was affixed to an adjacent tree.

Photo #4 shows the ditch line running along the ridge to a buried collection box and buried mainline which feeds the lines below. Photos #4 and #5 show sprinkler lines on the Chandler property which get water from this system. Photos #4,5 and 6 show other feeder lines in the lower part of the photos that bring water to other users.

Photo #7 shows the split where claimant Morrison has his 2 inch plastic pipe taking his portion of the Inman Creek water.

Photo #8 shows the run of plastic 2 inch pipe up from the splitter to the main road. This does indeed run uphill!

Photo #9 shows the continuation of the 2 inch pipe uphill on the west side of Rapid Creek Road to the claimant property.

Photo #10 shows a hose hooked to the 2 inch plastic pipe on claimants property which was attached to a sprinkler irrigating the lawn around the claimants house.

Photo #11 shows the active sprinkler on claimants property providing water from Inman Creek.

Finally, photo #12 shows the farm field intended for irrigation with Inman Creek water claimed by Mr. Morrison. At the time of my on-site the hand line sprinkler was not yet set up.

I have included a USGS map of the area including the point of diversion and place of use. The point of diversion on Inman Creek is at elevation 4840 feet above sea level. The place of use on the Morrison property is at elevation 4760 feet above sea level. This provides for a pressure head of 80 feet from point of diversion to place of use.

The standard values are 1 psi gain for each 2.3 feet of head. Disregarding friction losses due to pipeline size restrictions, the potential pressure at the claimants place of use is;

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80 feet of head / 2.3 feet/1 psi = 34.8 psi. The system in place however with a 2 inch plastic pipeline does not seem adequate to deliver 0.20 cfs or 89 gpm as claimed but that is a separate issue. Also the plastic pipe system does pass through several pasture areas with stock adjacent. It appears that part of this system would not have been in place during the March visit by the previous examiner due to winter storage of this system to avoid damage.

This system does have the capability to deliver Inman Creek water to the intended place of use for irrigation purposes.

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active
Sprinklers

Feeder lines

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6

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2" plastic pipe
splitter location



Flow to
Place of use

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Flow

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JUL 21 2005



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Sprinkler

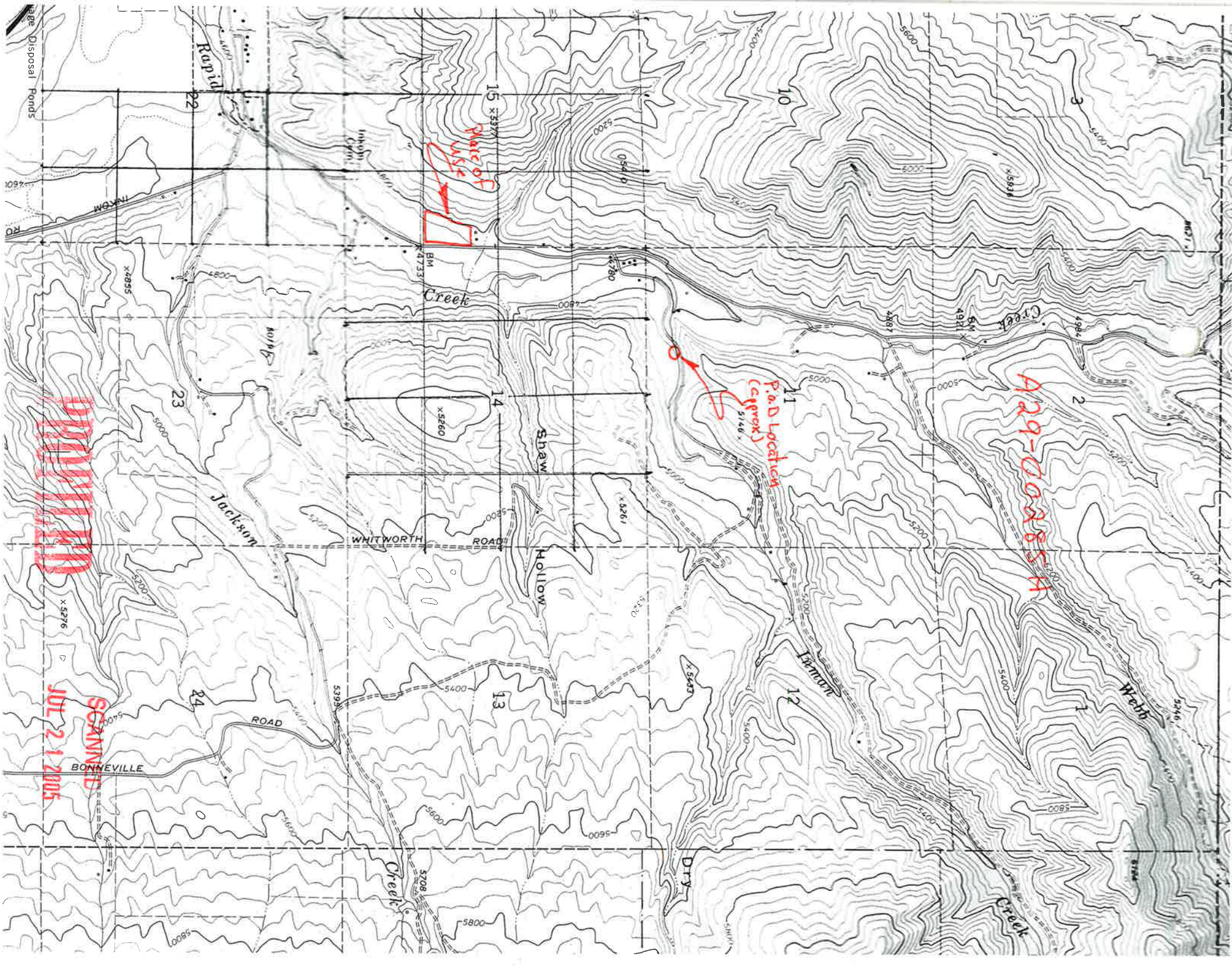
PROFILE

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PIPE LAYING OUT OF WAY FOR WINTER - LOOKS INTO MAIN LINE
PIPE



PIPE LAYING BY FENCE SO LIVESTOCK CANNOT DAMAGE IT



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WHERE PIPE NORMALLY LAYS IN THE SUMMER



PIPE CANNOT BE REMOVED BECAUSE PART OF IT IS BURIED
UNDER ROAD



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ANIMAL DAMAGE



PIPE LAYING BY FENCE SO ANIMALS CANNOT DAMAGE IT



FILED

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LOOKING NORTH FROM GEORGE'S HOUSE ROCKS AND DEBRIS WERE
MOVED FROM SOUTH TO NORTH TO STOP FURTHER DAMAGE



AFTER A FLASH FLOOD THIS GULLEY WAS FILLED WITH ROCKS
AND DEBRIS THAT THE COUNTY HAD TO CLEAN UP



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JUL 21 2005

VIEW OF THE DIKE LOOKING TOWARD GEORGE'S
HOUSE SOUTH



END OF PERMANENT MAIN LINE



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PROHIBITED



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JUL 21 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

March 25, 2003

MD MORRISON
BARBARA MORRISON
PO BOX 546
INKOM ID 83245

RE: Status of Snake River Basin Adjudication (SRBA) claims 29-00285H, 29-00302,
and 29-00306

Dear Mr. and Ms. Morrison,

On March 4, 2003 I came out to your property to see how Rapid Creek water reached your property. You showed me a culvert where hoses could be run under Rapid Creek road. You stated that you irrigated your property by tapping into George Chandler's irrigation system in which he diverts Inman Creek water. At the time of the field exam, no system was in place.

I met with my supervisor and a member of our legal staff and IDWR still feels that we do not have enough evidence to support that Rapid Creek water has been used on your property for some time.

The letter you provided from George Chandler doesn't state that water has been historically used from his system. It says that he would allow you to tap into his system (enclosed).

I am enclosing a letter I sent to you on August 8, 2002 for your records.

If you still feel that this recommendation is inaccurate, you will be notified at the time the directors report is issued and will have a chance to file an objection and be heard by the SRBA court.

Respectfully submitted,

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

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JUL 21 2005

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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JUL 20 2005

Split history for Decreed Right 29-00285

WR	Claimed	Source	Decreed Owner of POU	Rec	Revised	
29-00285 Share Per User 0.2 0.02857 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, Samual	*		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: 0.20cts / 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.

PROFILE
 JUL 20 2005
 SCANNED

April 5, 2003

RECEIVED
APR 14 2003
WATER RESOURCES
WESTERN REGION

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

RE: Status of Snake River Basin Adjudication (SRBA) claims 29-00285H, 29-00302 and 29-00306

Dear Mr. Saxton,

I received your letter from your department saying you denied my water permit because it was not in place when you were here on March 4, 2003. The system I use has to be removed and stored for the winter because of the weather and livestock that could destroy it in the wintertime.

I have enclosed some pictures of the problems we have in this area because of the weather. People with the knowledge of what mother nature can do with such force, respect and keep things out of the path of destruction. That is why the pipe was not in place. The rocks in George Chandler's field are from storms that brought the rocks down the canyon from a flash flood and over the road onto his property. It took the County Road and Bridge three days to clean up and haul the rocks and debris off the main road and that's not what ended up in George Chandler's field. The debris which was almost to his house north to about 200 feet north of the wash was pushed up to stop further damage. It is this area that the pipe has to cross under the road to my property.

Picture 1 – Looking north
Picture 2 – Looking south
Picture 3 – West up the canyon

In the spring the runoff down the canyon and through the culvert is almost to full capacity so the pipe is removed until time it will be used. It is George's and my concern to keep the animal and pipe damage to a minimum. Vet bills are very expensive as well as pipe repair. I feel that I have been discriminated against.

Pictures 4, 5, 6, and 7 shows all the pipe removed from the main pipe line to the end.

You ask for a letter from George giving his permission to hook onto his line and we supplied that. As for the days the system was first used – anyone knows that a letter gives permission to use at any time.

Decreed water was given by the Federal Government not by the State. There was no Idaho Power in 1884 to 1906. Idaho Power paid to have the law passed that if water was not used in 5 years, it belonged to them. How can they take Indian water?

I think that this should be reconsidered.

Sincerely,

M. Dan Morrison



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JUL 21 2005

WR: 29-00285H, 302, 306

FE: 3/4/03



Looking NE at a culver that runs under Rapid Creek road. I am standing on Mr. Morrison's property and George Chandlers property can be seen in the background. Mr. Morrison says he taps into George Chandlers system and runs a line through the culvert. No system was in place at time of the field exam. This culver is used to convey water from the gulch at the north of Mr. Morrison's property to Rapid Creek.

EX-111

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WR: 29-00285H, 302, 306

FE: 3/4/03



Looking West at the gulch where Mr. Morrison gets his spring water to irrigate his ground to the Left of the picture. Standing on George Chandlers property.

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JUL 21 2005**

WR: 29-00285H, 302, 306

FE: 3/4/03



Looking East at George Chandlers property. Mr. Morrison says that this black pipe seen in the picture is used to run through the culvert to convey water to his property.

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JUL 21 2005

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 21, 2003

Water right number: 29-302

M D MORRISON
PO BOX 564
INKOM ID 83245
Telephone Number: (208) 775-3771

BARBARA E MORRISON
PO BOX 564
INKOM ID 83245
Telephone Number: (208) 775-3771

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

Period of use - Letter per George Chandler Should be on file - 6/14/2001.

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

Willing to give up decreed water right for well permit for this property.

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

The water has been used in the past for yard and pasture.

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

DATE: 3/1/03

SIGNATURE: _____

Please print your name: _____

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

NO changes made
CH 3/25/03

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JUL 21 2005

02/13/2003

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

RIGHT NUMBER: 29-302

NAME AND ADDRESS: M D MORRISON
PO BOX 564
INKOM ID 83245

BARBARA E MORRISON
PO BOX 564
INKOM ID 83245

SOURCE: RAPID CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.800 CFS

PRIORITY DATE: 06/01/1904

POINT OF DIVERSION:
T07S R36E S11 SENWSW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	0.800 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County
T07S R36E S15 NESE 10.0

10 ACRES TOTAL

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

FORFEITED/ABANDONED: This is included for a claim based on a decree or license that is PROPOSED to be disallowed on the basis that the water right no longer exists because forfeiture of the right by nonuse was confirmed and a defense to forfeiture was not confirmed, or because abandonment of the right was confirmed.

FORFEITED/ABANDONED DUE TO NON-USE FROM 1976 TO 2002.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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JUL 21 2005

June 14, 2001

Dan Morrison

In order for you to use water on the rotary water rights for your garden.
You may hook up to the small line coming down through my field, and divert water to be
used for your garden. This will be coordinated with the use of all concerned.

Sincerely,

A handwritten signature in cursive script that reads "George W. Chandler".

George W. Chandler

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JUL 21 2005

9-11-01: Sam Chandler Has Been Using Right For
10 years - Spoken Agreement to use Right.

6-25-02: Stopped By home and dropped off Card with
wife (I think) to have MO Give me a call.

6-26-02: Look up 29-02497
FE 29-002850
29-02232

: No sign of how Rapid Creek Water can make it
to Claimed POB. When asked How long its been
since the ^{Rapid ck} water was used on the property I
was not given a definitive answer.

: Claimant states Gutter Water has been used since
1956 or 1957.

: Claimant not pleased when I told him I would
probably have to disallow Rapid Creek Claims and
wanted me to note in file that he would be
contacting his Lawyer.

: statement on unsubmitted transfer states "Ditch has been
useless for several years. Previous owner of Property
Did not keep ditch clean" statement made in
1990.

8-1-02 : Stopped By Claimed POB and could not find
FE diversion works or how water makes it under
the Road. 1976 USGS Ortho Quad maps show
Rapid Creek Rd in place. Evidence does not
indicate use of this Right for a long time.

8-13-02 : Found old ditch that used to convey water
FE to Claimed POB But no culvert or way to
get water under the Road.

Forfeited

3-28-03: In Conversation With Sam Chandler - He said
Rapid ck water Not used on Mr Morrisons
Place since 1959. He also said that water from
Georges System hasn't been used on Morrisons Place.

PROFILE

SCANNED

JUL 21 2005

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

SCANNED
JUL 20 2005

PROFILED

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.

SCANNED

JUL 20 2005

PROFILED

1/3/2003

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

1/3/2003

MEMORANDUM

Date: December 23, 2002

From: Craig L. Saxton

Subject: MD Morrison Claims 29-00285H, 29-00302, 29-00306

No evidence of beneficial use of Rapid Creek water since at least 1976.

Claimed POU is irrigated from springs that feed an unnamed stream under rights 29-02232 and 29-02497.

Historical ditch used to convey water from the main channel of Rapid Creek no longer in use. I found where the old ditch crossed Rapid creek road and there is no culvert to transfer the water under the road. According to 1976 USGS orthoquad, the road has been in place since at least 1976.

During Field Exam on 6/26/02 I didn't see any signs that Rapid Creek water could reach the claimed POU.

The other supporting evidence that Rapid Creek water hasn't been used for some time was found in the uncompleted transfer application the claimant provided me on 6/26/02. The application was partially completed in March of 1990, but according to IDWR records, was never submitted. Part 2, Question 10 of the transfer application asks, ***"To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use? If yes, describe."*** The application answers that question with, ***"Yes"*** then states, ***"Ditch has been useless for several years. Previous property owner did not keep ditch clean."*** This indicates to me that a piping system has not been in place to divert Rapid Creek water since at least 1990.

Recommend as Disallowed for non-use from 1976 to present.

29-00285H, 302, 306 Ditch Field Exam: 8/13/02



Looking NE at old irrigation ditch that diverted water to claimants property prior to the road being build (as far as I can tell) (csaxton).



Looking South at old irrigation ditch that diverted water to claimants property prior to the road being build (as far as I can tell) (csaxton).

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29-00285H, 302, 306 Ditch Field Exam: 8/13/02



Looking NE from Rapid Creek road at historical ditch that seems to have delivered water to claimed POU (csaxton).



Looking NW from just East of Rapid Creek road at historical ditch/culvert that seems to have delivered water to claimed POU (csaxton).

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**SCANNED
JUL 21 2005**

29-00285H, 302, 306 Ditch Field Exam: 8/13/02



Looking NW from just East of Rapid Creek road at historical ditch/culvert that seems to have delivered water to claimed POU (csaxton).

SCANNED
PROFILED JUL 21 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

August 8, 2002

M.D. MORRISON
BARBARA MORRISON
PO BOX 564
INKOM ID 83245

RE: Snake River Basin Adjudication (SRBA) claims 29-00258H, 29-00302, and 29-00306.

Dear Mr. and Mrs. Morrison:

Paul Meyer with whom you spoke with in Idaho Falls last week contacted me. He sent me the information you provided.

I have looked through the receipts and the system description provided. Since all of these receipts are dated in 1963 and 1964, it appears to me that the receipts provided are for the system equipment that was put in place to develop water right 29-02497 for use of the spring water from the gulch. Right 29-02497 has a priority date of 9/30/1964 so that seems to make sense. As stated in the letter I sent on July 12, 2002, I see no problems with the SRBA claims for spring or gulch water and plan to make a positive recommendation to the SRBA court concerning these claims.

The other supporting evidence that the receipts provided are for the spring water rather than Rapid Creek water is found in the remarks of the uncompleted transfer application you showed me on 6/26/02. The application you showed me was partially completed in March of 1990, but according to IDWR records, was never submitted. Part 2, Question 10 of the transfer application asks, *"To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use? If yes, describe."* The application answers that question with, "Yes" then states, *"Ditch has been useless for several years. Previous property owner did not keep ditch clean."* This indicates to me that a piping system has not been in place to divert Rapid Creek water since at least 1990.

During our conversation at your home on June 26, 2002, I explained that if the Rapid Creek water hasn't been used of some time, I would not be able to make a favorable recommendation to the SRBA court on the Rapid Creek claims.

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JUL 20 2005

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If you feel my assessment is incorrect, I will need evidence of when the last time Rapid Creek water was used on the claimed place of use and how the water gets there from Rapid Creek. Please feel free to contact me if you have any further questions.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Craig L. Saxton". The signature is fluid and cursive, with a large initial "C" and a stylized "S" at the end.

CRAIG L SAXTON
Sr. Water Resource Agent
Adjudication Bureau

SCANNED
JUL 20 2005

PROFILED

AGRICULTURAL SERVICES, INC.

FERTILIZERS

PUMPS

IRRIGATION EQUIPMENT

Phone SU 5-1717

P. O. Box 627

BLACKFOOT, IDAHO

Customer's
Order No.

Date Sept. 25 1964

Name

Address

RECEIVED

AUG 08 2002

WATER RESOURCES
WESTERN REGION

SOLD BY	CASH	C. O. D.	CHARGE	ON ACCT.	MDSE. RETD.	PAID OUT	
			☒				
QUAN.	DESCRIPTION					PRICE	AMOUNT
	additional charge on						
	2- 6" angle concrete						6 ⁰⁰
1-	3x3' concrete tank						26 ⁷³
2-	large dry pipe					18 ⁵	3 ⁷²
2-	pieces brass screens						6 ⁴⁰
	Takes to install tank						
	and screens						
	2- manure tank					28 ⁰⁰	84 ⁰⁰
	2- manure tank					12 ⁶⁸	25 ³⁶
TERMS							109 ³⁶

Day of Each Month Beginning

19

Without grace for value received, I promise to pay to the order of Seller the above mentioned amount, payable as hereinafter set forth. I agree that title to the merchandise hereinafter set forth shall at all times remain in the Seller's name, until this note is fully paid, and if the same be placed with an attorney for collection or suit, I agree to pay a reasonable attorney's fee. If not paid at maturity, this note shall thereafter draw interest at the rate of 6% per annum until paid. Upon failure on the part of the purchaser to make payments, as herein specified, the Seller may repossess said property wherever found. Property shall not be moved from premises without consent of Seller.

No.

15253

Rec'd by

9/25/64

PROFILED

SCANNED

JUL 20 2005

AGRICULTURAL SERVICES, INC.

FERTILIZERS

POINT

IRRIGATION EQUIPMENT

Phone SU 5-1717

P.O.S.T.

BLACKFOOT, IDAHO

Customer's

Order No.

Dicta

Name _____

Address

[illegible]

Day of Each Month Beginning

Without grace for value received, I promise to pay to the order of Seller the above mentioned amount on or before the date hereon set forth. I agree that title to the merchandise hereinabove set forth shall at all times remain in Seller until the full amount of this note is fully paid, and if the same be placed with an attorney for collection or claim, I agree to defend, maintain and pay the costs thereof. If not paid at maturity, this note shall thereafter draw interest at the rate of 10% per annum until the full amount is paid. It is the duty of the purchaser to make payments, as herein specified, the Seller and its agents and assigns shall not be moved from premises without consent of Seller.

No. 14714 Rec'd by

SCANNED

JUL 20 2005

PROFILED

AGRICULTURAL SERVICES, INC.

FERTILIZERS

PUMPS

IRRIGATION EQUIPMENT

Phone SU 5-1717

P. O. Box 627

BLACKFOOT, IDAHO

Customer's
Order No.

Date

1963

Name

Address

SOLD BY	CASH	C. O. D.	CHARGE	ON ACCT.	ADDS. RETD.	PAID OUT	
			✓				
QUAN.	DESCRIPTION					PRICE	AMOUNT
1600	1/2" 80 PSI Plastic Pipe					90	1440
700	1/2" 50 PSI Plastic Pipe					55	385
31	3" threaded pipe					2.90	89
23	3" union					3.00	69
15	3" galv. pipe					3.50	52
1	3" threaded plug					1.25	1.25
1	3" gate valve					38.00	38.00
3	3" Ring, regular					2.70	8.10
1	3" flange					3.50	3.50
4	3x1 Pipe, regular					7.75	31.00
2	1" gate valve					4.50	9.00
1	1" short nipple					.25	.25
TOTAL							2161.25

Day of Each Month Beginning

Without grace for value received, I promise to pay to the order of Seller the above mentioned amount, payable on demand, on or before, I agree that title to the merchandise hereinabove set forth shall at all times remain in the Seller's name, until this note is fully paid, and if the same be placed with an attorney for collection or suit, I agree to pay a reasonable attorney's fee. If not paid at maturity, this note shall thereafter bear interest at the rate of 8% per annum until paid. Buyer agrees to the part of the purchase to make payments, as herein specified, the Seller may repossess said property should Buyer's property shall not be moved from premises without consent of Seller.

No. 13099

Rec'd by

PROFILED

SCANNED

JUL 20 2005

AGRICULTURAL SERVICES, INC.

FERTILIZERS

IRRIGATION EQUIPMENT

Phone SU 5-1717

BLAKEFOOT, IDAHO

Customer's
Order No.

Date

Name

Address

QUAN.

CASH

C. O. D.

CHEQUE

DEPOSIT

PAID

DESCRIPTION

Oct 7, 9, 11, 13, 15

Smith's Orchard 8 1/2 acres

Total

Nov 4 Orchard & Oregan 5 acres

" 12 Orchard & Oregan 7 1/2

" 13 Orchard, Oregan, Oregan 9"

" 14 Orchard, Oregan, Oregan 9"

Day of Each Month Beginning

I hereby agree the value received, I promise to pay to the order of Seller the amount of the invoice for the goods and services rendered, and I agree that title to the merchandise hereinafter set forth shall at all times remain in Seller until the amount of the invoice is paid in full, and if the same be placed with an attorney for collection or sale, and all cost of collection, this note shall thereafter bear interest at the rate of 10% per annum on the sum of the purchase to note amount, as herein specified, the Seller and Seller's agents and representatives shall not be bound from printing without express consent of Seller.

13100

Rec'd by

PROFILED

SCANNED
JUL 20 2005

Agricultural Services, Inc.

P. O. Box 627 Phone 785-1717
BLACKFOOT, IDAHO

IRRIGATION EQUIPMENT
PUMPS
PIPE
FERTILIZER
CHEMICALS

DATE: January 31, 1964

Mrs. Elna Hinote
Inkom,
Idaho

DATE	SY.	REFERENCE	CHARGE	CREDIT	BALANCE
					-0-
JUL 11 64		14,714	6.00		6.
JUL 31 64		15,685	980.00 ✓		
JUL 31 64		15,684	31.02		
JUL 31 64		15,683	458.60		
JUL 31 64		15,683	85.80		1,561.
JUL 31 64		15,685	.50 ✓		1,561.

JOUR. ENTRY EC - ERROR CORR.
TAX DM - DEBIT MEMO
DISCOUNT CM - CREDIT MEMO
CASH SC - SHIPPING CHG.
RT - RETURNED MDSE.

ACCOUNT DUE 10TH OF MONTH FOLLOWING
PURCHASE. 8% INTEREST CHARGED ON ALL
PAST DUE ACCOUNTS.

PAY
LAST
AMOUNT THIS COLU

PROFILED

SCANNED
JUL 20 2005

AGRICULTURAL SERVICES, INC.

FERTILIZERS

PUMPS

IRRIGATION EQUIPMENT

Phone SU 5-1717

P. O. Box 627

BLACKFOOT, IDAHO

Customer's
Order No.

Date

1964

Name

Address

SOLD BY	CASH	C. O. D.	CHARGE	ON ACCT.	MDSE. RETD.	PAID OUT	
			☒				
QUAN.	DESCRIPTION					PRICE	AMOUNT
600	feet 4" 12ga Steel Pipe					.88	528.00
1-	4" Gate valve						35.00
	Working from 30 th June 2 ⁵⁰						31.50
	Working July 2 6 hours 7 ⁵⁰						45.00
	July 10 9 hours						67.50
	July 21 9 hours						67.50
	Backhoe July 9 - 10 1/2 hours 10 ⁰⁰						105.00
	July 10 - 6 hours 10 ⁰⁰						60.00
	July 11 - 3 1/2 hours 10 ⁰⁰						35.00
	July 21 6 hours						N.C.
TERMS	Credit will be given on return of steel pipe still on job.						980.50
	Day of Each Month Beginning						19

Without grace for value received, I promise to pay to the order of Seller the above mentioned amounts, payable as hereinabove set forth. I agree that title to the merchandise hereinabove set forth shall at all times remain in the Seller's name, until this note is fully paid, and if the same be placed with an attorney for collection or suit, I agree to pay a reasonable attorney's fee. If not paid at maturity, this note shall thereafter draw interest at the rate of 8% per annum until paid. Upon failure on the part of the purchaser to make payments, as herein specified, the Seller may repossess said property wherever found. Property shall not be moved from premises without consent of Seller.

No. 15685

Rec'd by

①50056

PROFILED

SCANNED

JUL 20 2005

AGRICULTURAL SERVICES, INC.

FERTILIZERS

PUMPS

IRRIGATION EQUIPMENT

Phone SU 5-1717

P. O. Box 627

BLACKFOOT, IDAHO

Customer's
Order No.

Date July 31 1964

Name

Miss Anna Hinojosa

Address

SOLD BY	CASH	C. O. D.	CHARGE	ON ACCT.	MDSE. RETD.	PAID OUT	
			☒				
QUAN.	DESCRIPTION					PRICE	AMOUNT
3	3/4" lead, ripple					.18	.54
2	3/4" lead					.24	.48
	Hydrants ect. 10 man hours					3.00	30.00
							31.02
	Work Order # 1446						

TERMS

\$ _____ Down and \$ _____ on the _____

Day of Each Month Beginning _____ 19 _____

Without grace for value received, I promise to pay to the order of Seller the above mentioned amounts, payable as hereinabove set forth. I agree that title to the merchandise hereinabove set forth shall at all times remain in the Seller's name; until this note is fully paid, and if the same be placed with an attorney for collection or suit, I agree to pay a reasonable attorney's fee. If not paid at maturity, this note shall thereafter draw interest at the rate of 8% per annum until paid. Upon failure on the part of the purchaser to make payments, as herein specified, the Seller may repossess said property wherever found. Property shall not be moved from premises without consent of Seller.

No. 15684

Rec'd by

⑈50056

PROFILED

SCANNED
JUL 20 2005

AGRICULTURAL SERVICES, INC.

FERTILIZERS

PUMPS

IRRIGATION EQUIPMENT

Phone SU 5-1717

P. O. Box 627

BLACKFOOT, IDAHO

Customer's

Order No.

Date

19

Name

Address

SOLD BY	CASH	C. O. D.	CHARGE	ON ACCT.	MDSE. RETD.	PAID OUT	
			✓				
QUAN.	DESCRIPTION					PRICE	AMOUNT
2	3rd V.O.E.					17 ⁵⁰	35 ⁰⁰
2	2' cut plugs					3 ²¹	6 ⁴²
25	length 3x20 cotton						
	Sup. of Jeco Cylinders					26 ⁵⁰	
13	Sprinklers 1/2						2 ⁰⁰
13	1x18 users						13 ⁰⁰
						~~371⁶⁰~~	
Subtotal from 3 rd 5, July 2-6,							
July 20-9, July 21-9 total phone						87 ⁰⁰	
TERMS						~~458⁶⁰~~	
\$		Down and \$		on the			

Day of Each Month Beginning

19

Without grace for value received, I promise to pay to the order of Seller the above mentioned amounts, payable as hereinabove set forth. I agree that title to the merchandise hereinabove set forth shall at all times remain in the Seller's name, until this note is fully paid, and if the same be placed with an attorney for collection or suit, I agree to pay a reasonable attorney's fee. If not paid at maturity, this note shall thereafter draw interest at the rate of 8% per annum until paid. Upon failure on the part of the purchaser to make payments, as herein specified, the Seller may repossess said property wherever found. Property shall not be moved from premises without consent of Seller.

No. 15686

Rec'd by

©50056

SCANNED

JUL 20 2005

AGRICULTURAL SERVICES, INC.

FERTILIZERS

PUMPS

IRRIGATION EQUIPMENT

Phone SU 5-1717

P. O. Box 627

BLACKFOOT, IDAHO

Customer's

Order No.

Date

1964

Name

Address

SOLD BY	CASH	C. O. D.	CHARGE	ON ACCT.	MDSE. RETD.	PAID OUT	
			✓				
QUAN.	DESCRIPTION					PRICE	AMOUNT
2	1" Gate valve					4.70	9.40
1	3/4" pressure regulating valve						26.00
2	Hydrants					17.50	35.00
2	1" galv. pipe					.98	1.96
2	1" plugs					.27	.54
2	1" Unions					1.42	2.84
2	3x1 Bushings					1.25	2.50
20 ft	1" Pipe					.28	5.60
1	3/4" Union					.98	.98
2	1-3/4" Bushings					.44	.88
TERMS							\$85.80

Day of Each Month Beginning

19

Without grace for value received, I promise to pay to the order of Seller the above mentioned amounts, payable as hereinabove set forth. I agree that title to the merchandise hereinabove set forth shall at all times remain in the Seller's name, until this note is fully paid, and if the same be placed with an attorney for collection or suit, I agree to pay a reasonable attorney's fee. If not paid at maturity, this note shall thereafter draw interest at the rate of 8% per annum until paid. Upon failure on the part of the purchaser to make payments, as herein specified, the Seller may repossess said property wherever found. Property shall not be moved from premises without consent of Seller.

No. 15683

Rec'd by

©20056

PROFILED

SCANNEL

JUL 20 2005

BLACKFOOT, IDAHO

Customer's
Order No.

Date _____

19

Name _____

Address

SOLD BY	CASH	C. O. D.	CHARGE	ON ACCT.	MDSE. RETD.	PAID OUT		
QUAN.	DESCRIPTION					PRICE	AMOUNT	
1	opening draw.						17.50	
1	500 B. and Plug						3.30	
							~~20.80~~	
	Delivery ticket 5550							
TERMS								

TERMS

\$_____ Down and \$_____ on the

Day of Each Month Beginning

19⁻

Without grace for value received, I promise to pay to the order of Seller the above mentioned amounts, payable as hereinabove set forth. I agree that title to the merchandise hereinabove set forth shall at all times remain in the Seller's name, until this note is fully paid, and if the same be placed with an attorney for collection or suit, I agree to pay a reasonable attorney's fee. If not paid at maturity, this note shall thereafter draw interest at the rate of 8% per annum until paid. Upon failure on the part of the purchaser to make payments, as herein specified, the Seller may repossess said property wherever found. Property shall not be moved from premises without consent of Seller.

No. 15134

Rec'd by

① 50088

PROFILED

SCANNED
JUL 20 2005

STATEMENT

Agricultural Services, Inc.

P. O. Box 627 Phone 785-1717
BLACKFOOT, IDAHO

IRRIGATION EQUIPMENT
PUMPS
PIPE
FERTILIZER
CHEMICALS

DATE: Sept. 30, 1964

Mrs. Elna Hinote
Inkom,
Idaho

DATE	SY.	REFERENCE	CHARGE	CREDIT	BALANCE
SEP 3 64		15.134			
SEP 4 64	CM	15.178	20.80		1557
SEP 4 64		15.179	7.50	35.20	
SEP 22	CS	15.252			1529
SEP 25		15.253	126.85	500.00	1029
					1156
Thank You					

OUR ENTRY EC - ERROR CORR.
AX DM - DEBIT MEMO
DISCOUNT CM - CREDIT MEMO
ASH SC - SHIPPING CHG.
RT - RETURNED MDSE

ACCOUNT DUE 10TH OF MONTH FOLLOWING
PURCHASE. 8% INTEREST CHARGED ON ALL
PAST DUE ACCOUNTS.

PAY
LAST
AMOUNT THIS COLUMN
MBF

PROFILED

SCANNED
JUL 20 2005

STATEMENT

Agricultural Services, Inc.

P. O. Box 627 Phone 785-1717
BLACKFOOT, IDAHO

IRRIGATION EQUIPMENT
PUMPS
PIPE
FERTILIZER
CHEMICALS

DATE: August 31, 1964

Mrs. Elna Hinate
Inkom,
Idaho

DATE	SY.	REFERENCE	CHARGE	CREDIT	BALANCE
AUG 10 64		15,737		25.72	1,561.92 1536.

Thank You

UR. ENTRY EC - ERROR CORR.
X DM - DEBIT MEMO
SCOUNT CM - CREDIT MEMO
SH SC - SHIPPING CHG.
RT - RETURNED MDSE

ACCOUNT DUE 10TH OF MONTH FOLLOWING
PURCHASE. 8% INTEREST CHARGED ON ALL
PAST DUE ACCOUNTS.

PAY LAST AMOUNT THIS COLUMN
MBF f

PROFILED

SCANNED
JUL 20 2005

SCANNED
JUL 20 2005

JUL 20 2005

BLACKFOOT, IDAHO

Address

[illegible]

\$ _____ Down and \$ _____ on the _____

Day of Each Month Beginning 19

Without grace for value received, I promise to pay to the order of Seller the above mentioned amounts, payable as hereinabove set forth. I agree that title to the merchandise hereinabove set forth shall at all times remain in the Seller's name, until this note is fully paid, and if the same be placed with an attorney for collection or suit, I agree to pay a reasonable attorney's fee. If not paid at maturity, this note shall thereafter draw interest at the rate of 8% per annum until paid. Upon failure on the part of the purchaser to make payments, as herein specified, the Seller may repossess said property wherever found. Property shall not be moved from premises without consent of Seller.

No. 15179 Rec'd by

① 50056

PROFILED

SCANNED
JUL 20 2005

ESTIMATE AND ORDER FORM



AGRICULTURAL SERVICES, Inc.

FERTILIZERS

PUMPS AND IRRIGATION EQUIPMENT

Phone 785-1717

BLACKFOOT, IDAHO

P. O. Box 627

Customer

Date

Address

Phone

QUANTITY	ITEM		
✓ 600	600 feet 4" 12 gauge coated and wrapped		
✓ 900	900 feet 3" 80 PSI plastic pipe	84	528 ⁰⁰
✓ 1660	1660 feet 3" 80 PSI plastic pipe	92	1520 ⁰⁰
✓ 700	700 feet 3" 50 PSI	55	250 ⁰⁰
1	4" vent pipe		10 ⁰⁰
2	2" pressure relief valves	270 ⁰⁰	54 ⁰⁰
✓ 23	3" plastic couplers with stainless steel clamps	301	69 ²⁵
✓ 16	3" tees	350	56 ⁰⁰
✓ 32	3" 1/2" adapter with clamps	92	88 ⁰⁰
✓ 32	1 1/2" 3" riser valves with thread	122	193 ⁵⁰
2	3x2 valve opening ell	1750	35 ⁰⁰
2	2 end plugs	370	6 ⁰⁰
25	Lengths 2'x20' Alum. Lateral pipe with Coup.		265 ⁰⁰
13	1/2" 3/4" Rainbird Sprinklers w/ 5/8" nozzle	4 ⁰⁰	52 ⁰⁰
13	1x1/2" galv riser	10 ⁰⁰	13 ⁰⁰
	digging 1000'	15	150 ⁰⁰
	Less digging \$150 ⁰⁰		
			3394 ⁰⁰
	TOTAL		

TERMS:—CASH DOWN \$

BALANCE

Payable as follows:

Pay \$3,028⁴⁰January, 1964, Balance after delivery of Sprinkler pipe \$371⁰⁰

Without grace for value received, I promise to pay to the order of the Seller the above mentioned amounts, payable as hereinabove set forth. I agree that title to the merchandise hereinabove set forth shall at all times remain in the Sellers name, until this note is fully paid, and if the same be placed with an attorney for collection and suit I agree to pay a reasonable attorney's fee. If not paid at maturity this note shall draw interest thereafter at the rate of 8 percent per annum until paid. Upon failure on the part of the purchaser to make payments as herein specified, the Seller may repossess said property wherever found. Property shall not be removed from the premises without consent of Seller.

Accepted by

Seller

Buyer

JUL 20 2005

PROFILED



AGRICULTURAL SERVICES, Inc.

FERTILIZERS
PUMPS AND IRRIGATION EQUIPMENT

Phone 785-1717

BLACKFOOT, IDAHO

P. O. Box 627

Customer

Max Hunter

Date

Oct 4 1963

Address

Idaho, Idaho

Phone

QUANTITY	ITEM		
600	feet 4' 12 gauge coated and wrapped		
	O ring steel pipe	.88	528 ⁰⁰
1660 2300 640	feet 3' 80 PSI plastic pipe 1520 ⁰⁰		
	100' coils	550	350
		1870	92
			2116 ⁰⁰
1	4' vent pipe		10 ⁰⁰
2	2' pressure relief valves	27 ⁰⁰	54 ⁰⁰
23	3' Plastic couplers with 4 stainless steel clamps	30 ⁰⁰	69 ²³
16	3' tees	35 ⁰⁰	56 ⁰⁰
32	3" insert adapters with stainless clamps	29 ⁰⁰	92 ⁸⁰
15	3' x 18" risers valves with thread	129 ⁰⁰	193 ⁵⁰
2	3' x 2' valve opening ells	17 ⁵⁰	35 ⁰⁰
2	2' end plugs	33 ⁰⁰	6 ⁶⁰
25	Lengths 2' 20' Aluminum Lateral Pipe with 1090 RPO couplers	10 ⁶⁰	265 ⁰⁰
13	"3060 Rainbird Sprinklers with 5/32 nozzle	40 ⁰⁰	52 ⁰⁰
13	1x18 galv risers	10 ⁰⁰	13 ⁰⁰
we will dig and backfill trench for		TOTAL	3490 ³³

TERMS:—CASH DOWN \$.....

BALANCE

Payable as follows:

Without grace for value received, I promise to pay to the order of the Seller the above mentioned amounts, payable as hereinabove set forth. I agree that title to the merchandise hereinabove set forth shall at all times remain in the Sellers name, until this note is fully paid, and if the same be placed with an attorney for collection and suit I agree to pay a reasonable attorney's fee. If not paid at maturity this note shall draw interest thereafter at the rate of 8 percent per annum until paid. Upon failure on the part of the purchaser to make payments as herein specified, the Seller may repossess said property wherever found. Property shall not be removed from the premises without consent of Seller.

Accepted by

Seller

Buyer

PROFILED

JUL 20 2005



FERTILIZERS

Phone 785-1717

BLACKFOOT, IDAHO

P. O. Box 627

Customer Date.....

Address _____ Phone _____

TOTAL

Without grace for value received, I promise to pay to the order of the Seller the above mentioned amounts, payable as hereinabove set forth. I agree that title to the merchandise hereinabove set forth shall at all times remain in the Sellers name, until this note is fully paid, and if the same be placed with an attorney for collection and suit I agree to pay a reasonable attorney's fee. If not paid at maturity this note shall draw interest thereafter at the rate of 8 percent per annum until paid. Upon failure on the part of the purchaser to make payments as herein specified, the Seller may repossess said property wherever found. Property shall not be removed from the premises without consent of Seller.

Accepted by SCANNED

Seller _____ Buyer _____

SCANNED

JUL 20 2005

PROFILED

Agricultural Services, Inc.

IRRIGATION EQUIPMENT

PUMPS

FERTILIZERS

Phone 514

P. O. Box 627

Northwest Main Street

BLACKFOOT, IDAHO

September 25, 1964

Mrs. Elna Hinote
Inkom,
Idaho

Dear Mrs Hinote,

The following is a list of your invoices and amounts.

Invoice	13100	\$439.50
Invoice	13099	<u>\$2,161.70</u>

\$2,601.20 This Amount was paid

Invoice	~~14718~~ ✓	~~6.00~~ ^{85.80}
Invoice	15685 ✓	980.00
Invoice	15684 ✓	31.02
Invoice	15683 ✓	458.60
Invoice	15685 ✓	<u>.50</u>
		\$1,561.92

Invoice	15737 CM ✓	<u>25.72</u>
		\$1,536.20

Invoice	15178 CM ✓	<u>35.20</u> -
		\$1,501.00

Invoice	15179 ✓	7.50
Invoice	15253	126.85
Invoice	15134 ✓	<u>20.00</u> - 20.00

Total due as of Sept. 25, 64

		\$1,656.15	
Invoice	15252	<u>500.00</u>	cash
		\$1,156.15	✓

Enclosed please find note to cover balance of account. We are also sending copies of invoices covering last charges and credits on your account.

PROFILED

SCANNED
JUL 20 2005

BLACKFOOT, IDAHO

Date _____

Address

No.	15252	Rec'd by
-----	-------	----------

① 50056

PROFILED

SCANNEL
JUL 20 2005

BLACKFOOT, IDAHO

1964

Address

TERMS

\$ _____ Down and \$ _____ on the

Day of Each Month Beginning

197

Without grace for value received, I promise to pay to the order of Seller the above mentioned amounts, payable as hereinabove set forth. I agree that title to the merchandise hereinabove set forth shall at all times remain in the Seller's name, until this note is fully paid, and if the same be placed with an attorney for collection or suit, I agree to pay a reasonable attorney's fee. If not paid at maturity, this note shall thereafter draw interest at the rate of 8% per annum until paid. Upon failure on the part of the purchaser to make payments, as herein specified, the Seller may repossess said property wherever found. Property shall not be moved from premises without consent of Seller.

15178

Rec'd by

① БООД

PROFILED

SCANNED
JUL 20 2005

AGRICULTURAL SERVICES, INC.

FERTILIZERS

PUMPS

IRRIGATION EQUIPMENT

Phone SU 5-1717

P. O. Box 627

BLACKFOOT, IDAHO

Customer's
Order No.

Date Aug. 10 19 69

Name

Address

SOLD BY	CASH	C. O. D.	CHARGE	ON ACCT.	MDSE. RETD.	PAID OUT	
QUAN.	DESCRIPTION					PRICE	AMOUNT
2	3x1 saddles					79 ⁰⁰	1590
2	1" gate valves					47 ⁰⁰	94 ⁰⁰
2	1" short nipples					21	42
							<u>2572</u>
TERMS							

\$ _____ Down and \$ _____ on the _____

Day of Each Month Beginning _____ 19 _____

Without grace for value received, I promise to pay to the order of Seller the above mentioned amounts, payable as hereinabove set forth. I agree that title to the merchandise hereinabove set forth shall at all times remain in the Seller's name, until this note is fully paid, and if the same be placed with an attorney for collection or suit, I agree to pay a reasonable attorney's fee. If not paid at maturity, this note shall thereafter draw interest at the rate of 8% per annum until paid. Upon failure on the part of the purchaser to make payments, as herein specified, the Seller may repossess said property wherever found. Property shall not be moved from premises without consent of Seller.

No. 15737 Rec'd by _____

①50056

PROFILED

SCANNED
JUL 20 2005

AGRICULTURAL SERVICES, INC.

FERTILIZERS

PUMPS

IRRIGATION EQUIPMENT

Phone SU 5-1717

P. O. Box 627

BLACKFOOT, IDAHO

Customer's
Order No.

Date Sept. 25 1964

Name

Mrs. Mearns

Address

Idaho

SOLD BY	CASH	C. O. D.	CHARGE	ON ACCT.	MD9E. RETD.	PAID OUT		
			☒					
QUAN.	DESCRIPTION					PRICE	AMOUNT	
	Additional charge on							
	2-6" wye's connect.						6	00
1-	36x3' concrete tank						26	73
2	Bags dry mix					186	3	72
2	pieces brass screen						6	40
	Labor to install tank							
	and screens							
	2 men, two days							
	2 hours each day - 2 days					280 300	84	00
TERMS							126	85
\$	Down and \$				on the			

Day of Each Month Beginning

19

Without grace for value received, I promise to pay to the order of Seller the above mentioned amounts, payable as hereinabove set forth. I agree that title to the merchandise hereinabove set forth shall at all times remain in the Seller's name, until this note is fully paid, and if the same be placed with an attorney for collection or suit, I agree to pay a reasonable attorney's fee. If not paid at maturity, this note shall thereafter draw interest at the rate of 8% per annum until paid. Upon failure on the part of the purchaser to make payments, as herein specified, the Seller may repossess said property wherever found. Property shall not be moved from premises without consent of Seller.

No. 15253

Rec'd by

50056

PROFILED

SCANNED
JUL 20 2005

BLACKFOOT, IDAHO

Address

① 50055

SCANNED
JUL 20 2005

NAME Mrs. Lila Hlote
Inkoe,
 ADDRESS Idaho

A

DATE	REFERENCE	CHARGE	CREDIT	BALANCE
JUL 7 64	13.100			
AUG 7 64	13.099	439.50		
JAN 21 64 IS	13.312	2,161.70		
MAY 11 64	14.714		2,601.20-	2,601.20
JUL 31 64	15.685	6.00		.00
AUG 31 64	15.684	980.00		6.00
SEP 31 64	15.683	31.02		
OCT 31 64	15.683	458.60		
NOV 31 64	15.685	85.80		
DEC 10 64	15.737	.50		1,561.42
SEP 3 64	15.134		25.72-	1,561.92
SEP 4 64 CM	15.178	20.80		1,536.20
SEP 4 64	15.179			1,557.00
SEP 22 CS	15.252	7.50	35.20-	1,529.30
SEP 25	15.253	126.85	500.00-	1,029.30
				1,156.15

JE - JOURNAL ENTRY
 TX - TAX
 LC - ERROR CORRECTED
 DS - DISCOUNT
 DM - DEBIT MEMO
 LS - CASH
 CM - CREDIT MEMO
 SC - SHIPPING CHARGE
 RT - RETURNED MONEY

PROFILED

AGRICULTURAL SERVICES, INC.
 BLACKFOOT, IDAHO
 SCANNED
 JUL 20 2005

Memorandum

Date: July 12, 2002

From: Craig L. Saxton

Subject: Forfeiture of Rights 29-00285H, 29-00302, 29-00306

Field Exam on 6/26/02 – no signs of how Rapid Creek Water can currently make it to the claimed POU. When I asked claimant how long it has been since Rapid Creek water was used to irrigate the claimed POU I was not given a definitive answer.

Claimant states the spring water has been used since 1956 or 1957 which fits with licenses 29-02232 and 24-02497.

Statement on un-submitted transfer application states, "Ditch has been useless for several years. Previous owner of property did not keep ditch clean." This statement was made by the claimant in 1990.

In addition, During a field exam on 11/1/01 I found what I am told was the historical ditch that delivered Rapid Creek water to the claimants property (among others). As seen in the attached photograph, the ditch has not been maintained.

Based on the above evidence, I do not find any evidence that Rapid Creek water has been put to beneficial use since at least "several years" prior to 1990. In addition, the claimant has not provided any evidence to prove otherwise.

Recommend 29-00285H, 29-00302 and 29-00306 as forfeited.

SCANNED

JUL 20 2005

PROFILED

29-00285H, 29-00302, 29-00306

Historical Ditch Taken 11/1/01



Looking South. This is old historical ditch that runs on the hillside West of Rapid Creek Rd. This would have been the historical ditch that would have carried water to MD Morrison's property. Ditch has not been maintained or used for some time (CSAXTON).

PROFILED

SCANNED
JUL 20 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

July 12, 2002

M.D. MORRISON
BARBARA MORRISON
PO BOX 564
INKOM ID 83245

RE: Snake River Basin Adjudication (SRBA) claims 29-00258H, 29-00302, and 29-00306.

Dear Dan and Barbara,

I met with you on June 26, 2002 to discuss several SRBA claims. During our discussion we spoke of SRBA claims for both Rapid Creek water and spring/gulch water. I thought I would note that I did find your filings for the spring/gulch water and have no problem making a positive recommendation for those claims to the SRBA court.

However, I still have some issues with the Rapid Creek claims. At this time, I have no evidence that indicates you have used Rapid Creek water to irrigate your property for some time. As we discussed, at this time I have no choice but to recommend the above referenced claims for Rapid Creek as disallowed to the SRBA court.

However, if you feel my assessment is inaccurate, you can provide me with evidence of the last time Rapid Creek water was used on your property. This could be in the form of an affidavit or statement from yourself or a neighbor that has first hand knowledge of when the last time Rapid Creek water was diverted and used on your property. Evidence must be received by *August 2, 2002*.

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

Respectfully Submitted,

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

PROFILED

SCANNED

JUL 20 2005

JUN 11 2001

Log for claim A29-00285H

Spatial Dynamics LTD

8/24/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s36e	15	NESE	10	8.9	
Totals:			10	8.9	

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MD MORRISON	06/01/1884	IRRIGATION	03-15 11-15	0.200 CFS	
C	BARBARA E MORRISON PO BOX 564 INKOM ID 83245 (208) 775-3771					
					TOTAL DIVERSION:	0.200 CFS
					CONSUMPTIVE USE:	25.00 AFA

Water Source: RAPID CREEK

Tributary to: PORTNEUF RIVER

Stage: DECREED

Point(s) of Diversion:

T07S R36E S11

SENWSW

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	36E	15	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
																			10	
																			TOTAL ACRES	10.0

POU County: BANNOCK

Other Rights: 29-00302, 00306, 02232, 02497

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

A29-00285I A29-00285J A29-00302 A29-00306 A29-00307A A29-00307B A29-02595

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

A29-00285D A29-00302 A29-00306 A29-02232 A29-02497

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the
- watermaster of State Water District No. 29F.

Remarks: GEN

WATER USED JOINTLY ON ROTATION.

SEE DECREE FOR INDIVIDUAL LAND DESCRIPTIONS.

*** SPLIT RIGHT HAS BEEN CLAIMED AS FOLLOWS:

A29-00285A - .20CFS TO SAMUEL CHANDLER

A29-00285B - .20CFS TO GEORGE CHANDLER

A29-00285C - .20CFS TO IRVIN SPRAKER

A29-00285D - .20CFS TO M.D. MORRISON, ESV 3/2/90

A29-00285E - .20CFS TO MELVIN J. ANDERSON, 3/22/90.

A29-00285F - .20CFS TO MELVIN J. ANDERSON, 3/22/90.

MR. ANDERSON FELT BY FILING ON TWO RIGHTS THIS WOULD BETTER
REPRESENT HIS TWO PURCHASES OF LAND WITH EACH HAVING PORTIONS
OF THIS RIGHT.

A29-00285G - .16CFS TO WESLEY KENT 3/22/90 HHHHHHHHT!

__A29-10790 __0.06 WALTER FRIEDEL

AJ5809NP
No. A29-00285H

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 27

=====

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number: 29F	Field Inspection Flag:	
		Presumption Flag:	
Audit:	04/25/90 WILSON	04/04/94 THOMPSON	03/29/95 POST-STD

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant M.D. MORRISON OR BARBARA E. MORRISON Phone 775-3771
Post Office address P.O. Box 564, INKOM, ID. 83245

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes CONVERT FROM EARTH DITCH DELIVERY TO GRAVITY FLOW PIPELINE.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ae-ft)	Nature of Use	Period of Use
<u>Former 29-0285</u>	<u>JUNE 1, 1884</u>	<u>0.20</u>	<u>IRR.</u>	<u>4/1</u> to <u>11/1</u>
<u>29-0302</u>	<u>JUNE 1, 1904</u>	<u>0.80</u>	<u>IRR.</u>	<u>4/1</u> to <u>11/1</u>
<u>29-0306</u>	<u>JUNE 22, 1906</u>	<u>0.50</u>	<u>IRR.</u>	<u>4/1</u> to <u>11/1</u>

2. Total amount of water being transferred 1.5 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water INMAN CREEK tributary to RAPID CREEK.
4. Point(s) of Diversion: _____

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SW	SE	11	7S	36E	BANNOCK	

5. Lands irrigated or place of use

Twp.	Rge.	Sec.	NE 1/4	NW 1/4	SE 1/4	Totals
7S	36E	15			10	10

• NEED COPY OF TAX NOTICE
• STATEMENT FROM OTHER OWNERS OF 1884 RT.
STATING THEY HAVE NO PROBLEM w/ YOU MOVING THE DIVERSION FOR YOUR PORTION.
• \$50.00
• NOTE FROM CHANDLER'S GIVING PERMISSION TO USE PIPELINE.

Total acres 10

PART 1**6. General Information:**

a. Description of diversion system HEADGATE IN STREAM TO DITCH. ~ 1/4 MILE DOWN
DITCH TO PIPELINE INTAKE. PIPELINE OWNED BY SAM CHANDLER WHO
HAS GIVEN PERMISSION TO APPLICANT TO EXTEND SYSTEM TO HIS PROPERTY

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

NO CHANGE

d. Remarks:

THERE ARE NO OTHER DIVERSIONS FROM INMAN CREEK BETWEEN IT (DIVERSION)
AND THE ~~APPROX~~ CONFLUENCE w/ RAPID CREEK. ~~RAPID CREEK~~
99-00285- IS ROTATED B/T SEVERAL OWNERS. SEE DECEED

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 29-00302 Decreed to A.S. DAMON
in case of CHARLES STEWART vs. A.S. DAMON, ET AL
dated 6-22-1906 in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water RAPID CREEK tributary to PORTNEUF RIVER

4. Date or priority 6-1-1904

5. Water is used for the following purpose:

amount 0.80 for IRR purposes from 47 to 47
(cfs/ac-ft) _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____

6. Total amount of water under right 0.80 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SW	SE	11	7S	36E	BANNOCK	

8. Lands irrigated or place of use:

Twp.	Rge.	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	
7S	36E	15													X			X	

Total acres NOT LISTED

9. Describe any other water rights used for the same purpose as described above 29-02332, 02497

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 29-0285 Decreed to A. J. DAMRON, ET AL
in case of CHARLES E. STEWART vs. A. J. DAMRON, ET AL.
dated 6-22-1906 in BAUWOCK county of IDAHO
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water RAPID CREEK tributary to PORTNEUF RIVER

4. Date or priority 6-1-1884

5. Water is used for the following purpose:

amount 0.20 for IRR. purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.20 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	NW	SW	11	7S	36E	BAUWOCK	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
<u>7S</u>	<u>36E</u>																		
			NO CHANGE - PORTION OF RIVER OWNED BY APPLICANT -																
			T7S R36E SEC 15. NE ¼, SE ¼																
			10 ACRES																

Total acres 10

9. Describe any other water rights used for the same purpose as described above 29-02232, 02497

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

YES

If yes, describe

DITCH HAS BEEN ^{USE LESS} ~~UNUSABLE~~ FOR SEVERAL YEARS.

PREVIOUS PROPERTY OWNER DID NOT KEEP DITCH CLEAN.

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED SEE REMARKS.

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	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	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	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	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 29-00306 Decreed to A. J. DAMON
in case of CHARLES E. STEWART vs. A. J. DAMON, ET AL.
dated 6-22-1906 in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water RAPID CREEK tributary to PORTNEUF RIVER

4. Date or priority 6-22-1906

5. Water is used for the following purpose:

amount 0.50 for IRR purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.50 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SW	SE	11	7S	36E	BANNOCK	

8. Lands irrigated or place of use:

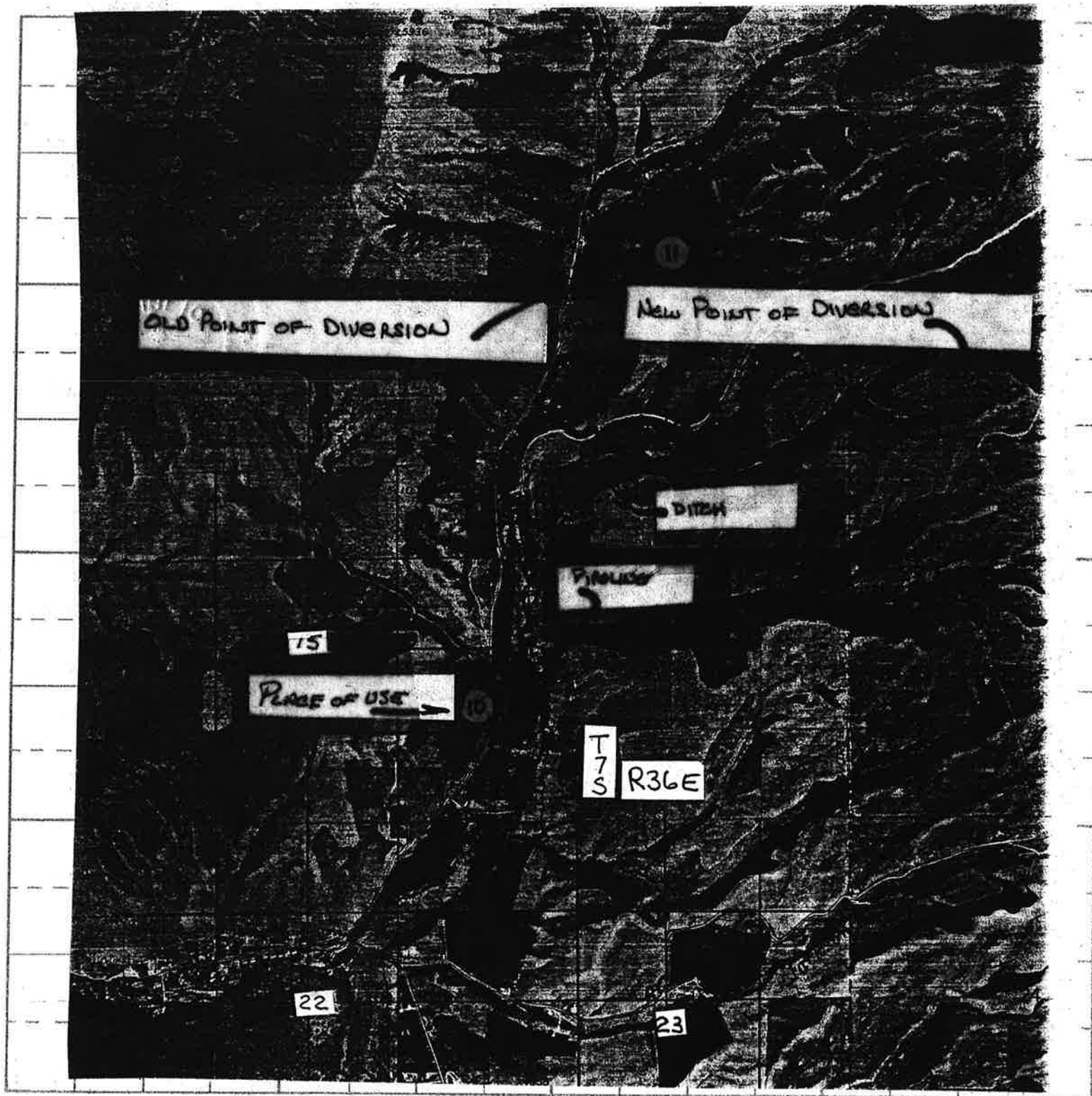
Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
7S	36E	15													X			X	

Total acres NOT LISTED

9. Describe any other water rights used for the same purpose as described above 29-02332, 2497

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

PART 3**B. CHANGES IN NATURE OF USE**

1	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 2 day of March, 19 90.

(Signature of Applicant)

(Notary Public)

My commission expires 22 Aug 1994**FOR DEPARTMENT USE ONLY**

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. check by _____ Fee _____

Receipted by _____ Date _____

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

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: A29-00285H
Date Received: 4/25/1990
Receipt No: E013629
Received By: Kaw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: *Dan* M.D. MORRISON 208-775-3771
Address: P.O. BOX 564
INKOM, ID 83245

OR
Name: BARBARA E. MORRISON 208-775-3771
Address: P.O. BOX 564
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	11	SE	NW	SW		BANNOCK

5. Description of diverting works:
HEADGATE TO DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.200		

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

8. Total consumptive use is 25.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
07S	36E	15	NE	SE		IRR	10.0

A29-00285H

Page 1

Date: 04/25/90

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NOV 13 1992

A2900285H



10. Place of Use: Continued

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:
29-00302, 00306, 02232, 02497

14. Remarks:

WATER USED JOINTLY ON ROTATION.
SEE DECREE FOR INDIVIDUAL LAND DESCRIPTIONS.
*** SPLIT RIGHT HAS BEEN CLAIMED AS FOLLOWS:
A29-00285A - .20CFS TO SAMUEL CHANDLER
A29-00285B - .20CFS TO GEORGE CHANDLER
A29-00285C - .20CFS TO IRVIN SPRAKER
A29-00285D - .20CFS TO M.D. MORRISON, ESV 3/2/90
A29-00285E - .20CFS TO MELVIN J. ANDERSON, 3/22/90.
A29-00285F - .20CFS TO MELVIN J. ANDERSON, 3/22/90.
MR. ANDERSON FELT BY FILING ON TWO RIGHTS THIS WOULD BETTER
REPRESENT HIS TWO PURCHASES OF LAND WITH EACH HAVING PORTIONS
OF THIS RIGHT.
A29-00285G - .16CFS TO WESLEY KENT 3/22/90 HHHHHHHHHT!
A29-10790 0.06 WALTER FRIEDEL

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

CHARLES E. STEWART, ET. AL.
Decree Plaintiff

A. J. DAMRON, ET. AL.
Decree Defendant

vs

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): M. Morrison Date: 4-25-90

Date: _____

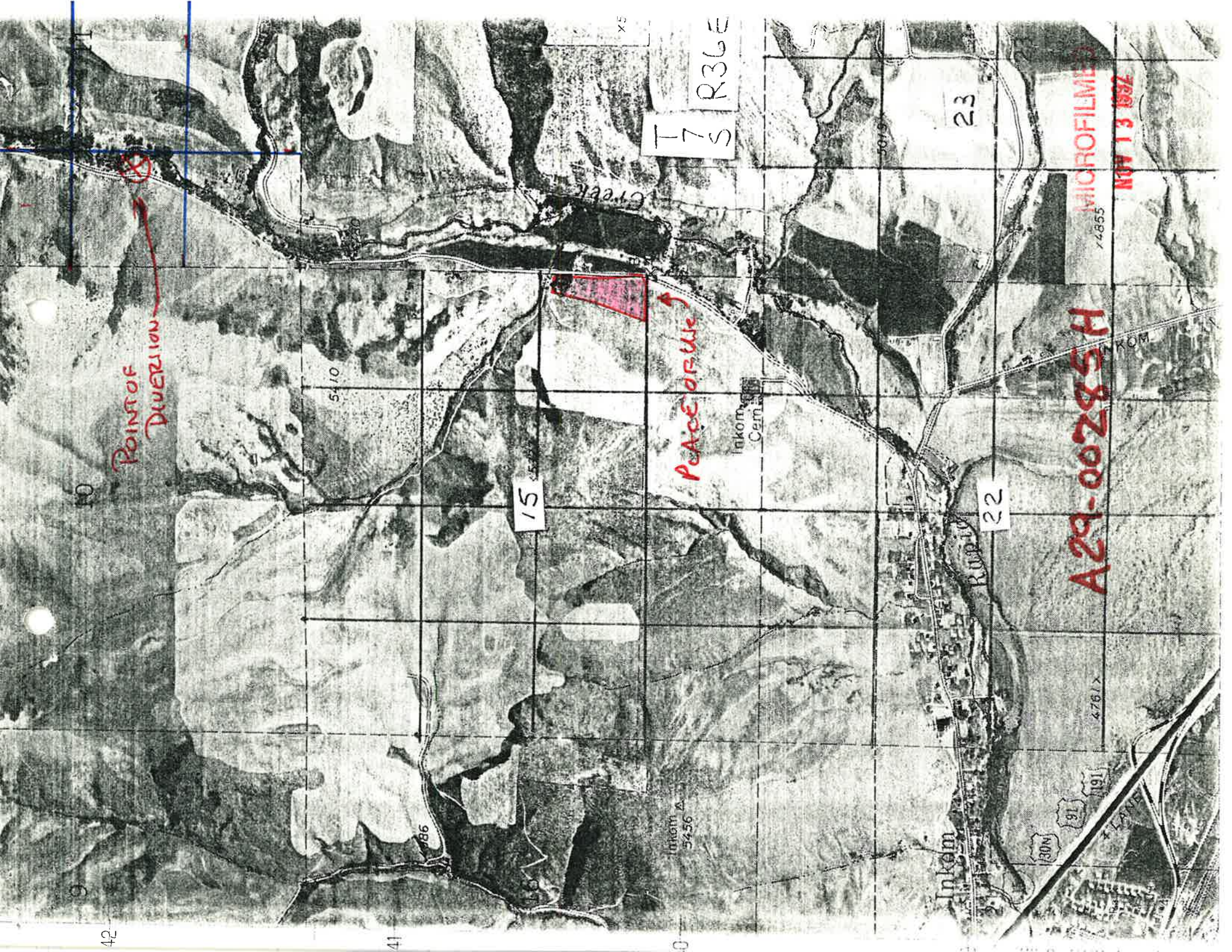
State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 25 day
of April 19 90

Betty J. Thompson
Notary Public

Seal

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



Point of Diversion

Peace or War

T 7 S

R36E

A29-00285H

MICROFILMED

7891 21 APR 1982