

01/09/2003

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

RIGHT NUMBER: 29-290B
NAME AND ADDRESS: MIKE LUKER
PO BOX 297
INKOM ID 83245

SOURCE: RAPID CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.200 CFS
10.500 AFY

PRIORITY DATE: 06/01/1885

POINT OF DIVERSION:

T07S R36E S21 NENWSE 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 10.50 AFY

PLACE OF USE: IRRIGATION Within BANNOCK County

T07S R36E S21 NWSE 3.0

3 ACRES TOTAL

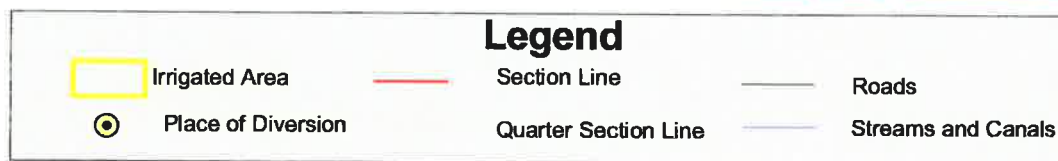
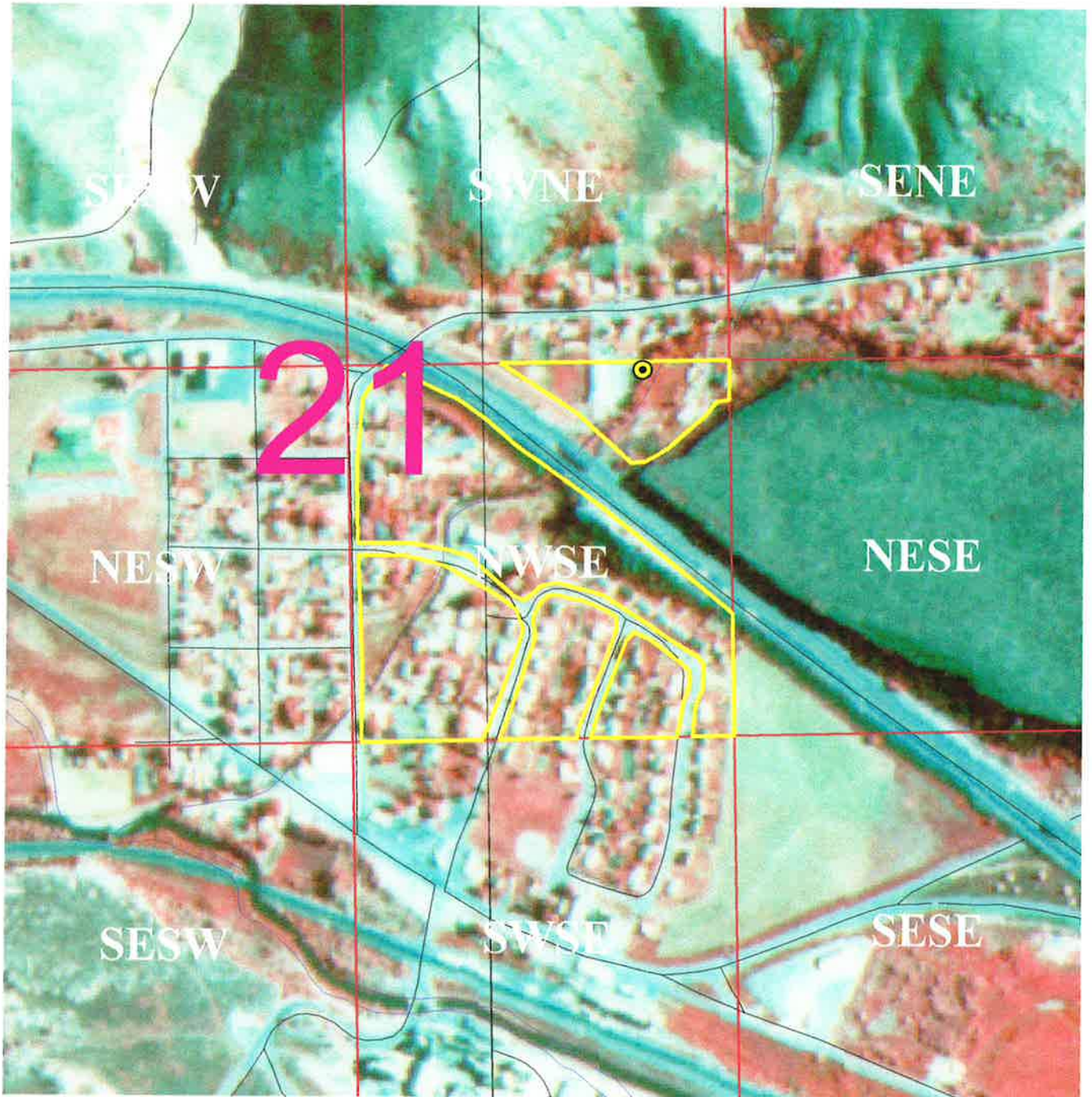
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

EXPLANATORY MATERIAL: Decreed

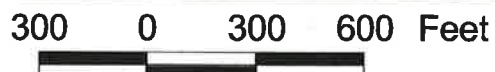
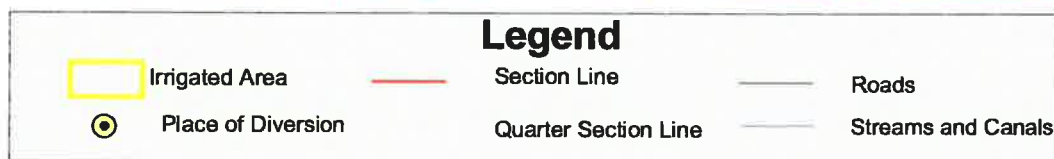
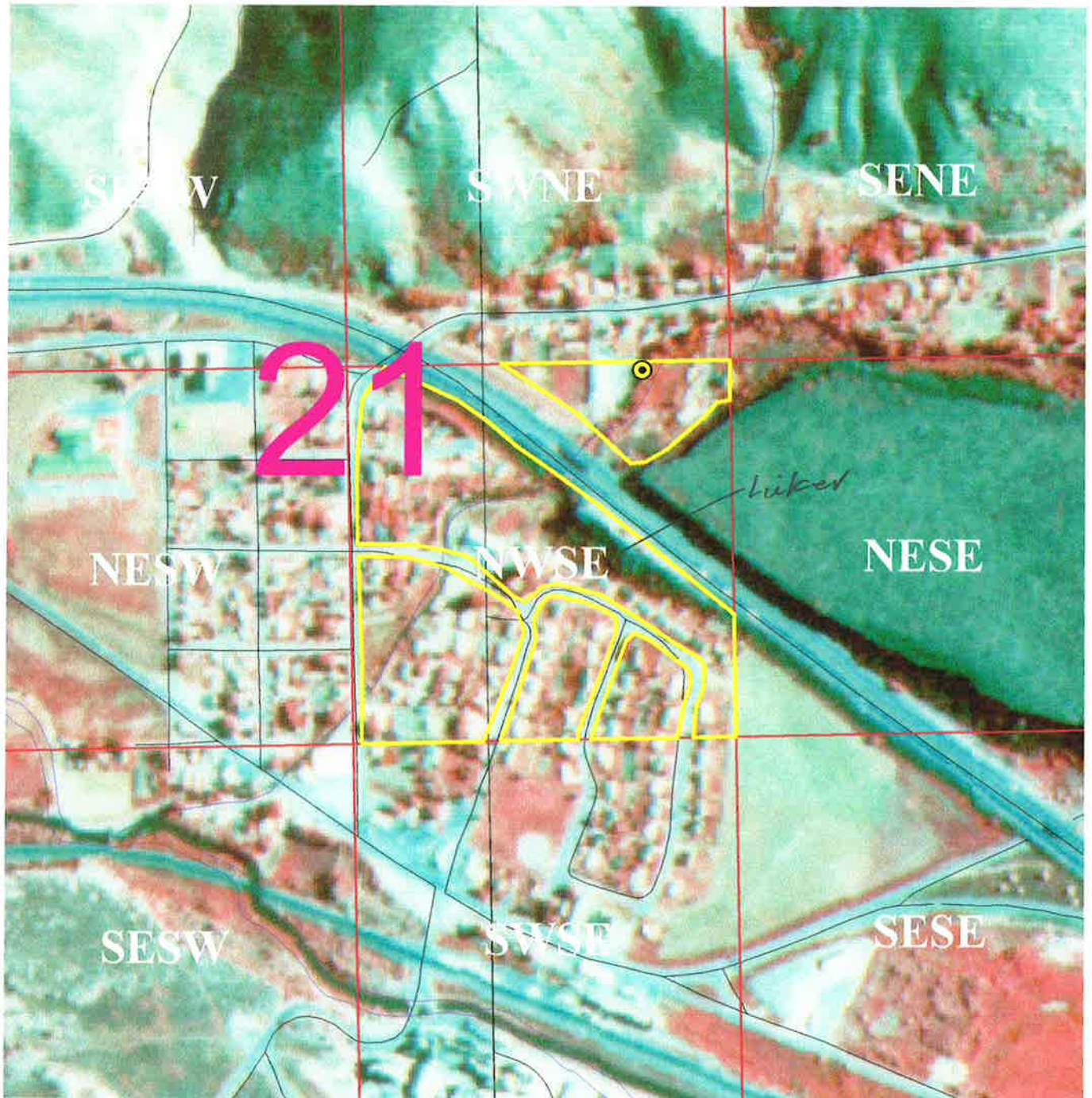
Water Right Claim Number A29-00290B
Township , 7S36E

08/24/2000



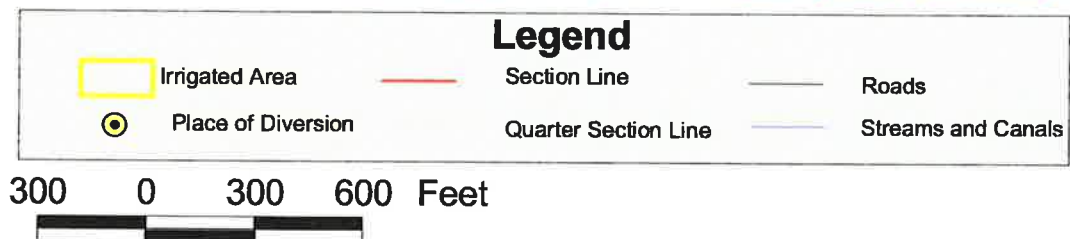
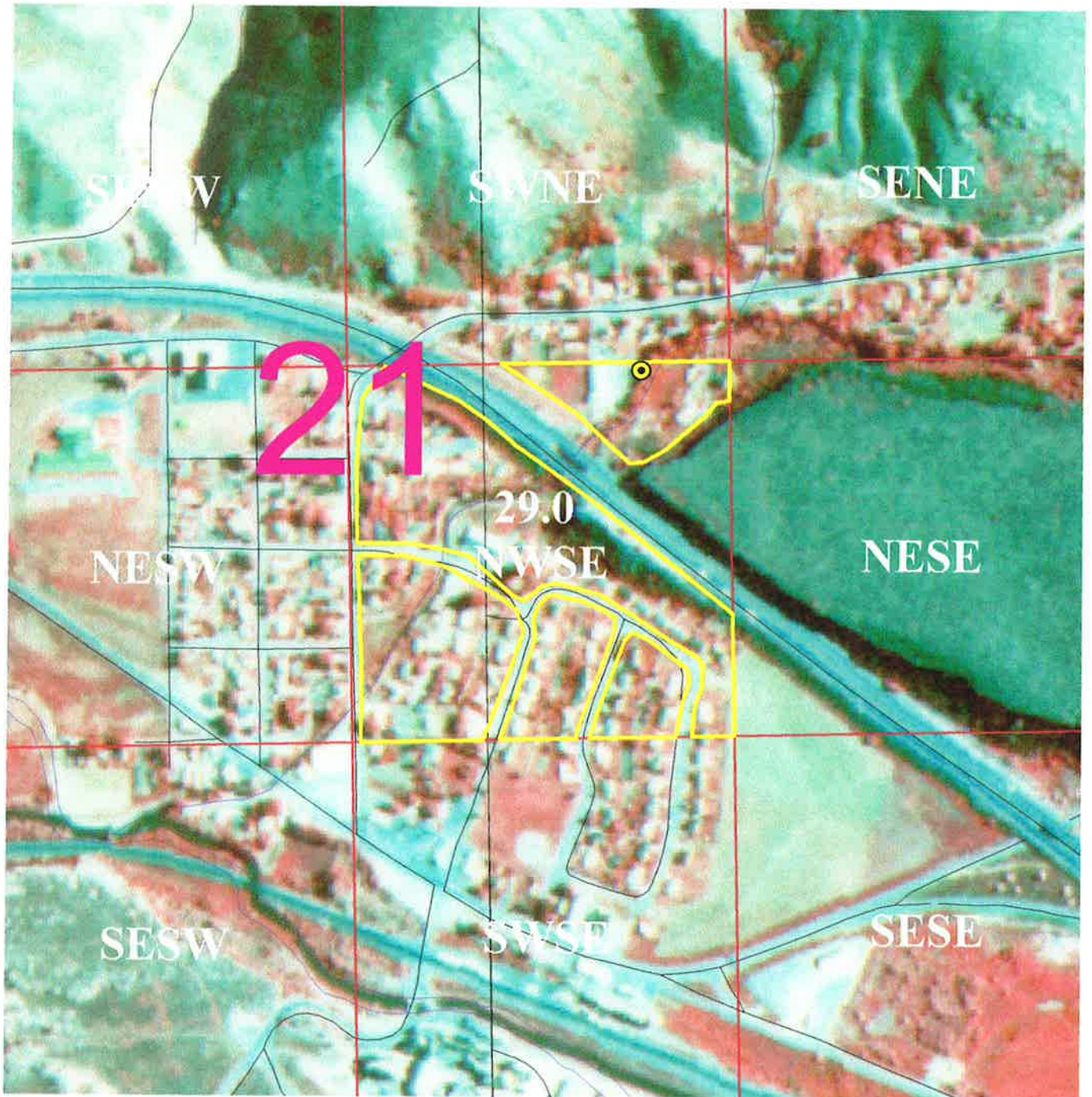
Water Right Claim Number A29-00290B
Township , 7S36E

08/24/2000



Water Right Claim Number A29-00290B
Township , 7S36E

08/24/2000



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-290B V1

WATER RIGHT NUMBER: 29-290B V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MIKE LUKER PO BOX 297 INKOM, ID 83245 (208)775-3757
Original Owner	CHARLES E STEWART , ID

Priority Date: 06/01/1885

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	10.50 AF
	<u>Total Diversion:</u>	0.200 CFS	10.50 AF

Location of Point(s) of Diversion

RAPID CREEK	NE1/4NW1/4SE1/4	Sec. 21, 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	21															3.0		3.0

Total Acres: 3

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:Comments:

1. csaxton 1/9/2003 Recommendation
Comment: Recommended per TR 2885.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-290B V1

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:
 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	1/9/2003 10:27:57 AM	csaxton			Active
Priority Date	1/9/2003 10:28:53 AM	csaxton			Active
POD	1/9/2003 10:29:41 AM	csaxton			Active
Source	1/9/2003 10:31:41 AM	csaxton			Active
POU	1/9/2003 10:32:56 AM	csaxton			Active
Use	1/9/2003 10:33:42 AM	csaxton			Active
Season	1/9/2003 10:34:00 AM	csaxton			Active
Quantity	1/9/2003 10:35:14 AM	csaxton			Active
Summary			01/09/2003	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	1/9/2003 10:27:57 AM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: FE 7/17/02
Priority Date	1/9/2003 10:28:53 AM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-290B V1

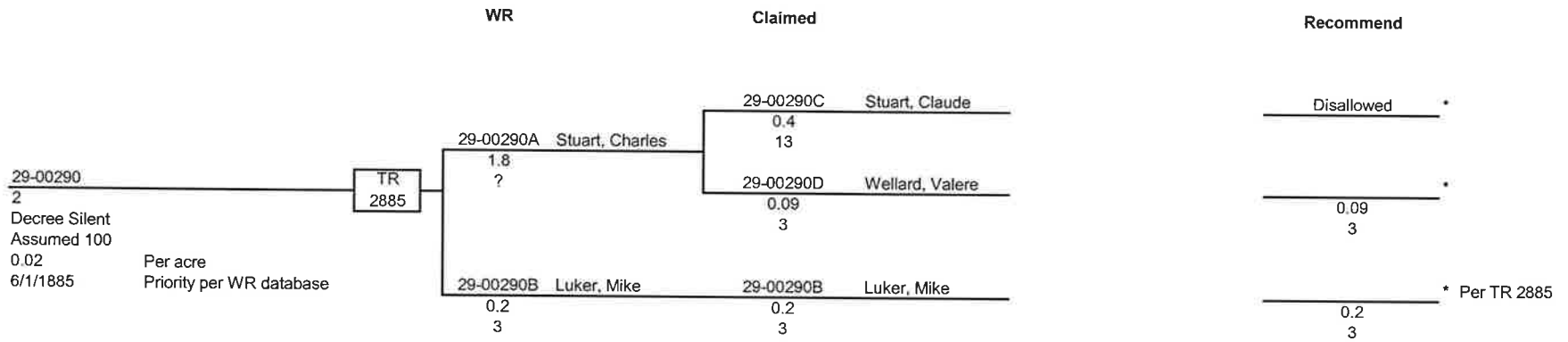
POD	1/9/2003 10:29:40 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (No) 4. Does the Decree or License have a POD? (Yes) 6. Is there evidence that there has been a change in the POD? (No) 7. Can the change be verified as an accomplished transfer? (Yes) 8. Was a transfer filed? (No) 10. Is a POD remark and/or condition required? Description for Question 6 - TR 2885 defines POD Description for Question 8 - TR 2885 defines POD
POD	1/9/2003 10:30:17 AM	csaxton	Edited point location
POD	1/9/2003 10:30:30 AM	csaxton	Edited PLS
Source	1/9/2003 10:31:40 AM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	1/9/2003 10:32:55 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
Use	1/9/2003 10:33:42 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
POU	1/9/2003 10:33:11 AM	csaxton	Edited shape boundary
Season	1/9/2003 10:33:59 AM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-290B V1

Quantity	1/9/2003 10:35:13 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 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? Description for Question 10 - Per TR 2885
Summary	1/9/2003 10:36:41 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (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?

Split history for Decreed Right 29-00290



Sum of claimed CFS =	0.69
Sum of claimed Acreage =	19

Sum CFS=	0.29	#
Sum Acre=	6	#

Un-accounted for CFS=	1.71	#
Un-accounted for Acres=	N/A	#

This right is under-claimed and under-recommended. Because of this, recommend 1 1/2 inch per acre for rights under 5 acres.

JUL 15 2005
 SCANNED

PROFILED



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s): 29-00290B



1320

0

1320 Feet

Total Irrigated Acres: 3.0



Point(s) of Diversion



Place of Use



Quarter Quarter Lines



Section Lines

PROFILED

SCANNED

JUL 15 2005



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

9-6-01 : TR 2885 Indicates 0.20 cfs on "Appx" 3 acres of Irrigation. Diversion Rate seems excessive.

: POU - Within TR 2885 POU

: Source - as Decreed

9-11-01 : Luke Still uses Right
According to Chaudhary

: mid 1980's 10 or 11 years

7-17-02 :

FE

Go Right

Village Mart

Left O/W Mart + Post Office

Go all the way to End

Chain Link Fence

266 E Lincoln Ave

Ranch type Gate

old Farm House - 400-ton Hay Barn

: 1975 changed POU - Claimant owned property

: Found historical POU. No signs of recent use. But TR Signed in 1984. 6 years before claim Filed. Give benefit of doubt.

1-9-03 : POU Determined by using USGS OrthoQuad to draw shape in ArcView. Then shape moved and Super-imposed on NAPP Photography. Recommend Transferred acreage and Diversion Rate

: Period of use not defined in TR 2885. Rec Current Standard of 4/1 - 10/31.

: TR 2885 Assign Volume limitation of 10.5 AFA

: POU - TR 2885 defines 2 POU's. But only one POU Claimed

PROFILED

SCANNED

JUL 15 2005



PROTECTED

JUL 15 2005

SCANNED

Looking NE at Claimed Pool



29-00290 B
FF: 7-17-02

29-00290B
FE: 7-17-02



Looking at old headgate



Looking @ Claimed POU
VE

PROFILED

JUL 15 2005

SCANNED

JUN 11 2001

Log for claim A29-00290B

Spatial Dynamics BTB

8/24/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s36e	21	NWSE	3	29	Indiscernible
Totals:			3	29	

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
	Stewart, Charles E.	2.0		29-0290
2885	Luker, Mike	0.2		29-0290B
	Stewart, Charles E.	1.8		29-0290A

T

R

A

N

S

F

E

CHITCO

Transfer No. 2885Water Right No. 29-0290

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

APPROVEDName of applicant Mike Luker Phone 775-3757Post Office address Box 297, Inkom, ID 83245**A. DESCRIPTION OF RIGHT AS RECORDED****1. Right evidenced by:**

a. Decree No. 29-0290 Decreed to Charles E. Stewart
(Name)
in case of Charles E. Stewart vs A. J. Damron
dated in June 22, 1906 in Fifth Judicial Dist county of Bannock County
(Name of court)

b. License No. _____ issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenantApplicant acquired right through purchase of property3. Source of water Rapid Creek tributary to Portneuf River4. Date of priority 1885**5. Water is used for the following purposes:**

amount 2.00 cfs for irrigation purposes from in decree to Period of use not listed
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day - both dates inclusive)

6. Total amount of water under right a. 2.00 cubic feet per second
b. _____ &/or
acre feet per annum

7. Location of original point of diversion is _____ of _____ 1/4 of Section _____

Township _____ Range _____ T. R. in _____ County

Additional points of diversion, if any Description of point of diversion not listed in decree**8. Lands irrigated or place of use**

TWP	RANGE	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	21														X	X	X	
		28	X																

Total acreage not listed in decree
Total number of acres to be irrigated

9. Describe any other water rights used for the same purpose as described above None

10. To your knowledge, is the right being transferred by this application at five or more consecutive years of non-use? No

11. Remarks

DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (entire right is owned by the applicant, omit part B)

1. Amount of water: a. 0.20 cubic feet per second & or
b. _____ acre feet per annum
2. Point of diversion _____ Township _____
Range _____ B.M. _____ County _____
Additional points Not given
3. Place of use: _____

TWP	RANGE	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	21														X			

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information
 - a. Amount of water to be diverted 0.20 c.f.s. &/or _____ acre feet
 - b. Description of diverting works Concrete headgate on north side of Interstate 15 where it crosses Rapid Creek
 - c. Describe the reasons for the proposed changes A second diversion was established approximately 75 yds. below original diversion when Interstate 15 was constructed.

2. Change in point of diversion

Point of diversion NW 1/4, SE 1/4, Section 21 Township 7S
Range 36E B.M. Bannock County _____
Additional points Both points of diversion are situated in the same 40-acre subdivision

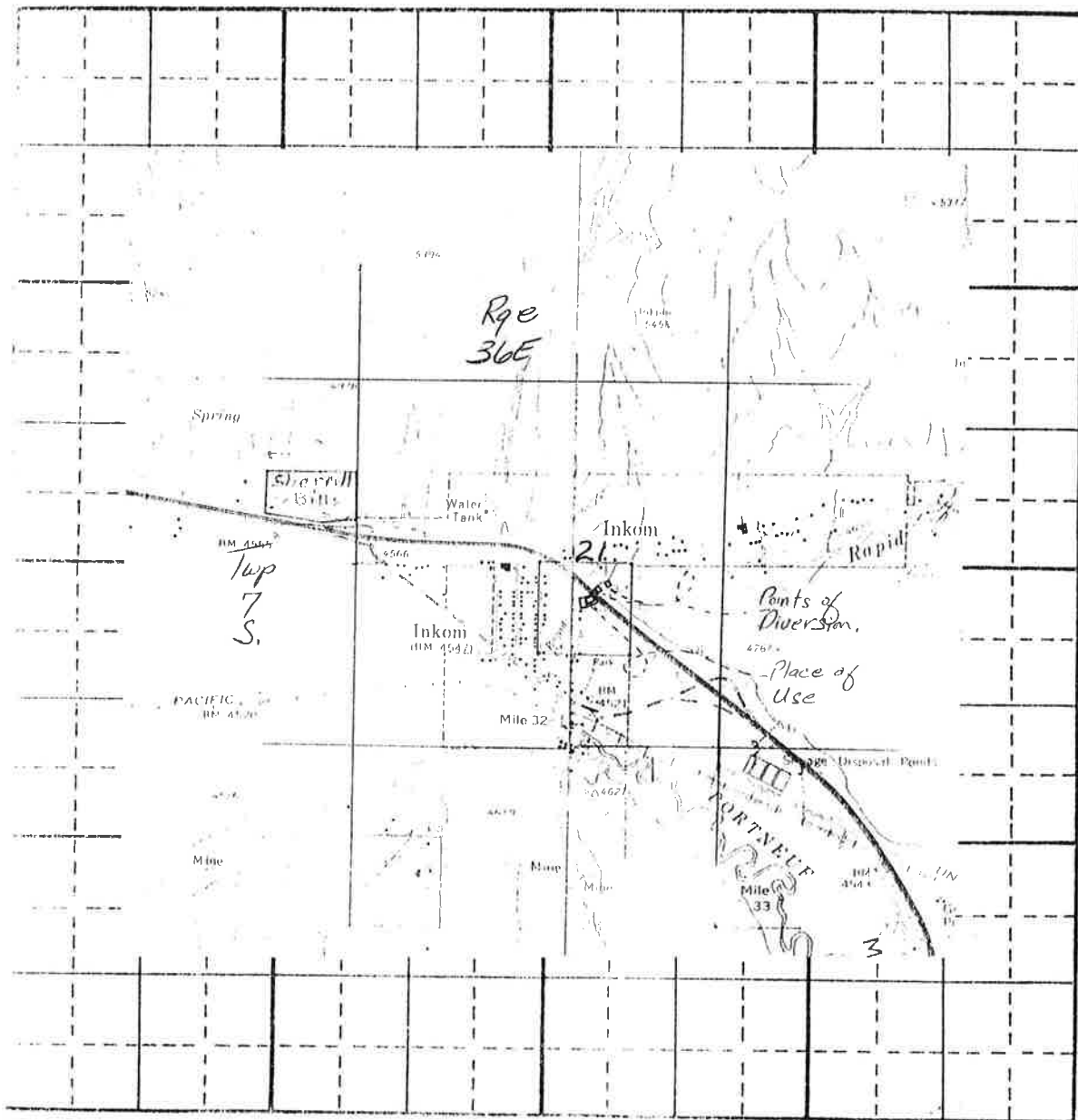
3. Change in place of use
 - a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No X If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
 - b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
There is no proposed change in the place of use.

c. Describe the lands or place of use to which the right will be transferred:

TWP	RANGE	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	37E	21														X			3.0 (approx.)

Total number of acres to be irrigated

- Describe any other water rights used for the same purpose as described above. None
- Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



Scale: 1 inch = 1.24,000 feet

MICROFILMED

D. REMARKS

The purpose of this application is to make record of my entitlement to 10 inches of this right and to identify the location of both points of diversion used for delivery of this water.

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 willfull misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 6th day of

Mike Luker
(Signature of Applicant)

19 83

Calvin Way
(Notary Public)

My commission expires 6-15-85

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 29-02908

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

1. Use of water under this right is subject to control by the watermaster of State Water District No. 29F, Rapid Creek.
2. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
3. Maximum volume diverted under this transfer shall not exceed 10.5 AF/acre/annum.

Witness my hand this

5th day of

January

19 84

J. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by EMC Date 6/6/83 Protest filed by
Prelim check by Kew Fee \$30.00
Re-cepted by CW Date 6-6-83 #26394
Published in Idaho State Journal
Pub. dates 7/14 & 7/21/83
Watermaster recommendation requested on WD#29
7-14-83 rec'd. 8-01-83
Recommended for approval denial
by Jim Dier

AMICROFILMED

AJ5809NP
No. A29-00290B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 35

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MIKE LUKER PO BOX 297 INKOM ID 83245 (208) 775-3757	06/01/1885	IRRIGATION	03-15 11-15	0.200 CFS	
					TOTAL DIVERSION:	0.200 CFS
					CONSUMPTIVE USE:	7.50 AFA

Water Source: RAPID CREEK

Tributary to: PORTNEUF RIVER

Stage: DECREED

Point(s) of Diversion: T07S R36E S21 NENWSE 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	:	SUM	
07S	36E	21	:															
																03		3.0
																TOTAL ACRES		3.0

POU County: BANNOCK

Non-Irrigation Uses: S, 12 HEAD CATTLE & HORSES

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-00290C

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00288F A29-00290A A29-00290C

Remarks: GEN AS PER TRANS. #2885.
DIVERSION WORKS ENTER INTO A 24" CONCRETE PIPE PASSING UNDER
I-15 INTO A 4'X4'X6' CONCRETE DISTRIBUTION BOX.
FISH POND AND STOCK WATER USE IS INCIDENTAL TO IRRIGATION .

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

Misc: Water District Number: 29F Field Inspection Flag:
Presumption Flag:

Audit: 03/29/90 HAUMANN 04/04/94 THOMPSON 03/29/95 POST-STD



JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

January 6, 1984

RE: Transfer of Water Right No. 29-02908

Mike Luker
Box 297
Inkom, ID 83245

Dear Mr. Luker:

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 2885). Be sure to note the conditions of approval as listed on the fourth page.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:sc

Enclosure

RECEIVED

JAN 11 1984

Department of Water Resources
Eastern District Office

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
	Stewart, Charles E.	2.0		29-0290
2885	Luker, Mike	0.2		29-0290B
	Stewart, Charles E.	1.8		29-0290A

TRANS

Transfer No. 2885
Water Right No. 29-0290STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Name of applicant Mike Luker Phone 775-3757
Post Office address Box 297, Inkom, ID 83245

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 29-0290 Decreed to Charles E. Stewart
in case of Charles E. Stewart A. J. Damron
dated in June 22, 1906 in Fifth Judicial Dist county of Bannock County
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant
Applicant acquired right through purchase of property

3. Source of water Rapid Creek tributary to Portneuf River

4. Date of priority 1885

5. Water is used for the following purposes
amount 2.00 cfs for irrigation Period of use not listed
amount _____ for _____ purpose from _____ to _____
amount _____ for _____ purpose from _____ to _____
amount _____ for _____ purpose from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right 2.00 cubic feet per second
or
cubic feet per annum

7. Location of original point of diversion is _____ of Section _____
Township _____ Range _____ County _____
Additional points of diversion, if any _____
listed in decree _____ Description of point of diversion not _____

8. Lands irrigated or place of use:

TWP	RANGE	SEC	NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7S	36E	21											X	X	X
		28	X												

Total acreage not listed in de
Total number of acres to be irrigated

9. Describe any other water rights used for the same purpose described above None

DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If entire right is owned by the applicant, omit part B).

1. Amount of water: a. 0.20 cubic feet per second & or
b. _____ acre feet per annum
2. Point of diversion: _____ Township _____
Range 36E County _____
Additional points Not given
3. Place of use: _____

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				NT	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	
7S	36E	21											X			

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information
 - a. Amount of water to be diverted 0.20 cfs & or _____ acre feet
 - b. Description of diverting works Concrete headgate on north side of Interstate 15 where it crosses Rapid Creek
 - c. Describe the reasons for the proposed changes A second diversion was established approximately 75 yds. below original diversion when Interstate was constructed.
2. Change in point of diversion

Point of diversion NW SE 21 Township 7S
Range 36E B.M. Bannock County _____
Additional points Both points of diversion are situated in the same 40-acre subdivision
3. Change in place of use
 - a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No X If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
 - b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer There is no proposed change in the place of use.

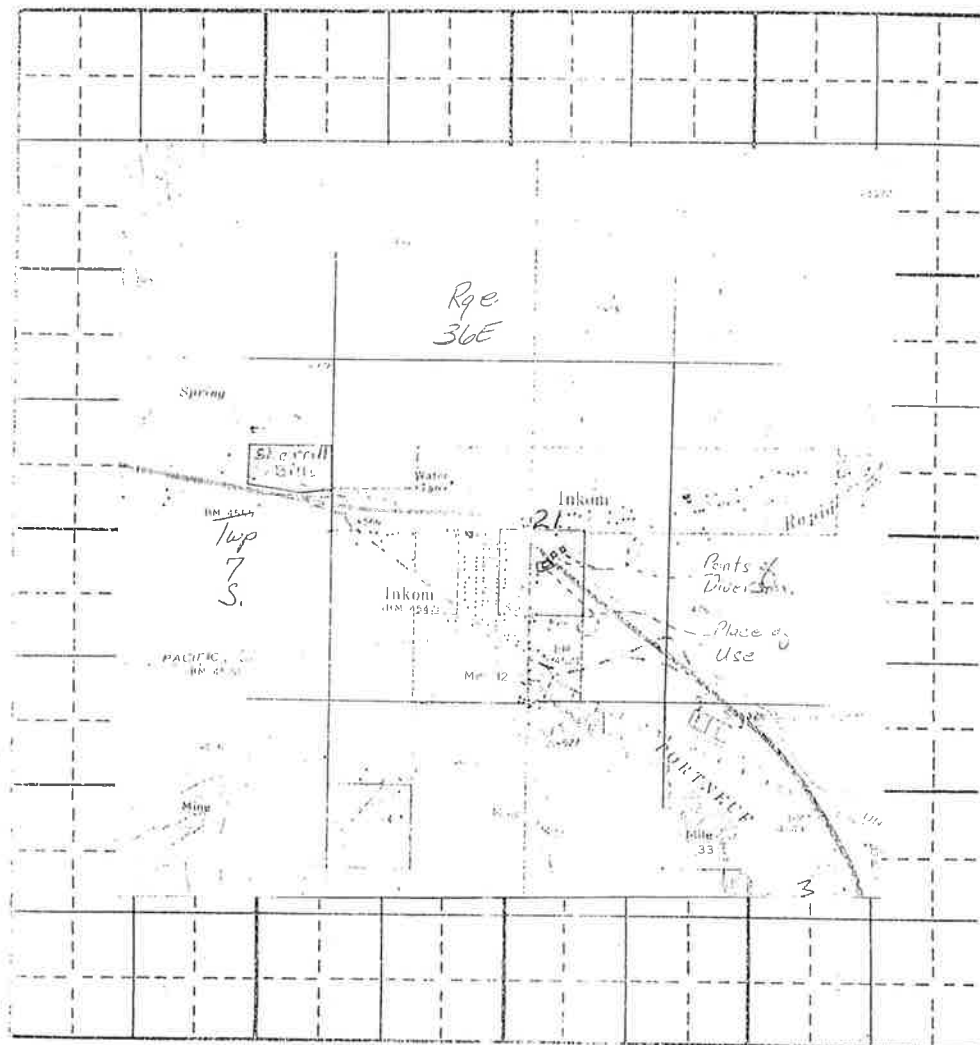
3. Describe the land or place of use to which the right will be transferred:

TWP.	RANGE	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	37E	21														X			3.0 (ac)

4. Number of acres to be irrigated

4. Describe any other water rights used for the same purpose as described above. None

5. Draw a map indicating the new point(s) of diversion and the new land to be irrigated. Show clearly the land involved by section, township and range number.



REMARKS

The purpose of this application is to make a record of my entitlement to 10 inches of this right and to identify the location of both points of diversion used for delivery of this water.

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 6th day of

Mike Luker
(Signature of Applicant)
1983
C. Allen May
(Notary Public)

My commission expires 6-15-85

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 29-0290B and said application is hereby APPROVED, subject to the following limitations and conditions:
1. Use of water under this right is subject to control by the watermaster of State Water District No. 29F, Rapid Creek. 2. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works. 3. Maximum volume diverted under this transfer shall not exceed 10.5 AF/acre/annum.

Witness my hand this 5th day of

January

1984

J. Min Saxon
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by EMC Date 6/6/83

Prelim. check by KCW Fee \$30.00

Received by CW Date 6-6-83 #26397

Published in Idaho State Journal

Pub. dates 7/14 & 7/21/83

Watermaster recommendation requested on WD #29

7-14-83 rec'd. 8-01-83

Protest filed

Copies of protest forwarded by

Hearing held by Date

Recommended for approval denial

by Jim DRT

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: A29-00290B

Date Received: 3/29/1990

Receipt No: MOO 6416

Received By: RD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MIKE LUKER
Address: P.O. BOX 297
INKOM, ID

208-775-3757

83245

OK
or 232-6953

2. Date of Priority: JUN 01, 1885

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	21	NE	NW	SE		BANNOCK

5. Description of diverting works:
CONCRETE HEADGATE IN RAPID CREEK TO GRAVITY FLOW IRRIGATION

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 7.5 Acre Feet Per Annum.

9. Non-irrigation uses:
S, 12 HEAD CATTLE & HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
07S	36E	21	NW	SE		IRR	3.0
			NW	SE		STOCK	

Section Acres 3.0

A29-00290B

Page 1

Date: 03/29/90

MICROFILMED

NOV 13 1992

A2900290B



10. Place of Use: Continued

Total Acres 3.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
NONE

14. Remarks:

AS PER TRANS. #2885.

DIVERSION WORKS ENTER INTO A 24" CONCRETE PIPE PASSING UNDER
I-15 INTO A 4'X4'X6' CONCRETE DISTRIBUTION BOX.

FISH POND AND STOCK WATER USE IS INCIDENTAL TO IRRIGATION .

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

CHARLES E. STEWART, ET. AL.
Decree Plaintiff

vs

A. J. 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 ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 2

For Individuals:

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

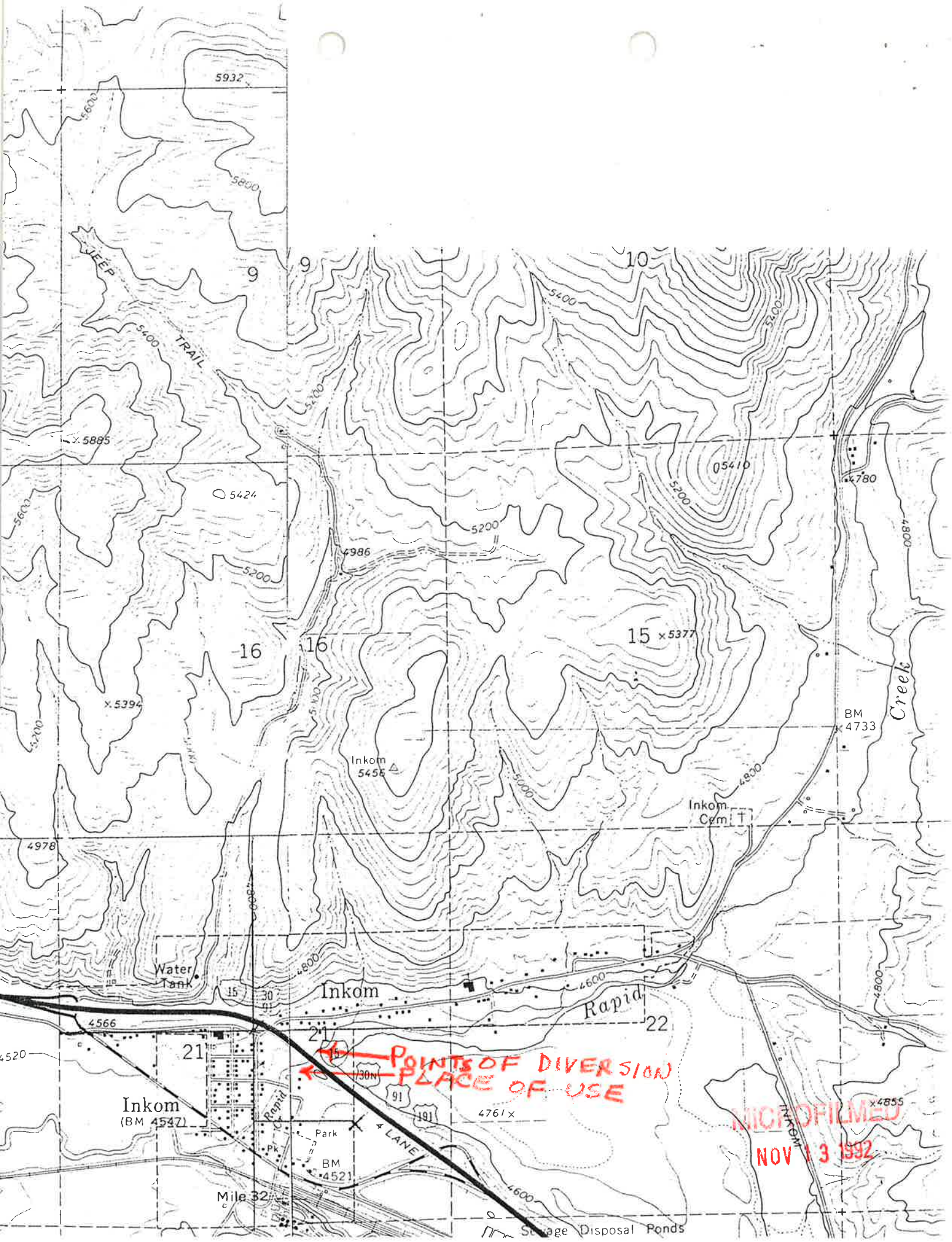
Signature of Claimant(s): Mike Luker Date: 29 March 1990
Date: _____

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 29th day
of March 1990

Seal

Anna Baumhoff
Notary Public
Anna Baumhoff, Notary Public
Residing at Boise, Idaho
Residing at My Commission Expires December 7, 1994
My Commission Expires _____



Otis W. & Gwen W. Hall 4 & 4 1/2
Cultivated

NW 1/4 SE 4 21

PLACE OF USE

MICROFILMED

NOV 13 1992

300' S
S = 3° 4'
B = .5/6

Cultivate

N 49° 01' W.
291.68'

Const. Sm.

Guard Rail R

1020

Guard Rail R

Remove

1020 + 45

Herman & Doris
0.64 Ac. Taken R
1.04 Ac. Rmdr.

Village of
0.02 Ac.
0.78 Ac.

50' Easement

1019 + 35 - 151.4' Br

P.S. 1020 + 16.56

150'

1020

150'

1020 + 45

6

Village of

Rapid Creek

50' Small Ditch

1" x 300'

POINTS OF DIVERSION

OVERPASS

1015

N. 51° 43' W.

51° 43'

Inkom City Limits
1012 + 02.34 (calc.)

N. 63° 01' W.

101.98'

150'