

06/19/2003

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

RIGHT NUMBER: 29-294F

NAME AND ADDRESS: BEN CHAVERS
2023 N INKOM RD
INKOM ID 83245

E LOUISE CHAVERS
2023 N INKOM RD
INKOM ID 83245

SOURCE: RAPID CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.017 CFS

USE OF THIS RIGHT WITH RIGHT NO. 29-13384 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.04 CFS.

USE OF THIS RIGHT FOR IRRIGATION PURPOSES WITH RIGHTS LISTED BELOW
IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.05 CFS. COMBINED
RIGHT NOS.: 29-00294F, 29-07109, 29-13384.

PRIORITY DATE: 06/01/1885

POINT OF DIVERSION:

T07S R36E S22 NENENE 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	0.017 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T07S R36E S22 SESE 1.3

1.3 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 29-13384 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 1.3 ACRES IN A SINGLE
IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 2.0 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-00294F, 29-13384,
29-07109.

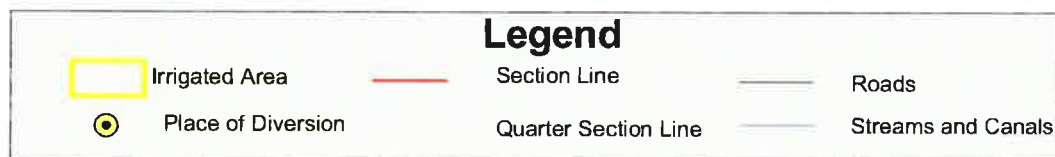
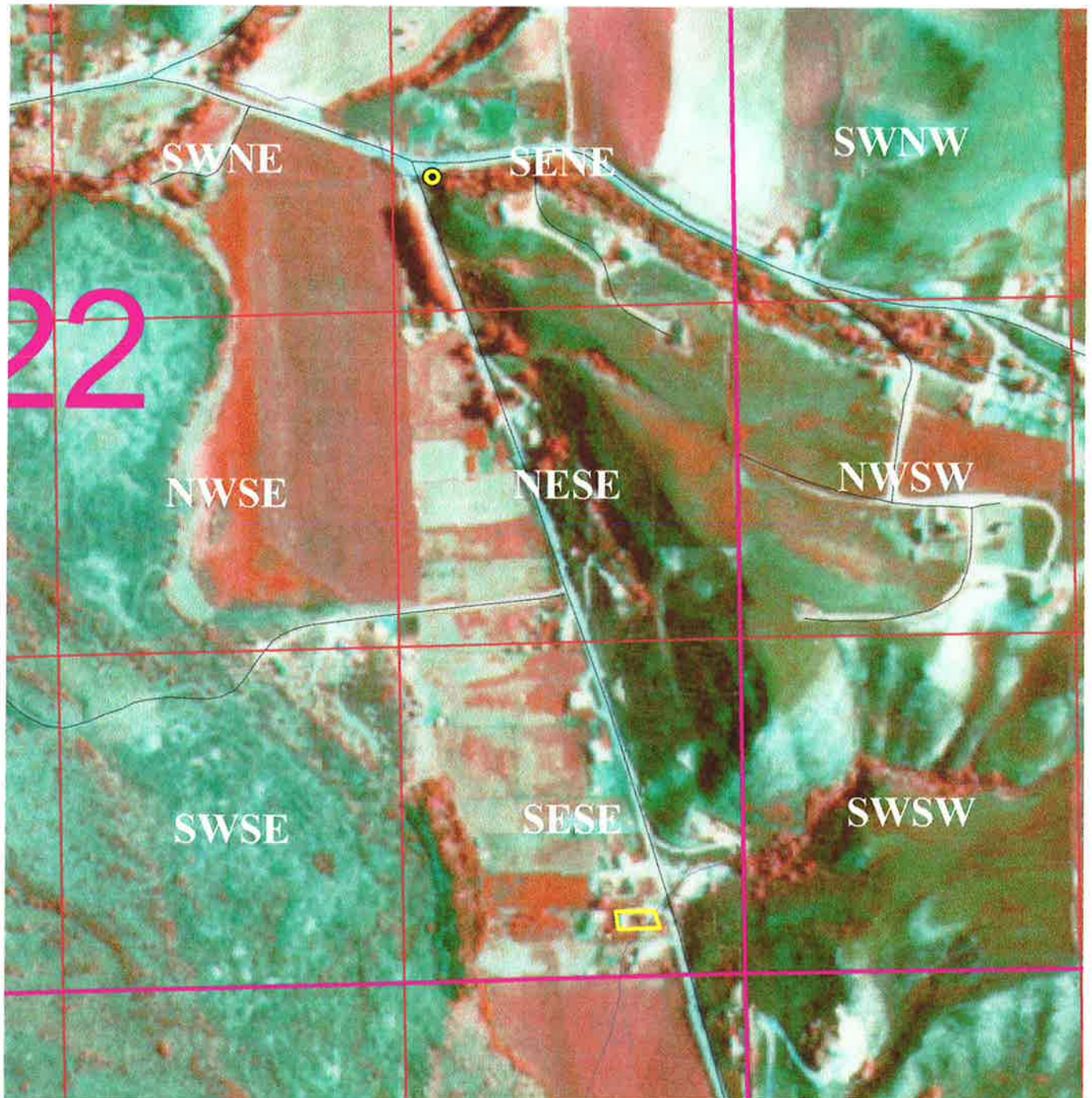
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

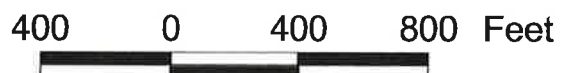
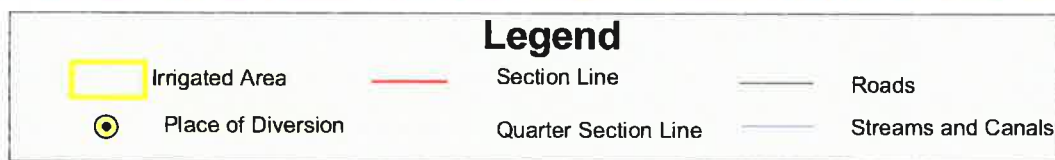
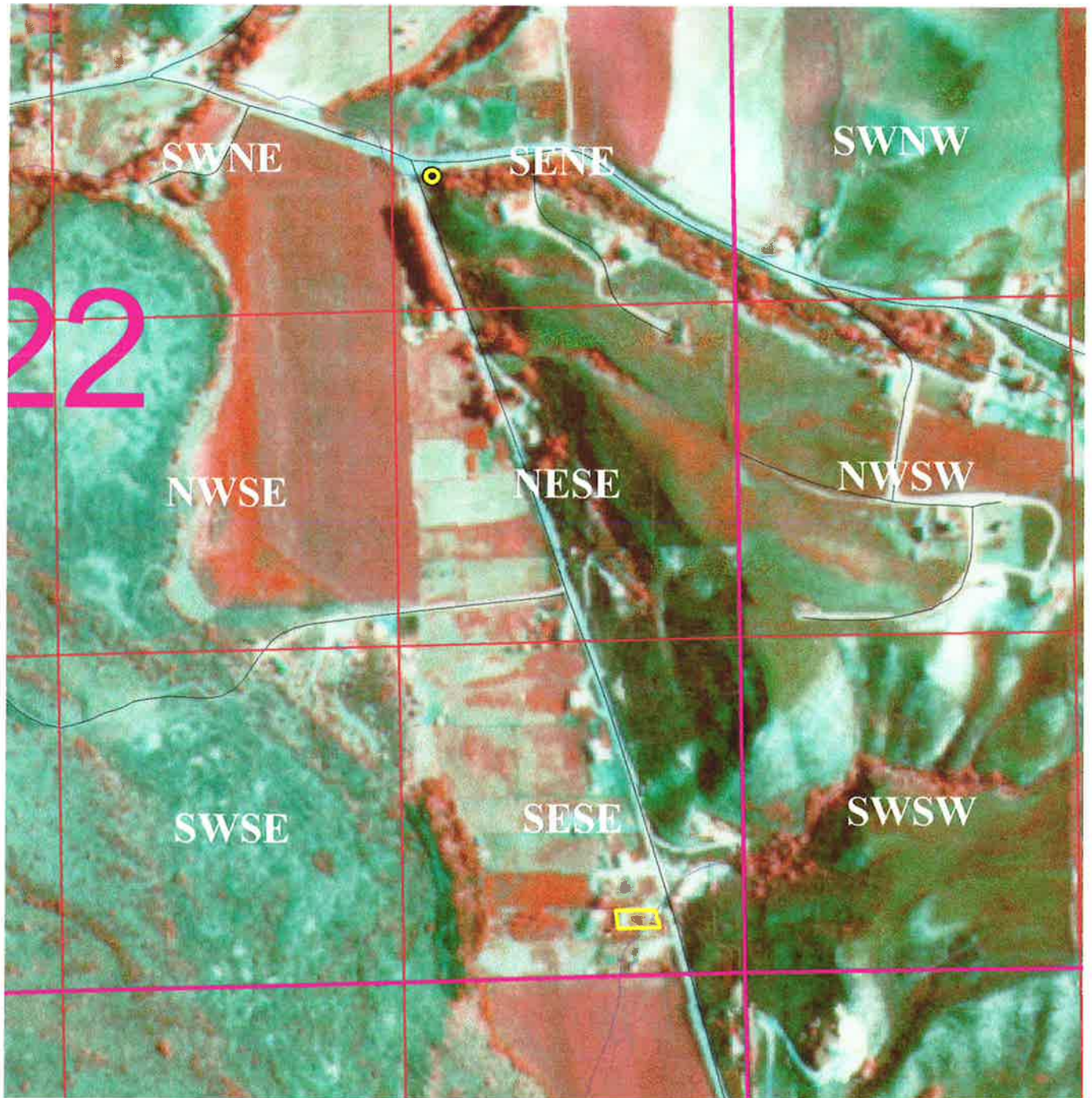
Water Right Claim Number A29-00294F
Township , 7S36E

08/24/2000



Water Right Claim Number A29-00294F
Township , 7S36E

08/24/2000





 Irrigated Area

 Place of Diversion

Legend

 Section Line

 Quarter Section Line

 Roads

 Streams and Canals



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-294F V1

WATER RIGHT NUMBER: 29-294F V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BEN CHAVERS 2023 N INKOM RD INKOM, ID 83245 (208)775-4982
Current Owner	E LOUISE CHAVERS 2023 N INKOM RD INKOM, ID 83245 (208)775-4982

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	0.017 CFS	
	<u>Total Diversion:</u>	0.017 CFS	

Location of Point(s) of Diversion

RAPID CREEK	NE1/4NE1/4NE1/4	Sec. 22, 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	22																1.3	1.3

Total Acres: 1.3

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:

1. Quantity USE OF THIS RIGHT WITH RIGHT NO. 29-13384 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.04 CFS.
2. Quantity USE OF THIS RIGHT FOR IRRIGATION PURPOSES WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.05 CFS. COMBINED RIGHT NOS.: 29-00294F, 29-07109, 29-13384.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-294F V1

3. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NO. 29-13384 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1.3 ACRES IN A SINGLE IRRIGATION SEASON.
4. Place of Use - Irrigation USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 2.0 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-00294F, 29-13384, 29-07109.

Comments:

1. csaxton 6/19/2003 Diversion Rate

Comment: Deed trail requested 4/17/03 to show that claimant was not deeded 1/2 per acre. No response received. Recommendation changed to 1/2 inch per acre.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: OR
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	12/19/2002 8:39:05 AM	csaxton			Active
Priority Date	12/19/2002 8:40:39 AM	csaxton			Active
POD	12/19/2002 8:40:52 AM	csaxton			Active
Source	12/19/2002 8:42:03 AM	csaxton			Active
POU	12/19/2002 8:42:31 AM	csaxton			Active
Use	12/19/2002 8:43:49 AM	csaxton			Active
Season	12/19/2002 8:44:47 AM	csaxton			Active
Quantity	12/19/2002 8:46:23 AM	csaxton			Active
Summary			12/19/2002	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	12/19/2002 8:43:13 AM	csaxton	Edited PLS

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-294F V1

Use	12/19/2002 8:43:50 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?
Priority Date	12/19/2002 8:40:39 AM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	12/19/2002 8:41:16 AM	csaxton	Edited point location
POD	12/19/2002 8:41:31 AM	csaxton	Edited PLS
Source	12/19/2002 8:42:04 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	12/19/2002 8:42:32 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
POU	12/19/2002 8:42:50 AM	csaxton	Edited shape boundary
Season	12/19/2002 8:44:49 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 29-294F V1

Quantity	12/19/2002 8:46:24 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (Yes) 12. Is a Quantity remark or condition required?
Summary	12/19/2002 8:54:06 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (Yes) 7. Is this a split or combined right? (No) 8. Do you have documents you would like to attach or link to the file? (Yes) 9. Would you like to set the verification date?
Contacts	12/19/2002 8:39:06 AM	csaxton	(No) 1. Do you want to schedule an appointment?
POD	12/19/2002 8:40:54 AM	csaxton	Comment for 1: Field Exam 7/16/02 (Yes) 1. Is the basis of this claim a Decree or License? (No) 4. Does the Decree or License have a POD? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 17, 2003

BEN CHAVERS
E LOUISE CHAVERS
2023 N INKOM RD
INKOM ID 83245

RE: Request for Deed Trail from Murdock to Chavers for Snake River Basin
Adjudication (SRBA) claim 29-00294F

Dear Mr. and Ms. Chavers,

In February of 2003 the Idaho Dept. of Water Resources sent out preliminary recommendations for SRBA claims filed in Basin 29. You claimed a portion of decreed Rapid creek right 29-00294F. On July 3, 2002 I requested a deed trail from Jeff Webster to yourself. You provided that and I appreciate it.

However, through the Notice of Error process, it has come to my attention that sometimes references to water rights were not carried throughout all the deeds. It seems to be the understanding that when Norris M. Murdock subdivided the property and sold it off in lots, he deeded most everyone $\frac{1}{2}$ inch per acre.

To confirm that the water right associated with your property is not limited to $\frac{1}{2}$ inch per acre, I need to see the entire deed trail from Norris M Murdock to yourself. Please submit the deed trail as soon as possible.

I apologize for the inconvenience. Without that deed trail I will have to change the recommendation on 29-00294F to reflect $\frac{1}{2}$ inch per acres since available evidence indicates that $\frac{1}{2}$ inch per acre was the historical agreement.

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

Respectfully submitted,

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

SCANNED

JUL 25 2005

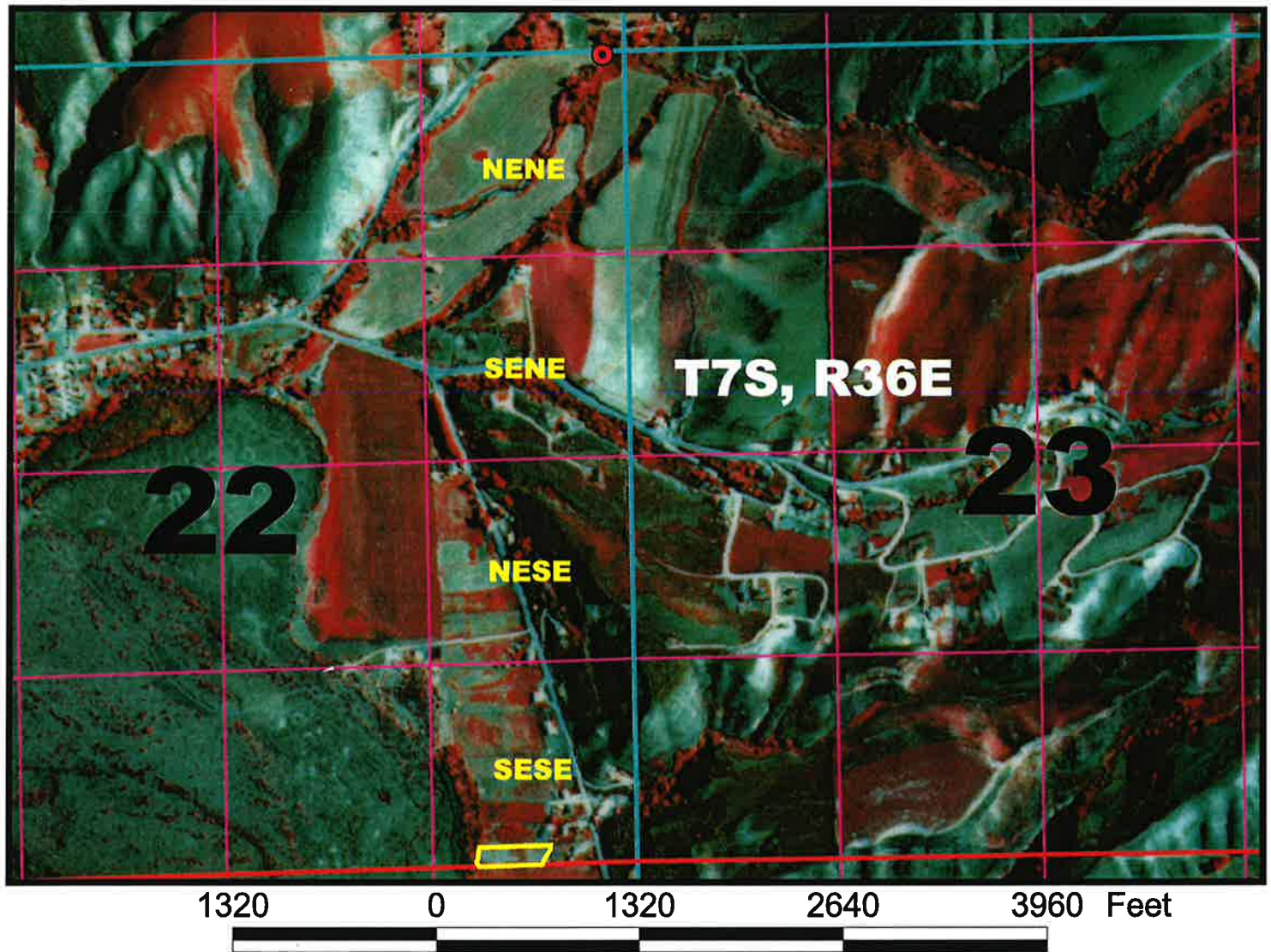
FILED



STATE OF IDAHO

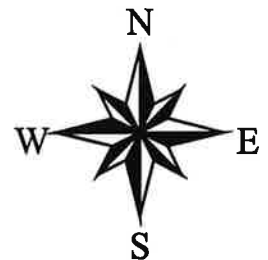
Department of Water Resources
Eastern Region

Water Right(s): 29-00294F



Total Irrigated Acres: 1.3

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



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

9-11-01: Hagnt Had water for 12-14 years
Per Lyndon Smith.

4-18-02 : Decreed for Rapid creek. No Jackson creek water
if All other users on the system are right.

: Chavers only owns $\frac{1}{2}$ acre. -

7-2-02 : Actually they own 3 acres according to new
tax lot data.

: When Was ditch water last used?

: Does deed show water?

: Need to file Jackson Creek Claim if ditch water is
used.

: Called and left message to Call back

7-3-02 : Ben called back and said he would file a Jackson
Creek Claim

7-16-02 : On Site Field Exam - Claimant Not Present
FF

12-6-02 : Deed Silent : Rec 1" Per acre.

6-15-03 : Changed Rec to Reflect $\frac{1}{2}$ in Per acre

PROFILE

SCANNED

JUL 25 2005

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 29-294F

WATER RIGHT NUMBER: 29-294F

Owner Type Name and Address

Current Owner BEN CHAVERS ✓
2023 N INKOM RD
INKOM, ID 83245
(208)775-4982

Current Owner E LOUISE CHAVERS ✓
2023 N INKOM RD
INKOM, ID 83245
(208)775-4982

Priority Date: 06/01/1885 ✓

Basis: Decreed ✓

Status: Active ✓

Source

RAPID CREEK ✓

Tributary

PORTNEUF RIVER ✓

*1.16 per acre*Beneficial Use

IRRIGATION ✓

From To

4/01 to 11/01 ✓

*10/31*Diversion Rate

0.060 CFS ✓

~~0.03~~ *0.017*Total Diversion:

0.060 CFS ✓

~~0.03~~ *0.017*Annual Volume*N/A*Location of Point(s) of Diversion

RAPID CREEK ✓

NE1/4NE1/4NE1/4 ✓

Sec. 22, Twp 07S, Rge 36E, B.M. ✓

BANNOCK County ✓

Place of Use

IRRIGATION ✓

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07S	36E	22																	3.0
																			1.3
																			1.3

Total Acres: 3

Conditions of Approval:Remarks:

1. Explanatory CLAIM AMENDED TO REMOVE JACKSON CREEK AS A SOURCE AND ADD 3 ACRES OF IRRIGATED LAND (CSAXTON)

Comments:Dates and Other Information:

Claim Received Date: 4/23/1990
State or Federal: S
Owner Name Connector: OR
Carey Act Number:
Mitigation Plan: False

*This and 29-13384 limited to 1.3 ac 0.04 cfs**This and 29-13384 09-09-09 limited to 2 ac 0.05 cfs***PROFILED**

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JUL 25 2005

Overlap analysis

Findings of Fact:

29-00294F and 29-13348 both for the same 1.3 acres (surface water).

29-07109 for 2 acres, the same 1.3 acres covered by surface water rights, and 0.7 with groundwater only.

29-07109 licensed at 1 inch per acre.

Analysis Results:

Three rights: 1.3 acres at 1.5 inches per acre = 0.039

One right: 0.7 acres at 1 inch per acre = 0.014

Total allowed overlap = 0.053 or 0.05 cfs

PROFILED

**SCANNED
JUL 25 2005**

29-00294 F, 29-13384
FE: 7-16-02

C. Saxton



looking S. Picture is supposed to show ditch that
could convey water to S side of Claimants
property but it didn't come out too well.
But the ditch is there

PROFILED

SCANNED
JUL 25 2005

29-00294 F, 29-13384
FE: 7-16-02

C. Saxton



looking N. Culvert that delivers water from ditch
to claimed POW.

PROFILED

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JUL 25 2005



looking west @ claimed POW.

July 15, 2002

Craig L. Saxton
Department of Water Resources
2735 Airport Way
Boise, Id. 83705-5082

Dear Craig:

I am mailing under separate cover the \$50.00 fee for the amended claim (#29-00294F and new Jackson Creek claim and the property deed information you requested.

You mentioned that you would be in my area on July 16 - 17 to verify that the ditch water can make it to my property. I will not be home, but the head gate will be easy for you to find. It's just beyond the backyard "green grass" portion of my lawn and located inside the ditch on the North side of the property. The ditch water comes across my neighbor's (Arnold Davis) lawn and is diverted to my place from there. If you have any problems locating, try Arnold's house or my cell phone @ 208-241-8093.

Hope this helps in resolving this long belabored issue.

Sincerely,



Ben Chavers

PROFILED

SCANNED
JUL 25 2005

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 29-7109 Priority Jan. 12, 1973 Amount 0.04 cfs

THIS IS TO CERTIFY, that Jeff L. Webster &/or Judith C. Webster
of Inkom, Idaho, has complied with the terms and conditions of Permit
No. 29-7109 issued pursuant to Application for Permit dated January 12, 1973
and has submitted proof to the Department of Water Resources on February 28, 1975
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.04 cfs of water from a ground water source
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Domestic</u>	from <u>Jan. 1</u> to <u>Dec. 31</u>	at <u>0.04</u> cfs and	<u>1.2</u> acre feet
<u>Irrigation</u>	from <u>March 15</u> to <u>Nov. 15</u>	at <u>0.04</u> cfs and	<u>7.0</u> acre feet or
	from _____ to _____	at _____ cfs and	<u>3.5</u> af per acre

(both dates inclusive)

Subject, however, to the condition that no more than 0.04 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
8.2 acre feet per year, said waters to be diverted within the SE¹SE¹ of Sec. 22,
Twp. 7 S, Rge. 36 E, B. M. in the County of Bannock

Description and location of place of use:

Twp.	Range	Sec.	NE ¹ 4				NW ¹ 4				SW ¹ 4				SE ¹ 4				Totals
			NE ¹	NW ¹	SW ¹	SE ¹	NE ¹	NW ¹	SW ¹	SE ¹	NE ¹	NW ¹	SW ¹	SE ¹	NE ¹	NW ¹	SW ¹	SE ¹	
7 S	36 E	22																X	Two

Total number of acres irrigated Two

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 15 day of
November, 19 76.


Director

PROFILED

SCANNED

JUL 25 2005

WARRANTY DEED

576945

For Value Received JEFFREY LEON WEBSTER and JUDITH C. WEBSTER,
husband and wife

the grantor^S, do hereby grant, bargain, sell and convey unto

BEN CHAVERS and ELMA LOUISE CHAVERS,
husband and wife

whose current address is

241, Box 995, Inkum, ID

the grantee^S, the following described premises, in Bannock County Idaho, to wit:

PARCEL 1: A tract of land in the SE1/4SE1/4 of Section 22, Township 7 South, Range 36 E.B.M., Bannock County, Idaho, and described as follows: Beginning at the Southwest corner of the SE1/4SE1/4 of Section 22, Township 7 South, Range 36 E.B.M.; thence North 0°02' West, along the East 1/16 line of said Section 22, 126.5 feet; thence South 88°59' East, 1000.8 feet more or less to the Westerly right of way of the Inkum Road; thence South 14°51' East along said right of way 131.5 feet, more or less, to the South line of said Section 22; thence North 88°59' West, 1034.4 feet, more or less, to the point of beginning; excepting therefrom that portion of the SE1/4SE1/4 Section 22, Township 7 South, Range 36 E.B.M., Bannock County, Idaho, described as follows:

Beginning at the intersection of the Westerly right of way line of Inkum Road with the South line of said Section; thence along said South line West 308.84 feet; thence North 76 feet, thence parallel with said South line, East 287.24 feet to said Westerly right of way line; thence along said Westerly right of way line South 14°51' East, 79.01 feet to the point of beginning. Part of Lot 1, Block 1, Murdock Subdivision...

PARCEL 2: That portion of the SE1/4SE1/4, Section 22, Township 7 South, Range 36 E.B.M., Bannock County, Idaho, described as follows: Beginning at the intersection of the Westerly right of way line of Inkum Road with the South line of said Section; thence along said South line, West 308.84 feet; thence North 76 feet; thence parallel with said South line, East 287.24 feet to said Westerly right of way line; thence along said Westerly right of way line, South 14°51' East 79.01 feet to the Point of Beginning; Part of Lot 1, Block 1, Murdock Subdivision

Dated: May 27, 1977

Jeffrey Leon Webster
Jeffrey Leon Webster
Judith C. Webster
Judith C. Webster

STATE OF IDAHO, COUNTY OF Bannock

On this 27th day of May, 1977
before me, a notary public in and for said State, personally
appeared Jeffrey Leon Webster and
Judith C. Webster, husband and wife

NOTARY SEAL

known to me to be the person^S whose name^S are
subscribed to the within instrument, and acknowledged to
me that they have executed the same.

Charles H. Morgan
Notary Public
Residing at Pocatello, Idaho
Comm. Expires 2-26-79

SCANNED

JUL 25 2005

576945

NO RECORDED AT REQUEST OF

Am. Land Title Co.

PROFILED

MAY 27 4 54 PM '77

303

BANNOCK COUNTY, IDAHO

IN FURNISHING RECORDS

FOR \$2.00 PER COPY

As of 7/15/02

Split history for Decreed Right 29-00294

	Claimed	Recommend
29-00294 0.8 Decree Silent Assumed 40	29-00294A Murdock, Norris M <i>Not in Decreed POU</i> 0.3 28	0.3 * 24
	29-00294B Lish, Sam 0.086 4.3	0.074 * 3.7
	29-13372, Sam 0.074 3.7	deed - silent from Murdock to Morris 1" ok
	29-13373, Monte 0.012 0.6	0.012 * 0.6
	29-00294C Turman, Dennis 0.03 3	0.02 * 1.8
	29-00294D Murdock, Norris Kent 0.1 5	0.1 * 5
	29-00294E Whitworth, John 0.1 5	0.1 * 5
	29-00294F Chavers, Ben 0.06 3	0.017 * 1.3
	29-00294G Davis, Arnold 0.03 3	0.02 * 2
	29-00294H Owens, Delbert 0.06 3	0.02 * 1.8
	29-00294J Foltz, Michael 0.1 5.3	0.04 4
	29-10071 Wagner, Ronald 0.08 2	0.02 2
Sum of claimed CFS = Sum of claimed Acreage =	0.946	Sum CFS= Sum Acre= 0.723 0.077 Un-accounted for CFS= Un-accounted for Acres=

SCANNED
JUL 25 2005

PROFILED

Split History For 29-00294

A) Murdock, Norris M ⁴¹¹ not decreed PDU

0.30 cfs
28 ac

B) Lish, Sam not decreed PDU

0.086 cfs
4.3 ac

C) Turner, Dennis

0.03 cfs
3 ac

D) Murdock, Norris Kent

0.08 cfs
4 ac

E) Witworth, John

0.10 cfs
5 ac

29-00294

0.80 cfs
Max 80 ac

F) Chavers, Ben

0.06
? ac No acreage claimed

G) Davis, Arnold

0.03 cfs
3 ac

H) Owens, Delbert

0.06
3 ac

I) Foltz, Michael

0.10 cfs
5.3 Ac

$\frac{1}{2}$ cfs claimed = 0.846 - Right overclaimed
 $\frac{1}{2}$ acreage = 55.6

If decreed PDU was 55.6 acres - diversion
Rate per acre is 0.0144 cfs/acre

C Suxton 9/7/01

PROFIT

SCANNED

JUL 25 2005

Receipt Details for ID E013487

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
4/23/90 11:52:52 AM	4/23/90	Eastern	\$53.00	Check
Payer	CHIVERS, BEN			

Account Information:

Check #	Account #	Credit Card Name	Authorization #
4127			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$53.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
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SCANNED
JUL 25 2005

PROFILED

July 3, 2002

BEN CHAVERS
E LOUISE CHAVERS
2023 N INKOM RD
INKOM ID 83245

RE: Amendment of Snake River Basin Adjudication (SRBA) claim 29-00294F and new Jackson Creek claim.

Dear Ben and Louise,

As Ben and I spoke about on the phone on July 3, 2002, enclosed is a Jackson Creek claim. Look over the claim and initial any changes you wish to make. When satisfied, sign the claim in front of a notary and return it to this office with the \$50 filing fee. As we spoke about on the phone, it is your decision weather to file the claim or not. Keep in mind that I need to come to the claimed property and verify that the ditch water can make it to your property in order to recommend either the Jackson Creek claim or the Rapid Creek claim. I plan to be in the field during the 16th, 17th, and 18th of July.

I am also enclosing an amended Rapid Creek claim. I found that the claimed point of diversion was listed in the wrong legal description. I made that change on the amended claim. Please look over the amended claim and initial any changes you wish to make. When satisfied, sign the claim in front of a notary and return it to this office. There is no filing fee for the amendment.

In addition, I need a copy of your deed trail showing conveyance of the property from Jeff Webster to yourself. This is for two reasons (I forgot to mention one on the phone). One to confirm that 29-07109 was licensed for your parcel. Two incase the deeds say anything about how much Rapid creek water is applicable to your property when the property was subdivided.

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

Respectfully submitted,

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

SCANNED

JUL 25 2005

PROFILED

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-294

WATER RIGHT NUMBER: 29-294

Owner Type Name and Address
 Current Owner WEGECATA JACKSON

, ZZ

Priority Date: 06/01/1885

Basis: Decreed

Status: Active

Source Tributary
 RAPID CREEK PORTNEUF RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	0.800 CFS	
	<u>Total Diversion:</u>	0.800 CFS	

Location of Point(s) of Diversion
 RAPID CREEK

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	22													X				X

Total Acres: 0

Conditions of Approval:Remarks:

- General P/D & P/U INCOMPLETE.^^^

Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-294

Dates and Other Information:

Licensed Date:
Decreed Date: 6/22/1906
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 29F
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

JUN 11 2001

Log for claim A29-00294F

Spatial Dynamics LTD

8/24/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s36e	22	SESE	0	0.3	
Totals:			0	0.3	

AJ5809NP
No. A29-00294F

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 50

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BEN CHAVERS	06/01/1885	IRRIGATION	04-01 11-01	0.060 CFS	
C	E LOUISE CHAVERS					
	2023 N INKOM RD			TOTAL DIVERSION:	0.060 CFS	
	INKOM ID 83245			CONSUMPTIVE USE:		7.50 AFA
	(208) 775-4982					

Water Source: RAPID CREEK
JACKSON CREEK

Tributary to: PORTNEUF RIVER
RAPID CREEK

Stage: DECREED

Point(s) of Diversion: T07S R36E S22 SENE BANNOCK County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
NENE NWNE SWNE SENE				NENW NWNW SWNW SENW				NESW NWSW SWSW SESW				NESE NWSE SWSE SESE				
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	:	Lt Ac Lt Ac Lt Ac Lt Ac	:	Lt Ac Lt Ac Lt Ac Lt Ac	:	Lt Ac Lt Ac Lt Ac Lt Ac	:	Lt Ac Lt Ac Lt Ac Lt Ac	:	Lt Ac Lt Ac Lt Ac Lt Ac	SUM		
07S	36E	22	:	:	:	:	:	:	:	:	:	:	I	:		

POU County: BANNOCK

Other Rights: A29-11617

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-11921 A29-10071 A29-11921

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00294 A29-00294C A29-00294G A29-00294H A29-00294J A29-07109 A29-10071 A29-10688 A29-12014

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

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

Audit: 04/23/90 DUNN 04/04/94 THOMPSON 03/29/95 POST-STD 04/12/00 CVANDERM

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 29-294F
Date Received: 4/23/1990
Receipt No: E013487
Received By:

AMENDED

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BEN CHAVERS Phone: (208)775-4982

2023 N INKOM RD
INKOM ID USA 83245

E LOUISE CHAVERS Phone: (208)775-4982

2023 N INKOM RD
INKOM ID USA 83245

RECEIVED
JUL 25 2002
WATER RESOURCES
WESTERN REGION

2. Date of Priority: 06/01/1885

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07S	36E	22	NE NE NE	BANNOCK	

5. Description of diverting works:

HEADGATE AND DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.06	

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

8. Total consumptive use:

SCANNED

JUL 25 2005

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	36E	22	SE	SE	IRRIGATION	3

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Decreed

16. Signature(s) *Ben Chavers* *E. Louise Chavers*

(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): Ben Chavers Date: 7-22-02
L. Louise Chavers Date: 7-22-02

State of Idaho

County of Lannock)
) SS.

Subscribed and sworn (or affirmed) before me this

of July 2002

22nd
Mary Lou Driever

Notary Public

Residing at Pocatello

My commission Expires Oct. 31, 2004



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: A29-00294F

Date Received:

Receipt No: ED13487

Received By: DMD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BEN CHAVERS 208-775-4982
Address: 2023 N. INKOM ROAD
INKOM, ID 83245

OR

Name: LOUISE CHAVERS 208-775-4982
Address: 2023 N. INKOM ROAD
INKOM, ID 83245

2. Date of Priority: JUN 01, 1885

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	36E	22	SE	NE			BANNOCK

5. Description of diverting works:
HEADGATE AND DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.060		

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

8. Total consumptive use is 7.5 Acre Feet Per Annum.

9. Non-irrigation uses:

A29-00294F

Page 1

Date: 04/23/90

MICROFILMED

NOV 13 1992



10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	36E	22	SE SE		IRR	

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:
A29-11617

14. Remarks:

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:

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): Ben Chavers Date: 4-23-90
Date:

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 23rd day
of Apr 19 90

Betty J. Thompson
Notary Public

Seal

Residing at BETTY J. THOMPSON, NOTARY PUBLIC

My Commission Expires RECEIVED AT IDAHO DEPT. OF LAND
MY COMMISSION EXPIRES: 6-30-94

MICROFILMED
NOV 13 1992

