

04/18/2003

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

RIGHT NUMBER: 29-294H

NAME AND ADDRESS: DELBERT V OWENS
2073 N INKOM RD
PO BOX 368
INKOM ID 83245

KAREN J OWENS
2073 N INKOM RD
PO BOX 368
INKOM ID 83245

SOURCE: RAPID CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.020 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.06 CFS. COMBINED RIGHT NOS.:
29-00294H, 29-10688, 29-13362.

PRIORITY DATE: 06/01/1885

POINT OF DIVERSION:

T07S R36E S22 NENENE Within BANNOCK County Source: RAPID CREEK

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.020 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T07S R36E S22 SESE 2.0

2 ACRES TOTAL

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.: 29-00294H, 29-10688,
29-13362.

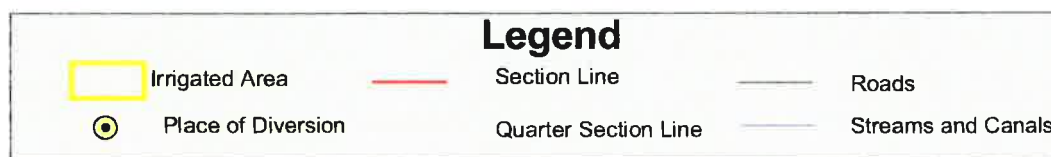
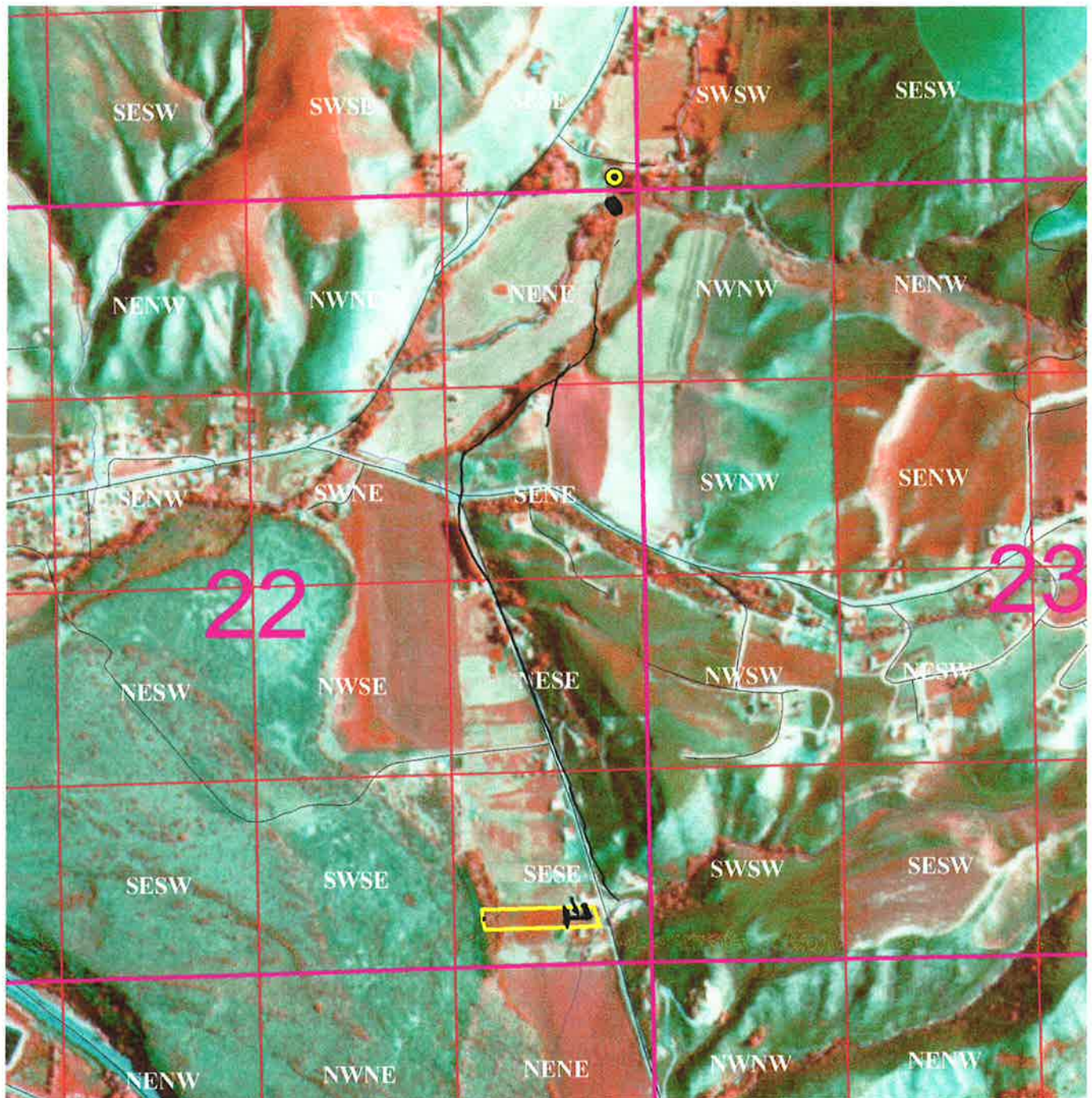
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

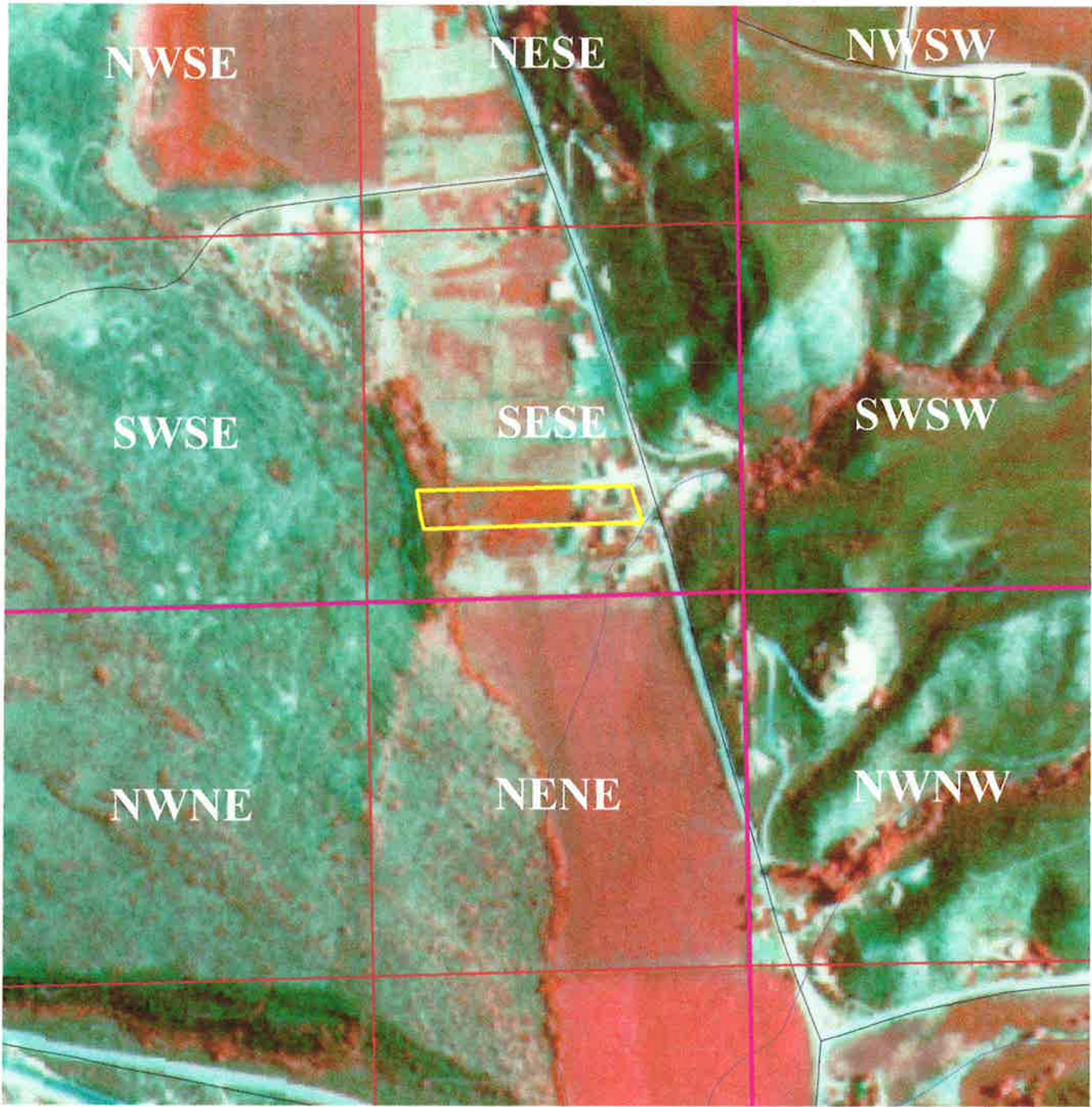
This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: Decreed

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

08/25/2000





 Irrigated Area

 Section Line

 Roads

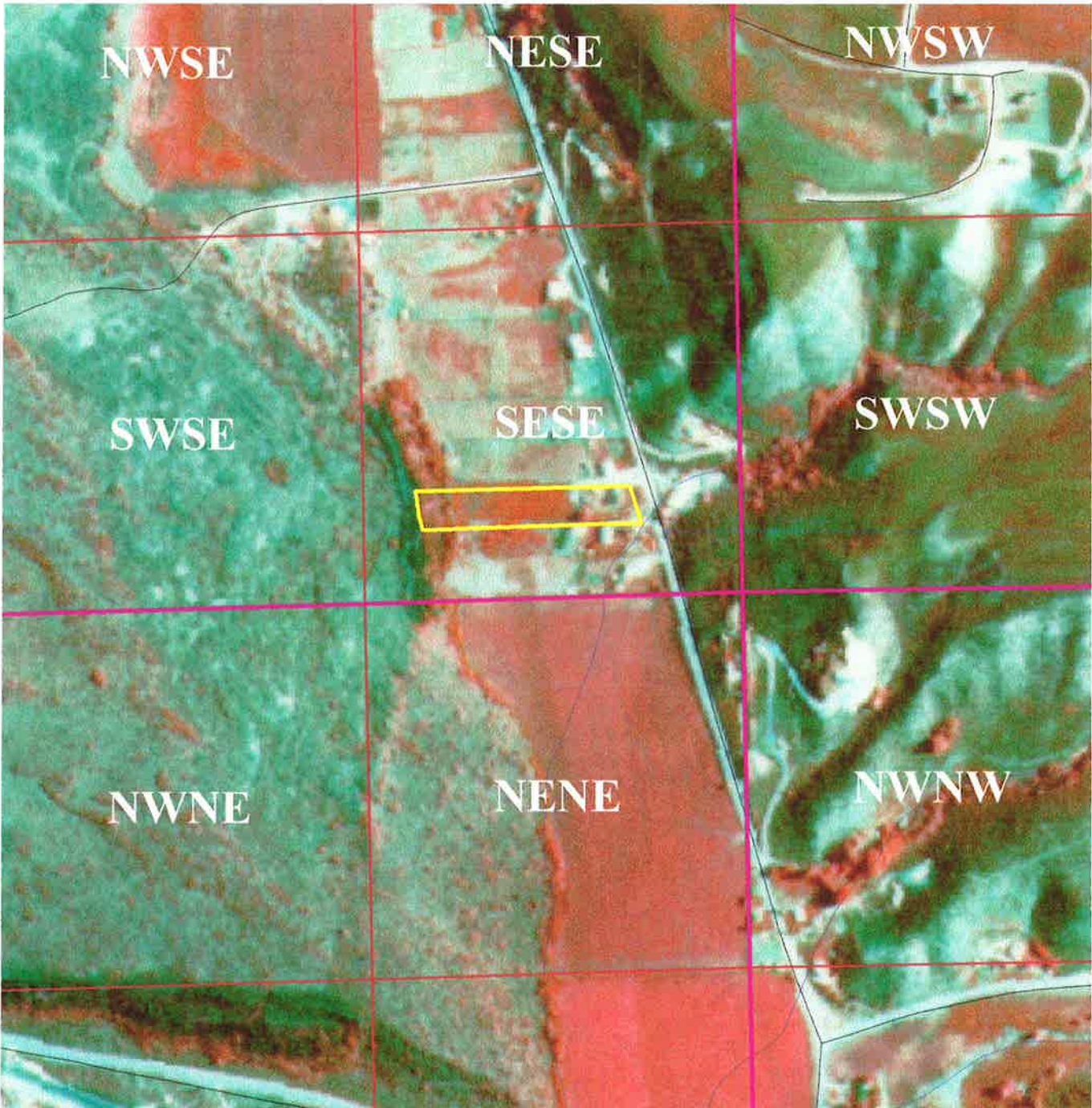
 Place of Diversion

Quarter Section Line

 Streams and Canals

Legend





 Irrigated Area

 Section Line

 Roads

 Place of Diversion

Quarter Section Line

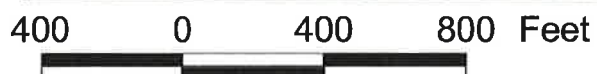
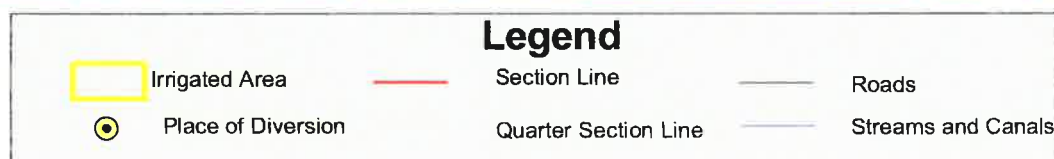
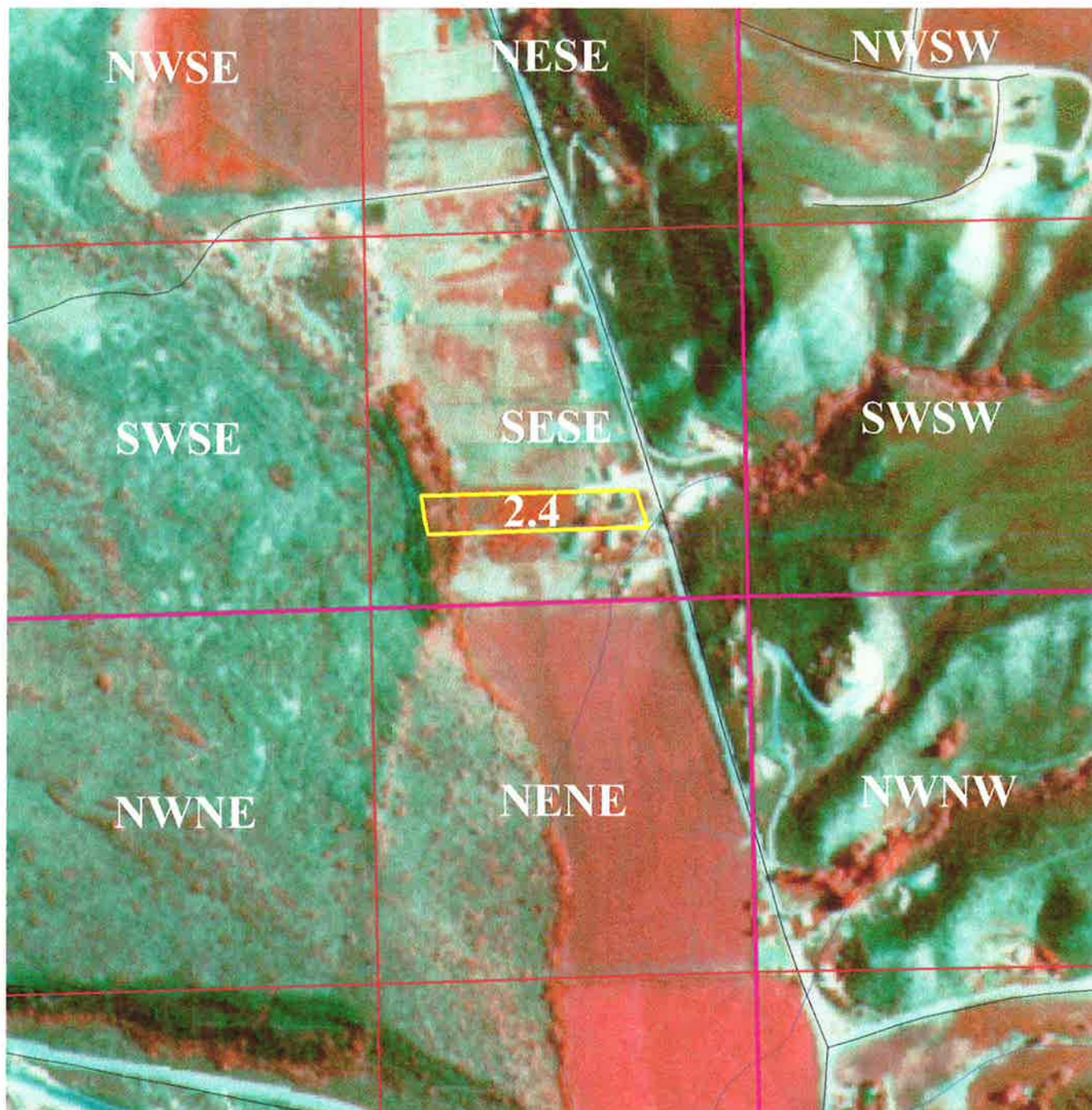
 Streams and Canals

Legend



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

08/25/2000

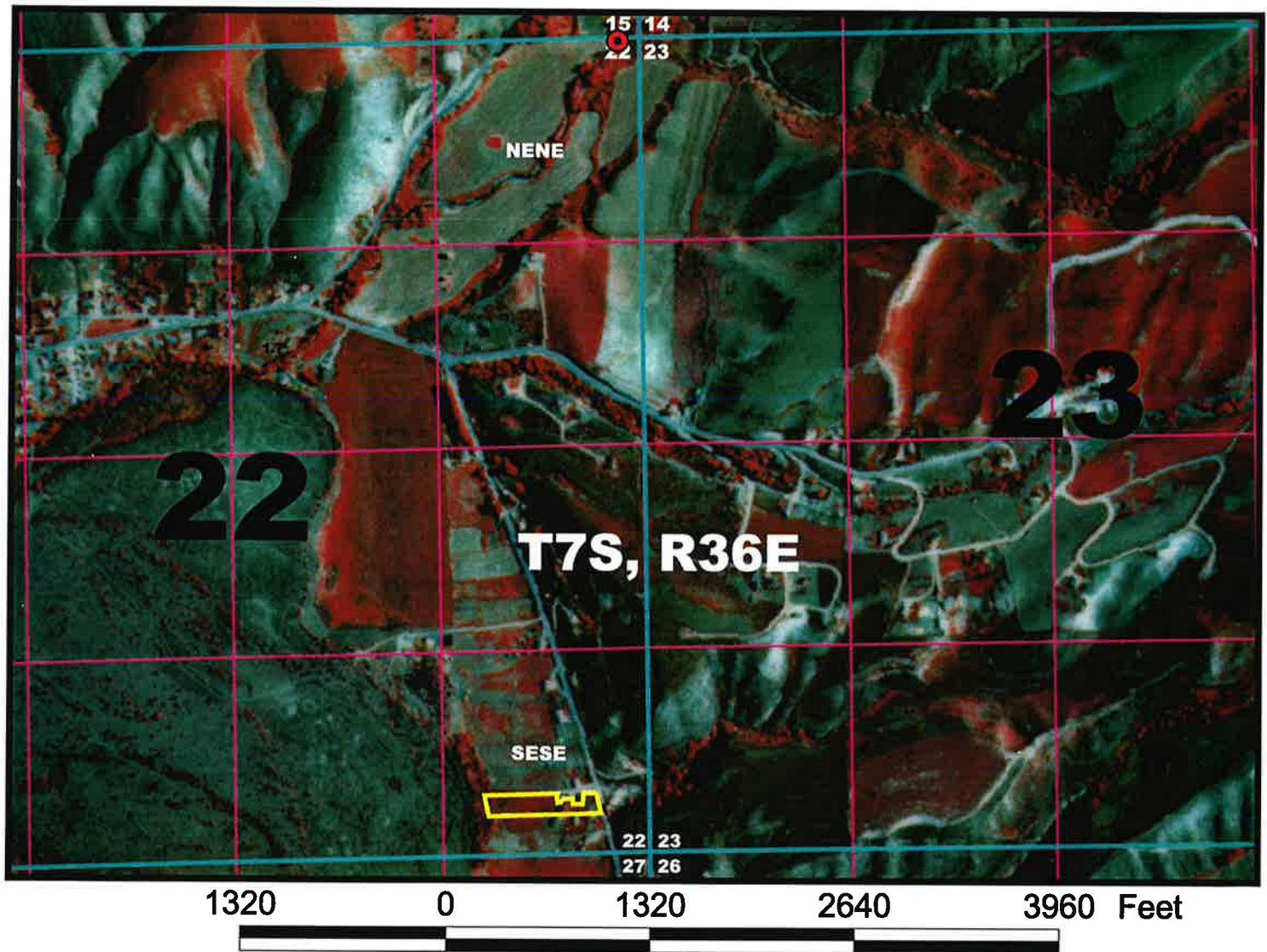




STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s): 29-00294H



Total Irrigated Acres: 2.0

● Point(s) of Diversion

□ Place of Use

□ Quarter Quarter Lines

□ Section Lines

SCANNED

JUL 26 2005

PROFILE



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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 17, 2003

DELBERT V OWENS
KAREN J OWENS
2073 M INKOM RD
PO BOX 368
INKOM ID 83245

RE: Notice of Error Reply for 29-00294H, 29-10688, and 29-13362

Dear Mr. and Ms. Owens,

I have been reviewing your request that additional acreage be recommended under the above mentioned rights.

After reviewing the field exam photos and the aerial photography I feel I can support increasing the acreage 0.20 acres totaling 2 acres of irrigation. The 1987 NAPP photography shows red (evapotranspiration) on the back side of your property. However, as you can see in the copies of the field exam photos (enclosed), much of that "red" area is from trees that are growing within the lava flow in areas that could not be flood irrigated.

I feel increasing the irrigated acreage to a total of 2.0 acres is a fair and accurate recommendation since I cannot justify recommending flood irrigation on ground higher up within the basalt flows.

I am enclosing amended recommendations for 29-00294H, 29-10688, and 29-13362. As always, feel free to contact me if you have further questions.

On another note, I requested the entire deed trail for the Rapid Creek users within Murdock Subdivision to make sure that the diversion rate per acre is recommended accurately for each user.

Again, I appreciate your honesty in finding the entire deed trail to your property and want you to know that I am doing everything in my power to make sure that your neighbors water rights are recommended with a diversion rate per acre that is accurate. If you have questions concerning this issue I would encourage you to call me and I will be happy to speak with you about it.

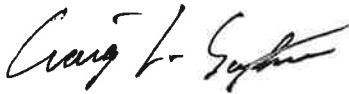
PROFILE

SCANNED

JUL 25 2005

As always, I am not the final say in this process. If you feel that I recommended a water right to yourself or to another individual that you disagree with, you will have a chance to object and be heard by the SRBA court.

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 "S".

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

PROFILED

SCANNED
JUL 25 2005

02/13/2003

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: 29-294H

DELBERT V OWENS
2073 N INKOM RD
PO BOX 368
INKOM ID 83245
Telephone Number: (208)775-3495

KAREN J OWENS
2073 N INKOM RD
PO BOX 368
INKOM ID 83245
Telephone Number: (208)775-3495

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

For

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

additional decrees

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

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

DATE: 03-03-03

SIGNATURE: *Delbert V. Owens*

Please print your name: DELBERT V. OWENS

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

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**SCANNED
JUL 25 2005**

5-31-02 : Check out spring - 2nd on spring
Well - Domestico

: FE Shows Flood Irrigation - OK

6-17-02 : spoke with Delbert and am going to stop
by his place in the afternoon of 6-18-02 to
look at the spring

6-18-02 : Arnold Davis:
FE

7-3-02 : called and spoke to Karen - She is sending me a
copy of her deed

10-12-02 : I have NO clue where claimant got that
POD was in section 15. Map provided by
claimant shows claimed POD is in S. 22.

Recommend POD in S 22 as it exists.

2-24-03 : Claimant called and wants 2 acres. He is sending in NOE.

PROFILED

SCANNED

JUL 25 2005

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 29-294H

WATER RIGHT NUMBER: 29-294H

Owner Type Name and Address
 Current Owner DELBERT V OWENS ✓
 2073 N INKOM RD
 PO BOX 368
 INKOM, ID 83245
 (208)775-3495 ✓
 Current Owner KAREN J OWENS ✓
 2073 N INKOM RD
 PO BOX 368
 INKOM, ID 83245
 (208)775-3495

Priority Date: 06/01/1885 ✓

Basis: Decreed ✓

Status: Active ✓

Source

RAPID CREEK ✓

Tributary

PORTNEUF RIVER ✓

*Decreed 1 1/2" per acre.*Beneficial Use

IRRIGATION ✓

From To

3/15 to 11/15
4/1 10/31Diversion Rate

0.060 CFS

0.02

Total Diversion:

0.060 CFS

0.02

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

RAPID CREEK

BANNOCK County ✓

SE1/4SE1/4

NE NENE

Sec. 15, Twp 07S, Rge 36E, B.M.

*22*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
																			1.8

Total Acres: *3 1.8*Conditions of Approval:Remarks:*This Right and 29-10688, 29-18362 limited to 1.8 ac 0.05 CFS*Dates and Other Information:

Claim Received Date: 3/21/1990
 State or Federal: S
 Owner Name Connector: OR
 Water District Number: 29F
 Mitigation Plan: False

PROFILED

SCANNED
 JUL 25 2005

As of 7/15/02

Split history for Decreed Right 29-00294

29-00294
0.8
Decree Silent
Assumed 40

PROFILE

Claimed

29-00294A	Murdock, Norris M	Not in Decreed POU
	0.3	
	28	
29-00294B	Lish, Sam	29-13372, Sam
	0.086	0.074
	4.3	3.7
		29-13373, Monte
		0.012
		0.6
29-00294C	Turman, Dennis	
	0.03	
	3	
29-00294D	Murdock, Norris Kent	
	0.1	
	5	
29-00294E	Whitworth, John	
	0.1	
	5	
29-00294F	Chavers, Ben	
	0.06	
	3	
29-00294G	Davis, Arnold	
	0.03	
	3	
29-00294H	Owens, Delbert	
	0.06	
	3	
29-00294J	Foltz, Michael	
	0.1	
	5.3	
29-10071	Wagner, Ronald	
	0.08	
	2	

Recommend

0.3 *	
24	
0.074 *	deed - silent from Murdock to Morris 1" ok
3.7	
0.012 *	deed - silent from Murdock to Morris 1" ok
0.6	
0.02 *	deed 1/2 per acre
1.8	
0.1 *	deed 1" per acre
5	
0.1 *	deed 1" per acre
5	
0.017 *	deed silent - no deed trail - 1/2 inch per acre
1.3	
0.02 *	deed 1/2 per acre
2	
0.02 *	deed 1/2 per acre
1.8	
0.04	no deed submitted - 1/2 " per acre
4	
0.02	deed 1/2" per acre
2	

Sum of claimed CFS =
Sum of claimed Acreage =

0.946

Sum CFS=
Sum Acre=

0.723

Un-accounted for CFS=
Un-accounted for Acres=

0.077

SCANNED
JUL 25 2005

Split History For 29-00294

SCANNED
JUL 25 2005

A) Murdock, Norris M ^{all} not Decreed POW

0.30 cfs
28 ac

B) Lish, Sam not Decreed POW

0.086 cfs
4.3 ac

C) Turnman, Dennis

0.03 cfs
3 ac

D) Murdock, Norris Kent

0.08 cfs
4 ac

E) Wetworth, John

0.10 cfs
5 ac

F) Chavers, Ben

0.06
? ac No acreage claimed

G) Davis, Arnold

0.03 cfs
3 ac

H) Owens, Albert

0.06
3 ac

I) Foltz, Michael

0.10 cfs
5.3 ac

Σ cfs claimed = 0.846 - Right overclaimed
 Σ acreage = 55.6

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

PROFILED

C. Sutton 9/7/01

29-00294
0.80 cfs
Max 80 ac

Wetworth
John

This instrument made this 21st day of May 1902, between Morris M. Murdoch, our Lord, One Thousand Nine Hundred and Seventy-One, and Marie J. Murdoch, husband and wife;

of Pocatello, County of Bannock, State of Idaho, the parties of the first part and James L. Collins and Lena M. Collins, husband and wife,

of Pocatello, County of Bannock, State of Idaho, the parties of the second part:

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of TEN DOLLARS AND OTHER VALUABLE CONSIDERATIONS----- DOLLARS lawful money of the United States of America, to us in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged do by these presents, Grant Bargain, Sell and Convey and Confirm unto said parties of the second part and to their heirs and assigns forever: All that certain lot, piece or parcel of land situate, lying and being in the County of Bannock, State of Idaho, bounded and more particularly described as follows, to-wit:

A tract of land in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of section 22, T 7S, R 36 E.B.M. containing 2.96 acres and described as follows: Commencing at the SW corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of section 22, T 7S, R 36 E.B.M. thence N 0°02' W, along the east 1/16 line of said section 22, 257.5 feet to the point of beginning; Thence continuing N 0°02' W, 136.0 feet; Thence S 88°59' E, 929.8 feet more or less to the westerly R.O.W. of the Inkorn Road; Thence S 14°51' E, along said R.O.W. 141.4 feet; Thence N 83°59' W, 965.9 feet more or less to the point of beginning; and Water right, not to exceed $\frac{1}{2}$ " (one-half inch) of water to each acre of irrigable ground from my water rights in Rapid Creek and the tributaries of Rapid Creek as such water is available.

Subject to: Easements and restrictions of record.

The above described property is sold upon the express condition and restriction that no trailer house or mobile home be placed on the above described premises or no older home or old building shall be moved on the above described premises.

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident unto the said parties of the second part, and to their heirs and assigns forever and the said parties of the first part, and their heirs warrant the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns against the said parties of the first part, and their heirs, and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hand and seal the day and year first above written.

Signed, Sealed and Delivered in the Presence of

Morris M. Murdoch [SEAL]

Marie J. Murdoch [SEAL]

PROFILED

SCANNED

JUL 25 2005

501426

STATE OF IDAHO.

COUNTY OF Bannock

On this 21st day of May, in the year 1971, before me
 the undersigned Notary Public in and for said County and
 State, personally appeared Norris M. Murdock and Merle J. Murdock, husband

and wife known to me to be the persons whose names are

subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year
 in this certificate first above written.

B. T. Co.
 Notary Public

Residence Pocatello, Idaho

My Comm. expires 4/25/75 501426

NO
 RECORDED AT REQUEST

B. T. Co.

Nov 8 3 15 PM '72

OFFICIAL RECORDS NO 254
 BANNOCK COUNTY, IDAHO
 FOR FILING RECORDS
 2.00

WARRANTY DEED

TO

Dated

19

STATE OF IDAHO.

COUNTY OF

I hereby certify that this instrument
 was filed for record at the request of

at minutes past

o'clock M. this day of

A. D. 19

at my office and duly recorded in Book

of Deeds at page

Ex-Officio Recorder

By

Deputy

Fee, \$

262

PROFILED

SCANNED

JUL 25 2005

1-21193

WARRANTY DEED

554137

For Value Received

Lona M. Collins a widow

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

Delbert V. Owens and Karen J. Owens, Husband and Wife,

whose current address is Inkorn Road
Pocatello, Idaho 83201the grantee^s, the following described premises, in Bannock County Idaho, to wit:

Lot 3, Block 1, Murdock Subdivision, Bannock County,
Idaho, as the same appears on the official plat thereof,
filed in the office of the County Recorder of Bannock
County, Idaho.....

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee^s
their heirs and assigns forever. And the said Grantor do hereby covenant to and
with the said Grantee^s, that she is the owner in fee simple of said premises; that they are free
from all incumbrances

and that she will warrant and defend the same from all lawful claims whatsoever.

Dated: April 28, 1976

Lona M. Collins
Lona M. Collins

STATE OF IDAHO, COUNTY OF Bannock
On this 28th day of April, 1976
before me, a notary public in and for said State, personally
appeared

Lona M. Collins NOTARY SEAL

known to me to be the person whose name is
above signed to the within instrument, and acknowledged to me

554137

NO. RECORDED BY REC'D

Amer. Land Title Co.

May 4 9 36 AM '76

JUL 25 2005

PROFILED

MURDOCK SUBDIVISIONA SUBDIVISION IN THE E $\frac{1}{4}$ E $\frac{1}{4}$ OF SECTION 22, T7S, R36E, 8M.

BANNOCK COUNTY

DADO

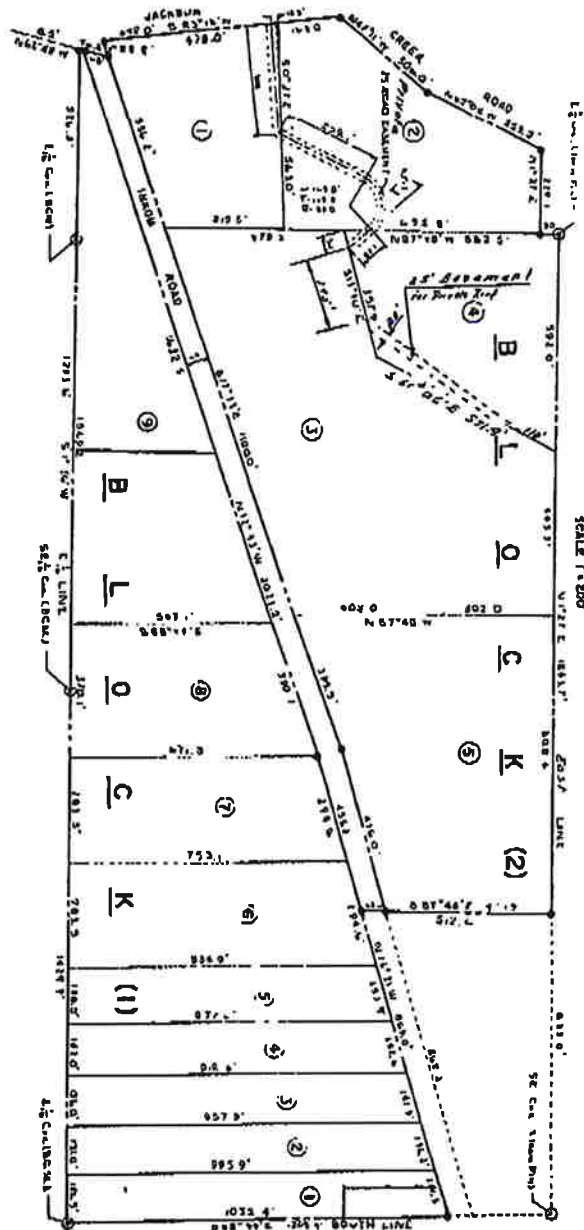
DATE 11-29-72

L. H. BALLIF ASSOCIATES

JOB NO. 72126

While this map is a photographic reproduction of that on file in either the recorder's or surveyor's office, the company assumes no liability for variation, if any, with another reproduction.

THIS IS NOT A SURVEY. THIS MAP IS FOR INFORMATIONAL PURPOSES ONLY. PIONEER TITLE COMPANY MAKES NO REPRESENTATIONS AS TO THE ACCURACY OF THE MAP AND ASSUMES NO LIABILITY FOR IT.



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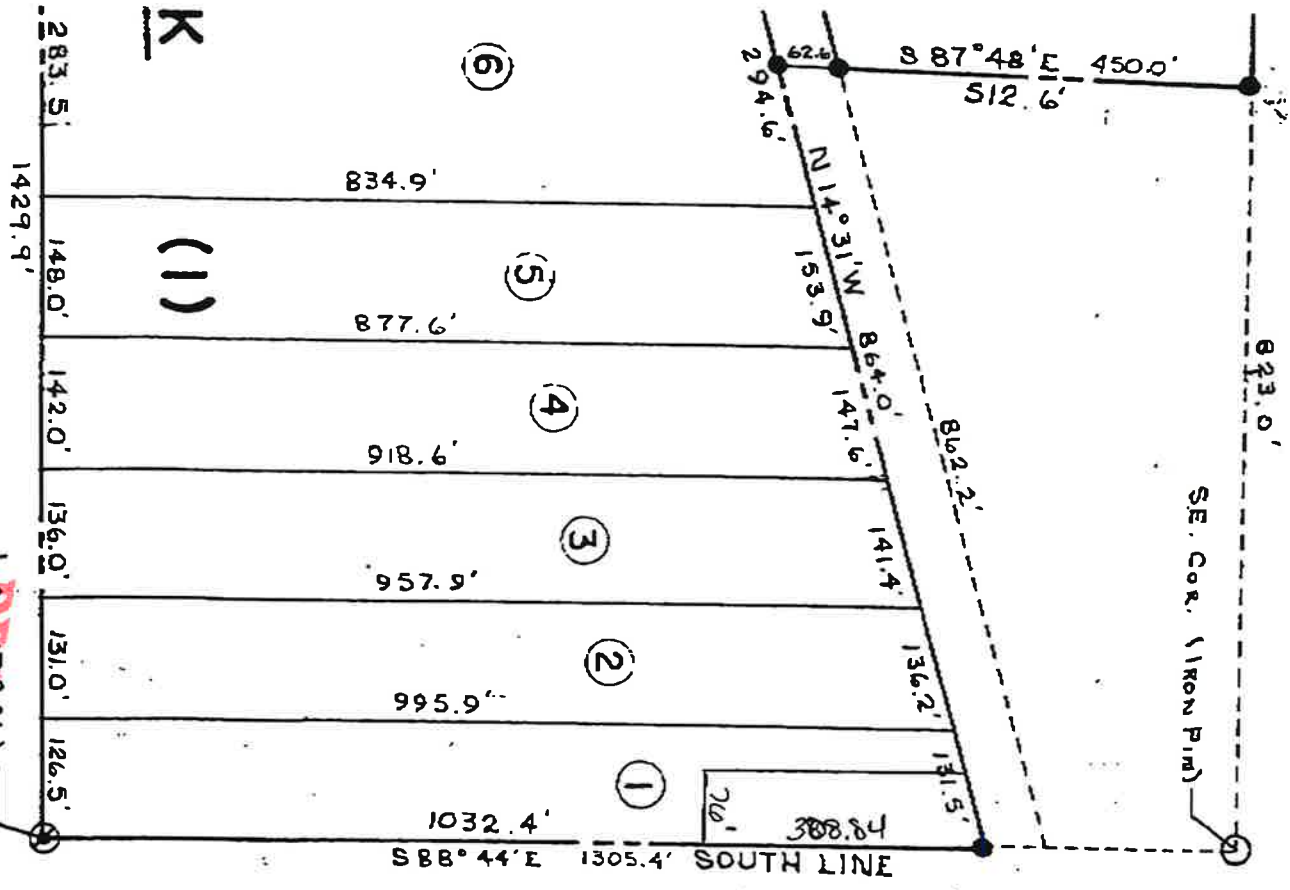
JUL 25 2005

PROFILED

BOOK 0 159
 Requested By
 Records of Ben
 Tim Eriks
 County Recorder

HEALTH DEPARTMENT
 Sanitary Restr.
 Title 50, Chapter 13, I.

I Certify That this is
 of "Murdock Subdi
 Tim Eriks
 County Clerk



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SCANNED
 JUL 25 2005

PIONEER TITLE COMPANY OF BANNOCK COUNTY

135 N. Arthur

Pocatello, ID 83204

PHONE (208) 233-9595 / 1-800-838-9595

FAX NUMBER (208) 234-0621

DATE: 7-9-02TO: Idaho Dept Water ResourcesATTN: Graig SaxtonFROM: ~~PIONEER TITLE COMPANY OF BANNOCK COUNTY~~Delbert V.~~State~~ Owens & Karen Owens

ORDER NO.: _____

RE: _____

TOTAL PAGES BEING SENT - INCLUDING THIS COVER SHEET: 6NOTE: *If you do not receive all of this transmission, please call us right away.***Thank You!****PROFILED****JUL 25 2002****SCANNED**

RECEIVED

JUN 28 2002

WATER RESOURCES
WESTERN REGION

I Norris M. Murdock purchased in the fall of 1947, this 80 acres, which is a tract of land in Section 22 township 7 South Range 36 East Boise Meridian which is currently the Murdock Subdivision. I purchased this property from Roy Cardon, who at the time was using water from Rapid Creek and tributaries, which has an old Indian Decree water right. We would divert Jackson Creek, which runs through the place to Rapid Creek until such creek would become low of water. Then we would divert water from Rapid Creek. This has been happening before I purchased the property to the present time, June 26, 2002. As far as I know, this water has been used this way since the Indian water rights was put in place.

I declare this statement to be true.

Norris M. Murdock
NORRIS M. MURDOCK

IDENT # 29-13362
CASE # 39576
RECEIPT # 10029353

STATE OF IDAHO
County of Bannock

On the 26th day of June, in the year 2002, before me, a Notary Public in and for said State personally appeared Norris M. Murdock, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me the he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

PROVIDED (SEAL)

My commission expires 9-15-03

Charmain Murdock
Notary Public

SCANNED Residing at Idaho, Id 83245

JUL 25 2005

IRELAND BANK
FAXTELEPHONE
208-775-3354FAX
208-775-3723P.O. BOX 277
110 HWY 30 EAST
INKOM, ID 83245DATE: 6-26-02 # PAGES FOLLOWING: 1TO: Department of Water Resources
att: Craig S. SartorFROM: Delbert OwensCOMMENTS: Sackson Ck. water RightsIRELAND BANK INTERNET ADDRESS
<http://www.Ireland-Bank.com>

SCANNED

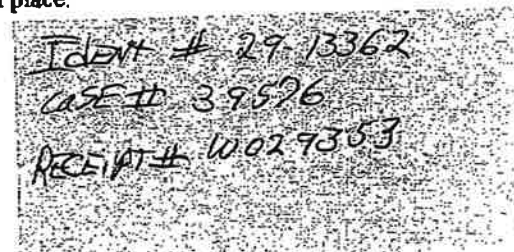
JUL 25 2005

PROFILED

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I declare this statement to be true.

Norris M. Murdock
NORRIS M. MURDOCK



STATE OF IDAHO
County of Bannock

On the 26th day of June, in the year 2002, before me, a Notary Public in and for said State personally appeared Norris M. Murdock, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me the he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(SEAL)

My commission expires 9-15-03

Charmaine Murdock
Notary Public

Residing at Inkom, Id 83245

PROVIDE

SCANNED
JUL 25 2005

Saxton, Craig

From: Del Owens [delvowens@gemstate.net]
Sent: Tuesday, July 09, 2002 6:39 PM
To: Saxton, Craig
Cc: Del Owens
Subject: Re: Copy of Deed?

Craig

I faxed you all I could find from the county recorder and Pioneer Title Co. About 3-4 pm from the title co. today. I would really like to talk and see what I can do about retaining the rightful amount of water that was on this Land originally, and I really question how The Owner before hand could do this and give back a full inch when the other land owners could afford a lawyer back then, He allowed his son to hold a full inch and they pump out of the creek directly and we have to use a ditch and fight for every inch, especially now with no water and a sorry ditch system.

Please let me know what when and where to help at all possible, or if you need further information.
 Del Owens

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

From: Saxton, Craig
To: 'Del Owens'
Sent: Monday, July 08, 2002 7:30 AM
Subject: RE: Copy of Deed?

Hello Del,

Sorry it took so long to get back to you. I will attempt to answer your questions. I am requesting deeds from all the property owners that I don't already have deeds for. Here is why. Norris Murdock claimed a portion of this right on properties that were not originally listed in the Decree for this right. It is my understanding that when Norris subdivided the land and sold off separate parcels, he deeded certain amounts of water to the lands and through historical practice, moved the remaining amount of water to his currently claimed place of use. I've seen deeds for 1 in per acre, 1/2 inch per acre, and deeds that are silent to water rights. The other option is sometimes a deed will exclude water from the land. So, I need to see the deed to see if there is any mention of water rights. Even if your deed is silent, I still need to have it in the file to prove that the land is not "excluded" from having water rights.

I understand that you will be out for a while, but the sooner you can get that deed to me the better.

Sorry for the inconvenience.

Craig L. Saxton
 PH: (208) 334-2190
 Fax: (208) 334-2348

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

From: Del Owens [mailto:delvowens@gemstate.net]
Sent: Thursday, July 04, 2002 6:02 PM
To: Undisclosed-Recipient;
Subject: Copy of Deed?

I do not know where the deed is at this moment, I will try to get a copy from the Court House or from the Title Co.

They never sent the Deed to us when we paid off the house. Is this going to be required from all the people in the Murdock Sub-division, and What is this going to do to our deeded Water now?

Is this going to affect the water that was removed from this Land and used on other land owned by the Murdock's?

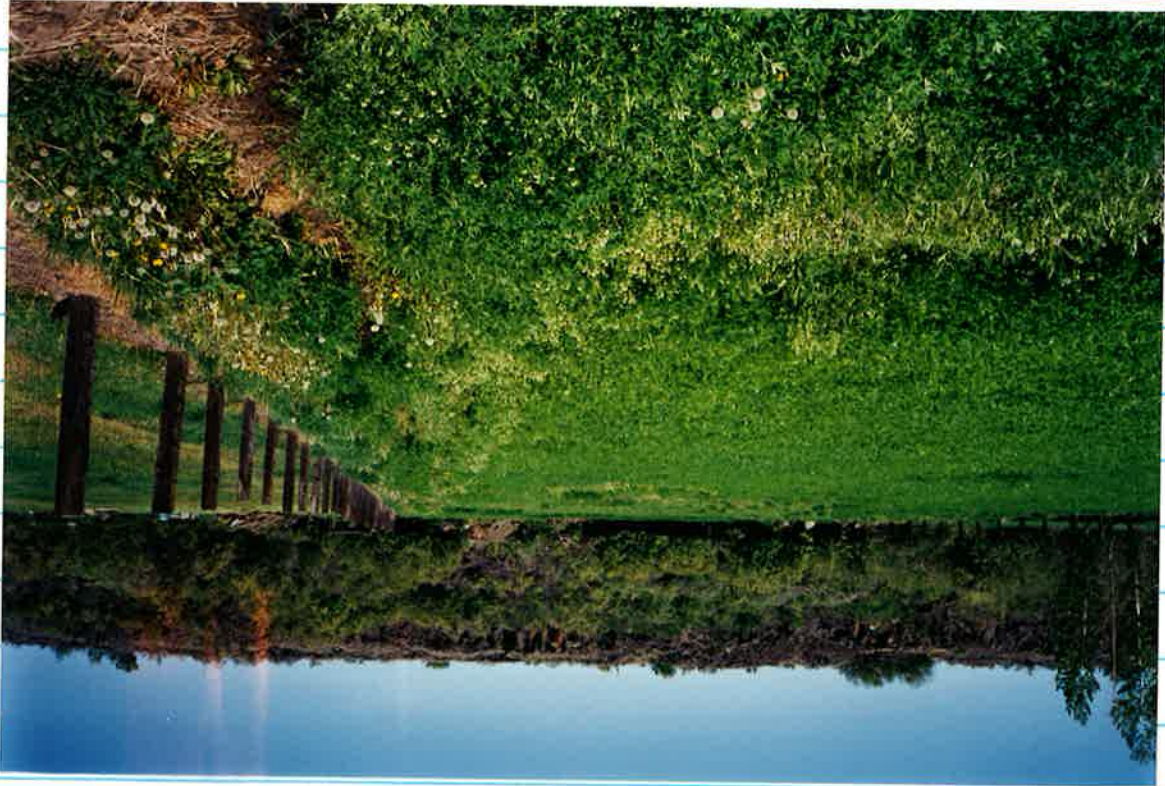
PROFILED

JUL 25 2005

SCANNED
JUL 25 2005

PROTECTED

Place of use



Flood irrigation ditch that serves the property



FE
5-31-00
29-00244H

Ditch running on S side of Charman's Property



Ditch →

← Ditch

CANINE
JUL 25 2005

- Ditch division that serves Charman's Property



PROFILED

FF

5-31-02

29-00094H

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-294

WATER RIGHT NUMBER: 29-294

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WEGECATA JACKSON

, ZZ

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	/ 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

SCANNED

JUN 11 2001

Log for claim A29-00294H

Spatial Dynamics LTD

8/25/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s36e	22	SESE	3	2.4	
Totals:			3	2.4	

AJ5809NP
No. A29-00294H

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 52

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DELBERT V OWENS	06/01/1885	IRRIGATION	03-15 11-15	0.060 CFS	
C	KAREN J OWENS					
	2073 N INKOM RD					
	PO BOX 368			TOTAL DIVERSION:	0.060 CFS	
	INKOM ID 83245			CONSUMPTIVE USE:		9.00 AFA
	(208) 775-3495					

Water Source: RAPID CREEK

Tributary to: PORTNEUF RIVER

Stage: DECREED

Point(s) of Diversion: T07S R36E S15 SESE 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	: 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	:	:	:	:	:	:	:	:	:	:	:			
													03	:	3.0	
													TOTAL ACRES	:	3.0	

POU County: BANNOCK

Non-Irrigation Uses: S/ 6 HEAD CATTLE OR HORSES

Other Rights: NONE

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

29-10712 29-10714 29-10839 A29-10712 A29-10714 A29-10839

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

A29-00294 A29-00294C A29-00294F A29-00294G 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:

Audit: 06/21/90 DCARLSON 04/04/94 THOMPSON 03/29/95 POST-STD

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 29-294H
Date Received: 3/21/1990
Receipt No: M006303
Received By:

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

1. Name of Claimant(s)

DELBERT V OWENS Phone: (208)775-3495

2073 N INKOM RD
PO BOX 368
INKOM ID USA 83245

KAREN J OWENS Phone: (208)775-3495

2073 N INKOM RD
PO BOX 368
INKOM ID USA 83245

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	15	SE SE	BANNOCK	

5. Description of diverting works:

DAM/ DITCH/ FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.06	
STOCKWATER	04/01	10/31	0.02	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

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

(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): Robert L. Quinn Date: 2-2-03

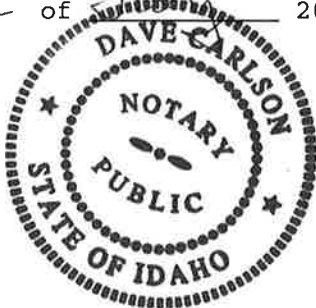
Date:

State of Idaho

County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this

2 of Feb 2003



Dave Carlson

Notary Public

Residing at Ryby, Id

My commission Expires 2/26/2008

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-294H V1

WATER RIGHT NUMBER: 29-294H V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	WEGECATA JACKSON
	, ZZ
Current Owner	DELBERT V OWENS 2073 N INKOM RD PO BOX 368 INKOM, ID 83245 (208)775-3495
Current Owner	KAREN J OWENS 2073 N INKOM RD PO BOX 368 INKOM, ID 83245 (208)775-3495

Priority Date: 06/01/1885

Basis: Decreed

Status: Active

Source

RAPID CREEK

Tributary

PORTNEUF RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Diversion Rate

0.020 CFS

Annual VolumeTotal Diversion:

0.020 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																2.0	2.0

Total Acres: 2

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-294H V1

1. Quantity USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.06 CFS. COMBINED RIGHT NOS.: 29-00294H, 29-10688, 29-13362.
2. 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.: 29-00294H, 29-10688, 29-13362.

Comments:

1. csaxton 12/19/2002 Diversion Rate

Comment: This right was over claimed. Deeds were requested from all claimants. Some claimants were deeded 1 inch per acre, some claimants were deeded ½ inch per acre, and some of the claimant deeds were silent. If the deed shows a duty of water, that amount recommended. Claimants that did not provide a deed will be recommended ½ inch per acre. Jackson creek water is used on this property (co-mingled with Rapid Creek). However Jackson Creek water was not decreed. Use of Jackson creek water is treated as a beneficial use right. Some users of Rapid Creek would not file a claim on Jackson Creek. When Jackson Creek water is being delivered, they will not have right to be on the rotation.

2. csaxton 12/19/2002 POD

Comment: POD not defined in Decree. No C03.

3. csaxton 12/19/2002 Deeded Water

Comment: Claimant deeded 1/2 inch per acre.

4. csaxton 4/18/2003 NOE

Comment: Acreage adjusted per NOE.

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	12/19/2002 3:20:05 PM	csaxton			Active
Priority Date	12/19/2002 3:20:28 PM	csaxton			Active
POD	12/19/2002 3:20:38 PM	csaxton			Active
Source	12/19/2002 3:21:24 PM	csaxton			Active
POU	12/19/2002 3:21:33 PM	csaxton			Active
Use	12/19/2002 3:22:36 PM	csaxton			Active
Season	12/19/2002 3:22:50 PM	csaxton			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-294H V1

Quantity	12/19/2002 3:23:41 PM	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	4/18/2003 3:02:00 PM	csaxton	Edited shape boundary
POU	4/18/2003 3:02:48 PM	csaxton	Edited PLS
Priority Date	12/19/2002 3:20:27 PM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	12/19/2002 3:20:51 PM	csaxton	Edited point location
POD	12/19/2002 3:21:02 PM	csaxton	Edited PLS
Source	12/19/2002 3:21:23 PM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	12/19/2002 3:21:33 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
POU	12/19/2002 3:21:46 PM	csaxton	Edited shape boundary
POU	12/19/2002 3:22:14 PM	csaxton	Edited PLS
Use	12/19/2002 3:22:36 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-294H V1

Season	12/19/2002 3:22:49 PM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	12/19/2002 3:23:40 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (Yes) 12. Is a Quantity remark or condition required?
Summary	12/19/2002 3:26:09 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (Yes) 7. Is this a split or combined right? (No) 8. Do you have documents you would like to attach or link to the file? (Yes) 9. Would you like to set the verification date?
Contacts	12/19/2002 3:20:04 PM	csaxton	(No) 1. Do you want to schedule an appointment?
POD	12/19/2002 3:20:37 PM	csaxton	Comment for 1: Field Exam 6/18/02 (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?

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: A29-00294H
Date Received: 3/21/1990
Receipt No: M006303
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DELBERT V. OWENS 208-775-3495
Address: 2073 N. INKOM RD
PO BOX 368
INKOM, ID 83245
OR
Name: KAREN J. OWENS 208-775-3495
Address: 2073 N. INKOM RD
PO BOX 368
INKOM, ID 83245

A2900294H



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	Lot	County
07S	36E	15	SE	SE			BANNOCK

5. Description of diverting works:
DAM/ DITCH/ FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.060		

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

8. Total consumptive use is 9.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/ 6 HEAD CATTLE OR HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	36E	22	SE	SE		IRR	3.0
Section Acres							3.0
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:

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): _____ Date: _____

_____ Date: _____

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

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

CIVIL CASE NUMBER: 39576

Ident. Number

A29-00294 H partim

Date Received

3-21-90 Rat

Receipt Number

M006303

RECEIVED
MAR 21 1990

Department of Water Resources

NOTICE OF CLAIM
TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Delbert V. or Karen J. Owens Phone (208) 775-3495

Mailing Address 2073 N. Inkam Rd. P.O. Box 368, Inkam, ID Zip 83245

2. Date of Priority (Only one (1) per claim) 6/1/1885

3. Source of water supply (a) Rapid Creek
which is tributary to (b) Portneuf River

4. a. Location of existing point of diversion is: Township 7S Range 36E Section 15
1/4 of SE 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of Bannock

Additional points of diversion if any: _____

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

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

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

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

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Dam, ditch, flood irrigation

MICROFILMED

NOV 13 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3/15 to 11/15 amount .06 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .06 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 9 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stock water, 6 head mixed cattle, horses

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
75	36E	22																3	3

Total number of acres irrigated 3

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

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

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

14. Remarks:

MICROFILMED

NOV 13 1992

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number 29-00294 (partial)
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Robert V. Owens Date Mar 21-1990

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 21st day of March 1990

SEAL

Notary Public Helen Harrington

Residing at Helen Harrington, Notary Public
Residing at Boise, Idaho

My Commission Expires December 1, 1994

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

MICROFILMED
NOV 13 1992

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

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POP.

POV

POCATELLO 13 MI.
PORTNEUF 6 MI.

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