

12/18/2002

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

RIGHT NUMBER: 29-294J
NAME AND ADDRESS: MICHAEL J FOLTZ
2163 N INKOM RD
INKOM ID 83245
BETTE L FOLTZ
2163 N INKOM RD
INKOM ID 83245

SOURCE: RAPID CREEK TRIBUTARY: PORTNEUF RIVER
QUANTITY: 0.040 CFS
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>
STOCKWATER	04/01 10/31	0.020 CFS
IRRIGATION	04/01 10/31	0.040 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County
T07S R36E S22 SESE 4.0

STOCKWATER same as IRRIGATION

4 ACRES TOTAL

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

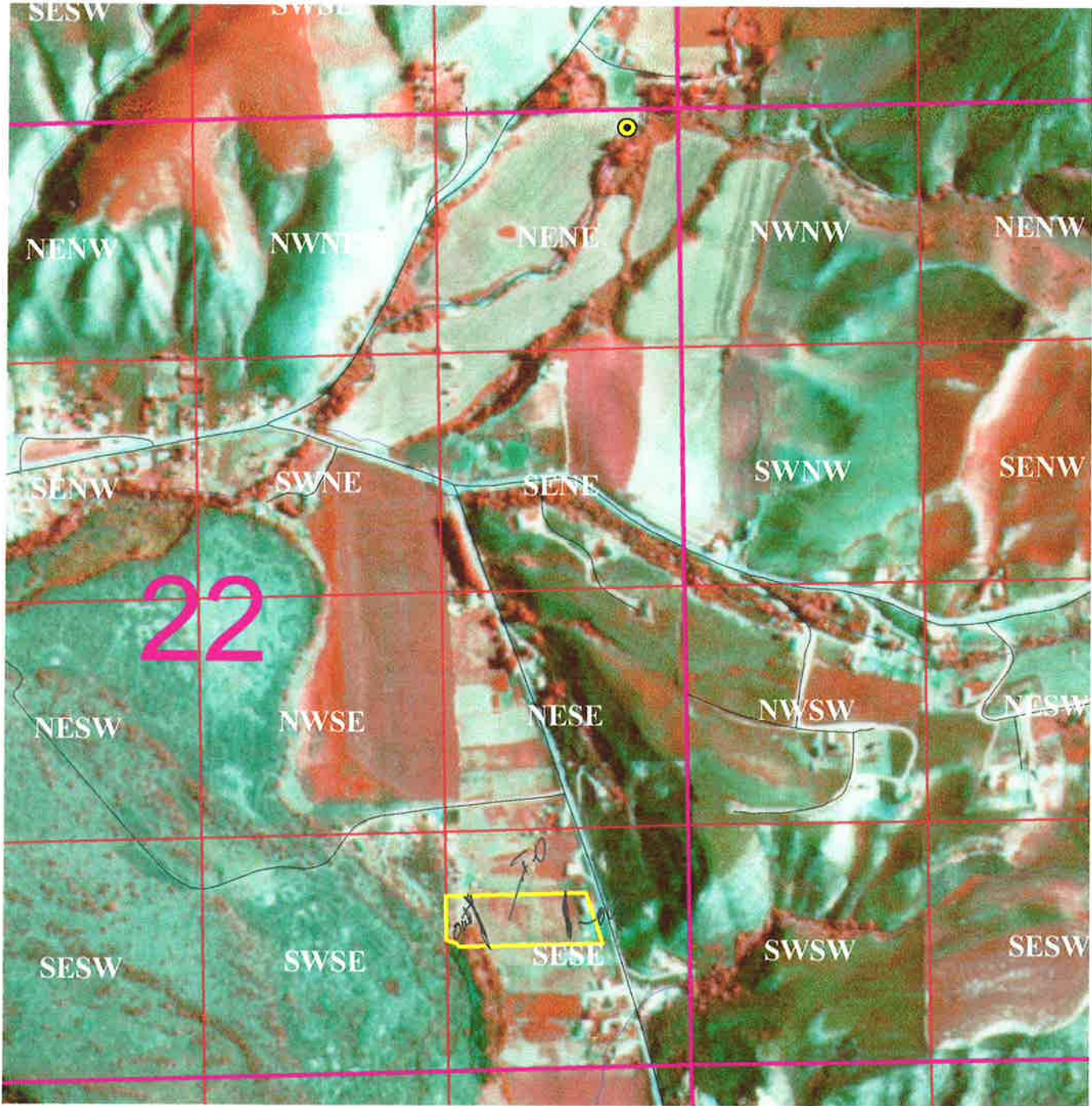
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Decreed

Stockwater use is for 9 range cattle.

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

08/25/2000



Legend

 Irrigated Area	 Section Line	 Roads
 Place of Diversion	 Quarter Section Line	 Streams and Canals





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

08/25/2000



Irrigated Area

Place of Diversion

Section Line

Quarter Section Line

Roads

Streams and Canals

Legend



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-294J V1

WATER RIGHT NUMBER: 29-294J V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MICHAEL J FOLTZ 2163 N INKOM RD INKOM, ID 83245 (208)775-3466
Current Owner	BETTE L FOLTZ 2163 N INKOM RD INKOM, ID 83245 (208)775-3466

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>
STOCKWATER	04/01 to 10/31	0.020 CFS	
IRRIGATION	04/01 to 10/31	0.040 CFS	
	<u>Total Diversion:</u>	0.040 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																	4.0
																			4.0

Total Acres: 4

STOCKWATER same as IRRIGATIONConditions 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.
2. X02 Stockwater use is for 9 range cattle.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-294J V1

Comments:

1. csaxton 12/18/2002 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 12/18/2002 No Deed

Comment: No deed submitted as requested. No jack ck claim submitted. Recommend 1/2 inch per acre based on that is was the understanding that Norris M. Mudocks intent was to deed 1/2 inch per acre.

3. csaxton 12/18/2002 POD

Comment: POD not defined in Decree. No C03.

4. csaxton 12/18/2002 Stock - SOU

Comment: No evidence that stockwater is diverted outside the irrigation SOU.

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	12/18/2002 9:28:36 AM	csaxton			Active
Priority Date	12/18/2002 9:28:54 AM	csaxton			Active
POD	12/18/2002 9:29:16 AM	csaxton			Active
Source	12/18/2002 9:30:28 AM	csaxton			Active
POU	12/18/2002 9:30:46 AM	csaxton			Active
Use	12/18/2002 9:32:27 AM	csaxton			Active
Season	12/18/2002 9:33:18 AM	csaxton			Active
Quantity	12/18/2002 9:34:26 AM	csaxton			Active
Summary			12/18/2002	csaxton	Active

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-294J V1

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	12/18/2002 9:28:37 AM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Field Exam 5/31/02
Priority Date	12/18/2002 9:28:54 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? (No) 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	12/18/2002 9:29:17 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (No) 4. Does the Decree or License have a POD? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POD	12/18/2002 9:29:45 AM	csaxton	Edited point location
POD	12/18/2002 9:29:59 AM	csaxton	Edited PLS
Source	12/18/2002 9:30:29 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	12/18/2002 9:30:46 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	12/18/2002 9:31:35 AM	csaxton	Edited shape boundary
POU	12/18/2002 9:31:57 AM	csaxton	Edited PLS
Use	12/18/2002 9:32:28 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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-294J V1

Season	12/18/2002 9:33:18 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?
Quantity	12/18/2002 9:34:26 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? (No) 12. Is a Quantity remark or condition required?
Summary	12/18/2002 9:35:27 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?

02/08/2003

Craig

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: 29-294J

MICHAEL J FOLTZ
2163 N INKOM RD
INKOM ID 83245
Telephone Number: (208)775-3466

BETTE L FOLTZ
2163 N INKOM RD
INKOM ID 83245
Telephone Number: (208)775-3466

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
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: 2-21-03 SIGNATURE: *[Signature]*
Please print your name: Michael J Foltz

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

PROFILE

SCANNED
JUL 26 2005

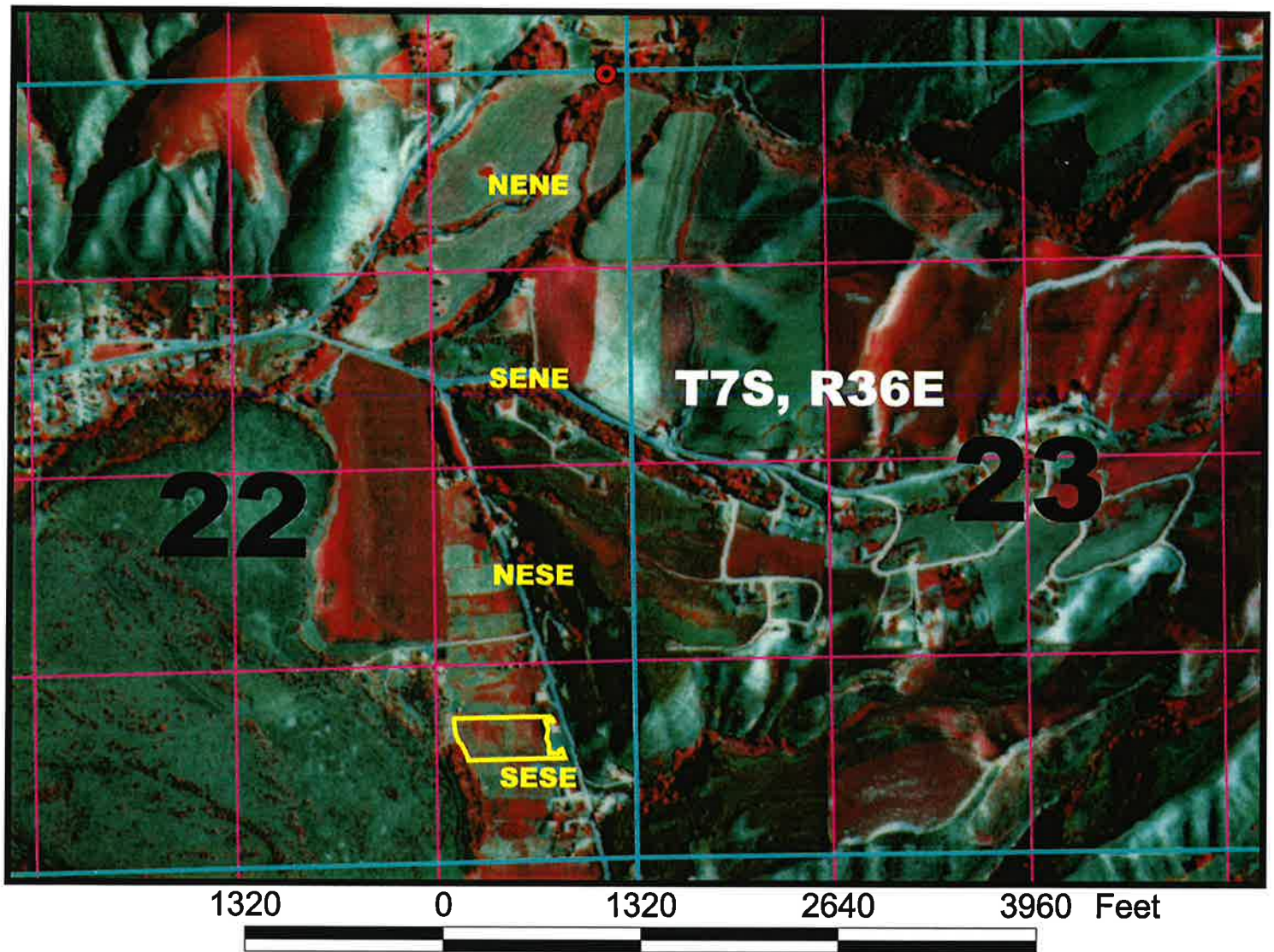
RECEIVED
FEB 28 2003
Department of Water Resources
Eastern Region



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s): 29-00294J



Total Irrigated Acres: 4.0



Point(s) of Diversion



Place of Use



Quarter Quarter Lines

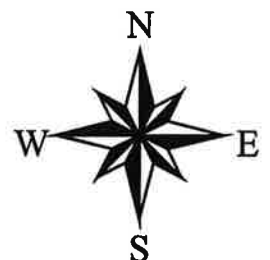


Section Lines

SCANNED

JUL 26 2005

PROFILED



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

12-16-02: No deed Submitted as Requested. No
Jackson CK Claim Submitted

Recommend $\frac{1}{2}$ " per acre. Could go 1 in
if deed silent, but no Claimant Contact

SCANNED
JUL 26 2005

PROFILE



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 3, 2002

MICHAEL J FOLTZ
BETTE L FOLTZ
2163 N INKOM RD
INKOM ID 83245

RE: Request for Warranty deed

Dear Michael and Bette,

In the letter I sent you on July 2, 2002, I neglected to request a copy of your Warranty Deed. The reason I need a copy of the deed is that several of the deeds along for Murdock Subdivision state how much water per acre was sold when Norris Murdock subdivided the property. Some of the deeds I've seen in the area speak of a 1/2 inch per acre, some speak of 1 inch per acre, and some are silent. There are times where a deed will exclude all water rights. Please mail or fax me a copy of your deed as soon as possible.

Feel free to contact me if you have any questions.

Respectfully submitted,

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau
Fax: 334-2348

SCANNED

JUL 26 2005

PROFILE



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 2, 2002

MICHAEL J FOLTZ
BETTE L FOLTZ
2163 N INKOM RD
INKOM ID 83245

RE: New Snake River Basin Adjudication (SRBA) claim for Jackson Creek water.

Dear Michael and Bette,

The Idaho Dept. of Water Resources is currently in the process of reviewing SRBA claims in your area. My initial review indicates that water used for irrigation purposes on the ditch that services Murdock Subdivision is both Rapid Creek and Jackson Creek water.

You claimed a portion of original decreed right 29-00294. The decree states that this right is to be delivered from the main channel of Rapid Creek. In order to continue use of Jackson Creek water to irrigate your property, a separate claim for the Jackson Creek water needs to be filed.

For your convenience enclosed is a claim for the use of Jackson Creek for irrigation purposes. Please 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 filing fee of \$50. Note, that I am soliciting claims for Jackson Creek water from all the users on the ditch.

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

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Craig L. Saxton'.

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

PROFILED

SCANNED
JUL 26 2005

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 _____
Date Received: _____
Receipt No: _____
Received By: _____

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

1. Name of Claimant(s)

MICHAEL J FOLTZ Phone: (208)775-3466

2163 N INKOM RD
INKOM ID USA 83245

BETTE L FOLTZ Phone: (208)775-3466

2163 N INKOM RD
INKOM ID USA 83245

2. Date of Priority: 06/01/1885

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

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:

DITCH RUNNING S AND N PARALLEL TO INKOM ROAD

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/15	0.1	
STOCKWATER	4/15	10/15	0.02	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

PROFILED

**SCANNED
JUL 26 2005**

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	36E	22	SE	SE	STOCKWATER	
			SE	SE	IRRIGATION	5.3
					Section Acres	5.3
					Total Acres	5.3

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:

29-00294J, 29-11179

14. Remarks:

15. Basis of Claim: BENEFICIAL

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: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this

of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

PROFILED

SCANNED

JUL 26 2005

5-30-02: 29-11179 D+S Decayed
29-12014 see Remarks Leads too 29-00294 J

5-31-02: signs of Irrigation @ FE
OK - Flood Irrigation, only low points

PROFILED

SCANNED
JUL 26 2005

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 * deed - silent from Murdock to Morris 1" ok 3.7
	29-13372, Sam 0.074 3.7	
	29-13373, Monte 0.012 0.6	0.012 * deed - silent from Murdock to Morris 1" ok 0.6
	29-00294C Turman, Dennis 0.03 3	0.02 * deed 1/2 per acre 1.8
	29-00294D Murdock, Norris Kent 0.1 5	0.1 * deed 1" per acre 5
	29-00294E Whitworth, John 0.1 5	0.1 * deed 1" per acre 5
	29-00294F Chavers, Ben 0.06 3	0.017 * deed silent - no deed trail - 1/2 inch per acre 1.3
	29-00294G Davis, Arnold 0.03 3	0.02 * deed 1/2 per acre 2
	29-00294H Owens, Delbert 0.06 3	0.02 * deed 1/2 per acre 1.8
	29-00294J Foltz, Michael 0.1 5.3	0.04 no deed submitted - 1/2 " per acre 4
	29-10071 Wagner, Ronald 0.08 2	0.02 deed 1/2" per acre 2
Sum of claimed CFS =	0.946	Sum CFS= 0.723
Sum of claimed Acreage =		Sum Acre=
		Un-accounted for CFS= 0.077
		Un-accounted for Acres=

SCANNED
JUL 26 2005

PROTECTED

Split History For 29-00294

A) Murdock, Norris M ^{AM} not Decreed POW
 0.30 cfs
 28 ac

B) Lish, Sam not Decreed POW
 0.086 cfs
 4.3 ac

C) Turner, Dennis
 0.03 cfs
 3 ac

D) Murdock, Norris Kent
 0.08 cfs
 4 ac

E) Wrightworth, 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

SCANNEL
 JUL 26 2005

± cfs claimed = 0.846 - Right overclaimed
 ± 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

29-00294J
5/31/02

PROFILE

SCANNED
JUL 26 2005



Looking South
Flood irrigation
ditch. Ditch
actually carries
water west of
Home to irrigate
lower field



29-00294J

5-31-02

Ditch →



Pou.
Looking
west

← Ditch

SCANNED
JUL 26 2005

PROFILED



pou
Looking
west

Water Right Report 29-294

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

Status: Active

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

RAPID CREEK

Twp	Rge	Sec	NE				NW				SW				SE				
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
07S	36E	22													X			X	

Total Acres: 0

Conditions of Approval:

1. 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 A29-00294J

Spatial Dynamics LTD

8/25/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s36e	22	SESE	5.3	5.2	Indiscernible
Totals:			5.3	5.2	

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BETTE L FOLTZ	06/01/1885	IRRIGATION	04-15 10-15	0.100 CFS	
C	MICHAEL J FOLTZ		STOCKWATER	04-15 10-15	0.020 CFS	
	2163 N INKOM RD					
	INKOM ID 83245					
	(208) 775-3466					
				TOTAL DIVERSION:	0.100 CFS	
				CONSUMPTIVE USE:		12.50 AFA

Water Source: RAPID CREEK

Tributary to: PORTNEUF RIVER

Stage: DECREED

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

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE							
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
07S	36E	22	:															05	5.3
																		TOTAL ACRES	5.3

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE							
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
07S	36E	22	:															S	

POU County: BANNOCK

Non-Irrigation Uses: STOCKWATER, 7 HORSES, 2 COWS

Other Rights: NONE

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

A29-00291A A29-00292B A29-00294B A29-00294C A29-00294D A29-00294E A29-00294G A29-10376

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

A29-00294 A29-00294C A29-00294F A29-00294G A29-00294H A29-07109 A29-10071 A29-10688 A29-12014

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

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

Audit: 11/17/94 DCARLSON 03/29/95 POST-STD

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME	<u>Foltz</u>	CLAIM NO.	<u>29 12014</u>
DATE RECEIVED	<u>4-9-90</u>	CK #	<u>472</u>
		AMOUNT \$	<u>5500</u>

	YES	NO	Required Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered?	☒	☐	*
Is the priority date acceptable in view of mandatory filing dates?	☒	☐	*
See Adjudication Memos #1 and #4 to determine if a Permit is required.	☒	☐	*
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required)	☒	☐	
4. Is the legal description of the p.d. sufficient?	☒	☐	*
5. Is there a description of the diverting works?	☒	☐	
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.	☒	☐	*
Is the period of use included?	☒	☐	
Is a quantity claimed for each use?	☒	☐	*
7. Is a total quantity claimed entered?	☒	☐	
8. If required is a consumptive use entered?	☒	☐	
Is the consumptive use correct?	☒	☐	
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.	☒	☐	*
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	*
11. Is (are) the county(ies) entered?	☒	☐	
12. Is the ownership of p.u. checked?	☒	☐	
13. Are other water rights listed or "none" indicated?	☒	☐	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	☒	☐	
15. Is the basis of the claim indicated?	☒	☐	
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)	☒	☐	
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.	☒	☐	*
18. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
19. Was this claim filed on time, or was an extension granted?	☒	☐	*
20. Is the fee enclosed correct?	☒	☐	*
21. If this claim is based on an existing water right, has the identification number been entered?	☒	☐	
22. Should this claim be data entered?	☒	☐	

Claim checked by: _____ Date: _____

Claim must be returned to claimant: _____ (Yes) _____ (No)

Claimant must be notified of modifications: _____ (Yes) _____ (No)

Receipt Prepared by: _____	Date: _____
Claim data entered by: _____	Date: _____
Sent to claimant by: _____	Date: _____

Comments: _____

MICROFILMED
NOV 13 1996MICROFILMED
NOV 16 1992

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: A29-00294J
Date Received: 5/ 3/1990
Receipt No: E014136
Received By: _____

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

1. Name: MICHAEL J FOLTZ 208-775-3466
Address: 2163 N INKOM RD
INKOM ID 83245

OR

Name: BETTE L FOLTZ 208-775-3466
Address: 2163 N INKOM RD
INKOM ID 83245

2. Date of Priority: JUN 1, 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	22	NE	NE	NE		BANNOCK

5. Description of diverting works:
DITCH RNNING S AND N PARALLEL TO INKOM ROAD

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.100		
STOCKWATER	04/15	10/15	0.020		

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

8. Total consumptive use is 12.5 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 7 HORSES, 2 COWS

MICROFILMED
NOV 13 1996

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	36E	22	SE	SE		STOCK	
			SE	SE		IRR	5.3
						Section Acres	5.3
						Total Acres	5.3

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:
NONE

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

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: **A29-12014**
Date Received: 1/ 7/1992
Receipt No: E014136
Received By: _____

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

1. Name: MICHAEL J FOLTZ 208-775-3466
Address: 2163 N INKOM ROAD
INKOM ID 83245
OR
Name: BETTE L FOLTZ 208-775-3466
Address: 2163 N INKOM ROAD
INKOM ID 83245

2. Date of Priority: JUN 1, 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	22	NE	NE	NE		BANNOCK

5. Description of diverting works:
DITCH RNNING S AND N PARALLEL TO INKOM ROAD

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.100		
STOCKWATER	04/15	10/15	0.020		

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

8. Total consumptive use is 12.5 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 7 HORSES, 2 COWS

MICROFILMED
NOV 13 1996

MICROFILMED
NOV 16 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	36E	22	SE	SE		IRR	5.3
			SE	SE		STOCK	

Section Acres 5.3

Total Acres 5.3

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:

NONE

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

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: _____

MICROFILMED
NOV 13 1996

MICROFILMED
NOV 10 1992

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
NOV 18 1992

MICROFILMED
NOV 13 1996

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

Renumbered A29-00294J
CIVIL CASE NUMBER: 39576 *11/10/94*

Ident. Number A29-12014

Date Received _____

Receipt Number EC 14136
OK #472 5500

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

APR 9 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) Michael J. or Bette L. Foltz Phone (208) 825-3466

Mailing Address 2163 N. Inkorn Rd. Inkorn, Idaho Zip 83245

2. Date of Priority (Only one (1) per claim) JUNE 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 22,
NE 1/4 of NE 1/4 of NE 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

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 BANNOCK

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.

Irrigation Ditch Running
South & North Parallel to Inkorn Rd

MICROFILMED
NOV 13 1990 NOV 16 1992



6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4-1 to 11-1 amount 110 or _____
For Stock purposes from 4-1 to 11-1 amount 12 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 110 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 12.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 7 horses 2 cows

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	
<u>7</u>	<u>36E</u>	<u>22</u>																<u>5.3</u>	<u>5.3</u>
																		<u>S</u>	

Total number of acres irrigated 5.3

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

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

or None (X)

14. Remarks:

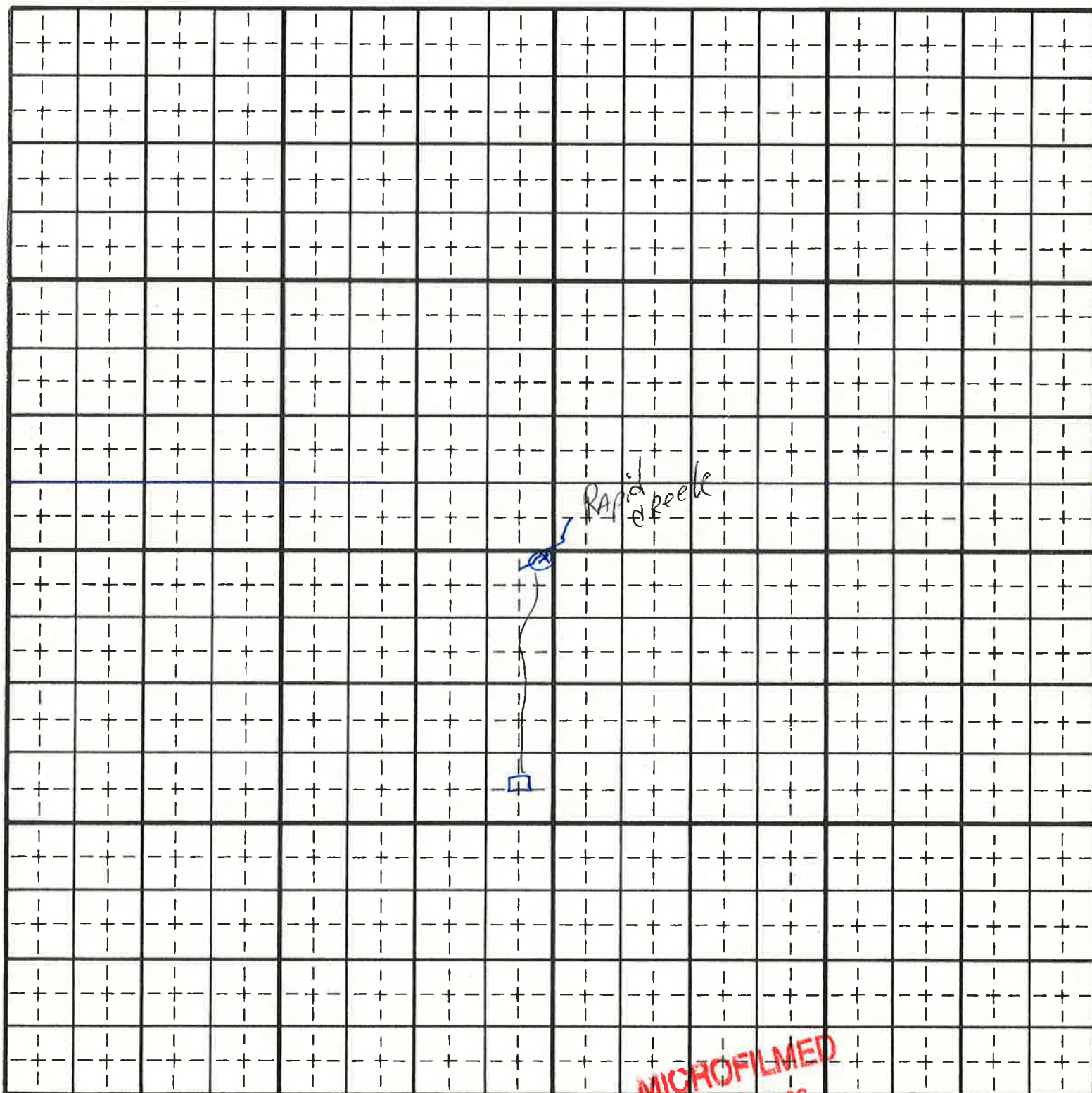
Last Name Foltz Ident No. _____

Copies: White -State, Yellow-Claimant

MICROFILMED
NOV 13 1996
MICROFILMED
NOV 16 1992

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



MICROFILMED

NOV 13 1996

MICROFILMED

NOV 16 1996

Last Name

Foltz

Ident No.

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree 29-00294
If applicable provide IDWR Water Right Number _____
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) _____

Date _____

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 5th day of APRIL 19 90

SEAL

Notary Public _____

Residing at _____

POCATELLO

My Commission Expires _____

1-18-93

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 _____

Last Name FOLTZ Ident. Number _____

MICROFILMED
NOV 13 1992

Copies White-State, Yellow-Claimant