

06/19/2003

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

RIGHT NUMBER: 29-297D

NAME AND ADDRESS: WESLEY J KENT
3122 RAPID CREEK RD
INKOM ID 83245

TAMRA J KENT
3122 RAPID CREEK RD
INKOM ID 83245

SOURCE: RAPID CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.020 CFS

PRIORITY DATE: 06/19/1902

POINT OF DIVERSION:

T07S R36E S14 SWSWSW Within BANNOCK County

T07S R36E S22 SENENE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.020 CFS

PLACE OF USE:

IRRIGATION Within BANNOCK County

T07S R36E S14

SWSW

1.2

T07S R36E S15

SESE

3.0

4.2 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 4.2 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-00285G, 29-00297D, and
29-00302A.

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

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-297D V1

WATER RIGHT NUMBER: 29-297D V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WESLEY J KENT 3122 RAPID CREEK RD INKOM, ID 83245 (208)775-3492
Current Owner	TAMRA J KENT 3122 RAPID CREEK RD INKOM, ID 83245 (208)775-3492

Priority Date: 06/19/1902

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	0.020 CFS	
	<u>Total Diversion:</u>	0.020 CFS	

Location of Point(s) of Diversion

RAPID CREEK	SW1/4SW1/4SW1/4	Sec. 14, Twp 07S, Rge 36E, B.M.
BANNOCK County		
RAPID CREEK	SE1/4NE1/4NE1/4	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	14											1.2						1.2
07S	36E	15																3.0	3.0

Total Acres: 4.2

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. 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.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-297D V1

Remarks:

1. Place of Use - Irrigation USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 4.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-00285G, 29-00297D, and 29-00302A.

Comments:

1. csaxton 6/19/2003 POD

Comment: POD Not defined in the decree. No C03.

2. csaxton 6/19/2003 POU

Comment: Place of use recommended on this right falls within land of two different decreed rights. Recommend permissible place of use. Add C05.

3. csaxton 6/19/2003 Diversion Rate

Comment: Recommended at 1 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:
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	6/19/2003 9:06:54 AM	csaxton			Active
Priority Date	6/19/2003 9:07:19 AM	csaxton			Active
POD	6/19/2003 9:07:39 AM	csaxton			Active
Source	6/19/2003 10:01:03 AM	csaxton			Active
POU	6/19/2003 10:02:09 AM	csaxton			Active
Use	6/19/2003 10:03:18 AM	csaxton			Active
Season	6/19/2003 10:03:39 AM	csaxton			Active
Quantity	6/19/2003 10:04:01 AM	csaxton			Active
Summary			06/19/2003	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-297D V1

POU	6/19/2003 10:02:10 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? (No) 6. Can the claimed POU be verified using the water right file? (Yes) 7. Is there evidence that there has been a change in the POU? (Yes) 8. Can the claim be verified as an accomplished transfer? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 8 - PPU with 29-00285D and 29-00302A Description for Question 13 - NAPP photography and claimant contact
Use	6/19/2003 10:03:19 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?
Season	6/19/2003 10:03:39 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	6/19/2003 10:04:01 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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-297D V1

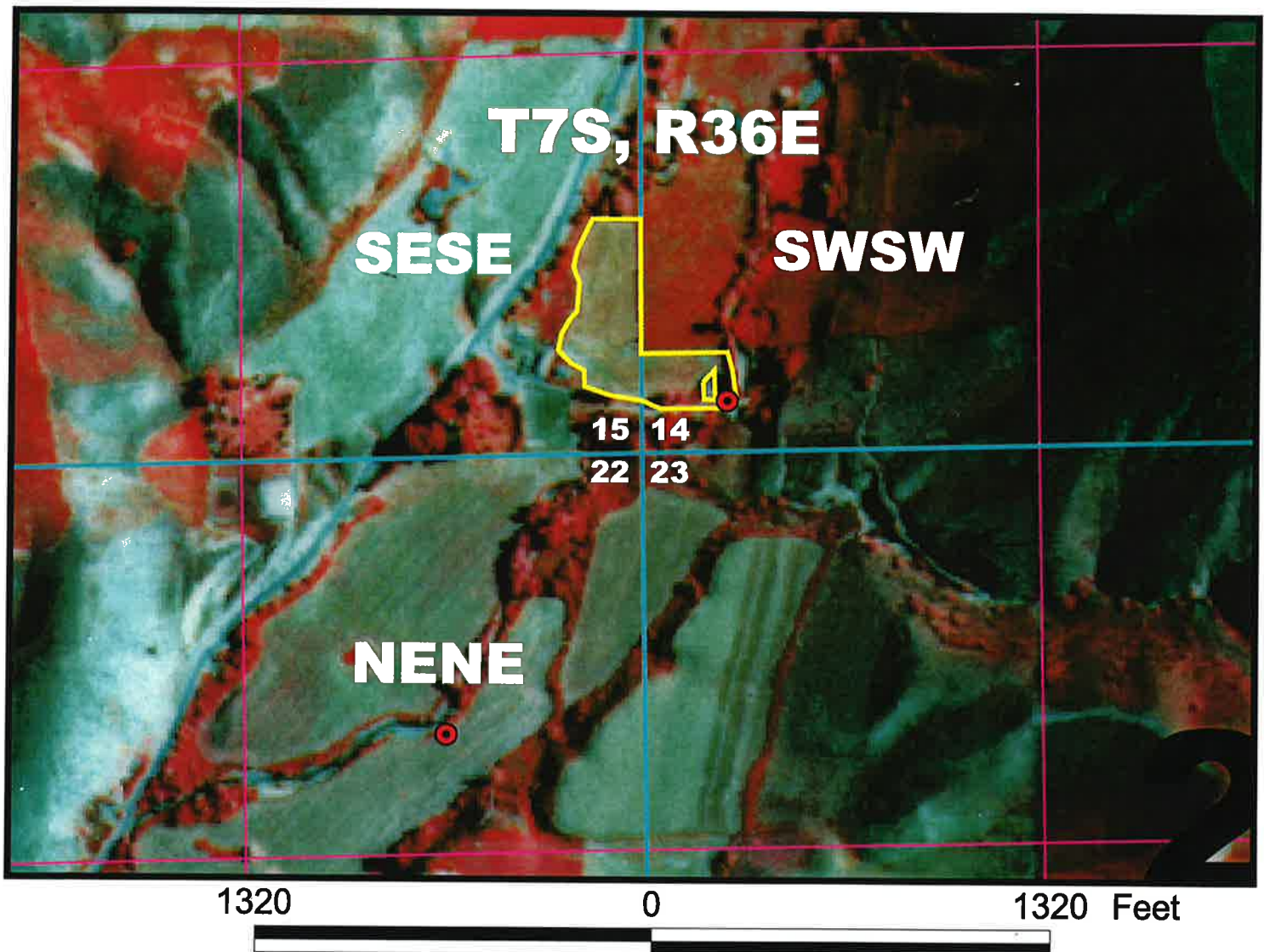
Summary	6/19/2003 10:06:24 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Is an additional 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?
Source	6/19/2003 10:01:03 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?
POD	6/19/2003 9:09:50 AM	csaxton	Edited point location
POD	6/19/2003 9:10:23 AM	csaxton	Edited point location
Contacts	6/19/2003 9:06:54 AM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: FE 8/13/02
POD	6/19/2003 9:07:39 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?
POU	6/19/2003 10:02:55 AM	csaxton	Edited PLS
Priority Date	6/19/2003 9:07:19 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?
POU	6/19/2003 10:02:33 AM	csaxton	Edited shape boundary



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s): 29-00285G, 29-00297D
and 29-00302A



Total Irrigated Acres: 4.2

PROFILED

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

SCANNED
JUL 27 2005



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

Split history for Decreed Right 29-00297

		Claimed	Recommend	
29-00297 1.2 60 Estimated 6/19/1902 0.02 Per Acre		29-00297A Chandler, Sam		
		0.4	0.4	
		20	20	
		29-00297B Chandler, George		
		0.4	0.4	Underclaimed
		22.7	22.7	
		29-00297C Spraker, Irvan		
		0.4	0.24	
		20	12	
		29-00297D Kent, West		
		0.02	0.02	
		1.2	1.2	
		~~29-10709~~ Friedel, Walter 29-10790		
		0.06	0.06	
		3	3	
		29-13173 Jackson, Kirk		
		0.01	0.01	
		0.3	0.3	
Sum of claimed CFS =		1.27		
Sum of claimed Acreage =		66		

Sum CFS=	1.13
Sum Acre=	59.2
Un-accounted for CFS=	0.07
Un-accounted for Acres=	0.8

Based on irrigatable land, it is assumed that this decreed right was for 1" per acre.

PROTECTED

SCANNED
JUL 27 2005

RECEIVED

MAY 15 2003

WATER RESOURCES
WESTERN REGION

Dear Mr Saxton

Enclosed is the pictures we talk of on the phone. The two points of Diversion look fine to me as near as I can tell. I hope not to use Stewards point in the future.

The years prior to 1990 you ask of. I know Stewards pump was used 1985, 86, 87, but it was Don Hammonds at that time. Watering after that has been very little because of cost of pumping and what it paid to water my hay field. I have played with the idea of a tree farm which would require more water than my hay needs. I never abandoned my water right or do I intend to please help me with this matter if you can.

Thank you

Wesley Kent

SCANNED

JUL 27 2005

PROFILED



PROFILED

SCANNED
JUL 27 2005



PROFILED

SCANNED
JUL 27 2005

Receipt Details for ID W030471

Status	Adjustment Type	Version
		1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
5/15/2003 10:55:38 AM	5/15/2003 3:33:17 PM	WESTERN	\$100.00	Check
Payer	KENT, WESLEY			

Account Information:

Check #	Account #	Credit Card Name	Authorization #
2695			
Card Expiration Date	Credit Card Transaction #		

Comment NOTICE OF CLAIM TO A WATER RIGHT

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$100.00	ADJUDICATION FILING FEE	42503	0337			1155

Refund(s):

Amount	Payee	Date	Document Number
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SCANNED

JUL 27 2005

PROFILED

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: 5/15/03
Receipt No: W030471
Received By: K6

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

1. Name of Claimant(s)

TAMRA J KENT Phone: (208)775-3492

3122 RAPID CREEK RD
INKOM ID USA 83245

WESLEY J KENT Phone: (208)775-3492

3122 RAPID CREEK RD
INKOM ID USA 83245

2. Date of Priority: 06/19/1902

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	14	SW	SW	SW	BANNOCK	
07S	36E	22	SE	NE	NE	BANNOCK	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	10/31	0.02	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

PROFILED

04/18/2003

**SCANNED
JUL 27 2005**

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	36E	14	SW	SW	IRRIGATION	1.2
Section Acres						1.2
Total Acres						1.2

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:

29-00285G

14. Remarks:

THIS CLAIM IS FOR A PORTION OF DECREED RIGHT 29-00297.

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 X 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): Wesley Keno Date: 5-7-03

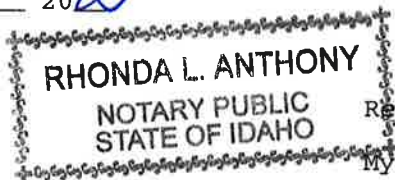
Date: _____

State of Idaho

County of Bannock Cnty) SS.

Subscribed and sworn (or affirmed) before me this

of May 2003



Residing at Bannock Cnty
My commission Expires 1-25-2005

PROFILED

04/18/2003

SCANNED
JUL 27 2005