

07/24/2002

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

RIGHT NUMBER: 29-311D

NAME AND ADDRESS: MICHAELE RHOADES
6217 N RAPID CREEK RD
INKOM ID 83245

CARL JIM RHOADES
6217 N RAPID CREEK RD
INKOM ID 83245

SOURCE: RAPID CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.05 CFS

USE OF THIS RIGHT WITH RIGHT NO. 29-00294D IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 0.11 CFS.

PRIORITY DATE: 06/22/1906

POINT OF DIVERSION:

T06S R36E S34 NWSESW Within BANNOCK County

T06S R36E S34 NWSESW Within BANNOCK County

T06S R36E S34 NWSESW 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	0.054 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T06S R36E S34	NESW	0.4	T06S R36E S34	SESW	3.1
---------------	------	-----	---------------	------	-----

3.5 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 29-00298D IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 3.5 ACRES IN A SINGLE IRRIGATION SEASON.

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

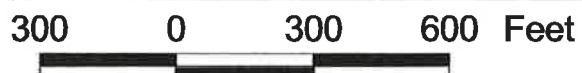
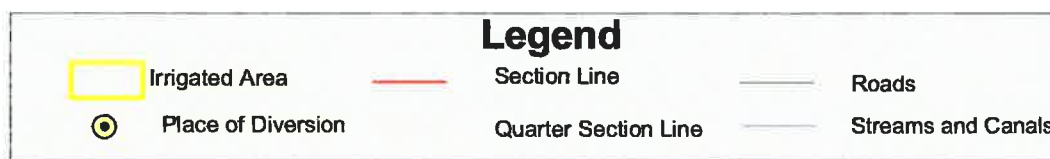
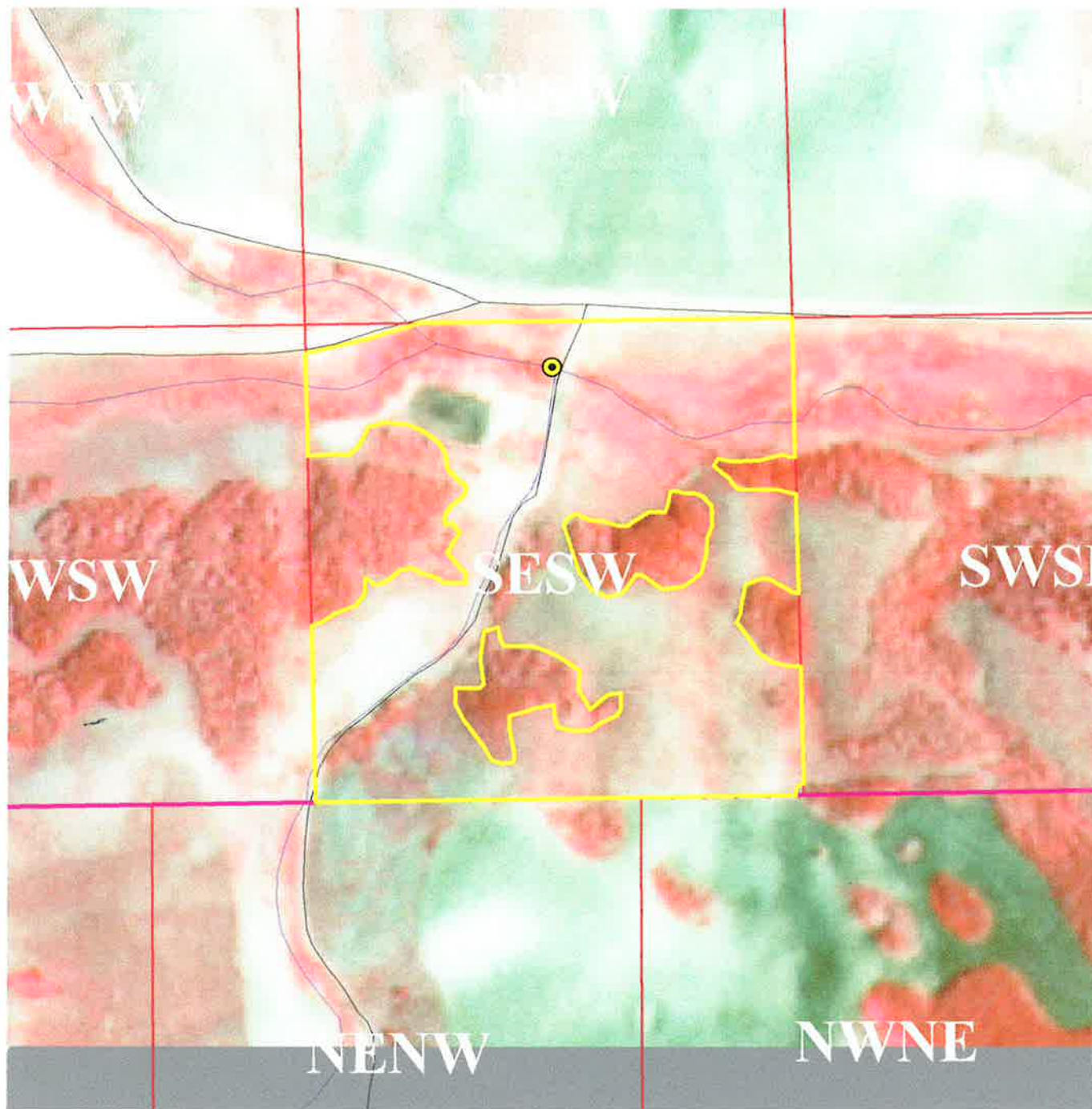
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: Decreed

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

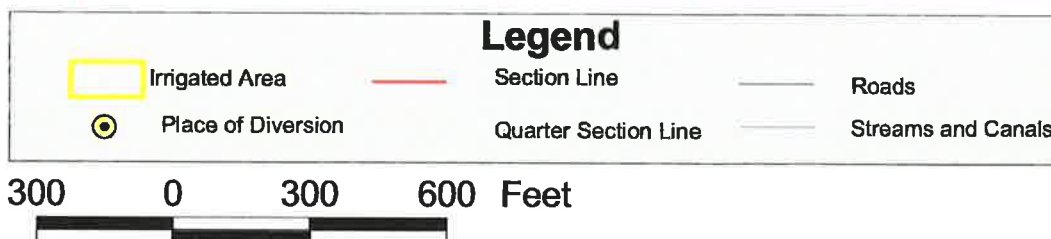
Water Right Claim Number A29-00311D
Townships , 6S36E, 7S36E

08/25/2000



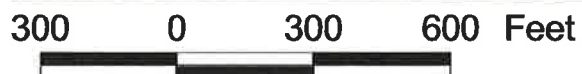
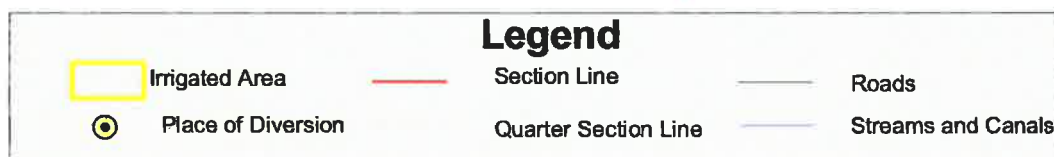
Water Right Claim Number A29-00311D
Townships , 6S36E, 7S36E

08/25/2000



Water Right Claim Number A29-00311D
Townships , 6S36E, 7S36E

08/25/2000



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-311D V1

WATER RIGHT NUMBER: 29-311D V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	RICHARD HOFFINE
	, ZZ
Current Owner	MICHAELE RHOADES 6217 N RAPID CREEK RD INKOM, ID 83245 (208)775-3632
Current Owner	CARL JIM RHOADES 6217 N RAPID CREEK RD INKOM, ID 83245 (208)775-3632

Priority Date: 06/22/1906

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	0.054 CFS	
	<u>Total Diversion:</u>	0.054 CFS	

Location of Point(s) of Diversion

RAPID CREEK	NW1/4SE1/4SW1/4	Sec. 34, Twp 06S, Rge 36E, B.M.
BANNOCK County		
RAPID CREEK	NW1/4SE1/4SW1/4	Sec. 34, Twp 06S, Rge 36E, B.M.
BANNOCK County		
RAPID CREEK	NW1/4SE1/4SW1/4	Sec. 34, Twp 06S, 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	
06S	36E	34									.4							3.1	3.5

Total Acres: 3.5

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-311D V1

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.

Remarks:

1. Quantity USE OF THIS RIGHT WITH RIGHT NO. 29-00294D IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.11 CFS.
2. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NO. 29-00298D IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 3.5 ACRES IN A SINGLE IRRIGATION SEASON.

Comments:

1. csaxton 7/24/2002 Priority Date
Comment: Tr 2571 set priority date for this claim as date of Rapid creek decree.
2. csaxton 7/24/2002 TR 2570 & 2571
Comment: This right is the result of transfers 2570 and 2571 approved in 1981. Transfer approved for 7 acres but during field exam on 10/10/01 only found 3.5 acres which was confirmed by claimant.

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

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	7/24/2002 11:53:06 AM	csaxton	Edited point location
POU	7/24/2002 12:08:41 PM	csaxton	Edited PLS

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-311D V1

POD	7/24/2002 11:38:22 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (No) 5. Can the claimed POD be verified using the water right file? (Yes) 6. Is there evidence that there has been a change in the POD? (Yes) 7. Can the change be verified as an accomplished transfer? (Yes) 9. Does the file contain all the necessary information to verify the POD? (Yes) 10. Is a POD remark and/or condition required? Description for Question 6 - Portable pump used in three different spots along the creek since 1969 per claimant statement. All in the same 10 acre tract so that might be why three PODs were not noted in 1981 transfer.
Use	7/24/2002 12:09:33 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?
Season	7/24/2002 12:10:41 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?
POD	7/24/2002 12:15:47 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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-311D V1

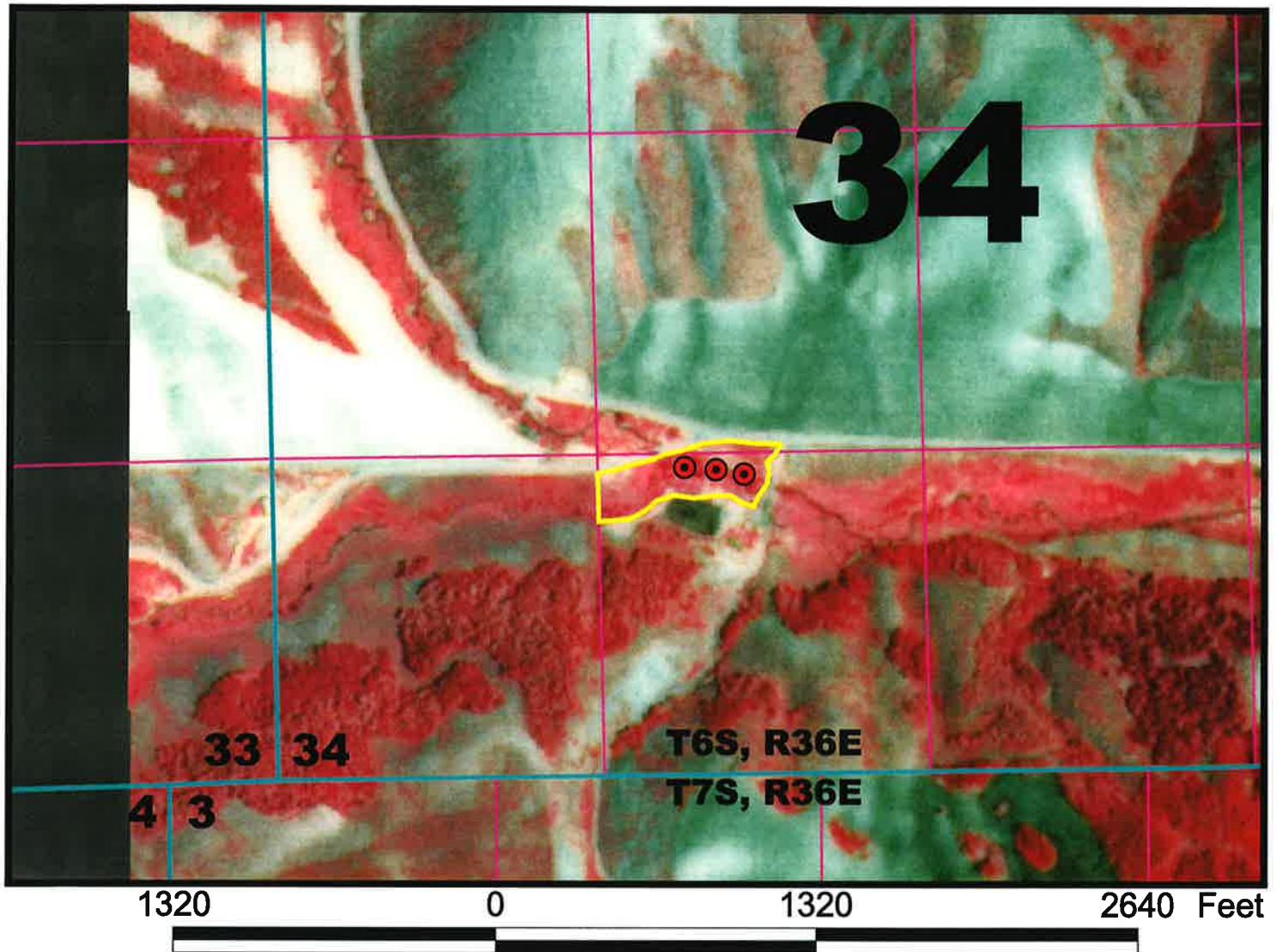
Summary	7/24/2002 12:19:27 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Is an additional 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	7/24/2002 11:35:47 AM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Field Exam 10-10-01
Priority Date	7/24/2002 11:36:27 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 ? (No) 15. Is the basis of claim coded correctly? (Yes) 16. Is a Priority Date remark and/or condition required?
POD	7/24/2002 11:53:33 AM	csaxton	Edited point location
POD	7/24/2002 11:53:58 AM	csaxton	Edited point location
Source	7/24/2002 11:54:17 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	7/24/2002 12:05:17 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? (Yes) 14. Is a POU remark and/or condition required?
POU	7/24/2002 12:05:39 PM	csaxton	Edited shape boundary



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s): 29-00298D, 29-00311D



Total Irrigated Acres: 3.5

PROFILED

SCANNED

JUL 29 2005



-  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: July 2002

02/13/2003

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: 29-311D

MICHAELE RHOADES
6217 N RAPID CREEK RD
INKOM ID 83245
Telephone Number: (208) 775-3632

CARL JIM RHOADES
6217 N RAPID CREEK RD
INKOM ID 83245
Telephone Number: (208) 775-3632

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: 3-11-03 SIGNATURE: *Michael Rhodes*
Please print your name: Michael Rhodes

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

SCANNED
JUL 29 2005

RECEIVED
10217
PROFILED
Department of Water Resources
Idaho Falls, ID

PROFLED

JUL 29 2005

SCANNED

7-24-02: See Notes in file for 29-002298D

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 29-311D

WATER RIGHT NUMBER: 29-311D

Owner Type Name and Address

Original Owner RICHARD HOFFINE

, ZZ

Current Owner MICHAEL RHOADES *OK*
6217 N RAPID CREEK RD
INKOM, ID 83245
(208)775-3632

Current Owner CARL JIM RHOADES *OK*
6217 N RAPID CREEK RD
INKOM, ID 83245
(208)775-3632

Priority Date: ~~06/27/1906~~ *OK 6/22/1906 Per TR 2572 Remarks*

Basis: Decreed *OK*

Status: Active *OK*

SourceRAPID CREEK *OK*Tributary

PORTNEUF RIVER

Beneficial UseIRRIGATION *OK*

From To

~~3/15~~ to ~~11/15~~
4/1 10/31

Diversion Rate0.054 CFS *OK*Annual Volume

Total Diversion: 0.054 CFS *OK*

Location of Point(s) of Diversion

RAPID CREEK
BANNOCK County

NW SE1/4SW1/4
300'

Sec. 34, Twp 06S, Rge 36E, B.M.

Place of UseIRRIGATION *OK*

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	36E	34									0.4			7.0					7.0
														~~3.1~~					3.4

Total Acres: ~~7~~
3.4

Conditions of Approval:

C18:
C13: Since 1969
: This Right + 22-002280 limited to
Rate of 0.11 cfs
AC of 3.5 ac

Remarks:

1. General AS PER TRANS. 2570, 2571.

Comments:

PROFILED

SCANNED
JUL 29 2005

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 29-311D

Dates and Other Information:

Claim Received Date: 4/24/1990
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
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

PROFILED

SCANNED
JUL 29 2005

29-00298D&311D POD

Field Exam 10/10/01



Looking NW. POD where portable pump is placed (csaxton).

PROFILED

SCANNED
JUL 29 2005

29-00298D&311D POD

Field Exam 10/10/01



Looking NW. POD where portable pump is placed (csaxton).

PROFILED

**SCANNED
JUL 29 2005**

29-00298D&311D POD

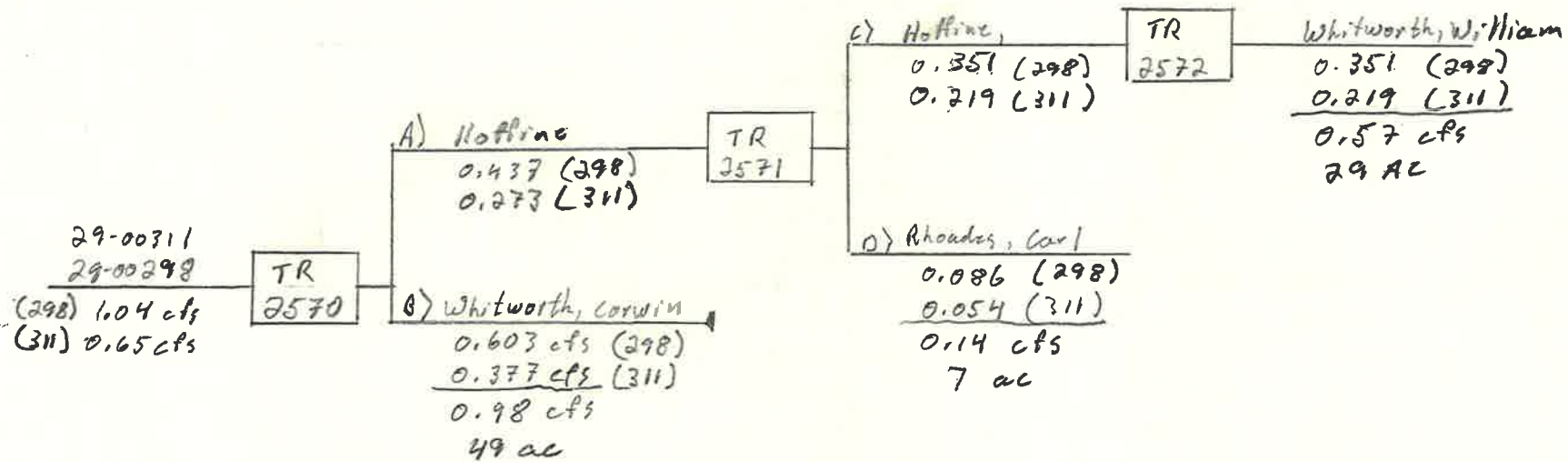
Field Exam 10/10/01



Looking NW. POD where portable pump is placed (csaxton).

PROFILED

**SCANNED
JUL 29 2005**



WR Split History for 29-00298 + 29-00311

2 of splits = Decreed diversion Rate

All Claims match WR Database

SCANNED
JUL 29 2005

PROFILED

C. G. [Signature] 9/7/01

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-311D

WATER RIGHT NUMBER: 29-311D

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CARL JIM RHOADES
	, ZZ
Original Owner	RICHARD HOFFINE
	, ZZ
Current Owner	MICHAELE RHOADES
	, ZZ

Priority Date: 06/22/1906

Basis: Decreed

Status: Active

Source

RAPID CREEK

Tributary

PORTNEUF RIVER

Beneficial Use

IRRIGATION

From To

3/15 to 11/15

Diversion Rate

0.054 CFS

Annual VolumeTotal Diversion:

0.054 CFS

Location of Point(s) of Diversion

RAPID CREEK

SE1/4SW1/4

Sec. 34, Twp 06S, 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	
06S	36E	34																	7.0

Total Acres: 7

Conditions of Approval:Remarks:

- General AS PER TRANS. 2570, 2571.^^^

Comments:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-311D

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 A29-00311D

Spatial Dynamics LTD

8/25/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06s36e	34	SESW	7	32	Indiscernible
Totals:			7	32	

AJ5809NP
No. A29-00311D

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 71

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CARL JIM RHOADES	06/22/1906	IRRIGATION	03-15 11-15	0.054 CFS	
C	MICHAELE RHOADES					
	6217 N RAPID CREEK RD			TOTAL DIVERSION:	0.054 CFS	
	INKOM ID 83245			CONSUMPTIVE USE:		17.50 AFA
	(208) 775-3632					

Water Source: RAPID CREEK

Tributary to: PORTNEUF RIVER

Stage: DECREED

Point(s) of Diversion: T06S R36E S34 SESW BANNOCK County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE												
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
06S	36E	34	:					:					:				07	:						7.0
TOTAL ACRES																							7.0	

POU County: BANNOCK

Non-Irrigation Uses: S/ 5 CATTLE, 5 HORSES

Other Rights: 29-00298D

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-11680 A29-00298B A29-00298C A29-00298D A29-00311B A29-00311C A29-11680

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00298C A29-00298D A29-00311C

Remarks: GEN AS PER TRANS. 2570, 2571.

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

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

Audit: 04/24/90 DCARLSON 04/29/94 COX 03/29/95 POST-STD 04/13/00 CVANDERM

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
	~~Hoffine, Richard~~	~~0.65~~		29-0311
2570	Whitworth, Corwin P.	0.377		29-0311 B
	~~Hoffine, Richard~~			~~29-0311 A~~
2571	Rhoades, Carl Jim & Michelle	0.054		29-0311 D
	~~Hoffine, Richard~~	~~0.219~~		29-0311 C
2572	^{William} Whitworth, Corwin P.	0.219		29-0311 C

T

R

A

N

S

F

FE

Transfer No. 2571

Water Right No. _____

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

APPROVEDName of applicant Carl Jim and Michael Rhoades Phone 775-3632Post Office address Route # 1, Box 91-A Imkom, Idaho 83245**A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

- a. Decree No. 29-0298 29-0311 Decreed to Richard Hoffine (Name)
in case of Charles E. Stewart et al vs A. J. Damron et al
dated in 23 June 1906 in Fifth Judicial Dist. county of Bannock (Name of court)
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

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

3. Source of water Rapid Creek tributary to Portneuf River
4. Date of priority 29-0311 23 June 1906 (see remarks)

5. Water is used for the following purposes:

29-0298 amount 1.04 cfs for irrigation purposes from Not specified in decree to

29-0311 amount 0.65 cfs for irrigation purposes from Not specified in decree to

amount _____ for _____ purposes from _____ to _____ (month/day — both dates inclusive)

6. Total amount of water under right: a. 1.69 cubic feet per second &/or
b. _____ acre feet per annum
7. Location of original point of diversion is Not specified in decree of Section _____
Township _____ Range _____, B.M., in _____ County
- Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6S	36E	34									X			X		X	X		

Not specified
Total number of acres to be irrigated in decree

9. Describe any other water rights used for the same purpose as described above None
10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? no If yes, describe in item D, REMARKS.

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

1. Amount of water: a. 0.14 cubic feet per second 0.086 cfs 29-0298
&/or 0.054 cfs 29-0311
b. _____ acre feet per annum
2. Point of diversion Not specified in decree 1/4 Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
3. Place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>6S</u>	<u>36E</u>	<u>34</u>												<u>X</u>					

Total number of acres to be irrigated Not specified
in decree

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

1. General Information

- a. Amount of water to be diverted 0.14 c.f.s. &/or _____ acre feet
- b. Description of diverting works pump to sprinkler lines
- c. Describe the reasons for the proposed changes Recording place of use and current point of diversion

2. Change in point of diversion

Point of diversion SE 1/4 SW 1/4, Section 34 Township 6S
Range 36E, B.M., Bannock County
Additional points _____

3. Change in place of use

- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No X. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
None recording acres irrigated in each quarter section

c. Describe the kind and purpose of use to which the right will be to

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6S	36E	34												7					7

Total number of acres to be irrigated 7

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

SCALE: 2 inches equal 1 mile. Draw plan in ink.

D. REMARKS

Date of priority for decree 29-0311 not specified in decree;
therefore, date of decree is being used as date of priority.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willfull misrepresentations made in this application may result in voiding its approval.

Carlton Rhodes

Michael Rhodes
(Signature of Applicant)

Subscribed and sworn to before me this 2nd day of June, 19 81.

Kathleen L. Wynn
(Notary Public)

My commission expires Lifetime

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 29-0298 D/29-0311 D
and said application is hereby approved, subject to the following limitations and conditions:

A measuring device and lockable controlling works of a type acceptable to the
Department shall be permanently installed and maintained as part of the diverting
works.

Use of water under this right is subject to control by the watermaster of State
Water District # 29-F, Rapid Creek.

Witness my hand this 29th day of July, 19 81.

L. Glen Saxton
L. GLEN SAXTON
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by KW Date 6/5/81 Protest filed by _____

Prelim. check by _____ Fee 50.00

Received by KW Date 6/10/81 # 17709

Published in State Journal Copies of protest forwarded by _____

Pub. dates 6/18 & 6/25/81 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for approval denial

rec'd. June 30 81 by EMC. Jim 125

SCANNED

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: A29-00311D

Date Received: 4/24/1990

Receipt No: E013579

Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CARL JIM RHOADES
Address: 6217 N. RAPID CRK RD
INKOM, ID

208-775-3632

83245

OR

Name: MICHAELE RHOADES
Address: 6217 N. RAPID CRK RD
INKOM, ID

208-775-3632

83245

2. Date of Priority: JUN 22, 1906

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
06S	36E	34	SE	SW			BANNOCK

5. Description of diverting works:
PUMP TO SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.054		

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

A.F.A.

8. Total consumptive use is 17.5 Acre Feet Per Annum.

9. Non-irrigation uses:
S/ 5 CATTLE, 5 HORSES

A29-00311D

Page 1

Date: 04/24/90

MICROFILMED

NOV 13 1992

A2900311D



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	36E	34	SE	SW		IRR	7.0
Section Acres							7.0
Total Acres							7.0

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:
29-00298D

14. Remarks:
AS PER TRANS. 2570, 2571.

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

Number of attachments: 0

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): X Michael Rhoads Date: 4-24-90

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 24 day
of April 19 90 Alan Carl
Notary Public

Seal

Residing at Heise, Id
My Commission Expires 2/26/96