

06/10/2004

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

RIGHT NUMBER: 29-321 **VERSION 2**

NAME AND ADDRESS: BONNIE JENKINS
368 S MAIN
MALAD ID 83252

DAVID MARK TREASURE
2615 N 800 E
LOGAN UT 84321

DEBBIE TREASURE
218 S 100 W
LOGAN UT 84321

ELIZABETH VAUGHAN
100 E 12TH ST
MC CAMMON ID 83250

SOURCE: STATION CREEK

TRIBUTARY: BIRCH CREEK

QUANTITY: 4.780 CFS

The amount of water diverted under this water right may not exceed 1/5 of the stream flow of Station Creek at the point of diversion described below at any given time. This water right shall not provide more than .02 cubic feet per second per acre at any time.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.78 CFS. COMBINED RIGHT NOS.: 29-320, 29-321, 29-322.

PRIORITY DATE: 06/09/1904

POINT OF DIVERSION:

T12S R36E S3 SESESE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	4.780 CFS

PLACE OF USE:

IRRIGATION Within BANNOCK County

T11S R36E S25	NESW	10.0	T11S R36E S25	NWSW	17.0
T11S R36E S25	SWSW	14.0	T11S R36E S25	SESW	28.0
T11S R36E S25	SWSE	30.0	T11S R36E S25	SESE	9.9
T11S R36E S26	NESE	11.0	T11S R36E S26	NWSE	2.2
T11S R36E S26	SWSE	18.0	T11S R36E S26	SESE	34.0
T11S R36E S35	NENE	1.1	T11S R36E S36	NENE	12.0
T11S R36E S36	NWNE	8.1	T11S R37E S30 Lot 3	NWSW	8.5
T11S R37E S30 Lot 4	SWSW	35.0			

238.8 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 238.8 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-320, 29-321, 29-322.

06/10/2004

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

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.

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

WATER IS DELIVERED THROUGH BIRCH CREEK CANAL (DITCH).

06/04/2003

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

RIGHT NUMBER: 29-321

NAME AND ADDRESS: BONNIE JENKINS
368 S MAIN
MALAD ID 83252

DAVID MARK TREASURE
2615 N 800 E
LOGAN UT 84321

DEBBIE TREASURE
218 S 100 W
LOGAN UT 84321

ELIZABETH VAUGHAN
100 E 12TH ST
MC CAMMON ID 83250

SOURCE: STATION CREEK TRIBUTARY: BIRCH CREEK

QUANTITY: 3.910 CFS

The amount of water diverted under this water right may not exceed 1/5 of the stream flow of Station Creek at the point of diversion described below at any given time. This water right shall not provide more than .02 cubic feet per second per acre at any time.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.91 CFS. COMBINED RIGHT NOS.: 29-320, 29-321, 29-322.

PRIORITY DATE: 06/09/1904

POINT OF DIVERSION:

T12S R36E S3 SESESE 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	3.910 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T11S R36E S25	NESW	10.0	T11S R36E S25	NWSW	17.0
T11S R36E S25	SWSW	14.0	T11S R36E S25	SESW	28.0
T11S R36E S25	SWSE	30.0	T11S R36E S25	SESE	9.9
T11S R36E S26	NESE	11.0	T11S R36E S26	NWSE	2.2
T11S R36E S26	SWSE	18.0	T11S R36E S26	SESE	34.0
T11S R36E S35	NENE	1.1	T11S R36E S36	NENE	12.0
T11S R36E S36	NWNE	8.1			

195.3 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 195.3 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-320, 29-321, 29-322.

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

06/04/2003

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

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EXPLANATORY MATERIAL: Decreed

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

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

WATER IS DELIVERED THROUGH BIRCH CREEK CANAL (DITCH).

03/07/2003

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

RIGHT NUMBER: 29-321
NAME AND ADDRESS: BONNIE JENKINS
368 S MAIN
MALAD ID 83252

DAVID MARK TREASURE
2615 N 800 E
LOGAN UT 84321

DEBBIE TREASURE
218 S 100 W
LOGAN UT 84321

ELIZABETH VAUGHAN
100 E 12TH ST
MC CAMMON ID 83250

SOURCE: STATION CREEK TRIBUTARY: BIRCH CREEK
QUANTITY: 3.910 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 3.91 CFS. COMBINED RIGHT NOS.: ~~29-317A,~~
29-320, 29-321, 29-322.

PRIORITY DATE: 06/09/1904

POINT OF DIVERSION:

T12S R36E S3 SESESE Within BANNOCK County Source: STATION CREEK

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	3.910 CFS

PLACE OF USE:

<u>IRRIGATION Within BANNOCK County</u>			
T11S R36E S25	NESW	10.0	T11S R36E S25 NWSW 17.0
T11S R36E S25	SWSW	14.0	T11S R36E S25 SESW 28.0
T11S R36E S25	SWSE	30.0	T11S R36E S25 SESE 9.9
T11S R36E S26	NESE	11.0	T11S R36E S26 NWSE 2.2
T11S R36E S26	SWSE	18.0	T11S R36E S26 SESE 34.0
T11S R36E S35	NENE	1.1	T11S R36E S36 NENE 12.0
T11S R36E S36	NWNE	8.1	

195.3 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 195.3 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: ~~29-317A,~~ 29-320, 29-321,
29-322.

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

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rights as may be ultimately determined by the Court at a point in time no
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Code.

03/07/2003

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

EXPLANATORY MATERIAL: Decreed

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

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

WATER IS DELIVERED THROUGH BIRCH CREEK CANAL (DITCH).

01/08/2003

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

RIGHT NUMBER: 29-321
NAME AND ADDRESS: BONNIE JENKINS
368 S MAIN
MALAD ID 00000
DAVID MARK TREASURE
2615 N 800 E
LOGAN UT 84321
DEBBIE TREASURE
218 S 100 W
LOGAN UT 84321
ELIZABETH VAUGHAN
100 E 12TH ST
MC CAMMON ID 83250

*Exp Case
Done
3/7/07
[Signature]*

SOURCE: STATION CREEK TRIBUTARY: BIRCH CREEK

QUANTITY: 3.910 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 3.91 CFS. COMBINED RIGHT NOS.: 29-317A,
29-320, 29-321, 29-322.

PRIORITY DATE: 06/09/1904

POINT OF DIVERSION:

T12S R36E S3 SESESE 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	3.910 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T11S R36E S25	NESW	10.0	T11S R36E S25	NWSW	17.0
T11S R36E S25	SWSW	14.0	T11S R36E S25	SESW	28.0
T11S R36E S25	SWSE	30.0	T11S R36E S25	SESE	9.9
T11S R36E S26	NESE	11.0	T11S R36E S26	NWSE	2.2
T11S R36E S26	SWSE	18.0	T11S R36E S26	SESE	34.0
T11S R36E S35	NENE	1.1	T11S R36E S36	NENE	12.0
T11S R36E S36	NWNE	8.1			

195.3 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 195.3 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-317A, 29-320, 29-321,
29-322.

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

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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.

01/08/2003

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

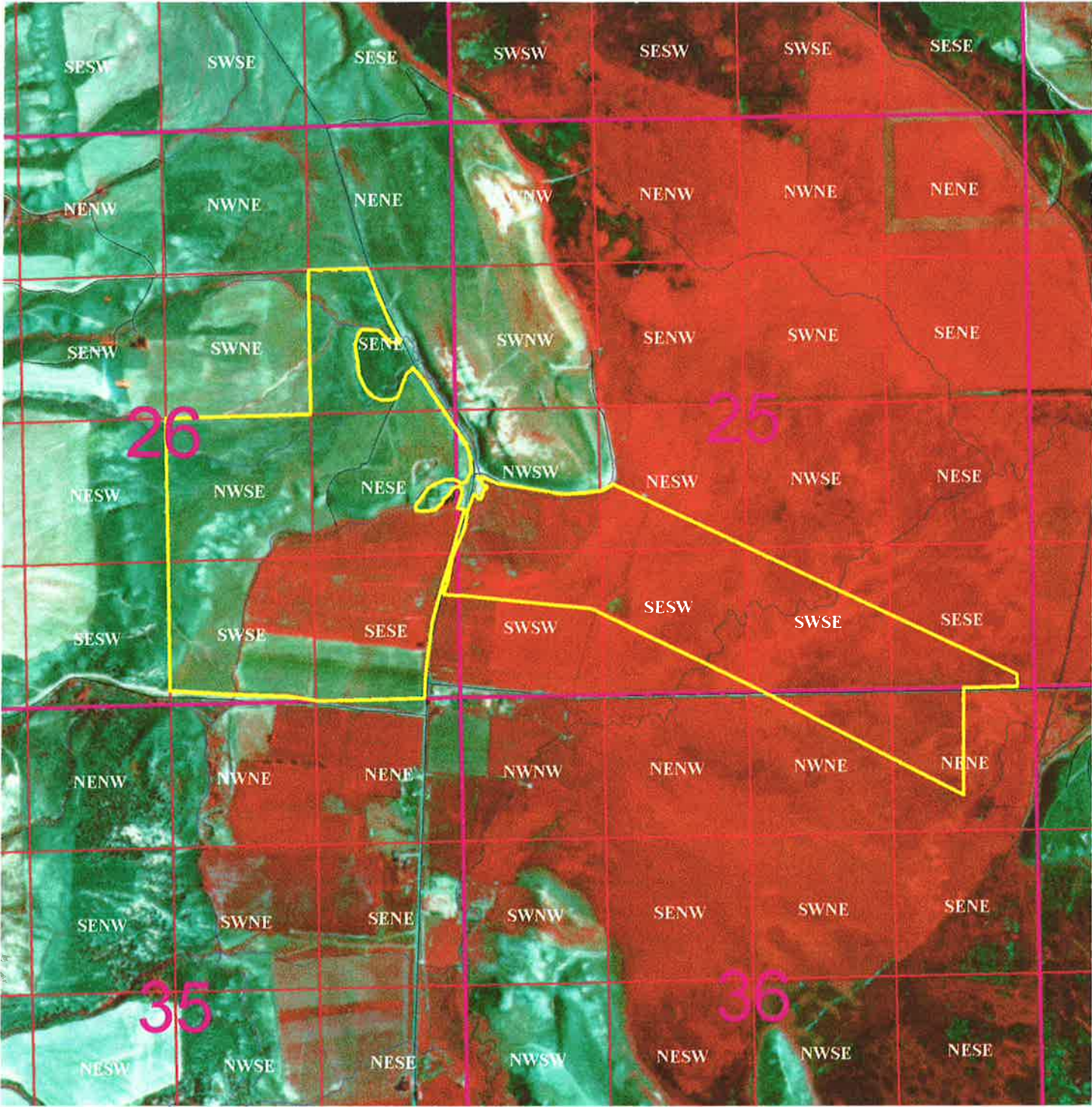
EXPLANATORY MATERIAL: Decreed

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

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

WATER IS DELIVERED THROUGH BIRCH CREEK CANAL (DITCH).

Township , 11S36E





Irrigated Area



Section Line



Roads



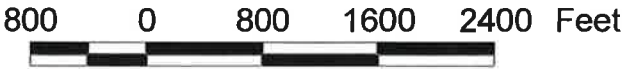
Place of Diversion



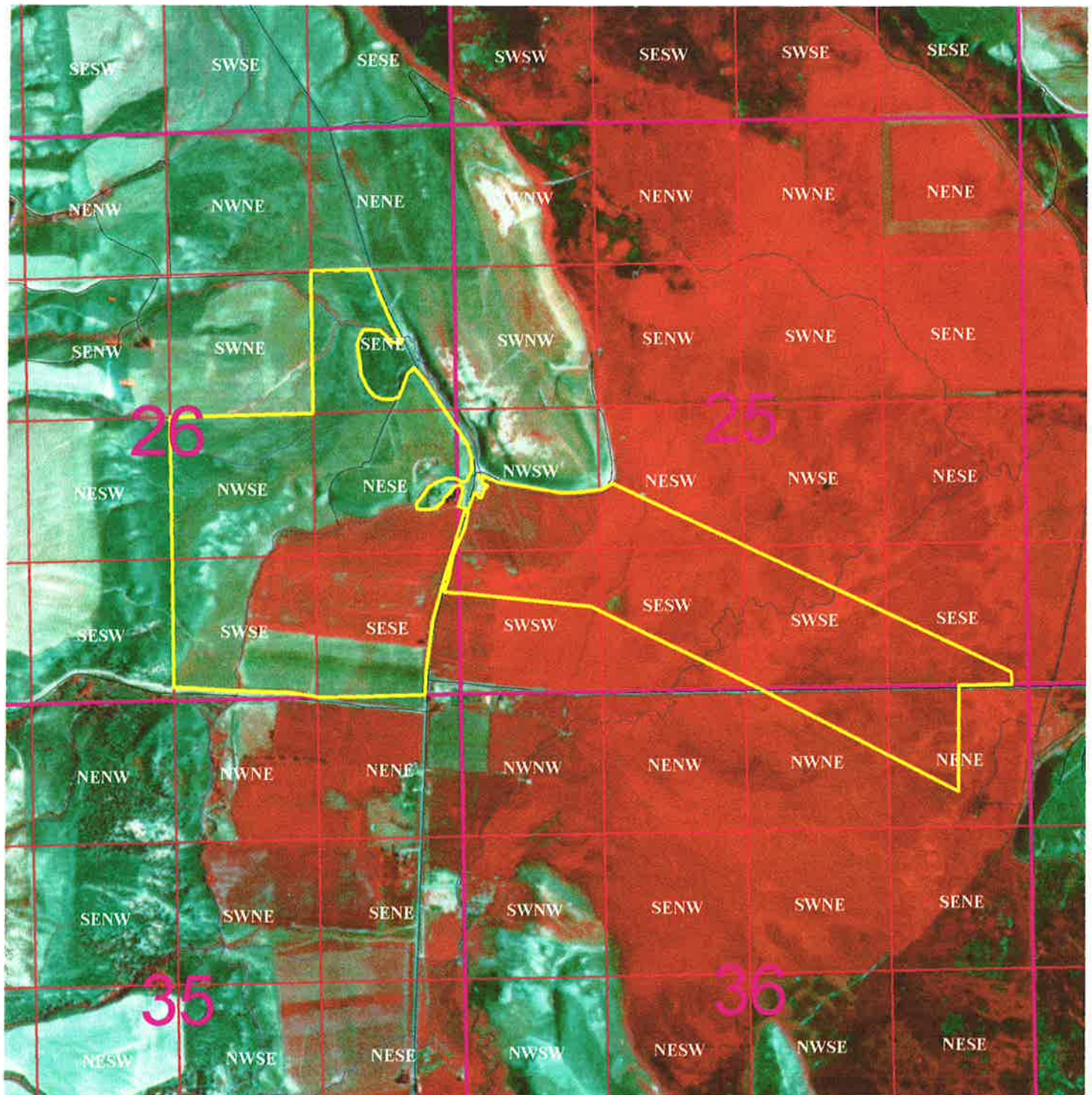
Quarter Section Line



Streams and Canals



Township , 11S36E



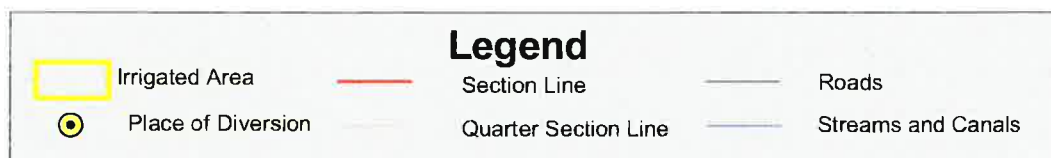
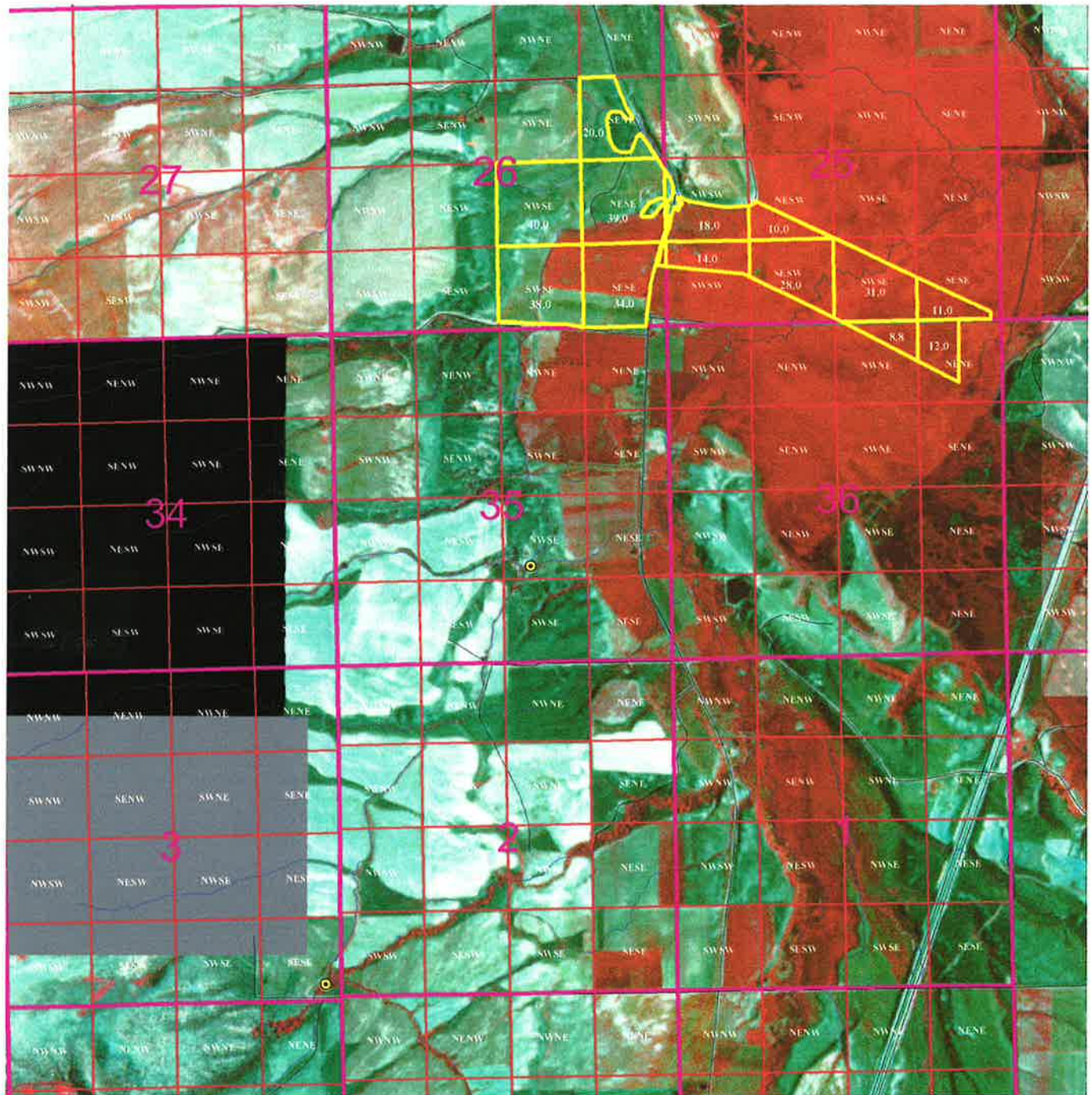
Legend					
	Irrigated Area		Section Line		Roads
	Place of Diversion		Quarter Section Line		Streams and Canals



800 0 800 1600 2400 Feet



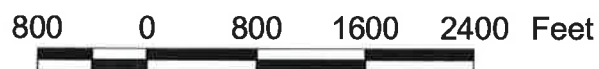
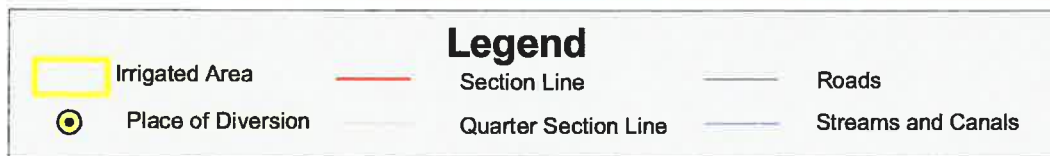
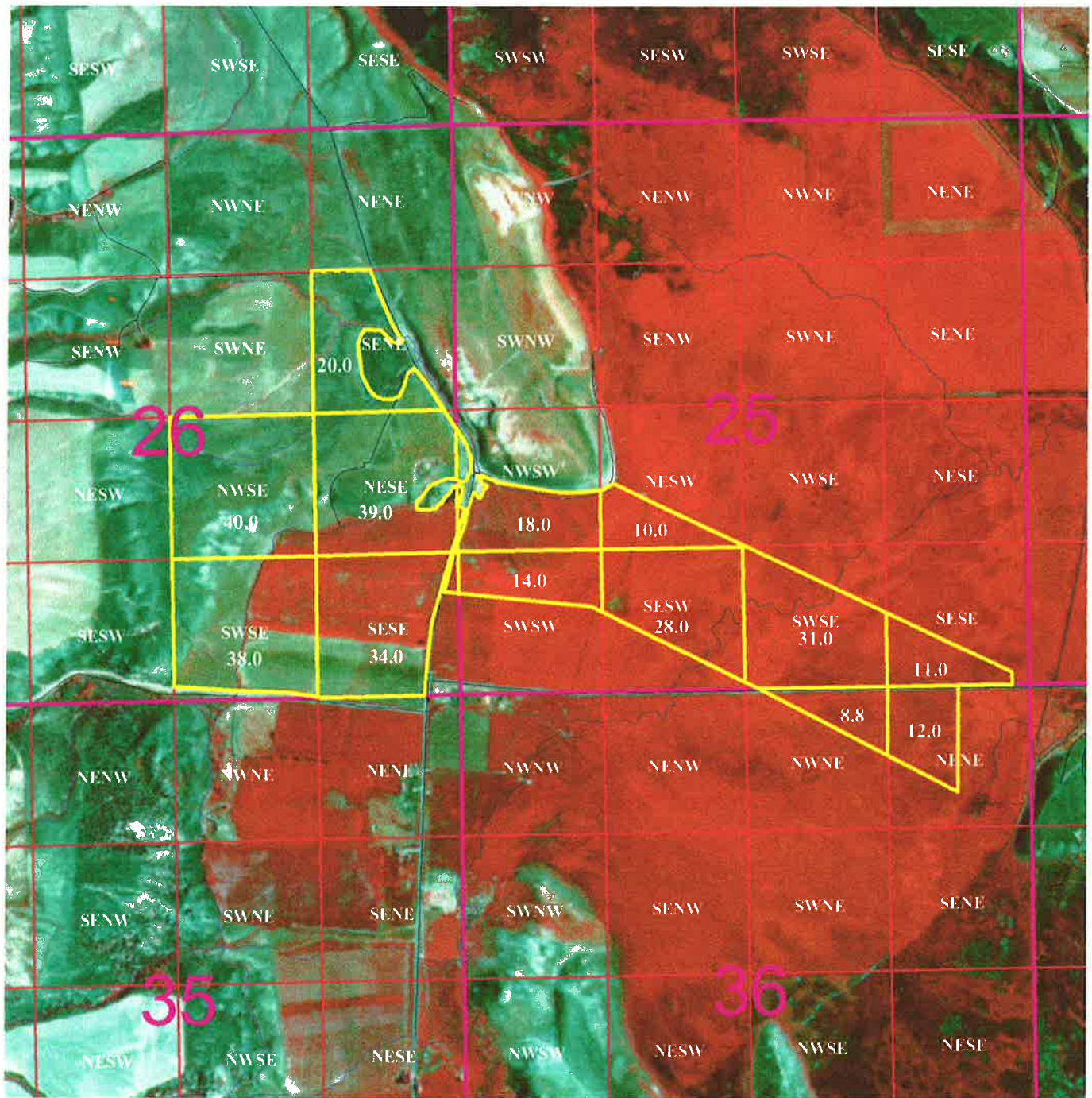
Township , 11S36E



1000 0 1000 2000 3000 Feet



Township , 11S36E





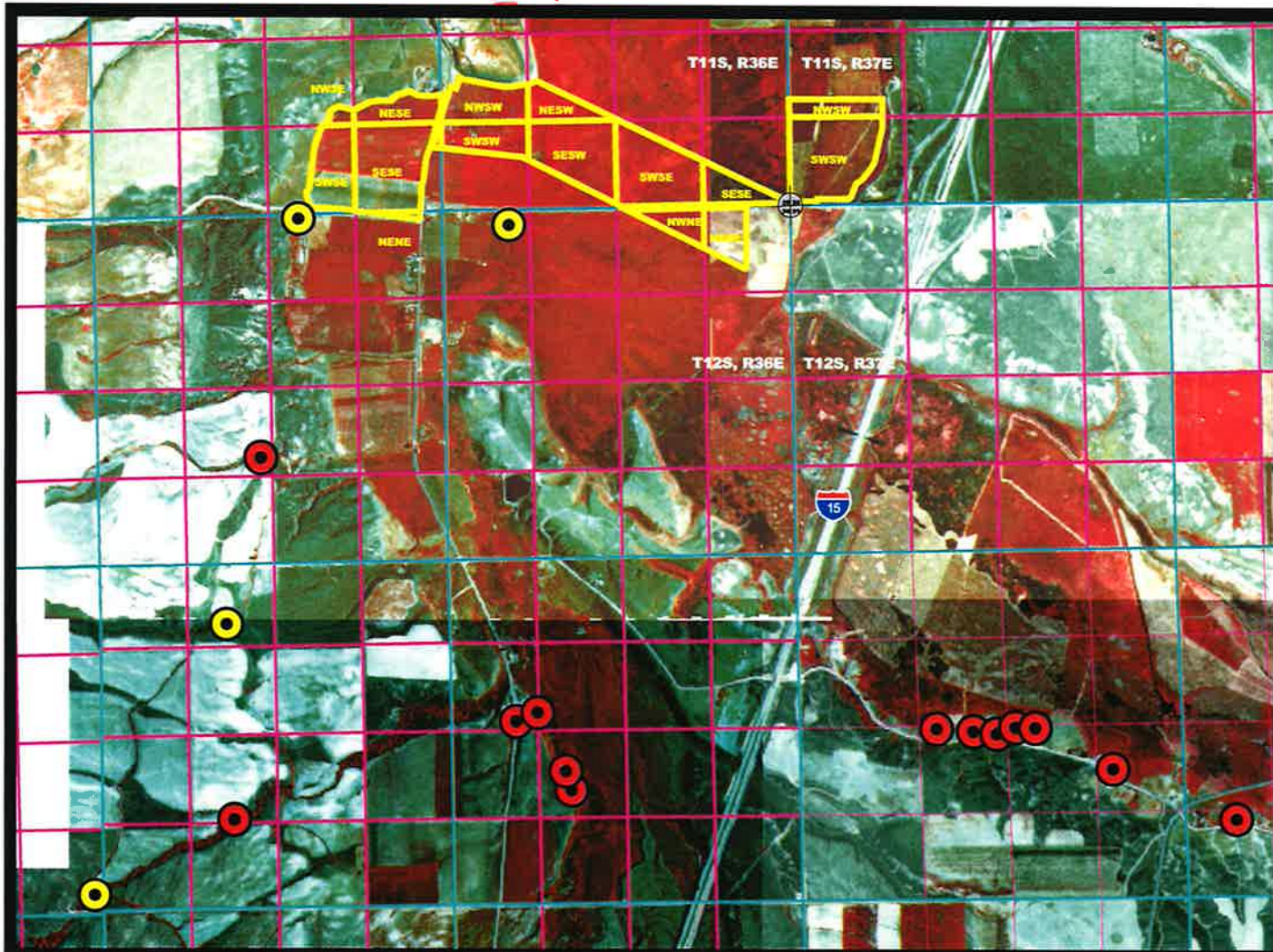
State of Idaho

Department of Water Resources

Eastern Region

SCANNED
JUL 29 2004

PROFILED



1000 0 1000 2000 3000 4000 5000 6000 7000 8000 9000 10000 11000 12000 13000 Feet

Water Right(s):

29-00320,
29-00321,
29-00322

Place of Use: (parts of) T11S, R36E
Sec. 25 S2S2, N2SW, Sec. 26 SW,
Sec.35 NENE, Sec. 36 N2NE,
T11S, R37E Sec. 30 W2SW

Point(s) of Diversion: T11S, R36E
Sec. 35 NWNWNE (Mines Canyon),
Sec. 36 NENWNW (Birch Ck),
T12S, R36E Sec. 2 SWNENW (Big Ck),
Sec.3 SESESE (Station Ck), Sec. 27
SWNWSW, SENWSW (Birdch Ck)



LEGEND

- Point of Diversion
- SESE Place of Use
- Section
- Quarter-Quarter

Amended DR
Version 2

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: June 2004



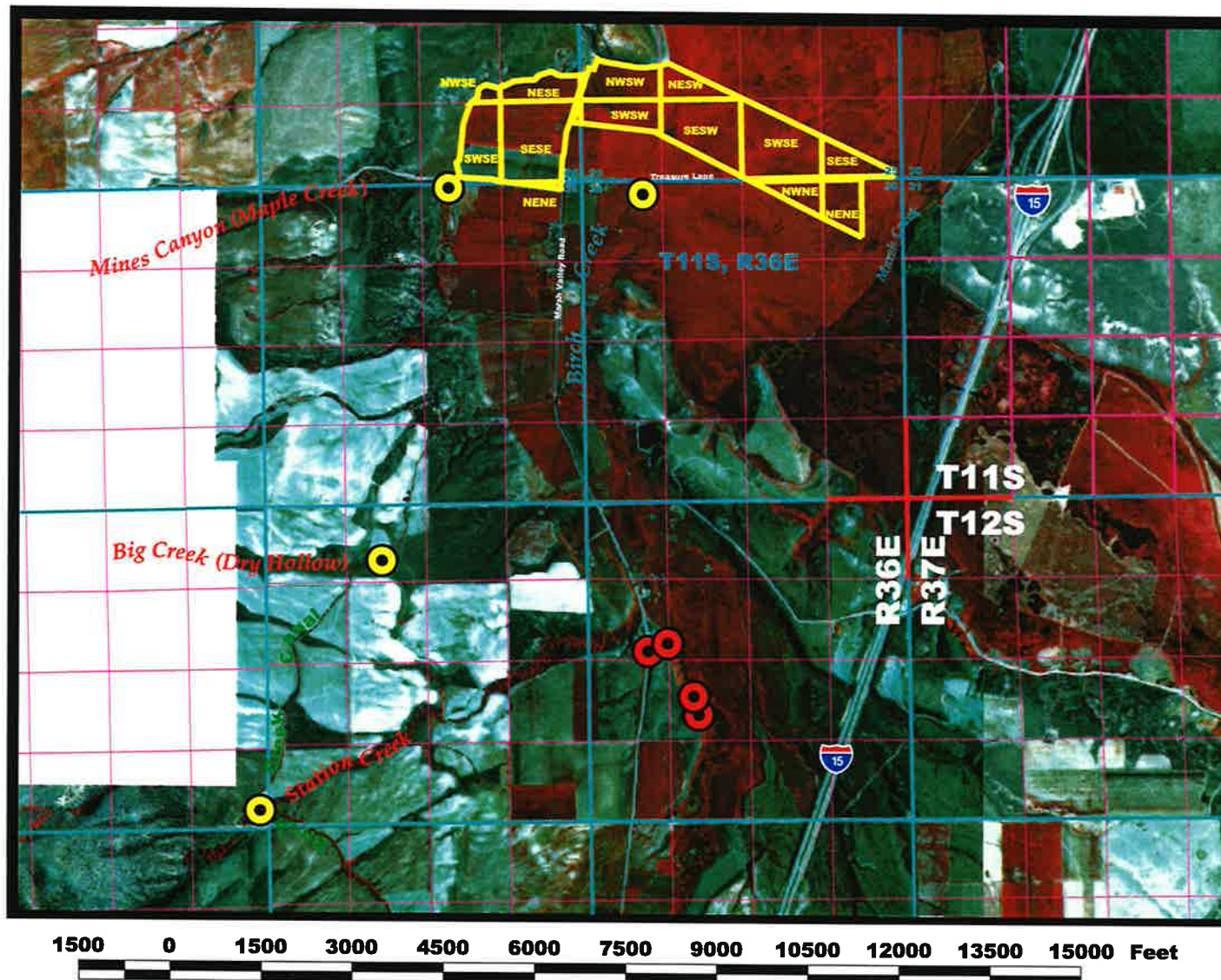
State of Idaho

Department of Water Resources

Eastern Region



PROVIDED

**Water Right(s):**

**29-00317A, 29-00320,
29-00321, 29-00322**

**Place of Use: (parts of) T11S, R36E
Sec. 25 S2S2, N2SW, Sec. 26 SW ,
Sec. 35 NENE, Sec. 36 N2NE**

**Point(s) of Diversion: T11S, R36E
Sec. 35 NWNWNE (Mines Canyon),
Sec. 36 NENWNW (Birch Ck)
T12S, R36E Sec. 2 SWNENW (Big Ck),
Sec. 3 SESESE (Station Ck), Sec. 27
SWNWSW, SENWSW (Birch Ck)**



LEGEND

- | | |
|---|---------------------------|
|  | Point of Diversion |
|  | SESE |
|  | Place of Use |
|  | Section |
|  | Quarter-Quarter |

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: November 2002

Allen

02/18/2003

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: 29-321

BONNIE JENKINS
368 S MAIN
MALAD ID 83252

DAVID MARK TREASURE
2615 N 800 E
LOGAN UT 84321

DEBBIE TREASURE
218 S 100 W
LOGAN UT 84321

ELIZABETH VAUGHAN
100 E 12TH ST
MC CAMMON ID 83250

RECEIVED
APR 28 2003
Department of Water Resources
Eastern Region

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

Meadows are irrigated all winter long

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:

SCANNED
JUL 29 2005

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

DATE: 4-30-03 SIGNATURE: Elizabeth Vaughan

Please print your name: Elizabeth Vaughan

OBJECTION

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

*4/30/03 STD irrig season for Marsh Creek (B29 south end) is
4/1 to 10/31. Birch Creek and other streams must*

*flow through meadows during winter months to join
Marsh Cr. This does not constitute an irrig.
practice recognized by IDWR. No WR has
been issued to recognize this practice. ASR*

SCANNED
JUL 29 2005

02/08/2003

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: 29-321

BONNIE JENKINS
368 S MAIN
MALAD ID 83252

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2615 N 800 E
LOGAN UT 84321

DEBBIE TREASURE
218 S 100 W
LOGAN UT 84321

ELIZABETH VAUGHAN
100 E 12TH ST
MC CAMMON ID 83250

RECEIVED
APR 28 2003
Department of Water Resources
Eastern Region

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

YEAR ROUND USAGE

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:

IRRIGATION IN MEADOWS

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

DATE: 4-20-03

SIGNATURE:

Bonnie Jenkins

Please print your name:

BONNIE JENKINS

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

4/30/03
SEE NOTES ON
29-321

ABN

SCANNED
JUL 29 2005

PROFILED

Contacts Data Entry Form

29-321 Doc

Owner Type	Full Name	Address	City	State	Zip	Phone
------------	-----------	---------	------	-------	-----	-------

Current Owner DAVE THOMPSON

Name connector: and ____, or ____, and/or ____

Current Owner _____

Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

Directions to Property (if different from above) and/or update owner information:

WARLEY vs WARLEY DECREE 9 JUNE 1904. SEE DECREE
EXCERPT IN 29-320.

Ch received 11/6/02 w/DOED See 29-320

10/3/02 FB

FE-INDICATED: SOU, POH, POD

Reviewer: _____

Date: _____

SCANNED

JUL 29 2005

PROFILED

Priority Date Data Entry Form

Claim Number: 29-321Water Right Priority Date: 9 June 1904Water Right Basis: DUCClaimed Priority Date: "Claimed Basis: "Recommended Priority Date: 9 June 1904Recommended Basis: DECROSD☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

PRIORITY DATE NOT ADDRESSED BY DECREE, THEREFORE,
THE DECREE DATE IS USED.

Reviewer: _____

Date: _____

PROFILED

SCANNED

JUL 29 2005

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

Recommended Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

____ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
115	368	35		SB SW	Bann	STATION CK
GPS Coordinates: _____						
125	368	3		SB SE	"	"
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						

Other rights from this POD? _____

Document how the POD and Source were verified and/or Pump and Motor data:

POD NOT ADDRESSSED BY DECREE.
 SOURCE DISCLOSED AS STATION CK; CLAIMS SAME ⇒ Recommended SAME.

FB INDICATOR - _____

Transfers Changing POD _____

Reviewer: _____

Date: _____

PROFILED

SCANNED

JUL 29 2005

Place Of Use Data Entry Form

Claim Number: _____

_____ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
115	368	25					110	Prng
		26					170	"
		30					0.3	"
		36					23.0	"

Total Acres 303³

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

DEEDS LISTS POU AS: L3 Sec. 30 115/376 }
 N²S⁴, N&SW Sec. 25 115/368 } CONTAIN... 172^{B2} AC.
 DEEDS LANGUAGE: "... LESS 14.75 AC ...) ALSO 67.36 AC ADJOINING;
 ALSO 27.18 ... - ? WHAT DOES THIS MEAN?

FE INDICATED - POU

Transfers Changing POU _____

Reviewer: _____

Date: _____

PROFILED

SCANNED

JUL 29 2005

Period of Use and Quantity Data Entry Form

Claim Number: _____

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
<i>Permit</i>	<i>UNSPEC.</i>		<i>1/5 FLOW</i>	

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
<i>Permit</i>	<i>3/15</i>	<i>11/15</i>	<i>6.07</i>	

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
<i>Permit</i>	<i>4/1</i>	<i>10/31</i>		

Overall Diversion Rate _____ Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

SELL TO PORT STD of 4/1 to 10/31 for ANOA. SELL NOT ADDRESSOD
BY DECREE.

Reviewer: _____

Date: _____

PROFILED

SCANNED
JUL 29 2005

29-00317A
29-00320
29-00321
29-00322

ALL HAVING BEEN DECREED
JUNE 9, 1904 (W/O PRIORITY)
AND W/O QUANTITY OR FLOW
(ONLY TO SAY: $\frac{1}{4}$, $\frac{1}{5}$ OR $\frac{1}{6}$ OF
.... STREAM FLOW)

I. CLAIMANT CLAIMS SOME 303³ ACRES. BY GPS ONLY
195⁰ ACRES IRRIGATED ARE IDENTIFIED. PURSUANT TO
§ 42-202 AND 42-220 IC MAXIMUM ALLOWABLE Q IS
0.02 cfs / AC. $\therefore 195^0 \times 0.02 \text{ cfs} = 3.90 \text{ cfs}$.

II. ALTHOUGH WAKLEY VS WAKLEY (6/9/1904) DOES DEFINE
CERTAIN ACREAGES, UNDER THE MANY VARIOUS RTS.,
DUE TO DECREE LANGUAGE IT IS (MOSTLY) UNCLEAR
AS TO THE ACTUAL (ACCURACY) ACRES INTENDED.
 Δ IN POU IS APPROPRIATE $\Rightarrow$ CDS

PROFILED

REMARK $\rightarrow$ III. CLAIMANT CLAIMS 6.07 cfs FROM EACH RIGHT
SHOWN ABOVE. HOWEVER, THIS Q IS REDUCED TO
A TOTAL OF 3.9 FOR EACH RIGHT WITH REMARK
LANGUAGE, OF EACH RIGHT, LIMITING TOTAL Q AT
ANY ONE TIME, FROM ALL SOURCES, TO BE 3.90 cfs.
COMBINED USE (OR SINGULAR USE) LIMITS DIVERSION
REMARK $\rightarrow$ RATE TO 0.02 cfs PER AC. (§ 42-202, 42-220 IC)

IV. SOURCES ARE MANY AND DUE TO LACK OF CLARITY OF
WAKLEY VS WAKLEY IT IS NOT CLEAR IF ANY PARTICULAR
RIGHT GOES TO CERTAIN POU. HOWEVER, SINCE 1904
SYSTEMS (STREAMS) HAVE BEEN JOINED TO A COMMON
SYSTEM SHARED APPARENTLY ^{BY} ALL OR MOST USERS.

V. DUE TO ALL RTS ADDRESSED BY WAKLEY VS WAKLEY HAVING
NO SPECIFIC PRIORITY DATE THE DISCRETE DATE IS USED.
AVAILABLE WATER IS PRO-RATA SHARED W/ USERS.

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JUL 29 2005

Claim No.	Claimant	Fract.	Q by Rec	Acres	Stream	Remarks
Phillips vs Edwards Decree, 1924..... Rowley Creek						
29-11242	Wm Phillips	1/2	1.50	75.0	Rowley Ck	
29-12020	P Fergus	1/4	2.02	100.8	Rowley Ck	
29-13469	K Williams	1/4	2.52	126.0	Rowley Ck	

Claimed in-full

Wakley vs Wakley, 1904..... Station Creek

29-00321	Vaughan, et al	1/5	3.91		Station Ck	
29-00326	F Winward	1/5	1.92	96.0	Station Ck	
29-10461	Lazy VZ Trust	2/5	3.08		Station Ck	
29-11699	P Adams	1/5	5.64	282.2	Station Ck	

Decreed right(s) claimed in-full

29-13476 TJL Properties 0.065 Station Ck Recommended as BU, Priority 6/10/1904

Wakley vs Wakley, 1904.....Dry Hollow (Big Ck) and Maple Ck (Mines Canyon)

29-00317A	Vaughan, et al	4/4 0/0	3.91		Big Ck/Maple Ck	DISALLOWED-ownership not proven
29-00320	Vaughan, et al	1/4	3.91		Big Ck/Maple Ck	
29-10462	Lazy VZ Trust	4/4 1/2	1.23		Big Ck/Maple Ck	Recommended as 1/2 flow **
29-11698	P Adams	1/4	5.64	282.2	Big Ck/Maple Ck	

Claimed in-full

29-11700 P Adams XX 0.36 282.2 Unnamed Strm Beneficial Use
 29-10407 TJL Properties XX 0.07 Big Ck/Maple Ck Recommended as BU, Priority 6/10/1904

Daniels vs Woodland, 1878..... Birch Creek

29-13103 Malad Valley Irr 3/4 6.20 Lg POU Birch Ck
 Marsh Creek side (B29) users got 1/4 of the flow of Birch Creek as shown below.

Wakley vs Wakley, 1904..... Birch Creek

29-00322	Vaughan, et al	4/24	3.91	195.3	Birch Ck	
29-00327	Marler/Gardner	2/24	2.54	128.0	Birch Ck	
29-00328A	K Williams	1/24	2.52	126.0	Birch Ck	
29-00328B	P Fergus	5/24	2.02	100.8	Birch Ck	
29-00328C	F Winward	2/24	1.92	96.0	Birch Ck	
29-00329	F Winward	2/24	0.80	40.0	Birch Ck	
29-11241	Wm Phillips	2/24	1.50	75.0	Birch Ck	
29-11650	TJL Properties	2/24	1.76	88.0	Birch Ck	
29-11697	P Adams	4/24	5.64	282.2	Birch Ck	

Claimed in-full

Notes:

** Re; 29-10462 see Transfer #3032 Claim combines 29-317 and 29-330C (which recombines A & B)
 The Decree of Davis vs Treasure only involves Birch Creek water.

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 JUL 29 2005

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Book 8 page 523, records said county, being the farm lands now owned intended hereby and contiguous to and irrigated from said streams, all in Bannock County, Idaho.

29 0320 That plaintiff William W. Woodland be adjudged and decreed to have the use and benefit of the continuous and uninterrupted flow of one-fourth of all the waters of Dry Hollow and Maple Creeks and the use and benefit of the continuous and uninterrupted flow of one-fifth of all the waters of Station Creek, and the use and benefit of the continuous and uninterrupted flow of one-sixth of all the waters of Birch Creek flowing towards Marsh Valley. That said water is used upon and be appurtenant to Lot No. 3 of Section 30, Township 11 South, Range 37 East Boise Meridian, and N 1/2 of S.E.1/4 and N.E.1/4 of S.W.1/4 of Section 25, Township 11 South, Range 36 E. Boise Meridian, Bannock County, Idaho, containing 172.82/100 acres, less 14.75 acres deeded by said plaintiff to Estate of Ellen Woodland; also to 67.36 ac adjoining last tract deeded to plaintiff by estate of Ellen Woodland heretofore; also to 27.18 acres by deed from Henry Wakley, book 13 of deeds page 424, records of said Bannock County, it being intended hereby to cover all farming lands now owned by said plaintiff as irrigated from said streams.

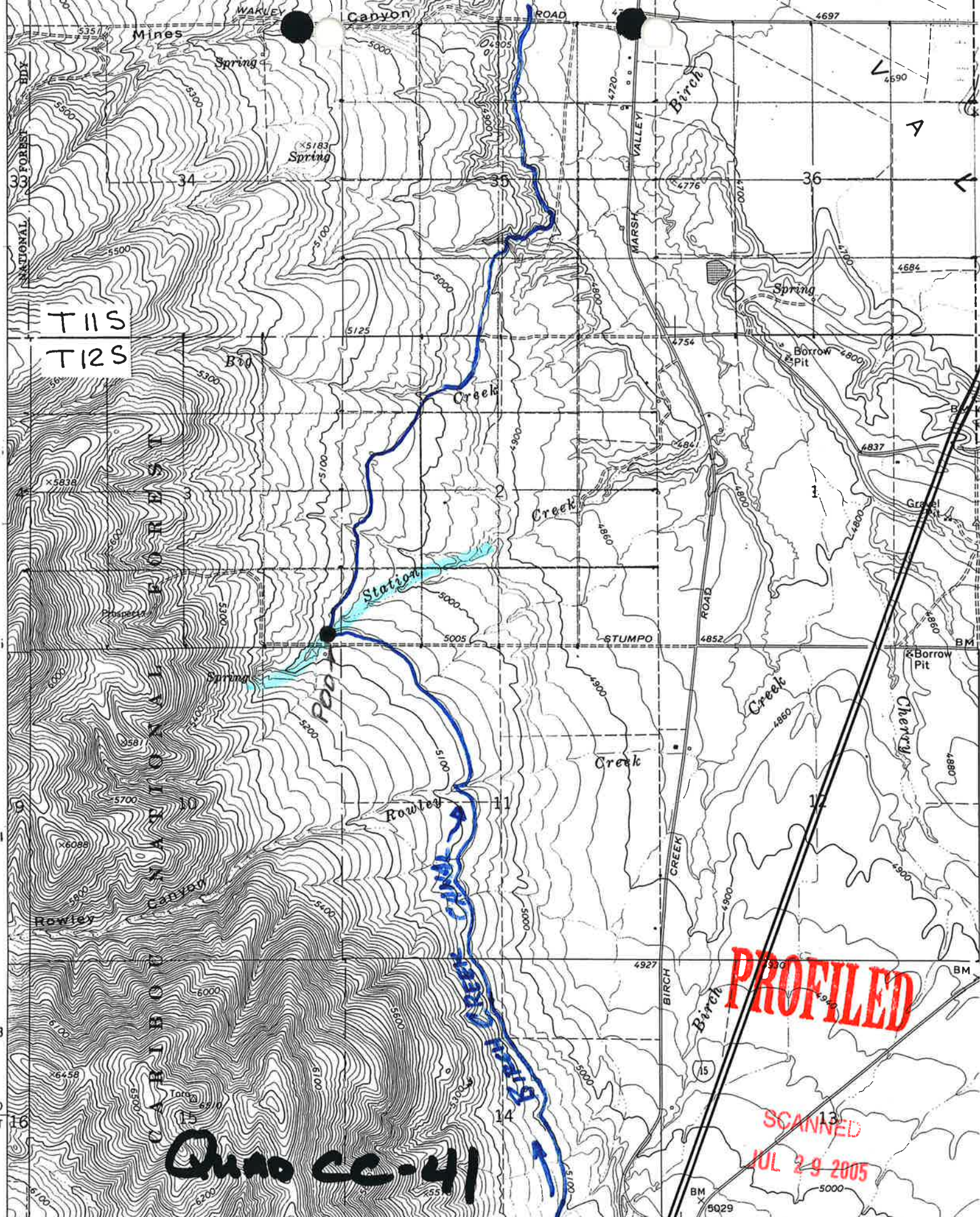
29 0323 That the Estate of Ellen Woodland be adjudged and decreed to have the use and benefit of the continuous and uninterrupted flow of one-fourth of all the waters of Dry Hollow and Maple Creeks and the use and benefit of the continuous and uninterrupted flow of one-fifth of all the waters of Station Creek, and the use and benefit of the continuous and uninterrupted flow of one-sixth of all the waters of Birch Creek flowing towards Marsh Valley. That said water is used upon and appurtenant to Lot No. 4 of Section 30, Township 11 South, Range 37 E. Boise Meridian, and S.1/2 of S.E.1/4, and S.E.1/4 of S.W.1/4, Section 25, Township 11 South, Range 36 East B.M., containing 172.83 acres, less 127 acres conveyed to W. W. Woodland, Henry Wakley and J.J.Wakley under decree of the Probate Court, Bannock County, Idaho; also to 46 acres deeded to said estate by W. W. Woodland, John J. Wakley and Henry Wakley; also to the tract of land known as the Ellen Woodland Desert Entry situated on said Birch Creek, containing 160 acres, all of said lands being in said Bannock County, it being intended hereby to cover all lands now owned by said estate as irrigated from said streams.

That defendant George Wakley be adjudged and decreed to have the use and benefit

PROFILED

SCANNED

JUL 29 2003



T11S
T12S

Quino CC-41

PROFILED

SCANNED
JUL 29 2005

NOV 6 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

ABK

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
29-00320					
	00321				
	00322				
	00317A				

2. The following **REQUIRED** information must be submitted with this form:

A. The appropriate ~~FILING FEE~~. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

DAVE TREASUNG

22703 So. MARSH CR RD DOWNTOWN

4. New Owner/Claimant(s)

Elizabeth Vaughan

83234

Name Connector (Check one): [] and, [X] or, [] and/or

New Mailing Address

100 E 12th

City, State and ZIP Code

MC Cumber SD 83250

New Telephone Number

208 254-3389

5. Date you acquired the property

2-1994

SCANNED

JUL 29 2005

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STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN
June 4, 2003

TO: Basin 29 Surface Water User

I am writing this letter to you as a courtesy to inform you that after review of the Department of Water Resource's preliminary recommendation for your water right(s), a quantity remark has been added. The quantity remark will reflect how your water right(s) was historically decreed in a prior decree. The prior decree recognized the quantity for your water right(s) as a fractional amount of the stream flow listed from the source on your water right. You can expect the Department's Director's Report, which is to be filed with the SRBA Court sometime in July, to include a quantity remark as follows:

The amount of water diverted under this water right may not exceed (*decreed percent or fraction*) of the stream flow of (*decreed source*) at the point of diversion described above at any given time. This water right shall not provide more than .02 cubic feet per second per acre at any time.

The information in parentheses and italics will reflect whatever fraction and source is correct for your water right(s).

If you disagree with the inclusion of this quantity remark in your water right, you will be able to file an objection with the SRBA Court. A Notice of Filing Director's Report will be mailed to you along with the Director's Report for your water right(s) sometime in July. This Notice will outline the deadlines and process for filing an objection to your water right(s).

If you have any further questions regarding this matter, you can contact me at 208-327-7900.

Very truly yours,

A handwritten signature in black ink, appearing to read "Candice M. McHugh", is written over the typed name.

Candice M. McHugh
Deputy Attorney General, IDWR

cc: Allen Ruberry
CMM/pm

Natural Resources Division - Water Resources Unit
1301 North Orchard St., Boise, Idaho 83706-2237
Telephone: (208) 327-7920; Legal FAX: (208) 327-7866
Adjudication FAX: (208) 327-5400

FILED

SCANNED

SEP 26 2005

MAY 31 2001

Log for claim A29-00321

Spatial Dynamics TWB

5/9/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
11s36e	25	NESW	0	10	nenw in database should be nesw
11s36e	25	NWSW	15	18	
11s36e	25	SWSW	12	14	
11s36e	25	SESW	27	28	
11s36e	25	SWSE	32	31	
11s36e	25	SESE	12	11	
11s36e	26	SENE	20	20	
11s36e	26	NESE	39	39	
11s36e	26	NWSE	39	40	
11s36e	26	SWSE	37	38	
11s36e	26	SESE	35	34	
11s36e	36	NENE	0.3	0	Wrong tract in database?
11s36e	36	NENE	15	12	
11s36e	36	NWNE	8	8.8	
Totals:			291.3	303.8	

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 29-321
Date Received:
Receipt No:
Received By:

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

Amended DR

1. Name of Claimant(s)

DAVID MARK TREASURE Phone:

2615 N 800 E
LOGAN UT USA 84321

DEBBIE TREASURE Phone:

218 S 100 W
LOGAN UT USA 84321

BONNIE JENKINS Phone:

368 S MAIN
MALAD ID USA 83252

ELIZABETH VAUGHAN Phone: (208)254-3389

100 E 12TH ST
MC CAMMON ID USA 83250

RECEIVED
JUN 08 2004

Department of Water Resources
Eastern Region

2. Date of Priority: 06/09/1904

3. Source: STATION CREEK Trib. to: BIRCH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
12S	36E	3	SE SE SE	BANNOCK	

5. Description of diverting works:

HEADGATE TO DITCH TO PIPELINE FOR SPRINKLER IRRIGATION

6. Water is used for the following purposes:

SCANNED

OCT 20 2005

Purpose
IRRIGATION

From To C.F.S.
04/01 10/31 4.31

(or) A.F.A

7. Total Quantity Appropriated is:
4.79 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	
11S	36E	25	NE	SW	IRRIGATION	10	
			NW	SW	IRRIGATION	17	
			SW	SW	IRRIGATION	14	
			SE	SW	IRRIGATION	28	
			SW	SE	IRRIGATION	30	
			SE	SE	IRRIGATION	9.9	
11S	36E	26	NE	SE	IRRIGATION	11	
			NW	SE	IRRIGATION	2.2	
			SW	SE	IRRIGATION	18	
			SE	SE	IRRIGATION	34	
11S	36E	35	NE	NE	IRRIGATION	1.1	
11S	36E	36	NE	NE	IRRIGATION	12	
			NW	NE	IRRIGATION	8.1	
11S	37E	30	SW	SW	4	IRRIGATION	35
			NW	SW	3	IRRIGATION	9
						Total Acres	239.3

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:

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

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

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.

The amount of water diverted under this water right may not exceed 1/5 of the stream flow of Station Creek at the point of diversion described below at any given time. This water right shall not provide more than .02 cubic feet per second per acre at any time.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.31 CFS. COMBINED RIGHT NOS.: 29-320, 29-321, 29-322.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 215.3 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-320, 29-321, 29-322.

WATER IS DELIVERED THROUGH BIRCH CREEK CANAL (DITCH).

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): Donald C. Budge Date: 6/7/04
Attorney For Claimant Date: _____

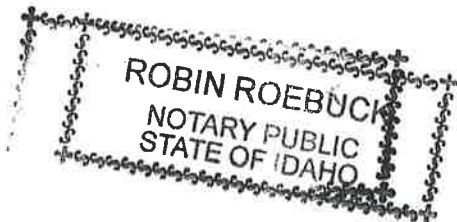
State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 7th
of June 2004 Robin Roebuck

Notary Public

Residing at Pocahontas, Id

My commission Expires 8/18/2006



MAY 31 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: A29-00321

Date Received: 4/25/1990

Receipt No: E013683

Received By: Kew

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DAVE TREASURE 208-897-5630
Address: 22703 SOUTH MARSH CREEK ROAD
DOWNEY, ID 83234

2. Date of Priority: JUN 09, 1904

3. Source: STATION CREEK Trib. to: BIRCH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	36E	35	SE	SW			BANNOCK
12S	36E	3	SE	SE			BANNOCK

5. Description of diverting works:
HEADGATE TO DITCH TO PIPELINE FOR SPRINKLER IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	-6.070		

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

8. Total consumptive use is 758.3 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	36E	25	NE	NW		IRR	12.0
			NW	SW		IRR	15.0
			SW	SW		IRR	12.0

A29-00321

Page 1

Date: 04/25/90

MICROFILMEC

NOV 13 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	36E	25	SE	SW		IRR	27.0
			SW	SE		IRR	32.0
			SE	SE		IRR	12.0
			Section Acres				110.0
		26	SE	NE		IRR	20.0
			NE	SE		IRR	39.0
			NW	SE		IRR	39.0
			SW	SE		IRR	37.0
			SE	SE		IRR	35.0
			Section Acres				170.0
		30	NE	NE		IRR	0.3
			Section Acres				0.3
		36	NE	NE		IRR	15.0
			NW	NE		IRR	8.0
			Section Acres				23.0
			Total Acres				303.3

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:
29-00320/00322/00317A

14. Remarks:

SEE DECREE FOR LAND LIST.

DIVERSION RATE 1/5 FLOW OF CREEK.

PRIORITY DATE TAKEN FROM DECREE.

DIVERSION FROM DITCH TO PIPELINE IS WITHIN SESW SEC 35, T11S, R36E

15. Basis of Claim: DECREED

Case Number:

Court :

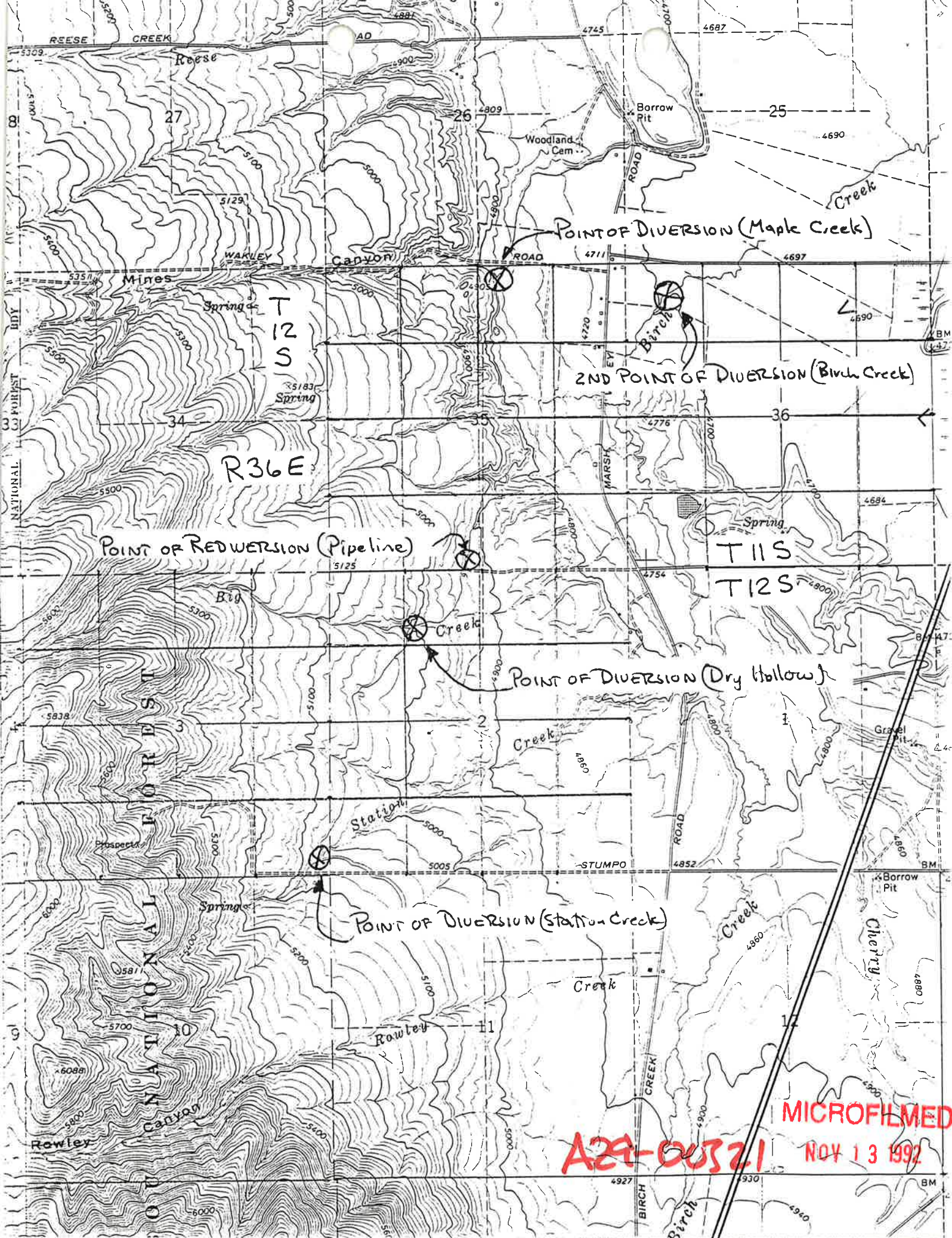
Decree date:

11
14.75
67.36
27.18
109.29
172.82
282.11

vs GEORGE WAKLEY.
Decree Defendant

(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.

NOV 13 1992



T7864 #166
Rose Lee Hill

345

T7868
Rose Lee Hill
#166

T7836
Dale Davis
#744

NOT TO SCALE

T
II
S
FEB
1939
R36E

120A

T7851
Glenn Davis
#741

25 24
25 25

T7857 #463
Edna Vaughan

T7853 #541
William Ward

25 24

T7851
William Ward
#541

25 25
35 36

T7850
William Ward
#541

25 36
36 31

T7844
William Ward
#541

20 9

A29-0032 MICROFILMED
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