

06/05/2003

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

RIGHT NUMBER: 29-329

NAME AND ADDRESS: BARBARA WINWARD
3962 S 2275 W
ROY UT 84067

FRANK D WINWARD
3962 S 2275 W
ROY UT 84067

SOURCE: BIRCH CREEK

TRIBUTARY: MARSH CREEK

QUANTITY: 0.800 CFS

The amount of water diverted under this water right may not exceed 2/24 of the stream flow of Birch 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.

PRIORITY DATE: 10/10/1878

POINT OF DIVERSION:

T12S R36E S13 NWNWSW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 10/31

QUANTITY
0.800 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T12S R36E S13	NENW	2.0	T12S R36E S13	NWNW	23.0
T12S R36E S13	SWNW	13.0	T12S R36E S13	NWSW	2.0

40 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

11/15/2002

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

RIGHT NUMBER: 29-329

NAME AND ADDRESS: BARBARA WINWARD
3962 S 2275 W
ROY UT 84067

FRANK D WINWARD
3962 S 2275 W
ROY UT 84067

SOURCE: BIRCH CREEK

TRIBUTARY: MARSH CREEK

QUANTITY: 0.800 CFS

PRIORITY DATE: ~~06/09/1904~~ 10/10/1978

POINT OF DIVERSION:

T12S R36E S13 NWNWSW 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	0.800 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T12S R36E S13	NENW	2.0	T12S R36E S13	NWNW	23.0
T12S R36E S13	SWNW	13.0	T12S R36E S13	NWSW	2.0

40.0 ACRES TOTAL

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

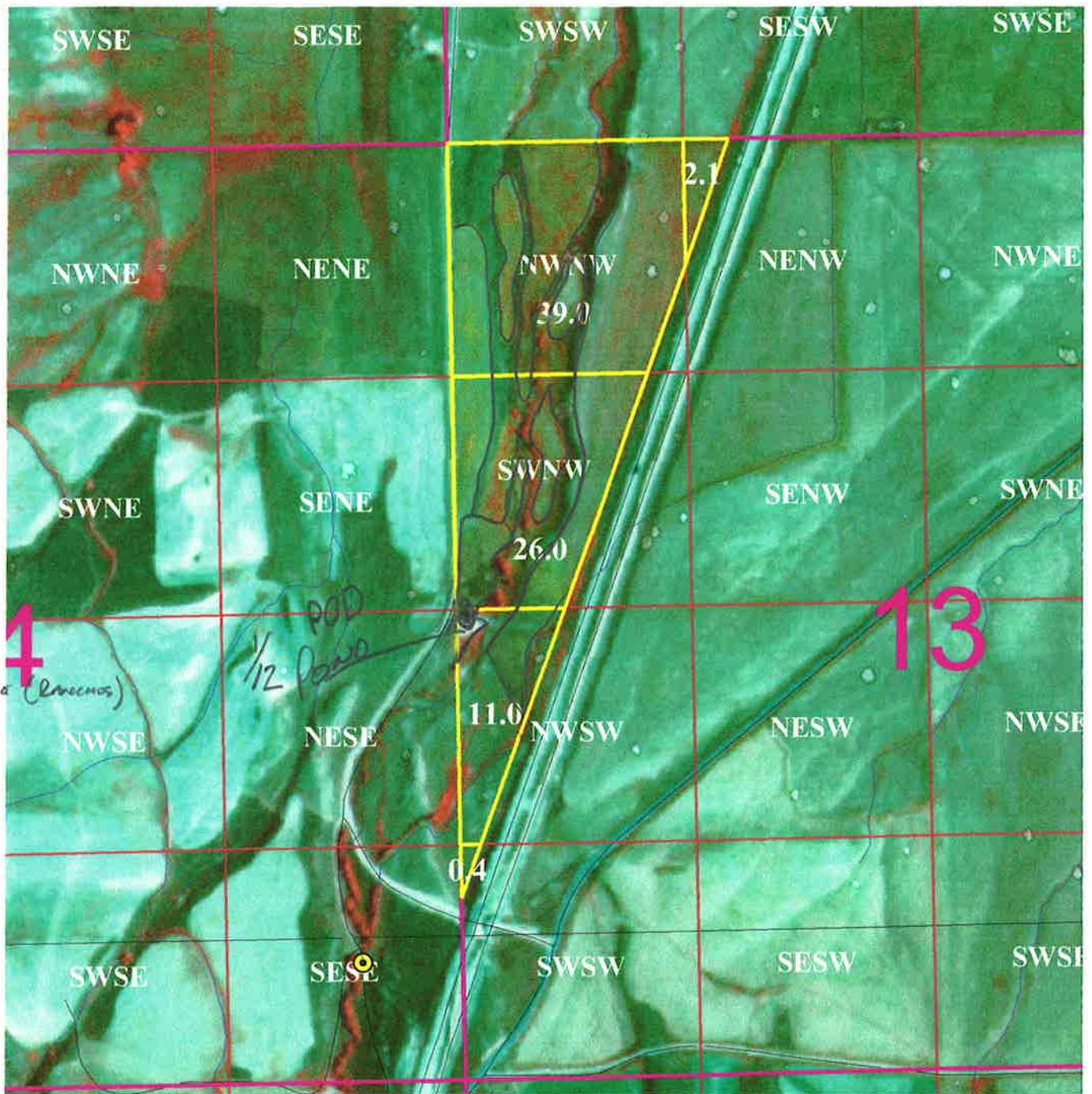
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Decreed

Water Right Claim Number A29-00329

05/10/2000

Township , 12S36E



1/2 sec.
Gardner
Davis Top (Lancaster)
Winthrop

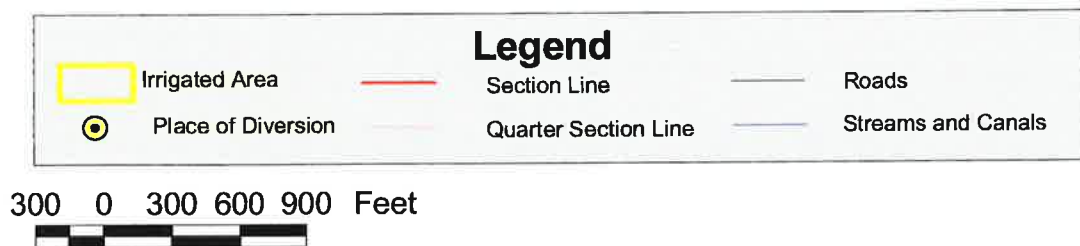
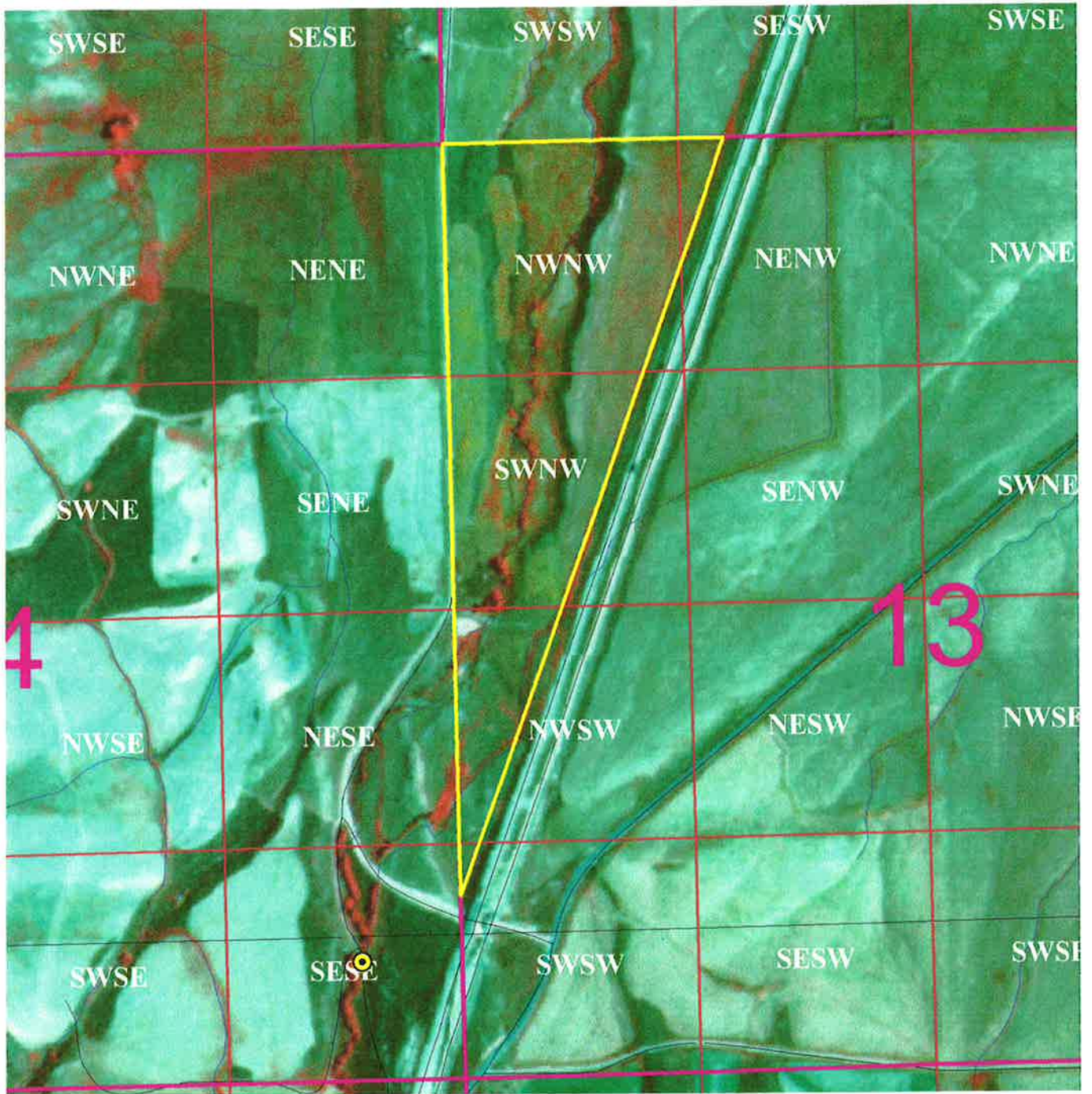
40 ac in CUP
11/14/02
A22

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

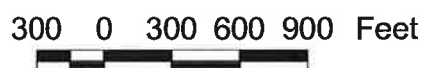
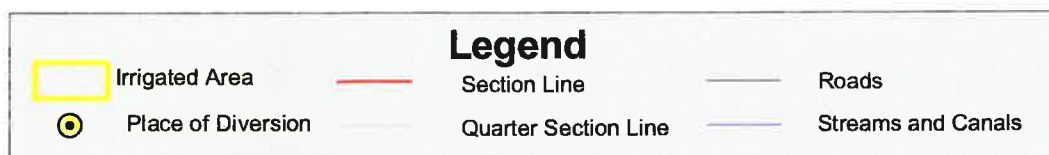
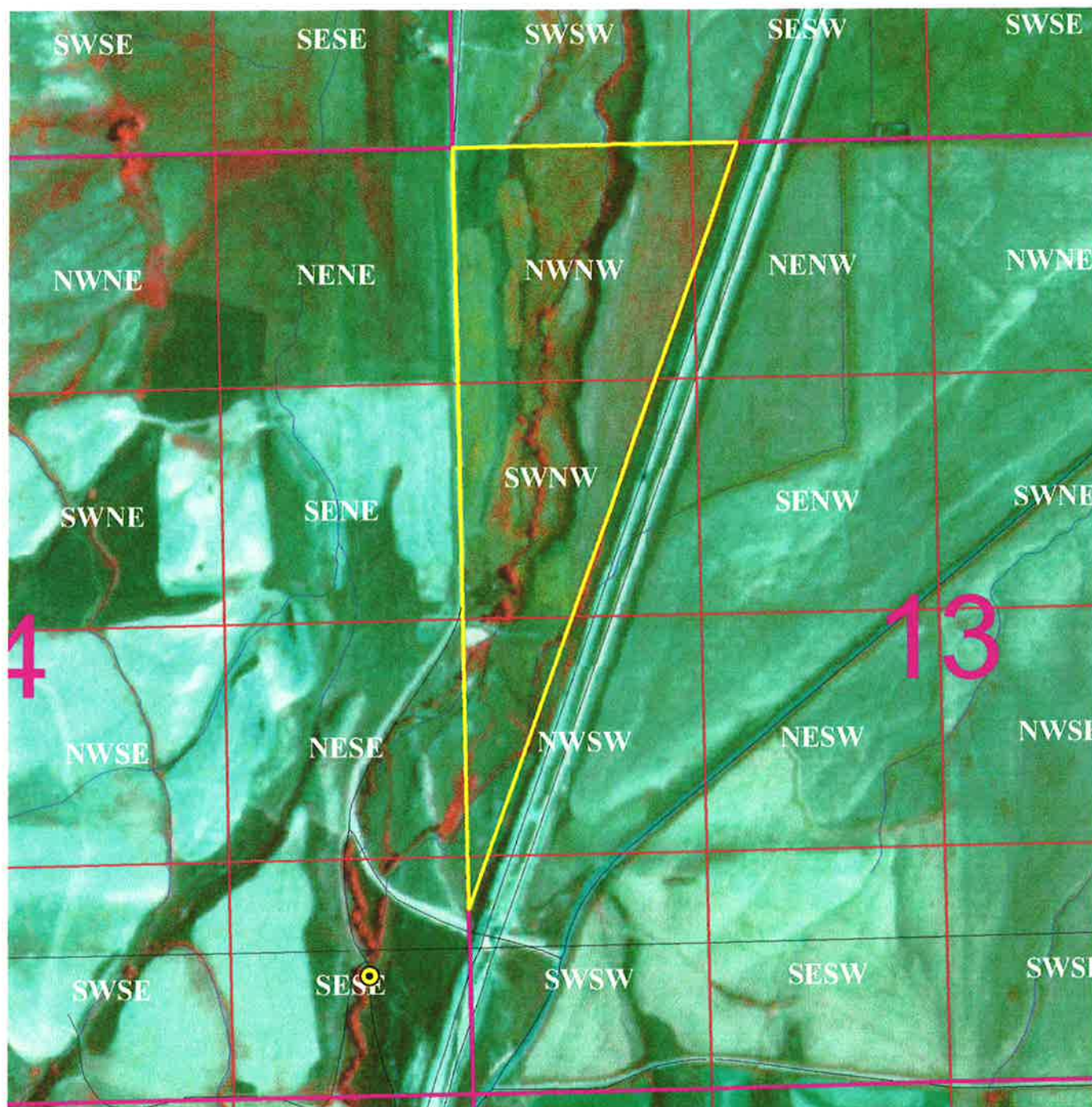
300 0 300 600 900 Feet



Township , 12S36E



Township , 12S36E

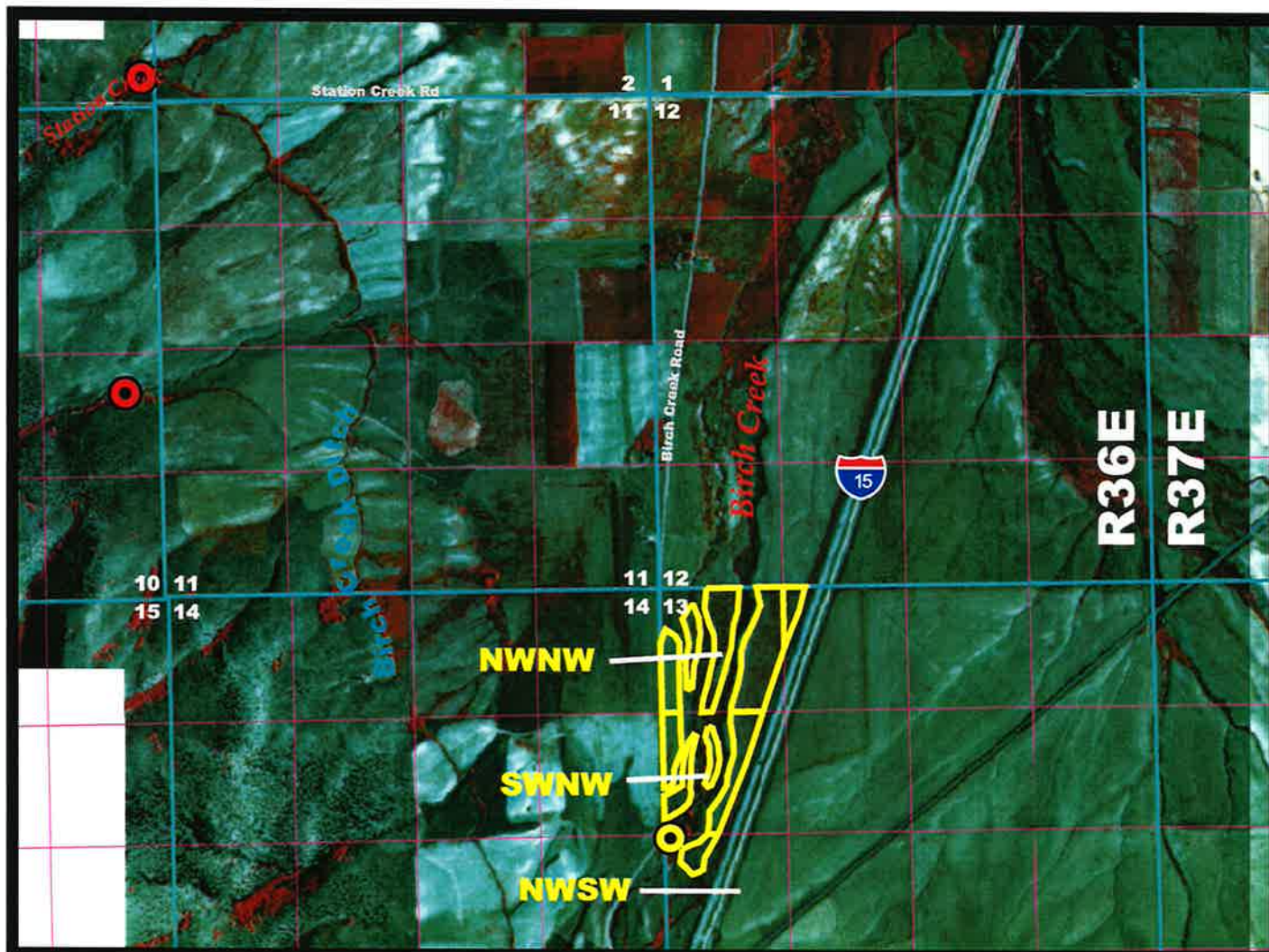




State of Idaho

Department of Water Resources

Eastern Region

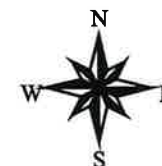


750 0 750 1500 2250 3000 3750 4500 5250 6000 6750 7500 8250 9000 9750 10500 11250 Feet

Water Right(s):
29-00329

Place of Use: (parts of) T12S, R36E
Sec. 13 W2NW, NENW, NWSW

Point(s) of Diversion: T12S, R36E
Sec. 13 NWNWSW (POD Birch Ck)



LEGEND

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



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

PROFIT

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

SCANNED

SEP 27 2005

Claim No.	Claimant	Fract.	Q by Rec	Acres	Stream	Remarks
<u>Phillips vs Edwards Decree, 1924..... Rowley Creek</u>						
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.

PROFIT ED

SCANNED
 SEP 27 2005

Allen

02/18/2003

NOTICE OF ERROR
REPLY

RECEIVED
APR 28 2003
Department of Water Resources
Eastern Region

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: 29-329

BARBARA WINWARD
3962 S 2275 W
ROY UT 84067
Telephone Number: (801)731-2498

FRANK D WINWARD
3962 S 2275 W
ROY UT 84067
Telephone Number: (801)731-2498

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: 20 APR 103

SIGNATURE:

Frank D Winward

Please print your name:

FRANK D WINWARD

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

PROFILED

SCANNED
SEP 27 2005

29-00329 DECEASED (WAKLEY VS WAKLEY)

I. C/O TO WINWARD W/ DEED - NO REF TO WR'S

? → A. C/O REFERENCES 29-7537

1. SAME POL
2. SW OR GW
- a. SOURCE

* → B. APPARENTLY DEEDS DOES NOT CITE Priority Date or Q OF FLOW.

1. MEASURES
2. EVIDENCE OF Priority?

11/14/02 VISITED POL AND DISCUSSED USE AND CONVEYANCES

40 AC ARE IN CRP - CLAIMS 83 AC TODAY INCREASES
~5 AC OF THE MANY SMALL AREAS BETWEEN BOUND ON
Stream CHANNELS AND THOSE ON THE HIGHER BUNDLES
IT IS UNLIKELY 83 ACROS WILL BE EVEN CLOSE.

They 40^{ac} / its supposed to be CRP

40 AC @ 0.02[¢]/ac = 0.80 (CLAIMS 1.20[¢])

PROFILED

SCANNED

SEP 27 2005



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
ALAN G. LANCE

December 11, 2002

Dear Claimant(s):

I am the Deputy Attorney General for the Idaho Department of Water Resources working on the SRBA in Basin 29. After reviewing your water right claim, it appears that the priority date you claimed for your water right(s) might not be correct and that October 10, 1878, might be the appropriate priority date for your claim(s). In order to recommend this priority date, which is earlier than the priority date you originally claimed, your claim(s) would need to be amended. Therefore, I have enclosed for your review and signature an amended claim form. If you would like to amend your claim(s) to reflect the earlier priority date please initial the change on the amended claim form and have your signature notarized; then, return the signed amended claim in the enclosed self-addressed envelope.

The Department intends to issue its preliminary Director's Report for your water right(s) in January, 2003. If we do not receive the signed, notarized amended claim form from you prior to January 10, 2003, the Department will recommend your water right(s) with the priority date no earlier than the priority date that you have currently claimed.

If you have any questions concerning this matter, you can contact me at (208) 327-5404 or Allen Ruberry, Senior Water Resource Agent with IDWR's Eastern Region Office at (208) 525-7161.

Very Truly Yours,


Candice M. McHugh
Deputy Attorney General, IDWR

Enclosures

cc: Allen Ruberry

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

PROFILED

SCANNED
SEP 27 2005

SCANNED

MAY 24 2001

Log for claim A29-00329

Spatial Dynamics TWB

5/10/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
12s36e	12	NESE	3	0	Wrong tract in database?
12s36e	13	NENW	3	2.1	
12s36e	13	NWNW	38	39	
12s36e	13	SWNW	27	26	
12s36e	13	NWSW	11	11	
12s36e	13	SWSW	1	0.4	
Totals:			83	78.5	

AJ5809NP
No. A29-00329

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/24/00
PAGE: 15

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FRANK D WINWARD	06/09/1904	IRRIGATION	04-01 11-01	1.200 CFS	
C	BARBARA WINWARD					
	3962 S 2275 W			TOTAL DIVERSION:	1.200 CFS	
	ROY UT 84067			CONSUMPTIVE USE:		150.00 AFA
	(801) 731-2498					

Water Source: BIRCH CREEK

Tributary to: MARSH CREEK

Stage: DECREED

Point(s) of Diversion: T12S R36E S14 SESE

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	Lt	Ac	:	SUM
12S	36E	12	:																	:	3.0
12S	36E	13	:																	:	80.0
			:																	:	83.0
																				TOTAL ACRES	

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-00327

Remarks: GEN THE ORIGINAL DECREE STATES THAT THE WATER RIGHT IS FOR THE
"CONTINUOUS AND UNINTERRUPTED FLOW OF 1/12 OF THE OF A BIRCH
CREEK FLOWING TOWARDS MARSH VALLEY". THE DECREE DOES NOT GIVE A
PRIORITY DATE NOR AN AMOUNT OF WATER. THE 1.2 CFS IS STRICTLY A
GUESS ON MY PART; DMD, 23 FEBRUARY 1990.
CHANGED OWNERSHIP 8/25/95/JT/GT

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

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

Audit: 02/23/90 DUNN 05/24/94 COX 03/29/95 POST-STD 08/25/95 JTHOMPSO



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

AUGUST 25, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

FRANK D WINWARD
3962 S 2275 W
ROY UT 84067

RE: CHANGE IN OWNERSHIP FOR A29-07537 AND A29-00329

Dear Mr. Winward:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed are copies of the Notices of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep these Notices for your records.

Respectfully submitted,

Jo Thompson
Adjudication Secretary

Enclosure: Notices of Claim

MICROFILMED
NOV 13 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 8 Aug 1995

LEGAL DESCRIPTION OF PROPERTY: Township 12S Range 36E
Section 13, 1/4 of W/2 1/4 of SW 1/4, Govt. Lot _____, BM. § NW 1/4
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) OK AT
Assigned by IDWR: A29-07537; A29-00329 OK AT NO - R.
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Jack Frank & Donna Frank
355 N 2 E
TREMONTON UT 84337
- ☐ New Owner/Claimant (Purchaser): Frank D Winward & Barbara Winward
- ☐ New Mailing Address: 3962 S 2275 W
ROY UT 84067
- ☐ New Telephone Number: (801) 731-2498
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes / no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s) Frank Winward Date 8-21-95
Date _____
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____
Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: _____ By: _____
Further Action Needed:

Further Action Taken
Date: _____ By: _____
Final Review and Data-Entry
Date: _____ By: _____
Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

MICROFILMED
NOV 13 1995

129-07537
00329

Copy

WARRANTY DEED

95011641

JACK FRONK a/k/a JACK K. FRONK AND DONNA FRONK, husband and wife,

of TREMONTON County of Box Elder as GRANTOR
CONVEYS AND WARRANTS TO State of UT

FRANK D. WINWARD AND BARBARA WINWARD, husband and wife as joint tenants a 1/2 interest, and P. WAYNE HANSEN, GWEN C. HANSEN KEVIN WAYNE HANSEN, SCOTT J. HANSEN, KENNEY CALL HANSEN, AND RICH CRAIG HANSEN an undivided 1/12 interest each as joint tenants with full rights of survivorship and not as tenants in common

of 3962 S. 2275 W., Roy, County of Weber as GRANTEE
(\$10.00) TEN AND OTHER GOOD AND VALUABLE CONSIDERATION DOLLARS
the following described tract of land in BANNOCK County, State of Idaho to wit:

All that portion of the West half of Southwest Quarter and Northwest Quarter of Section 13, Township 12 South, Range 36 BBM, Bannock County, Idaho, lying West of Interstate 15, Bannock County, Idaho.

Subject to easements, covenants and restrictions of record or enforceable in law or equity.

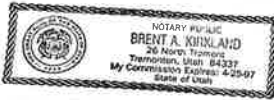
WITNESS the hand(s) of said grantor(s), this 8 day of AUGUST, 1995

NESE S.12

Jack Fronk
Jack Fronk
Donna Fronk
Donna Fronk

State of UTAH
County of BOX ELDER) ss:

On this 8 day of August, 1995
personally appeared before me
JACK FRONK a/k/a JACK K. FRONK AND DONNA FRONK, husband and wife,
the signer(s) of the within instrument who duly acknowledged to me
that (t)he(y) executed the same.



Brent A. Kinkland
Notary Public
My Comm. Expires:
Residing at:

When recorded please mail to:
Grantee
3962 S. 2275 W.
Roy, UT 84067

NO
95011641
RECORDED
AMERICAN LAND TITLE CO.
'95 AUG 11 AIO:42

OFFICE
BANK NO. 6445
IDAHO
RECORDS
ES. 20 DEPUTY 22

This agreement, made by and between:

Robert G. Curtis and Janice D. Curtis, husband and wife, Downey, Idaho.

and

Jack K. Fronk, 355 North 2nd East, Tremonton, Utah 84337,

referred to respectively hereafter as Curtis and Fronk, shall be as follows:

RECITALS

Curtis owns the following described property:

1. Used 503 International combine 3496
2. Real estate described in exhibit "A" attached hereto.
3. Water rights to real estate described in judgment entered in the district court of the Fifth Judicial District of Idaho in and for Bannock County titled Henry Wakley et al plaintiffs the George Wakley et al defendants, said judgment being entered June 9, 1904 by Alfred Budge, district judge with said water right being described as follows:

29 0329 that defendant J.J. Wakley be adjudged and decreed to have the use and benefit of a continuous and uninterrupted flow of 1/12 of the waters of a Birch Creek flowing toward Marsh Valley. That said waters are used upon and pertinent to the northwest quarter section 13 township South, Range 36 E.B.M., except 30 acres thereof heretofore conveyed by deed by said defendant to J. H. Wakley.

Fronk owns a new 1460 International combine serial number 1700213U005829. Fronk is further willing to include \$10,000 for purposes of equalizing property values.

Curtis and Fronk have agreed to exchange the above described properties.

NOW THEREFORE in consideration of the mutual covenants contained herein, it is agreed as follows:

1. Curtis transfer: Curtis in consideration of the conveyance by Fronk of the property described above, agrees to convey to Fronk, the above described used International combine, real estate and water rights.

2. Fronk transfer: Fronk, in consideration of the conveyance by Curtis of the above described property, agrees to convey to Curtis the above described new International combine and \$10,000 cash.

3. Documents: Curtis and Fronk agree to execute appropriate warranty deeds, bills of sale and other documents necessary to convey merchantable title free of all encumbrances except for easements and reservations of record.

MICROFILMED

NOV 13 1992

RECEIVED

JAN 3 2003

Department of Water Resources

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 29-329
Date Received: 2/23/1990
Receipt No: E012147
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name of Claimant(s)

BARBARA WINWARD
3962 S 2275 W
ROY UT USA 84067

Phone: (801)731-2498

FRANK D WINWARD
3962 S 2275 W
ROY UT USA 84067

Phone: (801)731-2498

2. Date of Priority: 06/09/1904 10/10/1878

3. Source: BIRCH CREEK / Trib. to: MARSH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
12S	36E	14	SE SE	BANNOCK	

5. Description of diverting works:

HEADGATE AND DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	1.2	

7. Total Quantity Appropriated is:
1.2 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
----------	-------	---------	----------------	-----	-------

SCANNED

JAN 11 9 2003

12S	36E	12	NE	SE	IRRIGATION	3
					Section Acres	3
12S	36E	13	NE	NW	IRRIGATION	3
			NW	NW	IRRIGATION	38
			SW	NW	IRRIGATION	27
			NW	SW	IRRIGATION	11
			SW	SW	IRRIGATION	1
					Section Acres	80
					Total Acres	83

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:

THE ORIGINAL DECREE STATES THAT THE WATER RIGHT IS FOR THE "CONTINUOUS AND UNINTERRUPTED FLOW OF 1/12 OF THE OF A BIRCH CREEK FLOWING TOWARDS MARSH VALLEY". THE DECREE DOES NOT GIVE A PRIORITY DATE NOR AN AMOUNT OF WATER. THE 1.2 CFS IS STRICTLY A GUESS ON MY PART; DMD, 23 FEBRUARY 1990.

CHANGED OWNERSHIP 8/25/95/JT/GT

15. Basis of Claim: Decreed

16. Signature(s)

SCANNED
JAN 11 9 2003

(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.

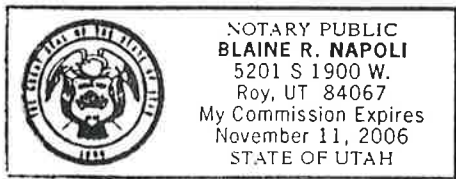
Signature of Claimant(s) *Frank P. [Signature]* Date: 07 JAN 03
_____ Date:

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this
of _____ 20__

[Signature]

Notary Public



Residing at _____
My commission Expires _____

RECEIVED

JAN - 9 2003

Department of Water Resources

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 29-329
Date Received: 2/23/1990
Receipt No: E012147
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name of Claimant(s)

BARBARA WINWARD
3962 S 2275 W
ROY UT USA 84067

Phone: (801)731-2498

FRANK D WINWARD
3962 S 2275 W
ROY UT USA 84067

Phone: (801)731-2498

2. Date of Priority: 06/09/1904

10/10/1878

3. Source: BIRCH CREEK ~~to~~ Trib. to: MARSH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
12S	36E	14	SE SE	BANNOCK	

5. Description of diverting works:

HEADGATE AND DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	1.2	

7. Total Quantity Appropriated is:

1.2 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
----------	-------	---------	----------------	-----	-------

12S	36E	12	NE	SE	IRRIGATION	3
					Section Acres	3
12S	36E	13	NE	NW	IRRIGATION	3
			NW	NW	IRRIGATION	38
			SW	NW	IRRIGATION	27
			NW	SW	IRRIGATION	11
			SW	SW	IRRIGATION	1
					Section Acres	80
					Total Acres	83

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:

THE ORIGINAL DECREE STATES THAT THE WATER RIGHT IS FOR THE "CONTINUOUS AND UNINTERRUPTED FLOW OF 1/12 OF THE OF A BIRCH CREEK FLOWING TOWARDS MARSH VALLEY". THE DECREE DOES NOT GIVE A PRIORITY DATE NOR AN AMOUNT OF WATER. THE 1.2 CFS IS STRICTLY A GUESS ON MY PART; DMD, 23 FEBRUARY 1990.

CHANGED OWNERSHIP 8/25/95/JT/GT

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): Frank P. Williams Date: 07 Jan 03

Date:

State of Idaho)

County of _____)

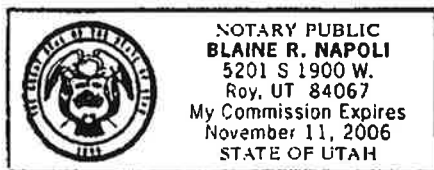
SS.

Subscribed and sworn (or affirmed) before me this

of _____ 20__

[Signature]

Notary Public



Residing at _____

My commission Expires _____

MAY 24 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: **A29-00329**
Date Received: 2/23/1990
Receipt No: E012147
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: FRANK D WINWARD 801-731-2498
Address: 3962 S 2275 W
ROY UT 84067
AND/OR
Name: BARBARA WINWARD 801-731-2498
Address: 3962 S 2275 W
ROY UT 84067

2. Date of Priority: JUN 9, 1904

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12S	36E	14	SE	SE			BANNOCK

5. Description of diverting works:
HEADGATE AND DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.200		

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

8. Total consumptive use is 150.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

MICROFILMED
NOV 13 1996

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12S	36E	12	NE	SE		IRR	3.0
						Section Acres	3.0
		13	NE	NW		IRR	3.0
			NW	NW		IRR	38.0
			SW	NW		IRR	27.0
			NW	SW		IRR	11.0
			SW	SW		IRR	1.0
						Section Acres	80.0
						Total Acres	83.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
NONE

14. Remarks:

THE ORIGINAL DECREE STATES THAT THE WATER RIGHT IS FOR THE "CONTINUOUS AND UNINTERRUPTED FLOW OF 1/12 OF THE OF A BIRCH CREEK FLOWING TOWARDS MARSH VALLEY". THE DECREE DOES NOT GIVE A PRIORITY DATE NOR AN AMOUNT OF WATER. THE 1.2 CFS IS STRICTLY A GUESS ON MY PART; DMD, 23 FEBRUARY 1990.

CHANGED OWNERSHIP 8/25/95/JT/GT

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

HENRY WAKLEY, ET. AL.

Decree Plaintiff

GEORGE WAKLEY

vs Decree Defendant

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: A29-00329

Date Received: 2/23/1990

Receipt No: E01247

Received By: OMA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JACK K. FRONK 801-257-3006
Address: 355 N 2 E
TREMONTON, UT 84337

OR

Name: DONNA P. FRONK 801-257-3006
Address: 355 N 2 E
TREMONTON, UT 84337

2. Date of Priority: JUN 09, 1904

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12S	36E	14	SE	SE			BANNOCK

5. Description of diverting works:
HEADGATE AND DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.200		

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

8. Total consumptive use is 150.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12S	36E	12	NE	SE		IRR	3.0
						Section Acres	3.0
		13	NE	NW		IRR	3.0
			NW	NW		IRR	38.0
			SW	NW		IRR	27.0
			NW	SW		IRR	11.0
			SW	SW		IRR	1.0
						Section Acres	80.0
						Total Acres	83.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
NONE

14. Remarks:

THE ORIGINAL DECREE STATES THAT THE WATER RIGHT IS FOR THE "CONTINUOUS AND UNINTERRUPTED FLOW OF 1/12 OF THE OF A BIRCH CREEK FLOWING TOWARDS MARSH VALLEY". THE DECREE DOES NOT GIVE A PRIORITY DATE NOR AN AMOUNT OF WATER. THE 1.2 CFS IS STRICTLY A GUESS ON MY PART; DMD, 23 FEBRUARY 1990.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

HENRY WAKLEY, ET. AL.

Decree Plaintiff

vs

GEORGE WAKLEY

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: 2

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): *[Signature]* Date: Feb. 23, 90
Date:

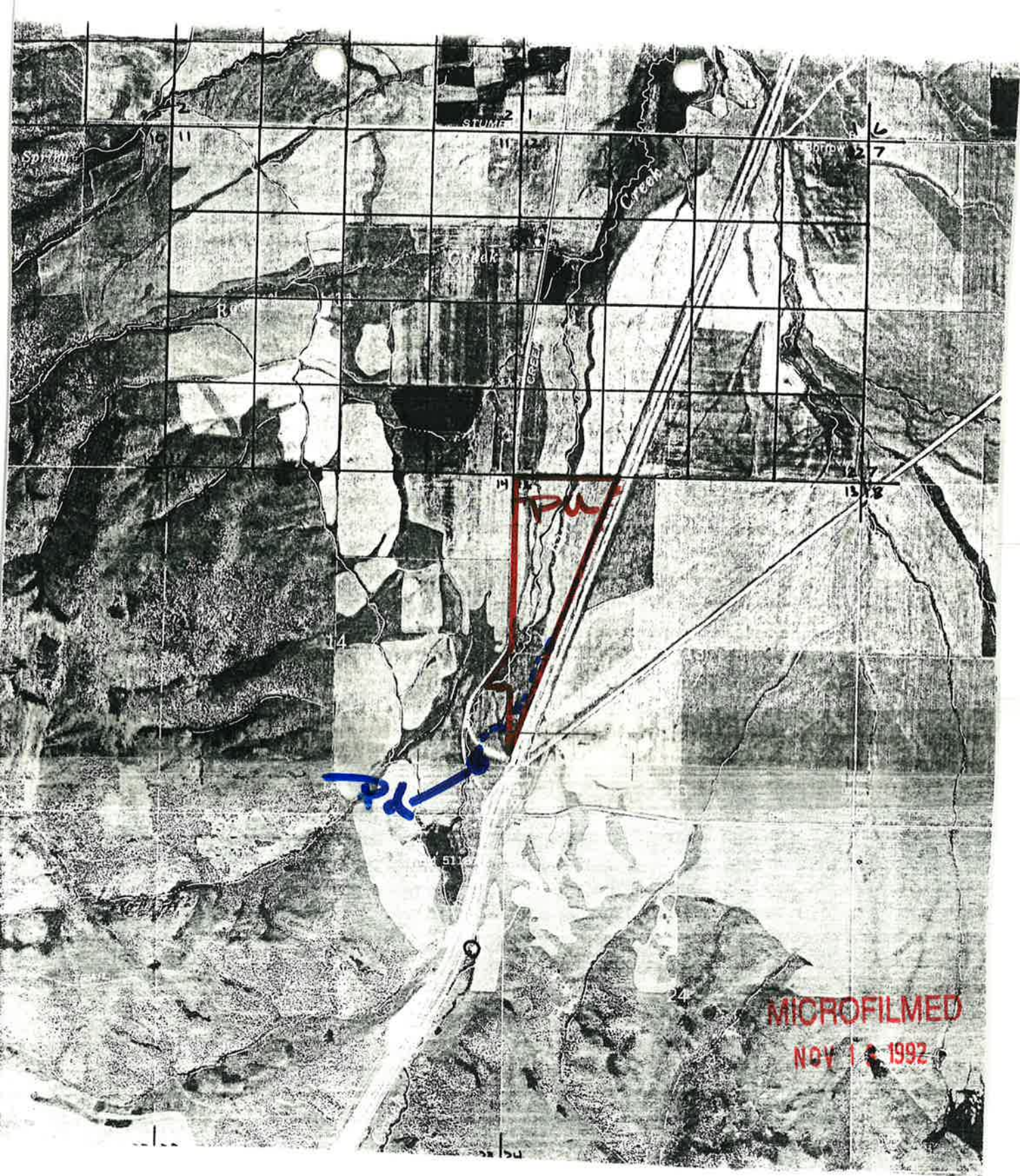
State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 23 day
of February 19 90
Seal

[Signature]
Notary Public

Residing at Red Lake Falls, Id.
My Commission Expires 22 Aug 1994

MICROFILMED
NOV 13 1992



MICROFILMED
NOV 12 1992