

05/29/2002

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

RIGHT NUMBER: 29-348A

NAME AND ADDRESS: DONNA RAE VAUGHAN
3459 WOODLAND RD
DOWNEY ID 83234

SOURCE: CHERRY CREEK

TRIBUTARY: MARSH CREEK

QUANTITY: 1.00 CFS

PRIORITY DATE: 11/13/1888

POINT OF DIVERSION:

T12S R37E S29 NWSWNE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

1.000 CFS

PLACE OF USE:

IRRIGATION Within BANNOCK County

T12S R37E S05	SESW	6.0	T12S R37E S08	NWNE	1.0
T12S R37E S08	NENW	25.0	T12S R37E S08	SENE	21.0
T12S R37E S08	NESW	20.0	T12S R37E S08	SESW	10.0
T12S R37E S17	NWNW	35.0	T12S R37E S17	SWNW	38.0

156 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 80 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 29-00348A, 29-02178

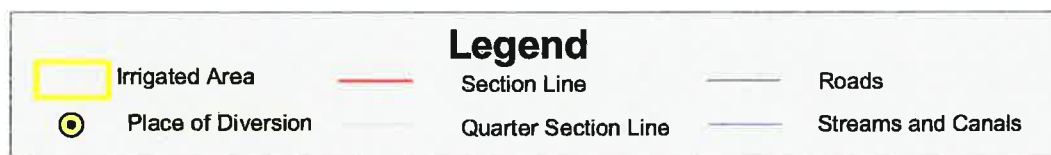
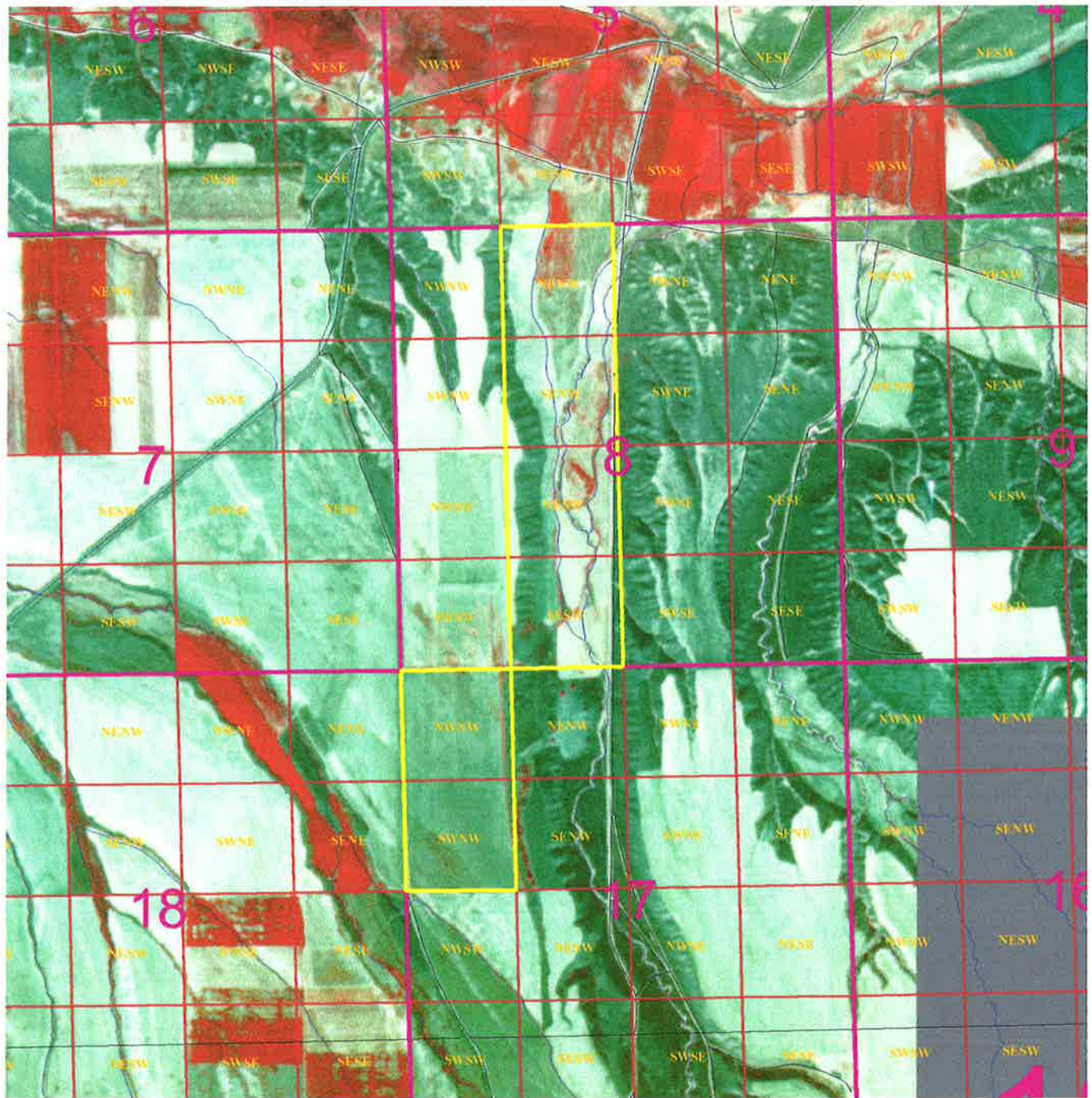
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 40 ACRES WITHIN THE PLACE OF USE
DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

Township , 12S37E



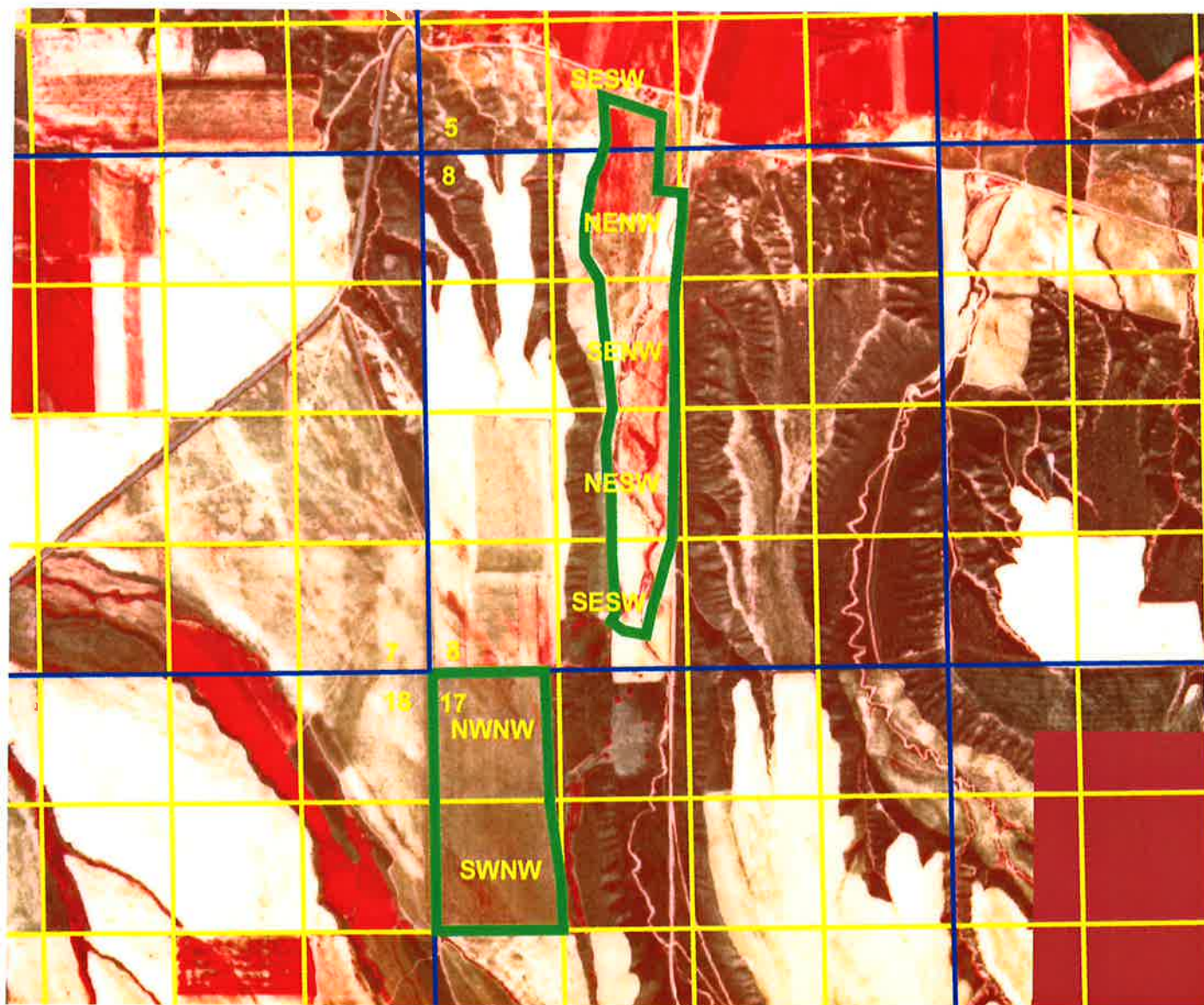
600 0 600 1200 1800 Feet



IDAHO DEPARTMENT OF WATER RESOURCES

29-00348A

T12S, R37E SEC. 5, 8, 17



ACRES IRRIGATED- 40



POINT OF DIVERSION

PROFILED

SCANNED

NOV 02 2005



PLACE OF USE

**GIS: PLACE OF USE
POINT OF DIVERSION
1987/1988 NAPP PHOTOS
DAVE CARLSON**

Ralph

2. That the parties hereto are the successors in interest of the water rights and the lands to which said rights were appurtenant under the Decree, to wit:

	PARTY	PREDECESSOR	SHARE OF WATER	REAL PROPERTY
11	Carl R. Evans <i>STEPHANS</i>	Charles R. Evans	<u>1/9</u> 40	SW1/4NE1/4, Section 19, Township 12 South, Range 37 E.B.M.
16.6	(Geraldine McNea)	Thomas Barnes	<u>1/6</u>	W1/2SW1/4, Section 8, Township 12 South, Range 37 E.B.M.
16.6	Randy Jones (<i>LISH</i>)	Joseph Bloxham	<u>1/6</u>	SE1/4, Section 18, Township 12 South, Range 37 E.B.M.
11	Dunford Weston <i>NIELSEN</i>	Charles R. Evans	<u>1/9</u> 40	SE1/4SE1/4, Section 20, Township 12 S., Range 37 E.B.M.
11	Jan B. Evans <i>PAULSON</i>	Charles R. Evans	<u>1/9</u> 160	Tract in NE1/4, Section 19 and Tract in Section 20, both in Township 12 South, Range 37 E.B.M.
16.6	Von G. Bloxham	Isaac Bloxham	<u>1/6</u>	E1/2NW1/4, Section 18, Township 12 South, Range 37 E.B.M.
8	Robert Baxter <i>VAUGHN</i>	Ralph Douglass	<u>1/12</u>	NE1/4NE1/4, Section 8, Township 12 South, Range 37 E.B.M.
8	(Carl Barnes)	John Barnes	<u>1/12</u>	SW1/4SW1/4, Section 4 and SE1/4SE1/4 of Section 5, Township 12 South, Range 37 E.B.M.

* 210

60AC

44AC

200AC

145AC

60AC

190AC

NONE
40AC

3. The parties represent and state that they and their predecessors have used their share of all the waters of Cherry Creek continuously during each irrigation season upon the lands owned by them, as above described in paragraph 2.

4. The parties represent and state that the entire flow of Cherry Creek is not adequate to satisfy all the irrigation needs of the respective parties and that there is no water in Cherry Creek available for further appropriation.

11/01/01
 1954
 1/11/01
 239

SCANNED
NOV 02 2005

FILED

JUN 18 '96 11:31 FROM FMA POCATELLO

STATE	Idaho	PROJECT	Cherry Creek Irrigation Group		
BY	R.E.D.	DATE	5-24-77	CHECKED BY	PJN
SUBJECT	Gravity Sprinkler System			DATE	6-22-77
				JOB NO.	Eng Class I 7 Farm Units
				SHEET	1 OF 5

Date:

Shareholder	Groups with Irrigated Ac.	Photo Measured Acres	GPM @ 100' W. m. r. ft.
D. Weston	60	110	381.6
C. Evans	60	86	381.6
C. Mock	60	70	381.6
V. Jones	80	80	508.8
V. Bloxham	80	52	508.8
R. Stewart	40	40	254.4
Everett McNie	80	80	508.8
	460	538	2927.2 gpm

Acresage was based on 2800 gpm

$$= \frac{6.36 \text{ gpm}}{\text{acre}}$$

Id-40 = 2927 gpm required for 460 acres

Design for each to receive their allotted water

Nozzle requirement: Peak daily use 0.212"

See ID-40

$$S_m = 40' \quad S_L = 40' \quad 23 \text{ h. s. t.} = 40' \text{ Net} = 0.174'$$

Ref Sec 15
Chpt 11 sec
WEHD

$$Gpm = \frac{(40') (6.36) (0.174' \text{ hr})}{24.3 (\text{convert})} = 6.67 \text{ gpm}$$

Because of some irregular fields nozzle capacity will vary somewhat to utilize the proposed metered flow

PROFILED

SCANNED

NOV 02 2005

Cherry Creek Irrigation Group
Funding Request

<u>Shareholders</u>	<u>Percentage of stock & Percentage of Water</u>	<u>Irrigated Acres *</u>
C. Evans	11.11%	60 acres 104
V. Jones	16.67	80 160
E. McNee	16.67	80 80
C. Mock	11.11	60 160
D. Weston	11.11	60 90
E. Stewart	8.33	40 70
V. Bloxham	16.67	80 300
Totals	100.00	460 904 Ac

*Acresage based on source intake of 2,800 gallons/minute and 7 gallons/minute output per sprinkler head.

Materials:

- a. Pipe
- 7,920 feet of 15inch plastic pipe (50 lb.)
 - 1,485 feet of 12inch plastic pipe (60 lb.)
 - 2,640 feet of 10inch plastic pipe (80 lb.)
 - 2,640 feet of 8inch plastic pipe (100 lb.)

Total length of pipe 14,685 feet

- b. Flow Meters 7
- c. Settling Pond, cement intake and gravel duct
- d. Joints, valves, and air release valves

Costs:

Pipe	\$57,000
Flow Meters	7,000
Valves, etc.	1,000
Pond	2,000
Installation	13,000
Total	\$80,000

Cost per Acre \$80,000 ÷ 460 acres = \$173 (figures based on land currently under irrigation).

SCANNED

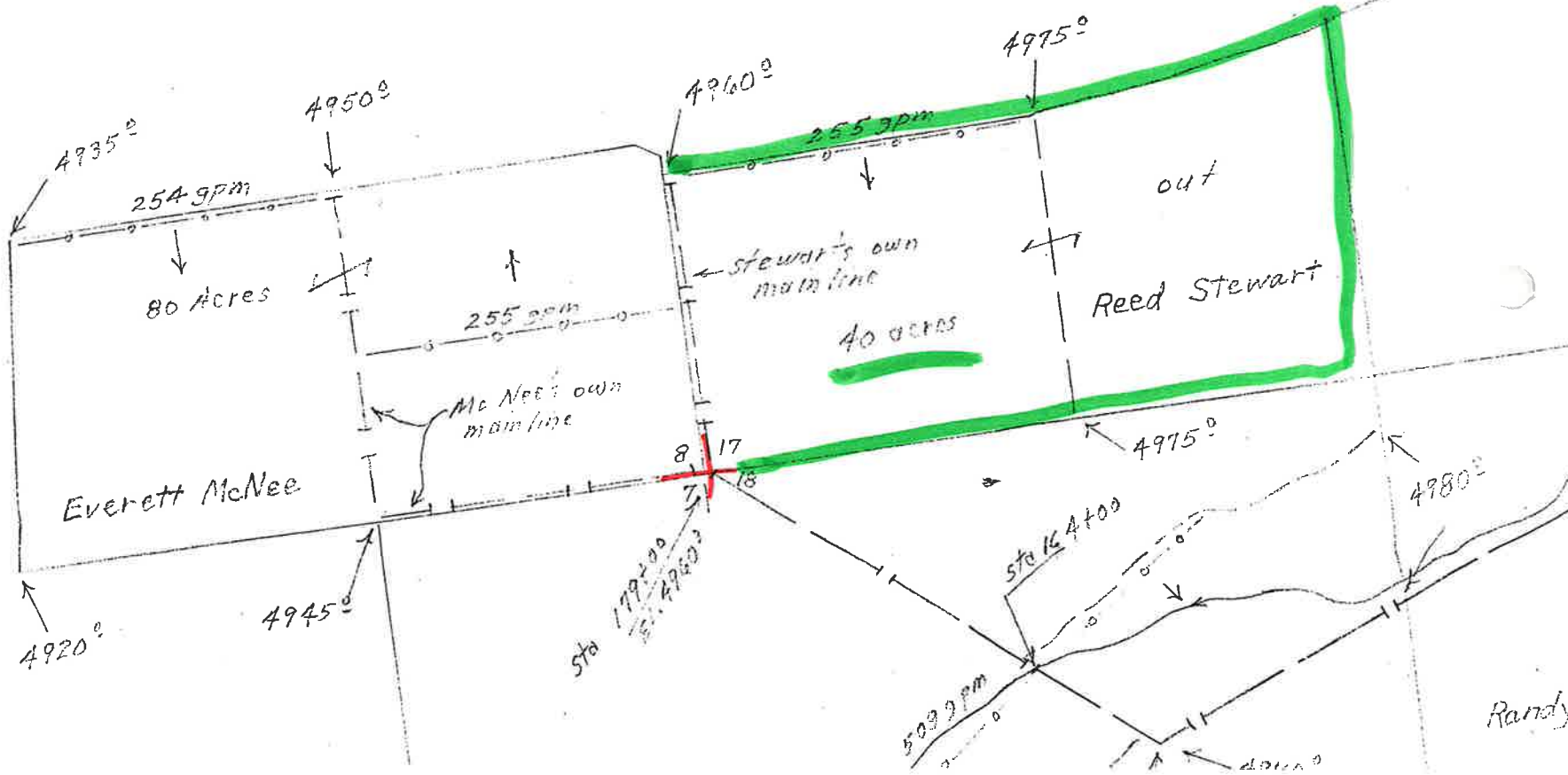
NOV 02 2005

PROFILED

NOTED

NOV 02 2005

SCANNED



R 37 E

SCANNED

JUN 04 2001

Log for claim A29-00348A

Spatial Dynamics TWB

5/10/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
12s37e	8	NENW	10	40	Permissible place of use?
12s37e	8	SENW	20	40	Permissible place of use?
12s37e	8	NESW	40	40	
12s37e	8	SESW	40	40	
12s37e	17	NWNW	40	40	
12s37e	17	SWNW	40	40	
Totals:			190	240	

This right is diverted
from the lower Cherry Crk
pod and stays on the ~~8~~
(80 ACRES) bench in Section 17.

It can be dropped off the
bench down into the Aspen
Crk Area to service
this claim and the Barnes
claim, but rarely does so.

The Historical use is 40 ACRES with the
larger FOU

25% Ditch Loss added
1.00 CFS

 SPATIAL
DYNAMICS

AJ5809NP
No. A29-00348A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/24/00
PAGE: 16

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME														
C	DONNA VAUGHAN 3459 WOODLAND RD DOWNEY ID 83234 (208) 897-5106	11/13/1888	IRRIGATION	04-01 11-01	3.800 CFS															
					TOTAL DIVERSION: CONSUMPTIVE USE:	3.800 CFS 475.00 AFA														
Water Source: CHERRY CREEK		Tributary to: MARSH CREEK			Stage: DECREED															
Point(s) of Diversion:		T12S R37E S29	NWNE	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	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: SUM	
12S	37E	8	:				:	10		20	:	40		40	:					: 110.0
12S	37E	17	:				:		40	40	:				:					: 80.0
																			: 190.0	
																			: TOTAL ACRES	

POU County: BANNOCK

Non-Irrigation Uses: STOCKWATER, 30 CATTLE.

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-00348B A29-00348E A29-10385 A29-11631

Other Water Rights Listing Overlapping Place(s) of Use:
A29-02178 A29-11588

Remarks: GEN THIS RIGHT WAS DECREED FOR ALL OF THE CREEK. A PU OR POD WAS NOT
GIVEN.
CHANGED OWNERSHIP PER REQUEST. AJ/09-05-1997

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

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

Audit: 04/26/90 THOMPSON 05/24/94 COX 03/29/95 POST-STD 09/05/97 AJONES



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 5, 1997

DONNA VAUGHAN
3459 WOODLAND RD
DOWNEY ID 83234

RE: CHANGE IN OWNERSHIP FOR A29-00348A

Dear Ms. Vaughan,

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(s).

Enclosed is a copy of the Notice(s) 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 this Notice for your records.

Respectfully submitted,

Autumn Jones
Records Clerk

Enclosure: Notice(s) of Claim

DE LOG 8/27/97 AR

RECEIVED

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

AUG 22 1997

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP
Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

Ok Arge
28 Aug 97

1. Water Right Number(s) _____
Adjudication Claim Number(s) A2900348A

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

A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE**, or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

AND

B. **PLAT OF PROPERTY** or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

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

4. ☒ New Owner/Claimant(s) Donna Rae Chughan

Name connector (Check one): ☐ AND, ☒ OR, ☐ AND/OR

New Mailing Address 3459 Woodland

City, State and ZIP Code Rawlley Idaho 83234

New Telephone Number (208) 897-5106

5. Date you acquired the property 92

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) * Donna Chughan

RECEIVED

AUG 15 1997

8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign forms.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER THE NORTHWEST QUARTER AND THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 12 SOUTH, RANGE 37 E.B.M., AND A TRACT IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 12 SOUTH, RANGE 37 E.B.M., DESCRIBED AS FOLLOWS: A TRIANGULAR STRIP OF LAND SITUATED IN THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 12 SOUTH, RANGE 37 E.B.M., DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF THE SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER AND RUNNING THENCE SOUTH 60 RODS ON THE QUARTER SECTION LINE BETWEEN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER AND THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 8; THENCE RUNNING IN A STRAIGHT LINE IN A NORTHEASTERLY DIRECTION TO A POINT 6 RODS FROM THE NORTHWEST CORNER OF THE SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE RUNNING WEST 6 RODS TO THE POINT OF BEGINNING.

A TRACT OF LAND IN THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 12 SOUTH, RANGE 37 E.B.M., BANNOCK COUNTY, IDAHO, DESCRIBED AS

FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 17, AND RUNNING THENCE EAST 15 CHAINS, MORE OR LESS, TO THE WEST BOUNDARY LINE OF THE COUNTY ROAD; THENCE NORTHWESTERLY FOLLOWING THE WEST BOUNDARY LINE OF SAID ROAD TO ITS INTERSECTION WITH THE WEST LINE OF THE EAST HALF OF SAID SECTION 17; THENCE SOUTH ALONG SAID QUARTER SECTION LINE 40 CHAINS, MORE OR LESS, TO THE PLACE OF BEGINNING.

THE NORTH HALF OF THE NORTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 12 SOUTH, RANGE 37 E.B.M.

A TRACT OF LAND IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER AND THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 12 SOUTH, RANGE 37 E.B.M., BANNOCK COUNTY, IDAHO, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTH QUARTER SECTION CORNER OF SECTION 5, TOWNSHIP 12 SOUTH, RANGE 37 E.B.M., AND RUNNING THENCE EAST 170 FEET ALONG THE SOUTH BOUNDARY LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 5, SAME TOWNSHIP AND RANGE; THENCE NORTH 9° EAST 481 FEET TO A STAKE IN THE CENTER OF A COUNTY ROAD; THENCE ALONG THE CENTER LINE OF THE COUNTY ROAD NORTH 76° WEST 884 FEET TO A STAKE; THENCE NORTH 69° WEST 97 FEET TO A STAKE; THENCE SOUTH 50° WEST 800 FEET TO A STAKE; THENCE SOUTH 1526 FEET ALONG THE WEST BOUNDARIES OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 5 AND THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 12 SOUTH, RANGE 37 E.B.M., TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 8, SAME TOWNSHIP AND RANGE; THENCE SOUTH $89^{\circ}53'$ EAST 1315 FEET ALONG THE SOUTH BOUNDARY OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 8, SAME TOWNSHIP AND RANGE, TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 8, SAME TOWNSHIP AND RANGE; THENCE NORTH 1320 FEET ALONG THE EAST BOUNDARY OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 12 SOUTH, RANGE 37 E.B.M., TO THE PLACE OF BEGINNING. SUCH DESCRIBED TRACT LYING IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER AND IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 5 AND IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 12 SOUTH, RANGE 37 E.B.M., BANNOCK COUNTY, IDAHO.

TOGETHER WITH ANY AND ALL WATER RIGHTS APPURTENANT THERETO OR USED IN CONNECTION THEREWITH, INCLUDING BUT NOT LIMITED TO ALL CHERRY CREEK AND ASPIN CREEK RIGHTS BELONGING TO OR USED IN CONNECTION WITH SAID REAL PROPERTY.

SUBJECT TO EASEMENTS, AGREEMENTS, RIGHTS OF WAY, AND RESTRICTIONS OF RECORD.

TOGETHER WITH THE GRANTORS' ONE HALF INTEREST IN AND TO THE OIL, GAS, AND MINERAL RIGHTS ON SAID PROPERTY, BEING LIMITED TO ALL OF GRANTORS' RIGHTS THERETO.

RECEIVED

AUG 27 1997

Department of Water Resources
Eastern Region

1-24-96-PA
Warranty Deed

96002217

For Value Received

SYLVIA H. POPE, AN UNMARRIED WOMAN,
the grantor, do hereby grant, bargain, sell and convey unto

CONNIE R. VAUGHAN, AN UNMARRIED WOMAN,
whose current address is

2459 WOODLAND ROAD DOWNEY ID 83234

the grantee, the following described premises, in BANNOCK County Idaho, to wit:
SEE ATTACHED EXHIBIT "A"

SUBJECT TO: ALL existing patent reservations, easements, rights of way, protective covenants, zoning ordinances and applicable building codes, laws and regulations.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor do hereby covenant to and with the said Grantee, that he the owner in fee simple of said premises; that they are free from all incumbrances

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: January 23, 1996

SYLVIA H. POPE

Sylvia H. Pope

STATE OF IDAHO, COUNTY OF Blanding
On this 15 day of February, 1996
before me, a notary public in and for said State, personally appeared
23rd JANUARY 96

96002217

No.
Recorded at request of:
ALLIANCE TITLE & ESCROW

Date 2-12-96 A 11:17

Office US

9 411

NOTARY SEAL
SYLVIA H. POPE
I, Sylvia H. Pope, Notary Public,
do hereby certify that the within instrument, and acknowledged to me that
the same was executed by the person whose name is subscribed to the same.
Blanding, Idaho
Comm. Expires 8-24-2000
POSTAL
18710774

State of Idaho
Department of Water Resources
900 N. Skyline Dr
Idaho Falls. Idaho

Re: Change in ownership for A29-00348A

To Whom it may Concern..

We the undersigned have no claim to this water. It belongs
to the property that is now owned by Donna Rae Vaughan.

The property along with the water was granted to Arden and
Sylva Pope who sold it to the Vaughn's.

Marie Weston
Marie Weston
Garden City. Utah

Dale Weston
Dale Weston
Cokeville, Wyoming

July 5, 1997

RECEIVED

AUG 1 1997

Department of Water Resources
Eastern Region

- 1 MILE

FOR SALE BY

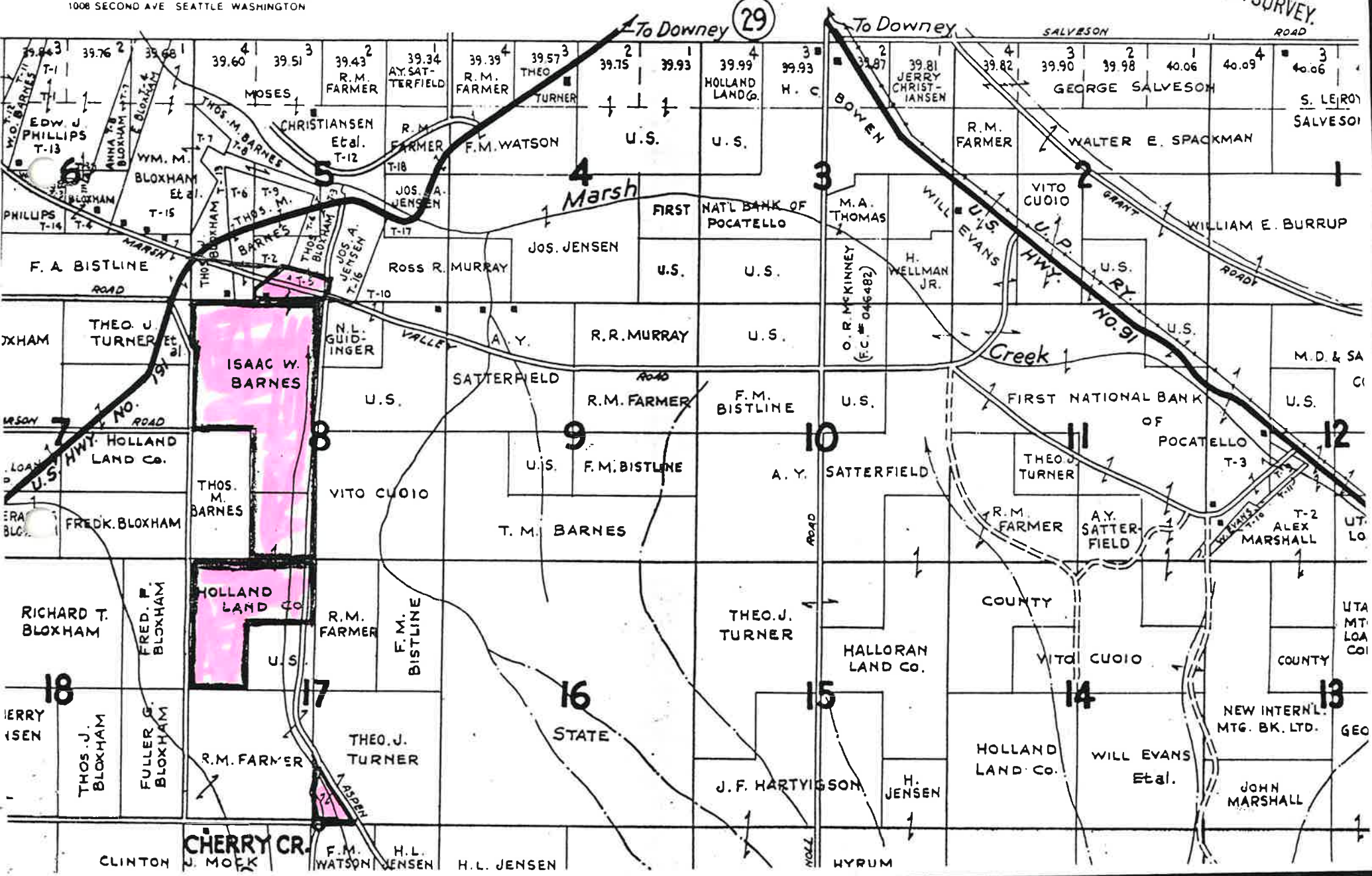
METSKER MAPS

111 SOUTH 10TH ST. TACOMA WASHINGTON
1008 SECOND AVE SEATTLE WASHINGTON

TOWNSHIP 12 S., RANGE 37 E. B.M.

BANNOCK COUNTY, IDAHO

WHILE THIS IS A REPRESENTATION
OF THE PROPERTY DESCRIBED HEREIN,
THIS COMPANY ASSUMES NO LIABILITY
FOR VARIATIONS, IF ANY, WITH A SURVEY.



JUNE 5, 1997

DONNA RAE VAUGHAN
3459 WOODLAND
DOWNEY ID 83234

RE: CHANGE IN OWNERSHIP FOR A29-00348A

Dear Ms. Vaughan:

Enclosed are the documents you submitted for Change in Ownership for water right A29-00348A and a print out of the Notice of Claim as it was filed with the department.

As you can see, the Notice of Claim is filed in Marie and Dale Weston's names and consequently, we will need a Warranty Deed showing the transference of the property from Westons to Sylvia Pope. Of course, we have the document showing the transfer from Pope to you. We will also need an aerial photo or plat map of the property as stated in the Change in Ownership form.

Please resubmit **all** documents to my attention. If you have any questions, please call me at 525-7161.

Respectfully,

Jo Thompson
Adjudication Secretary

Enclosure

JUN 04 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: A29-00348A

Date Received: 4/20/1990

Receipt No: EQ13414Received By: SMD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DALE B. WESTON 307-877-6109
Address: BOX 45
COKEVILLE, WY 83114

OR

Name: MARIE WESTON 307-877-6189
Address: SAGE STAR ROUTE
SAGE, WY 82901

2. Date of Priority: NOV 13, 1888

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
12S	37E	29	NW	NE			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	3.800		

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

8. Total consumptive use is 475.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 30 CATTLE.

A2900348A



MICROFILMED

NOV 13 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
12S	37E	8	NE	NW	IRR	10.0
			SE	NW	IRR	20.0
			NE	SW	IRR	40.0
			SE	SW	IRR	40.0
Section Acres						110.0
		17	NW	NW	IRR	40.0
			SW	NW	IRR	40.0
Section Acres						80.0
Total Acres						190.0

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:
THIS RIGHT WAS DECREED FOR ALL OF THE CREEK. A PU OR POD WAS NOT GIVEN.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

J. W. MORGAN

Decree Plaintiff

vs

CHAS. R. EVANS. DECREE 29-G-2

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Dale B Weston Date: April 20, 90

Date: _____

State of Idaho)
County of Bonanza) SS.

Subscribed and sworn (or affirmed) before me this 20th day

of April 19 90

William Wray
Notary Public

Seal

Residing at Idaho Falls

My Commission Expires 5/29/1991

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A29-00348A	12S	37E	29		NW	NE			BANNOCK		
OTHER AJ CLAIMS WITH SAME AJ POD											
A PREFIX			R PREFIX			WR RECORDS IN SAME 40 ACRE TRACT					
A29-00348B			NONE			NONE					
A29-10385											

SOURCE: CHERRY CREEK

TRIB: MARSH CREEK

B. WR POINT OF DIVERSION AND SOURCE:

2900348 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: CHERRY CREEK

TRIB:

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM) NAME OF EXAMINER) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: _____

=====

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

TWP. 12S	RGE. 37E	SEC. 29	1/4	1/4 NW	1/4 NE	LOT	POD FLAG	COUNTY BANNOCK	DIVERSION NAME	DIVERSION NBR
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: _____ TRIB: _____

REVIEWED BY: _____ DATE: _____

=====

SYSTEM DESCRIPTION: DESCRIBED BELOW (___), SEE LICENSE FILE (___), OR SEE ATTACHMENT (___)

A. ROOT WATER RIGHT NUMBERS:

A29-00348A
A29-00348B
A29-00348C
A29-00348D
A29-00348E
A29-00348F
A29-00348G

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
12S	37E	8	NE	NW		VAUGHAN, DONNA	A29-00348A / 10.0	- /	27.0		
			NE	NW		WESTON, MARIE	A29-02178 / 20.0	- /			
			NE	NW		WESTON, MARIE	A29-11588 / 20.0	- /			
			NE	NW		VAUGHAN, HAROLD		29-08143 / 30.0			
12S	37E	8	SE	NW		VAUGHAN, DONNA	A29-00348A / 20.0	- /	24.0		
			SE	NW		WESTON, MARIE	A29-02178 / 20.0	- /			
			SE	NW		VAUGHAN, HAROLD		29-08143 / 20.0			
12S	37E	8	NE	SW		VAUGHAN, DONNA	A29-00348A / 40.0	- /	21.0		
			NE	SW		VAUGHAN, HAROLD		29-08143 / 40.0			
12S	37E	8	SE	SW		VAUGHAN, DONNA	A29-00348A / 40.0	- /	27.0		
			SE	SW		VAUGHAN, HAROLD		29-08143 / 40.0			
12S	37E	17	NW	NW		VAUGHAN, DONNA	A29-00348A / 40.0	- /	31.0		
			NW	NW		VAUGHAN, HAROLD		29-08143 / 40.0			
12S	37E	17	SW	NW		VAUGHAN, DONNA	A29-00348A / 40.0	- /	32.0		
			SW	NW		VAUGHAN, HAROLD		29-08143 / 40.0			

ADDITIONAL POU FOUND

TOTAL ACRES	A29-00348A	190.00	162.00
-------------	------------	--------	--------

POU COUNTY: BANNOCK

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A29-00348A	CHERRY CREEK	VAUGHAN, DONNA	3.800	0.020		
A29-02178	ASPEN CREEK	WESTON, MARIE	0.670	0.016		
A29-11588	SPRINGS	WESTON, MARIE	0.880	0.020		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: NONE

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y() N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N()

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 29-00348

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE	EXAMINER	CFS
-----------------------------------	----------	----------	-----

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
29-00348	A29-00348A	3.800	-		29-00348	
A29-00348	A29-00348B	0.680	-			
-	A29-00348C	2.900	-			
-	A29-00348D	2.900	-			
-	A29-00348E	3.380	-			
-	A29-00348F	1.200	-			
-	A29-00348G	1.200	-			
TOTAL CFS		16.060				

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE	FIELD EXAMINER
N	Y() N()

NOTES:

AJ0749NP
No. A29-00348A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 09/05/97
PAGE: 1

```
=====
OWNER          PRIORITY    USE PERIOD    DIVERSION    DIVERSION
CODE          NAME & ADDRESS    DATE          WATER USE    FROM    TO    RATE    VOLUME
-----
C DONNA VAUGHAN    11/13/1888    IRRIGATION    04-01 11-01    3.80 CFS
  3459 WOODLAND RD
  DOWNEY ID 83234
  (208) 897-5106
                                     TOTAL DIVERSION: 3.80 CFS
                                     CONSUMPTIVE USE: 475.00 AFA
=====
```

Water Source: CHERRY CREEK

Tributary to: MARSH CREEK

Stage: DECREED

Point(s) of Diversion: T12S R37E S29

NWNE

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	37E	8	:						10						40				110.0	
12S	37E	17	:							40									80.0	
																			TOTAL ACRES	190.0

POU County: BANNOCK

Non-Irrigation Uses: STOCKWATER, 30 CATTLE.

Other Rights: NONE

Remarks: GEN THIS RIGHT WAS DECREED FOR ALL OF THE CREEK. A PU OR POD WAS NOT
GIVEN.
CHANGED OWNERSHIP PER REQUEST. AJ/09-05-1997

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

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

COPY

UNCLASSIFIED
DATE 1-1-1992



37E
125

Creek Road