

03/11/2003

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

RIGHT NUMBER: 29-363A

NAME AND ADDRESS: MEADOWBROOK RANCH
C/O RALPH WHEATLEY
10053 S MARSH CREEK RD
MC CAMMON ID 83250

SOURCE: GARDEN CREEK

TRIBUTARY: MARSH CREEK

QUANTITY: 0.100 CFS

PRIORITY DATE: 05/01/1886

POINT OF DIVERSION:

T10S R36E S5 SESE Within BANNOCK County Source: GARDEN CREEK

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.100 CFS

PLACE OF USE:

IRRIGATION Within BANNOCK County

T10S R36E S04

NWSW

1.0

T10S R36E S04

SWSW

5.0

6 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 6 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 29-00363A, 29-00364A

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

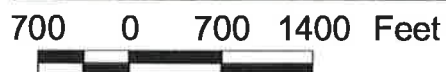
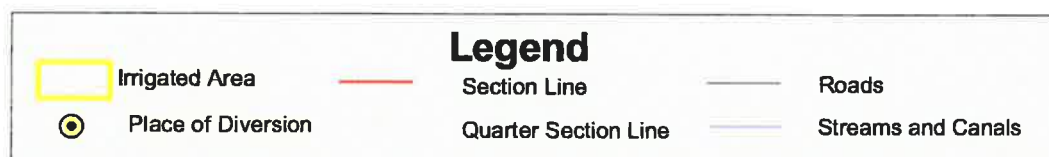
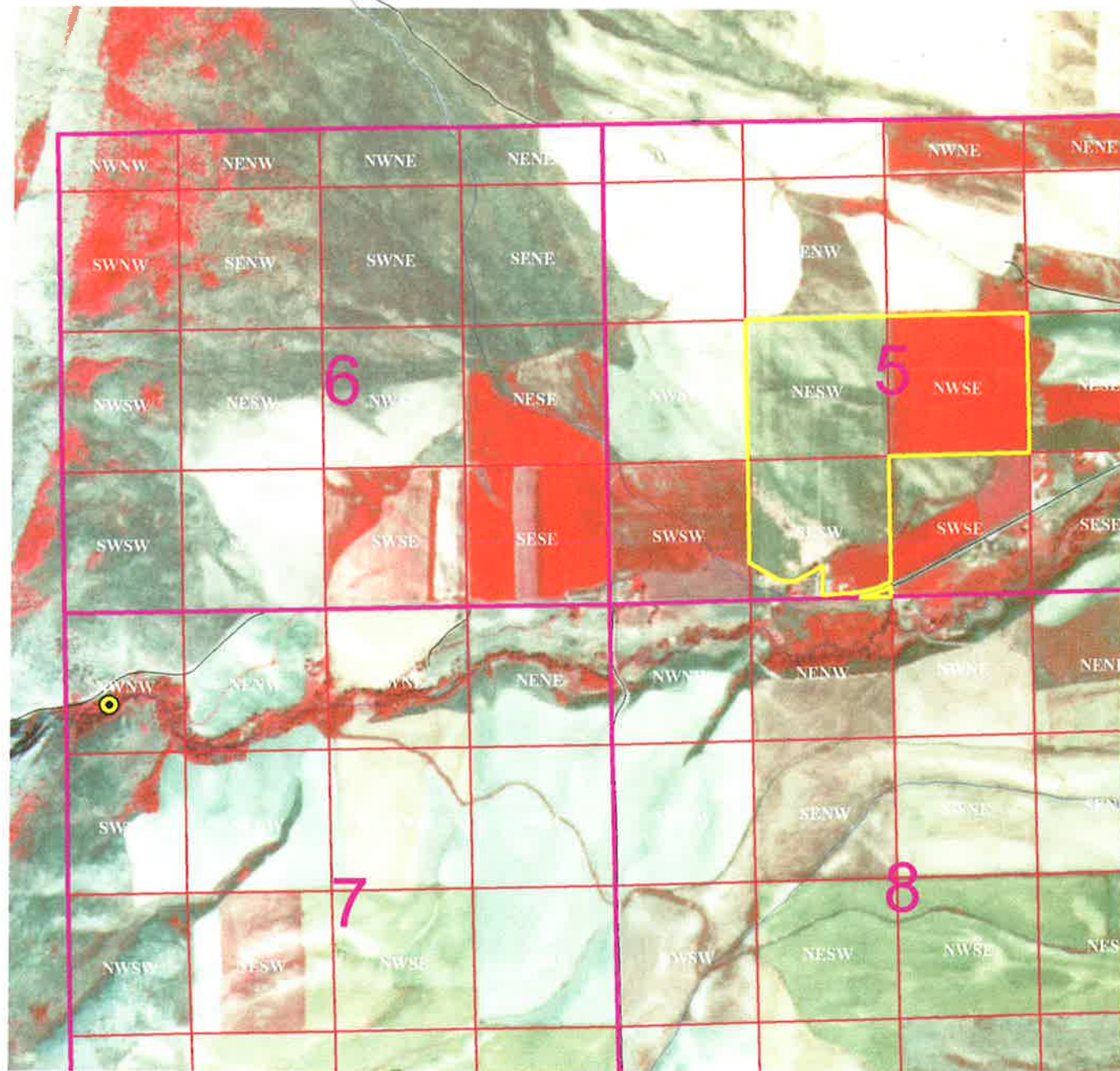
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: Decreed

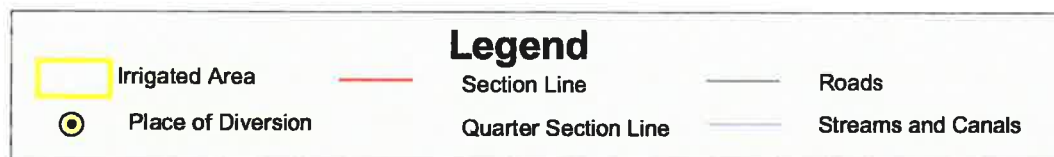
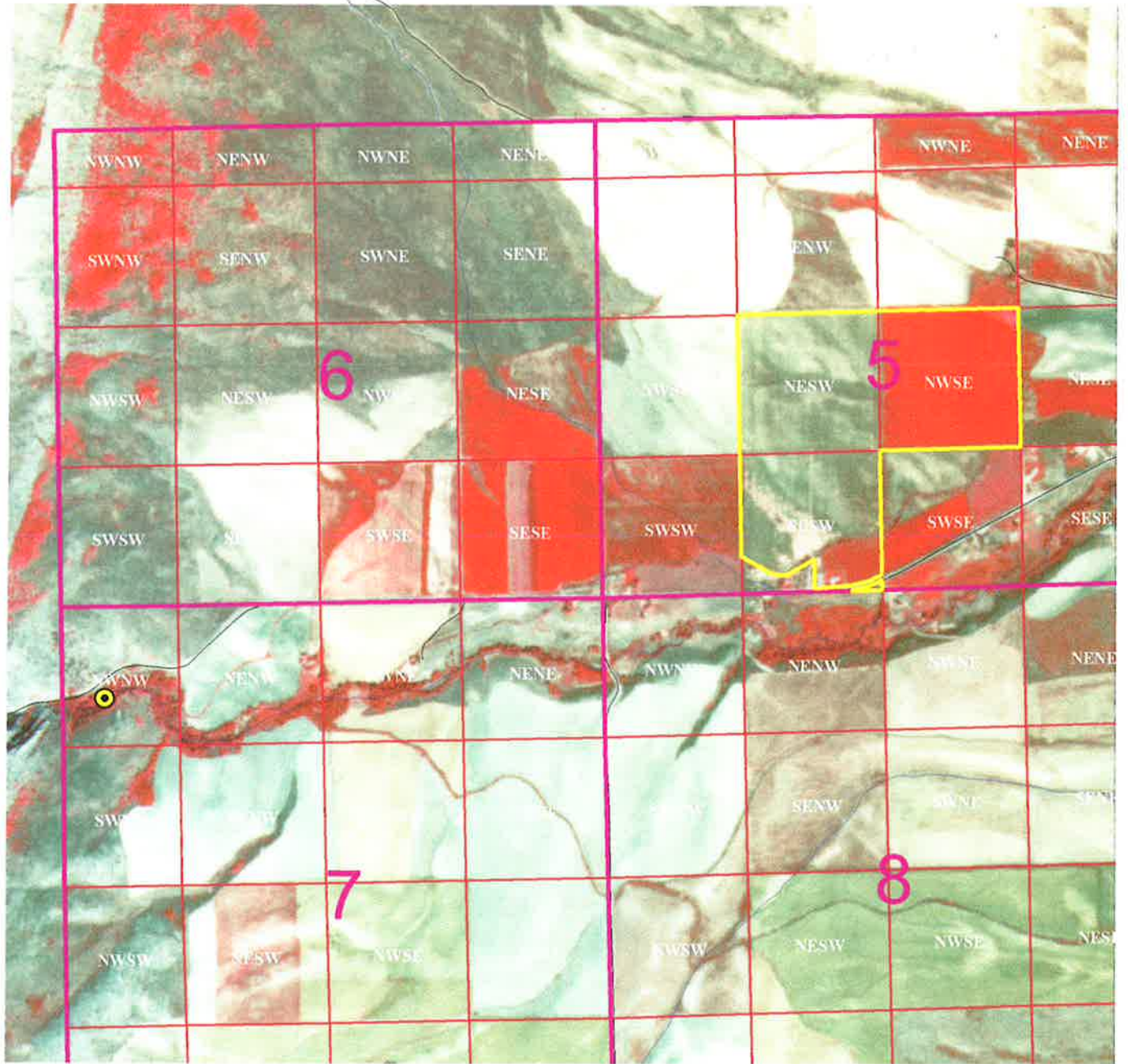
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

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

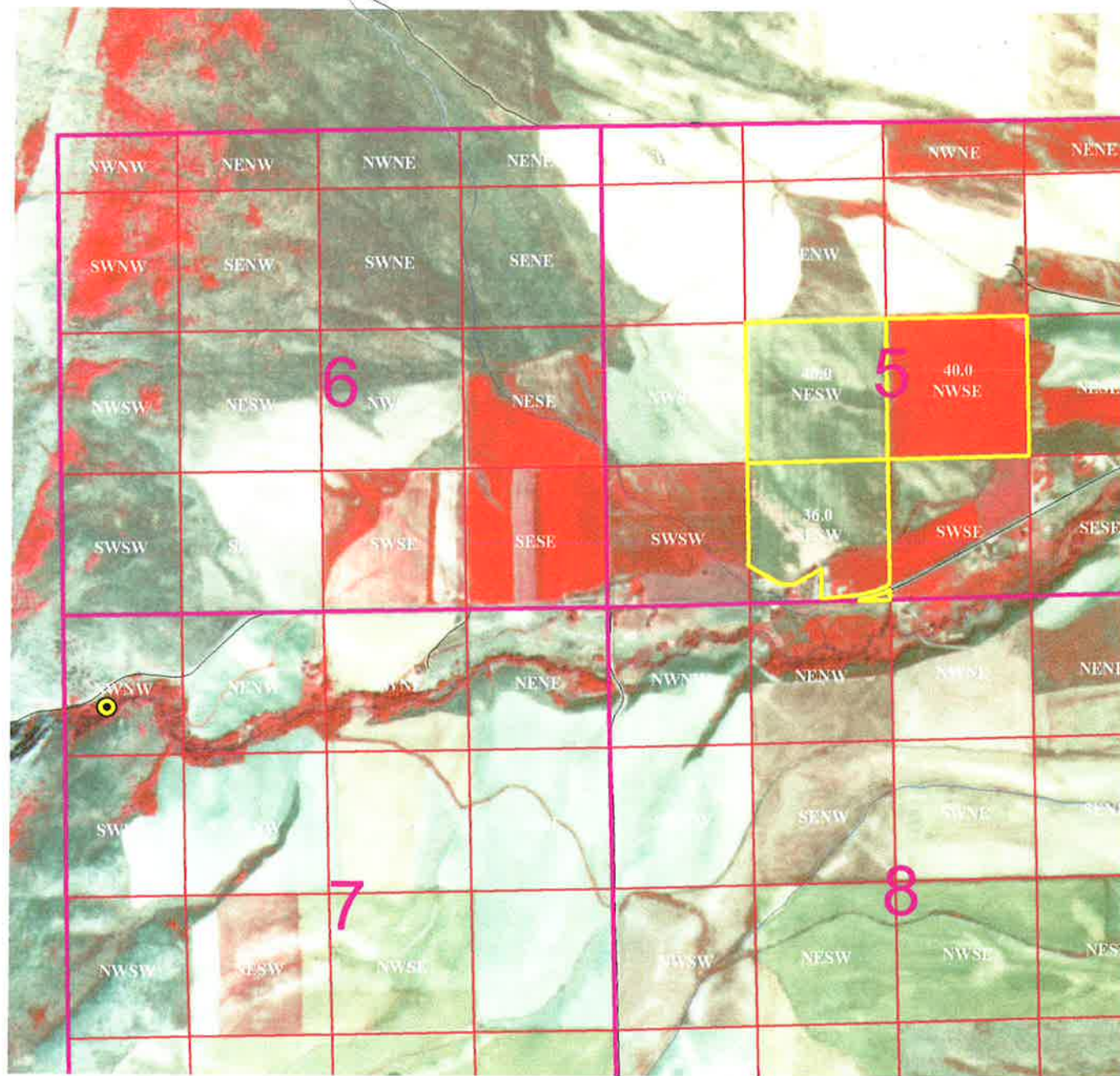
Township , 10S36E



Township , 10S36E



Township , 10S36E



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

700 0 700 1400 Feet



IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/27/00
PAGE: 8

Water Source: GARDEN CREEK

Tributary to: MARSH CREEK

Stage: DECREED

Point(s) of Diversion: T10S R36E S07 Lot01(NWNW)

BANNOCK County

Place of use Legal Description for: IRRIGATION

POU County: BANNOCK

Non-Irrigation Uses: N/A

Other Rights: A29-00363/00385/00411/00412/11431/00362

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

29-11703	A29-00362	A29-00385	A29-00393	A29-00394	A29-00401	A29-00402	A29-00403	A29-00404	A29-00405
A29-00406	A29-00407	A29-00408	A29-00411	A29-00412	A29-11431	A29-11703			

Other Water Rights Listing Overlapping Place(s) of Use:

A29-00362 A29-00385 A29-00411 A29-00412 A29-11431 A29-12118

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

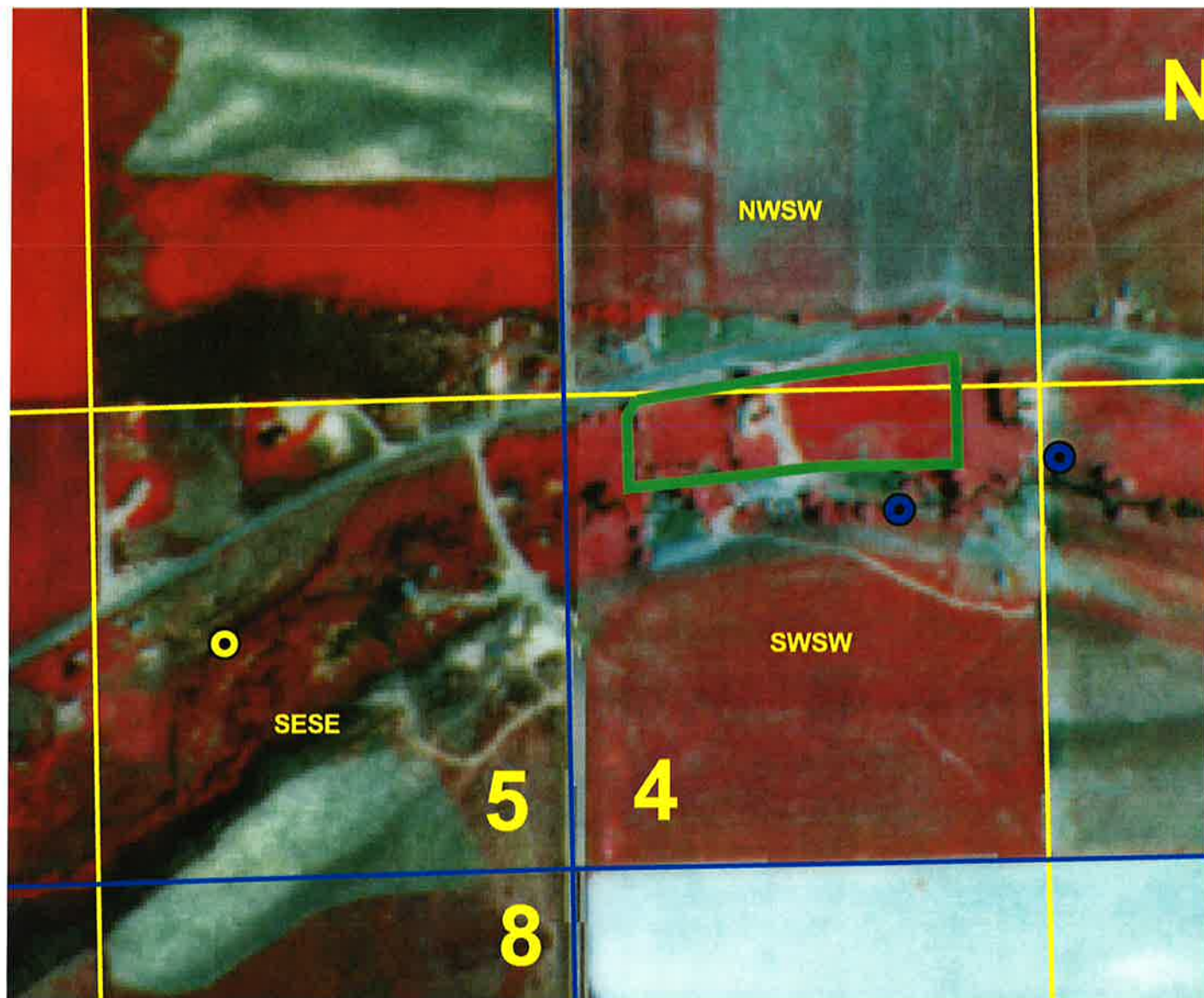
Misc: Water District Number: Field Inspection Flag:
Presumption Flag: C

Audit: 04/28/90 MEYER 05/24/94 COX 03/29/95 POST-STD

IDAHO DEPARTMENT OF WATER RESOURCES

29-00363A, 29-00364A

T10S, R36E SEC. 4



POINT OF DIVERSION



PLACE OF USE

ACRES IRRIGATED- 6

PROFILED

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

NOV 02 2005
SCANNED

12 7.3
5.6

through said two canal systems does not exceed the said four cubic feet per second of time, said right to date from the month of June, 1877, and is prior in time and superior in right to the rights of all of the defendants in this action, and to the rights of all and every of the persons signing said stipulations, or any of them, the same being the first right to the use of the waters of said stream to the amount of four cubic feet per second of time.

And the remaining waters of said stream are decreed as follows, to-wit:

- 29 0363 To Thomas E. Wolverton, three-fourths second foot of water to date from the 1st day of May, 1886 and one second foot of water to date from the 1st day of May, 1904, said water to be used upon the S.W. 1/4 of the S.W. 1/4 of Sec. 4, and the N. Half of the S.E. 1/4 of Sec. 9 in Township 10, South of Range 36 E.B.M.
- 29 0364 To John Morley, three-fourths second foot of water to date from the 1st day of May, 1886, and one second foot of water to date from the 1st day of May, 1904, to be used on the E. half of the N.E. 1/4, Sec. 8, the S.E. 1/4 of the S.E. 1/4 of Sec. 5, and the S.W. 1/4 of the N.W. 1/4 of Sec. 9, in Township 10 South of Range 36 E. B. M.:-
- 29 0365 To Thomas C. Smith, three-fourths second foot of water to date from the 1st day of May, 1890 and one second foot of water to date from the 1st day of May, 1904, to be used on the N.W. 1/4 of Sec. 10, Township 10 South of Range 36 E.B.M.:-
- 29 0366 To William J. Millard, three-fourths second foot of water to date from the 1st day of May, 1893, and one second foot of water to date from the 1st day of May, 1904, to be used on the S.E. 1/4 of Sec. 3, Township 10 South of Range 36 E.B.M.:-
- 29 0367 To Albert Evans, three-eighths second foot of water to date from the 1st day of May, 1893, and three-eighths second foot of water to date from the 1st day of May, 1898; also one second foot of water to date from the 1st day of May, 1904, to be used on the East half of the N.W. 1/4 of Sec. 8, Township 10 South of Range 36 E.B.M.:-
- 29 0368 To L. S. Whitney three-eighths second foot of water to date from the 1st day of May, 1893, and three-eighths second foot of water to date from the 1st day of May, 1904, to be used on the West half of the N.W. 1/4 of Sec. 8, Township 10, South of Range 36 E.B.M.
- 29 0369 To J. S. Wheeler, three-fourths second foot of water to date from the 1st day of May, 1887 and one second foot of water to date from the 1st day of May, 1904, to be used on the East half of the S. W. 1/4, and the N.W. 1/4 of the S.E. 1/4 and S.W. 1/4 of the N.E. 1/4 in Sec. 2, Township 10, South of Range 36 E. B. M.:- Also the S.W. 1/4 of the N. W. 1/4 and the West half of the S. W. 1/4 of Sec. 2, Township 10 South of Range 36 E.B.M.:-
- 29 0370 To David Armstrong, three-fourths second foot of water to date from the 1st day of May, 1895, and one second foot of water to date from the 1st day of May, 1904, to be used on the S.W. 1/4 of Sec. 10; also three-sixteenths second foot of water to date from the 1st day of May, 1895, and one-fourth of second foot of water to date from the 1st day of May, 1904, to be used on the S. W. 1/4 of the S.E. 1/4 of Sec. 9, all in Township 10, South of Range 36 E.B.M.:-
- 29 0371 To Andrew N. Thacker, three-fourths second foot of water to date from the 1st day of May, 1895 and one second foot of water to date from the 1st day of May, 1904, to be used upon the S. W. 1/4 of Sec. 9; also three-fourths second foot of water to date from the 1st day of May 1895, and one second foot of water to date from the 1st day of May, 1904, to be used on the West half of the N.W. 1/4 and the N.W. 1/4 of the S.W. 1/4 of Sec. 8, Township 10, South, of Range 36 E. B. M.
- 29 0372 To Thomas Exeter, three-fourths second foot of water to date from the 1st day of May, 1895, and one second foot of water to date from the 1st day of May, 1904, to be used on the South half of the S. E. 1/4 Sec. 8, and the North half of the N.E. 1/4 Sec. 17, Township 10 South of Range 36 E. B. M.
- 29 0373 To William Jenkins, Jr., three-fourths second foot of water to date from the 1st day of May, 1895, and one second foot of water to date from the 1st day of May, 1904, to be used on the East half of the N. E. 1/4 and the East half of the S. E. 1/4 Sec. 10, Township 10, South of Range 36 E. B. M.:-
- 29 0374 To William Jenkins, Jr., three-fourths second foot of water to date from the 1st day of May, 1895, and one second foot of water to date from the 1st day of May, 1904, to be used on the East half of the N. E. 1/4 and the East half of the S. E. 1/4 Sec. 10, Township 10, South of Range 36 E. B. M.:-

Log for claim A29-00363

Spatial Dynamics BTD

6/22/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
10s36e	5	NESW	40	40	
10s36e	5	SESW	35	36	
10s36e	5	NWSE	40	40	
Totals:			115	116	

Decreed

this right and ~~29-364~~ 29-364A
are used to replace 29-4402/4403
which are not useable on
Garden Creek.

this claimant owns ^{34. Ac} ~~40~~ AC of
120 Ac place of use or

$$29-363 \quad \frac{34 \cancel{40}}{120} (.75) = \frac{.21}{\cancel{.25}} \text{ CFS}$$

$$29-364 \quad \frac{34 \cancel{40}}{120} (1.00) = \frac{.28}{\cancel{.25}} \text{ CFS}$$

$$\underline{\underline{.49}}$$

EXPENDITURE VOUCHER

AUDITOR USE

STATE OF IDAHO
Office of State Auditor

AGENCY USE

8980
Date 05/02/90
Code 193002

VENDOR: If you require additional information regarding this payment, please contact the State agency listed below.

AGENCY NAME: DEPT. OF WATER RESOURCES

Document No.	
Pre-Audit	Date
Warrant No.	

PAY
TO

MEADOWBROOK RANCH
10053 S. MARSH CREEK RD.
MC CAMMON, ID 83250

CHECK ONE:

(1) MISCELLANEOUS EXPENDITURE
() STATE CONTRACT

() PURCHASE ORDER
() MISCELLANEOUS
ENCUMBRANCE REQUISITION

PAYMENT: () PARTIAL () FINAL

Encumbrance Reference No.

LINE No.	PROGRAM	FUND	ACCT.		DESCRIPTION	LINE AMOUNT	AGENCY USE
			Maj	Min			
1	04 10 162	9337	8831		REFUNDS PER D. SHAFF WR #A29-11480 5/ 2/90 25.00	25.00	
TOTAL						25.00	

A29-00363

NOTE: Final payment must be accompanied by a receiving copy

TO STATE AUDITOR

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service, that the items have been received and accounted for, and that the account as stated is correct and just.

AUDITOR'S CERTIFICATE

I hereby certify that the above account is in proper form; that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

NOV 13 1992

Date

Head of Agency or Institution

State Auditor

CP 5-2-90

TO: Debbie Allen

FROM: D. Shaff *DS*

DATE: 5-02-90

RE: Receipt *E013796* Refund

Please process a refund of \$ *25 -* to:

*Meadowbrook Ranch
10053 S. Marsh Creek Rd.
Mc Cammon ID 83250*

Re: *A29-11480*

MICROFILMED
NOV 13 1992

SD-165

IDAHO DEPARTMENT OF WATER RESOURCES
DETAIL RECEIPT SUMMARY SCREEN

DATE 05/02/90
TIME 08:19:45

REC/NO - E013989 AR/NO -
FROM: - MEADOWBROOK RANCH

RECEIPT TYPE - CK DOC/NO - 1472
REMARKS - ALSO E013796

MOST CURRENT RECEIPT

TYPE OF PAYMENT	PROGRAM	ACCT	CLASS	FEE
ADJUDICATION FEE	410162	9337	6490	140.00

TOTAL DUE - 140.00

WR/NO	WR FEE	WR/NO	WR FEE	WR/NO	WR FEE
A2900385	115.00	A2911480	25.00		

(ENTER=CONTINUE)

(GOLD7=SELECTION SCREEN)

(GOLD8=EXIT TO MENU)

MICROFILMED

NOV 13 1992

RECEIPT NUMBER : E013796

PAGE 1 OF 3

RECEIPT AMT :

1655.00

A2900363	50.00	A2900385	50.00	A2900411	50.00
A2900412	50.00	A2911431	50.00	A2902450	101.00
A2904402	62.00	A2904403	62.00	A2911458	324.00
A2904463A	131.00	A2911452	60.00	A2904054	240.00
A2911466	25.00	A2911467	25.00	A2911468	25.00
A2911469	25.00	A2911470	25.00	A2911471	25.00
A2911472	25.00	A2911473	25.00	A2911474	25.00
A2911475	25.00	A2911476	25.00	A2911477	25.00
A2911478	25.00	A2911479	25.00	A2911481	25.00
A2911482	25.00				

443

347

840

1630

(ENTER=CONTINUE) (GOLD2=UPDATE) (GOLD4=PREV PG) (GOLD5=NEXT PG)

Extra \$25 this receipt duplicated by
another \$25 on E 013989.

5/02/90

MICROFILMED

NOV 13 1992

From: DWR70::MEYER "Little Forester" 1-MAY-1990 17:03:38.13
To: DWR03::SHAFF
CC: MEYER
Subj: OVERPAYMENT ON E013796

Don,

I've got an overpayment of \$25.00 on E013796 that needs to be returned. There was a missing domestic claim in a package of notices submitted by Meadowbrook Ranch. Eric receipted the whole pile (minus the missing notice) and registered the \$25.00 overpayment. I contacted the claimants and they sent up the missing notice along with the \$25.00 fee plus some acreage fees. This resulted in receipt E013989. So, we owe Meadowbrook Ranch \$25.00. Let me know if you need any other info... 7

--Paul

Approved *AS* 5-02-90
Data Entry *AS* 5-02-90
Region File

MICROFILMED
NOV 13 1992

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No: E013796

Date: 04/27/90
Time: 16:02:52

Received
From: MEADOWBROOK RANCH

Type of Payment	Program Acct Class	Amount
ADJUDICATION FEE	0410162 9337 6490	\$1,630.00
OVER PAYMENT	0410162 9337 6490	\$25.00
Total		
		\$1,655.00

CHECK 1469

WR/NO: A29-00363	A29-00385	A29-00411	A29-00412	A29-11431
A29-02450	A29-04402	A29-04403	A29-11458	A29-04463A
A29-11452	A29-04054	A29-11466	A29-11467	A29-11468
A29-11469	A29-11470	A29-11471	A29-11472	A29-11473
A29-11474	A29-11475	A29-11476	A29-11477	A29-11478
A29-11479	A29-11481	A29-11482		

Idaho Department of Water Resources

Region: EASTERN

Signature: _____

MICROFILMED
NOV 13 1992

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 29-363A
Date Received: 11/20/2001
Receipt No:
Received By: D ←

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

1. Name of Claimant(s)

MEADOWBROOK RANCH Phone: (208)254-3186

10053 S MARSH CREEK RD
MC CAMMON ID USA 83250

2. Date of Priority: 05/01/1886

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
10S	36E	7	NW NW 1	BANNOCK	

5. Description of diverting works:

headgate to ditch to place of use for irrigation

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.75	

7. Total Quantity Appropriated is:
0.75 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
10S	36E	5	NE SW	IRRIGATION	40
			SE SW	IRRIGATION	35
			NW SE	IRRIGATION	40

PROFILED

SCANNED
NOV 02 2005

Section Acres 115

Total Acres 115

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:

USED WITH 29-00385, 411, 412, 413, 364, 386

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 Organizations:

I do solemnly swear or affirm that I am _____ of

Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of

Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct. _____
Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

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

Notary Public

Residing at _____

My commission Expires _____

PROFILED

SCANNED
NOV 02 2005

MAY 22 2001

#16890
50

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: A29-00363A
Date Received: 4/18/1990
Receipt No: _____
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MEADOWBROOK RANCH 208-254-3186
Address: 10053 S. MARSH CREEK RD.
MC CAMMON, ID 83250

2. Date of Priority: MAY 01, 1886

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	36E	7	NW	NW		1	BANNOCK

5. Description of diverting works:
HEADGATE TO DITCH TO PLACE OF USE FOR IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.750		

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

8. Total consumptive use is 287.5 Acre Feet Per Annum.

9. Non-irrigation uses:
N/A

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	36E	5	NE	SW		IRR	40.0
			SE	SW		IRR	35.0
			NW	SE		IRR	40.0

Section Acres 115.0

A29-00363

Page 1

Date: 04/19/90

A2900363

A2900363A

MICROFILMED

NOV 13 1992

10. Place of Use: Continued

Total Acres 115.0

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:

A29-00363/00385/00411/00412/11431

29-00362 *Rw*

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

GARDEN CREEK IRRIG. CO.

Decree Plaintiff

vs

THOMAS E. WOLVERTON, ET. AL.

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Ralph Wheatley of
Meadowbrook Ranch Title
Meadowbrook Ranch Organization, that I have signed the foregoing
document in the space below as Manager and Partner of
Meadowbrook Ranch Title
and that the statements contained in the
foregoing document are true and correct.

Ralph Wheatley
Signature of Authorized Agent

Meadowbrook Ranch
Title and Organization

4/26/90
Date

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 26 day
of April 19 90

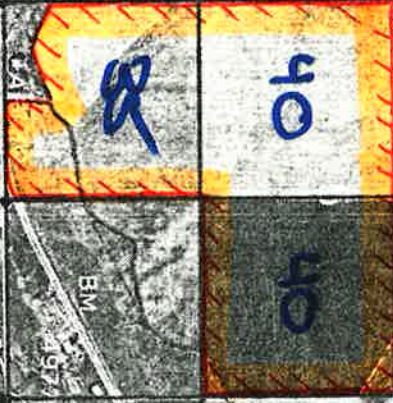
Belva Olsen
Notary Public

Seal

Residing at Mc Cammon, Id
My Commission Expires 10-95

A29-00363

T105
R36E



JD

MICROFILMED
NOV 13 1992

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
A29-00385	10S 36E	7		NW	NW	1		BANNOCK		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
A29-00362	29-11703
A29-00363	
A29-00393	
A29-00394	
A29-00401	
A29-00402	
A29-00411	
A29-00412	
A29-11431	
A29-11703	

WR RECORDS IN SAME 40 ACRE TRACT

NONE

SOURCE: GARDEN CREEK

TRIB: MARSH CREEK

B. WR POINT OF DIVERSION AND SOURCE:

2900385 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: GARDEN CREEK

TRIB: MARSH CREEK

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)