

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

12/18/2001

NAME AND ADDRESS: NANCY ARMSTRONG
PO BOX 1441
OLYMPIA WA 98507

SOURCE: GARDEN CREEK

TRIBUTARY: MARSH CREEK

QUANTITY: 0.75 CFS

PRIORITY DATE: 05/01/1903

POINT OF DIVERSION:

T10S R36E S7 NWNE 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	0.750 CFS

PLACE OF USE:

IRRIGATION Within BANNOCK County

T10S R36E S04	SWNE	40.0	T10S R36E S04	SENE	40.0
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80 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.: 29-00423, 29-00424

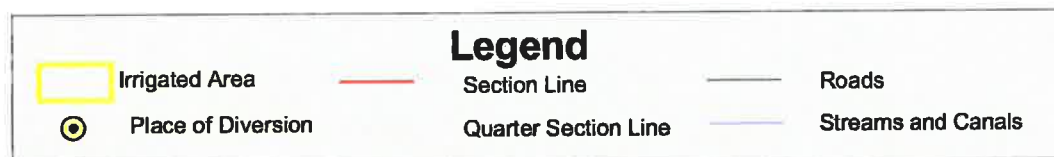
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

Township , 10S36E



300 0 300 600 Feet



Township , 10S36E



 Irrigated Area

 Section Line

 Roads

 Place of Diversion

 Quarter Section Line

 Streams and Canals



Township , 10S36E



 Irrigated Area

 Place of Diversion

 Section Line

 Quarter Section Line

 Roads

 Streams and Canals

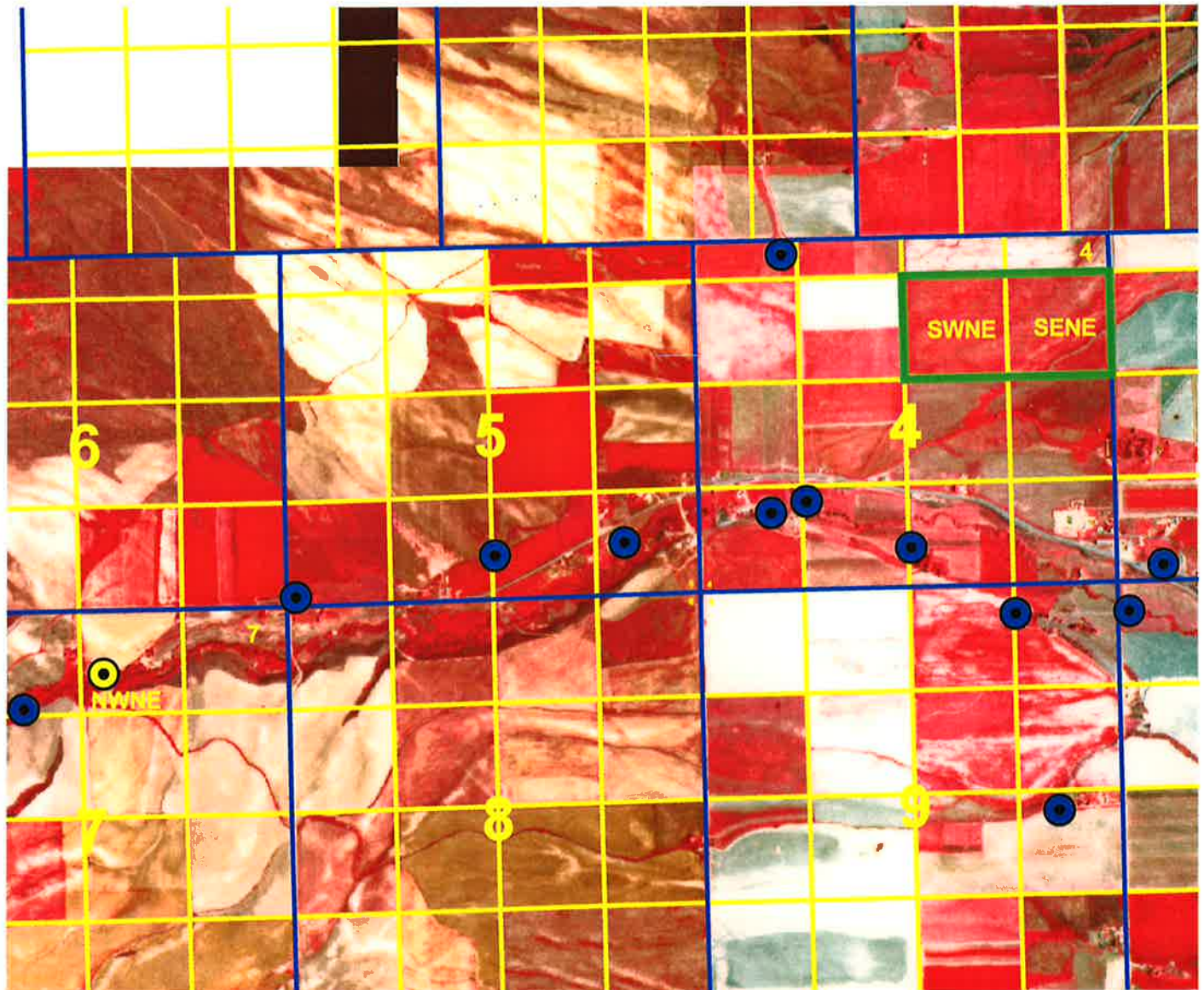
Legend



IDAHO DEPARTMENT OF WATER RESOURCES

29-00423, 29-00424

T10S R36E
T10S, R36E SEC. 4



POINT OF DIVERSION



PLACE OF USE

ACRES IRRIGATED- 80

PROFILED

SCANNED

NOV 08 2005

GIS: PLACE OF USE

POINT OF DIVERSION

1987/1988 NAPP PHOTOS

DAVE CARLSON



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 13, 2001

NANCY ARMSTRONG
PO BOX 1441
OLMPIA WA 98507

RE: CHANGE IN OWNERSHIP FOR A29-00335, A29-00338, A29-00369, A29-00370, A29-00423, A29-00424 AND A29-04168

Dear Ms. Armstrong:

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,

Cheri Vandermeulen
Records Clerk

Enclosure: Notice(s) of Claim

PROFILED

SCANNED
NOV 08 2005

De 12/2001

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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
A29-369			A29-335		
A29-370			A29-338		
A29-423			A29-4168		
A29-424					

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)

Bernice Armstrong
 Enoch Armstrong
 Mc Cammon, Id

4. New Owner/Claimant(s)

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

City, State and ZIP Code

New Telephone Number

Nancy Armstrong 325277
 PO BOX 1441 Olympia, WA
 Home (360) 705-1559 98507

5. Date you acquired the property

Aug 2001

SCANNED

NOV 08 2005

PROFILED

- be used on the S. 1/4 of Sec. 15, Township 10 South of Range 36 E. B. M.
- 29 0401 To George G. L. Jr., three-fourths second foot of water to date from the 1st day of May, 1902, 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. 33, Township 9, South of Range 36 E. B. M.
- 29 0403 To George J. Allen, three-fourths second foot of water to date from the 1st day of May, 1896, and one second foot of water to date from the 1st day of May, 1904, to be used upon the N. E. 1/4 of the N. W. 1/4 of Sec. 5; also the West half of the N. 1/4 of Sec. 5, Township 10 South of Range 36 E. B. M.
- 29 0405 To William C. Smith, 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. W. 1/4 of Sec. 7, Township 10 South of Range 36 E. B. M.
- 29 0407 To J. W. Stinger, three-fourths second foot of water to date from the 1st day of May, 1898 and one second foot of water to date from the 1st day of May, 1904, to be used on lots three and four in sec. 4, and lots one and two in Sec. 5, Township 10 South of Range 36 E. B. M.
- 29 0409 To George A. Smith, three-fourths second foot of water to date from the 1st day of May, 1891, 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 east half of the N. W. 1/4 of Sec. 10, Township 10 South of Range 36 E. B. M.
- 29 0411 To J. H. Curtis, three-eighths of second foot of water to date from the 1st day of May, 1894, and three-eighths second foot of water to date from the 1st day of May, 1901, 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 of Sec. 7, Township 10 South of Range 36 E. B. M.
- 29 0414 To A. M. Curtis, three-eighths second foot of water to date from the 1st day of May, 1894 and three-eighths second foot of water to date from the 1st day of May 1901, and one second foot of water to date from the 1st day of May 1904, to be used the West half of the N. E. 1/4 Sec. 7, Township 10, South of Range 36 E. B. M.
- 29 0417 To Nannie B. Rollison, 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 S. E. 1/4 and the North half of the S. W. 1/4 and the S. E. 1/4 of the N. W. 1/4 of Sec. 4, Township 10 South of Range 36 E. B. M.
- 29 0419 To William P. Burton, 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 North half of the S. E. 1/4 and the East half of the S. W. 1/4 of Sec. 8, Township 10 South of Range 36 E. B. M.
- 29 0421 To John B. Chedzney, three-fourths second foot of water to date from the 1st day of May, 1891 and one second foot of water to date from the 1st day of May, 1904, to be used on the N. E. 1/4 of Sec. 9, Township 10, South of Range 36 E. B. M.
- 29 0423 To William H. Allen, three-fourths second foot of water to date from the 1st day of May 1903 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 the S. E. 1/4 of Sec. 31 and the S. W. 1/4 of the S. W. 1/4 Sec. 32 in Township 9, South of Range 36 E. B. M.
- 29 0425 To Laura T. Toler, three-eighths second foot of water to date from the 1st day of May, 1895 and one-half second foot of water to date from the 1st day of May 1904, to be used on the North half of the S. W. 1/4 of Sec. 9, Township 10 South of Range 36 E. B. M.
- 29 0427 To E. R. Kendall, three-sixteenths second foot of water to date from the 1st day of May, 1895, and one-fourth second foot of water to date from the 1st day of May, 1904, to be used on the S. E. 1/4 of the S. E. 1/4 of Sec. 9, Township 10 South of Range 36 E. B. M.
- 29 0429 To Truman Rowe, one and three-fourths second foot of water to date from the 1st day of May, 1904, to be used on lots one and two in Sec. 4, Township 10, South of Range 36 E. B. M.

All of the above described lands being in Bannock County, State of Idaho.

It is further adjudged and decreed that the plaintiff and any of its stockholders, and any or all of said defendants, who are adjudged to be entitled to the use of any of the waters of said stream or any of its tributaries thereto or may pool or unite the waters so decreed to them and use the same jointly or alternately or in rotation, or in such other manner as will secure the greatest benefits and most economical use of said water, so that the waters so united or pooled do not exceed the amount decreed to the parties entering into such arrangement.

Log for claim A29-00423

Spatial Dynamics LTD

6/26/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
10s36e	4	SWNE	40	40	
10s36e	4	SENE	40	40	
Totals:			80	80	

369 - .75 1.75
 370 - 1.00
 423 - .75 1.75
 424 - 1.00

Land in CRP

AJ5809NP
No. A29-00423

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/27/00
PAGE: 56

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ENOCH ARMSTRONG	05/01/1903	IRRIGATION	04-01 11-01	0.750 CFS	
C	BERNICE ARMSTRONG 1780 W STINGER RD MC CAMMON ID 83250 (208) 254-3517					
TOTAL DIVERSION:					0.750 CFS	
CONSUMPTIVE USE:						200.00 AFA

Water Source: GARDEN CREEK

Tributary to: MARSH CREEK

Stage: DECREED

Point(s) of Diversion: T10S R36E S04

NWSWSW

BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE										
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM		
---	---	---		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	---
10S	36E	4	:				40		40	:				:					:						:	80.0
TOTAL ACRES																							:	80.0		

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: 29-0424, 0369, 0370

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-00369 A29-04403 A29-11561

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00369 A29-11561

Remarks: GEN CLAIMANT IS OWNER BY DEED TO THIS WATER. WATER SUPPLIES FOR
PAST YEARS HAVE BEEN TOO LOW TO HAVE THIS RIGHT DELIVERED.
CLAIMANT IS FILING TO PUT THIS RIGHT ON LANDS THAT HE WOULD NOW
USE IT ON IF THE RIGHT COULD BE DELIVERED.

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

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

Audit: 04/20/90 VERNER 06/01/94 COX 03/29/95 POST-STD

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 29-423
Date Received: 4/20/1990
Receipt No: E013411
Received By:

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

1. Name of Claimant(s)

NANCY ARMSTRONG Phone: (360) 705-1559
PO BOX 1441
OLYMPIA WA USA 98507

2. Date of Priority: 05/01/1903

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	4	NW SW SW	BANNOCK	

5. Description of diverting works:

HEADGATE IN CREEK TO CANAL. FLOOD IRRIGATE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	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	4	SW NE	IRRIGATION	40
			SE NE	IRRIGATION	40

FILED

SCANNED

NOV 08 2005

Section Acres 80

Total Acres 80

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:

CLAIMANT IS OWNER BY DEED TO THIS WATER. WATER SUPPLIES FOR PAST YEARS HAVE BEEN TOO LOW TO HAVE THIS RIGHT DELIVERED.

CLAIMANT IS FILING TO PUT THIS RIGHT ON LANDS THAT HE WOULD NOW USE IT ON IF THE RIGHT COULD BE DELIVERED.

15. Basis of Claim: Decreed

PROFILED

SCANNED
NOV 08 2005

A. ROOT WATER RIGHT NUMBERS: A29-00423

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
10S	36E	4	SW	NE		ARMSTRONG, ENOCH	A29-00423 / 40.0	- /	2.0		
			SW	NE		ARMSTRONG, ENOCH	A29-11561 / 40.0	- /			
			SW	NE		ARMSTRONG, ENOCH	A29-00369 / 40.0	- /			
			SW	NE	2	ROWE, TRUMAN		29-00429 /			
10S	36E	4	SE	NE		ARMSTRONG, ENOCH	A29-00423 / 40.0	- /	2.0		
			SE	NE		ARMSTRONG, ENOCH	A29-11561 / 40.0	- /			
			SE	NE		ARMSTRONG, ENOCH	A29-00369 / 40.0	- /			
			SE	NE	1	ROWE, TRUMAN		29-00429 /			

ADDITIONAL POU FOUND

TOTAL ACRES A29-00423 80.00 4.00

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
A29-00423	GARDEN CREEK	ARMSTRONG, ENOCH	0.750	0.009		
A29-00369	GARDEN CREEK	ARMSTRONG, ENOCH	0.750	0.009		
A29-11561	GARDEN CREEK	ARMSTRONG, ENOCH	2.000	0.025		

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: 29-0424, 0369, 0370

Donald Peterson

Paul - 254-3543
Call - 317-3868

80
160

SCANNED
MAY 22 2001

56

X

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: A29-00423
Date Received: 4/20/1990
Receipt No: 6013411
Received By: ES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ENOCH ARMSTRONG 208-254-3517
Address: 1780 WEST STINGER RD.
MC CAMMON, ID 83250

OR
Name: BERNICE ARMSTRONG 208-254-3517
Address: 1780 WEST STINGER RD.
MC CAMMON, ID 83250

2. Date of Priority: MAY 01, 1903

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	4	NW	SW	SW		BANNOCK

5. Description of diverting works:
HEADGATE IN CREEK TO CANAL. FLOOD IRRIGATE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.750		

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

8. Total consumptive use is 200.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A2900423



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	36E	4	SW	NE		IRR	40.0
			SE	NE		IRR	40.0
Section Acres							80.0
Total Acres							80.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
29-0424, 0369, 0370

14. Remarks:

CLAIMANT IS OWNER BY DEED TO THIS WATER. WATER SUPPLIES FOR
PAST YEARS HAVE BEEN TOO LOW TO HAVE THIS RIGHT DELIVERED.
CLAIMANT IS FILING TO PUT THIS RIGHT ON LANDS THAT HE WOULD NOW
USE IT ON IF THE RIGHT COULD BE DELIVERED.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

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

Number of attachments: 1

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): Enoch Armstrong Date: 4/20/90
Bernice Armstrong Date: 4/20/90

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 20 day
of April 19 90

[Signature]
Notary Public

Seal

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

