

11/14/2002

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

RIGHT NUMBER: 29-434

NAME AND ADDRESS: BARBARA ANN GUTHRIE
425 W GOODENOUGH RD
MC CAMMON ID 83250

JAMES K GUTHRIE JR
425 W GOODENOUGH RD
MC CAMMON ID 83250

SOURCE: GOODENOUGH CREEK

TRIBUTARY: MARSH CREEK

QUANTITY: 0.500 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 3.00 CFS. COMBINED RIGHT NOS.: 29-00433,
29-00434

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT
EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 05/01/1901

POINT OF DIVERSION:

T09S R36E S15 NENSW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.030 CFS
IRRIGATION	04/01 10/31	0.500 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T09S R36E S15 Lot 7 SESE	37.0	T09S R36E S22 Lot 6 NENE	17.0
T09S R36E S22 Lot 7 NWNE	43.0	T09S R36E S22 Lot 3 SWNE	1.0

STOCKWATER same as IRRIGATION

98 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 98 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 29-00433, 29-00434

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

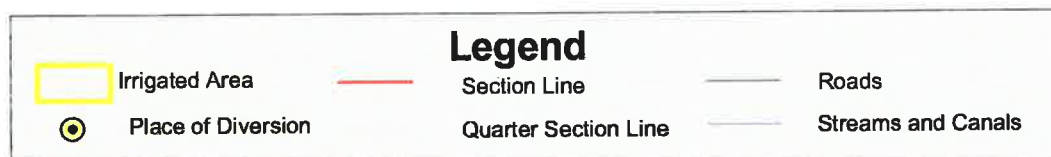
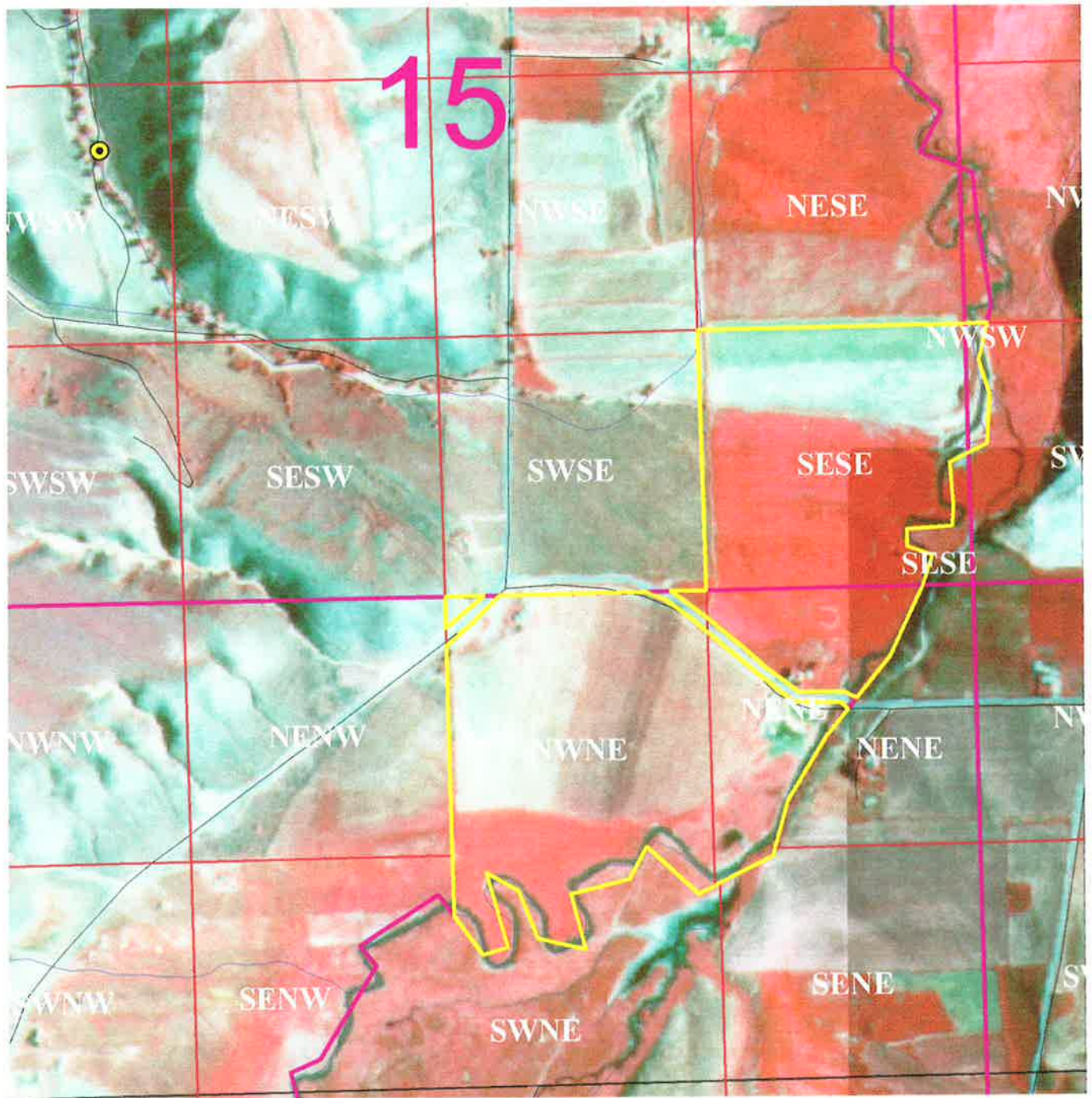
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL
BENEFICIAL USE.

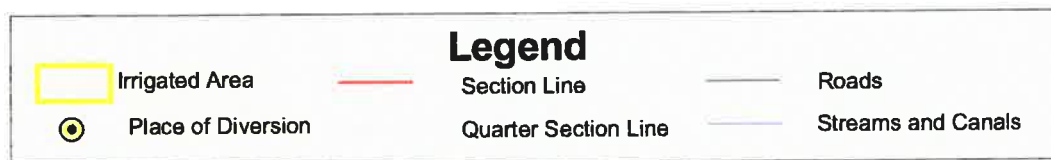
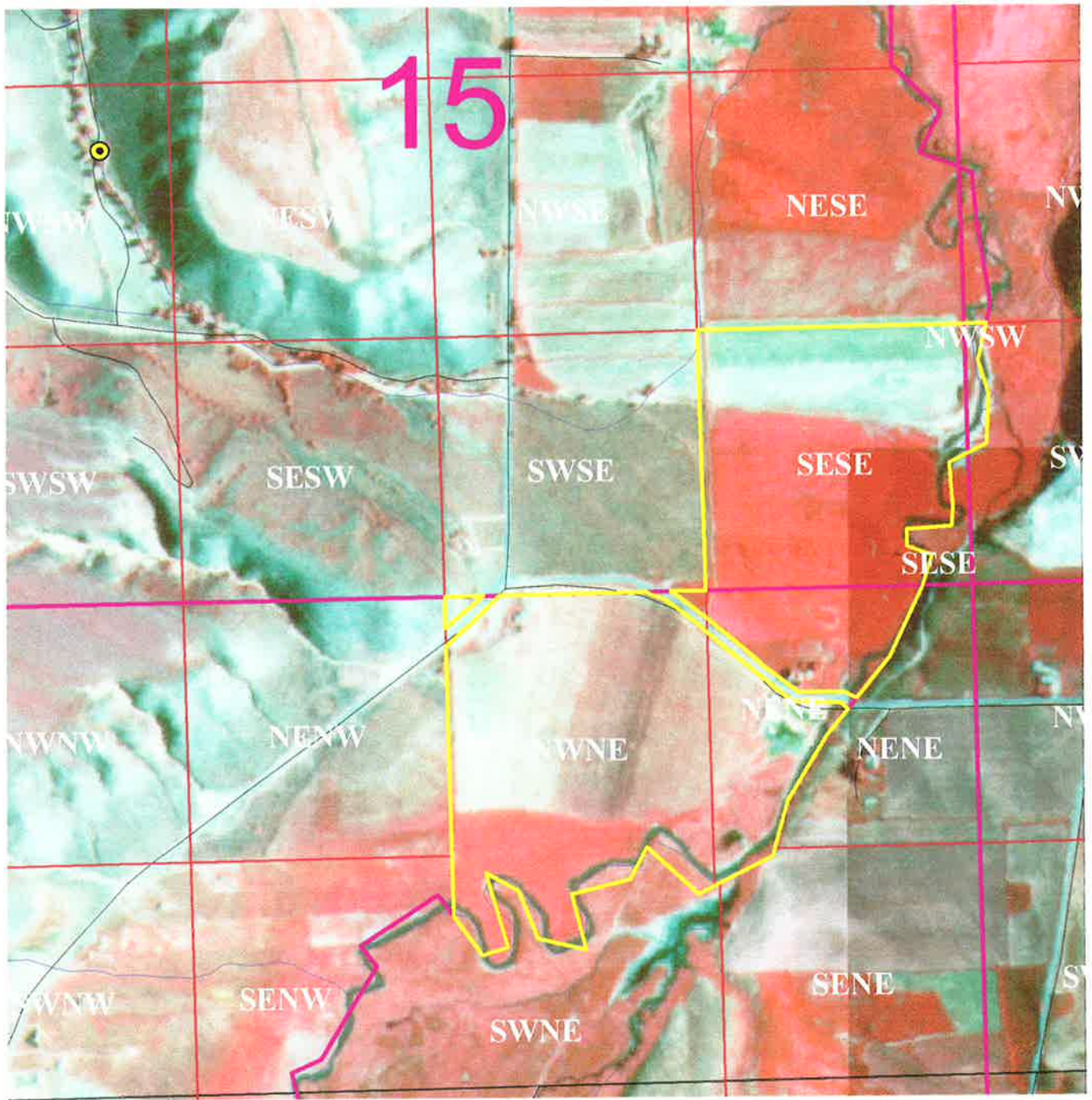
EXPLANATORY MATERIAL: Decreed

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

Township , 9S36E



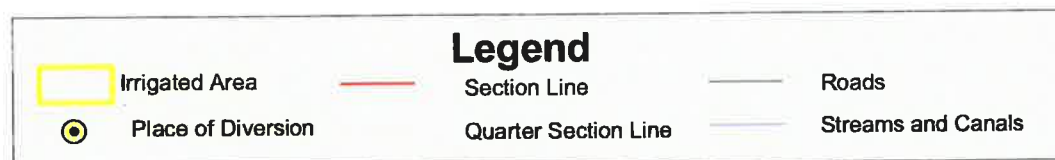
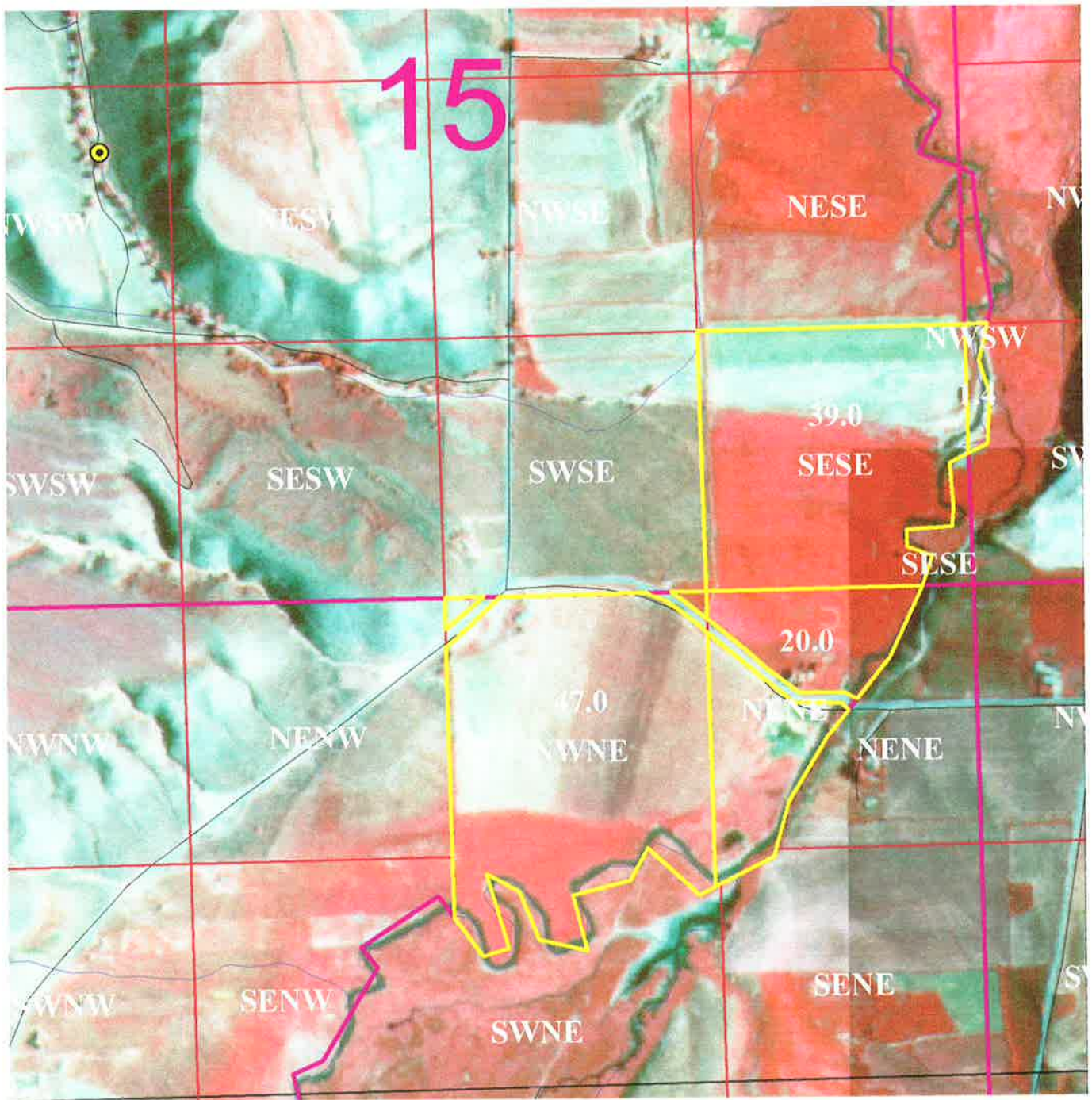
Township , 9S36E



400 0 400 800 Feet



Township , 9S36E



400 0 400 800 Feet

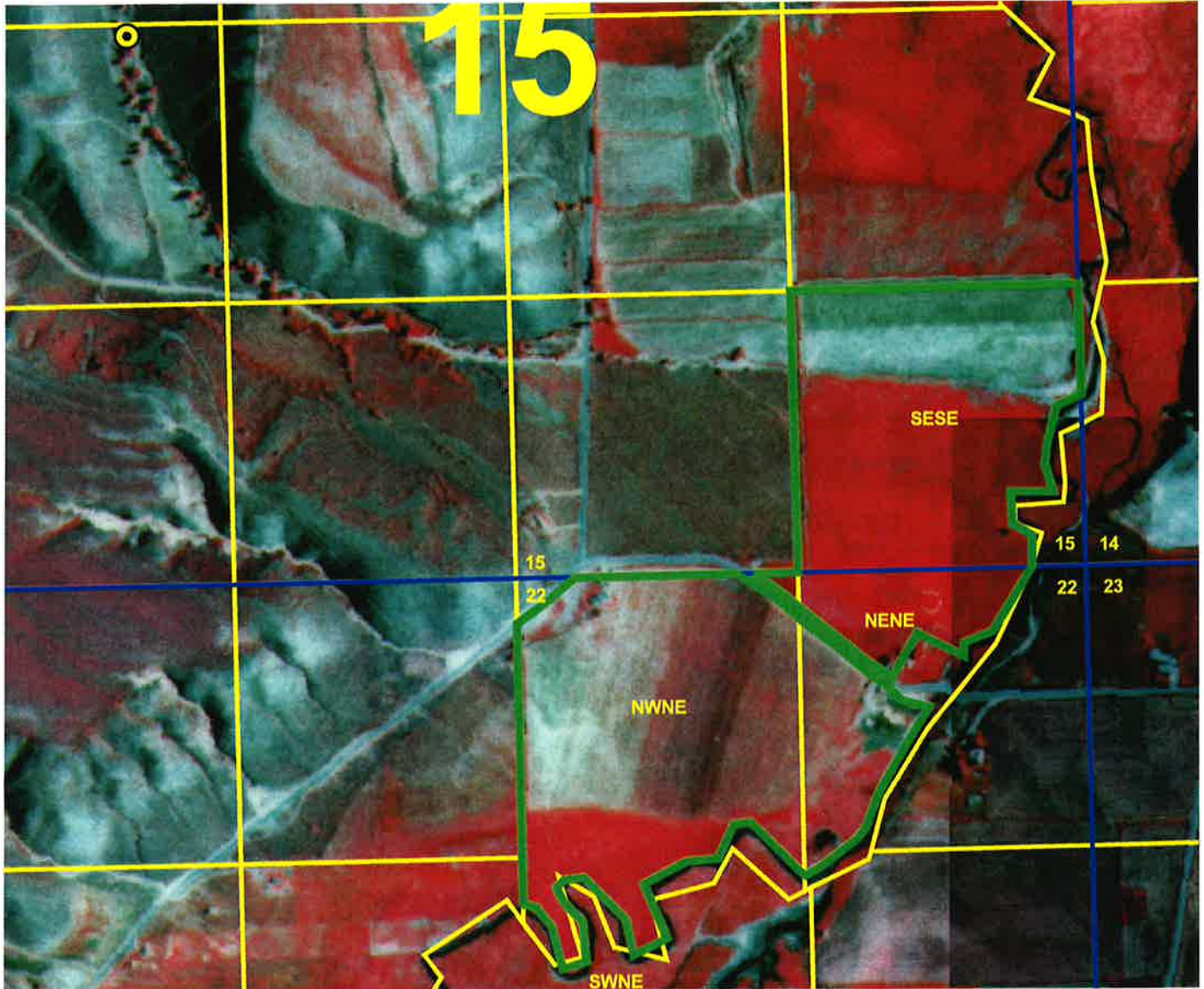


SCANNED

IDAHO DEPARTMENT OF WATER RESOURCES

29-00433, 29-00434

T9S, R36E SEC 15, 22



ACRES IRRIGATED- 98



POINT OF DIVERSION



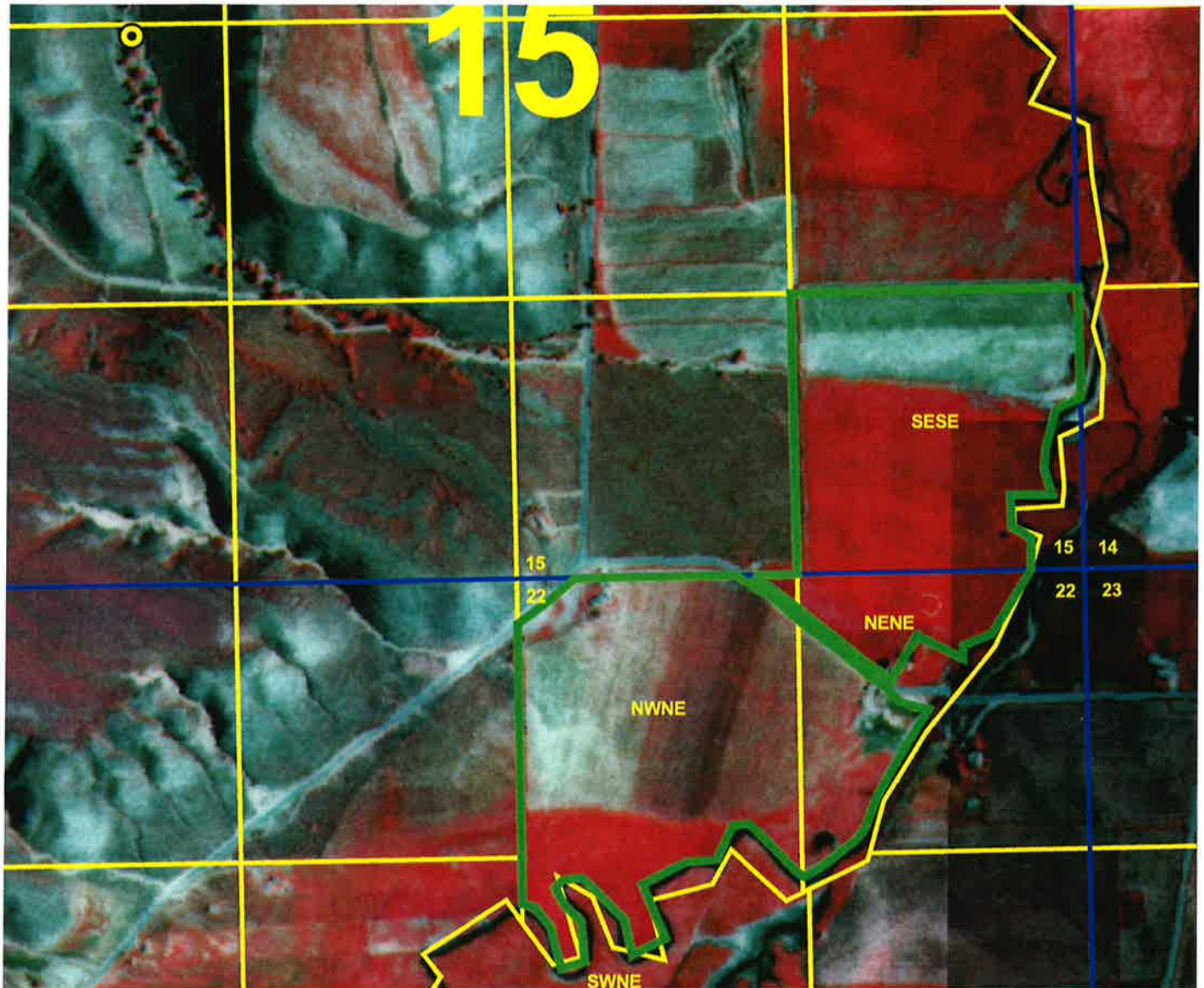
PLACE OF USE

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

IDAHO DEPARTMENT OF WATER RESOURCES

29-00433, 29-00434

T9S, R36E SEC 15, 22



ACRES IRRIGATED- 98



POINT OF DIVERSION



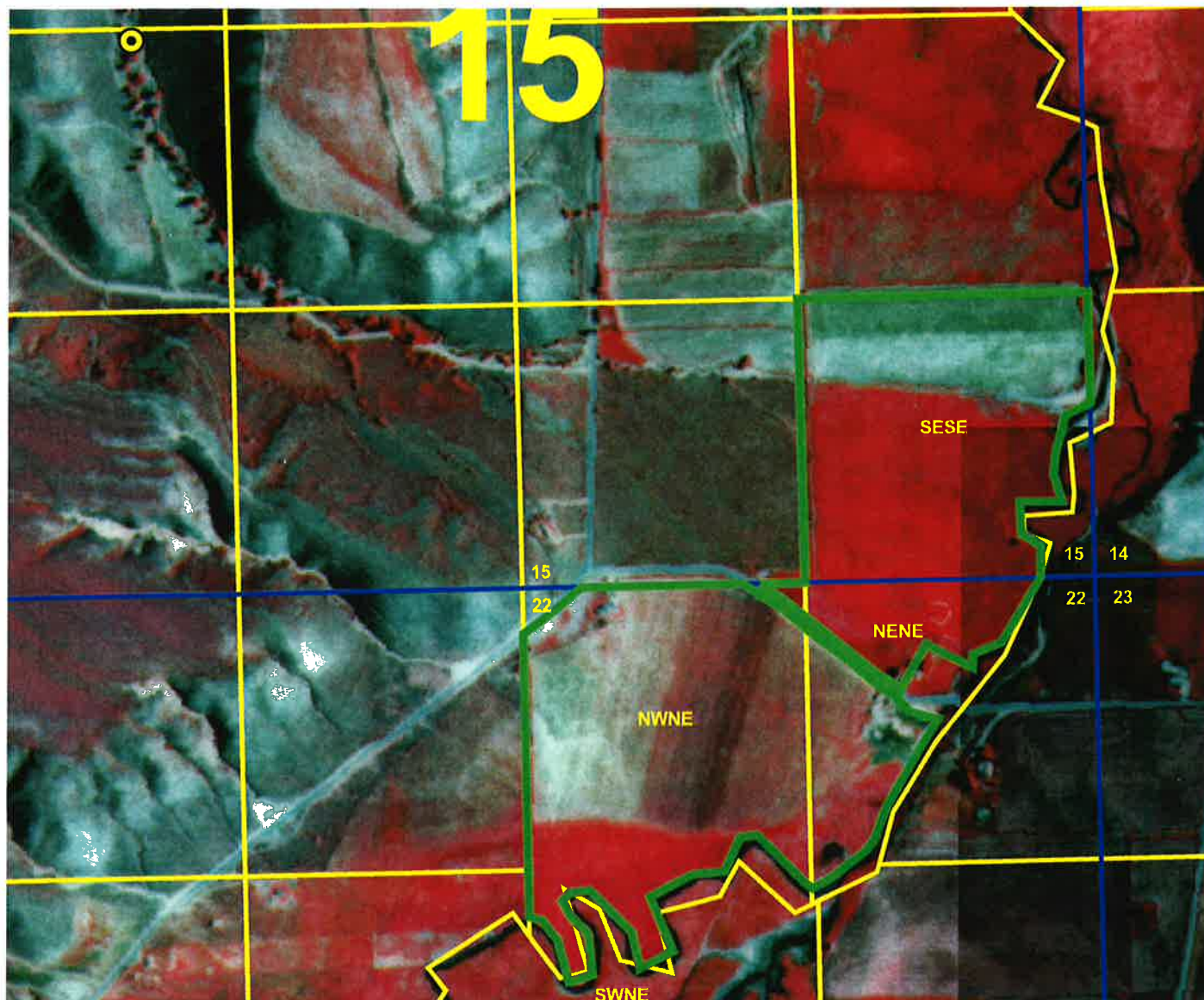
PLACE OF USE

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

IDAHO DEPARTMENT OF WATER RESOURCES

29-00433, 29-00434

T9S, R36E SEC 15, 22



ACRES IRRIGATED- 98



POINT OF DIVERSION



PLACE OF USE

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

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

premises, has now been ordered judgment to be entered in accordance therewith.

It is therefore, ORDERED, ADJUDGED AND DECREED:-

I.

29-0433

That the defenant, Truman Rowe, do have at all times during the irrigation season the use of two and one-half cubic feet per second of time, or 125 miners inches measured under a four inch pressure, of the waters of Little Cottonwood or Goodenough Creek, a tributary of Marsh Creek, in Bannock County, State of Idaho, for the purpose of irrigating his lands hereinafter described, and for culinary and domestic purposes, his right to the use of said water to date from the 1st day of May, 1879; and also the additional right to the use

29-0434

of the waters of said stream for said purposes and to be used upon the said lands of 1.6 cubic feet per second of time, or 80 miners inches measured under a four inch pressure, his right to the use thereof to date from the 1st day of May, 1901, to be used upon and become appurtenant to the lands owned by said defendant, being:

Lot seven (7) in Section 15, and Lots six (6), Seven (7) and eight (8) in Section twenty-two (22), all in Township Nine (9) South, Range Thirty-six (36), East of the Boise Meridian in Bannock County, State of Idaho,

said water being diverted from said stream at the dam placed in the channel thereof at a point where said stream passes near the center of the Northeast Quarter of the Southeast Quarter of Section Eight (8), Township Nine (9) South, Range Thirty-six East of the Boise Meridian in said county and state.

GPS - N 42 38 20.1
W 112 14 20.9

Log for claim A29-00434

Spatial Dynamics LTD

7/13/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s36e	14	NWSW	1	1.4	
09s36e	15	SESE	38	39	
09s36e	22	NENE	15	20	
09s36e	22	NWNE	37	47	
09s36e	22	SWNE	10	0	Acreage found in NWNE qq.
Totals:			101	107.4	

AJ5809NP
No. A29-00434

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/27/00
PAGE: 62

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JAMES K GUTHRIE JR	05/01/1901	IRRIGATION	03-15 11-15	1.600 CFS	
C	BARBARA ANN GUTHRIE		STOCKWATER	01-01 12-31	0.030 CFS	
	425 W GOODENOUGH RD					
	MC CAMMON ID 83250					
	(208) 254-3605					
				TOTAL DIVERSION:	1.600 CFS	
				CONSUMPTIVE USE:		252.00 AFA

Water Source: GOODENOUGH CREEK

Tributary to: MARSH CREEK

Stage: DECREED

Point(s) of Diversion:

T09S R36E S15

NENWSW

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	
09S	36E	14	:												01					:	1.0	
09S	36E	15	:																07-38	:	38.0	
09S	36E	22	:	06-15		07-37		10												:	62.0	
																				TOTAL ACRES	:	101.0

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: BANNOCK

Non-Irrigation Uses: S/ 100 HD BEEF DRINK FROM STREAM.

Other Rights: 29-0433

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-00433

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00057 A29-00058 A29-00433 A29-12094

Remarks: GEN SOURCE ALSO KNOWN AS LITTLE COTTONWOOD CK.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 04/18/90 CARLSON 06/01/94 COX 03/29/95 POST-STD 04/13/00 CVANDERM

SCANNED

JUN 04 2001

25

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

RECEIVED

APR 18 1990

Ident. Number: A29-00434
Date Received: 4/05/1990
Receipt No: E013323
Received By: _____

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES K. GUTHRIE, JR. 208-254-3605
Address: 425 GOODENOUGH RD.
MCCAMMON, ID 83250

AND/OR

Name: BARBARA ANN GUTHRIE, JR. 208-254-3605
Address: 425 GOODENOUGH RD.
MCCAMMON, ID 83250

2. Date of Priority: MAY 01, 1901

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	36E	15	NE	NW	SW		BANNOCK

5. Description of diverting works:
CONCRETE HDGATE WITH PIPE WITH GRAVITY SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.600		
STOCKWATER	01/01	12/31	0.030		

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

8. Total consumptive use is 252.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/ 100 HD BEEF DRINK FROM STREAM.

A29-00434

Page 1

Date: 04/05/90

A2900434



MICROFILMED
NOV 13 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	36E	14	SW	SW		IRR	1.0
						Section Acres	1.0
		15	SE	SE	7	IRR	38.0
						Section Acres	38.0
		22	NE	NE	6	IRR	15.0
			NW	NE	7	IRR	37.0
			SW	NE		IRR	10.0
						Section Acres	62.0
						Total Acres	101.0

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:
29-0433

14. Remarks:
SOURCE ALSO KNOWN AS LITTLE COTTONWOOD CK.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

WILLIAM GOODENOUGH
Decree Plaintiff

vs

A. P. MARSO, 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 Individuals:

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

Signature of Claimant(s): James R. Gauthier Jr. Date: 4-5-90

Date: _____

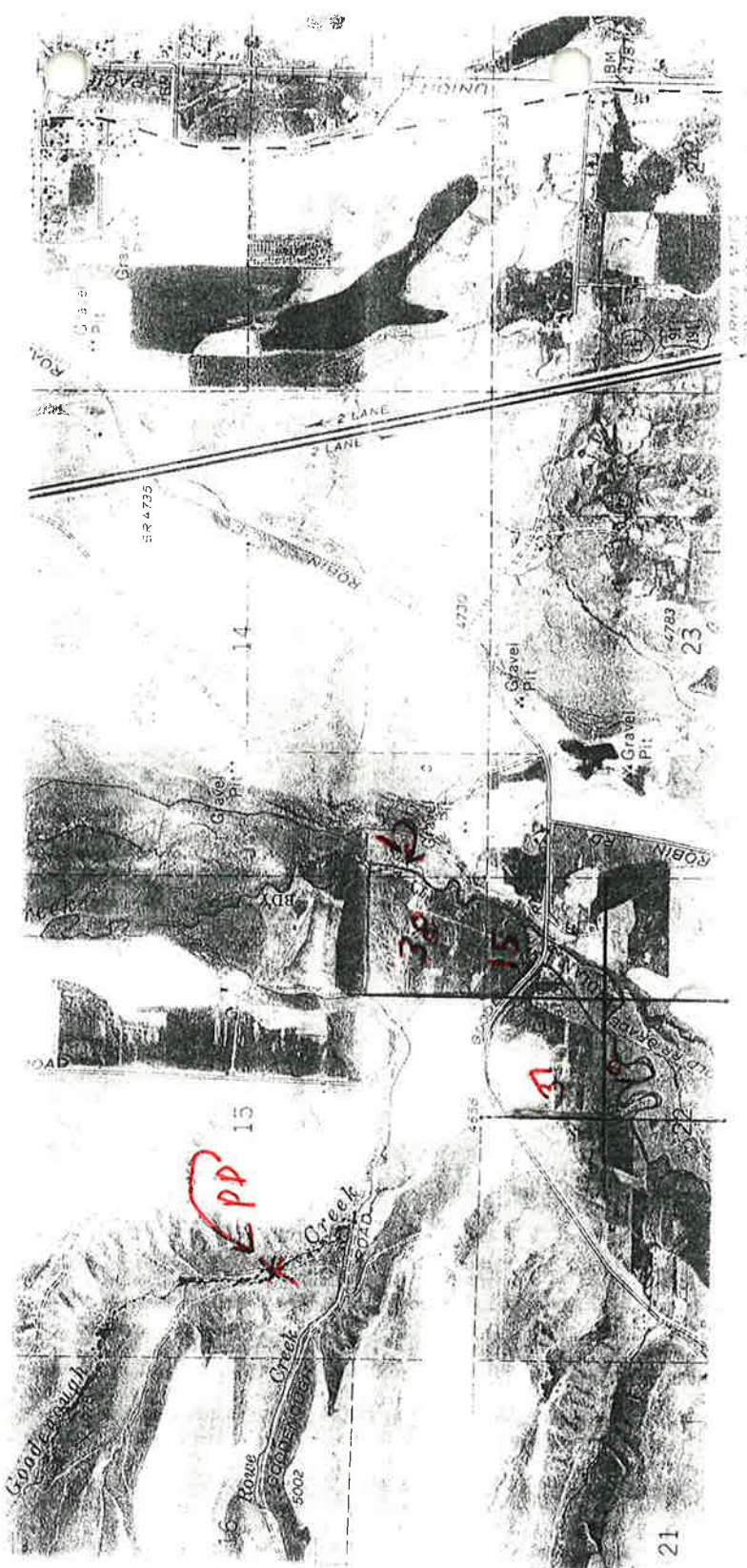
State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 5 day
of April 19 90

Joh Dal Carlson
Notary Public

Seal

Residing at Boise Id
My Commission Expires 4/2/94



MICROFILMED
NOV 13 1992