

IDAHO DEPARTMENT OF WATER RESOURCES 11/27/2001
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

NAME AND ADDRESS: ANGELO TRAYIS JR
9103 W POCATELLO CREEK RD
POCATELLO ID 83201

SOURCE: POCATELLO CREEK TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.16 CFS

PRIORITY DATE: 06/01/1887

POINT OF DIVERSION:

T06S R35E S19 SESENE 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	0.160 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T06S R35E S19	SWNE	1.7	T06S R35E S19	SENE	8.9
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10.6 ACRES TOTAL

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

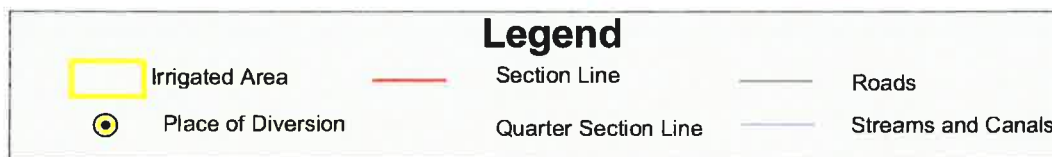
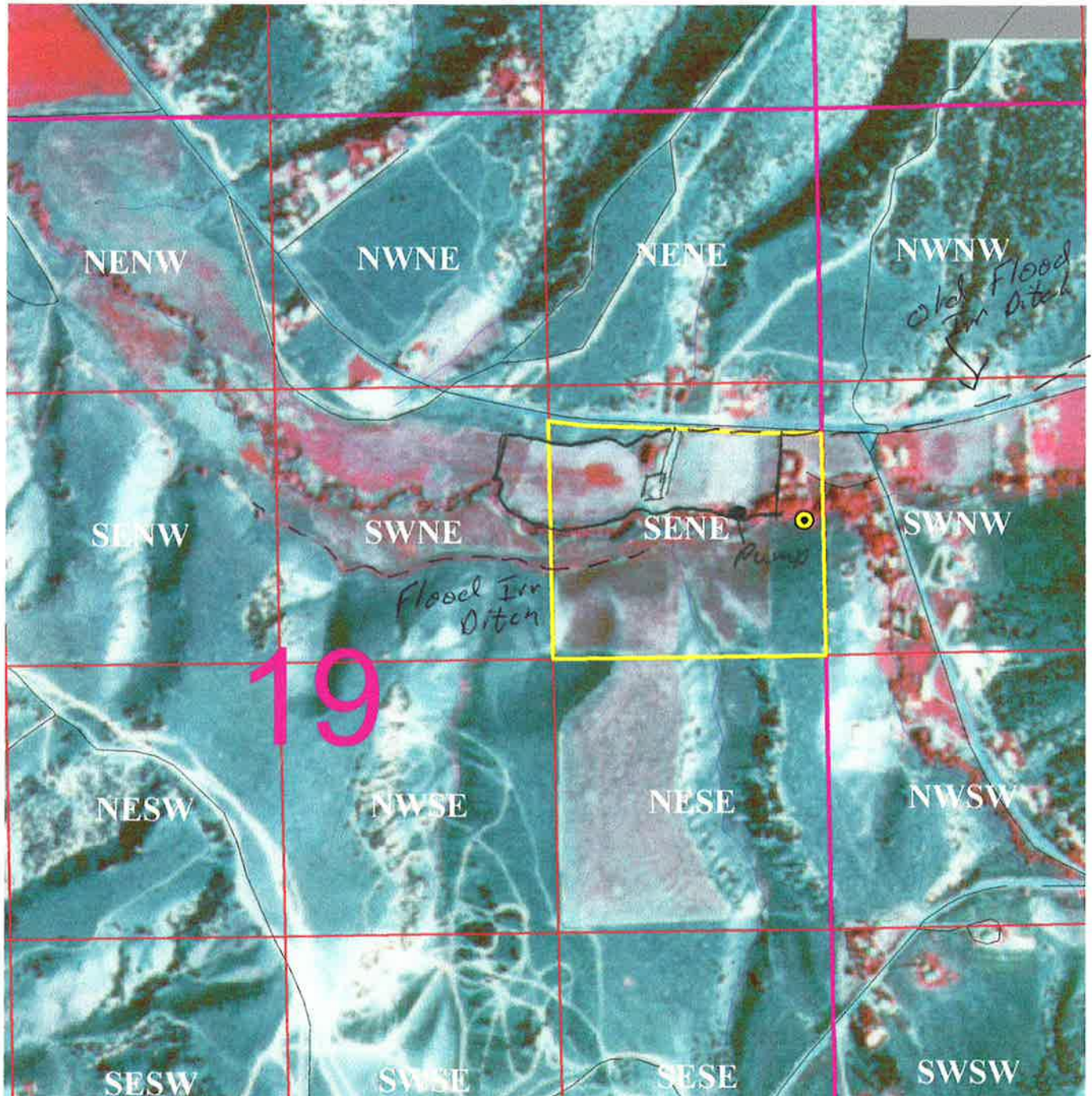
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: Decreed

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

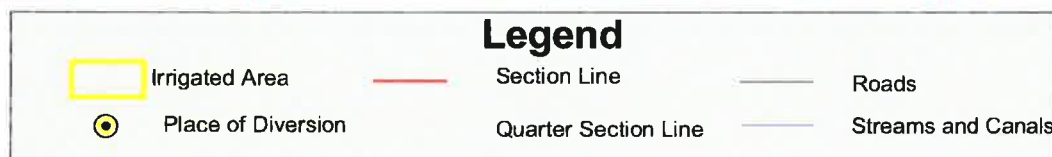
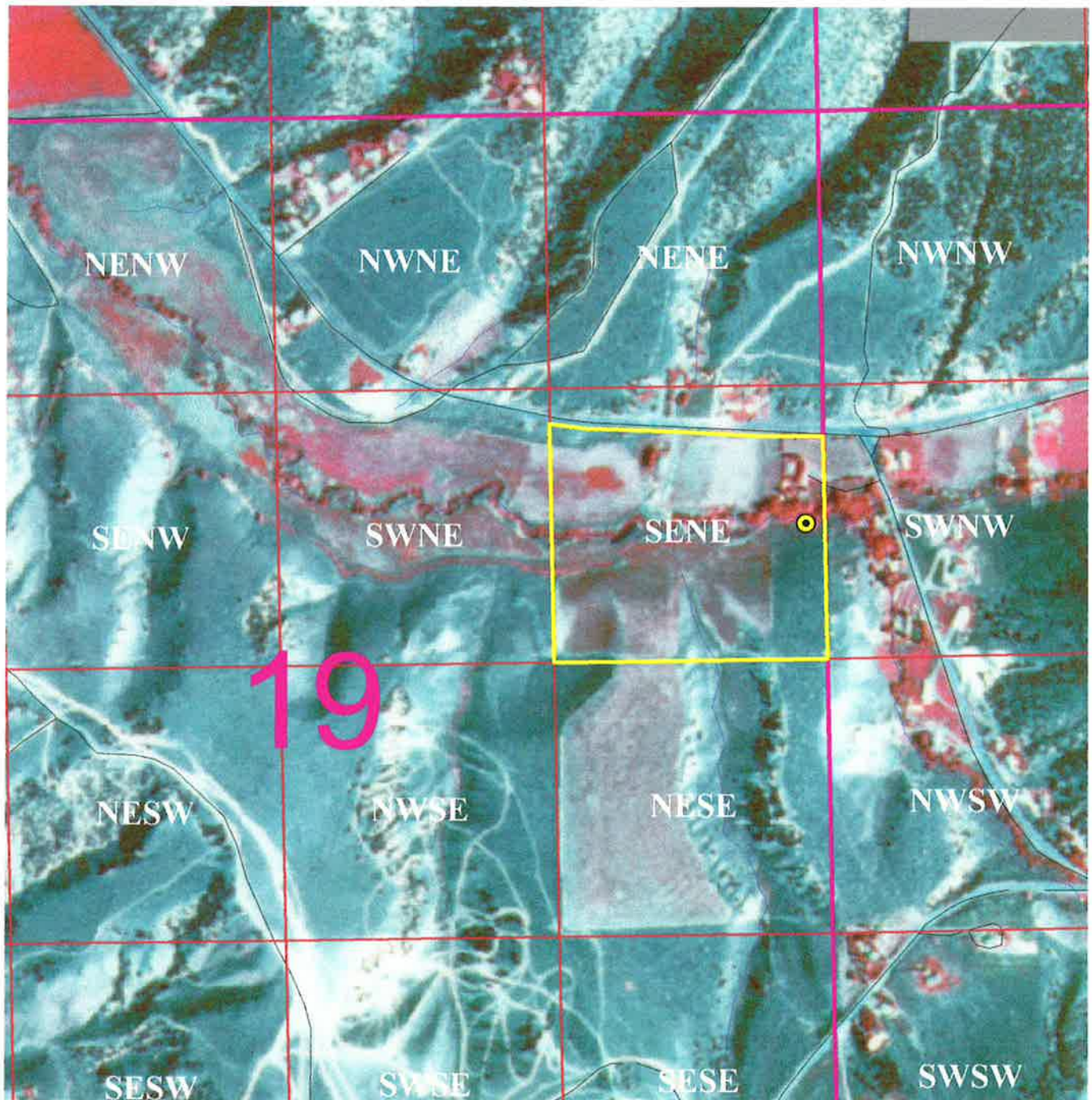
Water Right Claim Number A29-00443N
Township , 6S35E

09/15/2000



Water Right Claim Number A29-00443N
Township , 6S35E

09/15/2000

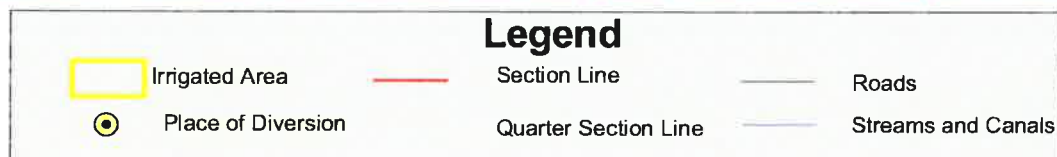
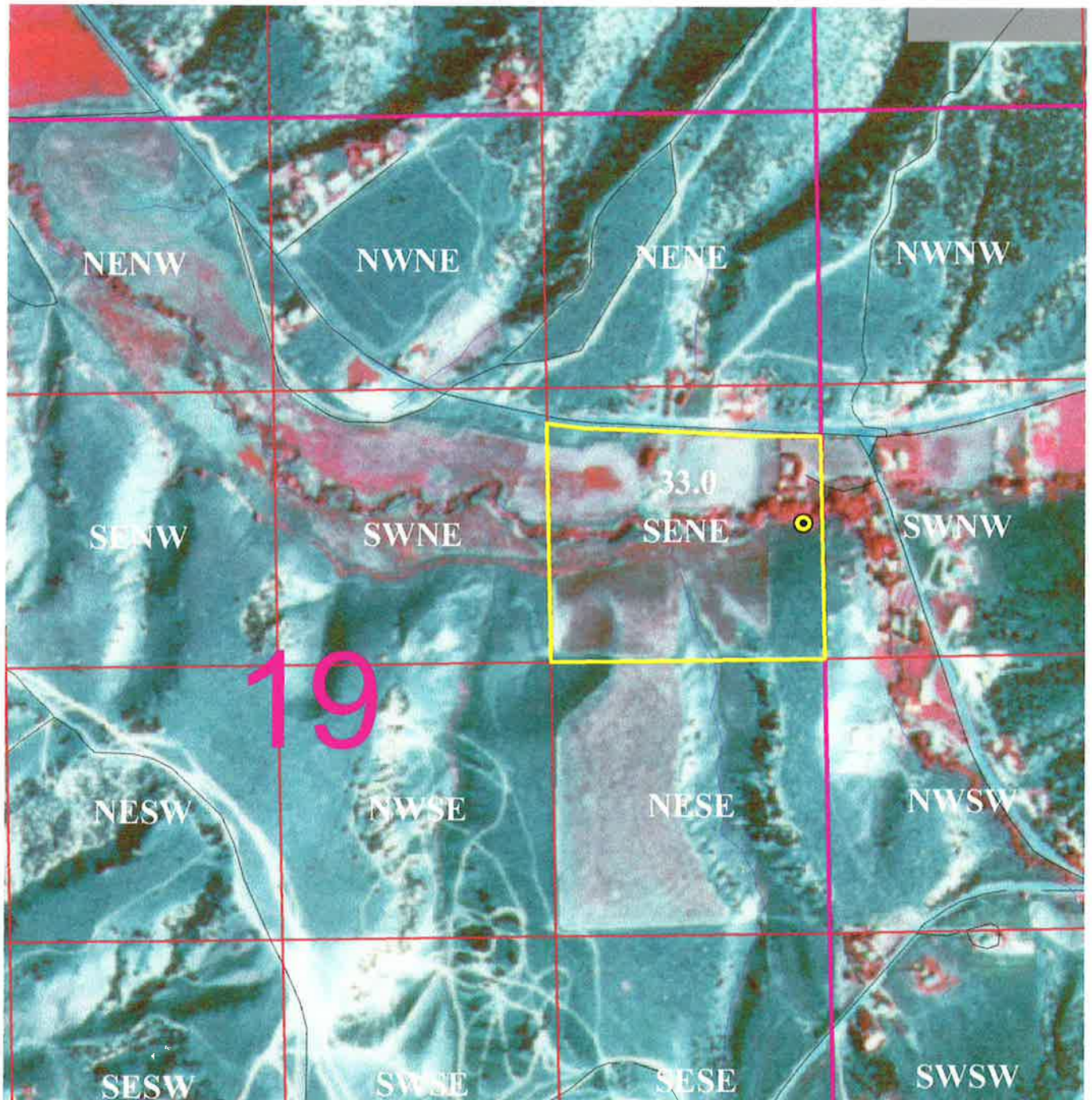


400 0 400 800 Feet



Water Right Claim Number A29-00443N
Township , 6S35E

09/15/2000



400 0 400 800 Feet



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-443N V1

WATER RIGHT NUMBER: 29-443N V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ANGELO TRAYIS JR 9103 W POCATELLO CREEK RD POCATELLO, ID 83201 (208)232-6245
Original Owner	PATRICK S TANEY POCATELLO, ID 83201

Priority Date: 06/01/1887

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
POCATELLO CREEK	PORTNEUF RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.160 CFS	
	<u>Total Diversion:</u>	0.160 CFS	

Location of Point(s) of Diversion

POCATELLO CREEK	SE1/4SE1/4NE1/4	Sec. 19, Twp 06S, Rge 35E, B.M.
BANNOCK County		

Place of UseIRRIGATION Within BANNOCK County

T06S R35E S19	SWNE 1.7	T06S R35E S19	SENE 8.9
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Total Acres: 10.6

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C18 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.

Remarks:Comments:

1. csaxton 11/27/2001 POU

Comment: The majority of the claimants farm to the West is Dry Farmed.

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-443N V1

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	11/27/2001 3:16:49 PM	csaxton			Active
POD	11/27/2001 3:18:04 PM	csaxton			Active
Source	11/27/2001 3:19:45 PM	csaxton			Active
POU	11/27/2001 3:20:05 PM	csaxton			Active
Use	11/27/2001 3:44:38 PM	csaxton			Active
Season	11/27/2001 3:45:24 PM	csaxton			Active
Quantity	11/27/2001 3:46:50 PM	csaxton			Active
Summary	11/27/2001 3:50:07 PM	csaxton	11/27/2001 3:50:07 PM	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	11/27/2001 3:18:26 PM	csaxton	Edited point location
POD	11/27/2001 3:19:09 PM	csaxton	Edited PLS
Source	11/27/2001 3:19:45 PM	csaxton	(Yes) 1. Is the basis of claim decree or license? (Yes) 4. Does the parent right have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	11/27/2001 3:20:05 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the parent right have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
POU	11/27/2001 3:20:35 PM	csaxton	Edited shape boundary
POU	11/27/2001 3:21:11 PM	csaxton	Edited PLS

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-443N V1

Contacts	11/27/2001 3:16:11 PM	csaxton	(No) 1. Do you want to schedule an appointment?
			Comment for 1: Field Exam 10/24/01
Priority Date	11/27/2001 3:16:49 PM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	11/27/2001 3:18:04 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (No) 4. Does the parent right have a POD? (Yes) 6. Is there evidence that there has been a change in the POD? (Yes) 7. Can the change be verified as an accomplished transfer? (Yes) 8. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required? Description for Question 6 - Location of old POD not spoken about in decree, however from field investigation it was located in NWNW Section 20, T6S, R35E
Use	11/27/2001 3:44:38 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the parent right have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Season	11/27/2001 3:45:25 PM	csaxton	(Yes) 1. Is the basis of claim decree or license? (No) 4. Does the parent right have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-443N V1

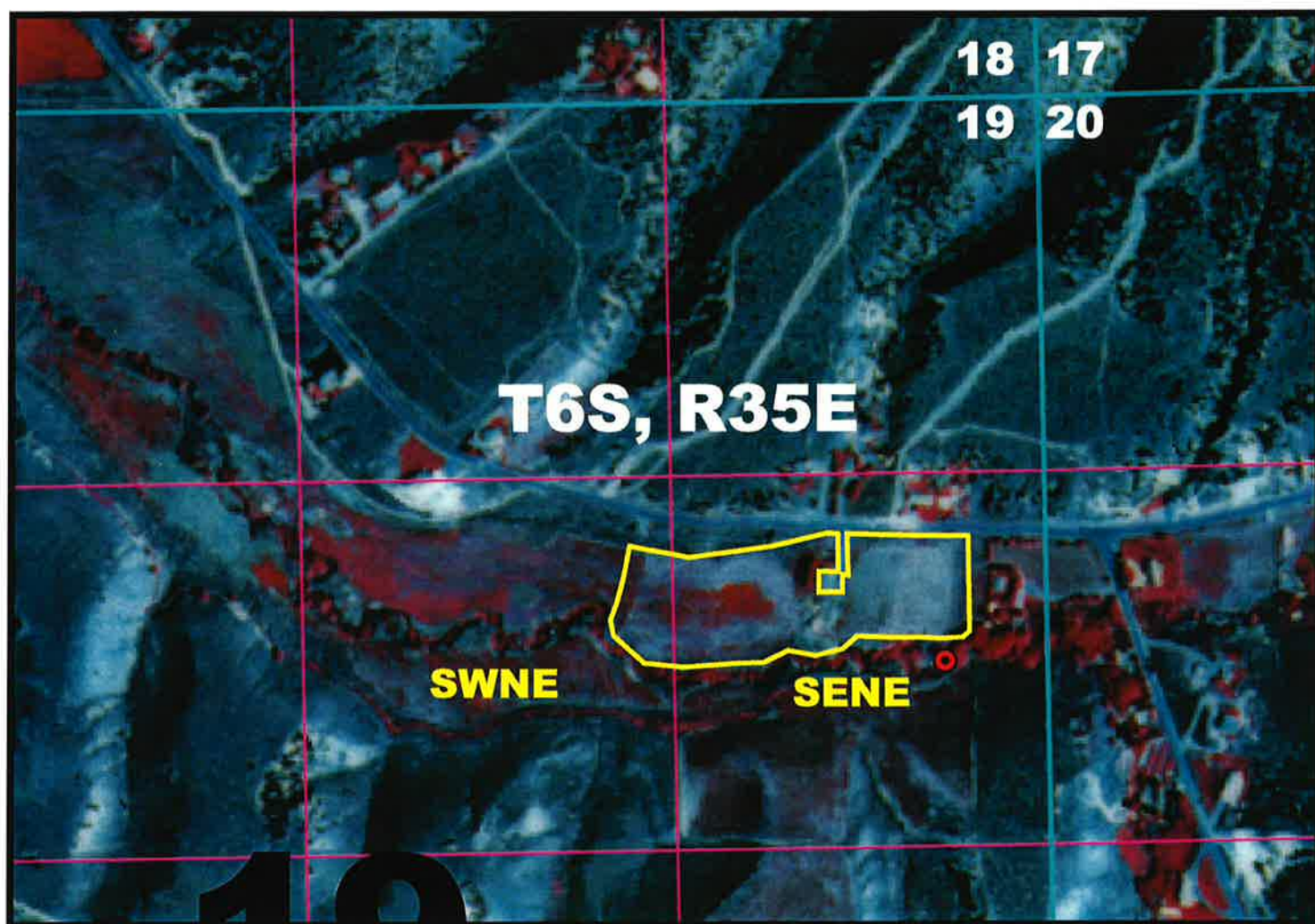
POD	11/27/2001 3:46:50 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the parent right have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required?
Summary	11/27/2001 3:50:07 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (Yes) 7. Is this a split or combined right? (No) 8. Do you have documents you would like to attach or link to the file? (Yes) 9. Would you like to set the verification date?



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s): 29-00443N



1320 0 1320 Feet

Total Irrigated Acres: 10.6



Point(s) of Diversion



Place of Use



Quarter Quarter Lines

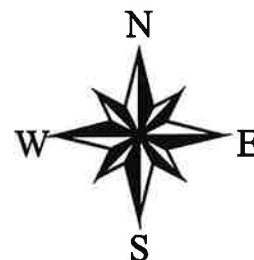


Section Lines

SCANNED

NOV 11 2005

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GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: November 2001

Split history for Decreed Right 29-00443

Claimed		Recommend	Deed	
A	Firkins		Deeded 1/2 in	Agreed
	0.1 5	0.01 1.3		
B	Fritch		Deeded 1in per 10 ac	Disagreed but not changing
	0.02 10	0.02 1.8		
C	Stocking		Deeded 1/2 in	No NOE received
	0.05 2.5	0.01 1.1		
D	29-13265 (And -D)			No NOE Received
	P Anderson, D	0.77 40.5	0.1 5.2	
	Anderson, D	0.83 43.6	29-13266 (And-N)	No NOE Received
	1 52.5	0.06 3.1	0.6 3.1	
	Q Anderson, T	0.17 8.9	0.12 5.9	No NOE Received
E	Johnson		Deeded 1/2 in	Agreed
	0.01 2	0.01 1.7		
F	Dixon		Need c/o No Deeds Assume 1/2 in per 5 acre plot	No NOE Received
	0.2 7	0.02 2.6		
G	Anderson, E		C05	No NOE Received
	0.2 2	0.03 1.6		
H	29-13136 (Packer)		2/3 of 2 inch	No NOE Received
	Packer (split)	0.05 1	0.03 1.3	
	0.08 4	29-13137 (Hurley)	1/3 of 1 inch	No NOE Received
I	Paul		Deed from Tanny-Anderson No 1/2 inch requirement	No NOE Received
	0.04 2	0.03 1		
J	29-13254 (Smith)		Deeded 1/2 to parent	No NOE Received
	Smith (split)	0.005 1	0.005 0.8	
	0.01 2	29-13255 (Foltz)	Deeded 1/2 to parent	No NOE Received
K	Morris		No deed received	No NOE Received
	0.01 1.5	0.01 0.6		
L	Finkelnburg		Silent to WR	NOE Received Claim needs to be amended
	0.01 1	0.01 1		
M	Griggs		Silent to WR	NOE Received Additional Acreage Requested
	0.09 3	0.02 3		
N	Trayis		8 in deeded	No NOE Received
	1 30	0.16 10.6		

29-00443
2 cfs

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PROVIDED

29-10783 Lawlor

0.12	0	0.1
6	0	3.5

Disallow

No NOE Received

29-13270 Pharris Renumbered from 29-00444A

0.06	0.02
2	2

no deed provided

29-12232 Taysom

0.02	0.02
1.5	1.3

Silent to WR

Estimated Decreed Acreage = 56 ac
Remaining Diversion Rate For Decreed POU = 1.6

Sum CFS=	1.34
Sum Acre=	51.1

Un-accounted for CFS=	0.26
Un-accounted for Acres=	4.9

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NOV 11 2005

INSTRUMENT No. 280469

by This Indenture, Made this 9th day of March 1911 in the year of Our Lord
One Thousand Nine Hundred and Fifty-one, between

ROYAL D. ANDERSON and EVELYN ANDERSON, husband and wife,

affix by **Pocatello**, County of **Bannock**, State of **Idaho**, the parties of the first part, and **NEWELL PACKER and ELEANOR MARGARET PACKER, husband and wife,**

of the Pocatello, County of Bannock, State of Idaho, the parties of the second part:

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, do by these presents, Grant, Bargain, Sell and Convey and Confirm unto said parties of the second part, and to their heirs and assigns forever all those certain lots or pieces or parcels of land situate, lying and being in the County of Blaine, State of Idaho, bounded and more particularly described as follows, to-wit:

The SE 1/4 of Section 19, Township 6 South, Range 35 East Boise Meridian, EXCEPTING therefrom the East 272 Feet of said SE 1/4, all in Bannock County, State of Idaho, together with 8 inches of water from Pocatello Creek now appurtenant to said land and having heretofore been used thereon.

Subject to a mortgage in the original sum of \$2500.00 dated September 28, 1949, and given to Ellen Ivey. That said mortgage is recorded in the office of the County Recorder of Bannock County, Idaho, in Book 61 of Mortgages on Page 565 and was given Instrument No. 268250. That there is an unpaid balance on the principal of said mortgage in the sum of \$2020.85 payable in installments of not less than \$30.00 per month.

That the parties of the second part, by accepting this deed, do hereby assume said mortgage and hereby agree to pay the same in accordance with its terms and as the same may become due.

(U.S.I.R. \$ 8.80 Attached to Deed and Cancelled)

[illegible]

MONED. SEALED AND DELIVERED IN THE PRESENCE OF

Royal D. Anderson (SUAL)

Evelyn Anderson (see)

(SEAL)

STATE OF IDAHO.

County of BANNOCK

County of San Diego 28th day of March , in the year 19 51 ; before me, the undersigned
Notary Public in and for said County and State, personally appeared

ROYAL D. ANDERSON and EVELYN ANDERSON, husband and wife,

known to me to be the persons whose names are

subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Carl C. Christensen Notary Public
Residence: Pocatello, Idaho

I hereby certify that this instrument was filed for record at the request of Bewell Packer, 624 Yellowstone Ave.
at 15 minutes past 10 o'clock A. M., this 28 day of March A. D. 1951
In Book 112 of Deeds, Page 100. Anna Keefe By _____
Ex Officio Recorder. Deputy.

Bannock County, Idaho

INSTRUMENT No. 283042

WITNESSETH DEED

This Indenture, Made this 30th day of July in the year of Our Lord One Thousand Nine Hundred and Fifty-one, between

NEWELL PACKER and ELEANOR MARGARET PACKER, husband and wife,

of Pocatello, County of Bannock, State of Idaho, the parties of the first part, and

ANGELO TRAYIS

of Pocatello, County of Bannock, State of Idaho, the part y of the second part:

WITNESSETH: That the said part 1st of the first part, for and in consideration of the sum of

ONE DOLLAR and other good and valuable consideration.

DOLLARS,

lawful money of the United States of America, to them in hand paid by the said part y of the second part, the receipt whereof is hereby acknowledged, do by these presents, Grant, Bargain, Sell and Convey and Confirm unto said part y of the second part, and to his heirs and assigns forever: All that certain lot, piece or parcel of land situate, lying and being in the County of Bannock, State of Idaho, bounded and more particularly described as follows, to-wit:

The SE $\frac{1}{4}$ of Section 19, Township 6 South, Range 35, East of the Boise Meridian, together with 10 inches of water from Pocatello Creek now appurtenant to said land and having heretofore been used thereon;

SAVE AND EXCEPT therefrom the East 272 feet of said SE $\frac{1}{4}$, Section 19, Township 6 South, Range 35, East of the Boise Meridian, together with 2 inches of water from Pocatello Creek now appurtenant to said land and having heretofore been used thereon.

(U.S.J.R. \$15.40 Attached and Cancelled)

Together with, all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof:

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances and privileges thereunto incident, unto the said part y of the second part, and to his heirs and assigns forever. And the said part 1st of the first part, and their heirs and assigns warrant the said premises in the quiet and peaceable possession of the said part y of the second part, his heirs and assigns against the said part 1st of the first part, and their heirs and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

Newell Packer (SEAL)

Eleanor Margaret Packer (SEAL)

(SEAL)

(SEAL)

STATE OF IDAHO,

County of Bannock

ss.

On this 30th day of July, in the year 19 51, before me, the undersigned, a Notary Public in and for said County and State, personally appeared

NEWELL PACKER and ELEANOR PACKER, husband and wife,

known to me to be the person s whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(Seal)

Ralph H. Jones, Notary Public

Residence Pocatello, Idaho

SCANNED

NOV 11 2005

FILED

I hereby certify that this instrument was filed for record at the request of B.T.A. Co. at 30 minutes past 3 o'clock P.M. this 31 day of July, A.D. 19 51. In Book 112 of Deeds at page 520.

Fee, \$1.25 Anna Keefe By Ex-Officio Recorder Deputy.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

*Please call Angelo 232-6245.
after you review these papers.*

EASTERN REGION

October 26, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Claimants of Decreed Right 29-00443 (split portions: B/G/I/K/L/M/N/P/Q/29-13136)

Re: Request for proof of water right ownership

Dear Claimant:

RECEIVED

NOV 01 2001

Department of Water Resources
Eastern Region

In reference to the above described water right there have been several claims to portions thereof. At this point the water right for use of Pocatello Creek water for irrigation purposes is over-claimed. To conduct an investigation and recommendation of the portions claimed, proof of water right ownership is required.

Please provide a copy of your deed or conveyance instrument to this office by November 8, 2001. If such proof is not presented a disallowed recommendation could result.

Thank you for your attention in this important matter. I look forward to your timely response. Please feel free to contact me at the above address/phone number.

Respectfully submitted,

Craig L. Saxton
Water Resource Agent
Adjudication Bureau

Cc; WILLIAM AND BARBARA FRITCH 29-00443B
8427 POCATELLO CK RD
POCATELLO ID 83201

ELWIN & FERN ANDERSON 29-00443G
9222 N ANDERSON LN
POCATELLO ID 83201

FO PAUL 29-00443I
8825 W POCATELLO CK RD
POCATELLO ID 83201

ALICE MORRIS 29-00443K
8655 W POCATELLO CK RD
POCATELLO ID 83201

DAVID & LINDA FINKELNBURG 29-00443L
8767 W POCATELLO CK RD
POCATELLO ID 83201

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JOHN GRIGGS
8521 W POCATELLO CK RD
POCATELLO ID 83210

29-00443M

ANGELO TRAYIS JR
9103 W POCATELLO CK RD
POCATELLO ID 83201

29-00443N

DWAINE ANDERSON
9196 ANDERSON LN
POCATELLO ID 83201

29-00443P

TODD ANDERSON
9897 W CLIFFORD DR
POCATELLO ID 83201

29-00443Q

LARRY PACKER
8675 N PARKS RD
POCATELLO ID 83201

29-13136

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NOV 11 2005

10-3-01 : Stopped By What I think is Tray's Home. Elderly Woman
FE answered door but didn't speak English. (Italian I think)

: Send a Letter - POA is Flat enough that it could have
Been Flood Irrigated, but not in original POA

10-12-01 : Angelo responded to letter sent Oct 9, 2001. Says his
dad said they have right to 10 inches. Said
dad used to Flood Irrigate. Got to High points
using a Culvert under driveway.

: I asked Him to dig out any information that would
speak of the 10 inches.
↳ 8 in

: Angelo also said He doesn't Irrigate the entire Farm
Claimed 30 acres, I found 34 acres of Irrigatable
land. Need to meet with Angelo and determine
What is Irrigated

10-24-01: DOO Changed in 1984
FE

- Diesel Powered Pump - mobil
- Bridge won't work - send form for Culvert
- Pump - Model - VRG155
size - 3/8 x 3 3/4
- Put water on whole Farm about 15 yrs ago
- 96 Pipes 4" = 3 lines
- Angelo said He dry farmed the majority of farm
- Old Ditch to the north of the property that
Enabled Flood irrigation. Andersons Continued this.

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Historical Ditch

Taken 10/3/01



Historical Point of diversion that diverted water to the ditch that carried water to the north side of the North Fork of Pocatello Creek.

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Historical Ditch

Taken 10/3/01



Looking East. Signs of the old historical Ditch that carried water to the north side of Pocatello creek to flood irrigate down to as far as Angelo Trayis' place.

PROTECTED

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NOV 11 2005

Historical Ditch

Taken 10/3/01



Looking West



Looking East

PROFILED

SCANNED
NOV 11 2005

29-00443N

POD

Field Exam 10/24/01



Looking west. Mobil Diesel powered pump. HP – Unknown: Model – VRG155: Size 3/ 8x3 3/4. White tank is the fuel tank. Pocatello creek to the right of the picture (csaxton 10/25/01).

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NOV 11 2005

29-00443N

POD

Field Exam 10/24/01



4 in Yellow line is the intake line. Pocatello Creek dry at time of field exam (csaxton 10/25/01).

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NOV 11 2005

29-00443N

POD

Field Exam 10/24/01



Looking west. Mobil Diesel powered pump. HP – Unknown: Model – VRG155: Size 3/ 8x3 ¾. White tank is the fuel tank. Pocatello creek behind me in the picture (csaxton 10/25/01).

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NOV 11 2005

29-00443N

POD

Field Exam 10/24/01



Looking West. POD behind me in picture. Sprinkler line leading to the place of use. Home in the background is claimants house. Irrigated POU on both East and West side of home (csaxton 10/24/01).

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NOV 11 2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

October 9, 2001

ANGELO TRAYIS JR
9103 W POCATELLO CK RD
POCATELLO ID 83201

RE: Snake River Basin Adjudication (SRBA) Claim 29-00443N

Dear Mr. Trayis,

The Idaho Department of Water Resources is currently in the process of reviewing SRBA claims in your area. You filed claim 29-00443N for irrigation of 30 acres using water from Pocatello Creek.

I was in the area on 10-3-01 and stopped by your home to discuss your water rights but you were unavailable. I have some questions that I need to discuss with you, and also need to set up a time when I can do a field exam.

Due to the onset of winter, we are working in a short time frame. Please contact me at 525-7161 to set up an appointment either here at our office in Idaho Falls, or out at your farm. I appreciate your prompt attention to this matter.

Respectfully submitted,

Craig L. Saxton
Water Resource Agent
Adjudication Bureau

PROVIDED

SCANNED
NOV 11 2005

JUN 19 2001

Log for claim A29-00443N

Spatial Dynamics LTD

9/15/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06s35e	19	SENE	30	33	Indiscernible
Totals:			30	33	

POU - only 26 acres in parcel claimed

4/25/01 claim needs amended to match Claimant map

POU - majority of POU outside Decreed POU

How did he obtain a portion of 29-443?

Decds ?

Accomplished TR ?

AJ5809NP
No. A29-00443N

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/24/00
PAGE: 14

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ANGELO TRAYIS JR 9103 W POCATELLO CREEK RD POCATELLO ID 83201 (208) 232-6245	06/01/1887	IRRIGATION	04-01 11-01	1.000 CFS	
					TOTAL DIVERSION: CONSUMPTIVE USE:	1.000 CFS 75.00 AFA

Water Source: POCATELLO CREEK

Tributary to: PORTNEUF RIVER

Stage: DECREED

Point(s) of Diversion:

T06S R35E S19

SENE

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				
				-----				-----				-----				-----				-----					
06S 35E 19 :				30																					30.0
																									TOTAL ACRES 30.0

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-11532 A29-00443G A29-00443H A29-00443P A29-00443Q A29-04367 A29-11532

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00443 A29-00443H A29-00444 A29-04367

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 06/14/90 DCARLSON 06/01/94 COX 03/29/95 POST-STD

RECEIVED

MAY 28 1990

State of Idaho
Department of Water ResourcesDepartment of Water Resources
Eastern District Office
**REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)**

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

ANGELO TRAYIS JR. (208) 232-6245
Name of Claimant Phone Number
9103 W. Pocatello Creek Rd. Pocatello Idaho 83201
Mailing Address City State Zip
BANNOCK. April 19, 1990
County (or where place of use is located) Date claim originally due

Sec 19 SE 1/4 NE 1/4 T6S R35E Decree #29-0443 dated June 1, 1887. Case #428
Identify water right(s) for which extension is requested WOODLAND #Staney

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

I sent to Idaho Falls my Notice of Claim on April 19, 1990 at 10:30pm.
at the Main Post Office in Pocatello. Four days later I received the enclosed letter
stating that I was 1 day late in filing my claim. When I sent my letter
I was under the impression that all mail was postmarked before 12 o'clock
midnight. I called the post office & they told me that no pickups are made after 8:00
truthfully, I felt that my claim was sent in time not knowing about postal rules. This notice from you
Claimant requests an extension to May 30, 1990 or shortly after I receive this notice from you 1990

Angelo Trayis Jr. 4/30/90 19 90
Signature Date of request
owner
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [☒ granted] [☐ denied] for the following reasons:

and if granted the filing deadline is extended to June 1 19 90

Signed this 20 day of May 19 90

DAVID B. SHAW
Director or his designated agent

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

DAVID B. SHAW

MICROFILMED
NOV 13 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

April 23, 1990

Mr. Angelo Trayis Jr.
9103 W. Pocatello Ck. Rd.
Pocatello, Idaho 83201

RECEIVED

MAY 28 1990

RE: Snake River Basin Adjudication Notice.

Department of Water Resources
Eastern District Office

Dear Mr. Murdock:

Our office has reviewed your claim for your domestic and/or stockwater well(s). The last day we were allowed to accept claims from Bannock County with a Zip code of 83201, without collecting a late-filing fee, was April 19, 1990. Your claim was postmarked on April 20, 1990 making it subject to the late filing fee. Enclosed is your claim and check no. 3931 in the amount of \$30.00.

Before we can accept your claim, you must either submit, and have approved, an extension of time to file, or submit an additional \$50.00 for each claim for the late fee. Your notice would then be charged a \$50.00 late fee plus the \$50.00 claim filing fee plus \$30.00 for 30 acres of irrigation, totaling \$130.00.

You may be granted an extension if there were extenuating circumstances which prevented you from filing on time. The enclosed "Extension Request" form can be submitted to the Boise Office (address is at bottom of form) for consideration by the Department. If you submit the request, hold the claim until your request is processed. Please return the claim with proper fee(s) to this office when you resolve this matter.

Naturally, feel free to call this office if you have questions.

Respectfully submitted,

Eric Kerner for Ernest Carlsen

Ernest Carlsen
Water Rights Supervisor, Adjudications

Enclosure

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NOV 13 1992

SCANNED
JUN 19 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: A29-00443N
Date Received: 4/20/1990
Receipt No: E014716
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ANGELO TRAYIS JR. 208-232-6245
Address: 9103 W. POCATELLO CREEK RD
POCATELLO, ID 83201

2. Date of Priority: JUN 01, 1887

3. Source: POCATELLO CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	35E	19	SE	NE			BANNOCK

5. Description of diverting works:
PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.000		

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

8. Total consumptive use is 75.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	35E	19	SE	NE		IRR	30.0

A29-00443N

Page 1

Date: 06/14/90

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NOV 13 1992

A2900443N

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	30.0
					Total Acres	30.0

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:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 4/01/1925

PATRICK S. TANEY, ET. AL.
Decree Plaintiff

vs H. S. WOODLAND, 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): _____ Date: _____
_____ Date: _____



13-782 500 SHEETS, FILLER 5 SQUARE
 42-381 50 SHEETS EYE-EASE 5 SQUARE
 42-382 100 SHEETS EYE-EASE 5 SQUARE
 42-389 200 SHEETS EYE-EASE 5 SQUARE
 42-392 100 RECYCLED WHITE 5 SQUARE
 42-399 200 RECYCLED WHITE 5 SQUARE
 Made in U.S.A.

29-00443

AJ side

W.R. - side
not split

J) Smith	0.01 cfs	2 ac
K) Morris	0.01 cfs	1.5 ac
L) Finkelnburg	0.01 cfs	1 ac
M) Corliss	0.09 cfs	3 acres
N) Trays	1 cfs	30 acres

~ 0.60

Totals 2.64 cfs
 Over Claimed
 Note: If Reduce "G" + "N" to an 1" / acre
 total cfs = 2.10 cfs

A) Finkins	0.10 cfs	5 ac
B) Fritz	0.02 cfs	10 ac
C) Stoking	0.05 cfs	2.5 ac
D) Stoney	10 cfs	52.5 ac
E) Johnson	0.01	2.0 ac
F) Dixon	0.02 cfs	7.0 ac
G) Anderson	0.20 cfs ~ 0.06	2.0 ac
H) Packer	0.08 cfs	1 ac
I) Paul	0.04 cfs	2 ac
P) Anderson, Buaine	0.83 cfs	43.6 ac
Q) Todd Anderson	0.17 cfs	8.9 ac
R) 13136 (Packer)	0.05 cfs	2 ac
S) 13137 (Havley)	0.63 cfs	2 ac

changed POU to
 Eliminate
 65, 34E, 23, N.W. SE
 Added N/A of 52
 Sect 13

TR 735

Fancy
 29-00443
 2.0 cfs
 ~ 360 ac

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 A 29-00443N
Date Received _____
Receipt Number E014716/90

RECEIVED

MAY 28 1990

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

APR 23 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) ANGELO TRAYIS JR. Phone (208) 232-6245
Mailing Address 9103 W. Pocatello Creek Rd Zip 83201

2. Date of Priority (Only one (1) per claim) June 1, 1887

3. Source of water supply (a) POCATELLO CREEK
which is tributary to (b) PORTNEUF RIVER

4. a. Location of existing point of diversion is: Township T6S Range 35E Section 19,
SE 1/4 of NE 1/4 of ~~1/4~~ Govt. Lot, E B.M., County of BANNOCK

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Pump

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For FARM IRRIGATION purposes from April 1 to Nov 1 amount 1.00 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.00 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 75 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) N/A

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
6S	35E	19				X30													30

Total number of acres irrigated 30

11. In which county (ies) are lands listed above as place of use located? Barnock

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

or None (X)

14. Remarks:

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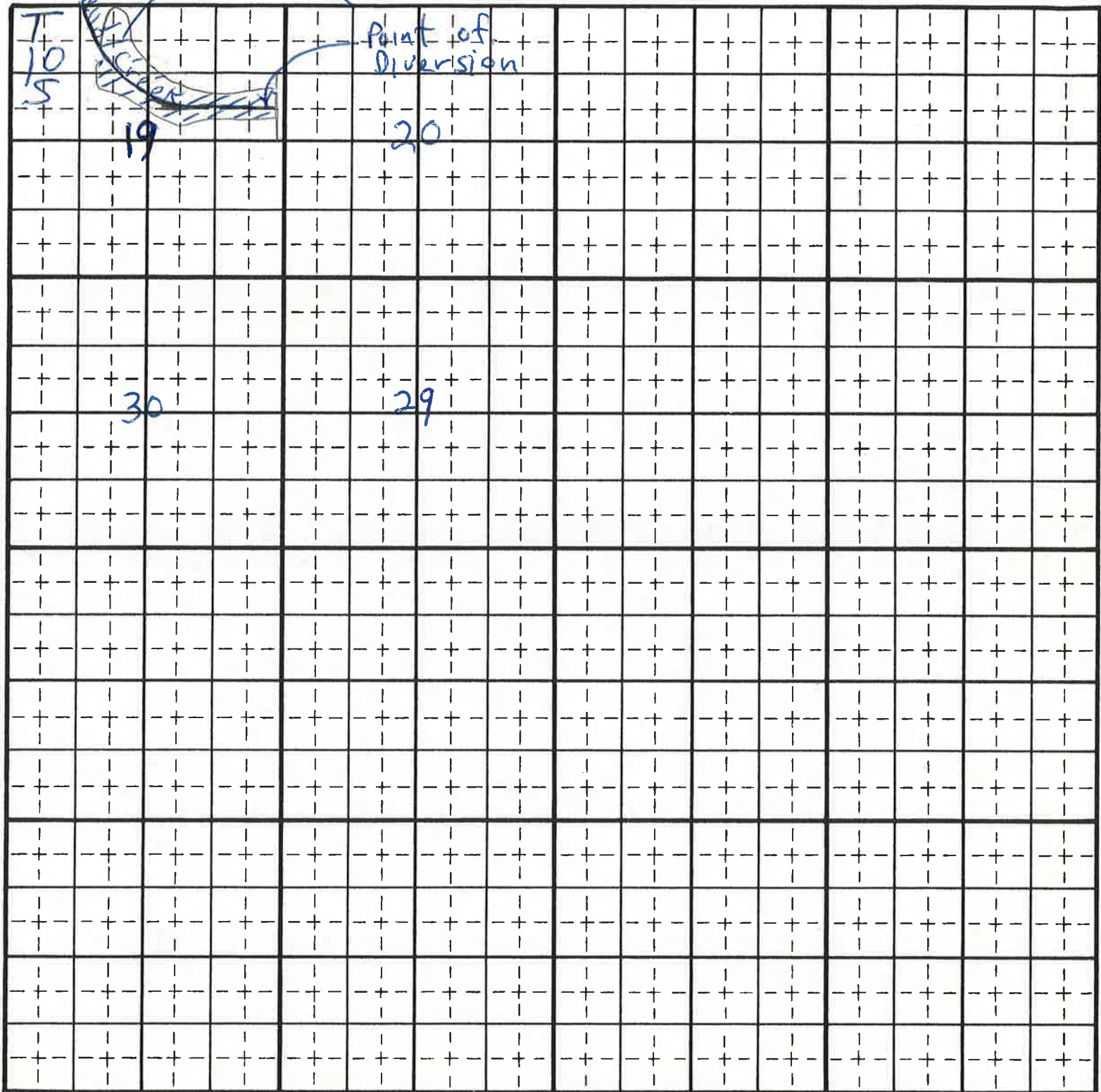
Last Name Trayis Ident No. _____

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

fuse ☒
R 35E



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NOV 13 1992

Last Name

TRAYIS

Ident No.

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree ☒

If applicable provide IDWR Water Right Number Decree # 29-0443

Court U.S. DISTRICT Case Number file # 428

Decree Date June 1, 1887

Plaintiff vs Defendant WOODLAND TANEY

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

Signature of Claimant (s)

Angelo Trayis Jr

Date

4/19/90

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____

Organization

, that I have signed the foregoing

document in the space below as _____

Title

of _____

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____

Date _____

State of Idaho/or Idaho)
County of Bannock) SS.

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

SEAL

Notary Public

Shauna H. Gammers

Residing at

Pocatello

My Commission Expires

11-13-95

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

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NOV 13 1992

Last Name

TRAYIS

Ident. Number _____

Copies White-State, Yellow-Claimant