

08/24/2001

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

RIGHT NUMBER: 29-494D

NAME AND ADDRESS: KIM D HULL
5647 SKI VIEW DR
POCATELLO, ID 83204

CARL G HULL
5647 WEST SKI VIEW DR
POCATELLO, ID 83204

SOURCE: BLACK ROCK CREEK TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.1 CFS

USE OF THIS RIGHT WITH RIGHT NO. 29-13229 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 0.14 CFS.

PRIORITY DATE: 06/17/1902

POINT OF DIVERSION: T07S R35E S23 SWNWNE 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	0.10 CFS

PLACE OF USE:

IRRIGATION Within BANNOCK County
T07S R35E S23 SENW 4.7

4.7 ACRES TOTAL

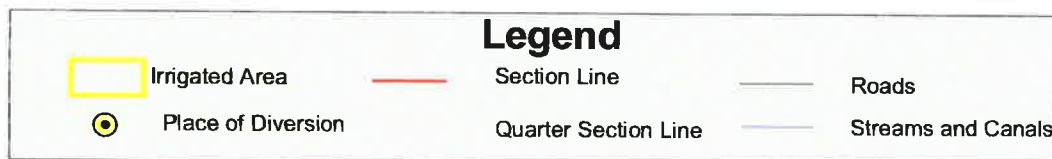
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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: BASIS OF CLAIM - Decreed

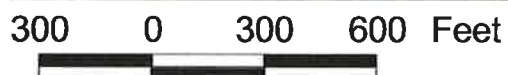
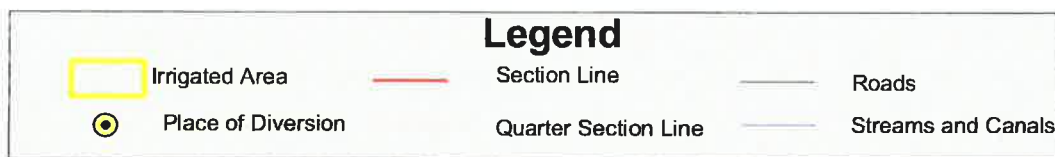
Water Right Claim Number A29-00494D
Township , 7S35E

08/25/2000



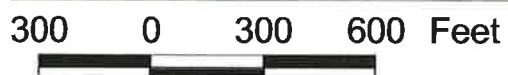
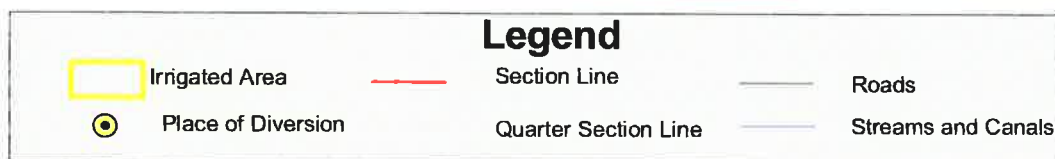
Water Right Claim Number A29-00494D
Township , 7S35E

08/25/2000



Water Right Claim Number A29-00494D
Township , 7S35E

08/25/2000



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-494D V1

WATER RIGHT NUMBER: 29-494D V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	CRAIG SOUTHWORTH PO BOX 503 POCATELLO, ID 83201 (208)775-4932
Current Owner	KIM D HULL 5647 SKI VIEW DR POCATELLO, ID 83204 (208) 775-4773
Current Owner	CARL G HULL 5647 WEST SKI VIEW DR POCATELLO, ID 83204 (208) 775-4773

Priority Date: 06/17/1902

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BLACK ROCK 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	0.100 CFS	
	<u>Total Diversion:</u>	0.100 CFS	

Location of Point(s) of Diversion

BLACK ROCK CREEK	SW1/4NW1/4NE1/4	Sec. 23, Twp 07S, Rge 35E, B.M.
BANNOCK County		

Place of UseIRRIGATION Within BANNOCK County

T07S R35E S23 SENW 4.7

Total Acres: 4.7

Conditions of Approval:

1. 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:

1. Quantity USE OF THIS RIGHT WITH RIGHT NO. 29-13229 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.14 CFS.

Comments:

1. csaxton 8/24/01 Source
Comment: Also known as Terrell Creek.

IDAHO DEPARTMENT OF WATER RESOURCES
 Adjudication Recommendation Report 29-494D 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: OR
 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>
Contacts	8/24/01 10:44:08 AM	csaxton			Active
Priority Date	8/24/01 10:47:36 AM	csaxton			Active
POD	8/24/01 10:50:20 AM	csaxton			Active
Source	8/24/01 11:15:56 AM	csaxton			Active
POU	8/24/01 11:16:10 AM	csaxton			Active
Use	8/24/01 11:16:22 AM	csaxton			Active
Season	8/24/01 11:16:41 AM	csaxton			Active
Quantity	8/24/01 11:18:29 AM	csaxton			Active
Summary	8/24/01 11:52:05 AM	csaxton	8/24/01 11:52:05 AM	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Priority Date	8/24/01 10:47:34 AM	csaxton	1. (NO) There has not been a later court decree of the water right(s) from the water source. 4. (NO) The basis of claim is not beneficial use. 5. (NO) The basis of claim is not a posted notice. 6. (YES) Parent right has a priority date. 7. (NO) The basis of claim is not an application or permit. 12. (YES) The claim is recommended. 13. (YES) The claim is coded correctly. 14. (NO) Priority remark was not required. 15. (NO) Priority condition was not required.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-494D V1

POD	8/24/01 10:50:14 AM	csaxton	1. (NO) The basis is not beneficial use. 2. (NO) Parent right does not have a Point of Diversion. 4. (NO) There is not evidence that there has been a change in the Point of Diversion. 6. (YES) The file contains all the necessary information to verify the POD. Comment for 6: Field Exam 8. (NO) Point of Diversion remark was not required. 9. (NO) Point of Diversion condition was not required.
Source	8/24/01 11:15:54 AM	csaxton	1. (NO) The basis is not beneficial use. 2. (YES) Parent right has a source. 3. (YES) The claimed source can be verified using the water right file. 8. (YES) The source is surface water. 9. (YES) The source is a standard source. 10. (NO) Source remark was not required. 11. (NO) Source condition was not required.
POU	8/24/01 11:16:08 AM	csaxton	1. (YES) The POU is required. 2. (NO) The basis of claim is not beneficial use. 3. (YES) The Parent Right has a POU. 4. (YES) The claimed POU can be verified using the water right file. 12. (NO) POU remark was not required. 13. (NO) POU condition was not required.
Use	8/24/01 11:16:20 AM	csaxton	1. (NO) The basis of claim is not beneficial use. 2. (YES) The parent right has a purpose of use. 3. (YES) The claimed purpose of Use can be verified using the water right file. 11. (NO) Purpose of Use remark was not required. 12. (NO) Purpose of Use condition was not required.
Season	8/24/01 11:16:39 AM	csaxton	1. (NO) The basis of claim is not beneficial use. 2. (NO) The parent right does not have a period of use. 4. (NO) There is not evidence that there has been a change to the period of use. 9. (YES) The file contains all the necessary information to verify the period of use. 11. (NO) The basis of is not a decree, license, or a transferred beneficial use right that has had the period of use administratively determined. 13. (YES) Irrigation is the purposed use. 15. (NO) Period of Use remark was not required. 16. (NO) Period of Use condition was not required.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-494D V1

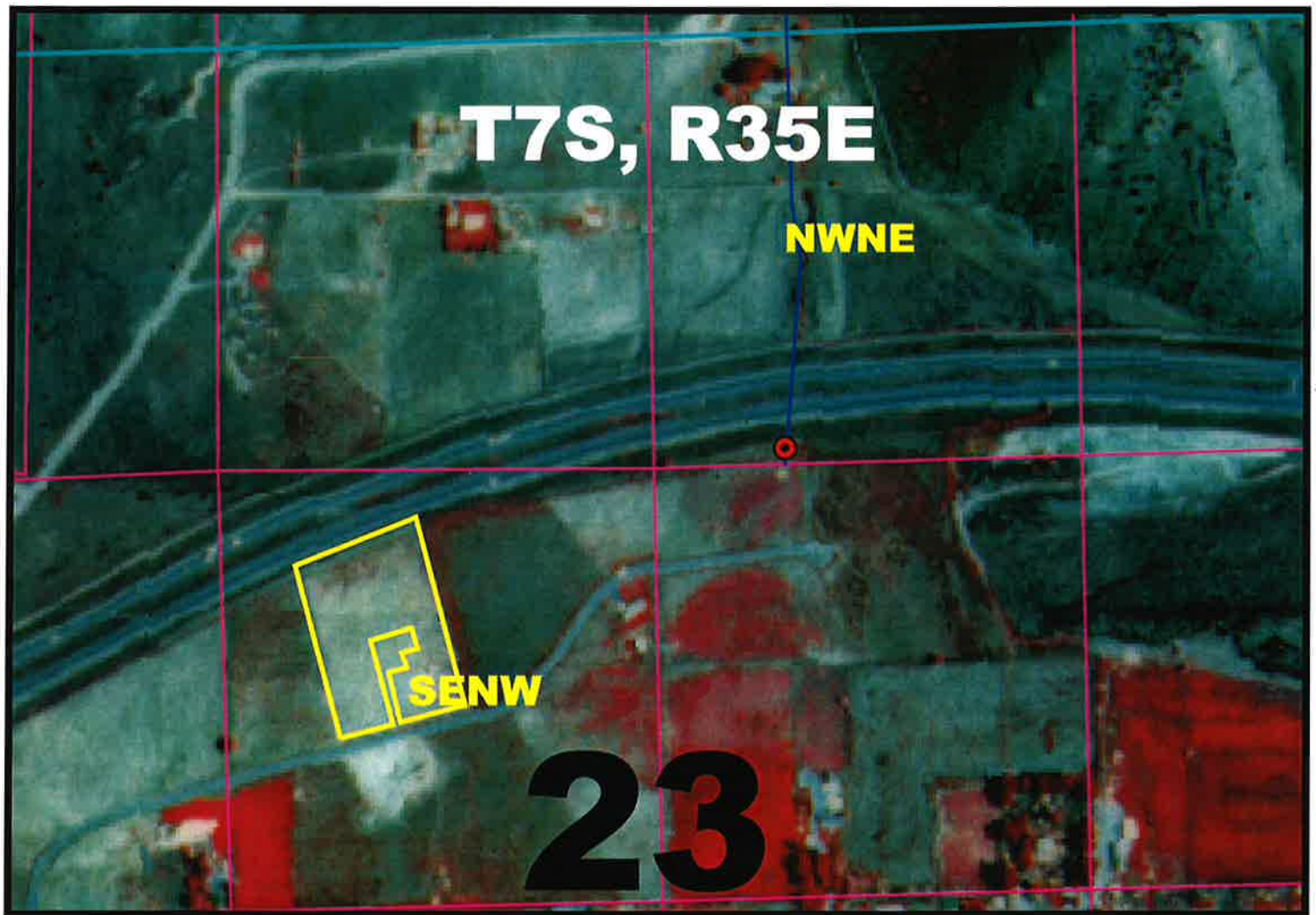
Quantity	8/24/01 11:18:27 AM	csaxton	1. (NO) The basis of claim is not beneficial use. 2. (NO) The basis of claim is not a posted notice. 3. (NO) The parent right does not have a diversion rate and/or diversion volume. 5. (NO) A flow measurement was not required. Comment for 5: Decree states water use as 1/3rd of creek and 2/3rds of creek. Claim is < 0.2 cfs and does not need to be measured per instruction from David Tuthill. 6. (NO) The source is not ground water and the purpose of use does not require a diversion volume limit. 7. (NO) The parent right does not have an annual diversion volume limit. 9. (NO) Quantity remark was not required. 10. (NO) Quantity condition was not required.
POD	8/24/01 11:37:08 AM	csaxton	Edited point location
POU	8/24/01 11:45:59 AM	csaxton	Edited shape boundary
POU	8/24/01 11:46:16 AM	csaxton	Edited PLS
Summary	8/24/01 11:52:02 AM	csaxton	1. (NO) The basis of the claim is not beneficial use. 3. (NO) There is no indication that there has been a five year period of continuous nonuse that could result in a recommendation of forfeiture or partial forfeiture. 5. (NO) General remark was not required. 6. (NO) Explanatory remark was not required. 7. (YES) Additional condition was required. 8. (YES) Wanted to view the recommended right. 9. (NO) This is not a split right. 10. (NO) This is not a combined right. 11. (NO) Documents were not linked or attached to this file. 12. (YES) Set the verification date.
Contacts	8/24/01 10:44:06 AM	csaxton	1. Appointment has not been scheduled. Comment for 1: Last meeting with claimant was 8/24/01



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s): 29-00494D



1320

0

1320 Feet

Total Irrigated Acres: 4.7



Point(s) of Diversion



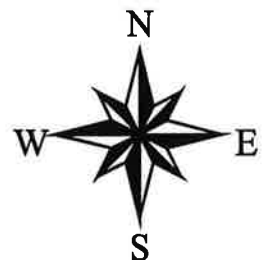
Place of Use



Quarter Quarter Lines



Section Lines



SCANNED
DEC 05 2005

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

02/08/2003

NOTICE OF ERROR
REPLY

Craig
RECEIVED
MAR 10 2003
Department of Water Resources
Eastern Region

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 21, 2003

Water right number: 29-494D

KIM D HULL
5647 W SKI VIEW DR
POCATELLO ID 83204
Telephone Number: (208) 775-4773

CARL G HULL
5647 W SKI VIEW DR
POCATELLO ID 83204
Telephone Number: (208) 775-4773

RECEIVED
MAR 17 2003
WATER RESOURCES
WESTERN REGION

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE:

3-3-03

SIGNATURE:

Carl Gene Hull

Please print your name:

Carl Gene Hull

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

Memorandum

Date: 11/26/01

From: Craig L. Saxton

Subject: POD for Blackrock Creek Rights

Natural stream channel for Blackrock creek in question.

Creek flows south from the hills and reaches a point just North of I-15. At this point the creek can continue under I-15 and then flow west along the top of Blackrock Creek Subdivision, or flow to the East along the highway for about ¼ mile and then flow under the I-15 and down the East side of Bailey's property.

The USGS quad does not indicate either direction as the natural stream flow and just stops as if indicating the stream sinks when it reaches Steve Ferro's property just south of I-15.

At the point the natural flow reaches Steve Ferro's property there are signs of old diversion works that could send the water to the East, West, or South. To the west the water used to enter a pipe that ran through Bailey's property and then entered ditches that could take it to the Phillips. However since Bailey's bought the place in 1994 the pipe was removed and water was diverted North of I-15 through the path described above.

Recommend the POD for all rights south of I-15 at the junction point just South of I-15 where the USGS quad shows the end of the stream and historically that was how the water made it to the properties to the South East side of the subdivision.

SCANNED

DEC 05 2005

12/27/01

Memorandum

Date: August 24, 2001

From: Craig L. Saxton

Subject: Blackrock Creek

POD - USGS name for the stream is Blackrock. Also known as Terrell Creek. Natural stream channel is in question. Placing point of diversion for all rights south of I15 SWNWNE section 23. This is within what the USGS defines as the historical natural channel.

Note: All users of Blackrock creek water have not been able to use the water in the past couple years due to low flows.

SOU – Not defined in Decree. Set to IDWR Standard

Diversion rate – Decree defines diversion rate as $1/3^{\text{rd}}$ and $2/3^{\text{rd}}$ s. All rights from Black Rock have same priority so diversion rate recommended for rights is based on what is claimed and the acreage irrigated.

POU – Based on field exam and property size.

Diversion Volume – N/A

Priority – Defined in decree.

SCANNED
DEC 05 2005

11/15/05
11/15/05

Water Right Report 29-494

WATER RIGHT NUMBER: 29-494

Current Owner THOS F TERRELL

ZZ

Basis: Decreed

Status: Active

Tributary

TERRELL CREEK

IRRIGATION / to /

STOCKWATER / to /

DOMESTIC / to /

Total Diversion:

Location of Point(s) of Diversion

TERRELL CREEK

Place of Use

IRRIGATION

[illegible]

Total Acres: 0

STOCKWATER same as IRRIGATION

DOMESTIC same as IRRIGATION

Conditions of Approval:

Remarks:

1.	General	SOURCE AKA BLACK ROCK CREEK.^^^ DIVERSION RATE "TWO-THIRDS OF ALL THE WATERS" ^^^ P/D & P/U INCOMPLETE.^^^ PRIORITY DATE TAKEN FROM DECREE.^^^ ACRES IRR. - 160.^^^
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Comments:

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-494

Dates and Other Information:

Licensed Date:

Decreed Date: 6/22/1903

Water Supply Bank Enrollment Accepted:

Water Supply Bank Enrollment Removed:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant:

Decree Plaintiff:

Civil Case Number:

Judicial District:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

FIRST DIVISION,

EDWARD J. TURNER, *Commissioner.*

COVE, IDAHO.

1903.

DECREED WATER RIGHTS

Terrel or Black Rock Creek, Bannock County

DECREE.

In the District Court of the Fifth Judicial District of the
State of Idaho, in and for Bannock County.

Thos. F. Terrell, Plaintiff,

vs.

*Andrew Cibulka, James Stranger, W. O. Priest and J. T.
Holcomb, Defendants.*

This cause came regularly on for trial on this the 22nd day of June, 1903, before the Court without a jury, a jury being expressly waived, D. W. Standrod and Thos. F. Terrell, Esqs., appearing for the plaintiff and Messrs Reeves & Boyd appearing as attorneys for the defendant Andrew Cibulka; and it appearing to the Court that the defendants James Stranger and W. O. Priest were regularly and duly served with summons in the above entitled cause, and having failed to appear, answer or demur within the time allowed by law or at all, and the time allowed by law for such appearance having expired, the default of said defendants, James Stranger and W. O. Priest was duly entered according to law; and it further appearing to the Court that the plaintiff, Thos. F. Terrell, and the defendant Andrew Cibulka, on the 16th day of June, 1903, made and entered into an agreement in writing compromising their rights and thereby settling all matters of dispute, and consenting to a decree in this

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DEC 05 2005

PROFILED

and neither shall have any preference or priority over the other.

That the plaintiff, Thos. F. Terrell, by virtue of said stipulation and agreement, is awarded and adjudged a right-of-way five feet in width upon each side of the center line of his ditch as now located and established, through the lands of said defendant, Andrew Cibulka, for the purpose of maintaining and repairing such ditch.

That the defendants James Stanger and W. O. Priest, and each of them and their agents and servants, be and they are each, perpetually enjoined and restrained from in any manner, whatsoever, molesting or interfering with the free flow of the waters of said stream, and from asserting any right or claim thereto; and the plaintiff, Thos. F. Terrell, and the defendant, Andrew Cibulka, and each of them, and their agents, servants and employees be and they are hereby each perpetually restrained and enjoined from in any manner whatsoever, molesting or interfering with the free and uninterrupted flow of the waters of said stream, except as herein decreed, fixed and adjudged to said respective parties by this decree.

That the plaintiff and the defendants, Andrew Cibulka pay and bear the costs of this suit in proportion to their respective rights in the waters of said stream.

Done in open District Court on this the 22nd day of June, 1903.

ALFRED BUDGE.

Judge of said District Court.

State of Idaho, County of Bannock, ss.

I, E. G. Gallet, Clerk of the District Court, Ex-Officio Auditor and Recorder of Bannock County, Idaho, do hereby certify that the within and foregoing is a full, true and correct copy of the original water decree as shown by the records of my office.

Witness my hand and official seal this 26th day of June, 1903.

(Seal.)

E. G. GALLET,

Clerk District Court, Ex-Officio Auditor and Recorder.

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SCANNED
DEC 05 2005

cause in conformity to such agreement, which said agreement is filed herein, and has been adopted by the Court as a part of its findings of fact, and ordered to be made a part of the judgment roll; and the evidence of the plaintiff and said defendant Andrew Cibulka having been offered, submitted and considered; and the Court having made, signed and filed its written findings of fact and conclusions of law herein; and being fully advised in the premises;

29-0494 Now, Therefore, in virtue of the law and the findings of fact and conclusions of law as aforesaid, it is ordered, adjudged and decreed, that the plaintiff, Thos. F. Terrell have the use and benefit and the continuous and uninterrupted flow of two-thirds of all the waters of Terrell Creek or Black Rock Creek, for agricultural, domestic and stock purposes; and two-thirds of any and all water that may be stored therefrom by reservoiring the same; and two-thirds of any increase in the flow of said stream by the improvement of its channel or source of supply.

29-0495 That the defendant Andrew Cibulka have the use and benefit and the continuous and uninterrupted flow of one-third of all the waters of said stream for agricultural, domestic and stock purposes; and one-third of any and all water that may be stored therefrom by reservoiring the same; and one-third of any increase in the flow of said stream by the improvement of its channel or source of supply.

That the labor and costs of reservoiring and improving said stream shall be borne by said plaintiff and said defendant in the proportion of their respective rights in said water; before any work in that respect is done by either party, it must be upon reasonable notice to the other, and if either party fails to contribute his share of the labor and expense of such reservoiring and improvement, the party so making such reservoirs and improvements shall have the individual and exclusive use of such increase until the other party shall have made a fair contribution of his part of such labor and expense so made and incurred.

That the rights of the plaintiff, Thos. F. Terrell, and the defendant, Andrew Cibulka, shall be of equal dignity,

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DEC 05 2005

29-00494D

7/31/01



POD. Looking south. I15 behind me in picture. Overlooking the POU.

PROTECTED

SCANNED
DEC 05 2005

Digital OrthoPhoto Quadrangle Image

The image you are viewing is 800 pixels wide by 600 pixels high. Each pixel represents 1 by 1 meters of earth. This image was extracted from a Color Infra-Red (CIR) digital orthophoto quadrangle provided by the USGS.

The image was photographed on 15 Jul 1998 by the National Aerial Photography Program and digitized by the USGS DOQ Program on 13 Nov 2000. The image you are viewing can be [downloaded at no charge to your PC](#). DOQ's may be [purchased from selected USGS dealers](#). Alternatively, DOQ's may be obtained directly from the USGS.

The USGS DOQ below is projected in Universal Transverse Mercator (UTM) Zone 12 on the North American datum of 1983. The latitude and longitude in degrees, minutes, and seconds and the UTM coordinates in meters are shown for each image tile.



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SCANNED
DEC 05 2005

DELOG CS/23-08
DELOG CS/3-21-00
OK CS
RECEIVED
FEB 03 2000
Department of Water Resources
Eastern Region

Form 42-1409(7)



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4 Govt. Lot _____, BM.
Lot C, Block _____, Subdivision/Townsite Black Angus Subdivision
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis) RECEIVED
MAR 21 2000
Department of Water Resources
Eastern Region
- ☐ Water Right Number(s) Assigned by IDWR: A29-02342C + 29-00444D
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Craig Southworth
12 Timberlake Dr.
Texarkana, Tx 75501
- ☐ New Owner/Claimant (Purchaser): Carl & Kim D Hull
- ☐ New Mailing Address: 5647 Ski View Drive
Pocatello Idaho
- ☐ New Telephone Number: (208) 775-4773
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s) Carl D Hull Date 12-30-99
Kim D Hull Date 12-30-99
- ☒ Signature of Former Owner/Claimant(s): Craig Southworth Date 12/30/99
Craig Southworth Date 12-30-99

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: _____ By: _____
Further Action Needed:
Further Action Taken
Date: _____ By: _____
Final Review and Data-Entry
Date: _____ By: _____

WARRANT DEED

For Value Received CRAIG SOUTHWORTH AND JEANETTE SOUTHWORTH, HUSBAND AND WIFE 99024847

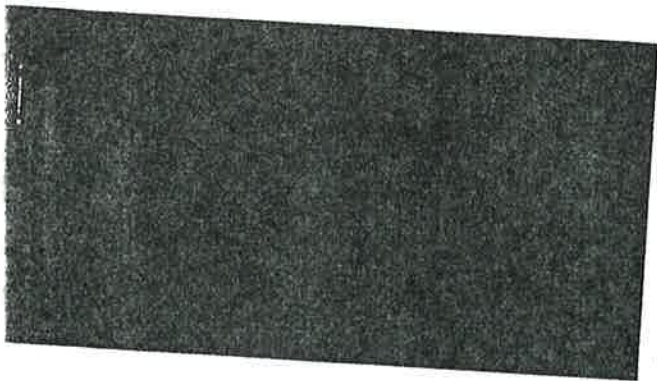
Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

CARL G. HULL and KIM D. HULL, HUSBAND AND WIFE # 10th

whose address is: 5647 W. SKVIEW DRIVE - POCATELLO, ID 83204

Hereinafter called the Grantee, the following described premises situated in BANNOCK County, ID, to-wit:

LOT 6, BLACK ANGUS RANCH SUBDIVISION, BANNOCK COUNTY, IDAHO, AS THE SAME APPEARS ON THE OFFICIAL PLAT THEREOF, RECORDED SEPTEMBER 16, 1980 AS INSTRUMENT NUMBER 654672.



SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same against all claims whatsoever.

dated: December 30, 1999

Craig Southworth
CRAIG SOUTHWORTH

Jeanette Southworth
JEANETTE SOUTHWORTH

STATE OF Idaho

COUNTY OF BANNOCK

On the 30th day of December, 1999, before me, a Notary Public in and for said State, personally appeared CRAIG SOUTHWORTH AND JEANETTE SOUTHWORTH, known or identified to me to be the person(s) whose name(s) ARE subscribed to the within Instrument, and acknowledged to me that THEY executed the same.

Linda Chivers
Notary Public of Idaho

Residing at: POCATELLO, ID
Commission Expires: 02/18/05

LINDA CHIVERS NOTARY PUBLIC STATE OF IDAHO	No. 99024847
	Recorded at request of: FIRST AMERICAN TITLE
	Date: 12-30-99 4:04 PM
	Official Record Book 751
Bannock County Recorder	
Fee 3.00 Deputy \$	

RECORDED

SCANNED
DEC 05 2005

SCANNED

JUN 19 2001

Log for claim A29-00494D

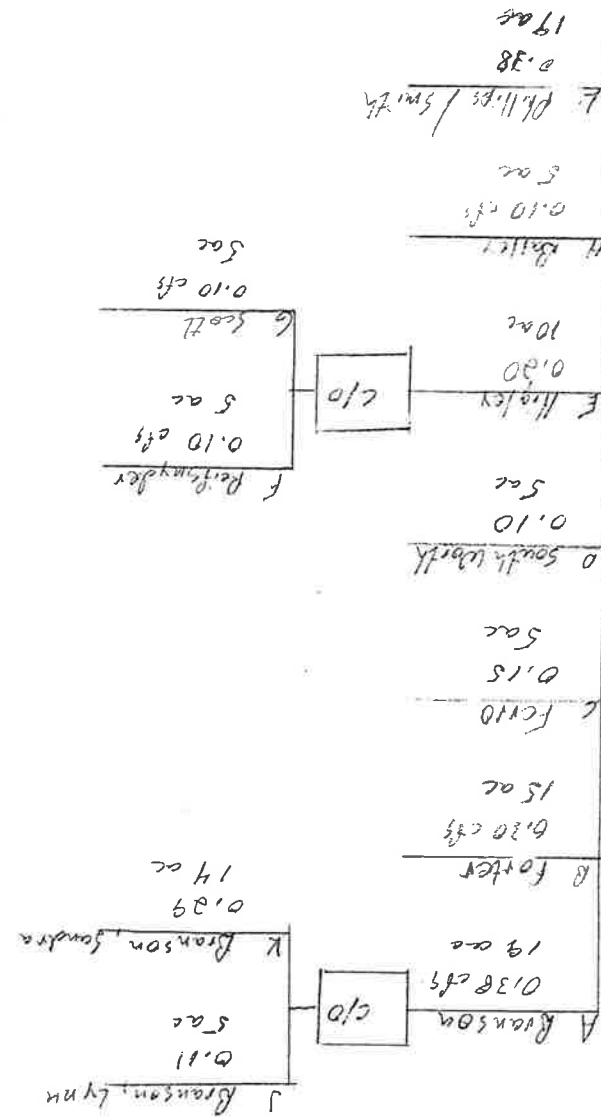
Spatial Dynamics BTD

8/25/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s35e	23	SENW	5	5	POD placement?
Totals:			5	5	



22-141 50 SHEETS
22-142 100 SHEETS
22-144 200 SHEETS



Totals = 78 ac
1.61 ac

29-00494

AJ5809NP
No. A29-00494D

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 75

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CRAIG SOUTHWORTH PO BOX 503 POCATELLO ID 83201 (208) 775-4932	06/17/1902	IRRIGATION	03-15 11-15	0.100 CFS	
TOTAL DIVERSION:					0.100 CFS	
CONSUMPTIVE USE:						7.50 AFA

Water Source: BLACKROCK CREEK

Tributary to: PORTNEUF RIVER

Stage: DECREED

Point(s) of Diversion:

T07S R35E S23

SENW

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	:	SUM
07S	35E	23	:														5.0
																TOTAL ACRES	5.0

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: NONE

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

29-10872 29-12501 A29-02342C A29-10094 A29-10872 A29-12501

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

A29-00494 A29-00494C A29-00494E A29-00494G A29-02342A A29-02342C A29-11387 A29-12067

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 04/30/90 JONES 06/01/94 COX 03/29/95 POST-STD 04/13/95 RMCCARTH
04/12/00 CVANDERM

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 29-494D
Date Received: 4/30/90
Receipt No: E013818
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

KIM D HULL Phone: (208) 775-4773

5647 SKI VIEW DR
POCATELLO ID USA 83204

CARL G HULL Phone: (208) 775-4773

5647 WEST SKI VIEW DR
POCATELLO ID USA 83204

2. Date of Priority: 06/17/1902

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07S	35E	23	SE NW	BANNOCK	

5. Description of diverting works:

HEADGATE TO DITCH TO FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.1	

7. Total Quantity Appropriated is:

SCANNED

DEC 05 2001

0.1 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
07S	35E	23	SE	NW	IRRIGATION	5
Section Acres						5
Total Acres						5

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:

CHANGED OWNERSHIP PER REQUEST MARCH 21, 2001.

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 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: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this

of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

SCANNED

DEC 05 2005

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: A29-00494D

Date Received: 4/30/1990

Receipt No: E013818

Received By: HWJ

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CRAIG SOUTHWORTH / owner now is Carl & Linda Hull 208-775-4932
Address: P.O. BOX 503
POCATELLO, ID 83245

2. Date of Priority: JUN 17, 1902

3. Source: BLACK ROCK CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	35E	23	SE	NW			BANNOCK

5. Description of diverting works:
HEADGATE TO DITCH TO FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.100		

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

8. Total consumptive use is 7.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	35E	23	SE	NW		IRR	5.0

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Date: 04/30/90

MICROFILMED
NOV 13 1992



10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	5.0
					Total Acres	5.0

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: 6/26/1903

THOMAS TERRELL
Decree Plaintiff

vs

ANDREW CIBULKA, 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: _____

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): *Craig Southworth* Date: 4/30/90

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 30th day

of Apr 19 90

Seal

Betty J. Thompson
Notary Public

Residing at BETTY J. THOMPSON, NOTARY PUBLIC

RESIDING AT IDAHO FALLS, IDAHO

My Commission Expires EXPIRATION EXPIRES: 6-30-94

