

IDAHO DEPARTMENT OF WATER RESOURCES 10/18/2001
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

NAME AND ADDRESS: MARLYN NAEF
457 N MAIN
DOWNEY ID 83234

SOURCE: MARSH CREEK, LEFT HAND FORK TRIBUTARY: MARSH CREEK

QUANTITY: 1.56 CFS

PRIORITY DATE: 09/01/1879

POINT OF DIVERSION:

T11S R38E S33 SWSESW 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	1.560 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T12S R38E S08	SWNE	32.0	T12S R38E S08	SENE	30.0
T12S R38E S08	NWSE	12.0	T12S R38E S08	SWSE	4.0

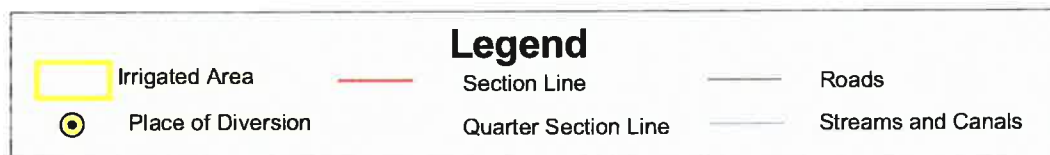
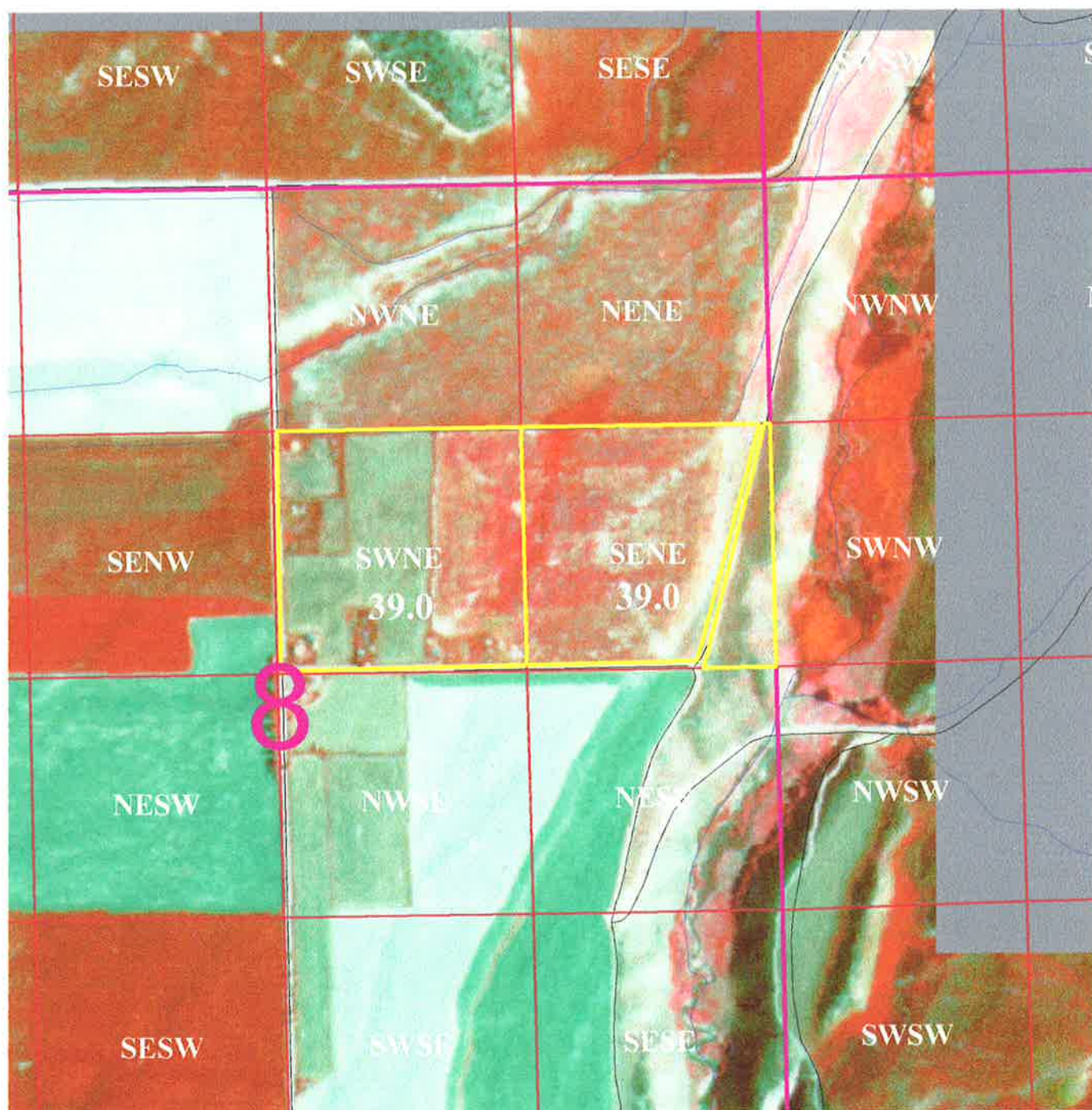
78 ACRES TOTAL

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

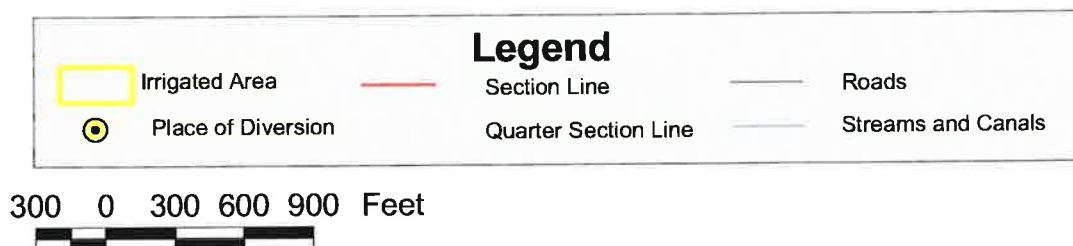
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: Decreed

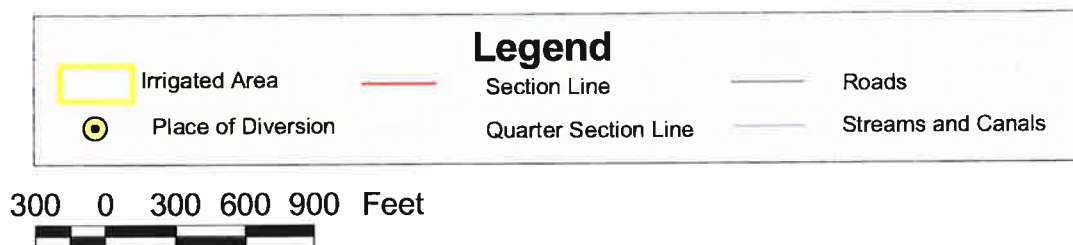
Township , 12S38E



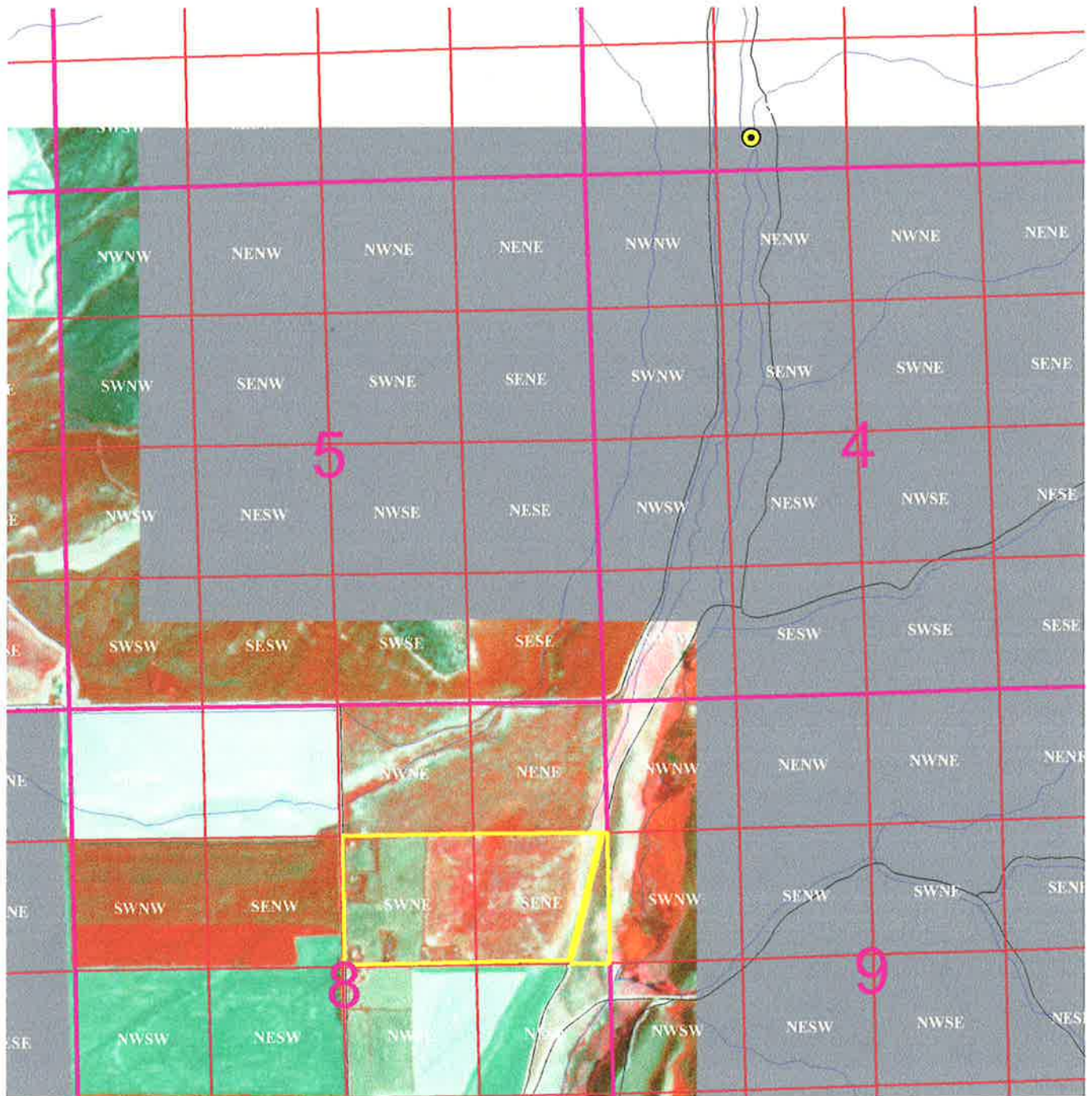
Township , 12S38E



Township , 12S38E



Township , 12S38E



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



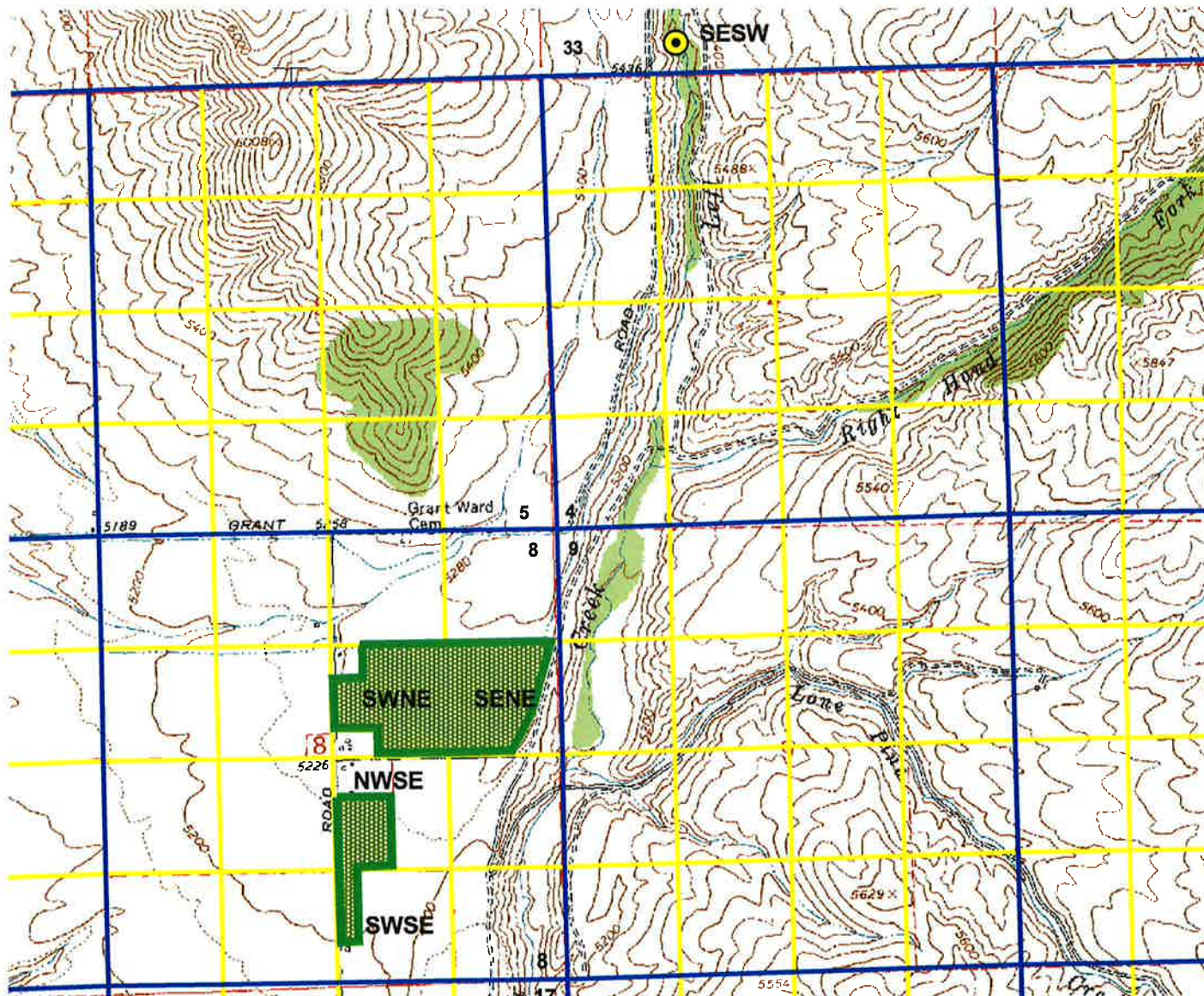
500 0 500 1000 1500 Feet



IDAHO DEPARTMENT OF WATER RESOURCES

29-00595D

T12S, R38E SEC 8, 17



ACRES IRRIGATED- 78



POINT OF DIVERSION



PLACE OF USE

PROVIDED
SCANNED
DEC 13 2005

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

WR5809NP
No. 29-00595

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/18/01
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	H. E. BYINGTON	09/01/1879	IRRIGATION	00/00 00/00		
C	JAMES BURROPE		DOMESTIC	01/01 12/31		
C	WILLIAM BURROPE			TOTAL DIVERSION:		
C	JOHN BURROPE					
C	MARY A. HELLOWELL					
C	GEORGE E. HELLOWELL					
C	EST. OF JEANETTE COBABE					

Water Source: MARSH CREEK, LEFT FORK

Tributary to: MARSH CREEK

Stage: DECREED

Pou County:

Conditions of Approval:

016 - See remarks for additional conditions of approval.

Remarks: GEN PRIORITY TO DATE FROM FALL OF 1879.
P/D & P/U NOT LISTED.
MEASURING DEVICE REQUIRED.
AMOUNT OF CFS OR INCHES OF WATER NOT LISTED.

Dates: App. Received: Priority Date: 09/01/1879
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 29H Field Exam Fee:

JUN 04 2001

Log for claim A29-00595D

Spatial Dynamics TWB

5/15/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
12s38e	8	SWNE	40	39	
12s38e	8	SENE	38	39	
Totals:			78	78	

AJ5809NP
No. A29-00595D

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/24/00
PAGE: 39

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARLYN NAEF 457 N MAIN DOWNEY ID 83234 (208) 897-5318	09/01/1879	IRRIGATION	04-15 10-15	1.560 CFS	
					TOTAL DIVERSION:	1.560 CFS
					CONSUMPTIVE USE:	195.00 AFA

Water Source: MARSH CREEK, LEFT FORK

Tributary to: MARSH CREEK

Stage: DECREED

Point(s) of Diversion: T11S R38E S33 SESW

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
12S	38E	8	:			40		38	:											:	78.0
																				TOTAL ACRES	78.0

POU County: BANNOCK

Non-Irrigation Uses: N/A

Other Rights: N/A

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-12745 A29-00595A A29-00595B A29-00595C A29-12745

Other Water Rights Listing Overlapping Place(s) of Use:
A29-12862

Remarks: GEN HIGHWATER FROM MARSH CREEK, LEFT FORK.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 03/30/95 DCARLSON 04/13/00 CVANDERM

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARLYN NAEF 457 NORTH MAIN DOWNEY ID 83234 (208) 897-5318	04/01/1910	IRRIGATION	04-15 10-15	1.56 CFS	
					TOTAL DIVERSION: CONSUMPTIVE USE:	1.56 CFS 195.00 AFA
Water Source: MARSH CREEK, LEFT HAND		Tributary to: MARSH CREEK		Stage: BENEFICIAL USE		
Point(s) of Diversion: T11S R38E S33		SESW		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	:	
12N	38E	8	:			40	38	:					:					:					:	78.0	
																							TOTAL ACRES	78.0	

POU County: BANNOCK

Non-Irrigation Uses: N/A

Other Rights: N/A

Remarks: HIGHWATER FROM MARSH CREEK, LEFT HAND.
PRIORITY DATE IS BEST ESTIMATE.

Dates: Exam Made Date: Verified Date:

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

*I would assume Priority Date
on this would be 1885 or earlier.
Roy D. Larson*

INDIVIDUAL

STATE OF Ida)
COUNTY OF Bannock) ss.

On this 28 day of March, in the year 1995, before me, a Notary Public in and for said State, personally appeared Roy D. Larson, known to me to be the person whose name is/are subscribed to the within instrument, and acknowledged to me that he executed the same.

WITNESS my hand and official seal.

Barbara A. Byler
Notary Public for
Residing at Downey Id
12-22-99

MICROFILMED
NOV 13 1996

SCANNED
RECEIVED
JUN 04 2004

APR - 7 1995

Department of Water Resources
Eastern District Office

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: A29-00595D

Date Received: 6/8/1994

Receipt No: E019900

Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: MARLYN NAEF 208-897-5318
Address: 457 NORTH MAIN
DOWNEY ID 83234

2. Date of Priority: SEP 1, 1879

3. Source: MARSH CREEK, LEFT FORK Trib. to: MARSH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11S	38E	33	SE	SE	SW		BANNOCK

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.560		

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

8. Total consumptive use is 195.0 Acre Feet Per Annum.

9. Non-irrigation uses:
N/A

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
12S	38E	8	SW	NE		IRR	40.0
			SE	NE		IRR	38.0

MICROFILMED
NOV 13 1996

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	78.0
					Total Acres	78.0

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:
N/A

14. Remarks:
HIGHWATER FROM MARSH CREEK, LEFT FORK.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

HUNT

Decree Plaintiff

THORTON

vs

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): Marilyn Naef Date: April 3 1995

Date: _____

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 5 day

of April 19 95

Barbara A. Byley
Notary Public

Seal

Residing at Downey Id

My Commission Expires 12-22-99

RECEIVED
JUN 8 1994

Department of Water Resources
Eastern District Office

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

Renumbered AZ9-00595 D

Ident. Number: ~~A29-12862~~

Date Received: 5/26/1994

Receipt No: EO19900

Received By: SC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARLYN NAEF 208-897-5318
Address: 457 NORTH MAIN
DOWNEY ID 83234

2. Date of Priority: APR 1, 1910

3. Source: MARSH CREEK, LEFT HAND Trib. to: MARSH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	38E	33	SE	SE	SW		BANNOCK

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.560		

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

8. Total consumptive use is 195.0 Acre Feet Per Annum.

9. Non-irrigation uses:
N/A

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12N	38E	8	SW	NE		IRR	40.0
			SE	NE		IRR	38.0

MICROFILMED

NOV 13 1996

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	78.0
					Total Acres	78.0

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:
N/A

14. Remarks:
HIGHWATER FROM MARSH CREEK, LEFT HAND.
PRIORITY DATE IS BEST ESTIMATE.

15. Basis of Claim: BENEFICIAL USE

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): Marlyn Daef Date: 6/7 94

Date: _____

MICROFILMED

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 7th day
of June 19 94

Janetta M. Davis
Notary Public

Seal

Residing at Downey, Idaho

My Commission Expires 12-22-99

MICROFILMED
NOV 13 1996

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A29-00595D	11S 38E	33		SE	SW			BANNOCK		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A29-00595A 29-12745
A29-00595B
A29-00595C
A29-12745

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: MARSH CREEK, LEFT HAND FORK

TRIB: MARSH CREEK

B. WR POINT OF DIVERSION AND SOURCE:

2900595 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: MARSH CREEK, LEFT FORK

TRIB: MARSH CREEK

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY
ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY
ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM NAME OF EXAMINER) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: _____

=====

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

TWP. 11S	RGE. 38E	SEC. 33	1/4	1/4 SE	1/4 SW	LOT	POD FLAG	COUNTY BANNOCK	DIVERSION NAME	DIVERSION NBR
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: _____ TRIB: _____

REVIEWED BY: _____ DATE: _____

=====

SYSTEM DESCRIPTION: DESCRIBED BELOW (___), SEE LICENSE FILE (___), OR SEE ATTACHMENT (___)

A. ROOT WATER RIGHT NUMBERS: A29-00595A
A29-00595B
A29-00595C
A29-00595D

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
12S	38E	8	SW	NE		NAEF, MARLYN	A29-00595D / 40.0	- /			
			SW	NE		BURRUP, CLYDE	29-11000 /	- /			
			SW	NE		BURRUP, CLYDE	A29-11000 /	- /			
12S	38E	8	SE	NE		NAEF, MARLYN	A29-00595D / 38.0	- /			
ADDITIONAL POU FOUND											

TOTAL ACRES A29-00595D 78.00

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

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
29-11000	DOMESTIC	BURRUP, CLYDE	FROM 01-01 TO 12-31	0.040 CFS	
A29-11000	DOMESTIC	BURRUP, CLYDE	FROM 01-01 TO 12-31	0.040 CFS	

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE? Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: N/A

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 29-00595

TOTAL DIVERSION RATE OF WR SPLITS DATABASE EXAMINER CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A29-00595A	1.540	-		29-00595	
-	A29-00595B	1.200	-		-	
-	A29-00595C	0.800	-		-	
-	A29-00595D	1.560	-		-	
TOTAL CFS		5.100				

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE FIELD
N EXAMINER
Y() N()

NOTES:

