

05/22/2003

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

RIGHT NUMBER: 29-604A

NAME AND ADDRESS: R SCOTT WELLS
1922 W PORTNEUF RD
INKOM ID 83245-1606

SOURCE: INDIAN CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.271 CFS

PRIORITY DATE: 05/31/1908

POINT OF DIVERSION:

T07S R36E S28 SENWNW Within BANNOCK County Source: INDIAN CREEK

T07S R36E S28 SENWNW Within BANNOCK County Source: INDIAN CREEK

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.271 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County
T07S R36E S28 NWNW 15.0

15 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 29-13471 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 15.0 ACRES IN A SINGLE
IRRIGATION SEASON.

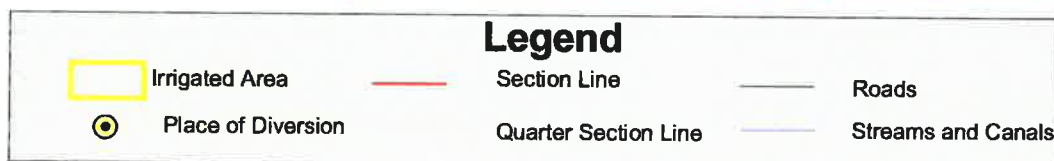
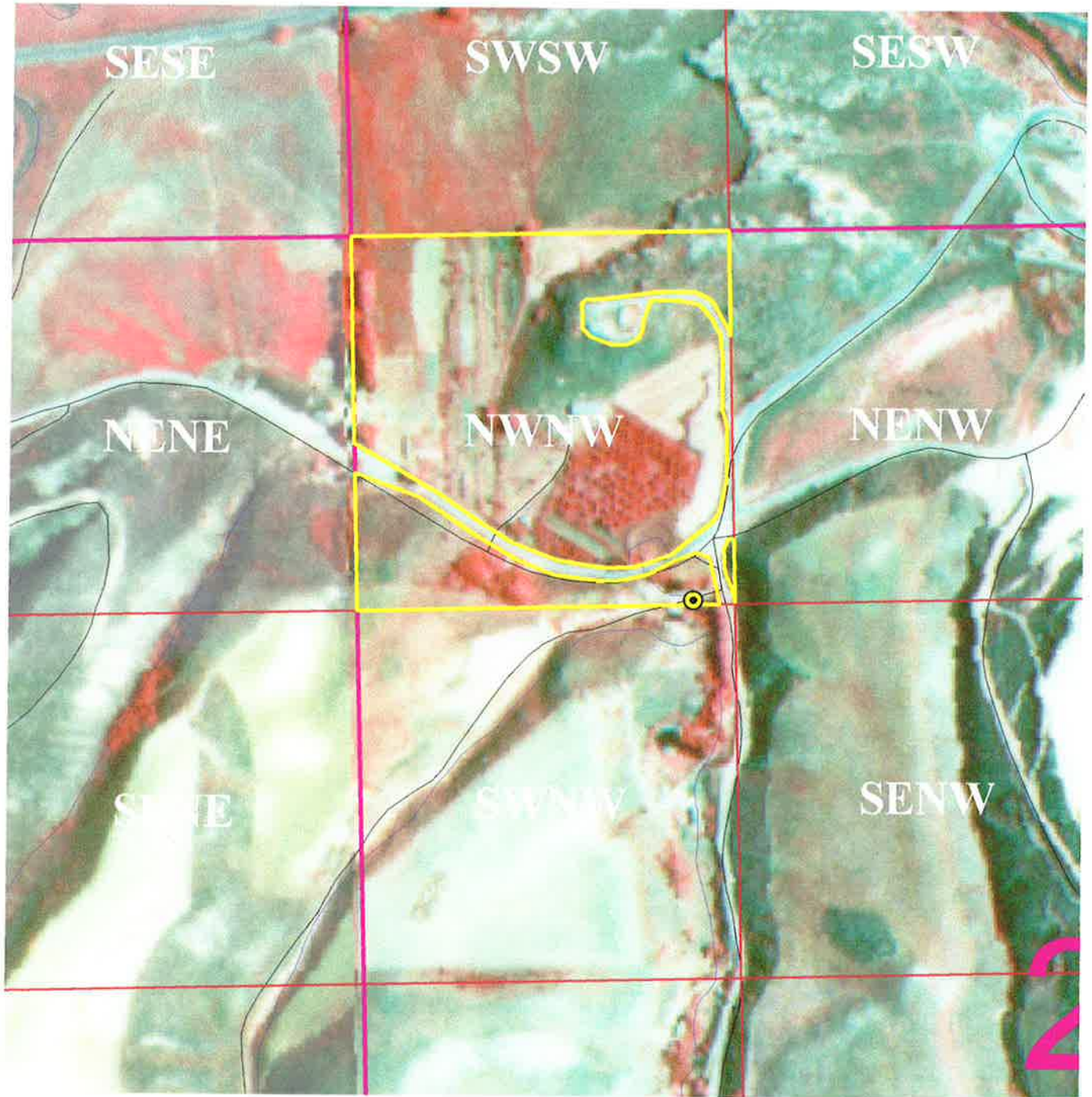
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

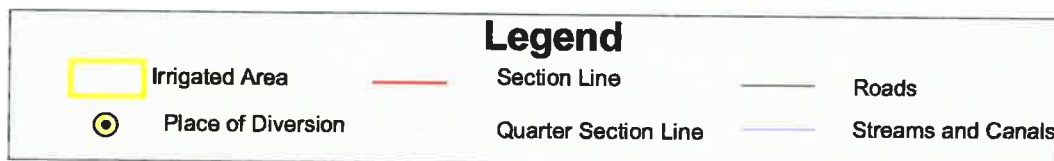
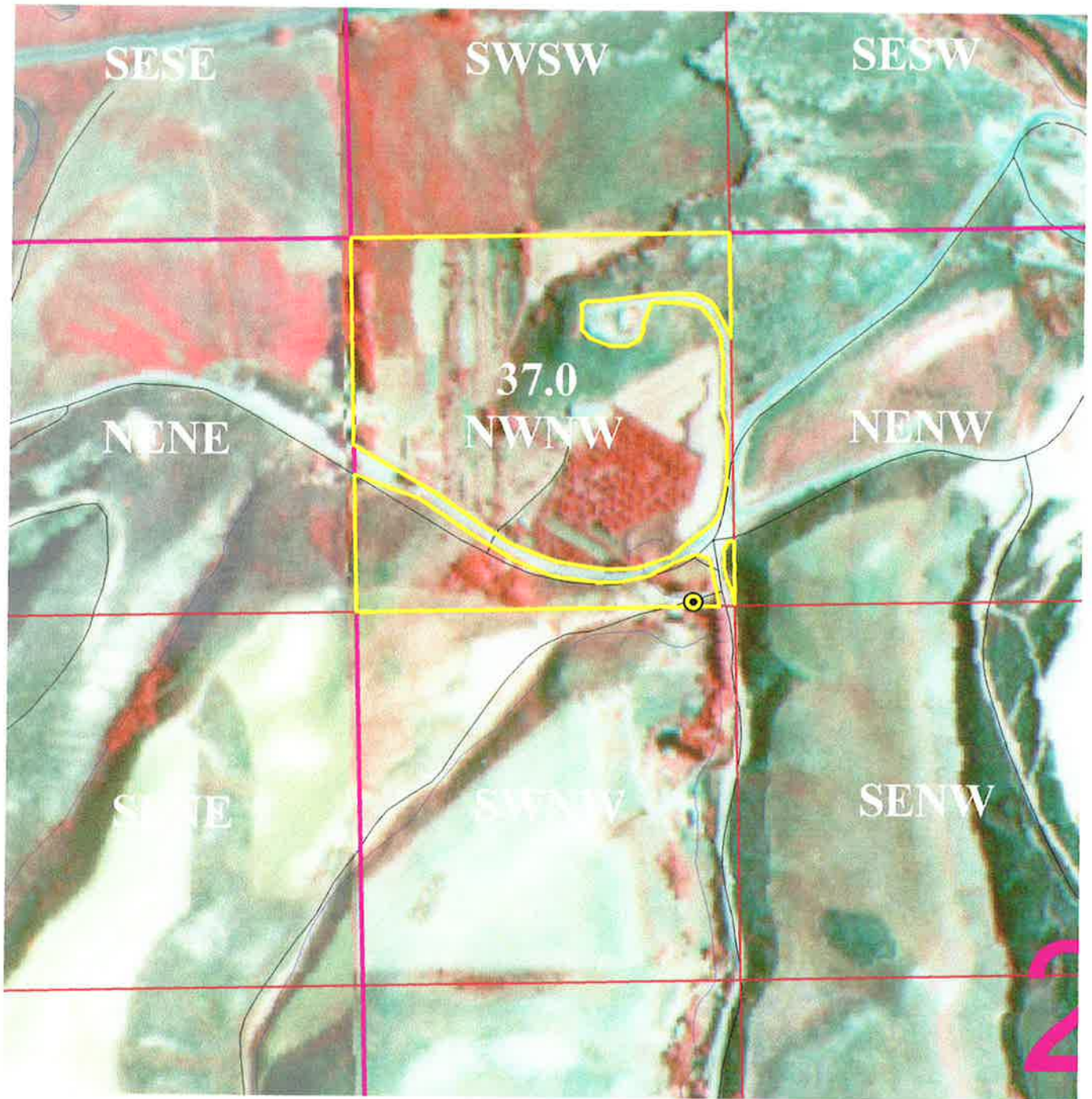
Water Right Claim Number A29-00604A
Township , 7S36E

08/28/2000



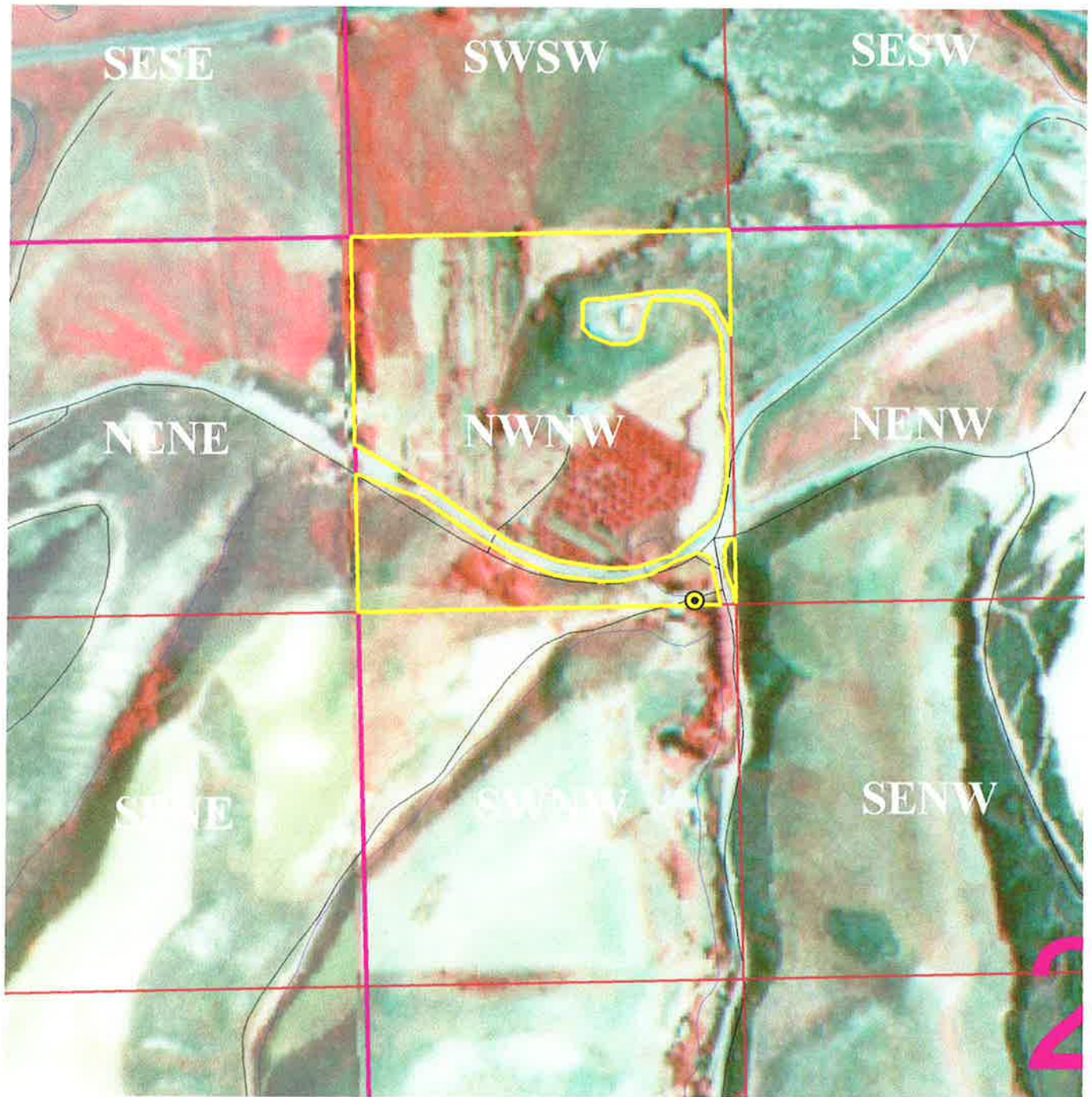
Water Right Claim Number A29-00604A
Township , 7S36E

08/28/2000



Water Right Claim Number A29-00604A
Township , 7S36E

08/28/2000



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



IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED
WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-604A

NAME AND ADDRESS:

BRANDY WELLS
1922 W PORTNEUF RD
INKOM ID 83245-1606

R SCOTT WELLS
1922 W PORTNEUF RD
INKOM ID 83245-1606

SOURCE: Source: Indian CREEK Tributary: PORTNEUF RIVER

QUANTITY: 0.271 CFS

PRIORITY DATE: 02/16/1869
~~05/31/1908~~

POINT OF DIVERSION:

T07S R36E S28 SENWNW Within BANNOCK County
T07S R36E S28 SENWNW Within BANNOCK County

**PURPOSE AND
PERIOD OF USE:**

Purpose of use	Period of use:	Quantity:
IRRIGATION	04/01 10/31	0.271 CFS
<u>STOCKWATER</u>	<u>01/01 12/31</u>	<u>0.020 CFS</u>

PLACE OF USE: IRRIGATION within BANNOCK County
T07S R36E S28 NWNW 15.0
STOCKWATER Same as IRRIGATION

15 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 29-13471 IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 15.0 ACRES IN A SINGLE IRRIGATION SEASON.

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

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-604A V1

WATER RIGHT NUMBER: 29-604A V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	CLAUDIA JEAN HARRIS 1914 W PORTNEUF RD INKOM, ID 83245 (208)775-3585
Original Owner	GENE D WHITWORTH 1914 W PORTNEUF RD INKOM, ID 83245 (208)775-3132
Original Owner	US DEPT OF INTERIOR BUREAU OF INDIAN AFFAIRS 911 NE 11TH AVE PORTLAND, OR 97232
Original Owner	ONA R ROE 1914 W PORTNEUF RD INKOM, ID 83245 (208)775-3689
Current Owner	R SCOTT WELLS 1922 W PORTNEUF RD INKOM, ID 83245-1606 (208)221-6026

Priority Date: 05/31/1908

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
INDIAN 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	0.271 CFS	
	<u>Total Diversion:</u>		0.271 CFS	

Location of Point(s) of Diversion

INDIAN CREEK	SE1/4NW1/4NW1/4	Sec. 28, Twp 07S, Rge 36E, B.M.
BANNOCK County		
INDIAN CREEK	SE1/4NW1/4NW1/4	Sec. 28, Twp 07S, Rge 36E, B.M.
BANNOCK County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
07S	36E	28	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	15.0
				15.0			15.0

Total Acres: 15

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-604A V1

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. Place of Use USE OF THIS RIGHT WITH RIGHT NO. 29-13471 IS LIMITED TO THE IRRIGATION OF A
- Irrigation COMBINED TOTAL OF 15.0 ACRES IN A SINGLE IRRIGATION SEASON.

Comments:

1. csaxton 12/10/2002 POD
Comment: No POD location defined in decree.
2. csaxton 12/10/2002 From WR file - Priority
Comment: PRIORITY DATE NOT GIVEN IN DECREE, BUT RT. 29-0603 IS SUPERIOR & PRIOR TO DEFENDANTS RTS. 29-0606 THRU 29-0610. (One day prior to priority for 29-00606 thru 29-00610 csaxton)
3. csaxton 12/10/2002 Analysis
Comment: See Excel analysis spreadsheet in file and memorandum.
4. csaxton 12/10/2002 Source
Comment: Source claimed as springs. Springs left off of source since springs seem to feed into Indian Creek and there is no apparent diversion directly from springs.
5. csaxton 4/15/2003 NOE
Comment: Acreage adjusted per NOE (csaxton 4/15/03).
6. csaxton 4/15/2003 POD
Comment: Second Point of diversion off of the main channel of Indian Creek and has been historically used to irrigate a parcel of ground just south of W. Portneuf Rd.
7. csaxton 5/22/2003 Source (2)
Comment: Source claimed as trib to the Portneuf River. USGS quad maps indicate that Indian Creek sinks. But since water still makes it to the Portneuf thru a man-made channel which is now assumed to be the natural channel, recommend as tributary to the Portneuf river.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-604A 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>
Contacts	12/10/2002 1:10:06 PM	csaxton			Active
Priority Date	12/10/2002 1:10:36 PM	csaxton			Active
POD	12/10/2002 1:10:57 PM	csaxton			Active
Source	12/10/2002 1:16:28 PM	csaxton			Active
POU	12/10/2002 1:18:39 PM	csaxton			Active
Use	12/10/2002 1:19:27 PM	csaxton			Active
Season	12/10/2002 1:19:43 PM	csaxton			Active
Quantity	12/10/2002 1:21:39 PM	csaxton			Active
Summary			12/10/2002	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	12/10/2002 1:12:42 PM	csaxton	Edited point location
POD	12/10/2002 1:13:04 PM	csaxton	Edited PLS
Source	12/10/2002 1:16:28 PM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License 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	12/10/2002 1:18:39 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License 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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-604A V1

Contacts	12/10/2002 1:10:06 PM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Field exam 8/27/02
Priority Date	12/10/2002 1:10:37 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? (No) 5. Does the decree or license have a Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	12/10/2002 1:10:57 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (No) 4. Does the Decree or License have a POD? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POU	12/10/2002 1:18:55 PM	csaxton	Edited shape boundary
POU	12/10/2002 1:19:10 PM	csaxton	Edited PLS
Use	12/10/2002 1:19:28 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License 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	12/10/2002 1:19:44 PM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License 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 29-604A V1

Quantity	12/10/2002 1:21:40 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License 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	12/10/2002 1:22:50 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? (No) 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?
POU	4/15/2003 10:01:21 AM	csaxton	Edited shape boundary
POU	4/15/2003 10:01:40 AM	csaxton	Edited PLS
POD	4/15/2003 10:03:49 AM	csaxton	Edited point location



To whom it may concern;

This letter is concerning the historic water use on Mr. Wells property. This property and those around it were once owned by Mr. Roe. I have lived within a half-mile of the property since the 1940's and am familiar with the water use.

Since the early 1940's the fields owned by Mr. Roe, West of Indian Creek Road and North of Portneuf Road were flood irrigated by diverting water from Indian Creek, year round.

In the early 1950's a pond was built at the highest elevation in the irrigation system. Mr. Roe would then cycle the creek water through the pond by filling it to capacity then draining it as he alternated the irrigation to each of his fields. Although the pond was not always completely full, the water was cycled between the irrigated fields year round, and the pond always had some water passing through it. The pond on Mr. Wells property is in the same location as when Mr. Roe owned the property.

Elmer H. Stenger 1-4-05
Signed Date

Elmer H. Stenger
Printed Name
Phone number: 775-3637
Address: 2776 W Portneuf
Tuborn, Idaho

PROFILED

SCANNED
DEC 14 2005

2-5-02: Spoke with Scott Wells concerning Indian Ck Recommendation. He was concerned with the diversion rate being recommended for less than 1 in/acre. I told him it was proportioned out to the users of the Creek.

He also said he irrigates more than 24 acres. He is going to send me a map with a new boundary of irrigated ground and send that into me.

Cell #: 801-232-9630

3-4-03: Portion of Property on E. side of Rd Irrigated by Stanger

4-15-03: Scott Wells called from Cell # (801) 232-9630 April 11, 2003, April 14, 2003. I called back on April 14 and was put on hold for 10 min before I hung up. Called back today and left message today that I'm changing Recommendation to 15 ac at almost 1" per acre. Told him to call me about separate streams issue.

Jo Bezman Represents Scott Wells.

5-5-03: meeting at 9:30 Thursday 5-8-03

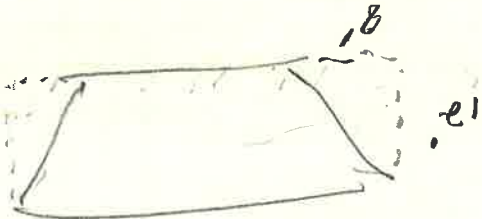
29-10851

Scott Wells

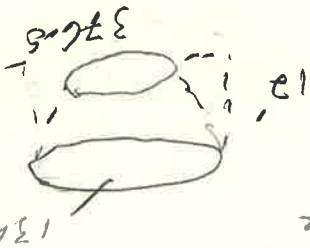
(801) 232-9630

SCANNED
DEC 14 2005

Frequency: Lewis Round
Crab Section



BM Δ New Corner Concrete Headgate
BM = $4' 6 \frac{3}{4}''$



Station	B.M.
Recording	$4' 6 \frac{3}{4}''$
0	$4' 10 \frac{1}{4}''$
90	$4' 1 \frac{3}{4}''$
180	$4' 2.0''$
310	$4' 9 \frac{3}{4}''$
400	$6' 1''$

Approx $\Rightarrow$ corners

Note = 480' to tree from station "0"
23' from BM to Tree + Roughly 9' thru tree
Inside Ramp = 8' or 3' 10' below lowest point

For site = new setup = 6"

Main bottom of channel $\approx 8'$ to

2' $\frac{1}{2}$ " deeper at deep points

$\Rightarrow$ Average of 9' deep for new setup

So: Average of 12"

Circumference: 420

23

$452 = \text{circumference}$

Slope Inside 1 to 1 $\frac{1}{2}$
Slope Outside 3/4 to 1
Rise

Subtotal was 4' from inside of Road. So actual

108 Surface Area = 14495.5
Lower Surface Area = 11280.3

154655.4 Ft $\approx$ 3.5 Af
70 very top

DEC 14 2005

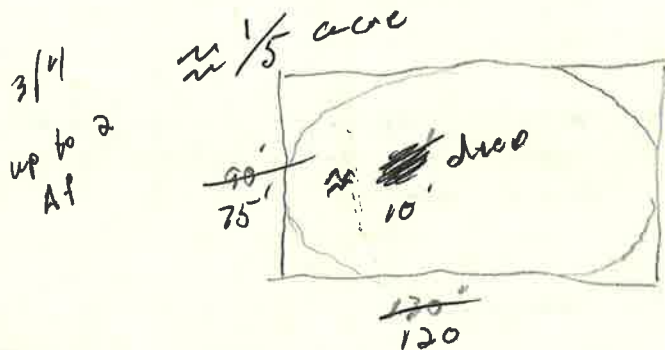
SCANNED

Note: Af allowable
" 0.4283
" 0.80 Af

8-26-02: within Decreed POU or Indian Lot 14

29-11-00 - Domestic PD'd Fur Well

8-27-02: per Hal Rebaris - Headgate in place for
FE long time. Pond size doubled



- 1) Pond - F
- 2) Pond - W
- 3) Pond N
- 4) Pond S
- 5) W Yard
- 6) Bi-Headgate
- 7) 1" Black Pipe, dry Field
- Pond size
- 8) Ditch Headgate yellow flowers
- 9) Orchard
- 10) Flood to Sink

: POU #2: Pump; Racer

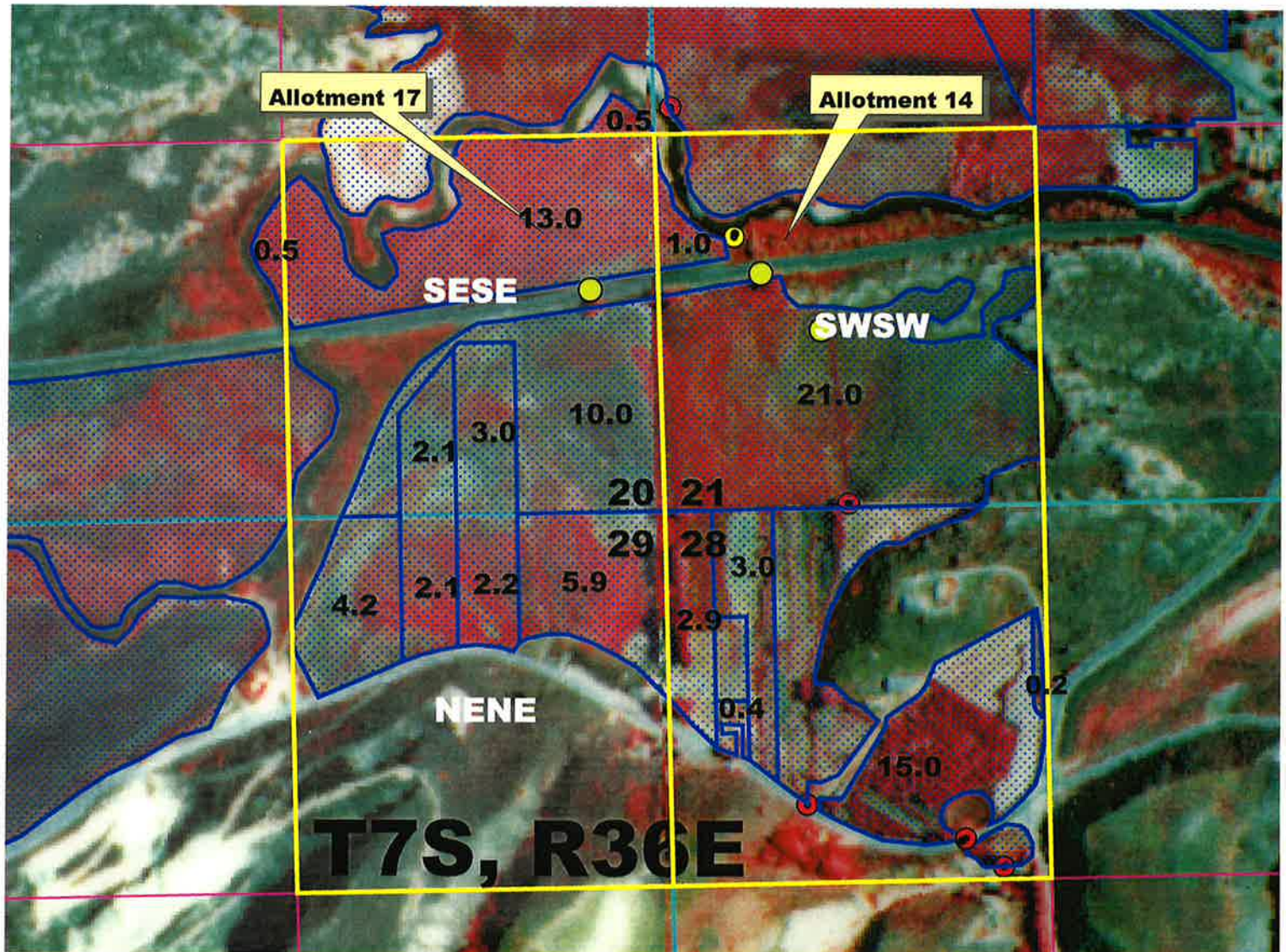
Pump Into Faded

i HeadGate for creek - cement splits creek flow to divert
w/side claimed POU. Ditch runs north and
can Flood Irrigate the west side of Property

FILED

SCANNED
DEC 14 2005

Recommended POU map for splits of 29-00603 and 29-00604



Point of Diversion - N/A

Total Acres:



City of Pocatello Tax Lot Data



Recommended POU



Indian Allotment Boundary N/A



Section Lines



Quarter Quarter Lines



SCANNED

DEC 14 2005

Prepared By: Craig Saxton
April 2003

Memorandum

Date: June 12, 2003

To: File

From: Craig L. Saxton

Subject: Diversion rate break down splits of decreed right 29-00604 and Source.

Diversion Rate:

This right was divided by calculating the total irrigated acreage within Indian allotment #14 and then proportioning out the water accordingly. The diversion rate per acre for users of 29-00604 came to 0.018 cfs per acre.

One week before the deadline for the directors report for Basin 29 was issued. It was discovered that 29-12528 claimed 0.06 cfs based on 29-00604 and was partially decreed by the SRBA court on 6/24/1998. This right was not originally included in the proportionate split.

Thus, the result would be that the recommendation for split portions for 29-00604 is 0.06 cfs greater than the decreed diversion rate.

However, 29-00604C was recommended as disallowed. Despite that this claim was disallowed, the appropriate diversion rate was included in the proportioning of the right. Otherwise stated, I held out 0.054 cfs for this claim incase proof could be shown that this was a valid water right. At this time, no evidence has been provided.

So:

Total decreed diversion rate for 29-00604 = 0.80 cfs

If all claims were recommended, total recommended diversion rate would = 0.86 cfs

However, since 29-00604C was disallowed, the actual total recommended diversion rate = 0.806.

This right is over recommended by 0.006 cfs. Due to possible rounding error, the fact that this is such a small diversion rate, and the short time line, I did not re-proportion the diversion rate among the users.

If the claimant of 29-00604C files an objection, the diversion rate will have to be re-evaluated for all split portions of 29-00604 and all diversion rate recommendations will most likely need to be reduced.

Source:

IDWR paralegal Vicky Music found that the "decision" in U.S. v. Skeem and it specifically says that Indian creek during high water carries considerable volume of water and is continuous from its source to the Portneuf but that after approximately May 1 it ceases to flow past 1 mile from its source.

Source Recommended as Indian Creek Tributary to the Portneuf River.

SCANNED

DEC 14 2005

Split history for Decreed Right 29-00603 & 604

WR

Claimed

Recommend

29-00603 0.4	29-00603A Gilbert	29-00603A Gilbert	Deed Silent	0.14 15	Not On Decreed POU Karlson says this is Gilberts Diversion Rate Calc for 14 ac
	0.2 15	0.2 15			
	29-10522 Karlson(?)	29-13122 Karlson	Approx 1/2 " hand written	0.513 35.2	POU 14 & 17 good
	0.2 (603) 0.67 (604) 52.5	0.72 43.1			
29-00604 0.8		29-13123 Burton	Approx 1/2 " hand written	0.049 5.2	POU 17 claimed water from 14 & 17
		0.08 5.2			
		29-13124 Rendace	Approx 1/2 " hand written	0.04 4.2	POU 17 claimed water from 14 & 17
		0.07 4.2			
	29-00604A Wells	29-00604A Wells	Conversation notes say he gets %52 of 604	0.271 15	POU 14 Good
	0.42 21	0.42 21			
	29-00604B Whitworth	29-00604E Hahn	Deed Silent	0.021 1.2	POU 14 Good
	0.07 3.5	0.05 2.5			
		29-00604F Anderson	Deed Silent	Disallow	Covered by 29-00604C
		0.02 1			
	29-00604C Anderson	29-00604C Anderson	Deed Silent	0.054 3	Disallow Not enough evidence of use so far POU 14 Good
	0.075 3	0.075 3			
	29-00604D Spencer Renumbered	29-13464 Spencer	Deed Silent	0.108 8.8	Re#ard to 29-13464 POU 14 & 17 CO5
	0.235 12	0.235 12			
	29-00604G Derbidge	29-00604G Derbidge	No Deed in File	0.004 0.2	POU 14 Good
	0.02 0.5	0.02 0.5			
	29-12528 Hahn		Domestid Partial Decreed	0.06 Domestic	Partially Decreed
	0.06 Domestic	0.06 Domestic			
Sum Rec CFS=		1.26			
Sum Rec Acre=		87.8			
Un-accounted for CFS=		-0.06			
Un-accounted for Acres=		N/A			

* Both Rights over claimed. Decree doesn't mention duty of water. No claims deeds show deeded water.
 Since 29-00604D is disallowed, actual total recommended diversion rate is 0.806 cfs
 This right is over recommended by 0.006 cfs

Allotment 14: 29-00604

Allotment 17: 29-00603

Sum CFS & Acreage
for Rights

1		13
21		10
2.9		2.1
3		3
0.4		4.2
15		2.1
0.2		2.2
0.8	Not Recommended	5.9
0.8	44.3	0.4
		42.5

Per Acre = 0.018059 0.00941176

	Acreage	CFS		Acreage	CFS
29-00603A	1	0.018		13	0.122
29-00604A	15	0.271			
29-00604C	3	0.054			
29-00604D 29-13464 (renumbered)	2.9	0.052		5.9	0.056
29-00604E	1.2	0.022			
		0.021 actual			
29-00604F DISALLOW					
29-00604G	0.2	0.004			
29-13122	21	0.379		14.2	0.134
29-13123				5.2	0.049
29-13124				4.2	0.040
29-12528	Domestic	0.060			
Total Acres	44.3	0.860		42.5	0.400

CFS	Acreage
0.140	14
0.271	15
0.054	3
0.108	8.8
0.022	1.2
0.021 Actual	
0.004	0.2
0.513	35.2
0.049	5.2
0.040	4.2
0.060	Domestic
1.260	86.8

Since 29-00604D is disallowed, actual total recommended diversion rate is 0.806 cfs
This right is over recommended by 0.006 cfs

SCANNED

DEC 14 2005

Memorandum

Analysis of Decreed rights 29-00603 and 29-00604 (Indian Creek)

This right was over claimed. Deeds do not show ownership of water.

How right was divided and recommended to respective claimants:

29-00603 was decreed to Indian allotment NO:17

29-00604 was decreed to Indian allotment NO: 14

POU that would be recommended for respective claims was calculated. Diversion rate was then proportioned out equally to users with POU within the Decreed POU.

If claimant claimed water decreed for allotment 14 and they only had a POU in allotment 17, the proportionate amount of recommended diversion rate was only taken from allotment 14 since there is no evidence of accomplished transfer.

02/18/2003

NOTICE OF ERROR
REPLY

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: 29-604A

R SCOTT WELLS
~~1350 E CEDAR~~ 1922 W. Portneuf Rd.
~~POCATELLO ID 83201~~ Fork, ID 83245
Telephone Number: (208) ~~234-9205~~
221-6026

RECEIVED

MAY 07 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):

- a. Quantity
- b. Priority Date

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

- a. 18 acres @ 1.25" to the Acre
- b. Priority Date Consistent with Fort Hall Indian Reservation.
1863? 1868? 1869?

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

- a. 60yrs of aerial photo's show 29-604a as providing the most beneficial and efficient use of the source.
- b. Geologically this source is known as Indian Sink. without the Elabwah ditch work the water does not get very far.

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

DATE: 4/18/03

SIGNATURE:

R. Scott Wells

Please print your name:

R. Scott Wells

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

b. Warrantee Deeds show land being owned by an Indian until 1949.

- 1. Even though the 1920 Decree did not consider this Indian allotment. at that time, what is right is right. The judge may not have considered it an issue in 1920. It is now an issue, and is clearly a Fort Hall Indian Allotment.

SCANNED

DEC 14 2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 22, 2003

R SCOTT WELLS
1922 W PORTNEUF RD
INKOM ID 83245

RE: Amendment of Snake River Basin Adjudication (SRBA) recommendations for 29-00604A and 29-013471.

Dear Mr. Wells,

Based on the information you provided, information provided by Ronald Karlson, and the field exam conducted on 3/4/03, I have amended the recommendation for 29-00604A.

The information provided by Ron Karlson supported that the high portions and the bowl on his property were historically flood irrigated. However, I did reduce the recommended acres around the rock piles. This did result in a change in diversion rate per acre. However, I am afraid that it did not change enough to reach a full inch per acre among the users of decreed right 29-00604.

Because of this, I am enclosing a beneficial use claim for additional diversion rate as we spoke about before. Please look over the claim and initial any changes you wish to make. You will need to fill in the priority date that you feel is appropriate and submit evidence that supports the priority date claimed. When satisfied, sign the claim in front of a notary and return it to this office with the filing fee of \$50.00.

I also added the irrigated ground south of W. Portneuf Rd and increased the recommended acreage to 15 acres. This change to 29-00604A required a remark to be added to storage right 29-13471. I am enclosing a copy of the amended recommendation for 29-13471.

Per our conversation on 4/21/03 I am sending you some additional forms:

- Notice of Claim form to file on the decreed right for allotment 15.
- Notice of Claim instructions
- List of known water right consultants
- Water Right record for 29-00605 as listed on the IDWR database
- Hubble analysis questionnaire (probably to be submitted to your consultant) for excessive diversion rate

I did not prepare a claim for 29-00605 because I did not know how you wanted to file the claim. Keep in mind that in order for IDWR to recommend any portion of 29-00605 on your property you need to submit evidence that the water right was specifically moved from Indian allotment 15 to allotment 14 prior to 1987. And then in order for IDWR to recommend more than 1 inch per acre, evidence needs to be submitted that your soil type requires greater than 1 inch per acre. Thus, I included the Hubble analysis questionnaire.

SCANNED

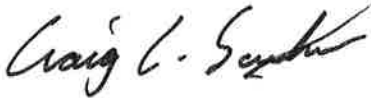
DEC 14 2005

PROCESSED

The last issue to discuss is the question of treating Indian Creek as a separate stream. I met with my supervisor and legal staff concerning this issue. Since Indian Creek was historically tributary to the Portneuf River IDWR cannot recommend this as a "separate stream". Further questions regarding this matter can be directed toward Candice McHugh, Assistant to the Attorney General at (208) 327-7900.

Feel free to contact me with further questions.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Craig L. Saxton". The signature is fluid and cursive, with the first name "Craig" being the most prominent.

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

SCANNED

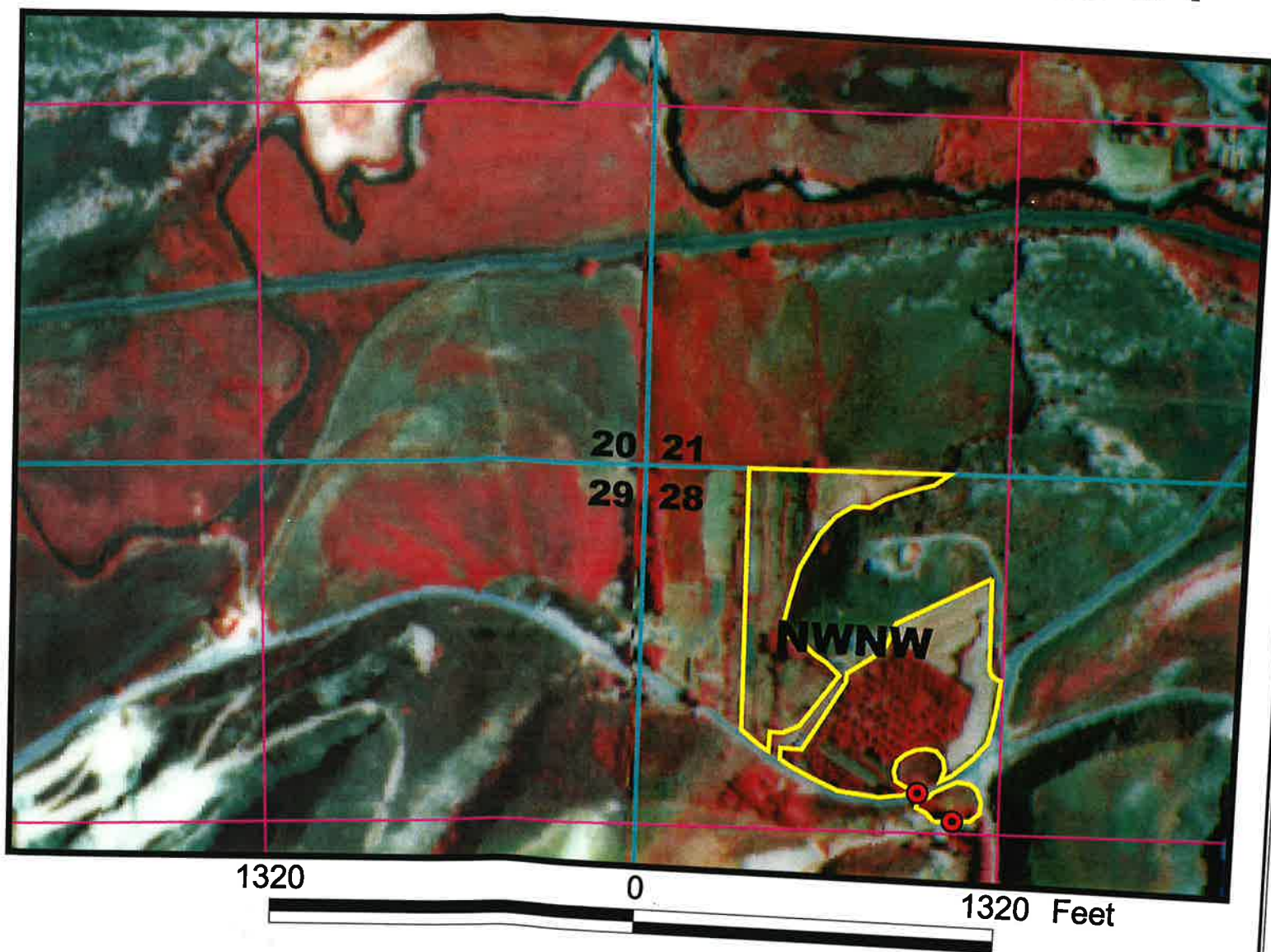
DEC 14 2005



STATE OF IDAHO

Department of Water Resources
Eastern Region

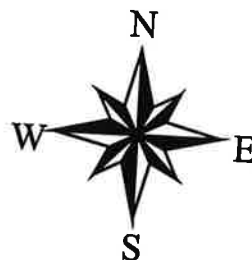
Water Right(s): 29-00604A



Total Irrigated Acres: 15.0

-  Point(s) of Diversion
-  Place of Use
-  Quarter Quarter Lines
-  Section Lines

SCANNED
DEC 14 2005



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: April 2003

WR: 29-00604A

POU

FE: 3/4/03



Looking North at the East portion of Ron Karlson's Field/claimed POU. In this picture you can see that flood irrigation might have made it through ditches into the low spot below the basalt rocks in the background of the picture, but could not have made it over the hump to the West side of Karlson's property from her at least.

SCANNED

DEC 14 2005

WR: 29-00604A

Ditch

FE: 3/4/03



Looking West. Standing South of W. Portneuf Rd. Standing in what Scott Wells said was a historical ditch that used to carry Indian Creek water north to the claimed POU.



SCANNED
DEC 14 2005

WR: 29-00604A

Ditch

FE: 3/4/03



Looking North at an old ditch that carried water to Ron Karlson's property and portions of Scott Wells property.

SCANNED
DEC 14 2005

WR: 29-00604A

Ditch

FE: 3/4/03



Looking North at an old ditch that carried water to Ron Karlson's property and portions of Scott Wells property.

PROPERTY
ATTACHED

SCANNED
DEC 14 2005

WR: 29-00604A

Ditch

FE: 3/4/03



Looking North while standing at the fence that separates Karlson and Wells property. Looking at what is now the main channel/ditch that carries water across Karlson's property.

PROVIDED

SCANNED
DEC 14 2005

WR: 29-00604A

Ditch

FE: 3/4/03



Looking South while standing at the fence that separates Karlson and Wells property. Looking at what is now the main channel/ditch that carries water across Well's and Karlson's property to the RR tracks next to the Portneuf.

PROFILE

SCANNED
DEC 14 2005

WR: 29-00604A

POD

FE: 3/4/03



Looking North at where the pump is set to divert water to the claimed POU south of the W. Portneuf RD. This is the main channel of Indian Creek.

PROVIDED

SCANNED
DEC 14 2005

WR: 29-00604A

POU

FE: 3/4/03



Looking North at the East portion of Ron Karlson's Field/claimed POU. In this picture you can see that flood irrigation might have made it through ditches into the low spot below the basalt rocks in the background of the picture, but could not have made it over the hump to the West side of Karlson's property from her at least.

PROFILED

SCANNED
DEC 14 2005

WR: 29-00604A

Ditch

FE: 3/4/03



Looking West. Standing South of W. Portneuf Rd. Standing in what Scott Wells said was a historical ditch that used to carry Indian Creek water north to the claimed POU.

WR: 29-00604A

Ditch

FE: 3/4/03

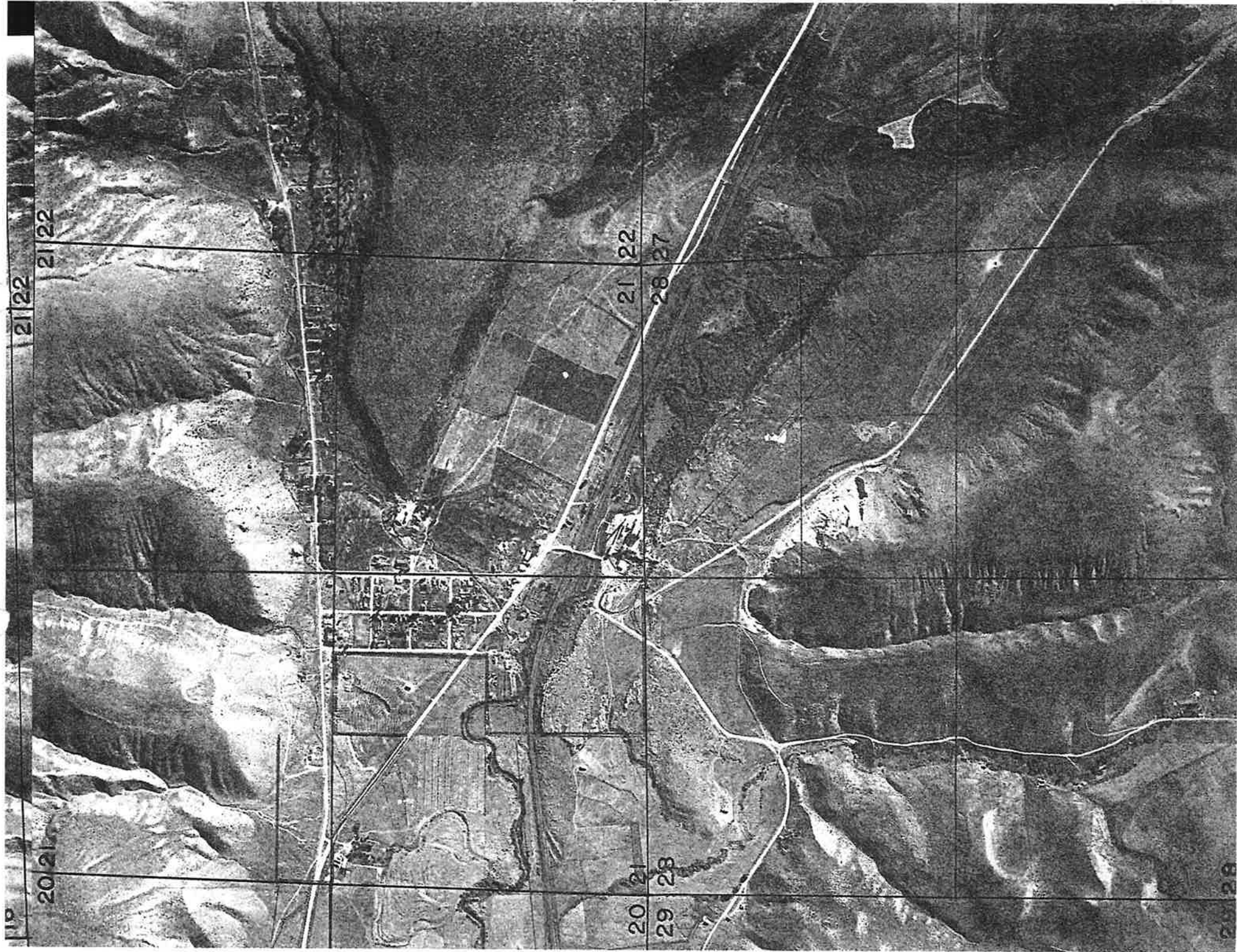


Looking North at an old ditch that carried water to Ron Karlson's property and portions of Scott Wells property.

DEC 14 2005

1998





94-5-917 08913:1 575 1461-52-6 9-25-1941 SCS

CIG-5-46



MAP-378.125

1'-60'

SCANNED
DEC 1 - 2005

1407



956
CV-48-91-EC
1" - 330'

DEC 14 2006
10:00 AM



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 2, 2003

TERRY SCANLIN
SCANLIN ENGINEERING
600 E RIVER PARK LN
BOISE ID 83706

RE: Snake River Basin Adjudication (SRBA) recommendation for 29-00604A

Dear Mr. Scanlin,

Enclosed is information regarding how I came to a recommendation for 29-00604A. A paper claim verification report is no longer available, however I am enclosing a copy of the computer generated list of questions that are answered during a review. I am sending a copy of a spread sheet and memo that should help you see how the recommendation for 29-00604A was reached.

Note that 14 acres of irrigated ground was found on Mr. Wells property. The decreed diversion rate for right 29-00604 was then proportioned and divided among the other users of right 29-00604.

Please note that this recommendation is NOT FINALIZED. The preliminary Directors Report will be sent to the Basin 29 water users in the next couple of months. Any new information gained within that time could affect the recommendation. But at this time, I feel this is the recommendation that will be submitted to the SRBA court.

Please feel free to contact me if you have any questions.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Craig L. Saxton'.

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

SCANNED

DEC 14 2005

PROFILED

Saxton, Craig

From: Rounds, Lewis
Sent: Tuesday, December 31, 2002 3:40 PM
To: Saxton, Craig
Subject: R29-604A

Craig,

I received a call from a Terry Scanlin of Scanlin Engineering in Boise about a recommendation that you made. The wr number is 29-604A. Mr. Scanlin is requesting a copy of the entire file so that he may determine why the rate and number of acres was reduced on Mr. Wells claim. He wanted it mailed to him but since both you and he are in Boise, you may be able to just call him and give him the information that he wants as opposed to the entire file. Contact information for Terry is:

Terry Scanlin
Scanlin Engineering
600 E. River Park Lane
Boise, Idaho 83706
(208) 383-4140

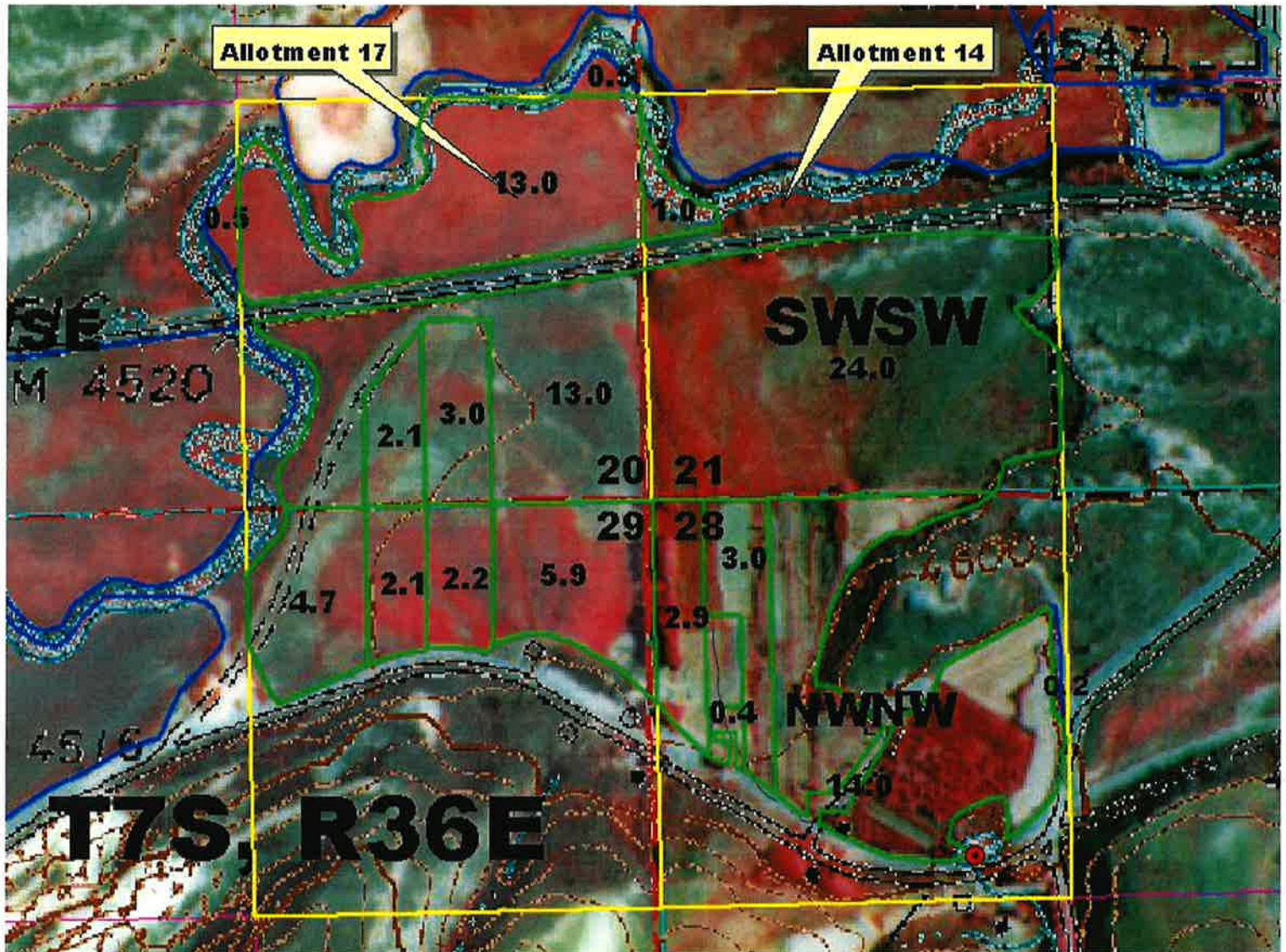
Thanks,

Lewis Rounds
Dam Safety Section / WD 120 Watermaster
Idaho Department of Water Resources
900 N. Skyline Dr. Suite A
Idaho Falls, Idaho 83402
(208) 525-7161

PROFILED

SCANNED
DEC 14 2005

29-00603 and 29-00604 POU and Diversion Rate Calculation Map



Point of Diversion

Irrigated Acres:

POU within Decreed POU

Indian Allotment boundaries

Possible Recommended POU

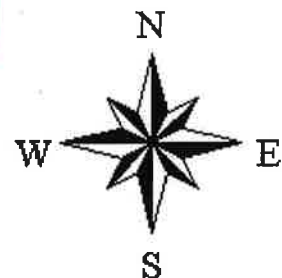
Section Lines

Quarter Quarter Lines

PROFILED

SCANNED

DEC 14 2005



Prepared By: Craig Saxton
December 2002

Craig

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.
(Please print or type)

RECEIVED

SEP 20 2002

Department of Water Resources
Eastern Region

[] Water Right Number(s): 29-604A

29-11208

[] Name(s): R Scott Wells

[] Old Mailing Address: 1350 East Cedar

Pocatello, Id 83201

[] New Mailing Address: 1922 West Portneuf

Arden, Id 83245

Telephone Number: (208) 221 - 6026

[] Signature(s) of Owner(s) R Scott Wells

(Include your title if on behalf of company or organization)

PROFILED

Date: 9/20/02

SCANNED

DEC 14 2005

DEPARTMENT OF WATER RESOURCES
900 NORTH SKYLINE DRIVE
IDAHO FALLS, IDAHO 83402

29-604A
29-11208

YOUR ADDRESS HAS BEEN CHANGED AS
SHOWN ON THE FRONT OF THIS CARD.

SCANNED

DEC 14 2005



R. SCOTT WELLS
1922 WEST PORTNEUF
INKOM, IDAHO 83245

USPS 1997 recycled

SCANNED
DEC 14 2005

29-00604A - Wells



Point of Diversion



Claimed Place of Use



Claimant Property Boundary



Bannock Co Tax Lot Data



Section Lines

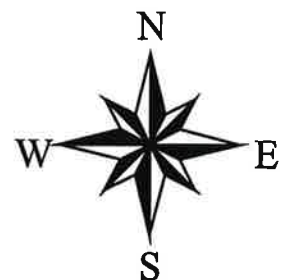


Quarter Quarter Lines

Irrigated POU Acreage:

PROFILE

SCANNED
DEC 14 2005



Prepared By: Craig Saxton
August 2002

29-00604A

POD

Field Exam: 8/27/02



Looking NW at POD for all Indian Creek rights with a POU south of W Portneuf RD. (csaxton).



Pump that diverts water from the ditch system. Not an actual POD since it is diverting from a ditch (csaxton).

PROFILED

SCANNED

DEC 1 4 2005

29-00604A

POND Field Exam: 8/27/02



Looking South at pond. Indian Ck flows underneath the W. Portneuf RD into a headgate that can be used to divert water East, West, or into the pond (csaxton).



Looking North at pond. Claimed POU contains orchard and the top of the trees can be seen in this picture just above the bank of the pond (csaxton).

SCANNED
DEC 14 2005

29-00604A

POND Field Exam: 8/27/02



Looking NW at pond (csaxton).



Looking NE at pond (csaxton).

SCANNED
DEC 14 2005

29-00604A

POU

Field Exam: 8/27/02



Looking at flood irrigation system to the West of the claimants home. This water runs in a northerly direction along the west side of the property.



Looking North at Orchard that is part of the claimed POU (csaxton)

SCANNED
DEC 14 2005

29-00604A

POD

Field Exam: 8/27/02



Looking North at claimed POU. Claimants home in background.



Looking at a headgate in the ditch to divert water to claimed POU (csaxton)

SCANNED
DEC 14 2005

29-00604A

System Field Exam: 8/27/02



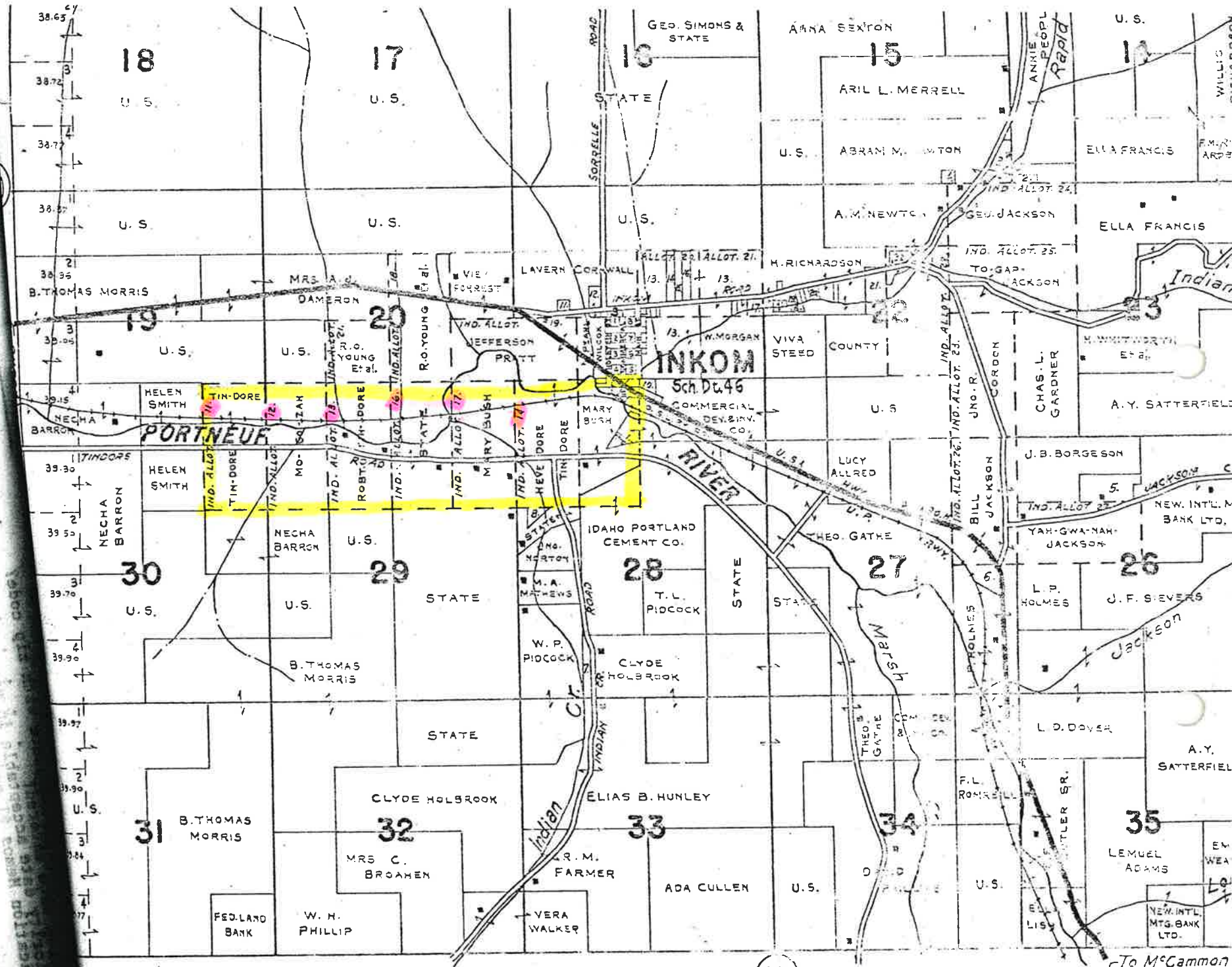
Looking North at headgate in main ditch used to split the water into two directions. The top of the picture shows the split that diverts water to the west side of the claimed POU (csaxton)

SCANNED
DEC 14 2005

NOT RECORDED

DEC 14 2005

SCANNED



JUN 11 2001



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
GOVERNORKARL J. DREHER
DIRECTOR

March 8, 2001

R SCOTT WELLS
1350 E CEDAR
POCATELLO ID 83201

RE: CHANGE IN OWNERSHIP FOR A29-00604A

Dear Claimant:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner(s).

Enclosed is a copy of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

Water right number A29-11208 will be processed and mailed to you in another mailing.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,

A handwritten signature in cursive script that reads "Cheri Vandermeulen".

Cheri Vandermeulen
Records Clerk

Enclosure: Notice(s) of Claim

MAR 05 2001

OK JC
3/6/01

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Department of Water Resources
Eastern Region

RECEIVED

JAN 17 2001

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Department of Water Resources
Incomplete forms will be returned. Eastern Region

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
A29-11208	- partial decree/paid				
A29-00604A					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Blair J. Cherry - Blair J. Cherry

4. New Owner/Claimant(s)

R. Scott Wells

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

New Mailing Address

1350 East Cedar

City, State and ZIP Code

Pocatello, ID 83201

New Telephone Number

(208) 234-9205

5. Date you acquired the property

12/15/00

Form 42-248/42-1409(6) July, 2000

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7 Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by <u>gc</u>	Date <u>3/5/01</u>	Fee <u>\$25-</u>
Received by <u>gc</u>	Date <u>3/5/01</u>	Receipt No. <u>E026514</u>
Processed by _____ AJ	Date _____	WR _____ Date _____

WARRANT DEED

20020307

For Value Received PARCEL 1: CLAUDIA JEAN HARRIS

PARCEL 2: DENNIS D. CHERRY and CLAUDIA J. CHERRY, husband and wife

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

SCOTT WELLS and BRANDY WELLS, Husband and Wife

whose address is: 1914 West Portneuf Road, Inkom, Idaho 83245

1350 East Cedar, Pocatello, Idaho 83201

Hereinafter called the Grantee, the following described premises situated in Bannock County, Idaho, to-wit:

PARCEL 1:

TOWNSHIP 7 SOUTH, RANGE 36 E.B.M., BANNOCK COUNTY, IDAHO:

SECTION 28: NW $\frac{1}{4}$ NW $\frac{1}{4}$

EXCEPT:

A TRACT OF LAND IN THE NW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 28, TOWNSHIP 7 SOUTH, RANGE 36 E.B.M., BANNOCK COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT OF INTERSECTION OF THE WEST LINE OF SECTION 28, TOWNSHIP 7 SOUTH, RANGE 36 E.B.M., AND ON THE SOUTHWESTERLY LINE OF THE PORTNEUF ROAD; THENCE SOUTH 57°03' EAST, ON THE SOUTHWESTERLY LINE OF PORTNEUF ROAD 124.00 FEET; THENCE SOUTH 00°38' WEST 15.00 FEET; THENCE NORTH 80°00' WEST 106.20 FEET, MORE OR LESS, TO THE WEST LINE OF SAID SECTION 28; THENCE NORTH 00°38' EAST ALONG THE WEST LINE OF SAID SECTION 28 64.00 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPT:

THAT PORTION OF THE NW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 28, TOWNSHIP 7 SOUTH, RANGE 36 E.B.M., BANNOCK COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID NW $\frac{1}{4}$ NW $\frac{1}{4}$, THENCE ALONG THE NORTH LINE OF THE SAID NW $\frac{1}{4}$ NW $\frac{1}{4}$ SOUTH 89°59'30" WEST 215.36 FEET; THENCE SOUTH 61°37'30" WEST 578.93 FEET; THENCE SOUTH 0°00'30" EAST 205.08 FEET; THENCE NORTH 89°59'30" EAST 324.34 FEET; THENCE NORTH 63°01'30" EAST 440.87 FEET, MORE OR LESS, TO THE EAST LINE OF SAID NW $\frac{1}{4}$ NW $\frac{1}{4}$; THENCE ALONG SAID EAST LINE NORTH 1°11'30" EAST 360.56 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

ALSO EXCEPT:

THAT PORTION OF THE NW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 28, TOWNSHIP 7 SOUTH, RANGE 36, E.B.M., BANNOCK COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF SAID NW $\frac{1}{4}$ NW $\frac{1}{4}$ THAT IS SOUTH 1°11'30" WEST 360.56 FEET FROM THE NORTHEAST CORNER OF SAID NW $\frac{1}{4}$ NW $\frac{1}{4}$; THENCE SOUTH 1°11'30" WEST 350.00 FEET, MORE OR LESS, TO THE INDIAN CREEK ROAD; THENCE SOUTH 3°40'30" WEST 50.00 FEET; THENCE ON A CURVE TO THE RIGHT WITH A RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF 87°32' FOR A DISTANCE OF 76.39 FEET; THENCE NORTH 1°11'30" EAST 323.14 FEET; THENCE NORTH 63°01'30" EAST 56.76 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

ALSO EXCEPT:

THE WESTERLY 165 FEET OF THE NW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 28, TOWNSHIP 7 SOUTH, RANGE 36, E.B.M., BANNOCK COUNTY, IDAHO, EXCEPT THEREFROM THAT PORTION DESCRIBED ABOVE AS FOLLOWS:

BEGINNING AT A POINT OF INTERSECTION OF THE WEST LINE OF SAID SECTION 28 AND ON THE SOUTHWESTERLY LINE OF THE PORTNEUF ROAD; THENCE SOUTH 57°03' EAST ON THE SOUTHWESTERLY LINE OF PORTNEUF ROAD 124.00 FEET; THENCE SOUTH 00°38' WEST 15.00 FEET; THENCE NORTH 80°00' WEST 106.20 FEET; THENCE NORTH 00°38' EAST ALONG THE WEST LINE 106.20 FEET; THENCE NORTH 00°38' EAST ALONG THE WEST LINE OF SAID SECTION 28 64.00 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPT:

THE WEST 115.5 FEET OF THE EAST 148.5 FEET OF THE WEST 313.5 FEET, NW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 28, TOWNSHIP 7 SOUTH, RANGE 36 E.B.M., BANNOCK COUNTY, IDAHO.

ALSO EXCEPT:

THE EAST 66 FEET OF THE WEST 379.5 FEET OF THE NW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 28, TOWNSHIP 7 SOUTH, RANGE 36, E.B.M., BANNOCK COUNTY, IDAHO.

ALSO EXCEPT:

THE EAST 33 FEET OF THE EAST 148.5 FEET OF THE WEST 313.5 FEET OF THE NW $\frac{1}{4}$ NW $\frac{1}{4}$ OF SECTION 28, TOWNSHIP 7 SOUTH, RANGE 36, E.B.M., BANNOCK COUNTY, IDAHO.

ALSO EXCEPT:

ALL THAT PORTION OF THE NW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 28, TOWNSHIP 7 SOUTH, RANGE 36, E.B.M., BANNOCK COUNTY, IDAHO, LYING SOUTH OF PORTNEUF ROAD.

PARCEL 2:

ALL THAT PORTION OF THE NW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 28, TOWNSHIP 7 SOUTH, RANGE 36 E.B.M., BANNOCK COUNTY, IDAHO, LYING SOUTH OF PORTNEUF ROAD.

EXCEPTING THEREFROM:

THE WEST 379 FEET OF SAID NW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 28, TOWNSHIP 7 SOUTH, RANGE 36 E.B.M., BANNOCK COUNTY, IDAHO.

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 from all claims whatsoever.

Dated: December 15, 2000

20020307

DENNIS D. CHERRY

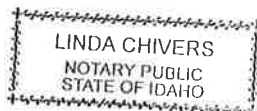
CLAUDIA J. CHERRY AKA CLAUDIA
JEAN HARRIS

STATE OF Idaho

County of BANNOCK

On this 15th day of December, 2000, before me LINDA CHIVERS, personally appeared DENNIS D. CHERRY AND CLAUDIA J. CHERRY AKA CLAUDIA JEAN HARRIS, known or identified to me (or proved to me on the oath of), to be the person(s) whose name(s) ARE subscribed to the within instrument, and acknowledged to me that THEY executed the same.

Notary Public of Idaho
Residing at: Pocatello
Commission Expires: 02/18/05



NO
RECORD
FIRST PUBLIC TITLE
DEC 18 PM 4 03

771
M1

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s36e	28	NWNW	21	37	Indiscernible
Totals:			21	37	

CONVERSATION MEMORANDUM

Date 4-5-90 File # A29-00604ANAME OF PARTY Ona RoeEMPLOYEE Eric Verner

RE Noted in claim: Mr. Roe's
initial claim was incomplete.
I called to determine which
right he was claiming. He
stated that the property had
originally belong to the TINDORE
family. He received 1/2 water
rights given to Tindore. Later
he sold off 19 acres and now
retains 12 acres or 52% of
the right 29-00604. Requires
another notice w/ this info.

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NOV 13 1992

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CLAUDIA JEAN HARRIS 1914 W PORTNEUF RD INKOM ID 83245 (208) 775-3585	05/31/1908	IRRIGATION	04-01 09-01	0.420 CFS	
					TOTAL DIVERSION:	0.420 CFS
					CONSUMPTIVE USE:	63.00 AFA

Water Source: INDIAN CREEK
SPRINGS

Tributary to: SINKS
INDIAN CREEK

Stage: DECREED

Point(s) of Diversion: T07S R36E S28 NWNW 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		
07S	36E	28	:					:		21			:					:						21.0
																							TOTAL ACRES	21.0

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: NONE

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

29-10730 29-11208 29-11354 29-12528 A29-00604C A29-00604D A29-00604E A29-00604F A29-00604G A29-10522
A29-11208 A29-11354 A29-12524 A29-12528

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

A29-00604B A29-00604C A29-00604D A29-00604E A29-00604F A29-00604G

Remarks: GEN P/D & P/U NOT LISTED IN DECREE.
P/U WITHIN ALLOTMENT NO. 14 OF FORT HALL INDIAN RESERVATION HELD
IN TRUST BY U.S. FOR HEVEDORE TINDORE.
PRIORITY DATE NOT GIVEN IN DECREE, BUT RT. 29-0604 IS SUPERIOR &
PRIOR TO DEFENDANTS RTS. 29-0606 THRU 29-0610.
SOURCES ARE INDIAN CK., TRIB. SINKS: ALL SPRINGS ARISING IN AND
ADJACENT TO THE BED OR CHANNEL OF INDIAN CREEK.
*** PRIORITY DATE LISTED IS ONE DAY PRIOR TO ALL OTHER RIGHTS
LISTED IN DECREE MAKING IT A PORTION OF THE PRIMARY RIGHT ON THE
STREAM. OWNER SOLD OFF 19 ACRES OF ORIGINAL 40 THAT WAS DECREED
THIS WATER RIGHT. HIS PORTION OF THE RIGHT IS BASED UPON
52% OWNERSHIP OF PROPERTY (21/40=0.525).
CHANGED OWNERSHIP 2/21/96/JT/AR

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

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

AJ5809NP
No. A29-00604A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 88

Audit: 04/11/90 VERNER 04/26/90 ESRBA 07/23/92 THOMPSON 06/01/94 COX
03/29/95 POST-STD 02/21/96 JTHOMPSO



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

FEBRUARY 21, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CLAUDIA JEAN HARRIS
1914 W PORTNEUF RD
INKOM ID 83245

RE: CHANGE IN OWNERSHIP FOR A29-00604A AND A29-11208

Dear Ms. Harris:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed are copies of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep these Notices for your records.

Respectfully submitted,

Jo Thompson
Adjudication Secretary

Enclosure: Notices of Claim

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NOV 13 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 1-05-96

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4 Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____.
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)

☐ Water Right Number(s)
Assigned by IDWR: A29-00604A, A29-11208

☐ Name and Address of Former
Owner/Claimant(s)(Seller): WHITWORTH, GENE D
1914 W. PORTNEUF RD
INKOM ID 83245

☐ New Owner/Claimant
(Purchaser): CLAUDIA JEAN HARRIS

☐ New Mailing Address: 1914 W PORTNEUF RD
INKOM ID 83245

☐ New Telephone Number: (208) 775-3585

☐ 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: WARRANTY DEED w/ ATTACHMENTS (2)

(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): Claudia Jean Harris Date 1-16-96

☐ Signature of Former
Owner/Claimant(s): _____ Date _____
_____ Date _____

(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: ASB

Further Action Needed: 16 DEC 96

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

2/20/96

ATTEMPTED TO CONTACT MR. WHITWORTH DUE TO
BREAK IN TITLE BETWEEN MR. WHITWORTH AND
DENNIS CHERRY - TELEPHONE NO. IS DISCONNECTED.

MICROFILMED

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

NOV 13 1996

TOWNSHIP 7 SOUTH, RANGE 36 E.B.M., BANNOCK COUNTY, IDAHO:
SECTION 28: NW $\frac{1}{4}$ NW $\frac{1}{4}$

EXCEPT:

A TRACT OF LAND IN THE NW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 28, TOWNSHIP 7 SOUTH, RANGE 36 E.B.M., BANNOCK COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT OF INTERSECTION OF THE WEST LINE OF SECTION 28, TOWNSHIP 7 SOUTH, RANGE 36 E.B.M., AND ON THE SOUTHWESTERLY LINE OF THE PORTNEUF ROAD; THENCE SOUTH 57°03' EAST, ON THE SOUTHWESTERLY LINE OF PORTNEUF ROAD, 124.00 FEET; THENCE SOUTH 00°38' WEST, 15.00 FEET; THENCE NORTH 80°00' WEST, 106.20 FEET, MORE OR LESS, TO THE WEST LINE OF SAID SECTION 28; THENCE NORTH 00°38' EAST, ALONG THE WEST LINE OF SAID SECTION 28, 64.00 FEET, TO THE POINT OF BEGINNING.

ALSO EXCEPT:

THAT PORTION OF THE NW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 28, TOWNSHIP 7 SOUTH, RANGE 36 E.B.M., BANNOCK COUNTY, IDAHO, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID NW $\frac{1}{4}$ NW $\frac{1}{4}$, THENCE ALONG THE NORTH LINE OF THE SAID NW $\frac{1}{4}$ NW $\frac{1}{4}$, SOUTH 89°59'30" WEST, 215.36 FEET; THENCE SOUTH 61°37'30" WEST, 578.93 FEET; THENCE SOUTH 0°00'30" EAST, 285.08 FEET; THENCE NORTH 89°59'30" EAST, 324.34 FEET; THENCE NORTH 63°01'30" EAST, 440.87 FEET, MORE OR LESS, TO THE EAST LINE OF SAID NW $\frac{1}{4}$ NW $\frac{1}{4}$; THENCE ALONG SAID EAST LINE, NORTH 1°11'30" EAST, 360.56 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

ALSO EXCEPT:

THAT PORTION OF THE NW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 28, TOWNSHIP 7 SOUTH, RANGE 36 E.B.M., BANNOCK COUNTY, IDAHO, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE OF SAID NW $\frac{1}{4}$ NW $\frac{1}{4}$, THAT IS SOUTH 1°11'30" WEST, 360.56 FEET FROM THE NORTHEAST CORNER OF SAID NW $\frac{1}{4}$ NW $\frac{1}{4}$; THENCE SOUTH 1°11'30" WEST, 350.00 FEET, MORE OR LESS TO THE INDIAN CREEK ROAD; THENCE SOUTH 3°40'30" WEST, 50.00 FEET; THENCE ON A CURVE TO THE RIGHT WITH A RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF 87°32', FOR A DISTANCE OF 76.39 FEET; THENCE NORTH 1°11'30" EAST, 323.14 FEET; THENCE NORTH 63°01'30" EAST, 56.76 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

ALSO EXCEPT:

THE WESTERLY 165 FEET OF THE NW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 28, TOWNSHIP 7 SOUTH, RANGE 36 E.B.M., BANNOCK COUNTY, IDAHO, EXCEPT THEREFROM THAT PORTION DESCRIBED ABOVE AS FOLLOWS: BEGINNING AT A POINT OF INTERSECTION OF THE WEST LINE OF SAID SECTION 28, AND ON THE SOUTHWESTERLY LINE OF THE PORTNEUF ROAD; THENCE SOUTH 57°03' EAST, ON THE SOUTHWESTERLY LINE OF PORTNEUF ROAD, 124.00 FEET; THENCE SOUTH 00°38' WEST 15.00 FEET; THENCE NORTH 80°00' WEST 106.20 FEET; THENCE NORTH 00°38' EAST ALONG THE WEST LINE 106.20 FEET; THENCE NORTH 00°38' EAST ALONG THE WEST LINE OF SAID SECTION 28, 64.00 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPT:

3-1 Warranty Deed 96000247

For Value Received

DENNIS CHERRY, AN UNMARRIED MAN.

the grantor, do ~~ES~~ hereby grant, bargain, sell and convey unto

CLAUDIA JEAN HARRIS, AN UNMARRIED WOMAN.

whose current address is

1914 W. PORTNEUF ROAD, INKOM, ID 83245

the grantee, the following described premises, in BANNOCK County Idaho, to wit:

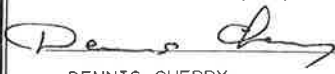
SEE ATTACHED EXHIBIT "A"

SUBJECT TO: ALL existing patent reservations, easements, rights of way, protective covenants, zoning ordinances and applicable building codes, laws and regulations.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, AND HER heirs and assigns forever. And the said Grantor ~~d&S~~ hereby covenant to and with the said Grantee, that he IS the owner in fee simple of said premises; that they are free from all incumbrances

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: January 5, 1996


DENNIS CHERRY

STATE OF IDAHO, COUNTY OF BANNOCK
On this 5TH day of JANUARY, 1996,
before me, a notary public in and for said State, personally appeared
DENNIS CHERRY

known to me to be the person whose name IS
subscribed to the within instrument, and acknowledged to me that
HE executed the same.


Residing at POCA TELLO Notary Public
Comm. Expires 12/10/99, Idaho

NO. 96000247
RECORDED REQUEST OF
ALLIANCE TITLE & ESCROW
'96 JAN -5 P2:04

OFF. B. K. NO. 456
L.A. 10AHC
EE. 9.00

Warranty Deed

92006638

For Value Received

THELMA PARKER, PERSONAL REPRESENTATIVE, OF THE ESTATE OF ONA R. ROE DECEASED
AND LOUISE G. ROE, A WIDOWthe grantor, do hereby grant, bargain, sell and convey unto
GENE D. WHITWORTH, A SINGLE MAN.

whose current address is

1914 W. PORTNEUF RD., INKOM., ID 83245

the grantee, the following described premises, in BANNOCK County Idaho, to wit:

SEE ATTACHED LEGAL DESCRIPTION

SUBJECT TO: ALL existing patent reservations, easements, rights of way, protective covenants, zoning
ordinances and applicable building codes, laws and regulations.TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee,
THEIR heirs and assigns forever. And the said Grantor do hereby covenant to and with the said
Grantee, that the Y the owner in fee simple of said premises; that they are free from all incumbrances

and that the Y MAY warrant and defend the same from all lawful claims whatsoever.

Dated: MAY 5th 1992

THELMA PARKER, PERSONAL REPRESENTATIVE OF THE ESTATE OF ONA R. ROE, DECEASED

Thelma G. Parker, Personal Representative of the Estate of Louise G. Roe
of Ona R. Roe, Deceased

STATE OF IDAHO, COUNTY OF Bannock
On this 5th day of MAY, 1992
before me, a notary public in and for said State, personally appeared

Louise G. ROE

NOTARY SEAL

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to me that
she executed the same.

Michael R. Anderson
Notary Public

Residing at Pocatello, Idaho
Comm. Expires 1/20/98

92006638

NO. 562
RECORDING & INDEXING
AMERICAN LAND TITLE CO.
'92 MAY -1 P 4:50

FEE 9.00 DEPOSIT th

3-3

THE WEST 115.5 FEET OF THE EAST 148.5 FEET TO THE WEST 313.5 FEET,
NW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 28, TOWNSHIP 7 SOUTH, RANGE 36 E.B.M.

ALSO EXCEPT:

THE EAST 66 FEET OF THE WEST 379.5 FEET OF THE NW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 28,
TOWNSHIP 7 SOUTH, RANGE 36 E.B.M., BANNOCK COUNTY, IDAHO.

ALSO EXCEPT:

THE EAST 33 FEET OF THE EAST 148.5 FEET OF THE WEST 313.5 FEET OF THE
NW $\frac{1}{4}$ NW $\frac{1}{4}$ OF SECTION 28, TOWNSHIP 7 SOUTH, RANGE 36 E.B.M., BANNOCK
COUNTY, IDAHO.

ALSO EXCEPT:

ALL THAT PORTION OF THE NW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 28, TOWNSHIP 7 SOUTH, RANGE 36
E.B.M., LYING SOUTH OF PORTNEUF ROAD.

MICROFILMED
NOV 13 1996

JULY 23, 1992

GENE D WHITWORTH
1914 W PORTNEUF ROAD
INKOM ID 83245

RE: CHANGE IN OWNERSHIP FOR A29-00604A AND A29-11208

Dear Mr. Whitworth:

The request for Change in Ownership concerning your Notices of Claim in the above reference has been processed and the Notices modified to reflect you as the new owner.

Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep these Notices for your records.

Respectfully submitted,

Dave Carlson
Water Rights Agent, Adjudication

DC:jt

Enclosure: NOTICES OF CLAIM

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NOV 13 1992



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 5/1/91

LEGAL DESCRIPTION OF PROPERTY: Township 7 S Range 36 E
Section 28, NW 1/4 of NW 1/4 of _____ 1/4 Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____.
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)
- ☐ Water Right Number(s)
Assigned by IDWR: AZ9-00604A, AZ9-11208
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Ona Roe, deceased
Gene D. Whitworth
- ☐ New Owner/Claimant (Purchaser): _____
- ☐ New Mailing Address: 1914 W. Portneuf Rd.
- ☐ New Telephone Number: (208) 775 - 3132
- ☐ 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) [Signature] Date 6-14-92
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____

(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: _____

Claim Numbers of Split, if any:

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NOV 19 1992

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

A TRACT OF LAND IN THE NW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 28, TOWNSHIP 7 SOUTH, RANGE 36 E.B.M., BANNOCK COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT OF INTERSECTION OF THE WEST LINE OF SECTION 28, TOWNSHIP 7 SOUTH, RANGE 36 E.B.M., AND ON THE SOUTHWESTERLY LINE OF THE PORTNEUF ROAD: THENCE S 57°03' EAST, ON THE SOUTHWESTERLY LINE OF THE ROAD, 124.00 FEET; THENCE S 00°38' WEST, 15.00 FEET; THENCE N 80°00' WEST, 106.20 FEET, MORE OR LESS, TO THE WEST LINE OF SAID SECTION 28; THENCE N 00°38' EAST, ALONG THE WEST LINE OF SAID SECTION 28, 64.00 FEET, TO THE POINT OF BEGINNING.

ALSO EXCEPT:

THAT PORTION OF THE NW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 28, TOWNSHIP 7 SOUTH, RANGE 36 E.B.M., BANNOCK COUNTY, IDAHO, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID NW $\frac{1}{4}$ NW $\frac{1}{4}$; THENCE ALONG THE NORTH LINE OF THE SAID NW $\frac{1}{4}$ NW $\frac{1}{4}$, SOUTH 89°59'30" WEST, 215.36 FEET; THENCE SOUTH 61°37'30" WEST, 578.93 FEET; THENCE SOUTH 0°00'30" EAST, 285.08 FEET; THENCE NORTH 89°59'30" EAST, 324.34 FEET; THENCE NORTH 63°01'30" EAST, 440.87 FEET, MORE OR LESS, TO THE EAST LINE OF SAID NW $\frac{1}{4}$ NW $\frac{1}{4}$; THENCE ALONG SAID EAST LINE, NORTH 1°11'30" EAST, 360.56 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

ALSO EXCEPT:

THAT PORTION OF THE NW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 28, TOWNSHIP 7 SOUTH, RANGE 36 E.B.M., BANNOCK COUNTY, IDAHO, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE OF SAID NW $\frac{1}{4}$ NW $\frac{1}{4}$, THAT IS SOUTH 1°11'30" WEST, 360.56 FEET FROM THE NORTHEAST CORNER OF SAID NW $\frac{1}{4}$ NW $\frac{1}{4}$; THENCE SOUTH 1°11'30" WEST, 350.00 FEET, MORE OR LESS, TO THE INDIAN CREEK ROAD; THENCE SOUTH 3°40'30" WEST, 50.00 FEET; THENCE ON A CURVE TO THE RIGHT WITH RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF 87°32', FOR A DISTANCE OF 76.39 FEET; THENCE NORTH 1°11'30" EAST, 323.14 FEET; THENCE NORTH 63°01'30" EAST, 56.76 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

ALSO EXCEPT:

THE WESTERLY 165 FEET OF THE NW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 28, TOWNSHIP 7 SOUTH, RANGE 36 E.B.M., BANNOCK COUNTY, IDAHO, EXCEPT THEREFROM THAT PORTION DESCRIBED ABOVE AS FOLLOWS: BEGINNING AT A POINT OF INTERSECTION OF THE WEST LINE OF SAID SECTION 28, AND ON THE SOUTHWESTERLY LINE OF THE PORTNEUF ROAD; THENCE SOUTH 57°03' EAST, ON THE SOUTHWESTERLY LINE OF PORTNEUF ROAD, 124.00 FEET; THENCE SOUTH 00°38' WEST 15.00 FEET; THENCE NORTH 80°00' WEST 106.20 FEET; THENCE NORTH 00°38' EAST ALONG THE WEST LINE OF SAID SECTION 28, 64.00 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPT:

THE WEST 115.5 FEET OF THE EAST 148.5 FEET OF THE WEST 313.5 FEET, NW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 28, TOWNSHIP 7 SOUTH, RANGE 36 E.B.M.

ALSO EXCEPT:

THE EAST 66 FEET OF THE WEST 379.5 FEET OF THE NW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 28, TOWNSHIP 7 SOUTH, RANGE 36 E.B.M., BANNOCK COUNTY, IDAHO.

ALSO EXCEPT:

THE EAST 33 FEET OF THE EAST 148.5 FEET OF THE WEST 313.5 FEET OF THE NW $\frac{1}{4}$ NW $\frac{1}{4}$ OF SECTION 28, TOWNSHIP 7 SOUTH, RANGE 36 E.B.M., BANNOCK COUNTY, IDAHO.

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NOV 13 1992

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME RoceCLAIM NO. A29-00604ADATE RECEIVED 4/4/90C# AMOUNT \$ 71

YES

NO

Required Info?

1. Is the name and address complete with zip code? / / *
2. Is a priority date entered? / / *
- Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. / *
3. (a) Is a source entered? / / *
- (b) Is a tributary to entered? (if required) / N/A / *
4. Is the legal description of the p.d. sufficient? / / *
5. Is there a description of the diverting works? / / *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. / / *
- Is the period of use included? / / *
- Is a quantity claimed for each use? / / *
7. Is a total quantity claimed entered? / / *
8. If required is a consumptive use entered? / N/A / *
- Is the consumptive use correct? / N/A / *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. / N/A / *
10. Is (are) the place(s) of use and purpose(s) indicated? / / *
11. Is (are) the county(ies) entered? / / *
12. Is the ownership of p.u. checked? / / *
13. Are other water rights listed or "none" indicated? / / *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) / N/A / *
15. Is the basis of the claim indicated? / / *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) / N/A / *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. / / *
18. Has the claim been signed, sealed, and dated by a notary? / / *
19. Was this claim filed on time, or was an extension granted? / / *
20. Is the fee enclosed correct? / Exempt / *
21. If this claim is based on an existing water right, has the identification number been entered? / N/A / *
22. Should this claim be data entered? / / *

Claim checked by: / Date: 4/26/90Claim must be returned to claimant: / (Yes) / (No)Claimant must be notified of modifications: / (Yes) / (No)Receipt Prepared by: / Date: / Claim data entered by: / Date: / Checked by: / Date: 4/26/90Sent to claimant by: / Date: / Comments: /

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 5, 1990

Mr. Ona R. Roe
1914 West Portneuf Rd.
Inkom, Idaho 83245

RE: Notice A29-00604A and domestic notice.

Dear Mr. Roe:

As we discussed over the phone, please find enclosed a prepared notice for your irrigation water right on Indian Creek. Your check no. 486 in the amount of \$76.00 is also enclosed. Please review the notice for the corrections we discussed and when satisfied, sign it in the presence of a Notary Public and return the notice to our office. Keep the notice marked "COPY" for your records.

I have also enclosed your domestic well notice. Please initial the corrections made to items 4, 6 and 7. You do not need to sign this notice again, just return it with the irrigation notice.

The filing fee for your notices is as follows:

- One irrigation notice for 21 acres	=	\$71.00
- One domestic notice	=	\$25.00
TOTAL DUE	=	\$96.00

Your prompt attention is appreciated. Be sure to return the notices, with the correct filing fee, by May 1, 1990 to avoid a late filing fee. Feel free to contact our office if you have any questions regarding this matter.

Sincerely,

Eric S. Verner,
Sr. Water Agent

Enclosure

MICROFILMED
NOV 13 1992

JUN 11 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 29-604A
Date Received: 4/5/90
Receipt No: E013057
Received By:

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

1. Name of Claimant(s)

R SCOTT WELLS Phone: (208) 234-9205

1350 E CEDAR
POCATELLO ID USA 83201

2. Date of Priority: 05/31/1908

3. Source: INDIAN CREEK , SPRINGS Trib. to: SINKS , INDIAN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07S	36E	28	NW NW	BANNOCK	

5. Description of diverting works:

HEADGATE IN STREAM TO DITCHES, SMALL POND WITH DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	9/01	0.42	

7. Total Quantity Appropriated is:
0.42 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	36E	28	NW	NW	IRRIGATION	21
					Section Acres	21
					Total Acres	21

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:

P/D & P/U NOT LISTED IN DECREE
P/U WITHIN ALLOTMENT NO. 14 OF FORT HALL INDIAN RESERVATION HELD IN TRUST BY U.S.
FOR HEVEDORE TINDORE
PRIORITY DATE NOT GIVEN IN DECREE, BUT RT. 29-0604 IS SUPERIOR & PRIOR TO DEFENDANTS
RTS. 29-0606 THRU 29-0610
SOURCES ARE INDIAN CK., TRIB. SINKS: ALL SPRINGS ARISING IN AND ADJACENT TO THE BED
OR CHANNEL OF INDIAN CREEK
*** PRIORITY DATE LISTED IS ONE DAY PRIOR TO ALL OTHER RIGHTS LISTED IN DECREE
MAKING IT A PORTION OF THE PRIMARY RIGHT ON THE STREAM. OWNER SOLD OFF 19 ACRES OF
ORIGINAL 40 THAT WAS DECREED THIS WATER RIGHT. HIS PORTION OF THE RIGHT IS BASED
UPON 52% OWNERSHIP OF PROPERTY (21/40=0.525)
CHANGED OWNERSHIP 2/21/96/JT/AR

15. Basis of Claim: Decreed

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: **A29-00604A**
Date Received: 4/ 5/1990
Receipt No: E013057
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: CLAUDIA JEAN HARRIS
Address: 1914 W PORTNEUF RD
INKOM ID 83245 208-775-3585

2. Date of Priority: MAY 31, 1908

3. Source: INDIAN CREEK
SPRINGS Trib. to: SINKS
INDIAN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	36E	28	NW	NW			BANNOCK

5. Description of diverting works:
HEADGATE IN STREAM TO DITCHES, SMALL POND WITH DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	09/01	0.420		

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

8. Total consumptive use is 63.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	36E	28	NW	NW		IRR	21.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	21.0
					Total Acres	21.0

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:

P/D & P/U NOT LISTED IN DECREE.

P/U WITHIN ALLOTMENT NO. 14 OF FORT HALL INDIAN RESERVATION HELD IN TRUST BY U.S. FOR HEVEDORE TINDORE.

PRIORITY DATE NOT GIVEN IN DECREE, BUT RT. 29-0604 IS SUPERIOR & PRIOR TO DEFENDANTS RTS. 29-0606 THRU 29-0610.

SOURCES ARE INDIAN CK., TRIB. SINKS: ALL SPRINGS ARISING IN AND ADJACENT TO THE BED OR CHANNEL OF INDIAN CREEK.

*** PRIORITY DATE LISTED IS ONE DAY PRIOR TO ALL OTHER RIGHTS LISTED IN DECREE MAKING IT A PORTION OF THE PRIMARY RIGHT ON THE STREAM. OWNER SOLD OFF 19 ACRES OF ORIGINAL 40 THAT WAS DECREED THIS WATER RIGHT. HIS PORTION OF THE RIGHT IS BASED UPON 52% OWNERSHIP OF PROPERTY ($21/40=0.525$).

CHANGED OWNERSHIP 2/21/96/JT/AR

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 4/ 7/1920

UNITED STATES OF AMERICA, ET.
Decree Plaintiff

C. S. SKEEM, ET. AL.
vs Decree Defendant

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: **A29-00604A**
Date Received: 4/ 5/1990
Receipt No: E013057
Received By: _____

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

1. Name: GENE D WHITWORTH 208-775-3132
Address: 1914 W PORTNEUF ROAD
INKOM ID 83245

2. Date of Priority: MAY 31, 1908

3. Source: INDIAN CREEK Trib. to: SINKS
SPRINGS INDIAN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	36E	28	NW	NW	NW		BANNOCK

5. Description of diverting works:
HEADGATE IN STREAM TO DITCHES, SMALL POND WITH DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	09/01	0.420		

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

8. Total consumptive use is 63.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
07S	36E	28	NW	NW		IRR	21.0

Section Acres 21.0

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NOV 13 1992

10. Place of Use: Continued

Total Acres 21.0

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:

P/D & P/U NOT LISTED IN DECREE.
P/U WITHIN ALLOTMENT NO. 14 OF FORT HALL INDIAN RESERVATION HELD
IN TRUST BY U.S. FOR HEVEDORE TINDORE.
PRIORITY DATE NOT GIVEN IN DECREE, BUT RT. 29-0604 IS SUPERIOR &
PRIOR TO DEFENDANTS RTS. 29-0606 THRU 29-0610.
SOURCES ARE INDIAN CK., TRIB. SINKS: ALL SPRINGS ARISING IN AND
ADJACENT TO THE BED OR CHANNEL OF INDIAN CREEK.
*** PRIORITY DATE LISTED IS ONE DAY PRIOR TO ALL OTHER RIGHTS
LISTED IN DECREE MAKING IT A PORTION OF THE PRIMARY RIGHT ON THE
STREAM. OWNER SOLD OFF 19 ACRES OF ORIGINAL 40 THAT WAS DECREED
THIS WATER RIGHT. HIS PORTION OF THE RIGHT IS BASED UPON
52% OWNERSHIP OF PROPERTY ($21/40=0.525$).

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 4/ 7/1920

UNITED STATES OF AMERICA, ET.
Decree Plaintiff

C. S. SKEEM, ET. AL.
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: _____

MICROFILMED
NOV 13 1992

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 _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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NOV 13 1992

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 10 1990

Ident. Number: A29-00604A
Date Received: 4/05/1990
Receipt No: 5013057/90
Received By: EV

Department of Water Resources **NOTICE OF CLAIM TO A WATER RIGHT**
Eastern District Office **ACQUIRED UNDER STATE LAW**

1. Name: ONA R. ROE 208-775-3689
Address: 1914 WEST PORTNEUF RD.
INKOM, ID 83245
2. Date of Priority: MAY 31, 1908
3. Source: INDIAN CREEK Springs Trib. to: SINKS
INDIAN CREEK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	36E	28	NW	NW			BANNOCK
5. Description of diverting works:
HEADGATE IN STREAM TO DITCHES, SMALL POND WITH DITCHES.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	09/01	0.420		
7. Total Quantity Appropriated is:
0.420 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 63.0 Acre Feet Per Annum.
9. Non-irrigation uses:
NONE
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	36E	28	NW	NW		IRR	21.0
Section Acres							21.0

A29-00604A

Page 1

Date: 04/05/90

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NOV 13 1992

10. Place of Use: Continued

Total Acres 21.0

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:

P/D & P/U NOT LISTED IN DECREE.

P/U WITHIN ALLOTMENT NO. 14 OF FORT HALL INDIAN RESERVATION HELD
IN TRUST BY U.S. FOR HEVEDORE TINDORE.

PRIORITY DATE NOT GIVEN IN DECREE, BUT RT. 29-0604 IS SUPERIOR &
PRIOR TO DEFENDANTS RTS. 29-0606 THRU 29-0610.

SOURCES ARE INDIAN CK., TRIB. SINKS: ALL SPRINGS ARISING IN AND
ADJACENT TO THE BED OR CHANNEL OF INDIAN CREEK.

*** PRIORITY DATE LISTED IS ONE DAY PRIOR TO ALL OTHER RIGHTS
LISTED IN DECREE MAKING IT A PORTION OF THE PRIMARY RIGHT ON THE
STREAM. OWNER SOLD OFF 19 ACRES OF ORIGINAL 40 THAT WAS DECREED
THIS WATER RIGHT. HIS PORTION OF THE RIGHT IS BASED UPON
52% OWNERSHIP OF PROPERTY ($21/40=0.525$).

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 4/07/1920

UNITED STATES OF AMERICA, ET.

Decree Plaintiff

vs

C. S. SKEEM, 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): Gina R Rol Date: 4-9-90

Date: _____

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 9 day
of April 19 90 Jeanne Sorensen
Notary Public

Seal

Residing at Downey Idaho
My Commission Expires 11-17-91

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

429-00604A

Date Received

4-5-90

Receipt Number

E013057

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW



APR - 4 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) Ona R. Roe Whitworth c/o Phone (208) 775-3689
Mailing Address 1914 West Portneuf Rd., Inkom, Idaho Zip 83245
2. Date of Priority (Only one (1) per claim) Court Decree dated April 7, 1920 No. 182. District Court, District of Idaho, Eastern Division.
3. Source of water supply (a) Indian Creek and adjacent springs.
which is tributary to (b) Portneuf River
4. a. Location of existing point of diversion is: Township 7S Range 36E Section 28,
NW 1/4 of NW 1/4 of 1/4, Govt. Lot, Tax 53 B.M., County of Bannock
Additional points of diversion if any: None
b. If instream flow, beginning point of claimed instream flow is:
Same as above.
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____
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. Reservoir and ditches on same place.

A2900604A



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NOV 13 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For General Irrigation purposes from 4-1 to 9-1 amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

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

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

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

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	

Total number of acres irrigated 21

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

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.
None or None (X)

14. Remarks:
One and three-fifths second feet of water court decreed for four forty-acre tracts to share equally.

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NOV 13 1992

Last Name Roe Ident No. 712-07-7645

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 _____

Court District Court, Dist. of ID, Case Number _____ Decree Date April 7, 1920

Plaintiff vs Defendant USA and Turman J. Hofhine, vs. C.S. Skeem, Marcus Skeem, S.H. Cotterel
and L.L. Walker.

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) _____

Date 4-3-90

Date _____

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

Title _____

of _____, that I have signed the foregoing

Organization

document in the space below as _____

of _____

Title

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 _____)

County of Bannock)

SS.

Subscribed and sworn (or affirmed) before me this _____

3

day of _____

April

19 _____

90

SEAL

Notary Public _____

Residing at _____

My Commission Expires _____

11-17-91

Please Print Name

Jeneane Sorensen

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 _____

MICROFILMED

NOV 13 1992

Last Name

Roe

Ident. Number

712-07-7645

Copies White-State, Yellow-Claimant

SCAN

T
7
S

PLACE OF USE
POINT OF DIVERSION

T
7
S
R36E

SE R36E

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NOV 13 1992

17' 30" 394 395 396 397000m E 42° 45' 112° 15'

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 _____
Date Received: _____
Receipt No: _____
Received By: _____

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

1. Name of Claimant(s)

R SCOTT WELLS Phone: (208) 234-9205

1350 E CEDAR
POCATELLO ID USA 83201

2. Date of Priority: / /

3. Source: INDIAN CREEK Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07S	36E	28	NW NW	BANNOCK	
07S	36E	28	NW NW	BANNOCK	

5. Description of diverting works:

HEADGATE IN STREAM TO DITCHES, SMALL POND WITH DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	10/31	0.029	

7. Total Quantity Appropriated is:
0.029 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	36E	28	NW NW	IRRIGATION	15

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DEC 14 2005

Section Acres 15
Total Acres 15

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:

29-00604A, 29-13471

14. Remarks:

Claim filed to supplement 29-00604A to bring the diversion rate per acre to 1 inch.

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): _____ 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 14 2005