

04/03/2002

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

RIGHT NUMBER: 29-2044D

NAME AND ADDRESS: WADE TAYSOM
1292 E TIAPOO
MC CAMMON ID 83250

SOURCE: TWOMILE CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.36 CFS

PRIORITY DATE: 05/18/1906

POINT OF DIVERSION:

T08S R36E S36 NENESE Within BANNOCK County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 11/01

0.360 CFS

PLACE OF USE:

IRRIGATION Within BANNOCK County

T08S R36E S36

NESW

12.0

T08S R36E S36

NWSW

6.0

18 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.

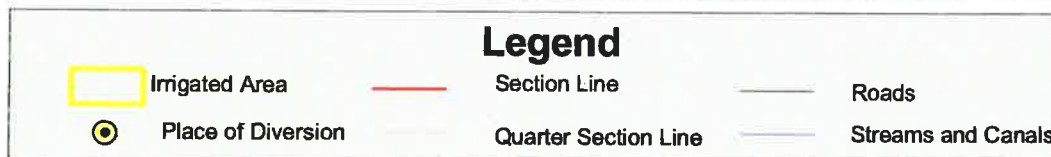
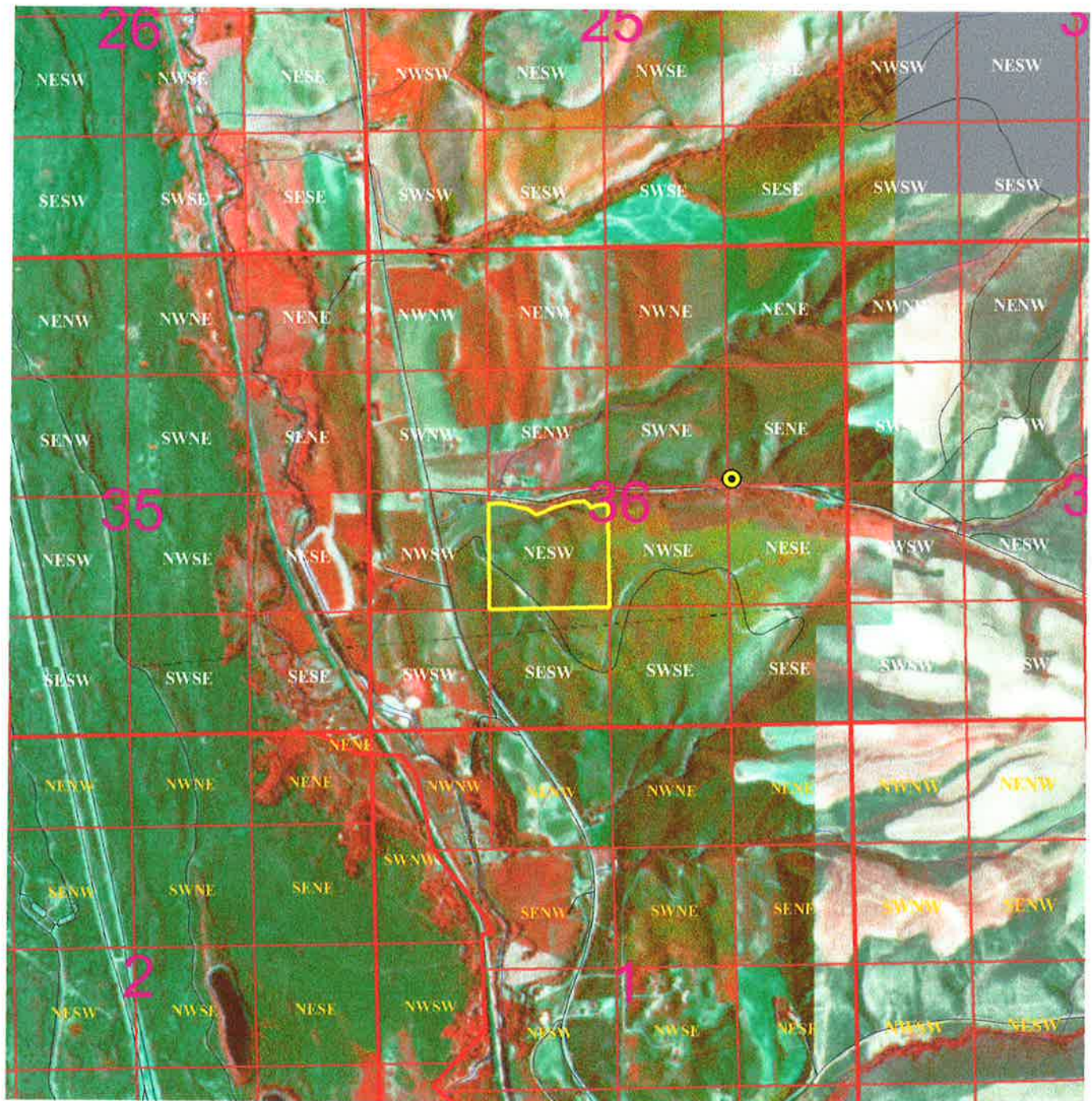
EXPLANATORY MATERIAL: License

SOURCE IS ALSO KNOWN AS (E.) GOODENOUGH CREEK.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

Water Right Claim Number A29-02044D

08/09/2000

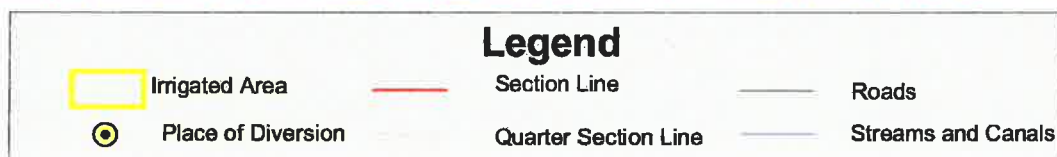
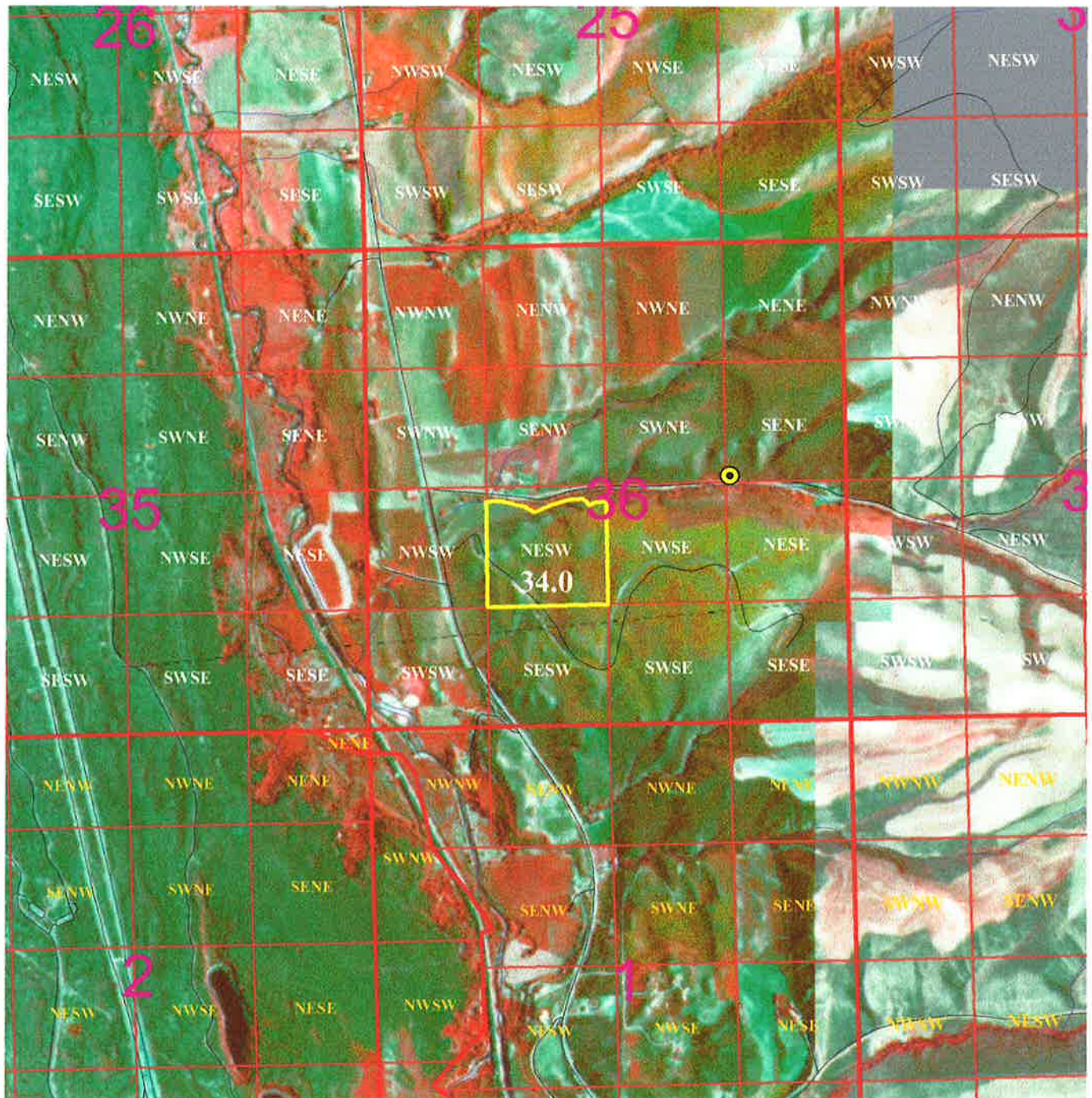
Township , 8S36E



Water Right Claim Number A29-02044D

08/09/2000

Township , 8S36E



1000 0 1000 2000 Feet





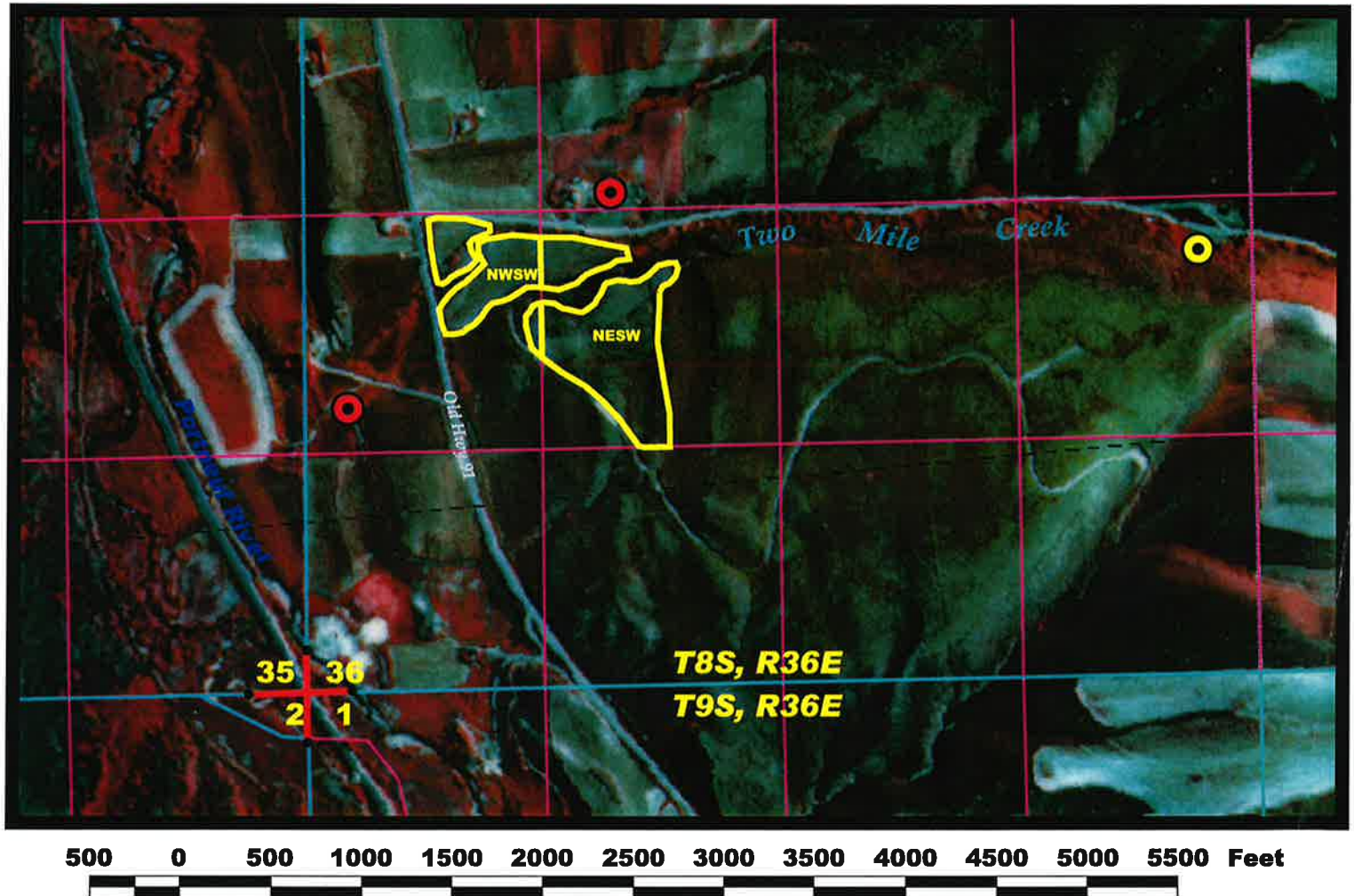
STATE OF IDAHO

Department of Water Resources

Eastern Region



WATER RIGHT(S): 29-02044D



LEGEND

-  **Place of Use**
-  **Section**
-  **Quarter-Quarter**
-  **Point of Diversion**

Place of Use: (parts of)
T8S, R36E Sec. 36 N2SW

Point(s) of Diversion: T8S, R36E
Sec. 36 NENESE



SCANNED
DEC 20 2005

GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: April 2002

IDWR Field Exam Form

Point of Diversion and Source Data Entry Form

Claim Number 29-02044D

Claimed Point of Diversion and Source

T. BS. R36E Sec. 36 SENE (1 POD)

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

Two Mile Cr

Portneuf River

AKA: Goodenough Cr

BØ1

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
<u>BS</u>	<u>36E</u>	<u>36</u>		<u>NESESE</u>	<u>BANN</u>	<u>Two Mile Cr</u>

Other rights from this POD? NONE

Document how the POD and Source were verified:

4/2/02 FE - STREAM DOES NOT FLOW THROUGH SENE SEC. 36
AS CLAIMED.

Reviewer: ASR

Date: 4/2/02

NO TRANSFERS

GPS DATA

TAG# A0012495

648,909 — 0177251

ORIGINAL

SCANNED
DEC 20 2005

IDWR Field Exam Form

Place Of Use Data Entry Form

Claim Number 29-02044D

Claimed Place Of Use

IRRIGATION Within

Bannock

County

☐ Use Claimed POU as Recommended POU

Water Right Place Of Use

Sec. 36 NESE - prior to 1989 Inocumment

Recommended Place of Use

☐ See corrections to claimed POU above

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
8S	36E	36	NESE		Bann		12	irrig
			NWSE				6	

Total Acres 18

Document how the POU was verified:

FE: VISITED POU w/ WADE TRAYSON - OBSERVED MAINLINE
WHICH RANS TO OLD HWY 91. Δ TO POU PRIOR TO
1987. ± CIRCA 1985.

NO TRANSFERS — CFS

Reviewer: SBRDate: 4/2/02

SCANNED

DEC 20 2005

IDWR Field Exam Form

Period of Use and Quantity Data Entry Form

Claim Number 29-02044D

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
irrig	04/01	11/01	0.40	—

Overall Diversion Rate

Overall Diversion Volume

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIG	04/01	11/01	0.36	—

Overall Diversion Rate

Overall Diversion Volume

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIG	04/01	11/01	0.36	—

Overall Diversion Rate

Overall Diversion Volume

Document how the Period of Use and/or Diversion Rate were verified:

1989 JUDGMENT DECLARED 0.36 cfs for IRRIG AND SOU
AS 4/1 TO 11/1 - SUBS SPLIT HISTORY

Reviewer: MPMDate: 1/2/02

SCANNED

DEC 20 2005

Contacts Data Entry Form

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner						
Original Owner	WAYNE THYSON					
Current Owner	WADE THYSON	1292 E TIAPOO McCAMMON, UT			83250	

Date of Field Exam: 4/2/02 Time: 830 AM

Accompanied By: WADE Phone Number: (208) 254-9132

Relationship to Claimant: Owner

Directions to Property (if different from above) and/or update owner information:

Old Hwy 91 No. of McCammon couple miles E. side of Hwy

c/o: Letter or c/o from WAYNE THYSON WHICH REMOVES J. SULLIVAN'S NAME FROM WR.

4/3/02 Sent WADE c/o to show him as Current Owner.

Reviewer: ABR

Date: 4/2/02

SCANNED

DEC 20 2005

Priority Date Data Entry Form

Claim Number 29-02044D

Claimed Priority Date:

Claimed Basis:

☒ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Water Right Priority Date:

Water Right Basis:

Recommended Priority Date 5 18 1906Recommended Basis LICENSE

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

Priority Claimed matches LICENSE and JUDGMENT
(1989, cc Attached).

4/2/02 WARD TAYSON EXPLAINED THE PROBLEM HE HAS
WITH MR. SPINNER, AN UPSTREAM USER. APPARENTLY
MR. SPINNER COMPLETELY CLOSOS OFF TWO MILE Ck much
HIGHER UP - DESPITE THE 1989 JUDGMENT Q AND INSTRUCTIONS
TO ALLOW FLOW TO PASS w/o OBSTRUCTION - ADVISED
WARD TO CONTACT WIM B29.

Reviewer: ABRDate: 4/2/02

SCANNED

DEC 20 2005

SPLIT History 29-D2044

WR SIDE

29-02044

5/18/1906

2.0 cts PORTNEUF RIVER
0.4 cts Two Mile CK (AKA
GOODENOUGH CK)

TRANS. #2176
4/04/1978

G.F. GOODENOUGH
29-02044A

2.0 cts PORTNEUF RIVER
P.O.U.: B8 36E S35 E²SE, SENE (100 AC.)
P.O.D.: 9S 36E S12 NWNW

G.D. GOODENOUGH
29-02044B

0.40 cts Two Mile CK
P.O.U.: B8 36E. S36 NESW (20 AC.)
P.O.D.: B8 36E S36 NESE

ADJ. SIDE

RANDY LEWIS

~~G.D. GOODENOUGH~~
A29-02044A

1.82 cts PORTNEUF RIV. 5/18/1906
P.O.D.: 9S 36E S12 NWNW
P.O.U.: B8 36E S35 E²SE, SENE (100 AC.)

ALSO SEE

29-00067

C. SCHUEREN (SPINNER)
A29-02044C

0.04 cts Two Mile CK 5/18/1906
P.O.D.: B8 37E S31 NESWNW
P.O.U.: B8 37E S31 SW⁴ (70 AC.)
NOTE: THIS IS THE LESS SENIOR RIGHT
PORTION PER JUDGEMENT.

29-7503

W. TAYSON - J. SULLIVAN
A29-02044D

0.40 cts Two Mile CK 5/18/1906
P.O.D.: B8 36E S36 SENE
P.O.U.: B8 36E S36 SESE (20 AC.)

*NOTE: REDUCE THIS RT. PER JUDGEMENT
TO 0.36 cts ON 15 AC.

W. TAYSON

J. BURGESS - B. SMITH
A29-02044E

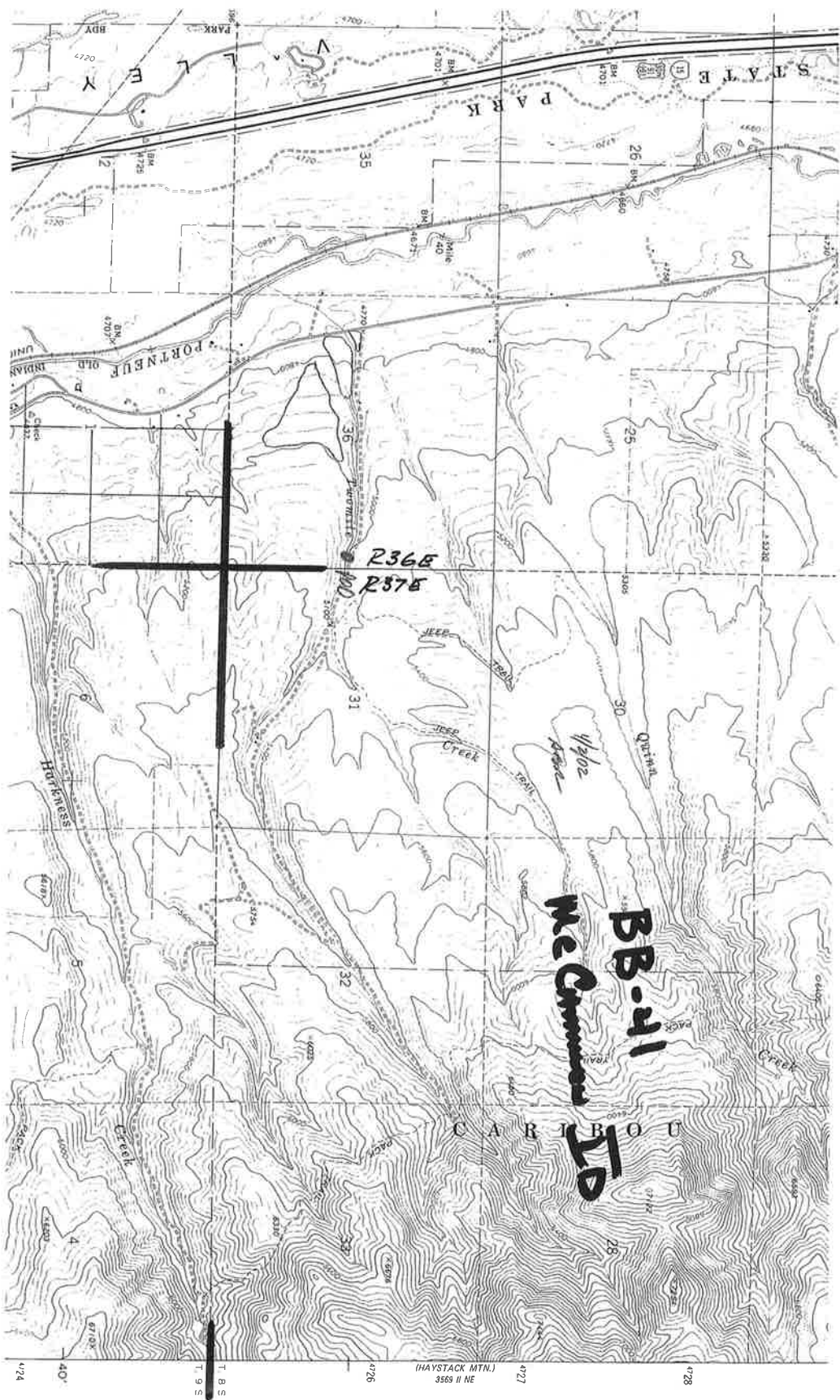
0.18 cts PORTNEUF RIV 5/18/1906
P.O.D.: 9S 36E S12 NWNW
P.O.U.: B8 36E S35 NESE
S36 NWSW

29-7609 (P)

THIS RT. (CLAIM) IS
ACTUALLY A SPLIT
OFF PORTION OF 'A'

NO BASIS FOR THIS CLAIM
FOUND - LETTER SENT TO
REQUEST BASIS 2/28/01.

SCANNED
JUN 06 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

November 19, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

WAYNE TAYSOM
PO BOX 4819
POCATELLO ID 83201

RE: CHANGE OF OWNERSHIP FOR A29-02044D

Dear Mr. Taysom:

It has come to our attention that you have purchased all of the property located at legal description:

T08S R36E S36 SE1/4 NE1/4 BANNOCK COUNTY

The water right is currently under your name and James Sullivan.

Please fill out the enclosed Change of Water Right Ownership form and return to this office with a copy of your Warranty Deed and a plat map or aerial photo.

If you have any questions feel free to contact this office at 208-525-7161.

Respectfully submitted,

Cheri Vandermeulen
Records Clerk

DELOO
AR 12-7-01

RECEIVED

DEC 06 2001

Department of Water Resources
Eastern Region

IDWR EASTERN REGION
900 N SKYLINE DR., SUITE

IDAHO FALLS, ID. 83402-1718

DECEMBER 5, 2001

REF; ID# A29-02044D

WATER OWNERSHIP CHANGE

GENTLEMEN;

ENCLOSED PLEASE FIND COPY OF DEED TO WAYNE TAYSOM, DATED 25TH
DAY OF APRIL 1990, WHICH IS EXECUTED BY THE PERSONAL
REPRESENTATIVE OF THE ESTATE OF JAMES SALZAR SULLIVAN,
DECEASED.

DEED IS RECORDED IN BANNOCK COUNTY AS #90005877.

PLEASE CHANGE OWNERSHIP TO REFLECT THE OWNER AS OF THIS DATE
AS BEING WAYNE TAYSOM.

IF FURTHER INFORMATION IS REQUIRED PLEASE ADVISE.

RESPECTFULLY,

A handwritten signature in blue ink that reads "Wayne Taysom". The signature is fluid and cursive, with a long horizontal stroke at the end.

WAYNE TAYSOM
P.O. BOX 4519
POCATELLO, IDAHO 83205

3-1

90005877

DEED

FOR VALUE RECEIVED LAVONA SULLIVAN, individually and as Personal Representative of the Estate of JAMES SALZNAR SULLIVAN, deceased under Letters Testamentary duly certified and attached hereto as Schedule "A" and by reference incorporated herein, as Grantors, do hereby convey to WAYNE TAYSOM, whose address is 1125 West Alameda Road, Pocatello, Idaho, 83201, as Grantee, all right, title and interest individually and as Personal Representative of James Salznar Sullivan, deceased a/k/a James Sullivan, in and to the real property situate in Bannock County, Idaho, particularly described as follows:

A Parcel of Land situated in the South 1/2 of Section 36, Township 8 South, Range 36 East, Boise Meridian, Bannock County, Idaho more particularly described as follows:

Beginning at the Southeast corner of said Section, said point being marked by a Bannock County Brass Cap Monument Stamped LS 968; Thence North 89°58'33" West along the South line of said Section 2653.17 feet to the South Quarter corner of said Section, said point being marked by a Bannock County Brass Cap Monument stamped LS 968; Thence continuing along said South Line of said Section North 89°52'26" West 996.87 feet to the point of intersection of said South line and the East right of Way of Old Highway 30; Thence North 35°04'55" West along said East right of way 440.06 feet to the point of curvature of a 2743.50 feet radius curve, concave to the Northwest; Thence along said curve through a central angle of 2°53'08", a distance 138.17 feet to a point of nontangency with the West 1/16th line of said Section said line bearing North 0°06'29" East; Thence North 0°06'29" East along said West 1/16th line 853.37 feet to the Southwest 1/16th corner of said Section; Thence North 89°56'08" West along the South 1/16th line of said Section 355.26 feet to a point of nontangency (said point also being on the East right of way of Highway 30) with a curve whose center bears North 77°11'44" East; Thence along said curve through a central angle of 1°48'22", a distance of 86.48 feet to the point of tangency of said curve; Thence North 10°59'54" West

along said East right of way 1237.99 feet to the South line of Two Mile Road; thence South 84°59'58" East along said South line 686.25 feet; Thence South 81°20'22" East along said South line 233.54 feet; Thence South 85°40'36" East along said South line 201.89 feet; Thence South 85°27'13" East along said South line 20.70 feet; Thence South 1°12'52" East 146.89 feet; Thence North 79°19'40" East 606.36 feet; Thence South 2°30'34" East 46.64 feet; Thence North 89°27'00" East 912.89 feet; Thence South 76°58'37" East 1495.07 feet; Thence South 79°57'43" East 481.42 feet to the East line of said Section; Thence South 0°10'28" East along said East line 2027.06 feet to the true point of beginning; and

which property is also particularly described as Lots 1 through 38 inclusively, TIAPOO SUBDIVISION, a subdivision in Bannock County according to the official plat thereof recorded in the office of the County Recorder of Bannock County, Idaho.

Together with the right for the use of an existing water pipe line with the right of ingress and egress to the buried water line as it now exists running across a parcel of land situated in the South half of Section 36, Township 8 South, Range 36, E.B.M., Bannock County, Idaho, more particularly described as follows:

Beginning at the East Quarter corner of Section 36; Thence North 89°54'45" West along the center latitudinal line of said Section, 2,849.91 feet; Thence South 01°13'26" East, 223.56 feet; Thence North 89°24'34" East, 914.48 feet; Thence South 76°49'41" East, 1,043.08 Feet; Thence South 77°22'38" East, 451.75 Feet; Thence South 79°25'06" East, 484.96 feet to the East line of Section 36. Thence North 0°13'25" West, 635.20 feet along the East line of said Section To the Point of Beginning...

Together with all appurtenances including all water and water rights, ditch and ditch rights appurtenant thereto and all rents, issues and profits thereof.

Subject to all taxes and assessments now due or hereafter levied or assessed against said property.

Subject to all easements, rights-of-way, reservations, and restrictions, whether or not recorded.

TO HAVE AND TO HOLD, the same unto the said Grantee, his heirs and assigns forever.

DEED
0617D

3 - 3

90005877

IN WITNESS WHEREOF, this Deed is executed this 25th day of April, 1990.

Lavona Sullivan Individually
Lavona Sullivan

Lavona Sullivan Per. Rep. of estate of
Lavona Sullivan James S. Sullivan
Personal Representative of the
Estate of James Salznar Sullivan,
Deceased.

STATE OF IDAHO)
County of Bannock) ss

On this 25th day of April, 1990, before me the undersigned notary public, personally appeared LAVONA SULLIVAN, known or identified to me to be the person who executed the foregoing instrument as Personal Representative of the Estate of James Salznar Sullivan, Deceased, and acknowledged to me that she executed the same as such Personal Representative.

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

Notary Seal

Darcy L. Taylor
Notary Public for Idaho
Residing at Pocatello, Idaho
My Commission expires: 8-12-94

This deed is signed individually by Lavona Sullivan to convey any community interest she may have acquired because of her marriage to the decedent.

NO. 90005877
RECORDED AT REQUEST OF
AMERICAN LAND TITLE CO.

'90 MAY 10 A9:48

5-22
902 #

DEED
0617D

GREEN, SERVICE,
GASSER & KERL
ATTORNEYS AT LAW
P.O. BOX 4883
POCATELLO, IDAHO
83205-4883
(208) 232-4471

90005878

2 - 1

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK
MAGISTRATE'S DIVISION

Estate Of:

JAMES SALZNAR SULLIVAN, M.D.

Deceased.

CASE NO. SP-3045
LETTERS TESTAMENTARY

The Will of the above named decedent having been admitted to Probate in the above entitled Court in informal proceedings, Lavona Sullivan, the person who is named Personal Representative therein, is hereby appointed as Personal Representative.

WITNESS: The below signed Magistrate of the above entitled Court with the seal of the Court affixed this 25 day of June, 1986.


MAGISTRATE

2 - 2

STATE OF IDAHO)
County of Bannock)

ss

90005878

GREEN, SERVICE,
GASSER & KERL
ATTORNEYS AT LAW
P.O. BOX 4883
POCATELLO, IDAHO
83205-4883
(208) 232-4471

I accept the duties of the Personal Representative of the above entitled estate, and do solemnly swear that I will perform, according to law, the duties of Personal Representative, and hereby submit to the jurisdiction of this court in any proceeding relating to the estate instituted by any interested person.

Lavona Sullivan
Lavona Sullivan
Personal Representative

SUBSCRIBED AND SWORN TO Before me this 25th day of June, 1986.

(SEAL)

Harold W. Sauer
NOTARY PUBLIC for Idaho
Residing at: Pocatello, Idaho

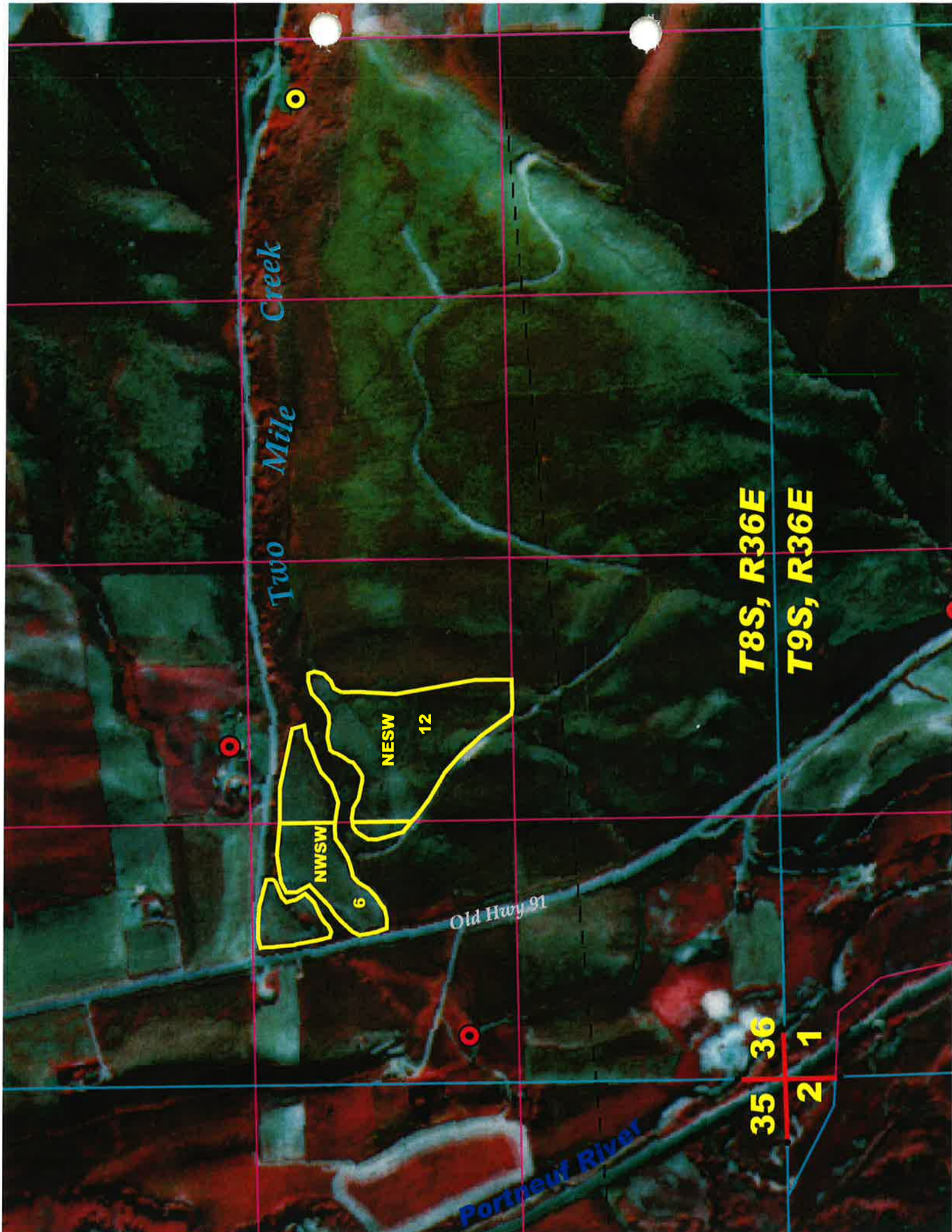
NO. **90005878**
RECORDED AT POCATELLO

AMERICAN LAND TITLE CO.
'90 MAY 10 A9:48

OFF. 522
LAWYER'S LIEN ORDER
FEE 6.00 DEPUTY \$

STATE OF IDAHO }
County of Bannock } ss.

I hereby certify that the foregoing is a full, true and correct copy of the original and is the same now on file in my office.
25 April 90
CLERK OF THE DISTRICT COURT
By Gasser



Water Right Number - 29-020448

Prefix Translation: WATER RIGHT

Old (D) Number - 2018

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

GOODENOUGH

G. DENNIS

1 - RT. 1

2 -

3 -

City- MC CAMMON

State- ID Zip- 83250

Phone -

*** O - ORIGINAL OWNER ***

GOODENOUGH

GEORGE F.

1 -

2 -

3 -

City-

State- Zip-

Phone -

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
05/18/1906 15 EASTERN L - LICENSE+ - - Source - - - - + + - - - Tributary - - - - +
TWO MILE CREEK PORTNEUF RIVER+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.

08S 36E 36 NE SE (5) BANNOCK

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

04/01

11/01

0.400

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.400 0.0+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

08S

36E

36

NE-SW

20.0

18

01

IRRIGATION

(5) BANNOCK

Total Acres: 20.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +

GEN

THE RATE OF DIVERSION SHALL NOT EXCEED .02 CFS/AC., WHEN USED IN
COMBINATION WITH OTHER WATER RTS. SOURCE KNOWN LOCALLY AS
GOODENOUGH CREEK.
TRANS. 2176.

.04 cfs - SPINNER = 2 in

SPLIT BY JUDGMENT .36 TAYLOR => 18 in

Two Mile Creek

POD
(way on up)

Old Hwy 91

off for
HAR

35 36

2 1

T8S, R36E

T9S, R36E

Log for claim A29-02044D

Spatial Dynamics AMH

8/9/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
08s36e	36	NESW	20	34	
Totals:			20	34	

COPY FROM A29-02044C SUBMITTED BY SPINNER-SCHUEREN.
THIS ATTACHMENT WAS NOT SUBMITTED BY CLAIMANT.

JONES, CHRISTENSEN, JORGENSEN, ROBISON,
HOLMES and ROBISON, Chartered
P.O. BOX 967 - 405 WEST WHITMAN
POCATELLO, IDAHO 83204
TELEPHONE: (208) 232-5911

ATTORNEYS FOR Plaintiffs

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

WAYNE TAYSOM AND LAVONA SULLIVAN,	)	
as Personal Representative of the	)	
Estate of JAMES SULLIVAN, deceased.	)	Case No. 40264-C
	)	
Plaintiffs,	)	
	)	AMENDED JUDGMENT
vs.	)	
	)	
CATHERINE SPINNER SCHUEREN,	)	
	)	
<u>Defendant.</u>	)	

The above entitled cause came on regularly for trial on the 30th day of June, 1988, before the court, sitting without a jury, the Honorable Peter D. McDermott presiding; Lamont Jones appeared as counsel for the Plaintiffs and Kent Foster appeared as counsel for the Defendant. Evidence, both oral and documentary, having been introduced and the cause submitted for decision, and the Court thereafter filed its Memorandum Decision and Order and entered a Judgment in the above entitled cause.

Thereafter Defendant filed a Motion to Alter or Amend the the Judgment and also filed a Motion to View the Premises.

The Court having viewed the premises, having heard arguments of counsel upon the Motion to Amend Judgment and the

MICROFILMED

NOV 13 1992

Court having issued a Memorandum Decision and Order which constitutes the Findings of Facts and Conclusion of Law, pursuant to Rule 52(a) of the Idaho Rules of Civil Procedure;

NOW THEREFORE, IT IS ADJUDGED AND DECREED as follows:

PARCEL 1: A parcel of land situate in the South Half of Section 36, Township 8 South, Range 36 E.B.M., Bannock County, Idaho more particularly described as follows:

Commencing at the West Quarter Corner of said Section, said Point being marked by a Bannock County Brass Cap Monument stamped L. S. 968; thence South 89°59'51" East along the latitudinal centerline of said Section 705.32 feet to the Easterly right of way of Highway 91, said point also being the True Point of Beginning; thence continuing South 89°59'51" East along said latitudinal centerline 1939.18 feet to the center quarter corner of said section, said point being marked by a Bannock County Brass Cap Monument stamped L. S. 968; thence South 89°59'44" East along said latitudinal centerline 2645.21 feet to the East quarter corner of said section, said point being marked by a Bannock County Brass Cap Monument stamped L.S. 968; thence South 0°10'28" East along the East line of said Section 2659.36 feet to the Southeast corner of said section, said point being marked by the original stone; thence North 89°58'33" West along the South line of said section 2,653.17 feet to the South Quarter corner of said Section, said point being marked by the original stone, thence continuing along said South line North 89°52'26" West 996.86 feet to the Easterly right of way of highway 91 thence North 35°04'55" West along said Easterly right of way 440.06 feet to the point of curvature of a curve, said point being marked by a Idaho Highway Right of Way Brass Cap Monument; thence along a curve concave to the right, said curve having a central angle of 2°53'08", a radius of 2743.5 feet, for a length of 138.17 feet to the intersection of said Easterly right of way and the West 1/16 line of said Section; thence North 0°06'29" East along said West 1/16 line 853.37 feet to the Southwest 1/16 corner of said section; thence North 89°56'08" West along the South 1/16 line 355.26 feet to the intersection of said South 1/16 line and said Easterly right of way; thence along a curve concave to the right, said curve having a central angle of 1°48'22", a radius of 2743.50 feet, for an arc length of

AMENDED JUDGMENT
0512u

-2-

MICROFILMED

NOV 13 1992

86.48 feet; thence continuing along said Easterly right of way North 10°59'54" West 1265.92 feet to the True Point of Beginning.

ALSO EXCEPT: A parcel of land situate in the Southwest Quarter of Section 36, Township 8 South Range 36 E.B.M., Bannock County, Idaho, more particularly described as follows:

Commencing at the West Quarter corner of said Section; thence South 89°54'45" East along the Meridional centerline of said Section, 971.34 feet to the True Point of Beginning, said point being the Intersection of said Meridional Centerline and the North line of Two Mile Road; thence continuing along said Meridional Centerline South 89°54'45" East 1,341.14 feet to the point of intersection of said meridional centerline and said North line of Two Mile Road; thence South 81°06'24" West along said North line 90.99 feet; thence South 77°08'09" West along said North line, 284.70 feet; thence South 86°11'15" West along said North line, 117.34 feet; thence North 85°49'00" West along said North line, 197.13 feet; thence North 81°19'04" West along said North line, 233.10 feet; thence North 84°58'41" West along said North line, 431.23 feet to the True Point of Beginning.

ALSO EXCEPTING: A parcel of land situate in the Northeast Quarter of the Southwest Quarter of Section 36, Township 8 South, Range 36 E.B.M., Bannock County, Idaho, more particularly described as follows:

Commencing at the West Quarter corner of said Section; thence South 89°54'45" East along the center meridional line of said Section 2010.56 feet; thence South 49°23'27" West, 217.26 feet to the True Point of Beginning; thence North 84°06'32" East, 103.61 feet; thence North 76°46'20" East, 278.25 feet; thence North 80°22'16" East 226.15 feet; thence South 01°13'26" East, 146.97 feet; thence South 79°21'38" West, 607.33 feet; thence North 01°13'26" West, 146.97 feet to the True Point of Beginning.

ALSO EXCEPTING: A parcel of land situate in the South Half of Section 36, Township 8 South, Range 36 E.B.M., Bannock County, Idaho, more particularly described as follows:

Beginning at the East quarter corner of Section 36; thence North 89°54'45" West along the center latitudinal line of said Section, 2,849.91 feet; thence South 01°13'26" East, 223.56 feet; thence North 89°24'34" East, 914.48; thence

AMENDED JUDGMENT
0512u

-3-

MICROFILMED

NOV 13 1992

South 76°49'41" East, 1,043.08 feet; thence South 77°22'38" East, 451.75 feet; thence South 79°25'06" East, 484.96 feet to the East line of Section 36; thence North 0°13'25" West, 635.20 feet along the East line of said Section to the Point of Beginning.

PARCEL 2: The right for the use of an existing water pipe line with the right of ingress and egress to the buried water line as it now exists running across the following described property:

A parcel of land situated in the South half of Section 36, Township 8 South, Range 36 E.B.M., Bannock County, Idaho, more particularly described as follows:

Beginning at the East quarter corner of Section 36; thence North 89°54'45" West along the center latitudinal line of said Section, 2,849.91 feet; thence South 01°13'26" East, 223.56 feet; thence North 89°24'34" East, 914.48 feet; thence South 76°49'41" East, 1,043.08 feet; thence South 77°22'38" East, 451.75 feet; thence South 79°25'06" East, 484.96 feet to the East line of Section 36; thence North 0°13'25" West, 635.20 feet along the East line of said Section to the point of beginning.

Together with all water rights appurtenant thereto, including 0.36 c.f.s. water from Goodenough Creek, also known to Two Mile Creek and also known as East Goodenough Creek with a priority date of May 18, 1906, which was granted by Idaho Department of Resources under Transfer No. 2176 from Idaho Department of Resources License NO. 2018 (29-2044).

2. That except for .04 c.f.s., Defendant's water rights in the waters from Goodenough Creek, also known as Two Mile Creek, also known as East Goodenough Creek is inferior to the water right of Plaintiffs in said waters during the irrigation season from April 1 to November 1 of each year.

3. That Defendant is perpetually enjoined and restrained from in any manner interfering with the water rights of Plaintiffs

AMENDED JUDGMENT
0512u

-4-

MICROFILMED

NOV 13 1992

in Goodenough Creek, also known as Two Mile Creek, also known as East Goodenough Creek during the irrigation season.

4. That Plaintiffs hereafter shall not interfere with Defendant's irrigation system, but Plaintiffs shall request the District Water Master to cause the enforcement of the injunction granted by this Judgment.

5. That Defendant take nothing by its Counterclaim and the same is dismissed with prejudice.

6. That each party shall bear their own attorney's fees and costs incurred.

DATED This 11th day of May, 1989.


DISTRICT JUDGE

AMENDED JUDGMENT
0512u

-5-

MICROFILMED
NOV 13 1992

2-2-95

Greg.

This appears to be associated with A29-02044D. It would appear that someone requested it, but no one around the state office seems to know why. Carter for file this w/ A29-02044D

RECEIVED
JUL 21 1993
Department of Water Resources

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK
MAGISTRATE'S DIVISION

Estate Of:	)	
JAMES SALZNAR SULLIVAN, M.D.	)	CASE NO. <u>SP-3045</u>
	)	LETTERS TESTAMENTARY
Deceased.	)	
	)	

The Will of the above named decedent having been admitted to Probate in the above entitled Court in informal proceedings, Lavona Sullivan, the person who is named Personal Representative therein, is hereby appointed as Personal Representative.

WITNESS: The below signed Magistrate of the above entitled Court with the seal of the Court affixed this 25th day of June, 1986.


MAGISTRATE

MICROFILMED
NOV 14 1996

STATE OF IDAHO)
County of Bannock) ss

I accept the duties of the Personal Representative of the above entitled estate, and do solemnly swear that I will perform, according to law, the duties of Personal Representative, and hereby submit to the jurisdiction of this court in any proceeding relating to the estate instituted by any interested person.

GREEN, SERVICE,
GASSER & KERL
ATTORNEYS AT LAW
P.O. BOX 4883
POCATELLO, IDAHO
83205-4883
(208) 232-4471

Lavona Sullivan
Lavona Sullivan
Personal Representative

SUBSCRIBED AND SWORN TO Before me this 25th day of June, 1986.

(SEAL)

Harold Sams
NOTARY PUBLIC for Idaho
Residing at: Pocatello, Idaho

STATE OF IDAHO }
County of Bannock } ss

I hereby certify that the foregoing is a full, true and correct copy of an instrument as the same now remains on file and of record in my office.

I witness my hand and official seal hereto affixed

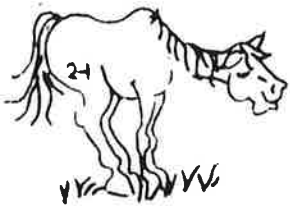
2nd day of Dec., A.D., 1986

LARRY W. GHAN, CLERK OF THE DISTRICT COURT
EX OFFICIO AUDITOR AND RECORDER.

By Deputy

Laron Thompson





2 LAZY T[®]

P. O. Box 4819 - Phone (208) 237-4482
POCATELLO, IDAHO 83201

RECEIVED

MAR 29 1990

24

Department of Water Resources
Eastern District Office

March 27, 1990

CERTIFIED MAIL
R.R.R.

State of Idaho
Department of Water Resources
150 Shoup Avenue, Suite 15
Idaho Falls, Idaho 83402

Attention: Mr. Ernest Carlsen
Adjudication Supervisor

Reference: Adjudication Notice A29-20244D

Enclosed please find correctly signed form with respect to referenced
Adjudication Notice.

Thank you,

Wayne E. Taysom

nlg
Enclo. (1)

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

March 21, 1990

Mr. Wayne Taysom
P.O. Box 4819
Pocatello, Idaho 83201

RE: Adjudication notice A29-02044D.

Dear Mr. Taysom:

After reviewing your above mentioned notice we discovered that you have incorrectly signed the form. If two claimants are named as owners in item 1 and "and" connects the names, both named parties must sign the form in the individual block.

Please find enclosed a computer generated Notice of Claim that is based on the information from your original notice. Please review this noitice to be sure it matches your original filing and when satisfied, you and Mr. Sullivan need to sign it in the presence of a Notary Public.

Please return the notarized notice to our office within 30 days of this letter or we will return your original notice with a refund of the filing fee. Refiling the noitice after a refund is made may make the notice subject to a \$50.00 late filing penalty fee, so your prompt attention is appreciated.

Please don't hesitate to contact our office if you have any questions regarding this matter.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read 'Ernest Carlsen'.

Ernest Carlsen
Adjudication Supervisor

EC:jt

Enclosure

MICROFILMED

NOV 13 1992

03/01/90
15:41:51

TIAPOO

ADJUDICATION FEE (W. TAYSON, J. SULLIVAN 0410162 9337 6490

\$70.00

CHECK 0

WR/NO: A29-02044D

Idaho Department of Water Resources

Region: EASTERN

Signature: *Copy to file A29-02044D.
reentered from A29-02044
to A29-02044D*

\$70.00

3-21-90

MICROFILMED

NOV 13 1992

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME WAYNE TA YONG JAMES SULLIVAN CLAIM ENT. NO. A29-02044DDATE RECEIVED 3-1-90 CK # _____ AMOUNT \$ _____

- | | 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) | ☒ | ☐ | * |
| 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? | ☒ | ☒ | * |
| Is the consumptive use correct? | ☒ | ☒ | * |
| 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. | ☒ | ☐ | * |
| 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.) | ☒ | ☐ | * |
| 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.) | ☒ | ☐ | * |
| 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? | ☒ | ☐ | * |
| 21. If this claim is based on an existing water right, has the identification number been entered? | ☒ | ☐ | * |
| 22. Should this claim be data entered? | ☒ | ☐ | * |

Claim checked by: [Signature] Date: 3-21-90Claim must be returned to claimant: (Yes) ☐ (No) ☒Claimant must be notified of modifications: (Yes) ☐ (No) ☒Receipt Prepared by: _____ Date: _____
Claim data entered by: _____ Date: _____
Sent to claimant by: _____ Date: _____
Checked by: NOV 13 1992Comments: #677 - Appears from decree, claimant received 0.36 cfs of original
permitted right # 29-02044B. Go ahead? Code as claimant requests.
Will mail computer generated form for claimant to sign properly.

Application No. 29-2044

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES **APPROVED**
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant G. Dennis Goodenough Phone 254-3372
Post office address Rt. #1, McCammon, Idaho 83250

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree to _____ (Name)
in case of _____ vs _____
dated _____ in _____ county of _____
(Name of court)

b. License No. 29-2044 Issued by the Idaho Department of Water Resources

b. License No. 29-2044 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____
Purchase Agreement

3. Source of water Portneuf River & Goodenough tributary to Snake & Portneuf River
Ck.

4. Date of priority 5/18/06

4. Date of priority _____

5. Water is used for the following purposes:

Portneuf R.	amount <u>2.00</u>	for <u>Irrigation</u>	purposes from <u>Apr. 1</u>	to <u>Nov. 1</u>
Goodenpugh Ck.	amount <u>0.40</u>	for <u>"</u>	purposes from <u>"</u>	to <u>"</u>
	amount _____	for _____	purposes from _____	to _____
				(month/day -- both dates inclusive)

6. Total amount of water under right: a. 2.40 cubic feet per second
b. &/or
 acre feet per annum

7. Location of original point of diversion is (NWNE) 74.27 Lot 1 % of Section 12
Township 9S Range 36E, B.M., in Bannock County
Additional points of diversion, if any SE4SE4, Sec. 35, T. 8S, R. 36E

8. **Lands irrigated or place of use:**

[illegible]

Total number of acres to be irrigated 120

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (if the entire right is requested changed, omit part B)

1. Amount of water: a. 0.40 cubic feet per second &/or
b. _____ acre feet per annum
2. Point of diversion SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 35 Township 8S
Range 36E, B.M., Bannock County
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
8S	36E	35																20	20

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion

- a. Amount of water to be diverted 0.40 c.f.s. &/or _____ acre feet
- b. Point(s) of diversion NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36 Township 8S
Range 36E, B.M., Bannock County
Additional points _____

c. Description of diverting works Collection box and buried pipeline

d. Describe the reasons for applying for a change in the point(s) of diversion
Older priority for part of water right under a gravity flow irrigation system

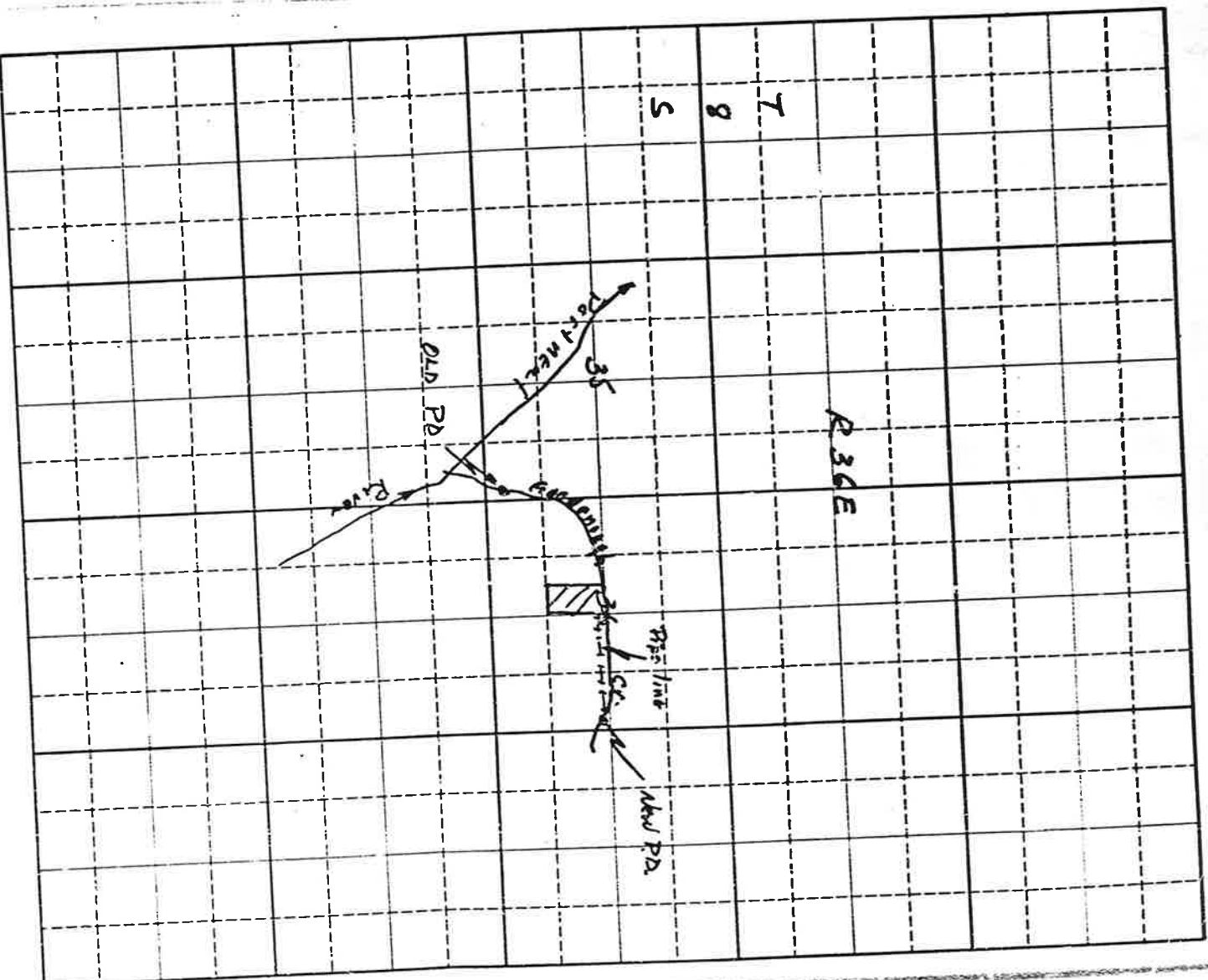
2. Change in place of use

- a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
8S	36E	36									20								20

Total number of acres to be irrigated 20

- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

3. Remarks Goodenough Creek is now know as 2-Mile Creek or East Goodenough Ck.

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

P. Dennis Goodenough
(Signature of applicant)

Subscribed and sworn to before me this 14th day of October, 19 77

Calvin Wiley
(Notary public)

My commission expires 6/15/81

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 29-2044 and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

The rate of diversion shall not exceed 0.02 cfs per acre, when used in combination with other water rights.

2. Denial of said application is for the following reasons:

Witness my hand this 4th day of April, 19 78

Norman C. Young
Administrator

FOR DEPARTMENT USE ONLY

Received by CU Date 10-14-77

Prelim. check by Tag Fee \$30.00

Receipted by CU Date 10-14-77

Published in Idaho State Journal 10/15/77

Pub. dates Oct. 20 & 27-1977

Watermaster recommendation requested on 11/1
rec'd.

Protest filed by James Goodenough
Ditch Co. withdrawn

Copies of protest forwarded by CU

Hearing held by _____ Date _____

Recommended for approval denial
by Ernest Collier

M E M O

TO: The File
FROM: Loy Johnson
RE: Transfer No. 29-2044
DATE: October 4, 1977

Mr. G. Dennis Goodenough filed a transfer this date under License No. 29-2044 transferring 0.40 c.f.s. of the water from Goodenough Creek (shown on the USGS topo map as 2-Mile Creek; the county map shows it as East Goodenough Creek) The priority is May 18, 1906. The point of diversion is in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 35, T. 8S, R. 36E, B.M.

This transfer removes 0.40 c.f.s. from 20 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, and applies it to the E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 36, and the above amount was also transferred from the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36, to be diverted in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36, all in T. 8S, R. 36E, B.M.

SHANNON COUNTY
PORTNEUF RIVER
GOODENOUGH CREEK
IRRIGATION & DOMESTIC
2.4 Second Feet
Priority 5-18-1906

STATE OF IDAHO

Water License No. 2018

WHEREAS, On the 18th day of May A.D. 1906, GEORGE F. GOODENOUGH, of McCammon, County of Shannon, State of Idaho, duly made application (No. 2887) to me for a permit to use 2 cubic feet per second of the waters of Portneuf River and .4 of one cubic foot per second of the waters of Goodenough Creek, County of Shannon, State of Idaho, for irrigation and domestic purposes; and

WHENAS, On the 31st day of May A.D. 1906, Permit No. 2018 was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein, described on or before the 31st day of May A.D. 1909, and for the application to beneficial use of said water on or before the 31st day of May A.D. 1909, and

WHEREAS, On the 26th day of May, A.D. 1909, GEORGE F. GOODENOUGH, the holder of said permit duly made proof of the completion of adequate works for the diversion of 2.4 cubic feet per second of said waters, as evidenced by my Certificate No. 2018, dated June 10, 1909, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 2.4 cubic feet per second of said water, with date of priority of May 18, 1906, and

WHEREAS, On the 26th day of May A.D. 1909, GEORGE F. GOODENOUGH, the holder of said permit duly made proof of the application to beneficial use of 2.4 cubic feet per second of said water.

NOW, THEREFORE, By virtue of the authority vested in me by the laws of the State of Idaho I hereby grant and confirm to GEORGE F. GOODENOUGH, of McCammon, County of Shannon, State of Idaho, the holder and owner of said Permit No. 2018, a perpetual right, dating from May 18, 1906, to the use of 2.4 cubic feet per second of the waters of Portneuf River and Goodenough Creek, in the County of Shannon, and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted from Portneuf River at a point in Lot 1, Section 18, Tp. 9 N.R. 34 E.B.M., from Goodenough Creek at a point in NE corner of SE $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 35, Tp. 8 N.R. 36 E.B.M., and conducted to and upon 80 acres in E $\frac{1}{2}$ of SE $\frac{1}{4}$ Sec. 35, and about 40 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 35, Tp. 8 N.R. 36 E.B.M., for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this tenth day of June A.D. Nineteen hundred and nine.

(SEAL)

John Stephenson, Jr.
State Engineer

SCANNED

JUN 06 2001

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A29-02044D

Date Received: 3/01/1990

Receipt No: E012199

Received By:

RECEIVED

MAR 29 1990

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WAYNE TAYSOM
Address: P.O. BOX 4819
POCATELLO, ID

83201

208-237-4481

AND

Name: JAMES SULLIVAN
Address: P.O. BOX 4819
POCATELLO, ID

83201

208-237-4481

2. Date of Priority: MAY 18, 1906

3. Source: TWO MILE CREEK

Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
08S	36E	36	SE NE		BANNOCK

5. Description of diverting works:
COLLECTION BOX AND BURIED PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.400		

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

A.F.A.

8. Total consumptive use is 50.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A29-02044D

Page 1

Date: 03/21/90

MICROFILMED
NOV 13 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	36E	36	NE	SW		IRR	20.0

Section Acres 20.0

Total Acres ~~20.0~~ → 18⁰ Ac

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:

CLAIMED AS PORTION OF 29-02044B (T2176) GIVEN TO CLAIMANT IN
DECREE DATE 5/11/1989

15. Basis of Claim: DECREED
Water Right Number: 2018
Case Number: 40264
Court :
Decree date: 5/11/1989

SULLIVAN

Decree Plaintiff

vs

SCHUEREN

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): Wayne H. Ingram Date: 3/24/90

Lavona Sullivan Pers. Rep. Date: 3/24/90
for James A. Sullivan Estate.

State of Idaho)

County of Burnett)

SS.

Subscribed and sworn (or affirmed) before me this 24th day

of March 19 90

Ruby Lake
Notary Public

Seal

Residing at Pocatello, Id

My Commission Expires 10-16-94

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:

Ident. Number

Date Received

Receipt Number

39576

429-02044D

3-1-90

EO12199

RECEIVED

MAR 1 - 1990

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) WAYNE TAYSON & JAMES SULLIVAN Phone (208) 237-4481Mailing Address P.O. BOX 4819 Zip 832012. Date of Priority (Only one (1) per claim) 5/18 19063. Source of water supply (a) GOODENOUGH CR AKA TWO MILE CREEK
which is tributary to (b) PORTNEUF RIVER4. a. Location of existing point of diversion is: Township 85 Range 36 E Section 36,
SE 1/4 of NE 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of _____

Additional points of diversion if any: _____

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

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

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.COLLECTION BOX AND BURIED PIPELINE

A2902044D

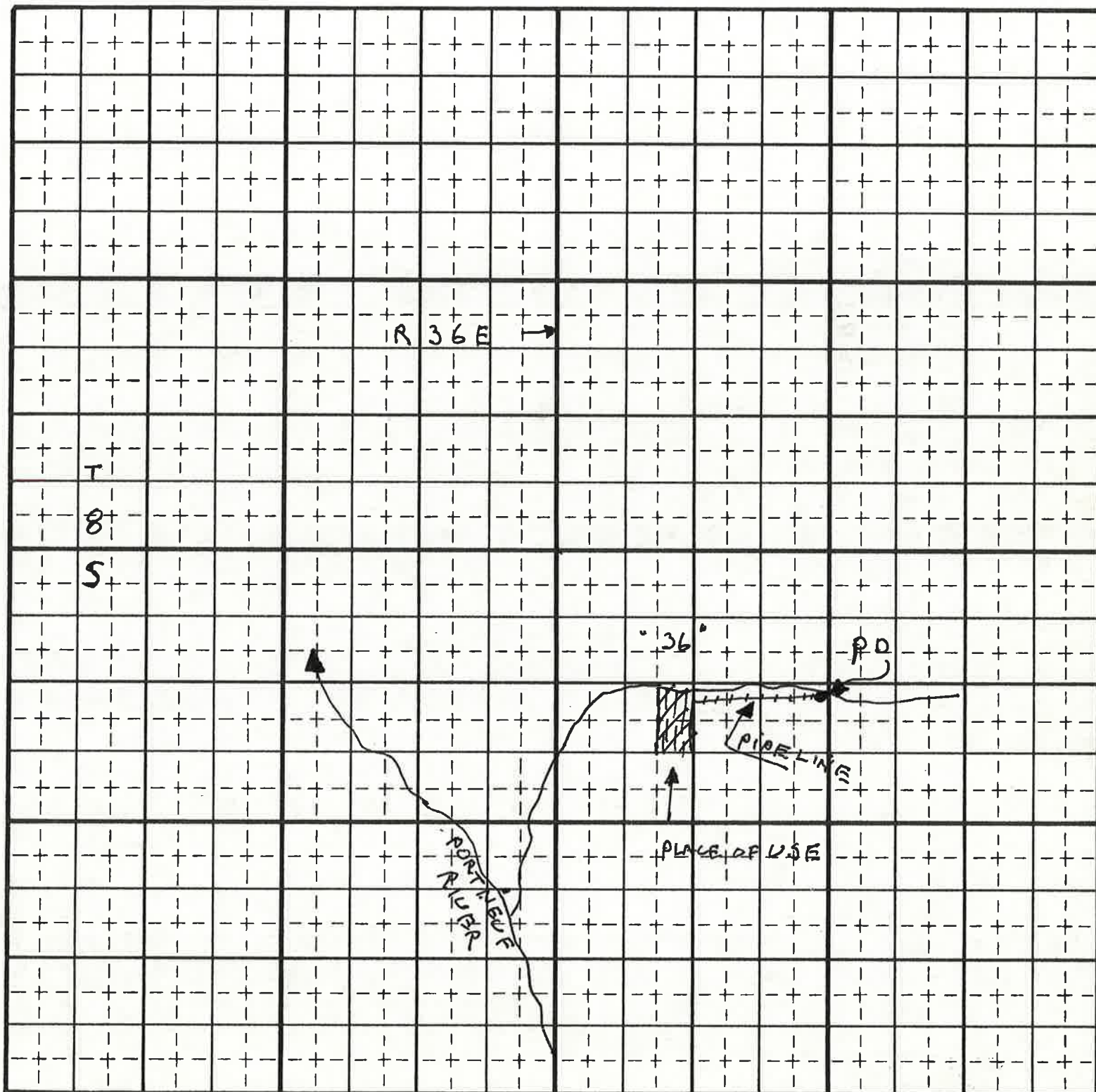


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Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



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Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

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

If applicable provide IDWR Water Right Number 2018 (29-2044)

Court SIXTH JUDICIAL Case Number 4064-G Decree Date 5/11/89

Plaintiff vs Defendant TAYSON-SULLIVAN VS CATHERINE SPINNER SCHUBERT

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) [Signature] PARTNER Date 2/27/90
Date _____

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

of TIAROO AKA WAYNE TAYSON - JAMES SULLIVAN, that I have signed the foregoing
Organization

document in the space below as PARTNER Title _____ of TIAROO Organization _____

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

Signature of Authorized Agent [Signature]
Title and Organization ACTING PARTNER OF TIAROO Date 2/27/90

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

Subscribed and sworn (or affirmed) before me this 27th day of February 19 90

SEAL

Notary Public Dickie L. Thant

Residing at Bannock Cty - Pocatello Id.

My Commission Expires 4-23-94

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

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Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from April 1 to Nov 1 amount .4 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .4 cfs (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	
8	36E	36									20								20

Total number of acres irrigated 20

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 ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None ()

14. Remarks:

Last Name _____ Ident No. _____

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