

IDAHO DEPARTMENT OF WATER RESOURCES 01/03/2002
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

NAME AND ADDRESS: WILLIAM HOLTON
2065 S BANNOCK HWY
POCATELLO ID 83204

SOURCE: PORTNEUF RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.01 CFS

PRIORITY DATE: 10/04/1919

POINT OF DIVERSION:

T07S R34E S1 NENWNW Lot 4 Within BANNOCK County

PURPOSE AND

PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.010 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T07S R34E S01 Lot 3 NENW 0.3

0.3 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

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

Water Right Claim Number A29-02224L
Townships , 6S34E, 7S34E

08/29/2000



 Irrigated Area

 Place of Diversion

 Section Line

 Quarter Section Line

 Roads

 Streams and Canals

Legend



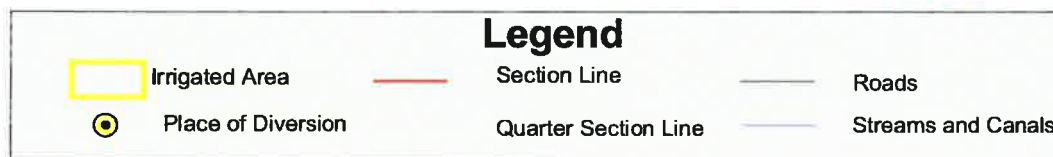
SCANNED

JAN 19 2006

WATER
RIGHTS

Water Right Claim Number A29-02224L
Townships , 6S34E, 7S34E

08/29/2000



SCANNED
JAN 19 2000



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2224L V1

WATER RIGHT NUMBER: 29-2224L V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WILLIAM HOLTON 2065 S BANNOCK HWY POCATELLO, ID 83204 (208)233-2201
Original Owner	HENRY O LEARY POCATELLO, ID 83201

Priority Date: 10/04/1919

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
PORTNEUF RIVER	SNAKE 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	0.010 CFS	
	<u>Total Diversion:</u>	0.010 CFS	

Location of Point(s) of Diversion

PORTNEUF RIVER	L4 NE1/4NW1/4NW1/4	Sec. 1, Twp 07S, Rge 34E, B.M.
BANNOCK County		

Place of UseIRRIGATION Within BANNOCK County

T07S R34E S01 Lot 3 NENW 0.3

Total Acres: 0.3

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks:Comments:

1. csaxton 1/3/2002 CO Needed

Comment: NCO sent twice. Recommend with original claimant. C/O needed.

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2224L 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: 29
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	1/3/2002 10:53:16 AM	csaxton			Active
POD	1/3/2002 10:54:06 AM	csaxton			Active
Source	1/3/2002 10:55:39 AM	csaxton			Active
POU	1/3/2002 10:56:10 AM	csaxton			Active
Use	1/3/2002 10:57:23 AM	csaxton			Active
Season	1/3/2002 10:58:09 AM	csaxton			Active
Quantity	1/3/2002 10:58:50 AM	csaxton			Active
Summary	1/3/2002 11:02:55 AM	csaxton	1/3/2002 11:02:55 AM	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Priority Date	1/3/2002 10:53:17 AM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
Contacts	1/3/2002 10:52:35 AM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Met with Neighbor Rosalie Thomas on 12/19/01 and confirmed water use.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2224L V1

POD	1/3/2002 10:54:07 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (No) 5. Can the claimed POD be verified using the water right file? (Yes) 6. Is there evidence that there has been a change in the POD? (Yes) 7. Can the change be verified as an accomplished transfer? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required? Description for Question 6 - Met with Neighbor Rosalie Thomas on 12/19/01 and confirmed water use.
POD	1/3/2002 10:54:54 AM	csaxton	Edited point location
POD	1/3/2002 10:55:19 AM	csaxton	Edited PLS
Source	1/3/2002 10:55:39 AM	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	1/3/2002 10:56:11 AM	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?
POU	1/3/2002 10:56:45 AM	csaxton	Edited shape boundary
POU	1/3/2002 10:56:58 AM	csaxton	Edited PLS
Use	1/3/2002 10:57:24 AM	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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2224L V1

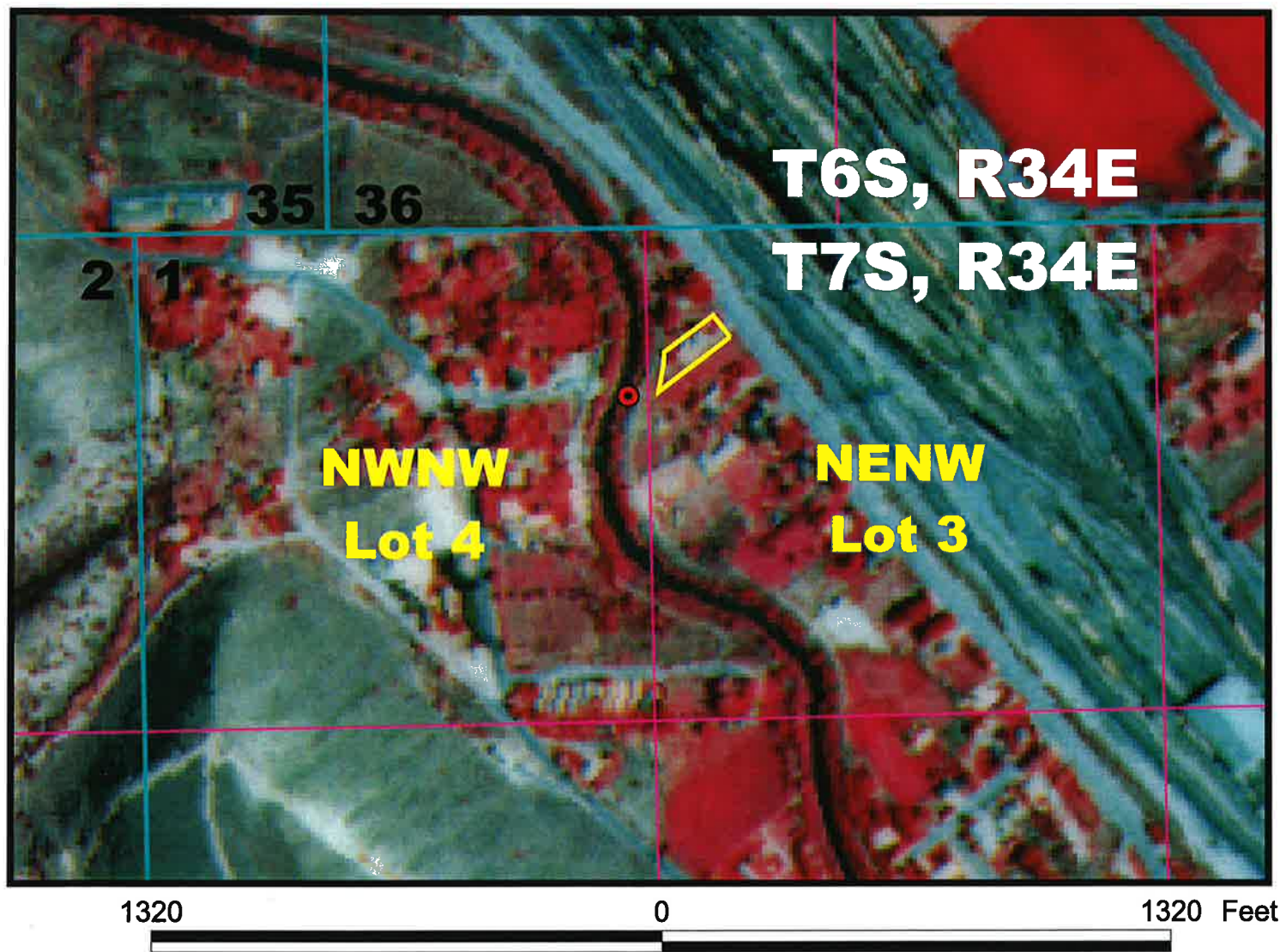
Season	1/3/2002 10:58:09 AM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period 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?
POD	1/3/2002 10:58:50 AM	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? (Yes) 12. Is a Quantity remark or condition required?
Summary	1/3/2002 11:02:55 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (Yes) 7. Is this a split or combined right? (No) 8. Do you have documents you would like to attach or link to the file? (Yes) 9. Would you like to set the verification date?



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s): 29-02224L



Total Irrigated Acres: 0.3



Point(s) of Diversion



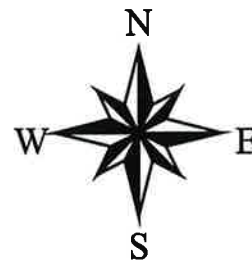
Place of Use



Quarter Quarter Lines



Section Lines



SCANNED
JAN 19 2006

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: January 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 17, 2001

JARED BURRUP
2065 BANNOCK HWY
POCATELLO ID 83204

RE: CHANGE IN OWNERSHIP FOR 29-02224L

Dear Jared Burrup:

The Idaho Dept. of Water Resources has been in the process of reviewing SRBA claims in your area this summer. It has come to our attention that you may have recently purchased a tract of land in Bannock County. According to our records, the property to which I am referring to was most recently owned by Guy Bybee and before that, William Holton. The legal description is as follows:

T07S R34E S01 NE1/4 NW1/4

South 100' of tract 1 and part of Tract 2, Mirbella Tracts.

This property was filed on in the Snake River Basin Adjudication (SRBA). IDWR is currently in the processing of reviewing the Adjudication claims in basin 29, and will submit a Directors Report in April of 2002. We recommend that if, in fact, you now own the property in question, you file a "Change in Ownership" with this department in order that we may send all further correspondence to the appropriate owner(s).

Enclosed is a Change in Ownership form. Please fill out the form completely, sign and date it and return it to my attention along with a "copy" of your Warranty Deed and legal description of the property you have purchased.

If you have any questions regarding this matter, please call 525-7161.

Respectfully submitted,

Craig L. Saxton
Water Resource Agent

Enclosure(s)

SCANNED

JAN 19 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 12, 2001

GUY J BYBEE
BETTY BYBEE
2065 BANNOCK HWY
POCATELLO ID 83204

*Returned By P.O.
on 12/17/01*

RE: CHANGE IN OWNERSHIP FOR 29-02224L

Dear Guy and Betty Bybee:

The Idaho Dept. of Water Resources has been in the process of reviewing SRBA claims in your area this summer. It has come to our attention that you may have recently purchased a tract of land in Bannock County. According to our records, the property to which I am referring to was most recently owned by William Holton. The legal description is as follows:

T07S R34E S01 NE1/4 NW1/4

South 100' of tract 1 and part of Tract 2, Mirbella Tracts.

This property was filed on in the Snake River Basin Adjudication (SRBA). IDWR is currently in the processing of reviewing the Adjudication claims in basin 29, and will submit a Directors Report in April of 2002. We recommend that if, in fact, you now own the property in question, you file a "Change in Ownership" with this department in order that we may send all further correspondence to the appropriate owner(s).

Enclosed is a Change in Ownership form. Please fill out the form completely, sign and date it and return it to my attention along with a "copy" of your Warranty Deed and legal description of the property you have purchased.

If you have any questions regarding this matter, please call 525-7161.

Respectfully submitted,

Craig L. Saxton
Water Resource Agent

Enclosure(s)

SCANNED

JAN 19 2006

13-782	500 SHEETS, FILLER	5 SQUARE
42-361	50 SHEETS EYE-EASE	5 SQUARE
42-362	100 SHEETS EYE-EASE	5 SQUARE
42-369	200 SHEETS EYE-EASE	5 SQUARE
42-382	100 RECYCLED WHITE	5 SQUARE
42-399	200 RECYCLED WHITE	5 SQUARE

Made in U.S.A.



Split history for Decreed Right 29-02224

Claimed		Recommend
A Strand - PD'd		
	0.01 Domestic	0.01 Domestic
B Orr		
	0.02 1	0.02 0.8
C Honas		
	0.02 1	0.02 1
D Worth - PD'd		
	0.02 Domestic	0.02 Domestic
E Smith		
	0.06 3	0.06 3
F Vestal		
	0.04 2	0.04 1.2
G Rodemacher		
	0.02 1	0.02 0.6
H Holton (split)	L Holton	
	0.01 0.5	0.01 0.3
	M Thomas	
	0.02 1	0.05 0.5
I Ellis		
	0.02 1	0.02 1
J Harris		
	0.02 1	0.2 0.6
K Armstrong		
	0.08 4	0.01 0.4
N Knecht		
	0.03 1.3	0.03 0.9
P Tilly		
	0.01 0.49	0.01 0.5
29-13191 (Blom)		
	0.03 0.4	0.01 0.4

Disallow

Not in Stone

Licensed Acreage = 44
Licensed CFS = 0.88

Sum of claimed Acreage = 17.69
Sum of claimed cfs = 0.41

Sum CFS=	0.53
Sum Acre=	11.2

Un-accounted for CFS=	0.35
Un-accounted for Acres=	32.8

PROVIDED

SCANNED
JAN 19 2006

CLAIM NO. 29 - 2224L

IDWR SUPPLEMENTAL CLAIM VERIFICATION REPORT
FOR DOCUMENTING CHANGES TO CVR

1. ☒ NAME - No change
☐ NEW OWNER: _____
 (SUPPORTING DOCUMENTATION REQUIRED - ATTACH COPY)
☒ ADDRESS - No change
☐ NEW ADDRESS: _____

2. ☒ SOURCE - No change
☐ CHANGE - New source and/or tributary is: _____

3. ☐ QUANTITY - No change
☐ CHANGE - New amounts: _____ CFS and/or _____ AFY

4. ☐ PRIORITY DATE - No change
☐ CHANGE - Priority date to: _____
 (EVIDENCE OF PRIORITY REQUIRED - ATTACH COPY)

5. ☐ POINT OF DIVERSION - No Change
☐ CHANGE - New point of diversion is: T _____, R _____, S _____, _____ 1/4, _____ 1/4, _____ 1/4
When Sol = _____ T _____, R _____, S _____, _____ 1/4, _____ 1/4, _____ 1/4
 (LOCATION OF POD(S) SHOULD BE SHOWN ON MAP)

6. ☒ PURPOSE AND PERIOD OF USE - No change
☐ CHANGE New purpose of use _____ New period of use _____ New amount(s) _____
 _____ from _____ to _____ cfs _____ af
 _____ from _____ to _____ cfs _____ af
 _____ from _____ to _____ cfs _____ af

7. ☒ PLACE OF USE - No change
☐ CHANGE New place(s) of use: (LOCATION(S) AND ACRES SHOULD ALSO BE SHOWN ON MAP)

T	R	S	N E				N W				S W				S E				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

REMARKS _____

CONDITIONS _____

Reviewer _____ Date _____

03/19/98

PROFILED

SCANNED
JAN 20 2006

29-02224

A Strand po'd
0.01
Domestic

B Orr (6)
0.02
1 ac

C Honas (6)?
0.02
1 ac

D Worth po'd
0.02
Domestic

E Smith (6)
0.06
3 ac

F Vestal (6)
0.04
2 ac

G Rademacher (6)
0.02
1 ac

H ?

C/O

L Holton (6)
0.01
1/6 ac

M Thomas (6)
0.02
1 ac

I Ellis (6)
0.02
1 ac

J Harris (6)
0.02
1 ac

K Armstrong (6)
0.08
4 ac

N Knacht/Beyer (6)
0.03
1.3 ac

P Tilly (6)
0.01
0.49 ac

29-13191
Blom
0.03
0.40 ac

SCANNED
JAN 19 2006

$\Sigma CFS = 0.41$
 $\Sigma Acreage = 17.7$

29-02224
0.88 cfs
44 ac



TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s34e	1	NENW	0.5	14	Indiscernible
Totals:			0.5	14	

* Spoke to Rosalie, she said that she irrigates her
Lawn with the Pump.

* Underground Sprinkler Pipe.

* Property Line

* GPS *

- 2224LA

- 2224LB

This should be 29-02224M
6.5 9-10-01



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

AUGUST 8, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

J C THOMAS
2105 BANNOCK HWY
POCATELLO ID 83204

RE: CHANGE IN OWNERSHIP FOR A29-02224H

Dear Mr. Thomas:

The request for Change in Ownership for a portion of the above referenced Notice(s) of Claim has been processed with new Notice(s) being generated to reflect you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

A29-02224M, Thomas, 0.02 cfs; 1.0 acres
A29-02224L, Holton, 0.01 cfs; 0.5 acres

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if there are other corrections or questions, feel free to contact this office.

Respectfully submitted,

Jo Thompson
Adjudications Secretary

Enclosure:

cc: William Holton/copy claim/letter

PROCESSED
FACILITY

SCANNED
JAN 19 2006

MICROFILMED
NOV 14 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 07S Range 34E
Section 1, SE 1/4 of NW 1/4 of NW 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: A29-09224 H < m
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): William Holton
2065 Bannock Hwy.
Pocatello, Id. 83204
- ☐ New Owner/Claimant (Purchaser): J.C. + Rosalie Thomas
- ☐ New Mailing Address: 2105 Bannock Hwy.
Pocatello, Id. 83204
- ☐ New Telephone Number: (208) 232-7649
- ☐ 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:
Tract 2 Mirabella Tracts.
- ☐ Attach proof of ownership, describe proof attached: The South 80 feet of Mirabella tract 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) J.C. Thomas Date 7-27-95
Rosalie Thomas Date 7-27-95
- ☐ 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:

RECEIVED

JUL 31 1995

Department of Water Resources
MICHOE MEYER
Eastern District Office

SCANNED
JAN 19 2006

NOV 14 1995

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

AJ5809NP
No. A29-02224L

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 127

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WILLIAM HOLTON 2065 S BANNOCK HWY POCATELLO ID 83204 (208) 233-2201	10/04/1919	IRRIGATION	03-15 11-05	0.010 CFS	
					TOTAL DIVERSION:	0.010 CFS
					CONSUMPTIVE USE:	1.50 AFA

Water Source: PORTNEUF RIVER

Tributary to: SNAKE RIVER

Stage: LICENSE

Point(s) of Diversion:

T07S R34E S01

SENWNW

BANNOCK County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE								
NENE NWNE SWNE SENE				NENW NWNW SWNW SENW				NESW NWSW SWSW SESW				NESE NWSE SWSE SESE								
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
07S	34E	1	:																	
				: 03-.5																
																			TOTAL ACRES	0.5

POU County: BANNOCK

Other Rights: A29-11485

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

29-04289 29-10671 29-10870 29-11350 A29-02224J A29-02224M A29-04289 A29-10645 A29-10671 A29-11350

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

A29-02224 A29-02224B A29-02224H A29-02224J A29-02224M A29-02224N A29-04288

Remarks: GEN SOUTH 100' OF TRACT 1 AND PART OF TRACT 2, MIRABELLA TRACTS.
*THIS RIGHT PAID FOR UNDER RECEIPT #E013332. CHANGE IN OWNERSHIP
8-8-95 GJT.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 29

Field Inspection Flag:

Presumption Flag: C

Audit: 08/08/95 GTAYLOR

License and Certificate of Water Right

Water License No. 14352

Water District No. 17-D

Amount 0.88 sec. ft.

Priority 12-4-19

THIS IS TO CERTIFY that HENRY O'LEARY of Pocatello, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated October 4, 1919; that Permit No. 14352 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 1.35 second foot, was issued thereunder on September 30, 1921, showing that said works were completed on the 20th day of September, 1921; and that on the 30th day of October, 1922,

HENRY O'LEARY of Pocatello, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Portneuf River, a tributary of Snake River, for the purpose of irrigation, under Use Permit No. 14352 of the Commissioner of Reclamation; and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 8 of Licenses, at page 3007, on the 13th day of November, 1922;

The right hereby confirmed dates from October 4, 1919;

The Point of Diversion is located

in the S14, T4N, R3E, Tp. 7 S., R. 34 E., B. M.

County of Bernook. That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.88 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Portion and Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9.	34 E.	1	SE 1/4 DW 1	39	23
			Lot 3	18	12
			SW 1/4 DW 1	9	6
					Total 44

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 13th day of November, 1922.

W. G. SWENDSEN.

Commissioner of Reclamation.

(SEAL)

REPORT OF ENGINEER

This report is for Beneficial Use of Water in Water District No. 17-D

1. State name of Applicant and number of permit: Henry O'Leary - Permit No. 14352

2. State source of water supply: Portneuf River

3. Location of point of diversion: SE 1/4 Sec. 1, TWD. 7 S., R. 34 E., B.M.

4. Describe works as they exist, giving dimensions and capacities of same:

4" Fairbanks-Morse Pump and 5 h. p. motor, capacity 2-1/2 s. f.

5-1/2" Fairbanks-Morse Pump and 10 h. p. motor, capacity 4 s. f.

3/4 mi. of ditch, 1-1/2 ft. bottom, 6" deep.

No control works and pumps from Portneuf River.

5. State whether or not water has been turned into works of diversion: Yes.

6. Give exact location of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): SE 1/4, NE 1/4 and SW 1/4, Sec. 1, TWD. 7 S., R. 34 E., B.M.

Lot 3, 12 A.

Lot 4, 65 A.

SE 1/4 NW 1/4 26 A.

SW 1/4 NE 1/4 6 A. (overflow lands, cultivated but not watered.)

SE 1/4 NW 1/4 4 A.

7. Submit map on enclosed plat, showing location and details of above description.

8. How many parties conduct water in this system? One.

9. Give names and amount of each right:

Henry O'Leary, as above.

10. What large stream would the water here appropriated finally reach? Snake River.

11. Describe the various tributaries en route, from point of diversion to the principal drainage stream: Portneuf into Snake River.

Remarks:

This examination was made on the 27th day of September,

1922.

(Signed) Elmer W. Leary

Examiner

14352

OVER

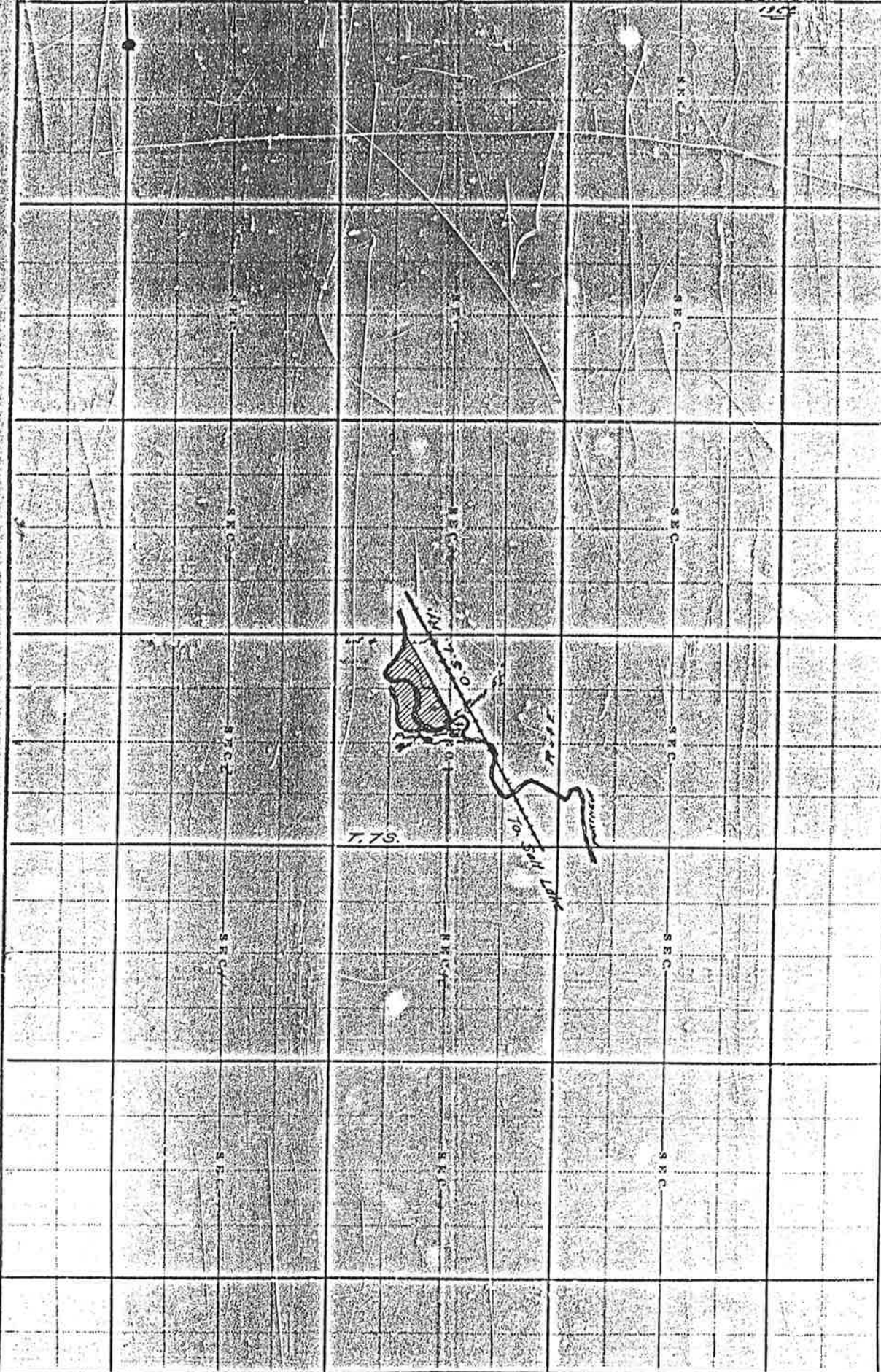
NAME OF APPLICANT *Henry O'Leary*

Permit No. 14352

E.W.H.

Sept 62

1962



SCALE: 2 INCHES EQUALS 1 MILE. DRAW PLAN IN INK.

14352

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: **A29-02224L**
Date Received: 4/19/1990
Receipt No: X777777
Received By: _____

COPY FOR NOTICE OF CLAIM TO A WATER RIGHT
YOUR FILES ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: ~~3.6.0. Pocatello Thomas~~ **WILLIAM HOLTON** *WCO Bybee*
Address: 2065 S BANNOCK HWY
POCATELLO ID 83204

NO-6000
208-238-2201

232-7649
NO

A2902224L



2. Date of Priority: OCT 4, 1919

3. Source: PORTNEUF RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	34E	1	SE	NW	NW		BANNOCK

5. Description of diverting works:
1 HP CENTRIFUGAL PUMP IN RIVER, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/05	0.010		

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

8. Total consumptive use is 1.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	34E	1	NE	NW	3	IRR	0.5

Section Acres 0.5

Total Acres 0.5

MICROFILMED
NOV 14 1996

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:

A29-11485

14. Remarks:

SOUTH 100' OF TRACT 1 AND PART OF TRACT 2, MIRABELLA TRACTS.

*THIS RIGHT PAID FOR UNDER RECEIPT #E013332. CHANGE IN OWNERSHIP
8-8-95 GJT.

15. Basis of Claim: LICENSE

Water Right Number: 14352