

IDAHO DEPARTMENT OF WATER RESOURCES 01/07/2002
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

NAME AND ADDRESS: ROSALIE THOMAS
2105 BANNOCK HWY
POCATELLO ID 83204

J C THOMAS
2105 BANNOCK HWY
POCATELLO ID 83204

SOURCE: PORTNEUF RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.02 CFS

PRIORITY DATE: 10/04/1919

POINT OF DIVERSION:

T07S R34E S1 NENWNW 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	0.020 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T07S R34E S01 Lot 3 NENW 0.5

0.5 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.

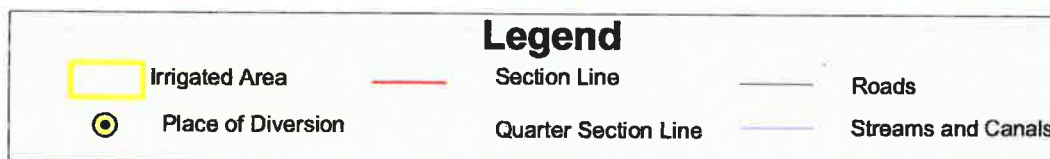
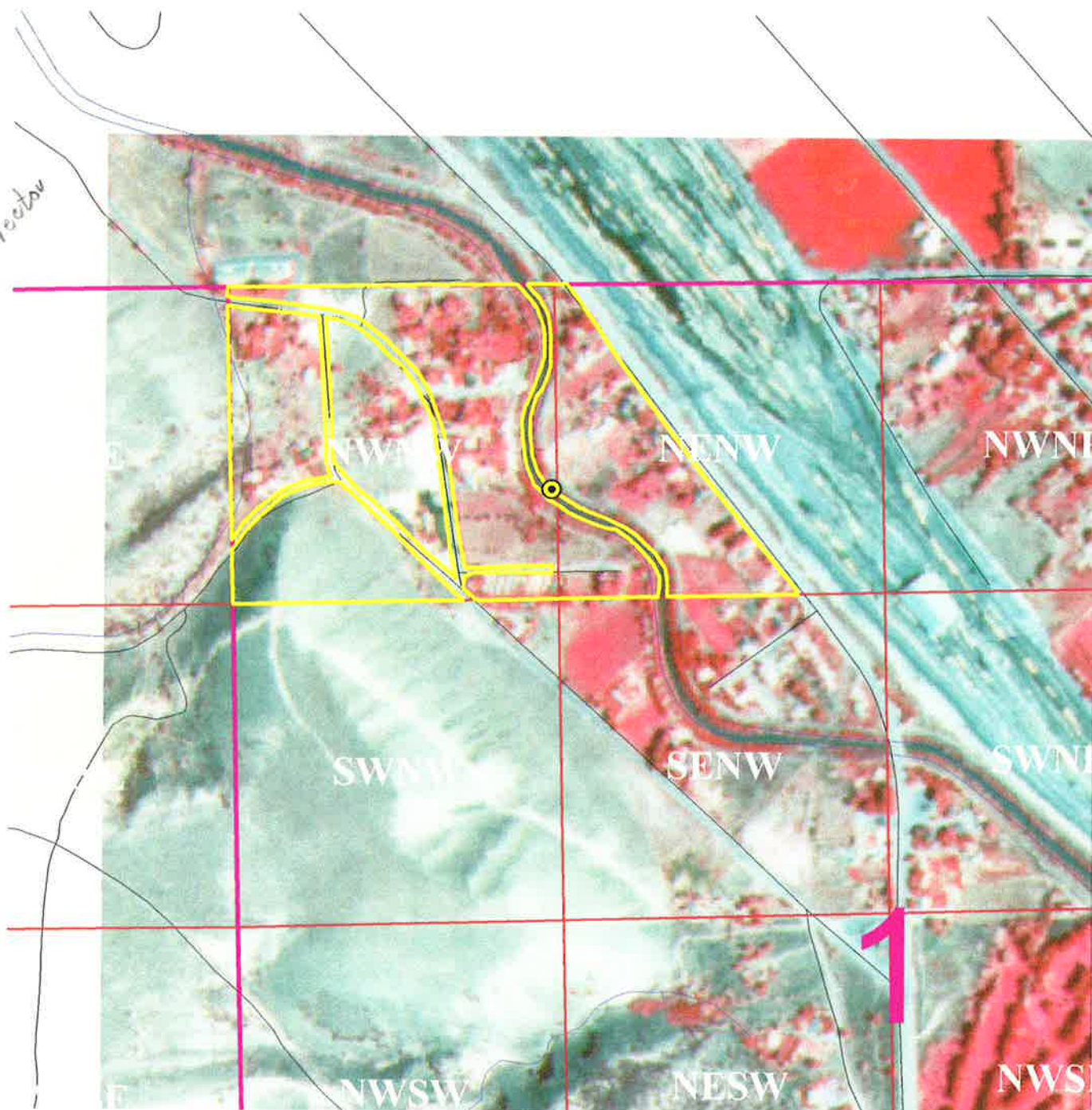
EXPLANATORY MATERIAL: License

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

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

08/29/2000

*Demis H. H.
GIS Director*



400 0 400 800 Feet

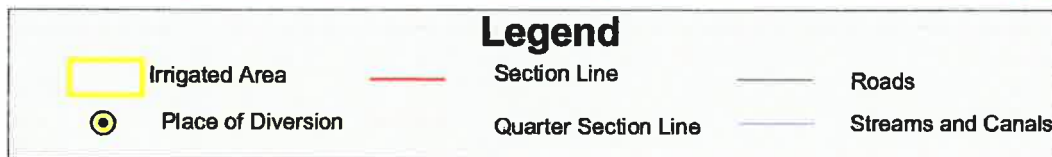
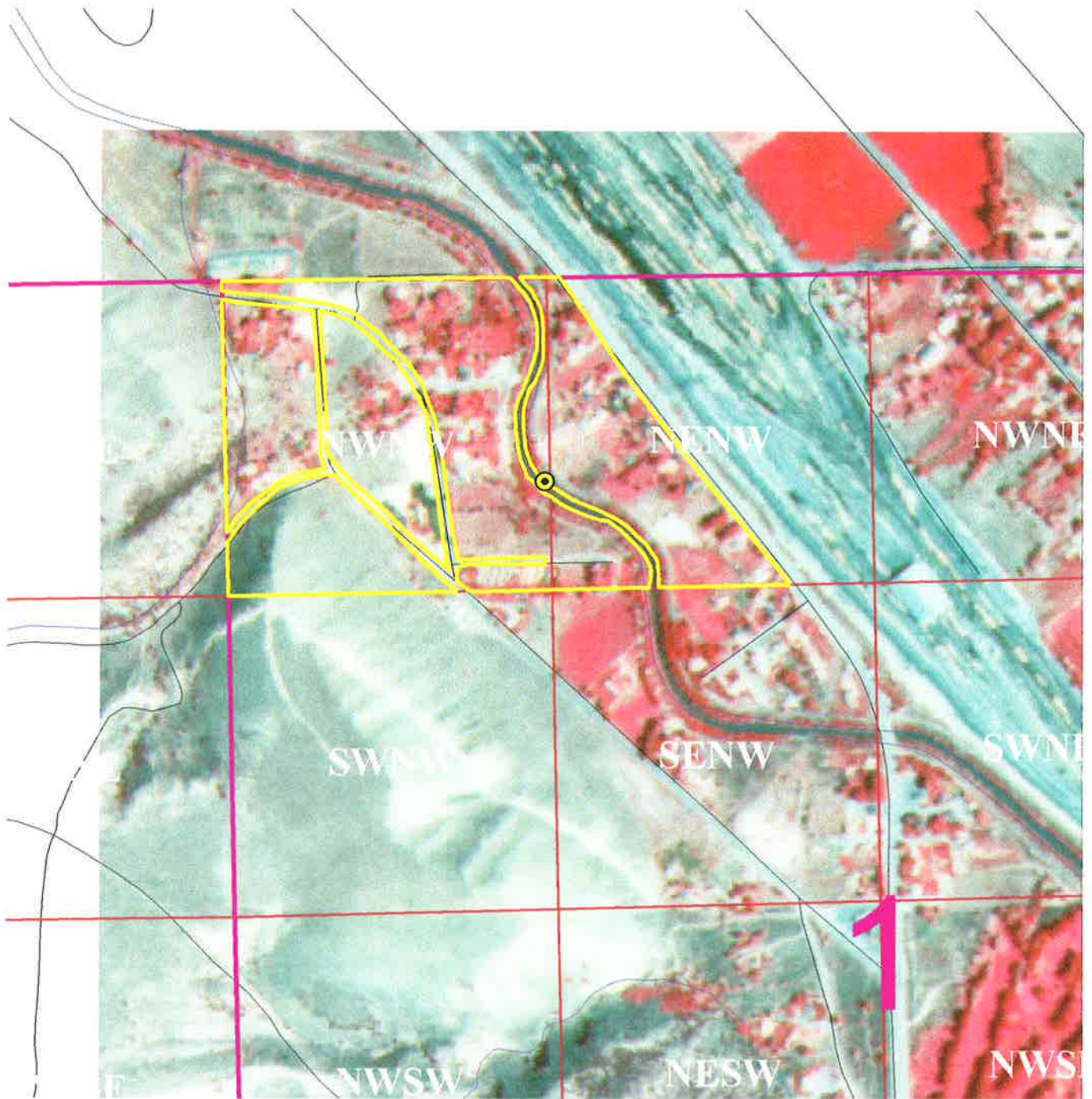


PROFITED

SCANNED
JAN 20 2006

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

08/29/2000



400 0 400 800 Feet



SCANNED
JAN 20 2006

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2224M V1

WATER RIGHT NUMBER: 29-2224M V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROSALIE THOMAS 2105 BANNOCK HWY POCATELLO, ID 83204 (208)232-7649
Original Owner	HENRY O LEARY POCATELLO, ID 83201
Original Owner	WILLIAM HOLTON 2065 S BANNOCK HWY POCATELLO, ID 83204 (208)233-2201
Current Owner	J C THOMAS 2105 BANNOCK HWY POCATELLO, ID 83204 (208)232-7649

Priority Date: 10/04/1919

Basis: License

Status: Active

Source

PORTNEUF RIVER

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Diversion Rate

0.020 CFS

Annual VolumeTotal Diversion:

0.020 CFS

Location of Point(s) of Diversion

PORTNEUF RIVER

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 0.5

Total Acres: 0.5

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:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-2224M V1

Comments: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	1/7/2002 9:13:46 AM	csaxton			Active
POD	1/7/2002 9:16:09 AM	csaxton			Active
Source	1/7/2002 9:17:49 AM	csaxton			Active
POU	1/7/2002 9:19:40 AM	csaxton			Active
Use	1/7/2002 9:20:20 AM	csaxton			Active
Season	1/7/2002 9:21:10 AM	csaxton			Active
Quantity	1/7/2002 9:22:08 AM	csaxton			Active
Summary	1/7/2002 9:23:53 AM	csaxton	1/7/2002 9:23:53 AM	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	1/7/2002 9:13:02 AM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Spoke with Claimant on 12/19/01.
Priority Date	1/7/2002 9:13:47 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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2224M V1

POD	1/7/2002 9:16:10 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? (Yes) 10. Is a POD remark and/or condition required? Description for Question 6 - Claimant stated that she lived at property next to claimed property 31 years prior to her purchase of claimed property in 1994. POD has been in current location as long as claimant can remember.
POD	1/7/2002 9:16:28 AM	csaxton	Edited point location
POD	1/7/2002 9:16:53 AM	csaxton	Edited PLS
Source	1/7/2002 9:17:50 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	1/7/2002 9:18:31 AM	csaxton	Edited shape boundary
POU	1/7/2002 9:18:54 AM	csaxton	Edited PLS
POU	1/7/2002 9:19:40 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?
Use	1/7/2002 9:20:21 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 29-2224M V1

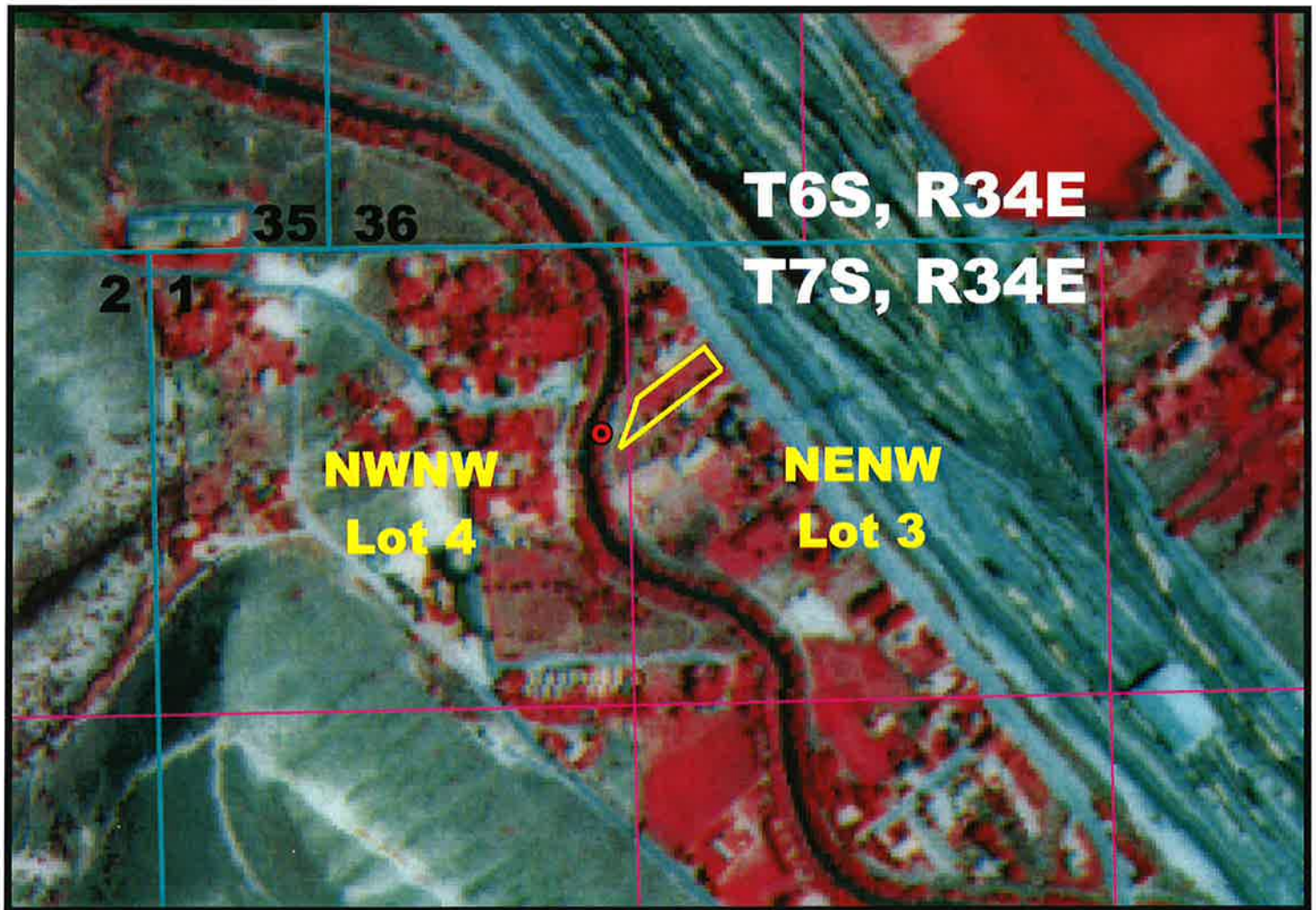
Season	1/7/2002 9:21:11 AM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period 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	1/7/2002 9:22:08 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? (No) 12. Is a Quantity remark or condition required?
Summary	1/7/2002 9:23:53 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): 29-02224M



1320 0 1320 Feet

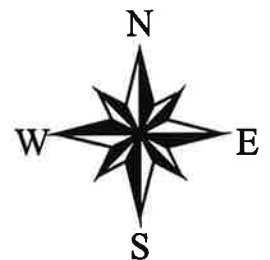
Total Irrigated Acres: 0.5

● Point(s) of Diversion

□ Place of Use

□ Quarter Quarter Lines

□ Section Lines



PROFILE

SCANNED

JAN 20 2006

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

12/12/01 : Field Exam for this Right Was Conducted
By Dean Byington with the assumption that
He was working on "1-Portion"

: Called and left message to call me back. My question
Concerns location of POD.

: The POD location Dean took with Rosalie is located
on Bybee land. Do they both use the same POD?
If not, who has the original and when was it put
in place.

: Based on Evidence and remarks in description of diversion
works same POD

12/19/01: 1994 Rosalia bought property from William Holton who
had property for long time - and for sure prior to 1987.
Rosalia knows this because prior to purchasing current
property, she and her husband lived at what is
now the Harris property for 31 years prior to purchasing
their current property.

Rosalie also stated that Bybee property to the NW of her
was sold to the Burrup's and that pump has been
in place since prior to 1987 too.

Rosalie uses a 2 Hp pump as described to me on
the phone it's location

Rosalie is sending in Death certificate and request to
remove J.C.'s name.

1/7/02 : Not including Pics taken By Dean Byington since I
don't know if Pics taken are for 2224M or 2224L.

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JAN 20 2006

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: 29-2224M

ROSALIE THOMAS
2105 BANNOCK HWY
POCATELLO ID 83204
Telephone Number: (208)232-7649

J C THOMAS
2105 BANNOCK HWY
POCATELLO ID 83204
Telephone Number: (208)232-7649

RECEIVED
MAR 10 2003
WATER RESOURCES
WESTERN REGION

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

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

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

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

DATE: 2-27-03 SIGNATURE: Rosalie Thomas
Please print your name: ROSALIE THOMAS

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

PROFILED

SCANNED
JAN 20 2006

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 29-2224M
Date Received: 4/19/1990
Receipt No: X777777
Received By:

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

1. Name of Claimant(s)

ROSALIE THOMAS Phone: (208)232-7649

2105 BANNOCK HWY
POCATELLO ID USA 83204

2. Date of Priority: 10/04/1919

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	Type
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	3/15	11/05	0.02	

7. Total Quantity Appropriated is:
0.02 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	34E	1	NW NW 4	IRRIGATION	0.2
			NE NW 3	IRRIGATION	0.8

Section Acres 1

Total Acres 1

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:

SOUTH 80' OF TRACT 2, MIRABELLA TRACTS.

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

15. Basis of Claim: License

SCANNED

JAN 20 2006

CERTIFICATION OF VITAL RECORD

STATE OF IDAHO

IDAHO DEPARTMENT OF HEALTH AND WELFARE
CENTER FOR VITAL STATISTICS AND HEALTH POLICY

State of Idaho CERTIFICATE OF DEATH

State File No. _____
Local Reg. No. 6-429

ONLY A COPY OF THIS DOCUMENT CERTIFIED BY THE STATE REGISTRAR WITH THE DEPT. OF HEALTH & WELFARE RAISED SHALL BE FILED AS FINAL EVIDENCE OF THIS DEATH UNDER IDAHO CODE 39-2104 & 39-2105

DECEDENT TYPE OR PRINT IN PERMANENT BLACK INK DO NOT USE FELT TIP PEN NAME OF DECEDENT For use by Physician or Institution		FIRST NAME: <u>Jasper</u> MIDDLE NAME: <u>Charles</u> LAST NAME: <u>Thomas</u> SEX: <u>Male</u>		DATE OF DEATH (Month, Day, Year): <u>September 9, 2000</u>	
SOCIAL SECURITY NUMBER: <u>260-36-1615</u>		AGE - Last Birthday (M, Y, D): <u>76</u>		DATE OF BIRTH (Month, Day, Year): <u>May 3, 1924</u>	
WAS DECEDENT EVER IN U.S. ARMED FORCES? ☐ Yes ☒ No		PLACE OF DEATH (Check only one): (1) ☒ Inpatient (2) ☐ ER/Outpatient (3) ☐ DOA (4) ☐ Long-Term Care Facility (5) ☐ Own Residence (6) ☐ Other Private Residence (7) ☐ Other (Specify): _____			
FACILITY NAME AND ADDRESS (If not a hospital, enter name of place, street and number): <u>Portneuf Valley Rehab & Hospital</u>		CITY, TOWN OR LOCATION OF DEATH: <u>Pocatello</u>		COUNTY OF DEATH: <u>Bannock</u>	
MARITAL STATUS - Married, Never Married, Widowed, Divorced (Specify): <u>Married</u>		SURVIVING SPOUSE (If wife, give maiden name): <u>Rosalie A. LoPresto</u>		DECEDENT'S USUAL OCCUPATION (Give kind of work done during most of working life. Do not use retired.): <u>Street Sweeper</u>	
RESIDENCE STATE: <u>Idaho</u> COUNTY: <u>Bannock</u>		CITY, TOWN OR LOCATION: <u>Pocatello</u>		STREET AND NUMBER: <u>2105 Bannock Hwy</u> ZIP CODE: <u>83204</u>	
INSIDE CITY LIMITS? ☒ Yes ☐ No		WAS DECEDENT OF HISPANIC ORIGIN? (Specify No or Yes - if yes, specify Cuban, Mexican, Puerto Rican, etc.): ☐ Yes ☒ No		RACE - American Indian, Black, Japanese, White, etc. (Specify): <u>White</u>	
FATHER - NAME: <u>Jack Thomas</u> BIRTHPLACE: <u>Georgia</u>		MOTHER - FULL MAIDEN NAME: <u>Annie Barker</u> BIRTHPLACE: <u>Georgia</u>		DECEDENT'S EDUCATION (Specify max. highest grade completed): Elementary/Secondary (0-12): <u>3rd</u> College (13-16 or 17+): _____	
PARENTS INFORMANT'S NAME (Type/Print): <u>Rosalie Thomas</u>		MAILING ADDRESS (Street and Number or Rural Route Number, City or Town, State, Zip Code): <u>2105 Bannock Hwy, Pocatello, ID 83204</u>			
INFORMANT METHOD OF DISPOSITION: ☐ Burial ☒ Cremation ☐ Removal from Idaho		PLACE OF DISPOSITION (Name of cemetery, crematory, or other place): <u>Grove City Crematory</u> LOCATION - City or Town, State: <u>Blackfoot, Idaho</u>			
DISPOSITION SIGNATURE OF FUNERAL SERVICE LICENSEE OR PERSON ACTING AS SUCH: <u>Jared C. [Signature]</u>		LICENSE NUMBER (of Licensee): <u>M 765</u> NAME AND ADDRESS OF FACILITY: <u>Grove City Funeral Home 288 N. Shilling Ave Blackfoot, Idaho 83211</u>			
TIME OF DEATH: <u>7:00 P.M.</u> DATE PRONOUNCED DEAD (Month, Day, Year): <u>September 9, 2000</u>		WAS CASE REFERRED TO CORONER? ☐ Yes ☒ No		MANNER OF DEATH (Check One): ☒ Natural ☐ Homicide ☐ Suicide ☐ Accident ☐ Pending Investigation ☐ Could Not Be Determined	
CAUSE OF DEATH 27. PART I. Enter the diseases, injuries, or complications that caused the death. Do not enter the mode of dying, such as cardiac or respiratory arrest, shock, or heart failure. List only one cause on each line. IMMEDIATE CAUSE (Final disease or condition resulting in death): a. <u>Coronary Heart Failure</u> DUE TO (as a consequence of): _____ b. DUE TO (or as a consequence of): _____ c. DUE TO (or as a consequence of): _____ d. _____		28. PART II. Other Significant Conditions contributing to death but not resulting in the underlying cause given in Part I. <u>Diabetes Type II</u>			
29. WAS AN AUTOPSY PERFORMED? ☐ Yes ☒ No		30. WERE AUTOPSY FINDINGS AVAILABLE PRIOR TO COMPLETION OF CAUSE OF DEATH? ☐ Yes ☐ No			
CERTIFIER (Check only one): ☒ PHYSICIAN - To the best of my knowledge, death occurred at the time, date, and place, and due to the cause(s) and manner as stated. ☐ CORONER - On the basis of examination and/or investigation, in my opinion, death occurred at the time, date, and place, and due to the cause(s) and manner as stated.					
CERTIFIER SIGNATURE AND TITLE OF CERTIFIER: <u>[Signature]</u>		LICENSE NUMBER: <u>146300</u>		DATE SIGNED (Month, Day, Year): <u>9/11/00</u>	
NAME AND ADDRESS OF CERTIFIER (Type/Print): <u>DR. Clifford Field 755 Hospital Way, Pocatello, ID 83201 (208)238-1000</u>					
DATE OF INJURY (Mo., Day, Yr.): _____ HOUR OF INJURY: _____		DESCRIBE HOW INJURY OCCURRED: _____			
TO BE USED FOR EXTERNAL CAUSES ONLY INJURY AT WORK? IF TRANSPORTATION ACCIDENT, Specify: ☐ Yes ☐ No ☐ Driver ☐ Passenger ☐ Pedestrian ☐ Other: _____		PLACE OF INJURY - At home, farm, school, factory, office building, etc. (Specify): _____ LOCATION (Street or Route Number, City/Town or County, and State): _____			
CORONER'S REVIEW AREA I have reviewed and/or amended, and certified.		CORONER'S SIGNATURE: _____		DATE SIGNED (Month, Day, Year): _____	
REGISTRAR SIGNATURE: <u>[Signature]</u>		DATE FILED (Month, Day, Year): <u>Sept 13, 2000</u>			

SCANNED
JAN 20 2000

This is a true and correct reproduction of the document officially registered and placed on file with the IDAHO CENTER FOR VITAL STATISTICS AND HEALTH POLICY.

DATE ISSUED: Sept. 13, 2000

This copy is not valid unless prepared on engraved border displaying state seal and signature of the Registrar.

[Signature]
JANE S. SMITH
STATE REGISTRAR

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE

29-22241

RECEIVED

DEC 20 2001

Department of Water Resources
Eastern Region

12-19-01

I Rasalie Thomas
would like to have J.C. Thomas
name taken off the Water Right prop
of 2105 Bannock Hwy he pass away
Sept 9-2000 and just have my
Name on them

Thank you
Rasalie Thomas

SCANNED

JAN 20 2006

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)	
0.03 1.5	0.01 0.3
L Holton	
0.01 0.5	0.01 0.3
M Thomas	
0.02 1	0.02 0.5
I Ellis	
0.02 1	0.02 1
J Harris	
0.02 1	0.02 0.7
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=	0.32
Sum Acre=	11.3

Un-accounted for CFS=	0.56
Un-accounted for Acres=	32.7

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JAN 20 2006

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. 29-2224L

This should be in

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Dean Byington Date 6-22-01

Contact Person(s) Rosalie Thomas

Nature of Contact Phone

Substance of Communication

- * She Irrigates Lawn (Big Lawn)
- * Map is Wrong, Check GPS
- * Underground Sprinkler system.

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JAN 20 2008

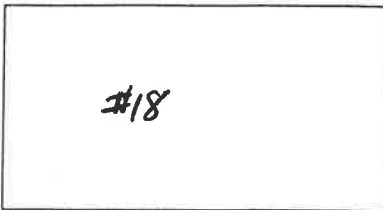
WR #: _____

DATE: 0-22-01

GPS File: _____ OR

Northing: _____

Easting: _____



Notes: Pump with Red steps behind

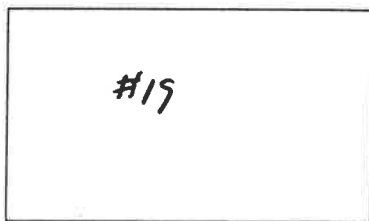
WR #: _____

DATE: _____

GPS File: _____ Or

Northing: _____

Easting: _____



Notes: Hose in the River, Used to Pump water out.

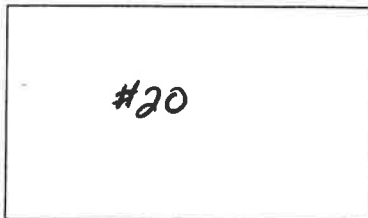
WR #: _____

DATE: _____

GPS File: _____ Or

Northing: _____

Easting: _____



Notes: Facing West, Lawn that is being Irrigated. House Behind me.

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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

0.03
Domestic

E Smith (6)

0.06
3 ac

29-02224

0.88 cfs
44 ac

F Vestal (6)

0.04
2 ac

G Rudemacher (6)

0.02
1 ac

H ?

C/O

I Holton (6)

0.01
1/2 ac

M Thomas (6)

0.02
1 ac

J Ellis (6)

0.02
1 ac

K Harris (6)

0.02
1 ac

L Armstrong (6)

0.08
4 ac

N Hensch/Berry (6)

0.03
1.3 ac

P Tilly (6)

0.01
0.49 ac

29-13191

Blom

0.03
0.40 ac

SCANNED

JAN 20 2006

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

PROTECTED



Log for claim A29-022241 M

Spatial Dynamics LTD

8/29/00

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 29-022241 M
L.S. 9-10-01

SCANNED

JAN 20 2006

SPATIAL
DYNAMICS

Audit: 08/08/95 GTAYLOR



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

PROFILED

SCANNED
JAN 20 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 07 S Range 34 E
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: A29-02224 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 _____
_____ Date _____

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:

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

RECEIVED

JUL 31 1995

Department of Water Resources
Eastern District Office

SCANNED

JAN 19 2006

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

MICROFILMED

NOV 14 1996



A Pioneer Company
PIONEER TITLE COMPANY
OF BANNOCK COUNTY

135 North Arthur Avenue / P.O. Box 1057 / Pocatello, Idaho 83204 / Telephone (208) 233-9595

RECEIVED
JUL 31 1995

Department of Water Resources
Eastern District Office

9/8/1994

MR. & MRS. J. C. THOMAS
2121 S. BANNOCK HIGHWAY
POCATELLO, ID 83201

RE: ESCROW NO. 45944AKE
PROPERTY ADDRESS: SOUTH BANNOCK HIGHWAY, POCATELLO, ID 83201

Dear MR. & MRS. J. C. THOMAS,

The closing of your purchase of the above noted property has now been completed.
Enclosed for your records are the following:

(xx) ORIGINAL Warranty Deed, recorded 08/31/94, inst. no. 94015941

(xx) ORIGINAL Policy of Title Insurance, no. ~~13~~ 4009 SV2257233

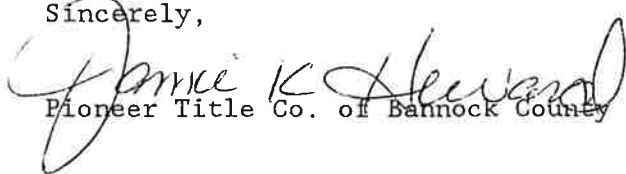
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Please review the enclosed documents carefully.

We appreciate having had this opportunity to be of service to you. If you find that you have questions or if we can help you again in the future, please feel free to contact us.

Sincerely,


Pioneer Title Co. of Bannock County

SCANNED

JAN 19 2006

MICROFILMED

NOV 14 1996

WARRANTY DEED

FOR VALUE RECEIVED, BETTY BYBEE AND GUY J. BYBEE, WIFE AND HUSBAND

the Grantor(s), do(es) hereby grant, bargain, sell, and convey unto J. C. THOMAS AND ROSALIE A. THOMAS, HUSBAND AND WIFE
 the Grantee(s), whose address is 2121 S. BANNOCK HIGHWAY, POCATELLO, ID 83201
 (Mailing Address), SOUTH BANNOCK HIGHWAY POCATELLO, ID 83201 (Property Address),
 the following described premises, situated in BANNOCK County, Idaho:

The South 80 feet of Tract 2 of MIRABELLA TRACTS, Bannock County, Idaho, as the same appears on the official plat thereof, filed in the office of the County Recorder of Bannock County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantee(s) and their heirs, successors, and assigns forever. The Grantor(s) do(es) hereby covenant, warrant, and agree with the Grantee(s) that the Grantor(s) is/are the owner(s) in fee simple of such premises; that such premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject; those set forth in the Final Official Title of Bannock County, Commitment No. 45944AKE, dated August 22, 1994, the same as offered, assumed, or created by the Grantee(s); reservations, restrictions, dedications, covenants, conditions, and other rights of parties in possession, encroachments, overlaps, boundary line disputes, or other matters that shall be determined by an accurate survey or inspection of the property; rights of-way and agreements, if any, of record; and all other matters (including irrigation and utility assessments, if any, for the current year) that are not yet of record. The Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

DATED this 31 day of August, 1994.


 BETTY BYBEE


 GUY J. BYBEE

STATE OF IDAHO

County of BANNOCK

On this 31st day of August, 1994, before me, the undersigned, personally appeared Betty Bybee and Guy J. Bybee, known or identified to me to be the person(s) whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 31st day and year first above written.

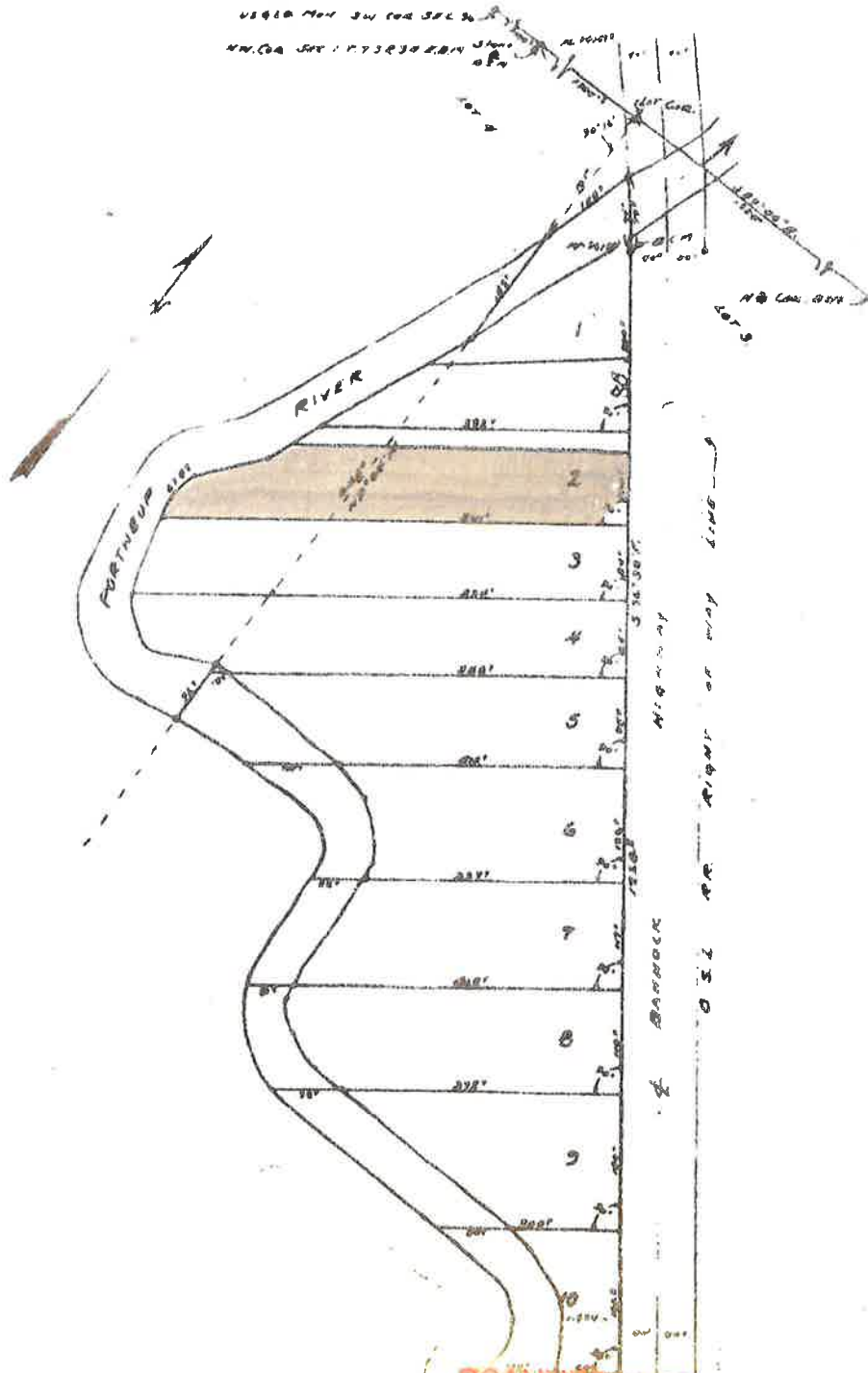


 Notary Public
 Residing at: Pocatello
 Commission Expires: 8/25/95

45944AKE, 8/25/95

MIRABELLA TRACTS

SUBDIVISION IN LOTS 3 & 4 SEC. 1, T. 7 S., R. 34 E., 31 M.



License and Certificate of Water Right

Water License No. 14352

Water District No. 17-D

Amount 0.88 sec. ft.

Priority 10-4-19

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 c. second, 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 34th Twp. 34 E., 1st Sec. 1, Tp. 34 E., R. 34 E., B. M. County of Bannock.

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 water

Twp.	Range	Sec.	Portneuf River	No. Acres Described in Permit	No. Acres Actually Irrigated
34	34 E.	1	28 1/2 NW 1/4	39	23
			Lot 3	19	13
			SW 1/4 NE 1/4	9	6
					Total 44

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of water 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 proof is for Beneficial Use

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, Twp. 7 S., R. 34 E., S. 1.

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 a. f.

3-1/2" 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, Twp. 7 S., R. 34 E., S. 1.

Lot 7, 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 27 rd day of September, 1922.

(Signed) Elmer W. Williams

Examiner

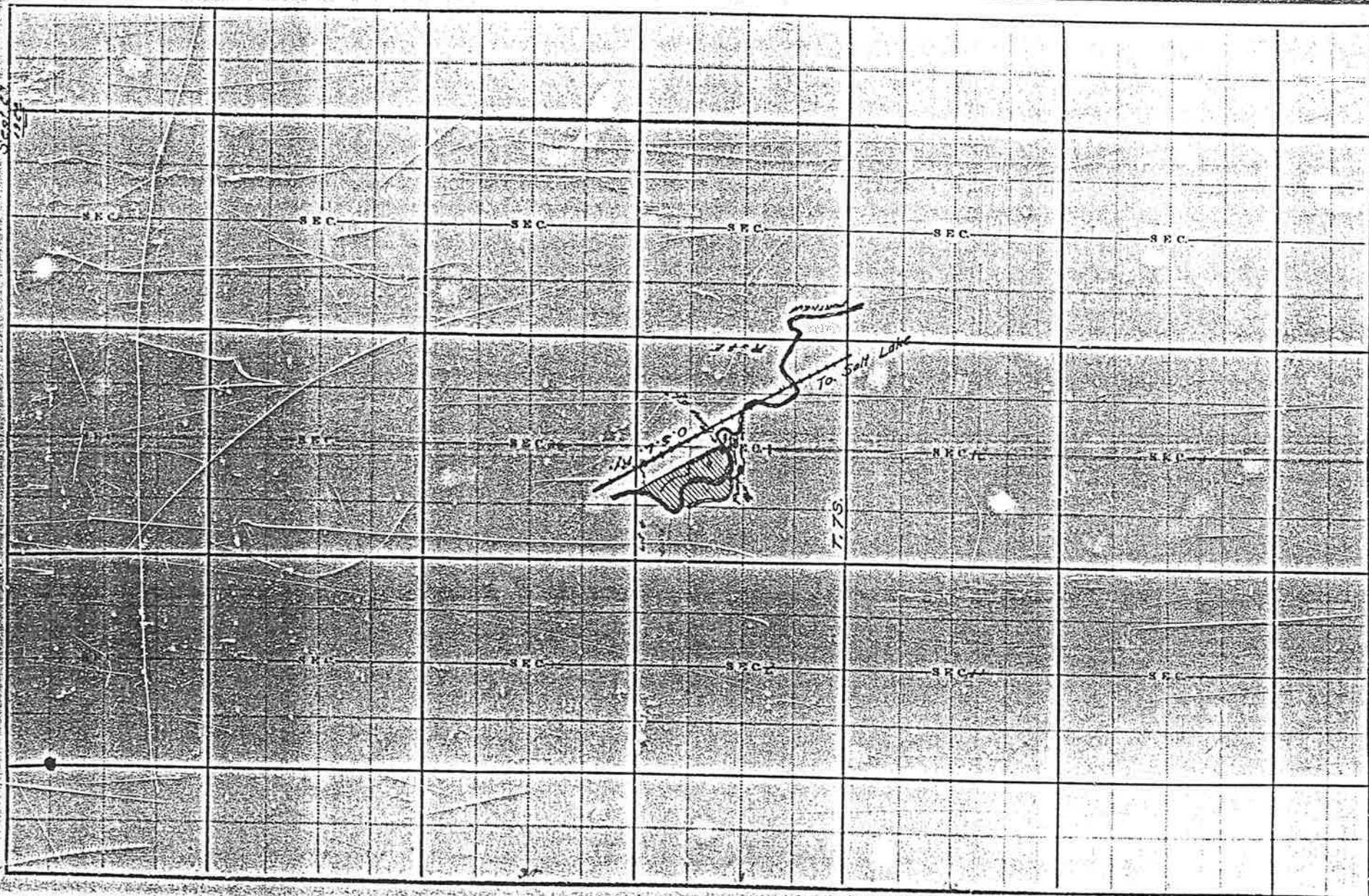
14352

OVER

F.W.H.
Scales

Permit No. 14352

NAME OF APPLICANT: Henry W. Leary



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

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: J C THOMAS
Address: 2105 BANNOCK HWY
POCATELLO ID

208-232-7649

83204

AND

Name: ROSALIE THOMAS
Address: 2105 BANNOCK HWY
POCATELLO ID

208-232-7649

83204

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	0.020		

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

8. Total consumptive use is 3.0 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	0.8

A29-02224M

Page

1

Date: 08/08/95

SCANNED
JAN 19 2006

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	34E	1	NW NW	4	IRR	0.2

Section Acres 1.0

Total Acres 1.0

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:

14. Remarks:

SOUTH 80' 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