

08/01/2002

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

RIGHT NUMBER: 29-2219  
NAME AND ADDRESS: LAURETTA M DAVIS  
PO BOX 76  
DOWNEY ID 83234  
  
CRIS G DAVIS  
PO BOX 76  
DOWNEY ID 83234

SOURCE: MARSH CREEK POND  
TRIBUTARY: PORTNEUF RIVER  
TRIBUTARY: MARSH CREEK

RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO SECTION 42-1425, IDAHO CODE.

QUANTITY: 2.50 CFS

PRIORITY DATE: 07/28/1919

POINT OF DIVERSION:

T11S R36E S14 SWNE Within BANNOCK County

T11S R36E S23 NENE Within BANNOCK County

T11S R36E S23 SENE Within BANNOCK County

T11S R36E S23 NESE Within BANNOCK County

*DAM IN MARSH CREEK  
- POD MARSH CRK  
- PUMP (POND)  
- POD - MARSH CRK*

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE

IRRIGATION

PERIOD OF USE

04/01 10/31

QUANTITY

2.500 CFS

PLACE OF USE:

IRRIGATION Within BANNOCK County

|               |      |      |               |      |      |
|---------------|------|------|---------------|------|------|
| T11S R36E S23 | NENE | 5.0  | T11S R36E S23 | SENE | 13.0 |
| T11S R36E S23 | NESE | 5.0  | T11S R36E S24 | SWNW | 28.0 |
| T11S R36E S24 | NESW | 8.0  | T11S R36E S24 | NWSW | 28.0 |
| T11S R36E S26 | NENE | 37.0 | T11S R36E S26 | NWNE | 39.0 |

163 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 163 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-2219, 29-2155, 29-13381

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 140 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

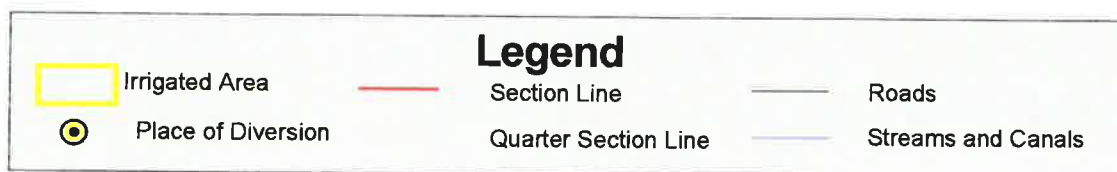
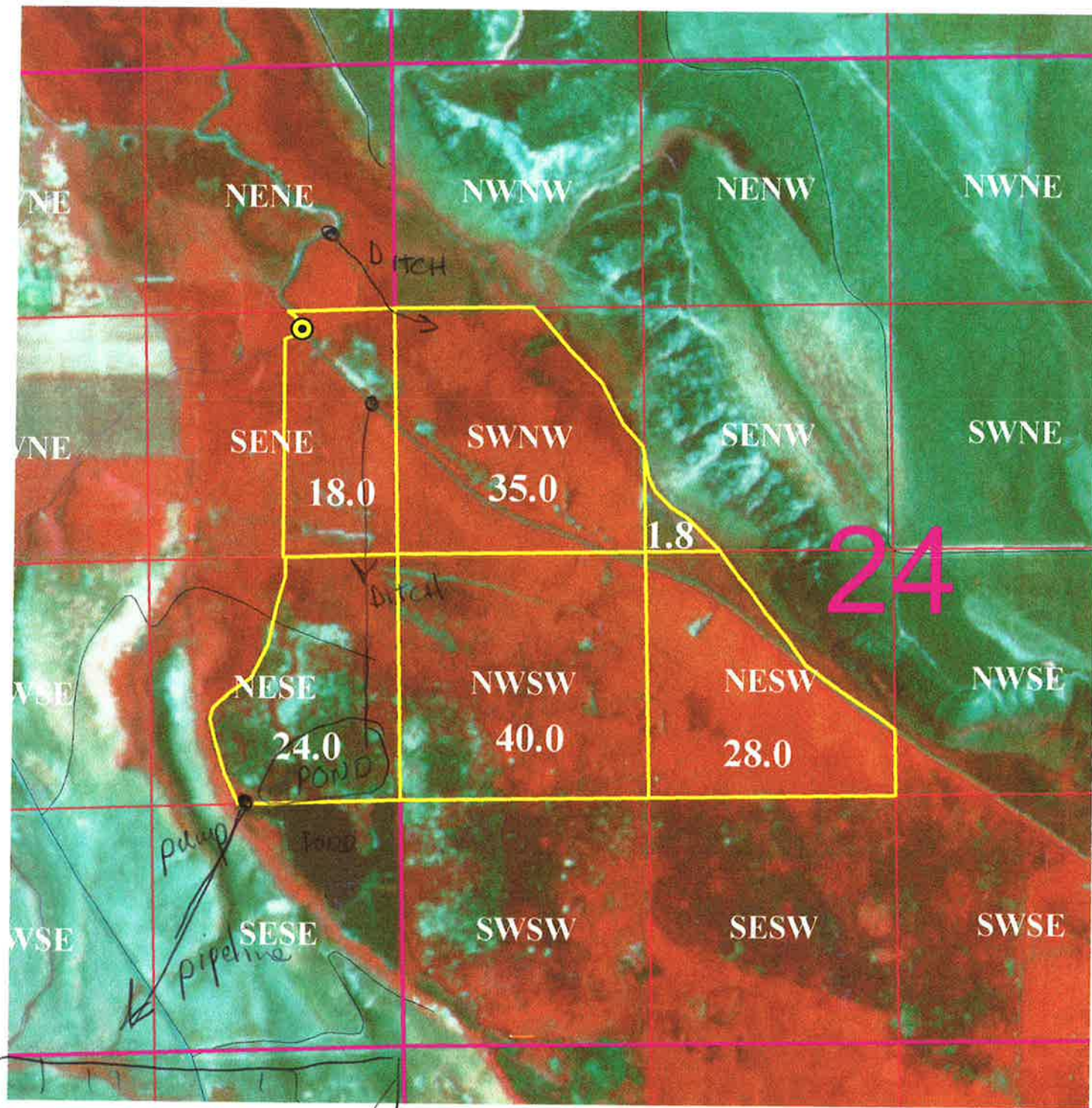
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

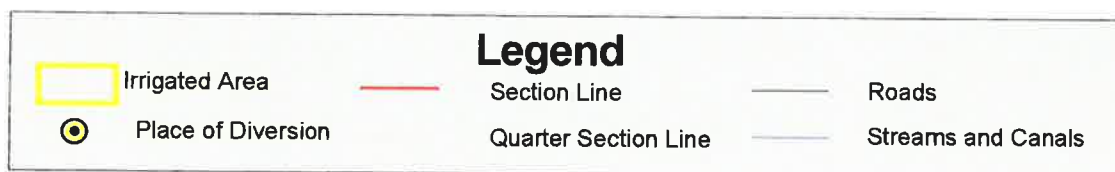
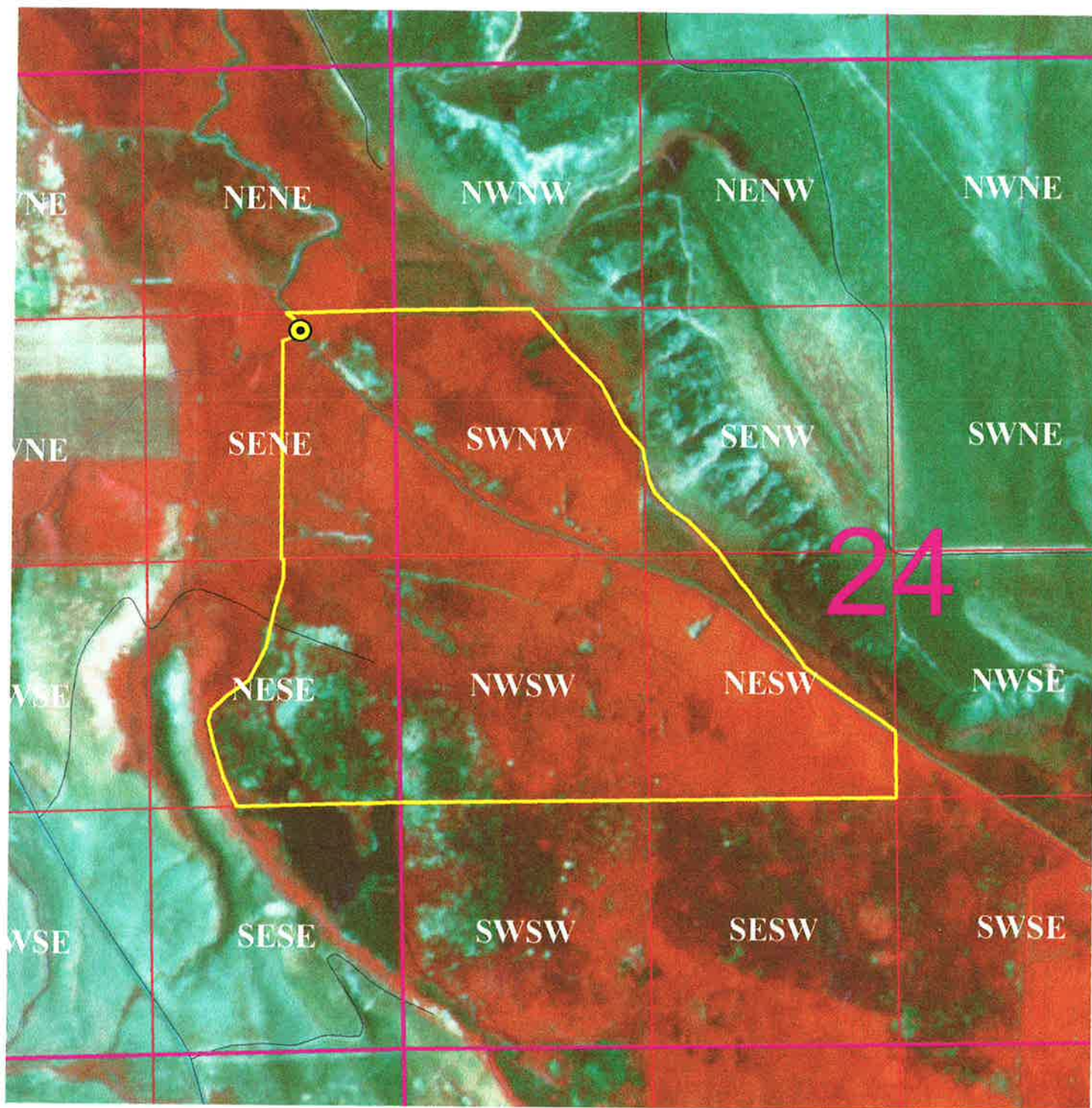
EXPLANATORY MATERIAL: License

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

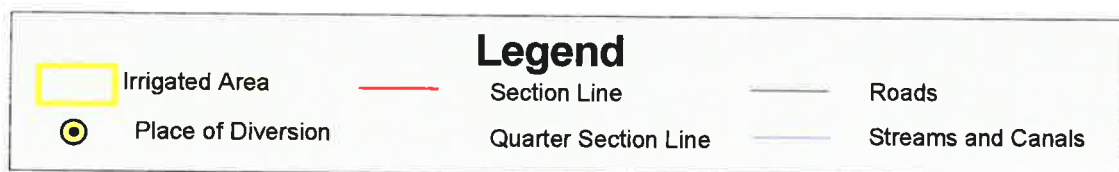
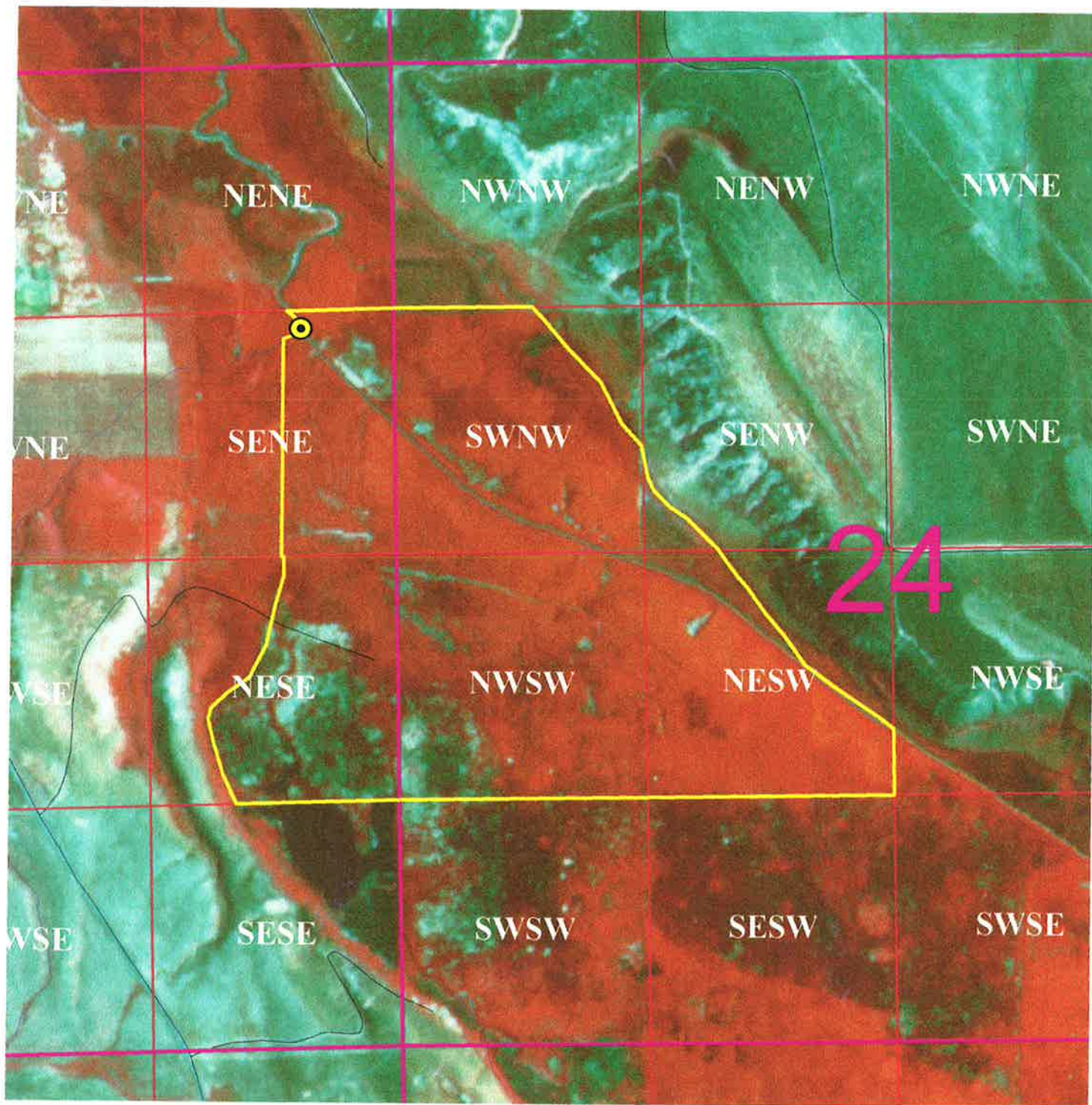
Township , 11S36E



Township , 11S36E



Township , 11S36E



Dave

02/08/2003

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: 29-2219

LAURETTA M DAVIS

PO BOX 76

DOWNEY ID 83234

Telephone Number: (208) 797-5176

(208) 897-5176

corrected  
3/28/03  
gc

CRIS G DAVIS

PO BOX 76

DOWNEY ID 83234

Telephone Number: (208) 797-5176

(208) 897-5176

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: 3-20-03

SIGNATURE:

*Cris G. Davis*

Please print your name:

Cris G. Davis

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

PROFILED

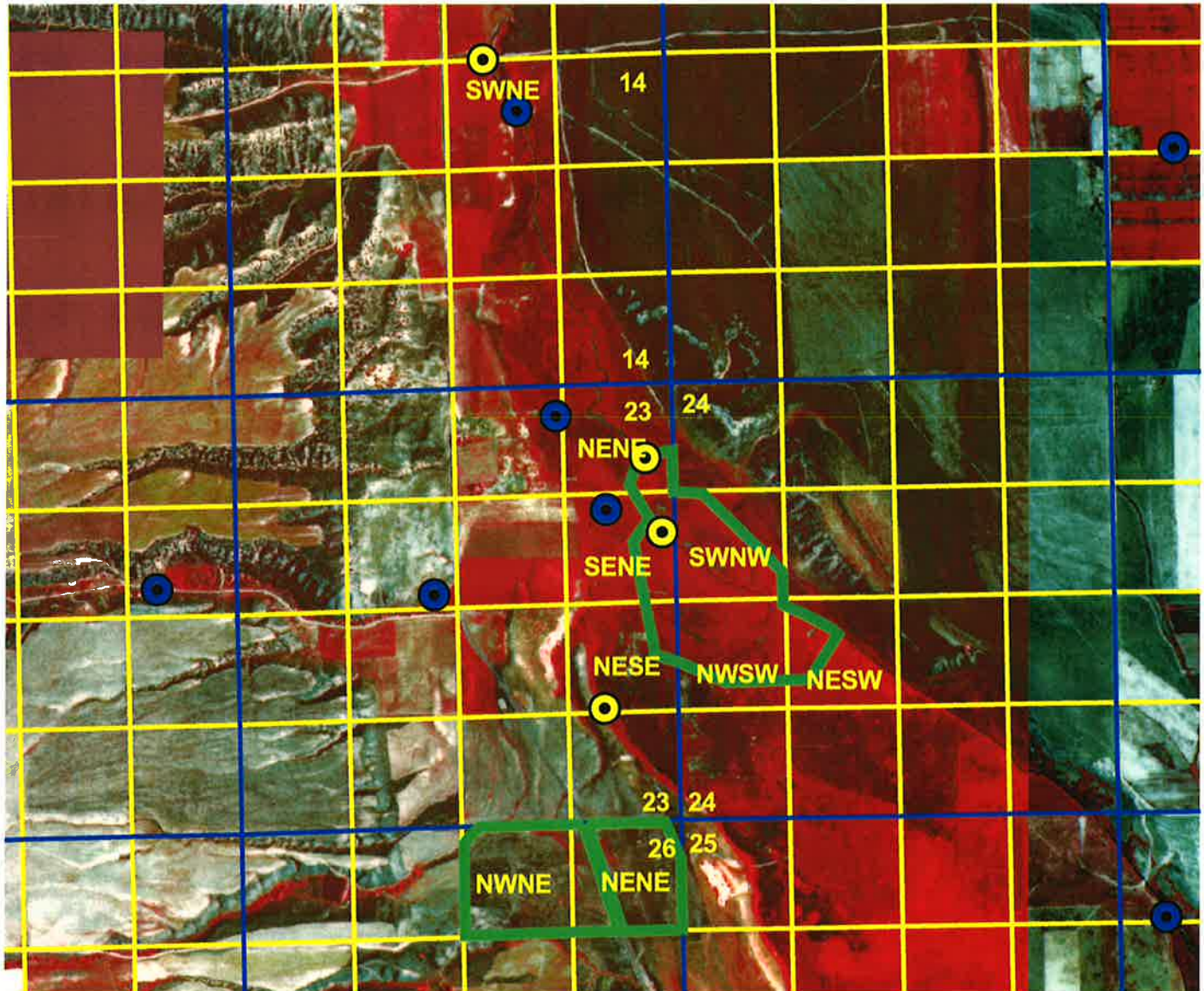
SCANNED

DEC 30 2005

# IDAHO DEPARTMENT OF WATER RESOURCES

29-2219

T11S, R36E SEC. 23,24,26



**ACRES IRRIGATED- 140**



**POINT OF DIVERSION**



**PLACE OF USE**

SCANNED  
DEC 30 2005

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

JUN 04 2001

Log for claim A29-02219

Spatial Dynamics TWB

6/26/00

| TR             | SEC | QQ   | Acres<br>Claimed | Acres<br>Found | COMMENT |
|----------------|-----|------|------------------|----------------|---------|
| 11s36e         | 23  | SENE | 14               | 18             |         |
| 11s36e         | 23  | NESE | 21               | 24             |         |
| 11s36e         | 24  | SWNW | 33               | 35             |         |
| 11s36e         | 24  | SENW | 1                | 1.8            |         |
| 11s36e         | 24  | NESW | 28               | 28             |         |
| 11s36e         | 24  | NWSW | 40               | 40             |         |
| <b>Totals:</b> |     |      | 137              | 146.8          |         |

75hp US Elec Motors

pump in pond

N42 26 56.7 4725  
W112 12 48.8

75hp

N42 27 2.6 4726  
W112 12 39.3

pond  
side

Big culvert

N42 27 20.4 4739  
W112 12 46.6

Big East

N42 27 26.4 4725

W112 12 41.5

ditch

marsh

N42 27 17.5

W112 12 39.0

4713

see 14 dam in Marsh  
Creek backs up water  
into 2 ditches.

one ditch can run  
water into pond

but the pump in pond is used  
without the ditch water

## License and Certificate of Water Right

Water License No. 14197Amount 2.5 sec. ft.Water District No. 17 HPriority 7/28/19

THIS IS TO CERTIFY that **ED. H. McDANIEL**,  
 of **Arimo, Idaho**, made application for a permit to appropriate the  
 public waters of the State of Idaho, dated **July 28**, 19 **19**; that Permit No. **14197**  
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of **2.5**  
 second feet, was issued thereunder on **March 12**, 19 **20**, showing that said works  
 were completed on the **31st** day of **January**, 19 **20**; and that on the **31st**  
 day of **January**, 19 **20**,

**ED. H. McDANIEL,**

of **Arimo**, State of **Idaho**, made proof to the satisfaction of the  
~~Commissioner of Reclamation~~ **Commissioner of Reclamation**  
~~of Idaho~~ of Idaho, of a right to the use of the waters of **Marsh Creek**,  
 a tributary of **Portneuf River**, for the purpose of **Irrigation & Domestic use**,  
 under Use Permit No. **14197** of the ~~State Engineer~~ **Commissioner of Reclamation**,  
 waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the ~~State~~  
~~Commissioner of Reclamation~~ **Commissioner of Reclamation**  
 of Idaho and entered of record in Volume **5** of Licenses, at page **2783**, on the **25th**  
 day of **February**, 19 **21**;

The right hereby confirmed dates from **July 28**, 19 **19**;

The Point of Diversion is located  
 in the **NE 1/4 SW 1/4**, Sec. **24**, Tp. **31 S.**, R. **36 E.**, B. M.

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 **2.5** cubic feet per second.

## Description and location of use:

| Twp.  | Range | Sec. | Forty-acre Tract | No. Acres<br>Described in Permit | No. Acres<br>Actually Irrigated |
|-------|-------|------|------------------|----------------------------------|---------------------------------|
| 11 S. | 36 E. | 23   | NE SE            | 30                               | 30                              |
|       |       | 24   | NE SW            | 30                               | 35                              |
|       |       |      | NW SW            | 40                               | 40                              |
|       |       |      | SW SW            | 35                               | 35                              |

140

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**  
~~State Engineer~~ **Commissioner of Reclamation**, affixed at Boise, Idaho, this **25th**  
 day of **February**, 19 **21**.

**W. G. Swendsen,****Commissioner of Reclamation.**

(SEAL)

By: **S. T. Baer,**  
 Deputy.

29-20

APPLICATION FOR PERMIT  
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 20137  
Permit No. 14197  
District No. 17-G

1. Name of Applicant: Ed. H. McDaniel.

Postoffice address: Arimo

County: Bannock

State: Idaho.

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (a) Cash on hand:
- (b) Treasury stock:
- (c) Bonds to be issued:
- (d) Other resources:

2. Quantity of water claimed: two and one half cubic feet per second.

3. Source of water supply: Marsh Creek which is a tributary of Portneuf River.

4. Location of point of diversion: feet distant from the  
corner of Section , T. , R. , B. M., and is in the NE $\frac{1}{4}$  SW $\frac{1}{4}$   
of Section 24 , T. 11 S , R. 36 E , B. M., County of Bannock.

5. Water is to be used for: Irrigation and domestic purposes.

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section  
T. , R. , B. M., in the of Section , T. , R. , B. M.

(b) Amount of power generated: H. P., under feet head.

(c) Water is to be returned to at a point feet  
distant from the corner of Section , T. , R. , B. M., in the  
of Section , T. , R. , B. M.

7. Estimated cost of works: \$ 2000.00

8. Kind of works: Ditch.

9. Height of dam feet; length of dam at top feet; length of dam at bottom  
feet; material used in dam

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom 10 feet; width at water line 10 feet; depth of water 4  
feet; dimensions of flume

Diameter of pipe inches; length of conduit 2 miles.  
Average grade per mile 4 feet.

12. The time required for the completion of such work is  $\frac{1}{2}$  years.

13. The time required for the complete application of the water to the proposed use is none additional years.

14. (a), (b) and (c) are wrong.

Ed. H. McDaniel. Applicant.

**Agent.**

Corrected application received Aug. 5, 1919.

COMMISSIONER OF RECLAMATION

~~State Engineer.~~  
Commissioner of Reclamation

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TO ALL WHOM IT MAY CONCERN:

W. G. Swendsen.  
Commissioner of Reclamation.  
By: S. T. Baer.  
Deputy.

Page 2983

## REPORT OF ENGINEER

This proof is for Beneficial UseIn Water District No. 17-G

1. State name of applicant and number of permit: Ed. H. McDaniel- Permit 14197
2. State source of water supply: Marsh Creek
3. Location of point of diversion: NE 1/4 Sec. 24, T. 11 S., R. 36 E., B.M.
4. Describe works as they exist, giving dimensions and capacities of same:
 

Wood dam, 3' H. 10' long. No H.G.

Ditch, 2' B. 1' D. Cap. 3 S.F.
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): NE 1/4 SW 1/4, NW 1/4 SW 1/4, Sec. 24, and NE 1/4 SE 1/4 Sec. 23, T. 11 S., R. 36 E.

NE 1/4 SW 1/4, 22 A. NW 1/4 SW 1/4, 40 A. SW 1/4 SW 1/4, 22 A.

NE 1/4 SE 1/4, 22 A. cult.
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:
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: From land to Marsh Creek, to Portneuf River, to Snake River.

Remarks:

This examination was made on the 22 nd day of September 19 20.

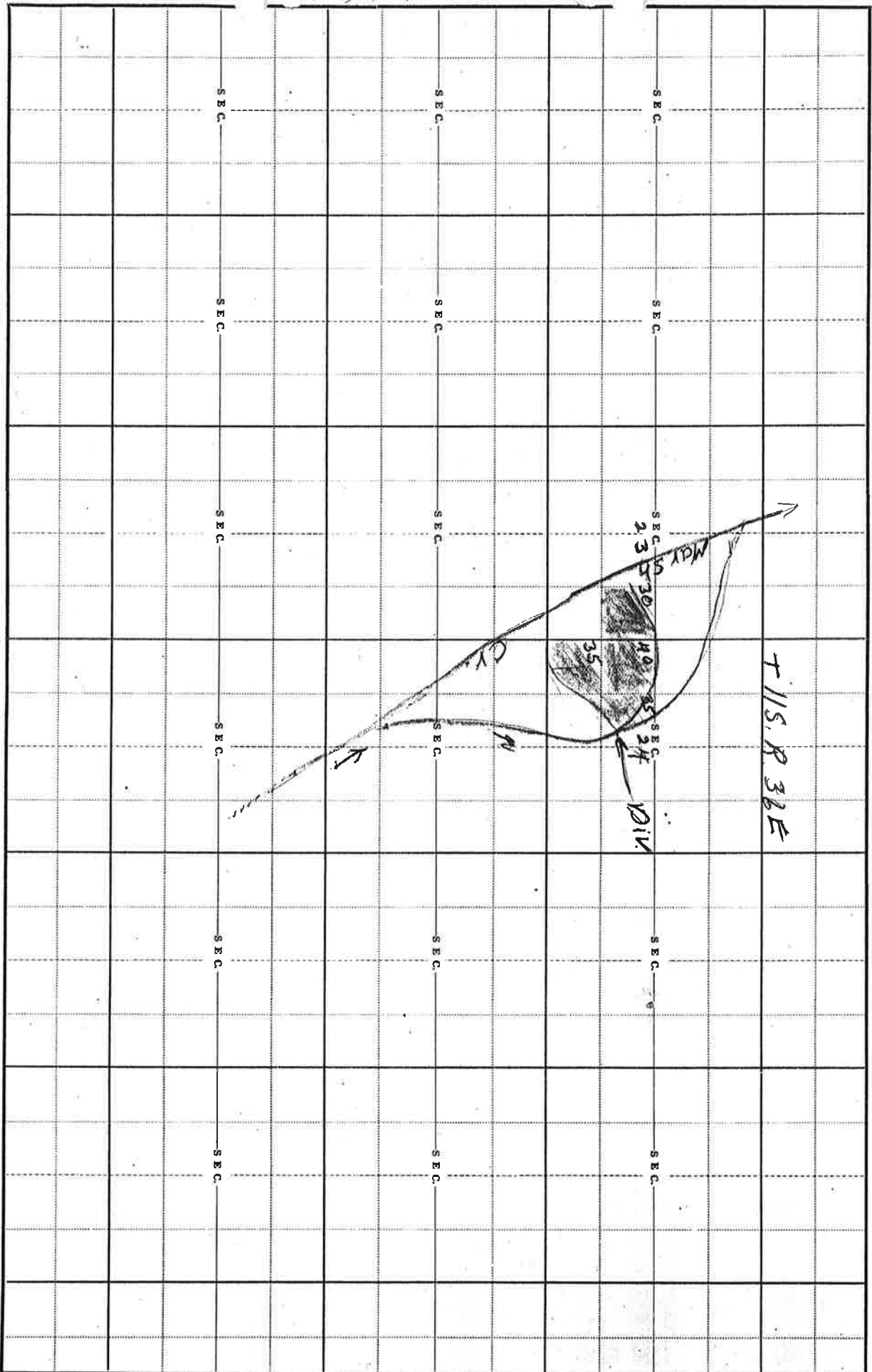
(Signed)

L. R. Annett.

Examiner.

NAME OF APPLICANT

Ed. H. McDaniel #141 7



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

14197.

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

| OWNER<br>CODE | NAME & ADDRESS                                                 | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO                | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|---------------|----------------------------------------------------------------|------------------|------------|--------------------------------------|-------------------|---------------------|
| C             | LAURETTA M DAVIS                                               | 07/28/1919       | IRRIGATION | 04-01 11-01                          | 2.500 CFS         |                     |
| C             | CRIS G DAVIS<br>PO BOX 76<br>DOWNEY ID 83234<br>(208) 897-5176 |                  |            |                                      | 2.500 CFS         |                     |
|               |                                                                |                  |            | TOTAL DIVERSION:<br>CONSUMPTIVE USE: |                   | 346.00 AFA          |

Tributary to: PORTNEUF RIVER

T11S R36E S23

SENE

**BANNOCK County**

|             |        | NE   |      |      |      | NW   |      |      |      | SW   |      |      |      | SE   |      |      |       |       |
|-------------|--------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|-------|-------|
| T           | R S    | NENE | NWNE | SWNE | SENE | NENW | NWNW | SWNW | SENW | NESW | NWSW | SWSW | SESW | NESE | NWSE | SWSE | SESE  | SUM   |
|             |        | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac    |       |
| 11S         | 36E 23 |      |      |      | 14   |      |      |      |      |      |      |      |      |      |      |      |       | 35.6  |
| 11S         | 36E 24 |      |      |      |      |      |      | 33   | 01   |      | 28   | 40   |      |      |      |      |       | 102.8 |
| TOTAL ACRES |        |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      | 138.4 |       |

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):  
A29-07355

A29-00442    A29-00509    A29-00510    A29-07355    A29-10131    A29-10133

Remarks: GEN DAM IS USED TO BACK UP CREEK AND FLOOD THE PLACE OF USE.  
CHANGED OWNERSHIP 2/6/95/JT/GJT

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

Misc: Water District Number: 29H Field Inspection Flag:  
Presumption Flag:

Audit: 02/21/90 CARLSEN 06/02/94 COX 02/06/95 JTHOMPSO 03/29/95 POST-STD

February 7, 1995

CRIS/LAURETTA DAVIS  
PO BOX 76  
DOWNEY ID 83234

Re: Changes in Ownership

Dear Lori:

Your request for Change in Ownership of eight Notices of Claim has been processed and enclosed you will find copies of the Notices showing you as the current owner.

In your letter you also requested copies of the original water rights as we have them recorded. The "Profile Reports" I have enclosed are the original rights as recorded before the commencement of the Snake River Basin Adjudication(SRBA). If you reference the "Remarks" section in Notices #A29-10131 and #A29-10133 you will see what decreed rights were combined in in those rights.

Please do not hesitate to contact this office if you have any questions regarding this matter.

Sincerely,

Gregory J. Taylor  
Sr. Water Agent, Adjudications

Enclosures: copies of SRBA Claims and Profile Reports.

MICROFILMED  
NOV 14 1995



# NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 11-22-93

LEGAL DESCRIPTION OF PROPERTY: Township 11 S. Range 36 E  
Section 23 & 24 1/4 of 1/4 of 1/4 Govt. Lot       , BM.  
Lot       , Block       , Subdivision/Townsite       .

If you have additional legal descriptions, please attach separate sheet.

Refer to Warranty Deed attached

☐ 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:

14197 assigned new number 6-18-82 A29-02219 Priority Date 7-28-1919 <sup>NO R-O-K</sup>

☒ Name and Address of Former Owner/Claimant(s)(Seller):

Glade Davis

21128 South Marsh Valley Rd.

Downey, ID 83234

☒ New Owner/Claimant (Purchaser):

Cris G or Lauretta M. Davis

☒ New Mailing Address:

P.O. Box 76

Downey, ID 83234

☒ New Telephone Number:

(208 ) 897 - 5176

☒ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no  
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☒ Attach proof of ownership, describe proof attached:

Recorded Warranty Deed

(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)

*Cris G. Davis*

Date 1-31-95

Date

☐ Signature of Former Owner/Claimant(s):

Date

Date

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

## FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

**MICROFILMED**

Original to be mailed to Idaho Department of Water Resources **NOV 4 1996**  
Copies to Former Owner and New Owner

JUN 04 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: **A29-02219**  
Date Received: 2/21/1990  
Receipt No: E012123  
Received By: \_\_\_\_\_

**COPY FOR  
YOUR FILES**

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

**COPY FOR  
YOUR FILES**

1. Name: CRIS G DAVIS 208-897-5176  
Address: PO BOX 76  
DOWNEY ID 83234  
OR  
Name: LAURETTA M DAVIS 208-897-5176  
Address: PO BOX 76  
DOWNEY ID 83234

2. Date of Priority: JUL 28, 1919

3. Source: MARSH CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

|          |       |         |        |        |     |     |         |
|----------|-------|---------|--------|--------|-----|-----|---------|
| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County  |
| 11S      | 36E   | 23      | SE     | NE     |     |     | BANNOCK |

5. Description of diverting works:  
CULVERT WITH FLASH BOARD TO DAM OFF CREEK.

6. Water is used for the following purposes:

|            |       |       |       |      |        |
|------------|-------|-------|-------|------|--------|
| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
| IRRIGATION | 04/01 | 11/01 | 2.500 |      |        |

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

8. Total consumptive use is 346.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

|          |       |         |        |     |     |     |       |
|----------|-------|---------|--------|-----|-----|-----|-------|
| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
| 11S      | 36E   | 23      | SE     | NE  |     | IRR | 14.0  |

**MICROFILMED**

**JUN 14 1996**

10. Place of Use: Continued

| Township | Range | Section | 1/4 of        | 1/4 | Lot | Use | Acres |
|----------|-------|---------|---------------|-----|-----|-----|-------|
| 11S      | 36E   | 23      | NE            | SE  |     | IRR | 21.6  |
|          |       |         | Section Acres |     |     |     | 35.6  |
|          |       | 24      | SW            | NW  |     | IRR | 33.6  |
|          |       |         | SE            | NW  |     | IRR | 1.2   |
|          |       |         | NE            | SW  |     | IRR | 28.0  |
|          |       |         | NW            | SW  |     | IRR | 40.0  |
|          |       |         | Section Acres |     |     |     | 102.8 |
|          |       |         | Total Acres   |     |     |     | 138.4 |

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:

DAM IS USED TO BACK UP CREEK AND FLOOD THE PLACE OF USE.  
CHANGED OWNERSHIP 2/6/95/JT/GJT

15. Basis of Claim: LICENSE

Water Right Number: 14197

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: A29-02219  
Date Received: 2/21/1990  
Receipt No: 2012/23  
Received By: ERK

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: GLADE H. DAVIS 208-897-5500  
Address: 21128 SOUTH MARSH CREEK RD.  
DOWNEY, ID 83234

OR  
Name: JANE DAVIS 208-897-5500  
Address: 21128 SOUTH MARSH CREEK RD.  
DOWNEY, ID 83234

2. Date of Priority: JUL 28, 1919

3. Source: MARSH CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County  |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 11S      | 36E   | 23      | SE     | NE     |     |     | BANNOCK |

5. Description of diverting works:  
CULVERT WITH FLASH BOARD TO DAM OFF CREEK.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 2.500  |      |        |

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

8. Total consumptive use is 346.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A29-02219

Page 1

Date: 02/21/90

MICROFILMED

NOV 13 1992

10. Place of Use:

| Township | Range | Section | 1/4 of        | 1/4 | Lot | Use | Acres |
|----------|-------|---------|---------------|-----|-----|-----|-------|
| 11S      | 36E   | 23      | SE            | NE  |     | IRR | 14.0  |
|          |       |         | NE            | SE  |     | IRR | 21.6  |
|          |       |         | Section Acres |     |     |     | 35.6  |
|          |       | 24      | SW            | NW  |     | IRR | 33.6  |
|          |       |         | SE            | NW  |     | IRR | 1.2   |
|          |       |         | NE            | SW  |     | IRR | 28.0  |
|          |       |         | NW            | SW  |     | IRR | 40.0  |
|          |       |         | Section Acres |     |     |     | 102.8 |
|          |       |         | Total Acres   |     |     |     | 138.4 |

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:

DAM IS USED TO BACK UP CREEK AND FLOOD THE PLACE OF USE.

15. Basis of Claim: LICENSE

Water Right Number: 14197

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): Shade H. Harris Date: Feb 21, 1990  
\_\_\_\_\_  
Date: \_\_\_\_\_

State of Idaho )  
County of Bonner Co. ) SS.

Subscribed and sworn (or affirmed) before me this 21 day  
of Feb 19 90

Ernest Carlson  
Notary Public



Residing at Shade H. Harris, MD  
My Commission Expires 6-14-1994

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT     | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | POD<br>FLAG | COUNTY  | DIVERSION NAME | DIVERSION NUMBER |
|-----------|------|------|------|-----|-----|-----|-----|-------------|---------|----------------|------------------|
| A29-02219 | 11S  | 36E  | 23   |     | SE  | NE  |     |             | BANNOCK |                |                  |

OTHER AJ CLAIMS WITH SAME AJ POD  
A PREFIX R PREFIX  
A29-07355 NONE

WR RECORDS IN SAME 40 ACRE TRACT  
29-07355

SOURCE: MARSH CREEK

TRIB: PORTNEUF RIVER

B. WR POINT OF DIVERSION AND SOURCE:

| RIGHT    | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | POD<br>FLAG | COUNTY  | DIVERSION NAME | DIVERSION NUMBER |
|----------|------|------|------|-----|-----|-----|-----|-------------|---------|----------------|------------------|
| 29-02219 | 11S  | 36E  | 24   |     | NE  | SW  |     |             | BANNOCK |                |                  |

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT  
A PREFIX R PREFIX  
NONE NONE NONE

SOURCE: MARSH CREEK

TRIB: PORTNEUF RIVER

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

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

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

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

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

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

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

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

I. HOW WAS THE POD AND SOURCE VERIFIED?

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

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

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

=====

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

| TWP.  | RGE.  | SEC.  | 1/4   | 1/4   | 1/4   | LOT   | POD<br>FLAG | COUNTY  | DIVERSION NAME | DIVERSION NBR |
|-------|-------|-------|-------|-------|-------|-------|-------------|---------|----------------|---------------|
| 11S   | 36E   | 23    |       | SE    | NE    |       |             | BANNOCK |                |               |
| _____ | _____ | _____ | _____ | _____ | _____ | _____ | _____       | _____   | _____          | _____         |
| _____ | _____ | _____ | _____ | _____ | _____ | _____ | _____       | _____   | _____          | _____         |
| _____ | _____ | _____ | _____ | _____ | _____ | _____ | _____       | _____   | _____          | _____         |
| _____ | _____ | _____ | _____ | _____ | _____ | _____ | _____       | _____   | _____          | _____         |
| _____ | _____ | _____ | _____ | _____ | _____ | _____ | _____       | _____   | _____          | _____         |
| _____ | _____ | _____ | _____ | _____ | _____ | _____ | _____       | _____   | _____          | _____         |

SOURCE: MARSH CREEK

TRIB: PORTNEUF RIVER

REVIEWED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

=====

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

A. ROOT WATER RIGHT NUMBERS: A29-02219

B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME              | AJ<br>#/ACRES    | WR<br>#/ACRES   | LANDSAT<br>DATA | FIELD<br>EXAM. | RECOMM.<br>ACRES |
|-----|-----|-----|-----|-----|-----|-------------------|------------------|-----------------|-----------------|----------------|------------------|
| 11S | 36E | 23  | SE  | NE  |     | DAVIS, LAURETTA M | A29-02219 / 14.0 | - /             | 38.0            |                |                  |
|     |     |     | SE  | NE  |     | DAVIS, CRIS G     | A29-10133 / 23.6 | - /             |                 |                |                  |
|     |     |     | SE  | NE  |     | DAVIS, CRIS G     | A29-07355 / 2.0  | 29-07355 / 2.0  |                 |                |                  |
|     |     |     | SE  | NE  |     | DAVIS, CRIS G     | A29-10131 / 23.6 | - /             |                 |                |                  |
|     |     |     | SE  | NE  |     | WAKLEY, WILLARD   |                  | 29-00442 /      |                 |                |                  |
|     |     |     | SE  | NE  |     | WAKLEY, WILLARD   |                  | 29-00509 /      |                 |                |                  |
|     |     |     | SE  | NE  |     | WAKLEY, WILLARD   |                  | 29-00510 /      |                 |                |                  |
|     |     |     | SE  | NE  |     | DAVIS, NELSON F.  |                  | 29-02121 / 20.0 |                 |                |                  |
| 11S | 36E | 23  | NE  | SE  |     | DAVIS, LAURETTA M | A29-02219 / 21.6 | 29-02219 / 30.0 | 33.0            |                |                  |
| 11S | 36E | 24  | SW  | NW  |     | DAVIS, LAURETTA M | A29-02219 / 33.6 | - /             | 36.0            |                |                  |
|     |     |     | SW  | NW  |     | WAKLEY, WILLARD   |                  | 29-00442 /      |                 |                |                  |
|     |     |     | SW  | NW  |     | WAKLEY, WILLARD   |                  | 29-00509 /      |                 |                |                  |
|     |     |     | SW  | NW  |     | WAKLEY, WILLARD   |                  | 29-00510 /      |                 |                |                  |
| 11S | 36E | 24  | SE  | NW  |     | DAVIS, LAURETTA M | A29-02219 / 1.2  | - /             | 2.0             |                |                  |
| 11S | 36E | 24  | NE  | SW  |     | DAVIS, LAURETTA M | A29-02219 / 28.0 | 29-02219 / 35.0 | 32.0            |                |                  |
| 11S | 36E | 24  | NW  | SW  |     | DAVIS, LAURETTA M | A29-02219 / 40.0 | 29-02219 / 40.0 | 40.0            |                | 40.0             |

ADDITIONAL POU FOUND

|             |           |        |        |        |
|-------------|-----------|--------|--------|--------|
| TOTAL ACRES | A29-02219 | 138.40 | 105.00 | 181.00 |
|-------------|-----------|--------|--------|--------|

POU COUNTY: BANNOCK

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y( ) N( )

\* IF YES, ARE THESE TRACTS LISTED ABOVE ( ), OR ARE THEY LISTED ON AN ATTACHED SHEET ( )

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

| CLAIM NO. | SOURCE                  | NAME              | DIV. RATE | DIV. RATE/ACRE | DIV. VOL. | DIV. VOL./ACRE |
|-----------|-------------------------|-------------------|-----------|----------------|-----------|----------------|
| A29-02219 | MARSH CREEK             | DAVIS, LAURETTA M | 2.500     | 0.018          |           |                |
| A29-07355 | SPRINGS                 | DAVIS, CRIS G     | 0.800     | 0.020          |           |                |
| A29-10131 | REESE CREEK             | DAVIS, CRIS G     | 1.700     | 0.011          |           |                |
|           | REESE CREEK, SOUTH FORK |                   |           |                |           |                |
|           | SPRINGS                 |                   |           |                |           |                |
|           | UNNAMED STREAMS         |                   |           |                |           |                |
| A29-10133 | REESE CREEK             | DAVIS, CRIS G     | 0.540     | 0.003          |           |                |
|           | REESE CREEK, SOUTH FORK |                   |           |                |           |                |

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

| CLAIM NO. | PURPOSES   | NAME          | MONTH/DAY           | RATE      | VOLUME |
|-----------|------------|---------------|---------------------|-----------|--------|
| A29-07355 | STOCKWATER | DAVIS, CRIS G | FROM 01-01 TO 12-31 | 0.020 CFS |        |

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y( ) N( )

\* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM:

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A( ) Y( ) N( )

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

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

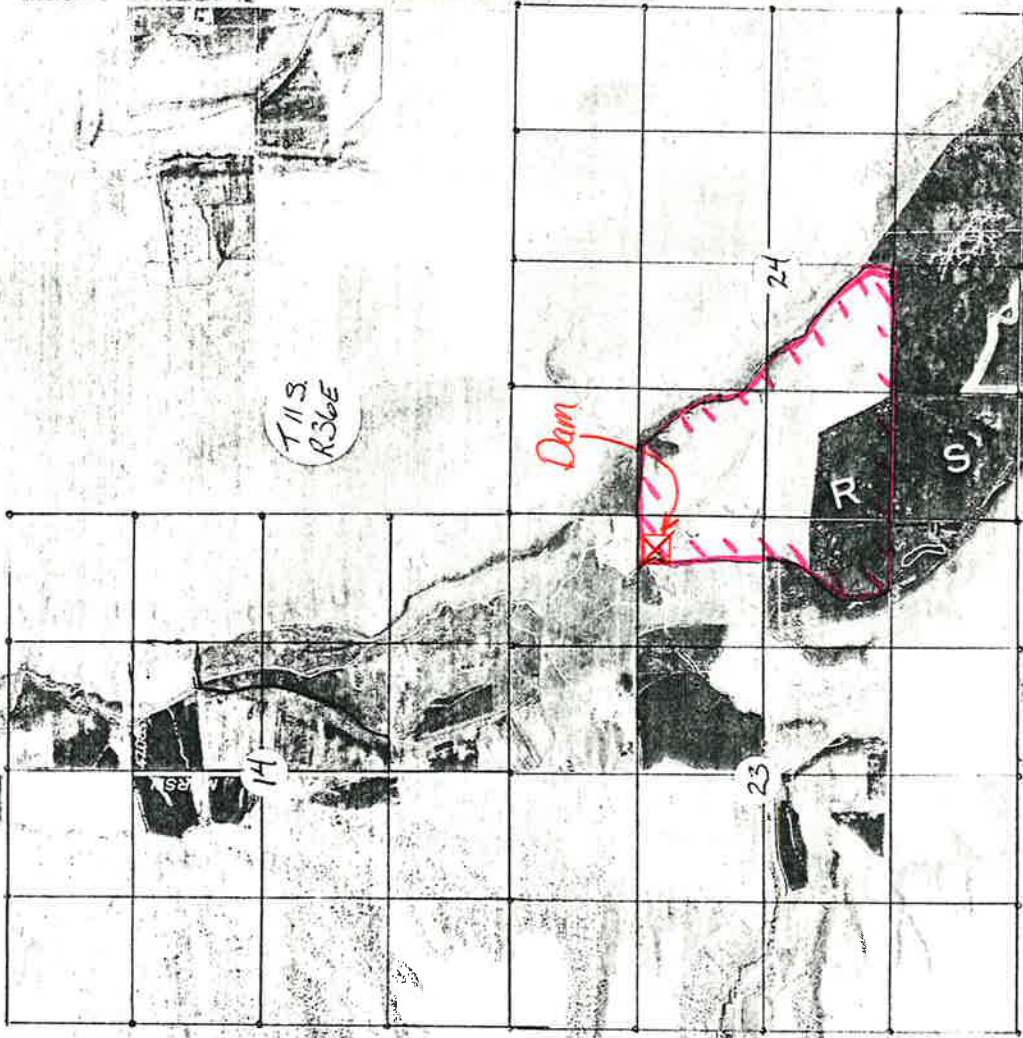
N/A( ) Y( ) N( )

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y( ) N( )

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y( ) N( )



MICROFILMED

AGN