

01/08/2003

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

RIGHT NUMBER: 29-2259
NAME AND ADDRESS: JOHN P EVANS
51 FORDHAM
POCATELLO ID 83201
JANE R EVANS
51 FORDHAM
POCATELLO ID 83201

SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 2.600 CFS
600.000 AFY
PRIORITY DATE: 06/20/1944
POINT OF DIVERSION:

T06S R33E S11 NWSE Within POWER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	2.600 CFS 600.00 AFY

PLACE OF USE: IRRIGATION Within POWER County

T06S R33E S11	NESE	38.0	T06S R33E S11	NWSE	39.0
T06S R33E S11	SWSE	33.0	T06S R33E S11	SESE	26.0
T06S R33E S14	NENE	11.0	T06S R33E S14	NWNE	19.0

166 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 150 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

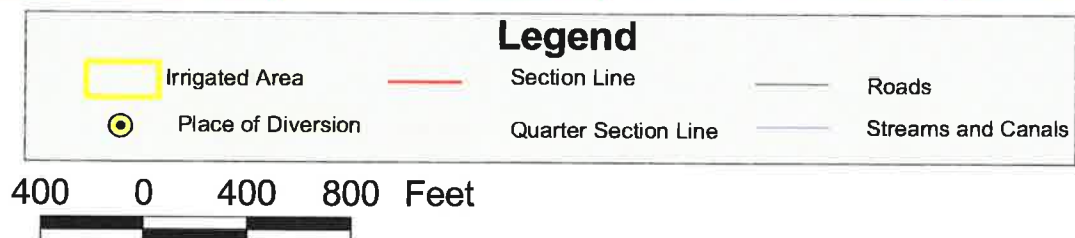
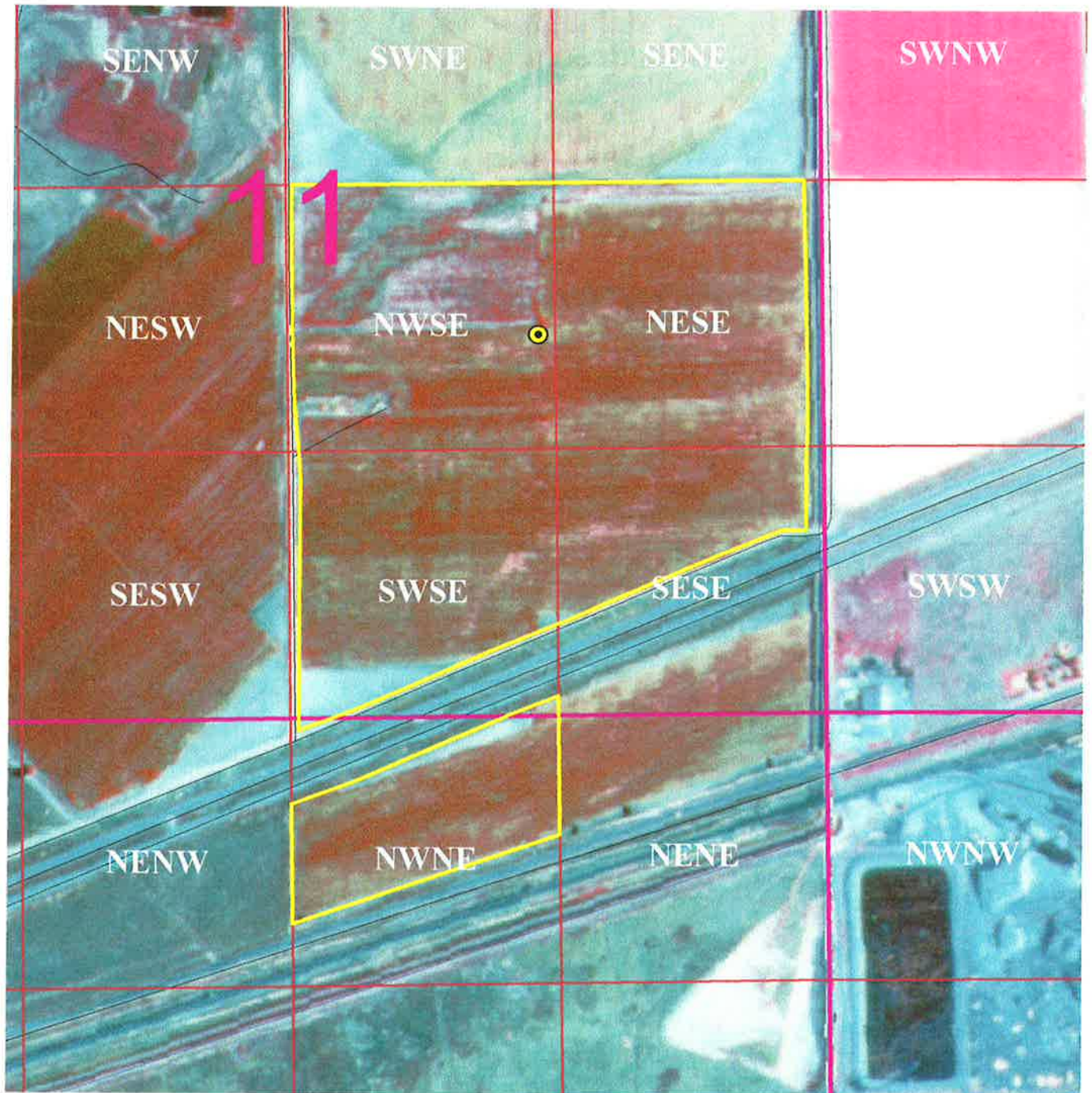
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

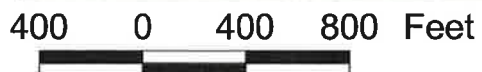
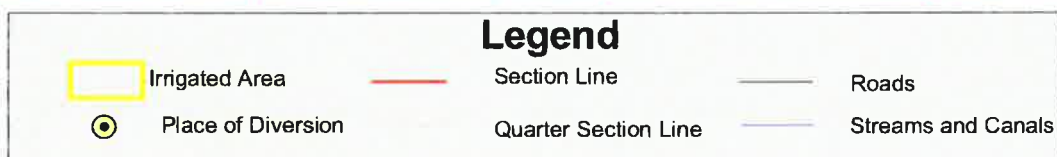
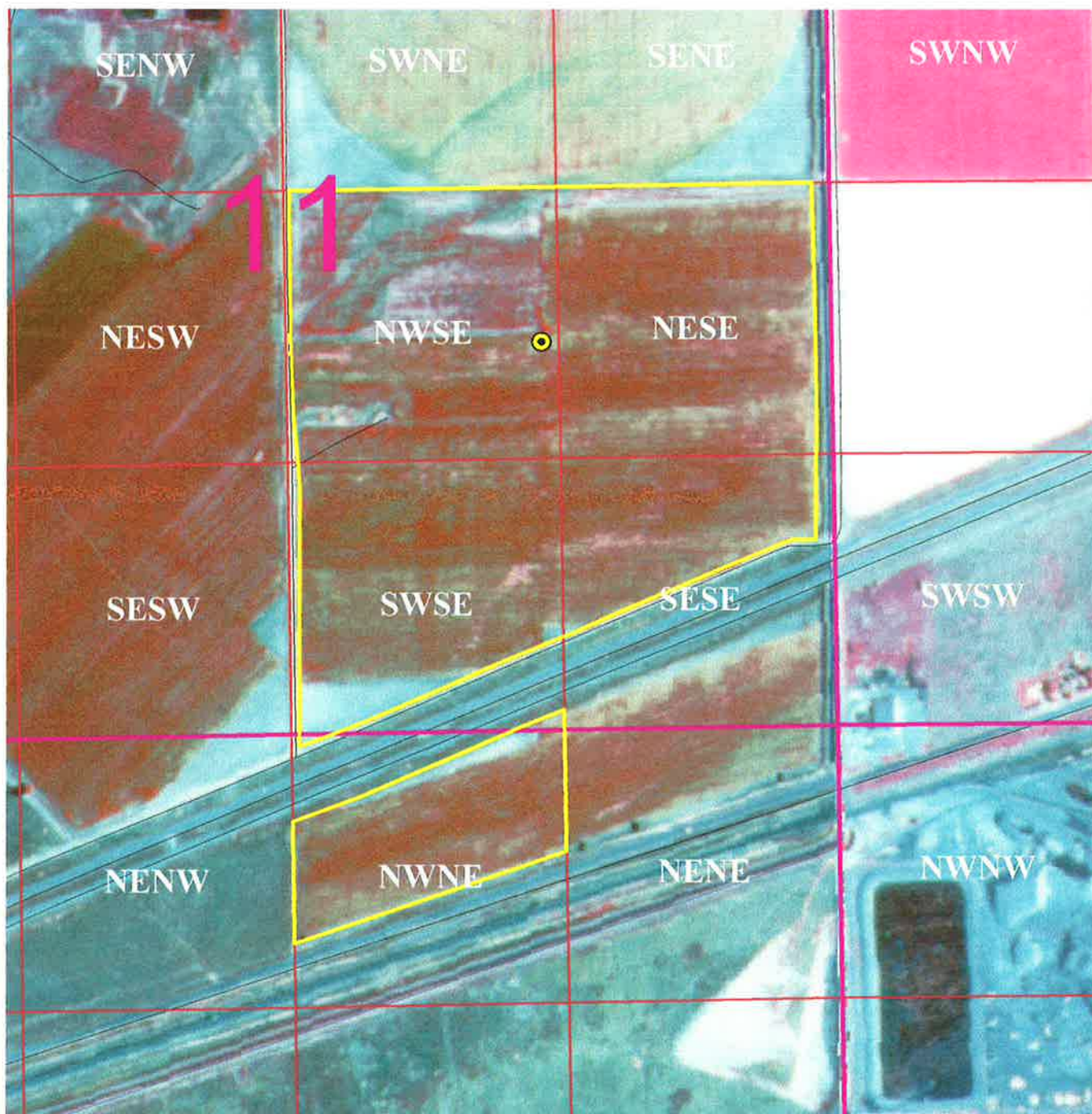
Water Right Claim Number A29-02259
Township , 6S33E

09/19/2000



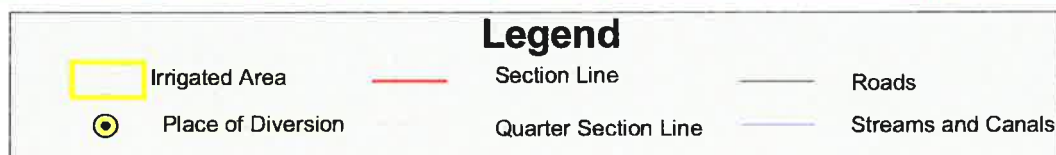
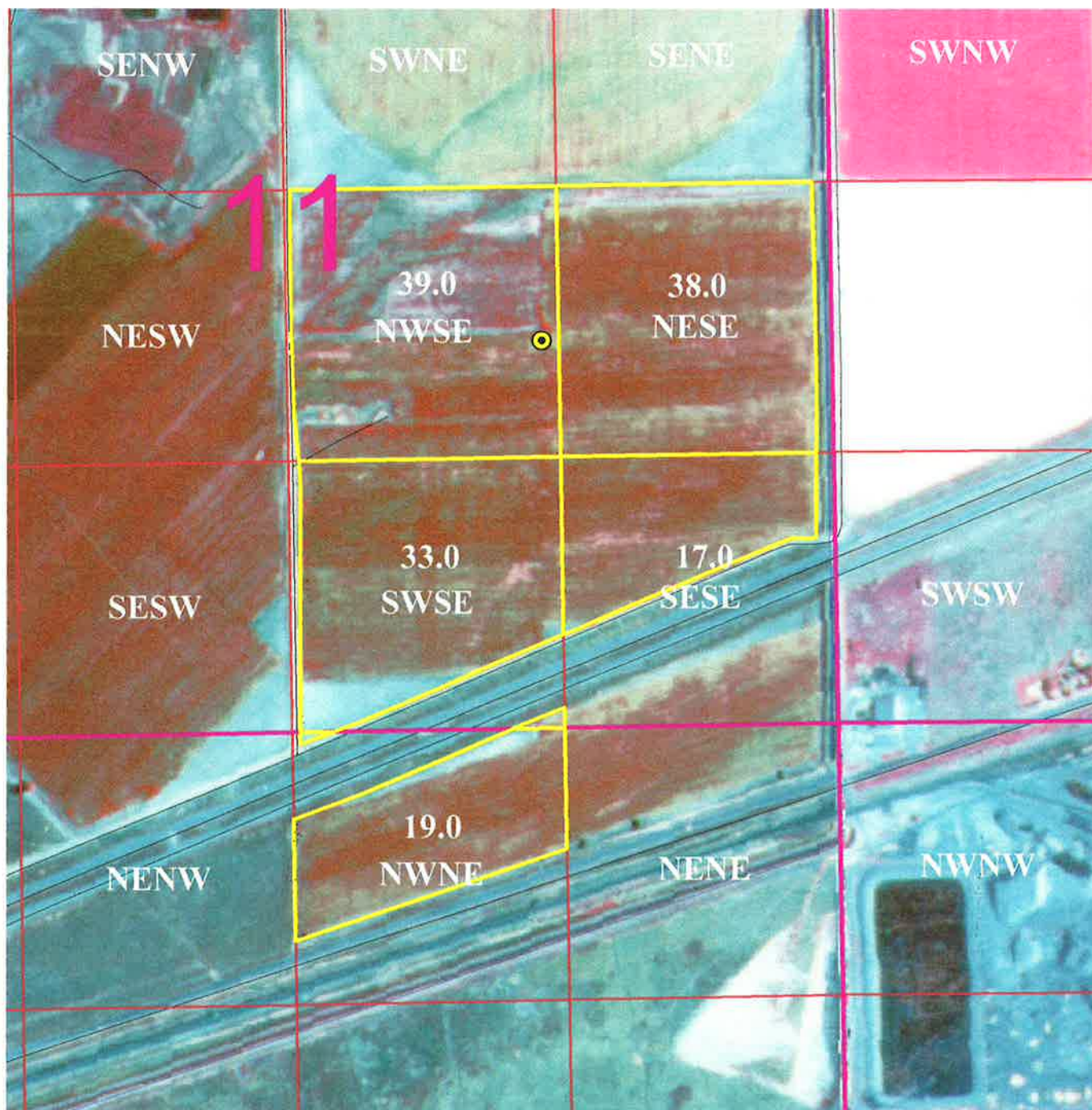
Water Right Claim Number A29-02259
Township , 6S33E

09/19/2000



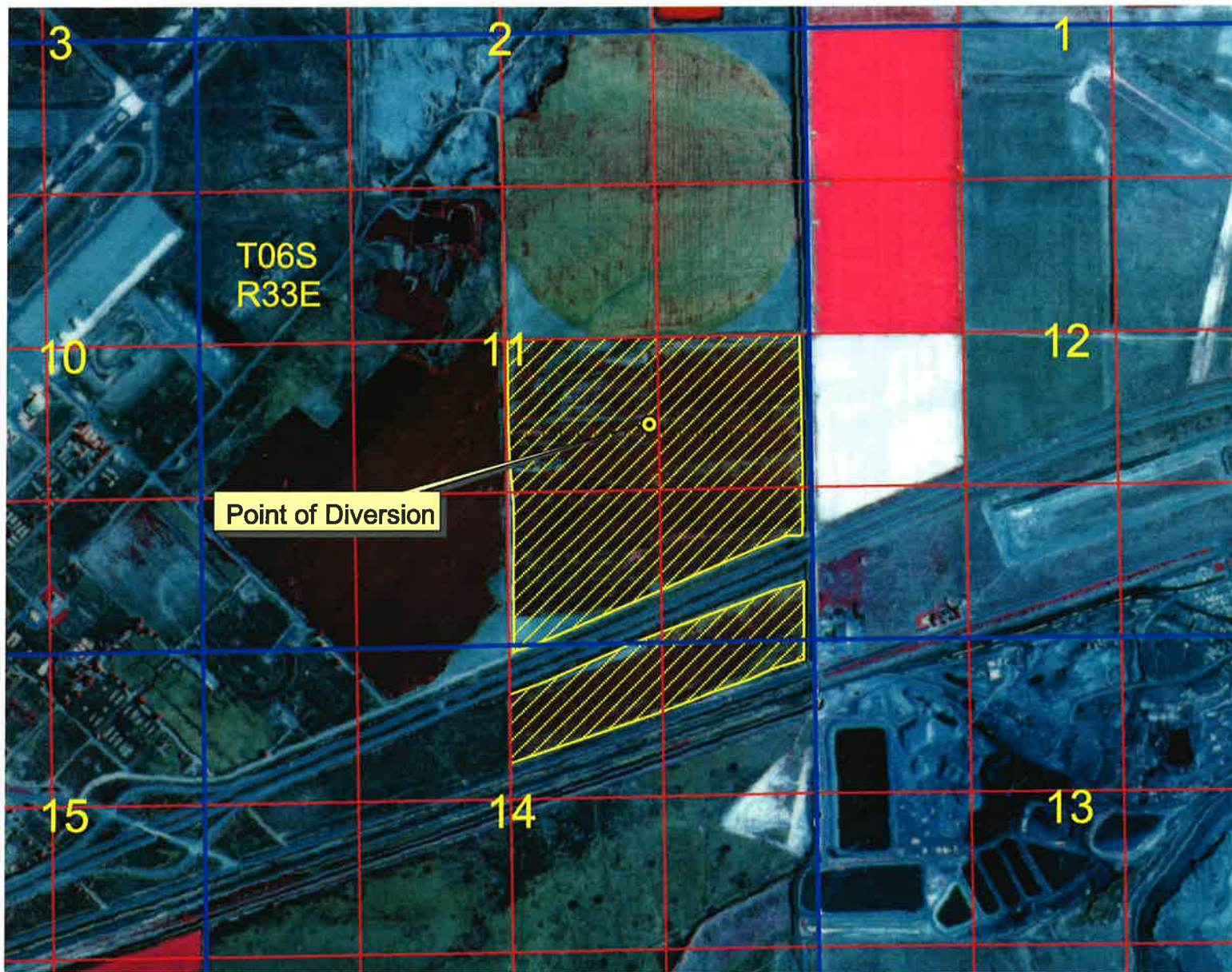
Water Right Claim Number A29-02259
Township , 6S33E

09/19/2000





State of Idaho
Department of Water Resources
Eastern Region
Water Right 29-2259



0.5 0 0.5 1 Miles

1:16000



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

PROFILED

SCANNED

DEC 30 2005

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: P. Meyer
Date: January 2003

SCANNED

JUN 13 2001

Log for claim A29-02259

Spatial Dynamics LTD

9/19/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06s33e	11	NESE	40	38	
06s33e	11	NWSE	40	39	
06s33e	11	SWSE	36	33	
06s33e	11	SESE	19	17	
06s33e	14	NWNE	15	19	
Totals:			150	146	



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

March 28, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

CITY OF POCATELLO
C/O LARRY THOMPSON
PO BOX 4169
POCATELLO ID 83205

RE: CHANGE IN OWNERSHIP FOR A29-02259 AND A29-10266

Dear Mr. Thompson:

It has come to our attention that you may have recently purchased a tract of land in Power County. The property to which I am referring was most recently owned by Mark Swanson. Our records still show John P and Jane R Evans or Evans Investment Company as the current owner. The legal description is as follows:

T06S R33E S11 NE1/4 SE1/4
T06S R33E S11 NW1/4 SE1/4
T06S R33E S11 SW1/4 SE1/4
T06S R33E S11 SE1/4 SE1/4
T06S R33E S14 NW1/4 NE1/4
T06S R33E S14 NE1/4 NE1/4

This property was filed on in the Snake River Basin Adjudication (SRBA), and 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,

Cheri Vandermeulen

Cheri Vandermeulen
Records Clerk
Enclosure(s)

AJ5809NP
No. A29-02259

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/24/00
PAGE: 43

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JANE R EVANS	06/20/1944	IRRIGATION	04-01 11-01	2.600 CFS	
C	JOHN P EVANS					
	51 FORDHAM					
	POCATELLO ID 83201			TOTAL DIVERSION:	2.600 CFS	
	(208) 232-2110			CONSUMPTIVE USE:		450.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T06S R33E S11

NWSE

POWER County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE											
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM			
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac					
06S	33E	11	:					:					:					:	40	40	36	19	:	135.0			
06S	33E	14	:			15		:					:					:					:	15.0			
																						TOTAL ACRES					150.0

POU County: POWER

Non-Irrigation Uses: NONE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-10266

Other Water Rights Listing Overlapping Place(s) of Use:
A29-10266

Remarks: GEN P/D SAME AS P/D FOR EXPANSION A29-10266

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 01/29/90 WILSON 06/02/94 COX 03/29/95 POST-STD

State of Idaho

License and Certificate of Water Right

Water License No. 19515

Amount 2.6 second feet

Water District No. _____

Priority June 20, 1944

THIS IS TO CERTIFY that **EVANS INVESTMENT COMPANY** of **American Falls, Idaho**, made application for a permit to appropriate the public waters of the State of Idaho, dated **June 20**, 19 **44**; that Permit No. 19595 was issued under said application; that Certificate of Completion of works, with a carrying capacity of **4** second feet, was issued thereunder on **April 26**, 19 **46**, showing that said works were completed on the 19th day of **April**, 19 **46**; and that on the 16th day of **June**, 19 **48**,

EVANS INVESTMENT COMPANY of **American Falls**, State of **Idaho**, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well **7-a tributary of-**, for the purpose of **irrigation**, under Use Permit No. 19515 of the Department 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 State Reclamation Engineer of Idaho and entered of record in Volume **8** of Licenses at page **4437**, on the **5th** day of **February**, 19 **49**;

The right hereby confirmed dates from **June 20**, 19 **44**;

The Point of Diversion is located

in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, Twp. **6 S.**, R. **33 E.**, B. M. **Power**

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 **2.6** cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 S.	33 E.	11	NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	25
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	30
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
		14	NE $\frac{1}{4}$ NE $\frac{1}{4}$	20	--
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	20	15
			Number of Acres Actually Irrigated - - -		150

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 State Reclamation Engineer, affixed at Boise, Idaho, this **5th** day of **February**, 19 **49**.

MARK R. KULP

State Reclamation Engineer

(SEAL)

APPLICATION FOR PERMIT To Appropriate the Public Waters of the State of Idaho

29-2259

Application No. 27025
Permit No. 19515
District No.

1. Name of Applicant: EVANS INVESTMENT COMPANY

Postoffice address: American Falls County: Power State: Idaho

- I. If applicant is a corporation, give:

- (a) Date and place of incorporation: January, 1930
(b) Amount of capital stock: \$5,000.00
(c) Amount paid in: \$5,000.00
(d) Names and addresses of directors: J. Paul Evans, American Falls, Idaho; Lorene Evans, American Falls, Idaho; F. M. Bistline, Pocatello, Idaho

- II. The financial resources of the applicant are:

- (a) Cash on hand: \$5,000.00
(b) Treasury stock: No
(c) Bonds to be issued: No
(d) Other resources: Livestock and real estate

2. Quantity of water claimed: Four (4) cubic feet per second.

3. Source of water supply: Underground (Wells) which is a tributary of

4. Location of point of diversion: 200 feet distant from the Northwest corner of SE $\frac{1}{4}$ corner of Section 11, T. 6 S., R. 33 E., B. M., and is in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11, T. 6 S., R. 33 E., B. M., County of Power

5. Water is to be used for Irrigation

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: \$2,000.00

8. Kind of works: Ditches and wells

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 Four feet; height Three feet;

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

Diameter of pipe inches; length of conduit One miles.

Average grade per mile 6 feet.

12. The time required for the completion of such work is Two (2) years.

13. The time required for the complete application of the water to the proposed use is Two (2) additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. (a) Is reservoir to be used? **No** If so, fill in (b) and (c) below.
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

EVANS INVESTMENT COMPANY Applicant.

By J. Paul Evans Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. June 20, 1944

Returned to applicant for correction:

Corrected application received.

Approval of State Reclamation Engineer

The number of this permit is 19515
 Recorded in Book 70 Page 19515 Approved June 21, 1944
 This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:
 Bond in the sum of \$ to be filed on or before
 Work to begin on or before August 20, 1944 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.
 One-fifth of the work above specified to be completed on or before June 21, 1945
 The whole of said work to be completed on or before June 21, 1946
 Beneficial use of water appropriated in accordance herewith, to be made on or before June 21, 1948

Witness my hand this 21st day of June, 1944

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, C. A. BOTTOLFSSEN, Governor of the State of Idaho, and GEO. H. CURTIS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 21st day of June, 1944.

STATE OF IDAHO

Countersigned:

(SEAL)

By GEO. H. CURTIS

Secretary of State.

By C. A. BOTTOLFSSEN

Governor

Remarks: The applicant expects to drill well on NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 11-3-33 and irrigate 160 acres there and also irrigate 40 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 14-6-33, making a total of 200 acres.

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6 S.	33 E.	11													40	40	40	40	160
		14	20	20															40
Total number of Acres to be Irrigated - - - -																			200

PERMIT NO. 19515

Certificate of Completion of Works

To All Whom it May Concern:

This is to certify that EVANS INVESTMENT COMPANY, of American Falls, County of Power, and State of Idaho, the holder of Permit No. 19515, issued upon Application No. 27025, bearing date of priority of June 20, 1944, authorizing the diversion of Four (4) second feet of the waters of Underground water (wells), County of Power, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use Four (4) second feet of the waters of said underground water; that the point of diversion of said waters is 200 feet distant from the Northwest corner of the Southeast Quarter of Section 11, Township 6 South, Range 33 East, B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SE $\frac{1}{4}$ Section 11, and NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 14, Township 6 South, Range 33 East, B.M.

Witness my hand this 26th day of April, A. D. 1946.

MARK R. KULP

State Reclamation Engineer

Proof of completion of works made April 19, 1946

Certificate of completion of works issued April 26, 1946.

2.6 SEC. FT.

p. 4437

Evans Investment Co.

C/o J. Paul Evans,
American Falls, Idaho

Permit No. 19515 ✓

Examination for Beneficial use

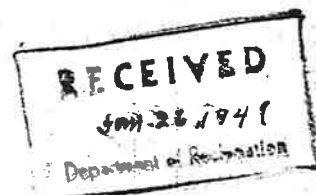
County Power

29-

Sec. 11 - T. 6S - R. 33E

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.



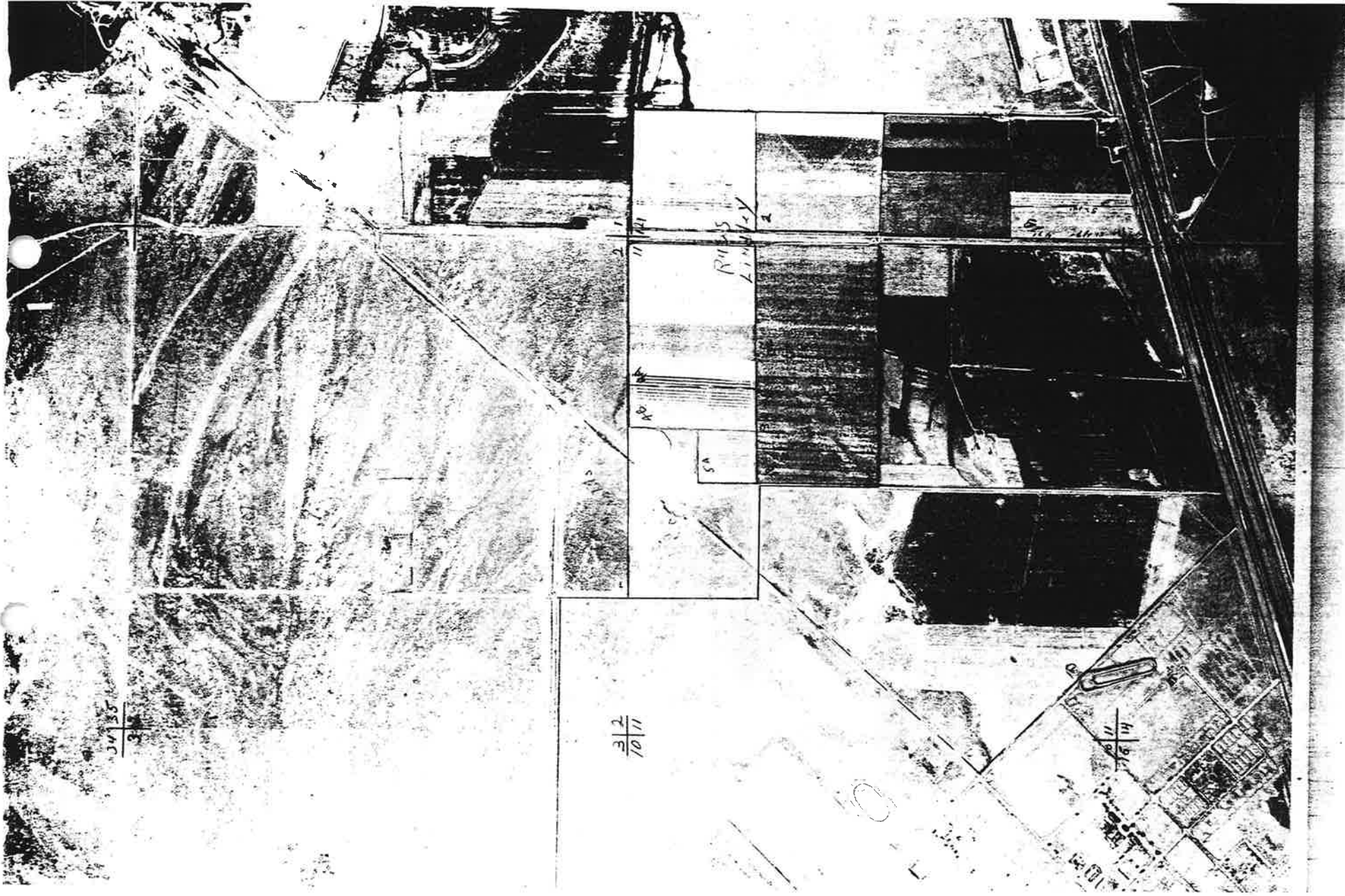
Made: June 16, 1948

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 19515

REPORT ON PROOF OF Beneficial use



APRIL 24, 1997

MARK SWANSON
2203 MICHAUD CREEK RD
POCATELLO ID 83201

RE: CHANGE IN OWNERSHIP FOR A29-07042, -07063, -10265
-10266, & 02259

Dear Mr. Swanson:

It has come to our attention that you may have recently purchased a tract of land in Power County. The land I am referring to was most recently owned by John Evans, 51 Fordham, Pocatello. The legal description is as follows:

06S 33E 5 NWSE
06S 33E 5 NWSW
06S 33E 7 SENW
06S 33E 11 NWSE
06S 33E 17 SWSW

This property was filed on in the Snake River Basin Adjudication (SRBA), and 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,

Jo Thompson
Adjudication Secretary

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

**PHILIP E. BATT
GOVERNOR**

October 10, 1996

**KARL J. DREHER
DIRECTOR**

NEW PROPERTY OWNER
51 FORDHAM
POCATELLO ID 86201

RE: Snake River Basin Adjudication (SRBA)
Notices of Claim No. #A29-07042, A29-02259, A29-07063,
A29-10265 & A29-10266

Dear New Property Owner:

A legal notice mailed recently by IDWR was returned to us by the Post Office. The notice was mailed to an apparent former owner at your address who has or had this property or others in the area.

Before we can modify our records to reflect your new ownership of the property and water rights referenced above, we need Form 42-248/42-1409(6) completed and returned. We have enclosed this form for your use.

Please contact this office at 208/327-7862 or call us toll-free at 800/451-4129 if you have any questions.

Sincerely,

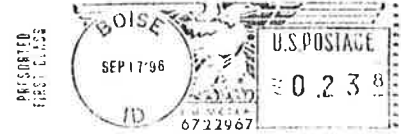
Idaho Department of Water Resources
Adjudication Bureau

SO:ss:region

Enclosure:

Form 42-248/42-1409(6)
How You Will Receive Notice ...
Docket Sheet Order Form

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098



UNDELIVERABLE
AS ADDRESSED
FORWARDING

A29-07042
JOHN P EVANS
JANE R EVANS
51 FORDHAM
POCATELLO

No longer at this address

RECEIVED
SEP 26 1996

Department of Water Resources

EVAN051 832013005 IN 09/21/96
RETURN TO SENDER
NO FORWARD ORDER ON FILE
UNABLE TO FORWARD
RETURN TO SENDER

AUTO 832



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098



UNDELIVERABLE
AS ADDRESSED
FORWARDING
ORDER EXPIRED

A29-02259
JANE R EVANS
JOHN P EVANS
51 FORDHAM
POCATELLO

No longer at this address

RECEIVED
SEP 26 1996

Department of Water Resources

EVAN051 832013005 IN 09/21/96
RETURN TO SENDER
NO FORWARD ORDER ON FILE
UNABLE TO FORWARD
RETURN TO SENDER

AUTO 832



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098



UNDELIVERABLE
AS ADDRESSED
FORWARDING

*A29-02259
-07063-
-10265-
-10266-*

RECEIVED
SEP 26 1996

Department of Water Resources

A29-07042 ✓
JOHN P EVANS
JANE R EVANS
51 FORDHAM
POCATELLO

No longer at this address

EVAN051 832013005 IN 09/21/96
RETURN TO SENDER
NO FORWARD ORDER ON FILE
UNABLE TO FORWARD
RETURN TO SENDER

AUTO 832



JUN 13 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: A29-02259
Date Received: 1/29/1990
Receipt No: E011885
Received By: Ku

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN P. EVANS 208-232-2110
Address: 51 FORDHAM
POCATELLO, ID 83201
OR
Name: JANE R. EVANS 208-232-2110
Address: 51 FORDHAM
POCATELLO, ID 83201

A2902259



2. Date of Priority: JUN 20, 1944

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	33E	11	NW	SE			POWER

5. Description of diverting works:
WELL PUMP MAINLINE TO LATERALS WITH SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.600		

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

8. Total consumptive use is 450.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A29-02259

Page 1

Date: 01/29/90

MICROFILMED
NOV 13 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	33E	11	NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	36.0
			SE	SE		IRR	19.0
						Section Acres	135.0
		14	NW	NE		IRR	15.0
						Section Acres	15.0
						Total Acres	150.0

11. Place of use in counties: POWER

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
P/D SAME AS P/D FOR EXPANSION A29-10266

15. Basis of Claim: LICENSE
Water Right Number: 19515

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): John P. Evans Date: 1/29/90

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 29 day
of Jan 19 90

Betty J. Thompson
Notary Public

Seal

Residing at BETTY J. THOMPSON, NOTARY PUBLIC
RESIDING AT IDAHO FALLS, IDAHO
My Commission ~~Expires~~ EXPIRES 6-30-94

A29-02259

POINT OF DIVERSION

PLACE OF USE

76S

R33E

