

RIGHT NUMBER: 29-2293

NAME AND ADDRESS: DOWNATA RANCH & RECREATION INC
C/O DARLENE DOUNS
PO BOX 185
DOWNEY ID 83234

SOURCE: MARSH CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 3.00 CFS

PRIORITY DATE: 11/04/1950

POINT OF DIVERSION:

T12S R37E S3 NWSW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

3.000 CFS

PLACE OF USE:

IRRIGATION Within BANNOCK County

T12S R37E S10	NENW	40.0	T12S R37E S10	NWNW	40.0
T12S R37E S03	SWSW	40.0	T12S R37E S03	SESW	40.0
T12S R37E S04	SESE	37.0			

197 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

Dave

02/20/2003

**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: 29-2293

DOWNATA RANCH & RECREATION INC

C/O DARLENE DOUNS

PO BOX 185

DOWNEY ID 83234

Telephone Number: (208) 897-5736

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:

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

DATE: 21 APR 03

SIGNATURE: 

Please print your name: D. GARY PETERSON, ATT'Y FOR DOWNATA RANCH + RECREATION, INC

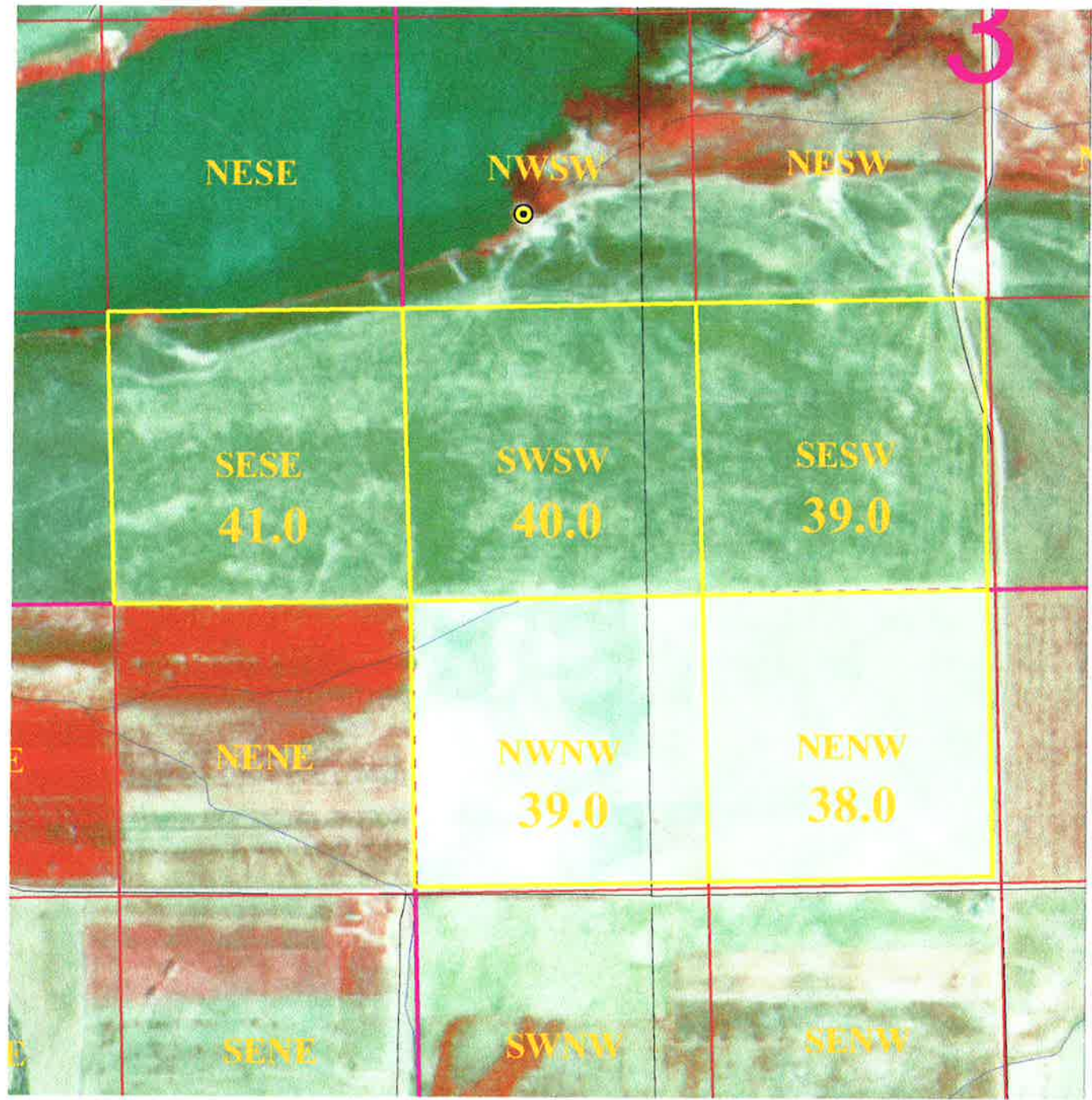
IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

RECEIVED
APR 21 2003
Department of Water Resources
Eastern Region

FILED

SCANNED
JAN 13 2006

Township , 12S37E



 Irrigated Area

 Place of Diversion

 Section Line

 Quarter Section Line

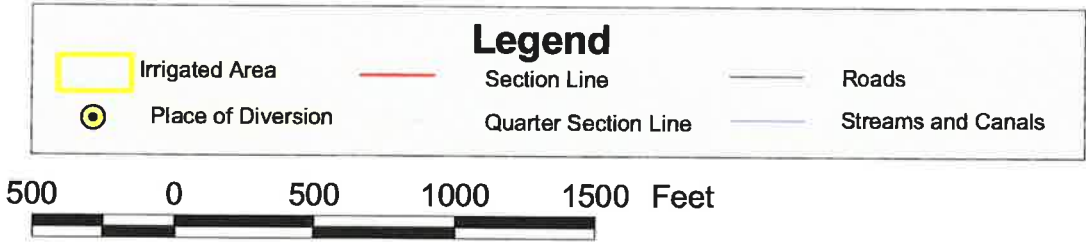
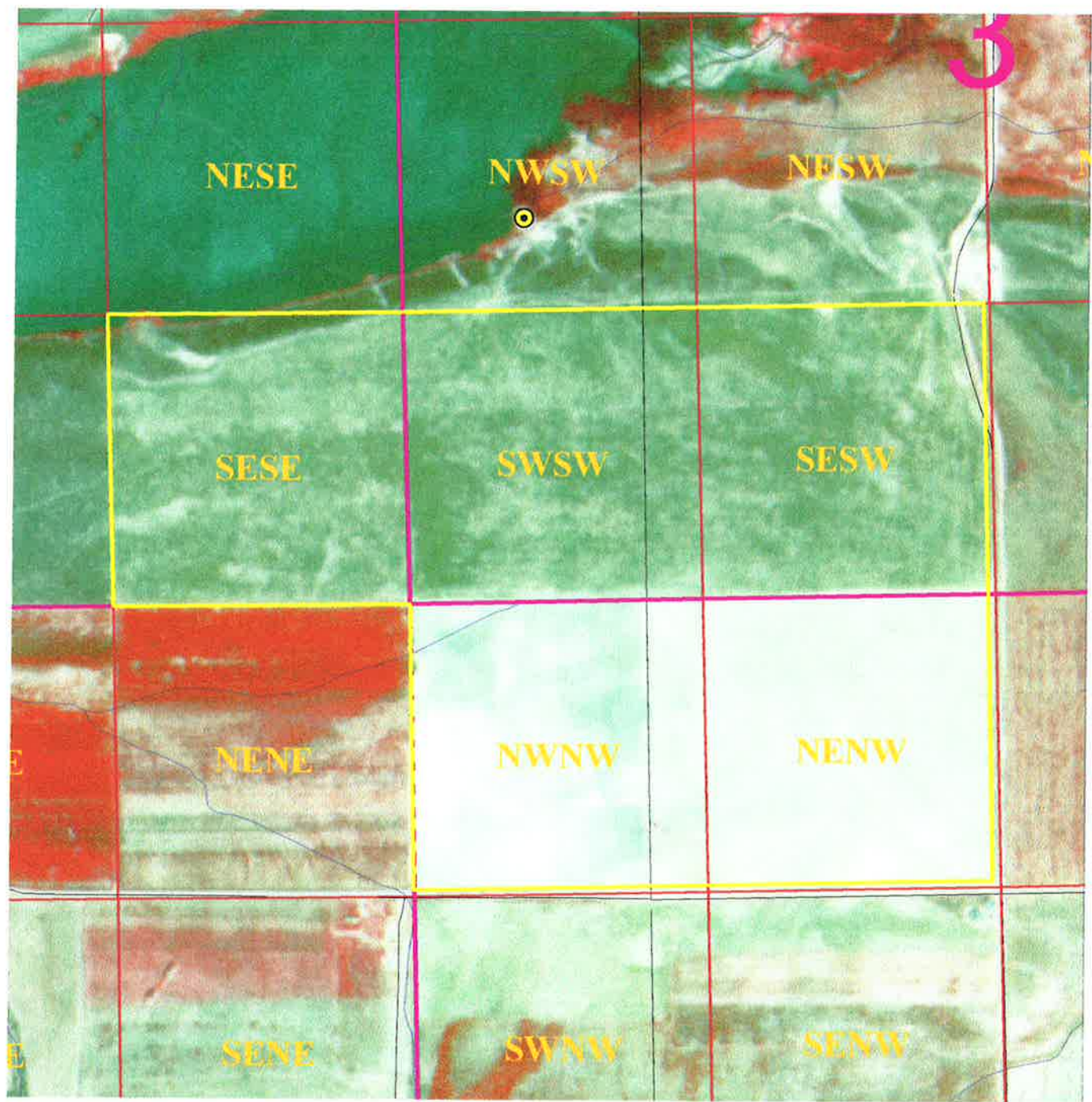
 Roads

 Streams and Canals

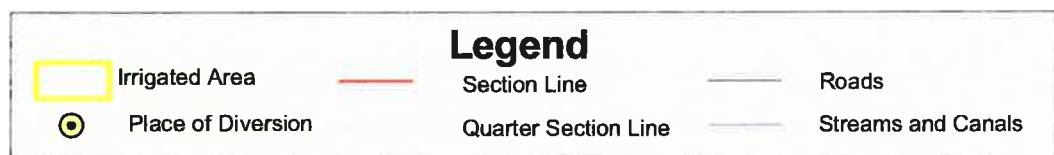
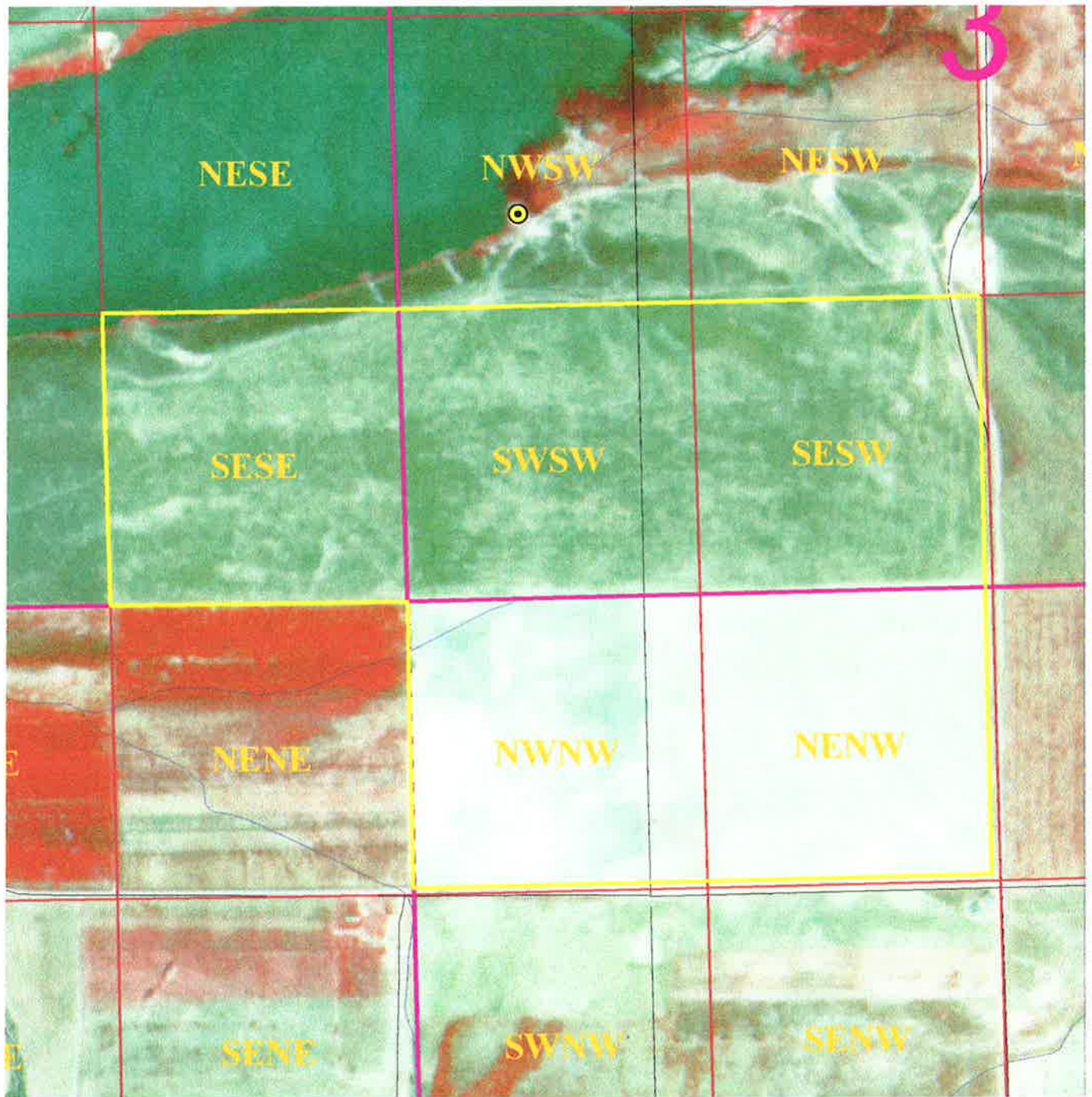
Legend



Township , 12S37E



Township , 12S37E



State of Idaho

License and Certificate of Water Right

Water License No. 21774

Amount Three (3) second feet

Water District No.

Priority November 4, 1950

THIS IS TO CERTIFY that W. H. JENSEN

of Downey, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated November 4, 1950; that Permit No. 21774 was issued under said application; that Certificate of Completion of works, with a carrying capacity of three second feet, was issued thereunder on May 18, 1953, showing that said works were completed on the 25th day of August, 1952; and that on the 25th day of August, 1952,

W. H. JENSEN

of Downey, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of March Creek, a tributary of Portneuf River, for the purpose of irrigation, under Use Permit No. 21774 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 5078, on the 18th day of May, 1953;

The right hereby confirmed dates from November 4, 1950;

The Point of Diversion is located

in the NW 1/4 SW 1/4, Sec. 3, Tp. 12 S., R. 37 E., B. M. 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 Three (3) cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated	
12 S.	37 E.	3	SW ¹ / ₄ SW ¹ / ₄	40	40	
			SE ¹ / ₄ SW ¹ / ₄	40	40	
		10	4	SE ¹ / ₄ SE ¹ / ₄	40	37
			NE ¹ / ₄ NW ¹ / ₄	40	40	
				NW ¹ / ₄ NW ¹ / ₄	40	40
				Number of Acres Actually Irrigated - - -		

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

18th day of May, 1953.

Mark R. Kulp

State Reclamation Engineer

(SEAL)

203 228 33



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 28, 2002

GARY PETERSON
BEARD ST CLAIR GAFFNEY MCNAMARA CALDER
2105 CORONADO
IDAHO FALLS ID 83404

RE: WATER RIGHTS 29-491A, 29-491B, 29-2293, 29-2396, 29-2491, 29-2549,
29-4074, 29-7406, 29-13338

Dear Mr. Peterson:

On May 8, 2002, our office received your letter requesting we add D. Gary Peterson, Roger H. Thompson and Marilyn Gunnell to the above referenced water rights. I have made the change and copies of the claims are enclosed for your files

Sincerely,

Jennifer Crabtree
Technical Records Specialist

Enclosure

cc: Roger H. Thompson
Marilyn Gunnell

SCANNED

JAN 13 2006

FILED



THOMPSON
MICHIE
ASSOCIATES,
INC.

May 6, 2002

Mr. Dave Carlson
Idaho Department of Water Resources
Eastern District Office
900 North Skyline Drive
Idaho Falls, ID 83402

RECEIVED
MAY 08 2002
Department of Water Resources
Eastern Region

Re: Downata Ranch & Recreation Company
Water Rights

Dear Mr. Carlson:

I was advised by Mr. Gary Peterson, Esquire, to increase the number of persons who should be receiving notices with respect to the water rights of Downata Ranch & Recreation Company.

Consequently, with respect to SRBA water rights nos. 29-13338, 29-2491, 29-02549, 29-00491, 29-07406, 29-02396, 29-04074, 29-02293, and any other water rights appearing in the name of Downata Ranch and Recreation Company, please add the following names (and addresses) of people to receive notices, to the extent they do not already appear:

D. Gary Peterson, Esquire
Beard St. Clair Gaffney McNamara Calder
2105 Coronado
Idaho Falls, Idaho 83404-7495

Roger H. Thompson, Esquire
Thompson Michie Associates Inc.
111 East Broadway, Suite 1200
Salt Lake City, UT 84111

Marilyn Gunnell
1740 Melwood Drive
Glendale, CA 91207

Sincerely,


Roger H. Thompson

cc. Gary Peterson, Esquire

111 EAST
BROADWAY
SUITE 1200
SALT LAKE CITY
UTAH 84111
801 532-6143
FAX 801 532-6159
TRUSTEES
OF
AMERICA'S
REAL
ESTATE
MANAGEMENT
CONSULTING
MARKETING

SCANNED
JAN 13 2006

ROGER H. THOMPSON
EXECUTIVE VICE PRESIDENT
AND GENERAL COUNSEL

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 29-2293

WATER RIGHT NUMBER: 29-2293

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	DOWNATA RANCH & RECREATION INC C/O D GARY PETERSON BEARD ST CLAIR GAFFNEY MCNAMARA CALDER 2105 CORONADO IDAHO FALLS, ID 83404
Attorney	DOWNATA RANCH & RECREATION INC C/O ROGER H THOMPSON THOMPSON MICHIE ASSOCIATES INC 111 E BROADWAY STE 1200 SALT LAKE CITY, UT 84111
Representative	DOWNATA RANCH & RECREATION INC C/O MARILYN GUNNELL 1740 MELWOOD DR GLENDALE, CA 91207
Attorney	HANSEN BEARD MARTIN & ST CLAIR CHARTERED C/O D GARY PETERSON PO BOX 51718 IDAHO FALLS, ID 834051718
Original Owner	W H JENSEN DOWNEY, ID 83234
Current Owner	DOWNATA RANCH & RECREATION INC C/O DARLENE DOUNS PO BOX 185 DOWNEY, ID 83234 (208) 897-5736

Priority Date: 11/04/1950

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
MARSH CREEK	PORTNEUF RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	3.000 CFS	
	<u>Total Diversion:</u>	3.000 CFS	

Location of Point(s) of Diversion

MARSH CREEK	NW1/4SW1/4	Sec. 3,	Twp 12S,	Rge 37E, B.M.
BANNOCK County				

Place of UseIRRIGATION Within BANNOCK County

T12S R37E S03	SWSW	40.0	T12S R37E S03	SESW	40.0
T12S R37E S04	SESE	37.0	T12S R37E S10	NENW	40.0
T12S R37E S10	NWNW	40.0			
Total Acres: 197					

SCANNED
JAN 13 2006

CHANGE IN ADDRESS

This form is solely for purposes of notifying IDWR of a change in address of an adiudication claim.

- [] Water Right Number(s): A29-00491A A29-04074
A29-00491B A29-07406
A29-00492A A29-02394
A29-02293 A29-2549
- [] Old Mailing Address: ~~A29-02396~~ Downata Ranch & Res
PO Box 51718, I.T. 83405-1718
PO Box 185
Downey Idaho 83234
- [] New Mailing Address: PO Box 185
Downey Idaho 83234
- [] Telephone Number: (208) 897 5736
- [] Signature of Claimant: Darlene Downey, Manager
- [] Date: 5/31/01

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:

PROTECTED

SCANNED

JAN 13 2006

JUNE 1, 2001

DEAR MS. DOUNS;

WATER RIGHT NUMBERS A29-00491A, A29-00491B, A29-00492A, A29-02293, A29-02549, A29-04074, A29-02396 AND A29-07406 HAVE BEEN CHANGED TO REFLECT THE ADDRESS ON THE FRONT OF THIS CARD.

IF YOU HAVE ANY QUESTIONS FEEL FREE TO CONTACT THIS OFFICE AT 208-525-7161.

RESPECTFULLY SUBMITTED,

Cheri Vandermeulen

CHERI VANDERMEULEN
RECORDS CLERK



DOWNATA RANCH & RECREATION INC
C/O DARLEN DOUNS
PO BOX 185
DOWNEY ID 83234

PROFILED

SCANNED
JAN 13 2006



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

May 8, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DOWNATA RANCH & RECREATION INC
PO BOX 185
DOWNEY ID 83234

RE: CHANGE OF ADDRESS FOR A29-00491A, A29-00491B,
A29-00492A, A29-02293, A29-02396, A29-02549, A29-04074,
A29-07406

Dear Sir or Madam:

It has come to our attention that your address may have recently changed. The address currently recorded on the above referenced water right(s) is as follows:

Downata Ranch & Recreation Inc
C/O D Gary Peterson ESQ
Hansen Beard Law Firm
Po Box 51718
Idaho Falls ID 83405-1718

We recommend if, in fact, the address in question has been changed, you file a "Change in Address" with this department in order that we may send all further correspondence to the appropriate address.

Enclosed is a Change in Address form. Please fill out the form completely, sign and date it and return it to my attention.

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

Respectfully submitted,

Cheri Vandermeulen
Records Clerk

Enclosure(s)

SCANNED

JAN 13 2006

PROFILED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Eastern District Office
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

RETURN SERVICE REQUESTED

29-491A-dom.
29-491B
29-492A
29-2293
29-2390
29-2549
29-4074
29-7400

WAA
SD

83405+1718

NOT DELIVERABLE
NO ADDRESSEE
RETURN TO POSTMAN

DOWNATA RANCH & RECREATION INC
C/O D GARY PETERSON ESQ
HANSEN BEARD LAW FIRM
PO BOX 51718
IDAHO FALLS ID 834051718

Downey
PO BOX 185

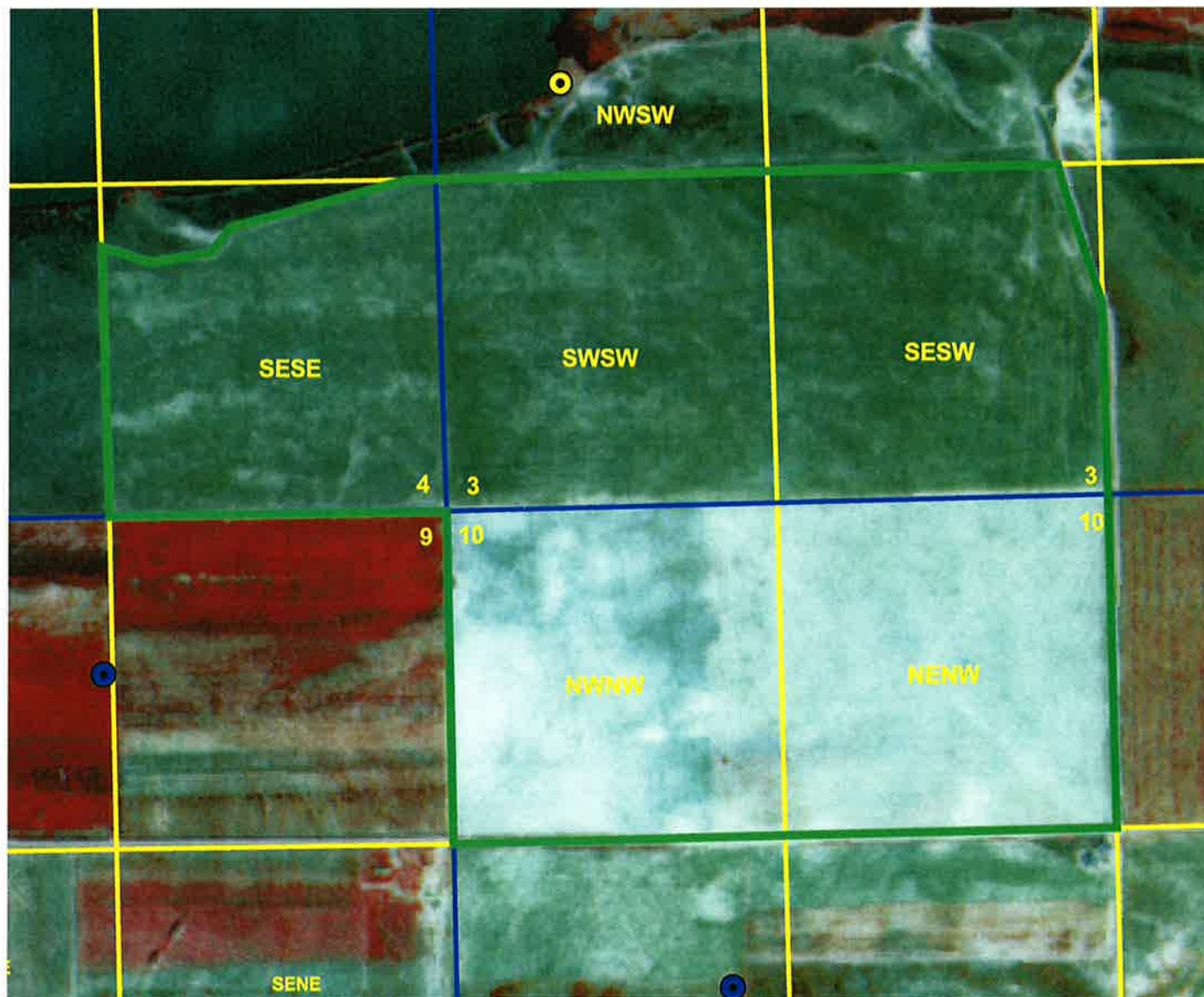


83234
DOWNATA RANCH & RECREATION INC

IDAHO DEPARTMENT OF WATER RESOURCES

29-02293

T12S, R37E SEC 3, 4, 10



ACRES IRRIGATED- 197



POINT OF DIVERSION



PLACE OF USE

PROFILED

SCANNED

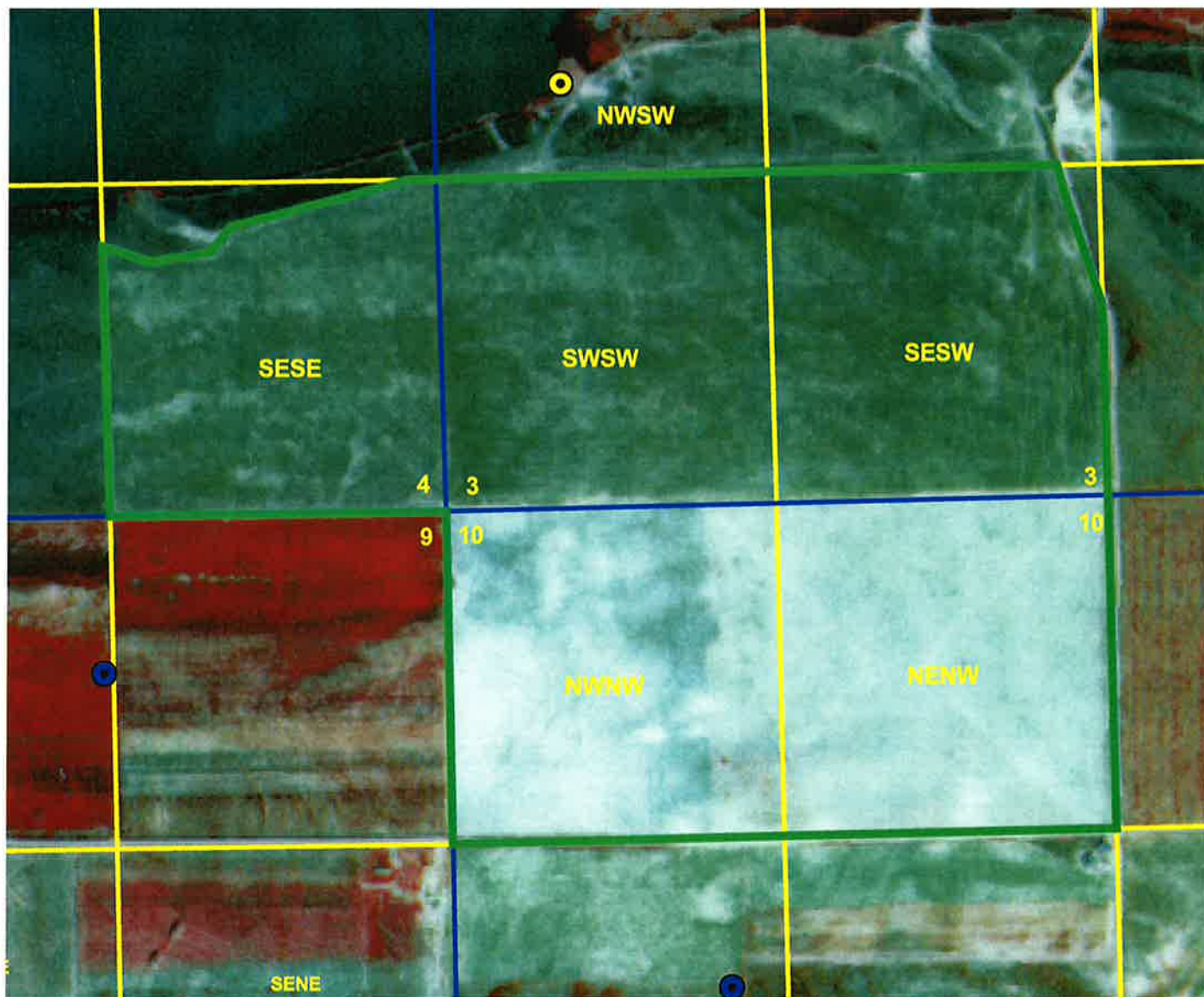
JAN 13 2006

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

IDAHO DEPARTMENT OF WATER RESOURCES

29-02293

T12S, R37E SEC 3, 4, 10



ACRES IRRIGATED- 197



POINT OF DIVERSION



PLACE OF USE

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

MAY 31 2001

Log for claim A29-02293

Spatial Dynamics TWB

5/16/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
12s37e	3	SWSW	40	40	
12s37e	3	SESW	40	39	
12s37e	4	SESE	37	41	
12s37e	10	NENW	40	38	
12s37e	10	NWNW	40	39	
Totals:			197	197	

CRP

APPLICATION No. 2945
 PERMIT No. 21774
 DISTRICT No.

1. Name of Applicant: W. H. JENSEN

Postoffice address: Downey

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:

- (b) Treasury stock:
- (d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: Four (4)

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 NW $\frac{1}{4}$ SW $\frac{1}{4}$
 of Section 3 , T. 12 S. , R. 37 E. , B.M., County of Bannock

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: \$ 4,000.00

8. Kind of works: Pump, pipe-line, power line and ditches.

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

feet; width at water line

feet; depth of water

feet;

dimensions of flume:

Diameter of pipe 16

inches; length of conduit Pipe line 120 feet.

miles.

Average grade per mile

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 One (1)

additional years.

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

Average grade per mile

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 One (1) additional years.

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

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None

To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 29493

PERMIT No. 21774

DISTRICT No.

1. Name of Applicant: W. H. JENSEN

Postoffice address: Downey

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: Four (4)

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 NW $\frac{1}{4}$ SW $\frac{1}{4}$

of Section 3 , T. 12 S. , R. 37 E. , B.M., County of Bannock

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: \$ 4,000.00

8. Kind of works: Pump, pipe-line, power line and ditches.

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 feet; width at water line feet; depth of water feet;

dimensions of flume:

Diameter of pipe 16 inches; length of conduit Pipe line 120 feet. miles.

Average grade per mile 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 One (1) additional years.

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

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.

W. H. Jensen

Downey, Idaho

Permit No. 21774

Examination for Completion of Works
and Beneficial Use

County Bannock

S.3. - 12S - 37E

$Q = 4.0$ cfs.

S = Marsh Creek

P.D. = NW SW Sec. 3 - T. 12S - R. 37E

Use = Irrigation

$\frac{3}{8} \times \frac{11}{64}$

RECEIVED
APR 26 1953

Department of Reclamation

Received = Nov. 4, 1950

Due = Nov. 10, 1953

4000' Steel x 12" - 10" - 8"

2360' x 10"

320' x 12"

660' x 6"

1328' x 8"

5 laterals 1/4 mi. each x 4"

40' 1320
120

32
5
160

60' head. 40' end of line.

Worthington Pump

8" in. 6" out. #1372474

double van center

50hp. 240V.

1755 rpm. #1-22V 40V.

3ph-60cy. operated @ 30hp.

8' above water

95' head to pump inlet.

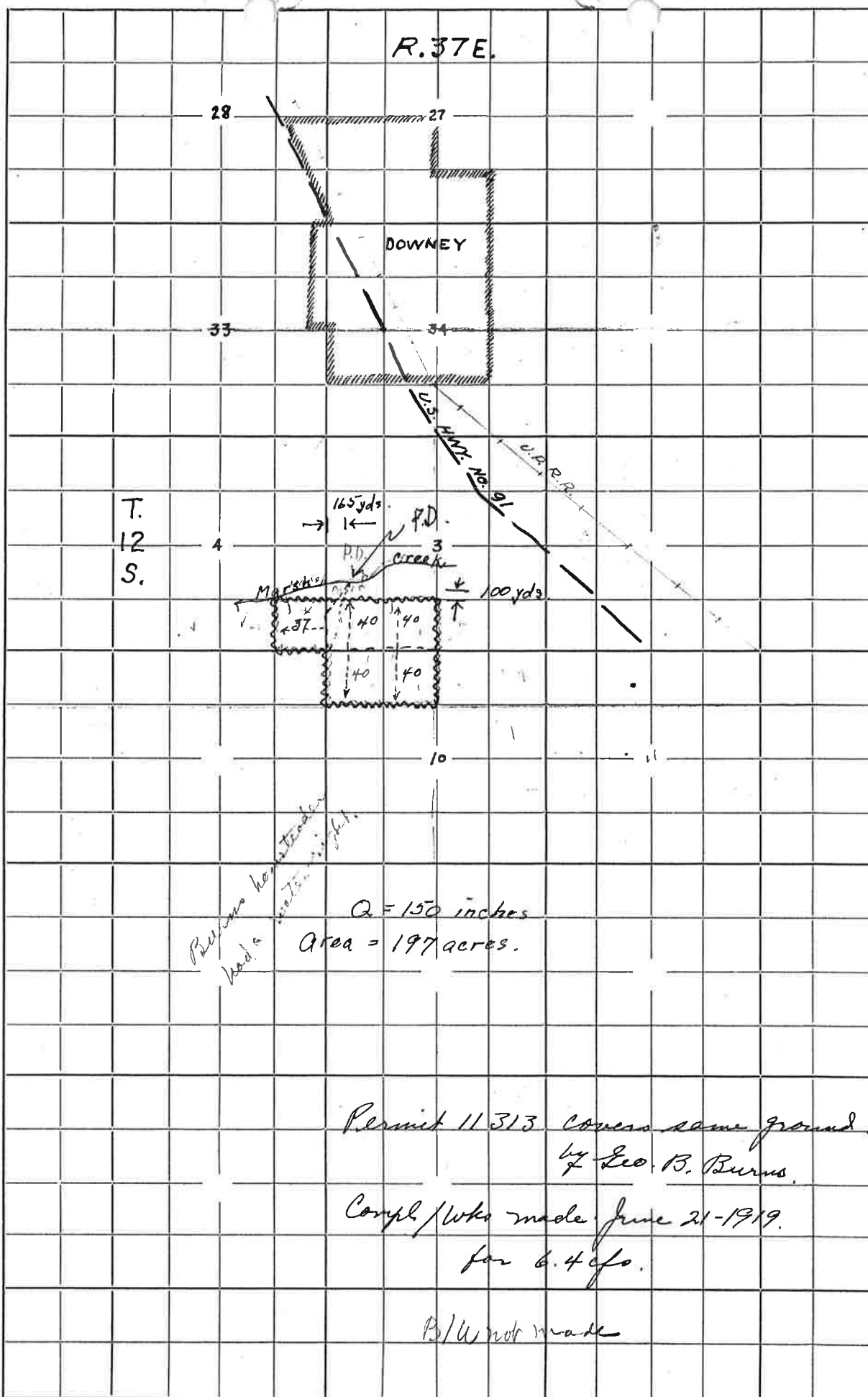
del. to S. Thru 12" line

135' against nozzles

9: list

130' total h.

designed for 1000 gpm.



AJ5809NP
No. A29-02293

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/24/00
PAGE: 53

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DOWNATA RANCH & RECREATION INC C/O D GARY PETERSON ESQ HANSEN BEARD LAW FIRM PO BOX 51718 IDAHO FALLS ID 834051718 (208) 523-5171	11/04/1950	IRRIGATION	04-01 11-01	3.000 CFS	
					TOTAL DIVERSION: CONSUMPTIVE USE:	3.000 CFS 492.50 AFA

Water Source: MARSH CREEK

Tributary to: PORTNEUF RIVER

Stage: LICENSE

Point(s) of Diversion:

T12S R37E S03

NWSW

BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
12S	37E	3	:											40	40					:	80.0
12S	37E	4	:																37	:	37.0
12S	37E	10	:					40	40											:	80.0
																				TOTAL ACRES	197.0

POU County: BANNOCK

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 29H

Field Inspection Flag:
Presumption Flag:

Audit: 08/12/93 DCARLSON 03/29/95 POST-STD 04/13/00 CVANDERM

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Downata Ranch + Recreation, Inc CLAIM IDENT. NO. 429-02293

DATE RECEIVED	CK #	AMOUNT \$	YES	NO	Required Info?
1. Is the name and address complete with zip code?					*
2. Is a priority date entered?					*
Is the priority date acceptable in view of mandatory filing dates?					*
See Adjudication Memos #1 and #4 to determine if a Permit is required.					
3. (a) Is a source entered?					*
(b) Is a tributary to entered? (if required)		N/A			
4. Is the legal description of the p.d. sufficient?					*
5. Is there a description of the diverting works?					
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.					*
Is the period of use included?					
Is a quantity claimed for each use?					*
7. Is a total quantity claimed entered?					
8. If required is a consumptive use entered?		N/A			
Is the consumptive use correct?		N/A			
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.		N/A			*
10. Is (are) the place(s) of use and purpose(s) indicated?					*
11. Is (are) the county(ies) entered?					
12. Is the ownership of p.u. checked?					
13. Are other water rights listed or "none" indicated?					
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)		N/A			
15. Is the basis of the claim indicated?					
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)		N/A			
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.					*
18. Has the claim been signed, sealed, and dated by a notary?					*
19. Was this claim filed on time, or was an extension granted?					*
20. Is the fee enclosed correct?		Exempt			*
21. If this claim is based on an existing water right, has the identification number been entered?		N/A			
22. Should this claim be data entered?					

Claim checked by: _____ Date: _____

Claim must be returned to claimant: _____ (Yes) _____ (No)

Claimant must be notified of modifications: _____ (Yes) _____ (No)

Receipt Prepared by: _____	Date: _____	Checked by: _____	Date: _____
Claim data entered by: _____	Date: _____		
Sent to claimant by: _____	Date: _____		

Comments: _____

MICROFILMED

APR 12 1994

MAY 31 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: A29-02293
Date Received: 8/12/1993
Receipt No: E014030
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DOWNATA RANCH & RECREATION INC 208-523-5171
Address: C/O D GARY PETERSON ESQ
HANSEN BEARD LAW FIRM
PO BOX 51718
IDAHO FALLS ID 83405-1718

2. Date of Priority: NOV 4, 1950

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
12S	37E	3	NW	SW			BANNOCK

5. Description of diverting works:

PUMP W/MAIN LINE & LATERALS AS SHOWN ON MAP PG 3. WELL DEPTH UNKN

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.000		

7. Total Quantity Appropriated is:

3.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 492.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12S	37E	3	SW	SW		IRR	40.0
			SE	SW		IRR	40.0



MICROFILMED

APR 12 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	80.0
		4	SE	SE	IRR	37.0
					Section Acres	37.0
		10	NE	NW	IRR	40.0
			NW	NW	IRR	40.0
					Section Acres	80.0
					Total Acres	197.0

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:

15. Basis of Claim: LICENSE

Water Right Number: 21774

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): _____ Date: _____
_____ Date: _____

MICROFILMED

APR 12 1994

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A29-02293	12S 37E	3		NW	SW			BANNOCK		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

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 FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
29-02293	12S 37E	3		NW	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. 12S	RGE. 37E	SEC. 3	1/4	1/4 NW	1/4 SW	LOT	POD FLAG	COUNTY BANNOCK	DIVERSION NAME	DIVERSION NBR
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: MARSH CREEK

TRIB: PORTNEUF RIVER

REVIEWED BY: _____ DATE: _____

=====

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

A. ROOT WATER RIGHT NUMBERS: A29-02293

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
12S	37E	3	SW	SW		DOWNATA RANCH & RECREATION INCA29-02293	/ 40.0	29-02293 / 40.0			
12S	37E	3	SE	SW		DOWNATA RANCH & RECREATION INCA29-02293	/ 40.0	29-02293 / 40.0			
12S	37E	4	SE	SE		DOWNATA RANCH & RECREATION INCA29-02293	/ 37.0	29-02293 / 37.0			
12S	37E	10	NE	NW		DOWNATA RANCH & RECREATION INCA29-02293	/ 40.0	29-02293 / 40.0	2.0		
12S	37E	10	NW	NW		DOWNATA RANCH & RECREATION INCA29-02293	/ 40.0	29-02293 / 40.0			

ADDITIONAL POU FOUND

TOTAL ACRES	A29-02293	197.00	197.00	2.00
-------------	-----------	--------	--------	------

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

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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()

CHECK DOCUMENTS USED TO VERIFY POU: () ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, IDWR NO. _____;
() NAPP, IDWR NO. _____; () ASCS PHOTO; () OTHER _____

[illegible]

RECOMMENDATIONS:

TOTAL ACRES: _____ N/A(____)

REVIEWED BY: _____ DATE: _____

THE UNIVERSITY OF CHICAGO

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

A29-02293

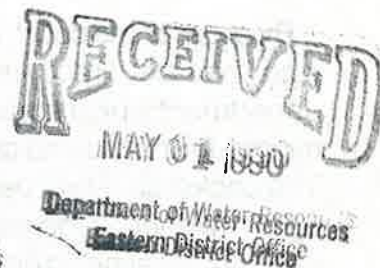
Date Received

5-1-90

Receipt Number

E014030 / 80

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW



Please type or print clearly

1. Name of Claimant (s) Downata Ranch & Recreation, Inc. Phone (208) 523-5171
c/o D. Gary Peterson, Esq., Hansen Beard Law Firm
Mailing Address P.O. Box 51718, Idaho Falls, Idaho Zip 83405-1718

2. Date of Priority (Only one (1) per claim) November 4, 1950

3. Source of water supply (a) Marsh Creek
which is tributary to (b) Portneuf River

4. a. Location of existing point of diversion is: Township 12S Range 37E Section 3,
1/4 of NW 1/4 of SW 1/4, Govt. Lot, B.M., County of Bannock

Additional points of diversion if any: _____

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

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

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Pump with main line and laterals as
shown on map, page 3. (Depth of well not known)

MICROFILMED

APR 12 1994

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4-1 to 11-1 amount 3 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 3 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is $(2.5 \times 197) = 492.5$ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) None

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
12S	37E	3											40	40					80
12S	37E	4																37	37
12S	37E	10					40	40											80

Total number of acres irrigated 197

11. In which county (ies) are lands listed above as place of use located? Bannock

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

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

14. Remarks:

MICROFILMED

APR 12 1994

Last Name Downata Ranch Ident No. _____
& Recreation, Inc.

Copies: White -State, Yellow-Claimant

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

If applicable provide IDWR Water Right Number 29-02293

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments None

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am assistant secretary

Title

of Downata Ranch & Recreation, Inc.

Organization

, that I have signed the foregoing

document in the space below as assistant secretary of Downata Ranch & Recreation, Inc.

Title

Organization

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

Signature of Authorized Agent _____

Title and Organization D. Gary Peterson, Esq.
Assistant Secretary - Downata Ranch & Recreation, Inc. Date April 26, 1990

State of Idaho/or _____)

County of Bonneville)

SS.

Subscribed and sworn (or affirmed) before me this 26th day of April 19 90

SEAL

Notary Public Ernest Carlson

Residing at Idaho Falls, Idaho

My Commission Expires 6-14-1994

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address Hansen, Beard, Martin & St. Clair, Chartered, P.O. Box 51718, Idaho Falls, Idaho 83405-1718

Date _____

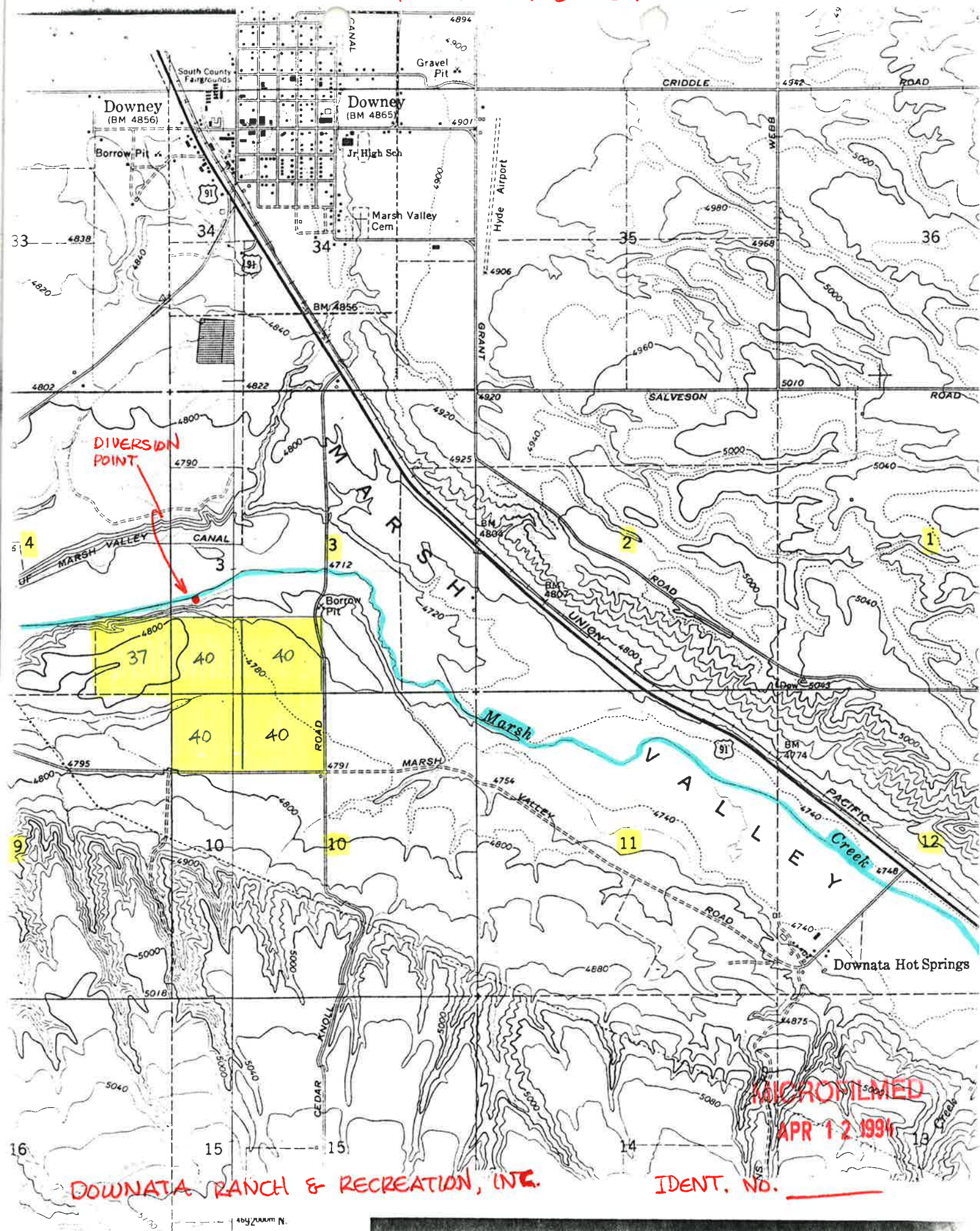
MICROFILMED

APR 12 1994

Last Name Downata Ranch Ident. Number _____
& Recreation, Inc.

Copies White-State, Yellow-Claimant

T. 12 S. R. 37 E. B.M.



DOWNATA RANCH & RECREATION, INC.

IDENT. NO. _____