

MAY 24 2001

04/12/2001

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

RIGHT NUMBER: 29-2295D

NAME AND ADDRESS: KATHLEEN M EGAN
WILLIAM A EGAN
1451 W HAWKINS RD
ARIMO, ID 83214

SOURCE: MARSH CREEK TRIBUTARY: PORTNEUF RIVER

QUANTITY: 1 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.0 CFS. COMBINED RIGHT NOS.:
29-02295D, 29-11493

PRIORITY DATE: 11/27/1950

POINT OF DIVERSION: T11S R36E S11 NWSE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	05-01 10-01	1.00 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN
AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE
USE OF WATER BEFORE [MAY 1] AND AFTER [OCTOBER 1] UNDER THIS
REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO
SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE
EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS
RIGHT.

PLACE OF USE:

<u>IRRIGATION Within BANNOCK County</u>					
T11S R36E S11	NESW	29	T11S R36E S11	NWSE	19
T11S R36E S14	NWNE	10			

58 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 50 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED
TO THE IRRIGATION OF A COMBINED TOTAL OF 58 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-2295D, 29-11493

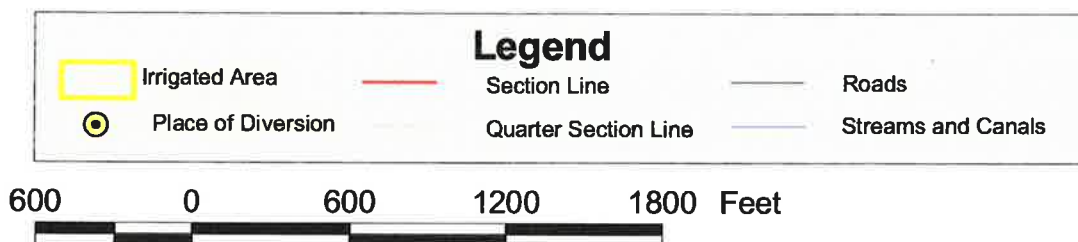
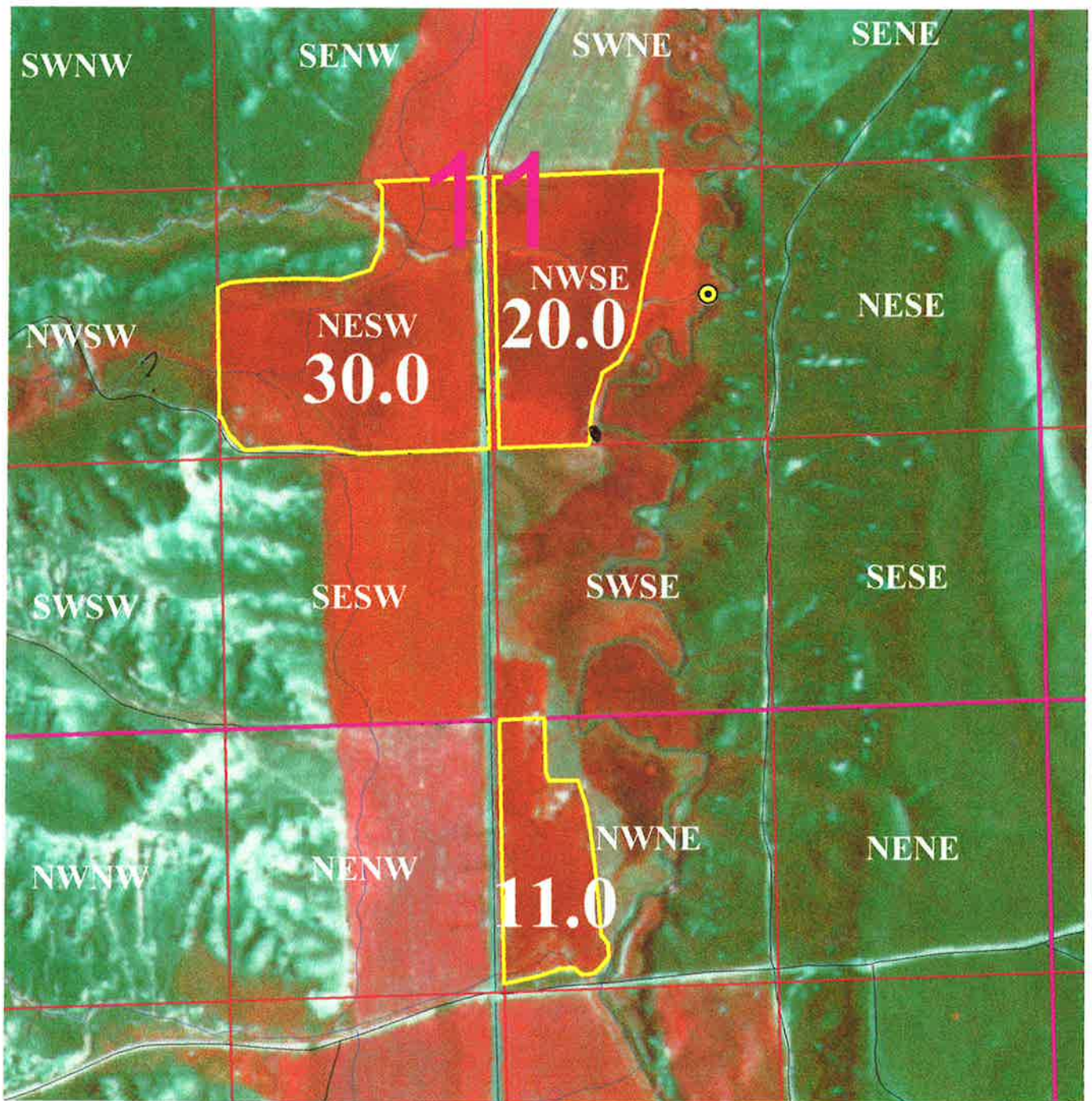
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

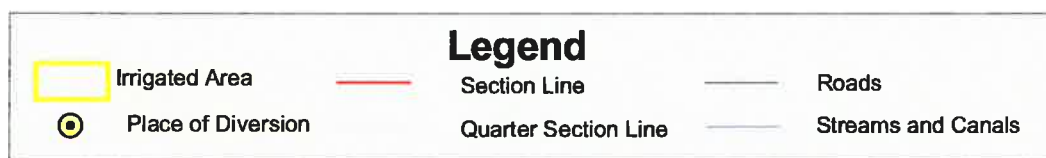
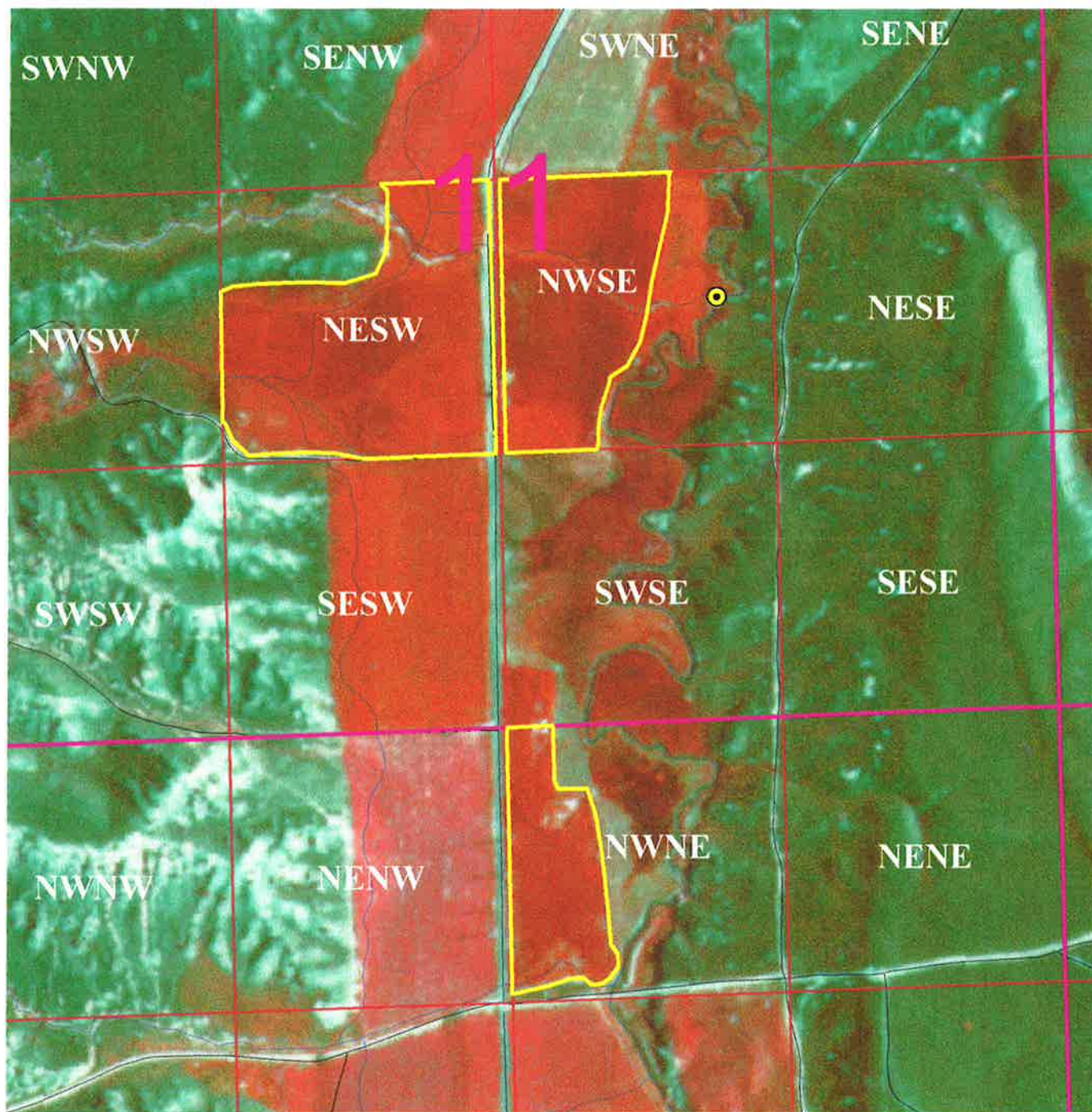
EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.
RIGHT NO. 29-11493 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT
TO SECTION 42-1426, IDAHO CODE.

Township , 11S36E



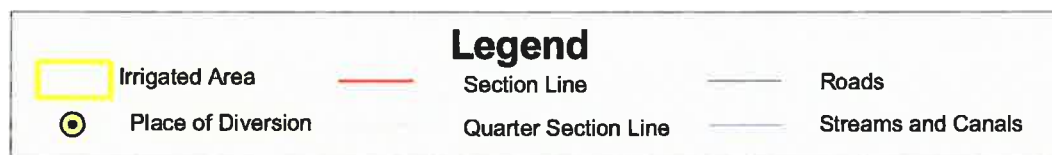
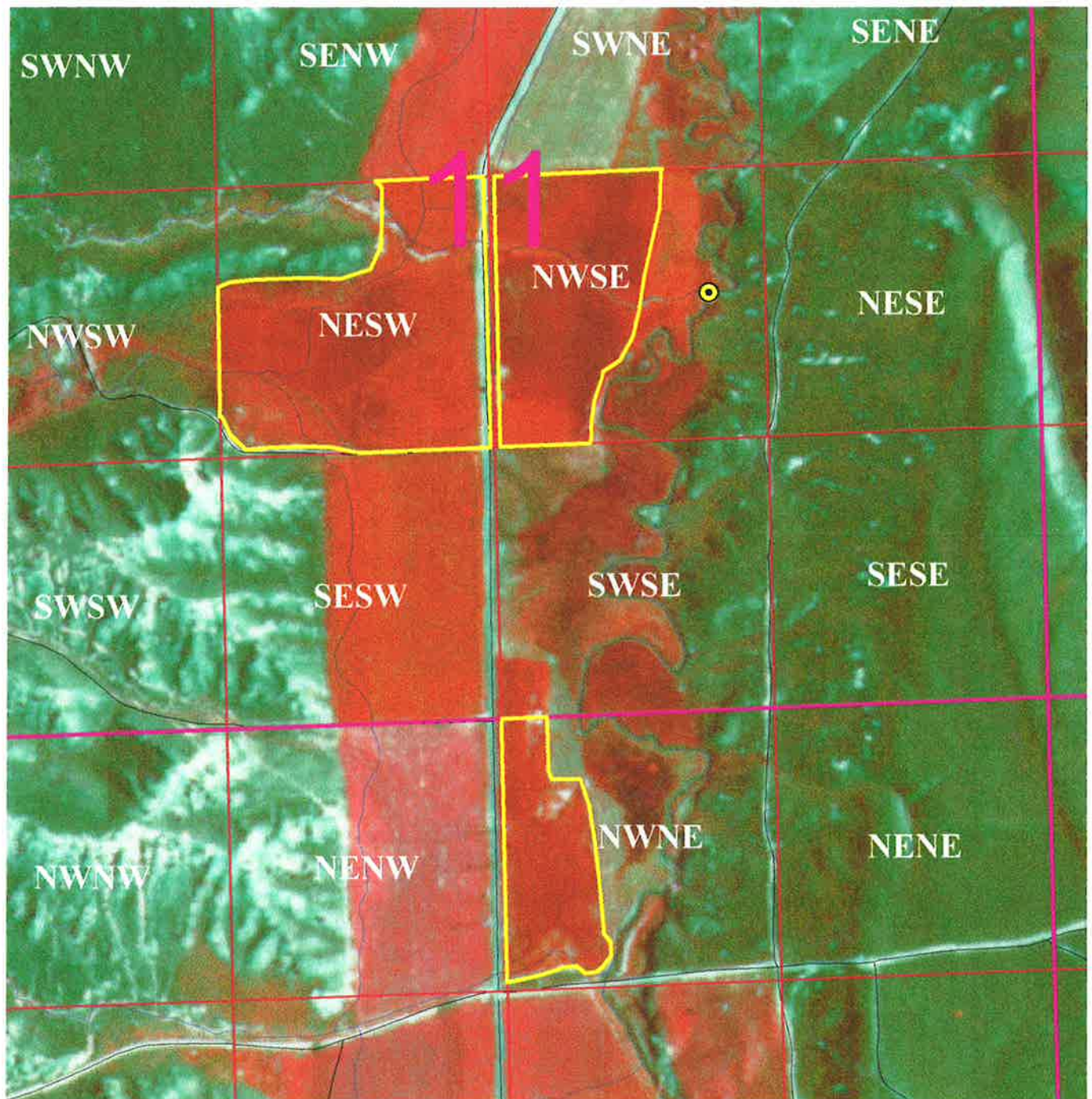
Township , 11S36E



600 0 600 1200 1800 Feet



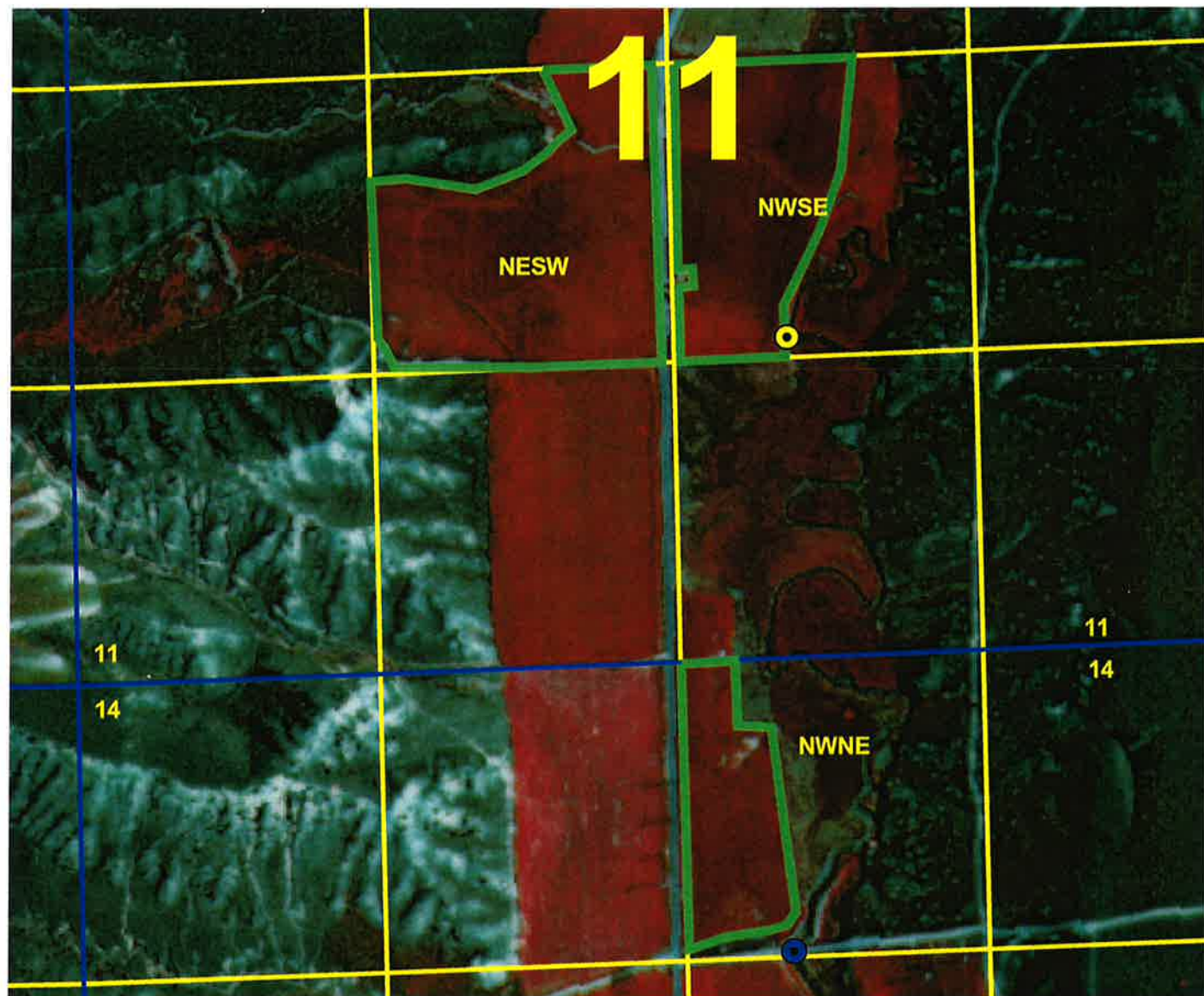
Township , 11S36E



IDAHO DEPARTMENT OF WATER RESOURCES

29-02295D, 29-11493

T11S, R36E SEC 11, 14



ACRES IRRIGATED- 58



POINT OF DIVERSION



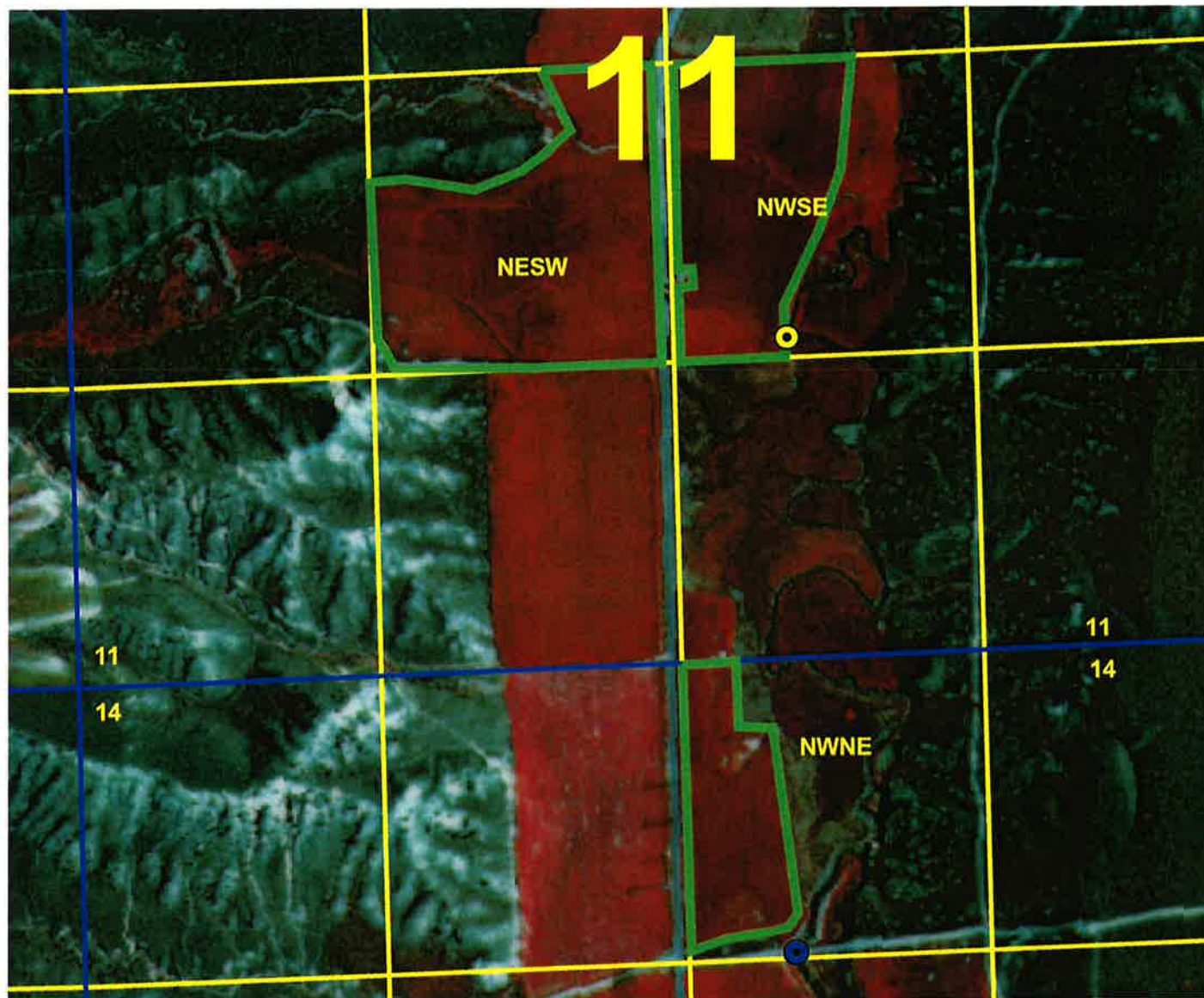
PLACE OF USE

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

IDAHO DEPARTMENT OF WATER RESOURCES

29-02295D, 29-11493

T11S, R36E SEC 11, 14



ACRES IRRIGATED- 58



POINT OF DIVERSION



PLACE OF USE

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

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: 29-2295D

WILLIAM A EGAN
1451 W HAWKINS RD
ARIMO ID 83214
Telephone Number: (208)897-5521

KATHLEEN M EGAN
1451 W HAWKINS RD
ARIMO ID 83214
Telephone Number: (208)897-5521

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:

3/13/03

SIGNATURE:

William A. Egan

Please print your name:

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

RECEIVED

SCANNED
JAN 13 2006

MAY 24 2001

Log for claim A29-02295D

Spatial Dynamics TWB

5/16/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
11s36e	11	NESW	17	30	
11s36e	11	NWSE	20	20	
11s36e	14	NWNE	13	11	
Totals:			50	61	

AJ5809NP
No. A29-02295D

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/24/00
PAGE: 56

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WILLIAM A EGAN	11/27/1950	IRRIGATION	03-15 11-15	1.000 CFS	
C	KATHLEEN M EGAN					
	1451 W HAWKINS RD					
	ARIMO ID 83214					
	(208) 897-5521					
				TOTAL DIVERSION:	1.000 CFS	
				CONSUMPTIVE USE:		200.00 AFA

Water Source: MARSH CREEK

Tributary to: PORTNEUF RIVER

Stage: LICENSE

Point(s) of Diversion:

T11S R36E S11

NWSE

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
11S	36E	11	:																	:	
11S	36E	14	:			13														:	
																				TOTAL ACRES	50.0

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-11493

Other Water Rights Listing Overlapping Place(s) of Use:
A29-11493

Conditions of Approval:

- 01E - A measuring device and lockable controlling works of a type
- acceptable to the Department shall be permanently installed and
- maintained as part of the diverting works.
R04 - Use of water under this water right will be regulated by the
- watermaster of State Water District No. 29H.

Remarks: GEN TRANS. 2888

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 29H

Field Inspection Flag:
Presumption Flag:

Audit: 04/19/90 WILSON 06/16/94 COX 03/29/95 POST-STD

29 2295

State of Idaho

License and Certificate of Water Right

Water License No. 21800

Water District No.

Amount Four (4) cusecs

Priority September 21, 1900

THIS IS TO CERTIFY that RAYMOND DAVIS AND WILLIAM D. FURBER of Bonanza, Idaho made application for a permit to appropriate the public waters of the State of Idaho, dated November 27, 1900 that Permit No. 21800 was issued under said application, that Certificate of Completion of works with a carrying capacity of Four (4) second feet, was issued thereunder on October 30, 1902 showing that said work were completed on the 29th day of October, 1902 and that on the 25th day of November, 1902

D. F. M. A.M. IRRIGATION SYSTEM, Assignees of Raymond Davis and Wm. D. Furber, of Bonanza

State of Idaho made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of North Creek a tributary of Portneuf River for the purpose of irrigation and domestic use

under the Permit No. 21800 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 5 of Licenses at page 5077 on the 1st day of May, 1903

The right hereby confirmed dates from November 27, 1900

The Point of Diversion is located in the SE 1/4 of Sec. 16, Tp. 11 S., R. 34 E., B.M. Bonanza

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 Four (4) cubic feet per second

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
11 S.	34 E.	16	1	20	20
			2	20	20
			3	20	20
			4	20	20
			5	20	20
			6	20	20
			7	20	20
			8	20	20
			9	20	20
			10	20	20
			11	20	20
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			94	20	20
			95	20	20
			96	20	20
			97	20	20
			98	20	20
			99	20	20
			100	20	20

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

1st day of May, 1903

MARK W. KILP
State Reclamation Engineer

(SEAL)



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

20 2295

APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

8. Lands presently irrigated or place of use:

Total number of acres presently irrigated	200
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29 2295

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
A29-02295D	11S 36E	11		NW	SE			BANNOCK		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A29-11493 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
29-02295D	11S 36E	11		NW	SE			BANNOCK		

OTHER WR RECORDS WITH SAME WR POD
NONE

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A29-11493 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)

5/1-10/1

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 FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
11S	36E	11		NW	SE			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: A29-02295C
A29-02295B
A29-02295D

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
11S	36E	11	NE	SW		EGAN, WILLIAM A	A29-02295D / 17.0	- /	37.0		
			NE	SW		EGAN, WILLIAM A	A29-11493 / 8.0	- /			
			NE	SW		EGAN, WILLIAM A.		29-04382 / 18.0			
11S	36E	11	NW	SE		EGAN, WILLIAM A	A29-02295D / 20.0	29-02295D / 10.0	25.0		
11S	36E	14	NW	NE		EGAN, WILLIAM A	A29-02295D / 13.0	29-02295D / 20.0	20.0		
ADDITIONAL POU FOUND											

TOTAL ACRES	A29-02295D	50.00	30.00	82.00
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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
A29-02295D	MARSH CREEK	EGAN, WILLIAM A	1.000	0.020		
A29-11493	MARSH CREEK	EGAN, WILLIAM A	0.160	0.020		

2/00

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: A29-02295D
Date Received: 4/19/1990
Receipt No: E013340
Received By: Kuw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WILLIAM A. EGAN 208-897-5521
Address: 1451 WEST HAWKINS ROAD
ARIMO, ID 83214

OR
Name: KATHLEEN M. EGAN 208-897-5521
Address: 1451 WEST HAWKINS ROAD
ARIMO, ID 83214

2. Date of Priority: NOV 27, 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
11S	36E	11	NW	SE			BANNOCK

5. Description of diverting works:
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	03/15	11/15	1.000		

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

8. Total consumptive use is 200.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A2902295D



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	36E	11	NE	SW		IRR	17.0
			NW	SE		IRR	20.0
					Section Acres		37.0
		14	NW	NE		IRR	13.0
					Section Acres		13.0
					Total Acres		50.0

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:
NONE

14. Remarks:
TRANS. 2888

15. Basis of Claim: LICENSE
Water Right Number: 21800

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): William A. Egan Date: April 19, 1990

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 19 day
of April 19 90
William Wray
Notary Public

Seal

Residing at Idaho Falls
My Commission Expires 5/29/99

MICROFILMED
NOV 13 1992

POINT OF DIVERSION

PLACE OF USE

A29-02295D

MICROFILMED

NOV 13 1992