

08/23/2001

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

RIGHT NUMBER: 29-2298

NAME AND ADDRESS: VIRGINIA B ALLEN
9549 S ROBIN RD
MC CAMMON, ID 83250
ELOISE A SCOTT
442 RANDOLPH
POCATELLO, ID 83201

SOURCE: SPRING TRIBUTARY: SINKS

QUANTITY: 0.12 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 07/09/1951

POINT OF DIVERSION:	T09S R36E S23	SWSW	Within BANNOCK County
	T09S R36E S23	NWSWSW	Within BANNOCK County
	T09S R36E S23	SWSWSW	Within BANNOCK County
	T09S R36E S23	SWSWSW	Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 10-31	0.12 CFS
STOCKWATER	01-01 12-31	0.04 CFS

PLACE OF USE:

IRRIGATION Within BANNOCK County
T09S R36E S23 SWSW 6
STOCKWATER Within BANNOCK County
T09S R36E S23
SWSW

6 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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

STOCKWATER, 200 CATTLE AND HORSES

RIGHT NUMBER: 29-2298
NAME AND ADDRESS: ELOISE A SCOTT
442 RANDOLPH
POCATELLO ID 83201

VIRGINIA B ALLEN
9549 S ROBIN RD
MC CAMMON ID 83250

SOURCE: SPRING TRIBUTARY: SINKS
QUANTITY: 0.12 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL
NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 07/09/1951

POINT OF DIVERSION:

T09S R36E S23 SWSW Within BANNOCK County
T09S R36E S23 NWSWSW Within BANNOCK County
T09S R36E S23 SWSWSW Within BANNOCK County
T09S R36E S23 SWSWSW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.040 CFS
IRRIGATION	04/01 10/31	0.120 CFS

PLACE OF USE:

STOCKWATER Within BANNOCK County
T09S R36E S23 SWSW
IRRIGATION Within BANNOCK County
T09S R36E S23 SWSW 6.0

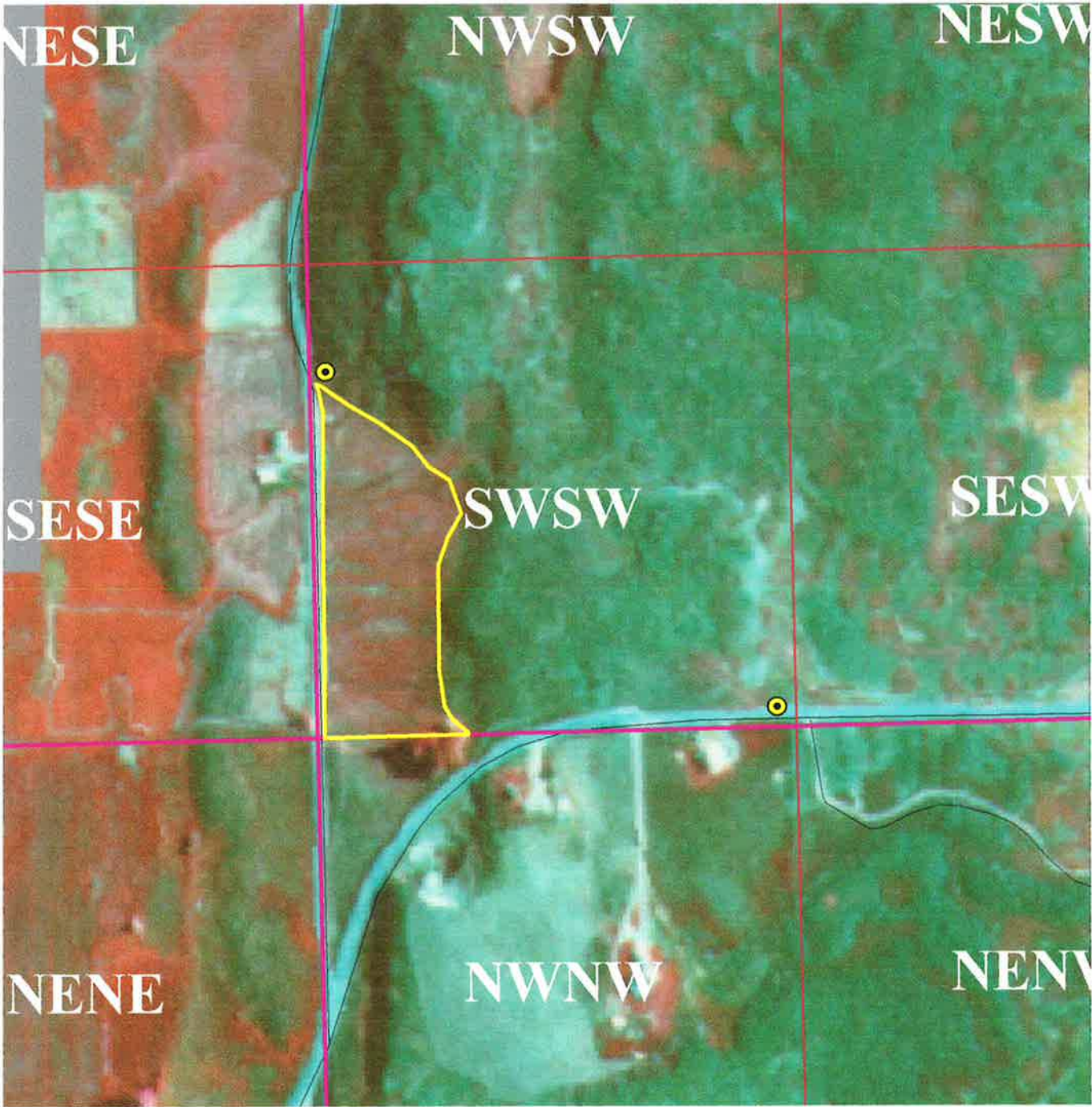
6 ACRES TOTAL

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.
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

EXPLANATORY MATERIAL: License
STOCKWATER, 200 CATTLE AND HORSES

Township , 9S36E



 Irrigated Area

 Place of Diversion

Legend

 Section Line

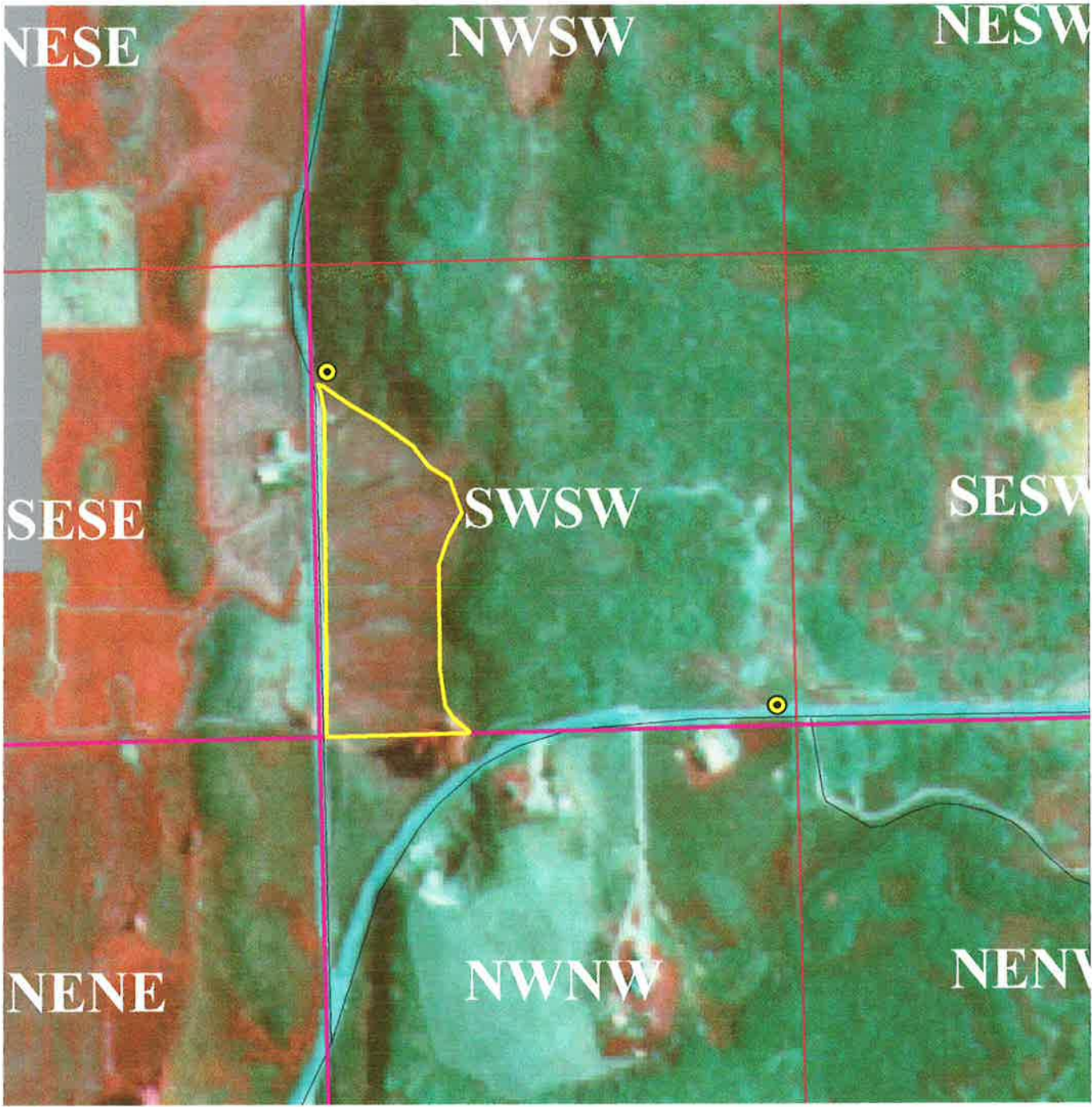
 Quarter Section Line

 Roads

 Streams and Canals



Township , 9S36E



 Irrigated Area

 Place of Diversion

Legend

 Section Line

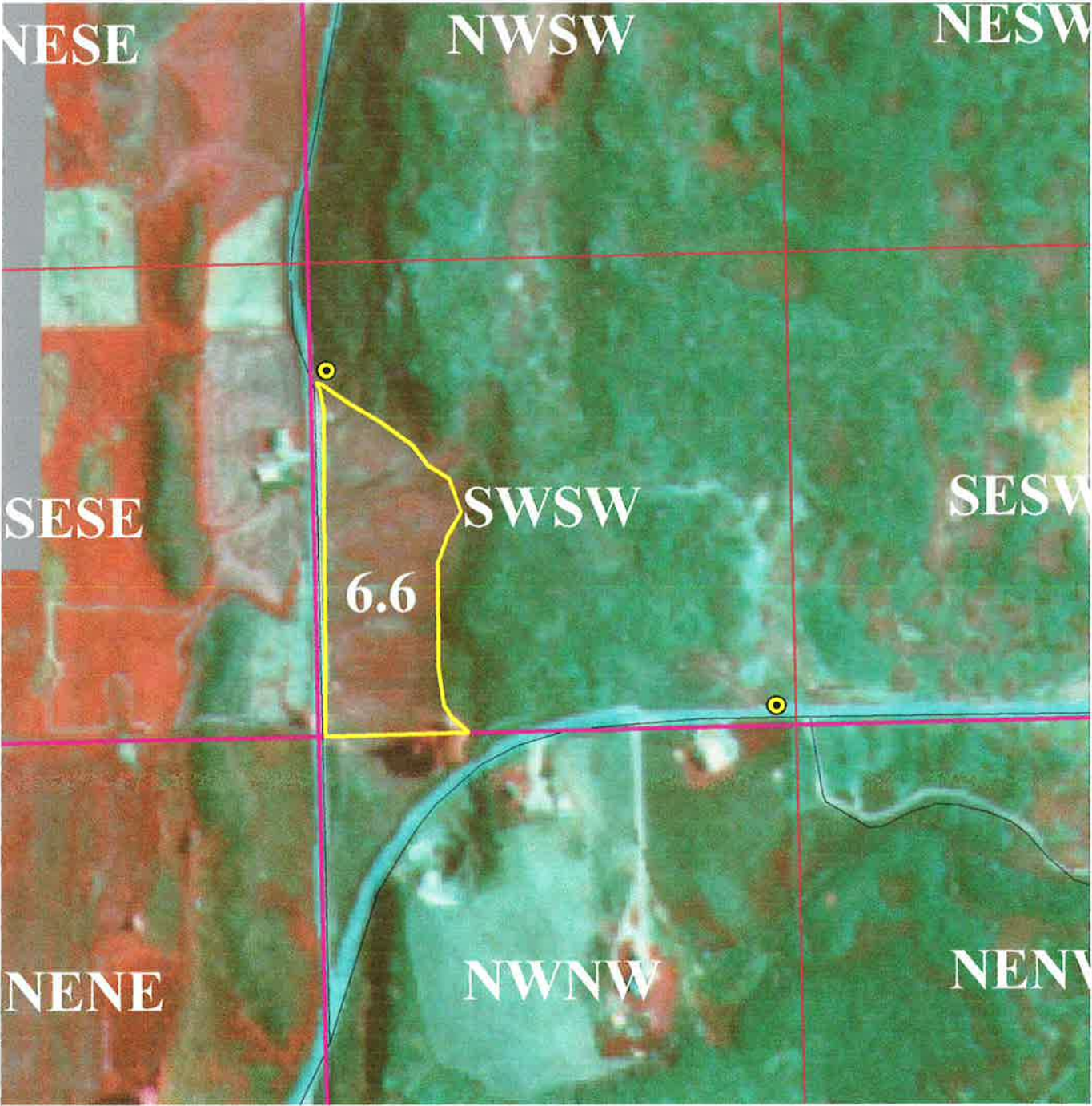
 Quarter Section Line

 Roads

 Streams and Canals



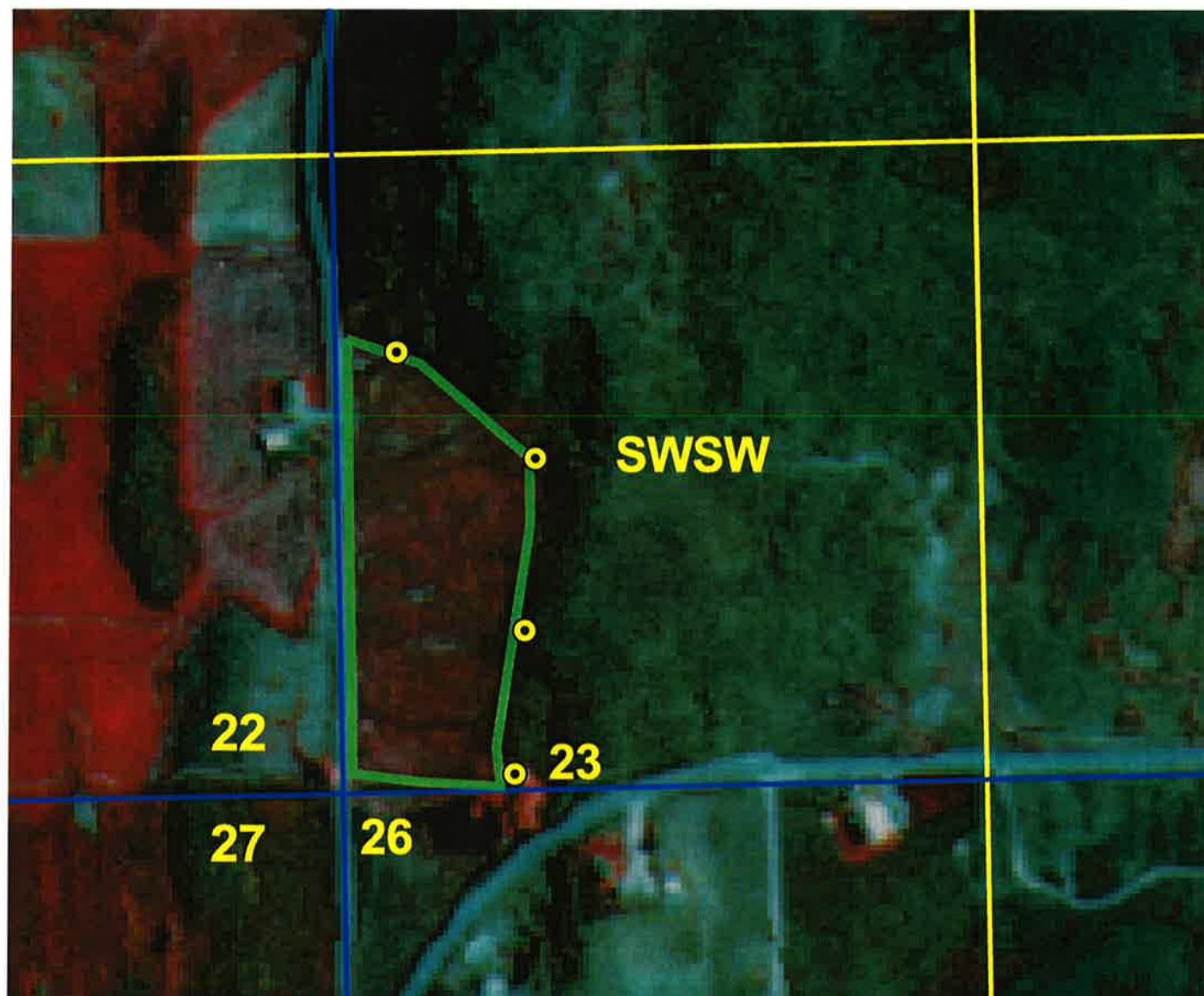
Township , 9S36E



IDAHO DEPARTMENT OF WATER RESOURCES

29-02298

T09S, R36E SEC 23



PROFILED

ACRES IRRIGATED- 6



POINT OF DIVERSION



PLACE OF USE

SCANNED

JAN 13 2006

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

SCANNED

JUN 04 2001

Log for claim A29-02298

Spatial Dynamics BTD

6/28/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s36e	23	SWSW	6	6.6	POD placement?
Totals:			6	6.6	

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ELOISE A SCOTT 442 RANDOLPH POCATELLO ID 83201 (208) 233-8409	07/09/1951	IRRIGATION STOCKWATER	04-15 11-15 01-01 12-31	0.120 CFS 0.050 CFS	
				TOTAL DIVERSION: CONSUMPTIVE USE:	0.120 CFS	15.00 AFA
C	VIRGINIA B ALLEN 9549 S ROBIN RD MC CAMMON ID 83250 (208) 254-3323					

Water Source: SPRINGS

Tributary to: SINKS

Stage: LICENSE

Point(s) of Diversion:

T09S R36E S23

NWSWSW

SWSWSW

BANNOCK 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		
09S	36E	23	:					:					:					:					:	6.0
																							TOTAL ACRES	6.0

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
09S	36E	23	:					:					:					:					:	
																							S	

POU County: BANNOCK

Non-Irrigation Uses: STOCKWATER FOR 200 HEAD CATTLE (SOME HORSES)

Other Rights: SUBWATER

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-10058Other Water Rights Listing Overlapping Place(s) of Use:
A29-10058

Remarks: GEN SUB WATER ENTERS DITCHES WHICH IS ALSO USED TO IRR. PROPERTY.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

AJ5809NP
No. A29-02298

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/27/00
PAGE: 87

=====

Audit: 05/01/89 VERNER 06/16/94 COX 03/29/95 POST-STD 04/12/00 CVANDERM

State of Idaho

License and Certificate of Water Right

Water License No. 21994

Amount 0.12 second foot

Water District No.

Priority July 9, 1951

THIS IS TO CERTIFY that ARNOLD W. NIELSON
of Hyrum, Utah, made application for a permit to appropriate the
public waters of the State of Idaho, dated July 9, 1951; that Permit No. 21994
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
6" or 1/2 second foot, was issued thereunder on June 26, 1953, showing that said works
were completed on the 15th day of May, 1953; and that on the 16th
day of July, 1953,

ARNOLD W. NIELSON

of Hyrum, State of Utah, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of an un-named
Spring, ~~in tributary of~~, for the purpose of irrigation and domestic
use, under Use Permit No. 21994 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
9 of Licenses at page 5249, on the 15th day of April, 1954;
The right hereby confirmed dates from July 9, 1951;

The Point of Diversion is located
in the SW 1/4 SW 1/4, Sec. 23, Tp. 9 S., R. 36 E., B. M. Bannock County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 0.12 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9 S.	36 E.	23	SW 1/4 SW 1/4	6	6
		22	SE 1/4 SE 1/4	1	-
Number of Acres Actually Irrigated -----					6

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
15th day of April, 1954.

MARC R. KULP
State Reclamation Engineer.

(SEAL)

29 2215

IN: 11000
29-2298

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 29971
PERMIT No. 21994
DISTRICT No.

1. Name of Applicant: ARNOLD W. NIELSEN

Postoffice address Box 125, Hyrum

County: Cache

State: Utah

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: 6 miners inches / 3 running ~~cubic feet per second~~ NW, 3 S W

3. Source of water supply: Springs, which begin flow after ~~irrigation starts on land to the East of them~~
which uses McCammon Ditch, Portneuf River

4. Location of point of diversion: feet distant from the

corner of Section , T. , R. , B. M., and is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$

of Section 23 , T. 9 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: \$

8. Kind of works: Plowed 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 feet; width at water line feet; depth of water feet;

dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is - years.

13. The time required for the complete application of the water to the proposed use is - additional years.

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: \$

8. Kind of works: Plowed 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 feet; width at water line feet; depth of water feet;
dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is - years.

13. The time required for the complete application of the water to the proposed use is - 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: Applicant has 12 shares in McCammon Ditch Co. Water is used on land North and West of land irrigated by springs; but all land to be irrigated by springs is above ditch and cannot be irrigated by this water.

16. (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 water of the State of Idaho as herein set forth.

ARNOLD W. NIELSEN Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. July 9, 1951

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 21994
 Recorded in Book 78 Page 21994 Approved July 16, 1951
 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 September 16, 1951 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 July 16, 1952
 The whole of said work to be completed on or before July 16, 1953
 Beneficial use of water appropriated in accordance herewith, to be made on or before July 16, 1953

WITNESS My hand this 16th day of July, 1951

MARK R. KULP
 State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, LEN JORDAN, Governor of the State of Idaho, and IRA H. MASTERS, 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 16th day of July, 1951.
 STATE OF IDAHO
 Countersigned: By LEN JORDAN Governor.
 (SEAL) By IRA H. MASTERS Secretary of State.

REMARKS: This water comes up on the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 23, T. 9 S., R. 36 E., and filing is made to insure continued use on this land and a little piece across the road. Filing is applied for so a legal right can be established and no one can ditch off or drain said land. Land is owned by applicant Arnold W. Nielsen

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 $\frac{1}{4}$	
9 S.	36 E.	23 22											6					1	6 1
Total Number of Acres to be Irrigated - -																			7

Permit No. 21994
 CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that ARNOLD W. NIELSEN of Hyrum, County of Cache, and State of Utah, the holder of Permit No. 21994, issued upon application No. 29971 bearing date of priority of July 9, 1951, authorizing the diversion of six (6) inches of the waters of un-named springs, county of Bannock, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of 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 six (6) inches of the waters of said un-named springs that the point of diversion of said waters is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 23, Township 9 South, Range 36 East, B. M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 23, and SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22, Township 9 South, Range 36 East, B. M.

Witness my hand this 26th day of June, A. D. 1953.

MARK R. KULP
 State Reclamation Engineer

Proof of Completion of Works made May 15, 1953
 Certificate of Completion of Works issued June 26, 1953

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.

Arnold W. Nielson
Box 125, Hyrum, Utah
Permit No. 21994

Examination for Beneficial Use

County Bannock

S. 23 - 9S - 36E

Q = Grinner's inches

S = Springs

RL = SW, SW, Sec. 23, T. 9S. - R. 36E

Use = Irrigation & Domestic

Red Allen

RECEIVED

APR 9 1951

Department of Reclamation

Quantity = July 9, 1951
Due = July 16, 1953

CN = 6-26-53

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 21994

REPORT ON PROOF OF Beneficial Use

ARNOLD W. NIELSON, Box 125, Hyrum, Utah

.12 of
max

app. 6"

6 acres

26 February 1990

Idaho Dept of Water Resources
150 W. Shoup St. Suite 15
Idaho Falls, Idaho 83402

RECEIVED

MAR 1 - 1990

Department of Water Resources
Eastern District Office

In response to the 6 folders I received, for water claim instructions:

2
came to { Carl Ned Allen
Star Rt. Box 249
McCammon, Idaho 83250 } deceased

2
came to { Virginia B. Allen
Star Rt. Box 249
McCammon Idaho 83250 }

/ { Virginia Allen
9549 So. Robin Rd.
McCammon Idaho 83250 }

/ { Virginia May Brown Allen
9549 So. Robin Rd.
McCammon, Idaho 83250 }

/ { Virginia B. Allen
9549 So. Robin Rd.
McCammon, Idaho 83250 }

1. all the same person
2. address change by county and post office
3. widow of Carl Ned Allen, above

4 Aug 1982
dead line 1983 } I filed all water after a widow. Carl Ned or Virginia B. Allen

20 Mar 1989
returned for
correction of
your office
mistakes
20 Apr 1989
deadline
1 May 1990 } Filed again - as widow--Virginia B. Allen or Eloise A. Scott

Please file this letter with my water filings. My filings
have been made before the deadline of 1 May 1990.

Virginia B. Allen

Virginia B. Allen
9549 So. Robin R.
McCammon, Idaho 83250
Bannock County

MICROFILMED

NOV 13 1992

21 April 1989

Mr Eric Turner,

Enclosing 6 filing claims to water rights, as follows

# A29-02298	56 ⁰⁰	} #267 ⁰⁰
# A29-10059	56 ⁰⁰	
# A29-10058	80 ⁰⁰	
# A29-04253	25 ⁰⁰	
# A29-04252	25 ⁰⁰	
# A29-10057	25 ⁰⁰	} All notarized again.

Changes are noted, initialed & dated; as per phone call with you 4-19-89

4-21-1989

Check #669

Amot. #267⁰⁰

Also enclosing the 3-20-89 printed forms.

Sincerely

Virginia B. Allen
9549 So. Robin Rd.
McCammon Idaho 83250
Lannock County

RECEIVED

APR 25 1989

Department of Water Resources
Eastern District Office

MICROFILMED

NOV 13 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

April 13, 1989

Mrs. Virginia B. Allen
9549 S. Robin Rd.
McCammon, Idaho 83250

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

Dear Mrs. Allen:

Pursuant to our phone conversation I am returning the Notices of Claims to Water Rights that you submitted. I am also returning your check no. 656 in the amount of \$275.00.

As we discussed, I have prepared computer generated Notices according to the information you submitted. Please review these new documents and if all meets your approval, sign each in the presence of a notary and return them to my attention. The total filing fee for these Notices is \$400.00. I have written in the upper right hand corner of the Notices the amount charged to each claim. The deadline for filing these notices is tentatively set for April 19, 1990.

Please feel free to contact our office if you want to discuss this matter further. Your prompt attention is appreciated.

Sincerely,

Eric S. Verner
Sr. Water Resource Agent

Enclosures

VIRGINIA B. ALLEN
ELOISE A. SCOTT
180-20-6148
9549 S. ROBIN RD. 254-3323
MC CAMMON, ID 83250

656

92-61241

Pay To
The Order Of

Idaho Dept. Water Resources

275⁰⁰

Two hundred seventy five

as Dollars

First Security Bank of Idaho
100 S. Arthur Street
Pocatello, Idaho 83204

For filing

Virginia B. Allen

⑆ 124 100064 004 23643 56 0656

SECURITY INC. COLORADO SPRINGS, CO 80901

Continuity Print

MICROFILMED

NOV 13 1992

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APR 10 1989

Department of Water Resources
Eastern District Office

Enclose 6 filings
All are notarized
Accompanied by maps
and any other necessary
copies pertaining to the filings
Also check covering fee for the 6 filings.

Mrs. Ned Allen
(Virginia B. Allen
or
Elaine A. Scott)
9549 So. Robin Rd.
Mc Cammon Idaho 83250

Check #656
\$275.00
Date 7 April 1989

5 filings @ 50.00
1 filing @ 25.00
Total 275.00

MICROFILMED

NOV 13 1992

MICROFILMED

NOV 13 1992

160
80
80
24
5.64

W 1/4 SE 1/4

2 SW 1/4 NE 1/4
S 22-79-R 36E

3 E 1/2 SE 1/4
fine house

1 NE 1/4 SE 1/4
S 22-79-R 36E
19.95
4.31
S 23-79-S-R 36E

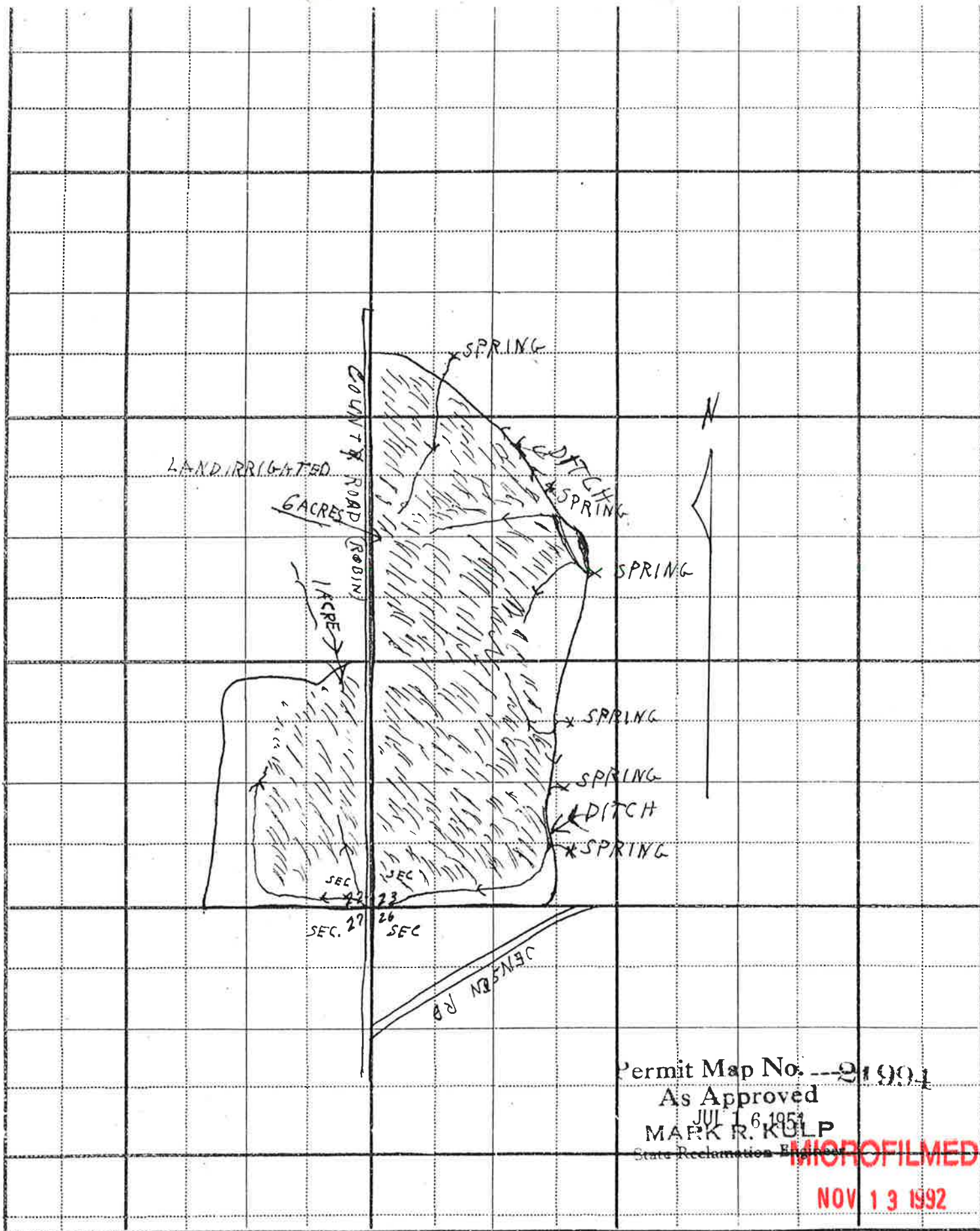
July 1916 mortgage records - all rights to water of every kind & description Springs

80 a. { Fall 1906 all water stock & water rights used upon in for irrigation & domestic (again) Mar 1925 all water & water rights of every kind

80 a. { modern notice of water right 27 May 1902 Filed 3 June 1902 Springs (again) 30 Apr 1902

80 a. { U.S. Patent Book to all right - Springs & use water irrigation water in one well (center)

- total area -



Permit Map No. ---21994

As Approved

JUL 16 1951

MARK R. KULP

State Reclamation Engineer

MICROFILMED

NOV 13 1992

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

24 " " " "

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 21994This proof is for: Beneficial Use

In Water District No. _____

1. Name of applicant: Arnold W. Nielson, Box 125, Hyrum, Utah.2. Source of water supply: Un-named springs.3. Location of point of diversion: Is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23T. 2 S. R. 36 E. County of Barnock

4. Describe works as they exist, giving dimensions and capacities of same: There is a series of springs approximately 100 to 125 yards from the road caused by irrigation of the lands above. There is a small ditch that leads both North and South from these springs. The land irrigated, lies down-slope and to the west of the springs or in the corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 23, Township 9 South, Range 36 East.

5. Water is used for: Irrigation and domestic purposes

6. State whether or not water has been turned into works of diversion: _____

7. List legal subdivisions 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 other than irrigation):

SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22, SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 23, Township 9 South, Range 36 East, B. M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? Water sinks would reach no stream.

Remarks: _____

This filing was made to prevent anyone from attempting to get a water right on these springs.

This examination was made on the 7th day of April, 1934

(Signed) E. J. Humphrey

Examiner

21994

R-36E.

T.
9
S.

22

23



allow 6 inches.

I 15
between
US 91 and
SPRINGS

MICROFILMED

NOV 13 1962

State of Idaho

License and Certificate of Water Right

29-2298

Water License No. 21994 Priority July 9, 1951 Amount 0.12 second foot

THIS IS TO CERTIFY that **ARNOLD W. NIELSON**

of **Hyrum, Utah**, made application for a permit to appropriate the public waters of the State of Idaho, dated **July 9**, 1951; that Permit No. **21994** was issued under said application; that Certificate of Completion of works, with a carrying capacity of **6" or .12 second foot**, was issued thereunder on **June 26**, 1953, showing that said works were completed on the **15th** day of **May**, 1953; and that on the **16th** day of **July**, 1953,

ARNOLD W. NIELSON

of **Hyrum**, State of **Utah**, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of **un-named springs**, ~~extending to~~ for the purpose of **irrigation and domestic use**, under Use Permit No. **21994** 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 **9** of Licenses, at page **5249**, on the **15th** day of **April**, 1954;

The right hereby confirmed dates from **July 9**, 1951;

The Point of Diversion is located

in the **SW ¼ SW ¼**, Sec. **23**, Tp. **9 S.**, R. **36 E.**, B. M. **Barncock** County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed **0.12** cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9 S.	36 E.	23 22	SW ¼ SW ¼	6	6
			SE ¼ SE ¼	1	-
			Number of Acres Actually Irrigated	-	6

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 **15th** day of **April**, 1954

Mark R. Kulp

State Reclamation Engineer.

STATE OF IDAHO
License and Certificate of
Water Right

Water License No. 21994

To Arnold W. Nielson

Hyrum, Utah

Source of Supply Un-named springs

Bannock County

Amount 6" or 0.12 Sec. Feet

Point of Diversion SW 1/4 Section 23,

Twp. 9 South, Range 36 East, B.M.

Place of Use Same

Purpose Irrigation and

domestic use

Date of Priority July 9, 1951

Recorded April 15, 1954

in Book 9 of Licenses, Page 5249

*My late husband did the work while we were
then purchasing land from Mr. Nielson. We have
heard the only river since then.*

JUN 04 2001

\$56.00

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

RECEIVED

Ident. Number: A29-02298

Date Received: 4/12/1989

Receipt No: 607072

Received By: [Signature]

APR 25 1989

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: VIRGINIA B. ALLEN 208-254-3323
Address: 9549 S. ROBIN RD.
MCCAMMON, ID 83250

OR

Name: ELOISE A. SCOTT 208-254-3323
Address: ~~9549 S. ROBIN RD.~~ 442 RANDOLPH
MCCAMMON, ID ~~POCATELLO, ID. 83250~~ 83201 233-8409

2. Date of Priority: JUL 09, 1951

3. Source: SPRINGS Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	36E	23	NW	SW	SW		BANNOCK
			SW	SW	SW		BANNOCK

5. Description of diverting works:

FLOW FROM SEVERAL SPRINGS COLLECTED INTO DITCHES. FLOOD IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	11/15	0.120		
STOCKWATER	01/01	12/31	0.050		

7. Total Quantity Appropriated is:

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

8. Total consumptive use is 15.0 Acre Feet Per Annum.

9. Non-irrigation uses:

STOCKWATER FOR 200 HEAD CATTLE (SOME HORSES)

A29-02298

Page 1

Date: 04/12/89

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	36E	23	SW	SW		IRR	6.0
			SW	SW		STOCK	
						Section Acres	6.0
						Total Acres	6.0

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:
SUBWATER

14. Remarks:
SUB WATER ENTERS DITCHES WHICH IS ALSO USED TO IRR. PROPERTY.

15. Basis of Claim: LICENSE
Water Right Number: 21994

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: 2 MAPS 4 sheet (claim) (4-19-89)
3 LICENSE 4-10-89 28a
1 ENGINEER COPY

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): Virginia B. Allen Date: 4-20-89

Date: _____

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 20th day
of April 19 89 Allen M. Bullock
Notary Public

Seal

Residing at Mc Cammon
My Commission Expires 11-18-92

A. ROOT WATER RIGHT NUMBERS: A29-02298

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
09S	36E	23	SW	SW		SCOTT, ELOISE A	A29-02298 / 6.0	29-02298 / 6.0	6.0		6.0
			SW	SW		SCOTT, ELOISE A	A29-10058 / 10.0	- /			
			SW	SW		MC CAMMON DITCH CO.		29-00057 /			
			SW	SW		MC CAMMON DITCH CO.		29-00058 /			
09S	36E	23	SW	SW		SCOTT, ELOISE A	A29-02298 / 6.0	29-02298 / 6.0	6.0		
			SW	SW		SCOTT, ELOISE A	A29-10058 / 10.0	- /			
			SW	SW		MC CAMMON DITCH CO.		29-00057 /			
			SW	SW		MC CAMMON DITCH CO.		29-00058 /			

ADDITIONAL POU FOUND

TOTAL ACRES	A29-02298	6.00	12.00	12.00
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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
A29-02298	SPRINGS	SCOTT, ELOISE A	0.120	0.020		
A29-10058	SPRING	SCOTT, ELOISE A	0.400	0.013		

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: SUBWATER

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
A29-02298	09S 36E	23	NW	SW	SW			BANNOCK		
A29-02298	09S 36E	23	SW	SW	SW			BANNOCK		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A29-10058 NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: SPRINGS

TRIB: SINKS

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
29-02298	09S 36E	23		SW	SW			BANNOCK		

OTHER WR RECORDS WITH SAME WR POD
NONE

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A29-10058 NONE

SOURCE: SPRING

TRIB:

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)

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 A29-02298

Date Received _____

Receipt Number _____

RECEIVED

APR 25 1989

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

APR 10 1989

Department of Water Resources
Eastern District Office

Please type or print clearly

- Name of Claimant (s) Virginia B. Allen & Eloise A. Scott Phone (208) 254-3323
Mailing Address 9549 So. Robin Rd. McCammon Idaho Zip 83250
- Date of Priority (Only one (1) per claim) 9 July 1951 (License/certificate of water right)
- Source of water supply (a) Unnamed Springs
which is tributary to (b) _____
- a. Location of existing point of diversion is: Township 9S Range 36E Section 23,
_____ 1/4 of SW 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 _____
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____
_____ 1/4, Govt. Lot _____ B.M., County of _____
- 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.

Ditches to irrigate etc - SW 1/4 SW 1/4 and SE 1/4 SE 1/4 Sec 22
T9S R36E

A2902298



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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigate purposes from June to Dec amount .12 or 6"

For Stockwater purposes from _____ to _____ amount _____ or _____

For Domestic purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .12 (cfs) and/or (b) 6" (acre feet)

8. Total consumptive use claimed is .42 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Domestic (1) Stockwater

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	
9S	R36	23											6						
		22																1	w/waste from Sec 23

Total number of acres irrigated 6 +

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

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.
Unnamed Sub water in the same SW 1/4 Sec 23 or None ()

14. Remarks: #13 Sub water joins spring water acres to irrigate

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NOV 13 1992

Last Name ALLEN & SCOTT Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

Enclose map of project.

A 16x16 grid of squares. Each square contains a small crosshair pattern consisting of a vertical line, a horizontal line, and two diagonal lines intersecting at the center. The lines are thin and black, and the squares are arranged in a uniform grid.

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 # 21994 (1951)
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 _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

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

Signature of Claimant (s) Virginia L. Allen Date 3-20-89

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

* State of Idaho/or _____)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 20th day of March 19 89

SEAL

Notary Public

Residing at

My Commission Expires

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ 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 _____

Date _____

MICROFILMED

NOV 13 1992

Last Name ALLEN & SCOTT Ident. Number _____

Copies White-State, Yellow-Claimant