

12/19/2002

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

RIGHT NUMBER: 29-2409A

NAME AND ADDRESS: JOHN M DUDUNAKE
5406 W OLD HWY 91
POCATELLO ID 83204

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.060 CFS
8.600 AFY

USE OF THIS RIGHT FOR IRRIGATION PURPOSES WITH RIGHT NO. 29-13393 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.06 CFS.

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

PRIORITY DATE: 04/16/1959

POINT OF DIVERSION:

T07S R35E S23 NWNWSE 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	0.060 CFS 8.00 AFY
DOMESTIC	01/01 12/31	0.040 CFS 0.60 AFY

PLACE OF USE: IRRIGATION Within BANNOCK County

T07S R35E S23 NWSE 2.0

DOMESTIC Within BANNOCK County

T07S R35E S23 NWSE

2 ACRES TOTAL

USE OF THIS RIGHT FOR WITH RIGHT NO. 29-13393 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 2 ACRES 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.

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

EXPLANATORY MATERIAL: License

IDAHO DEPARTMENT OF WATER RESOURCES 11/07/2001
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

NAME AND ADDRESS: JOHN M DUDUNAKE
5406 W OLD HWY 91
POCATELLO ID 83204

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.06 CFS
8.6 AFY

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

PRIORITY DATE: 04/16/1959

POINT OF DIVERSION:

T07S R35E S23 NWNWSE 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	0.060 CFS 8.00 AFY
DOMESTIC	01/01 12/31	0.040 CFS 0.60 AFY

PLACE OF USE: IRRIGATION Within BANNOCK County
T07S R35E S23 NWSE 2.0
DOMESTIC Within BANNOCK County
T07S R35E S23 NWSE

2 ACRES TOTAL

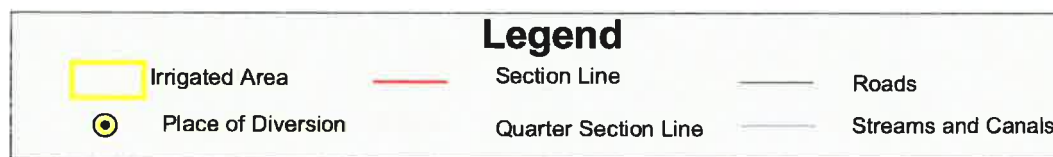
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: License

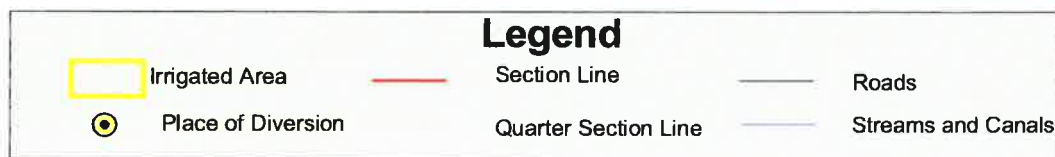
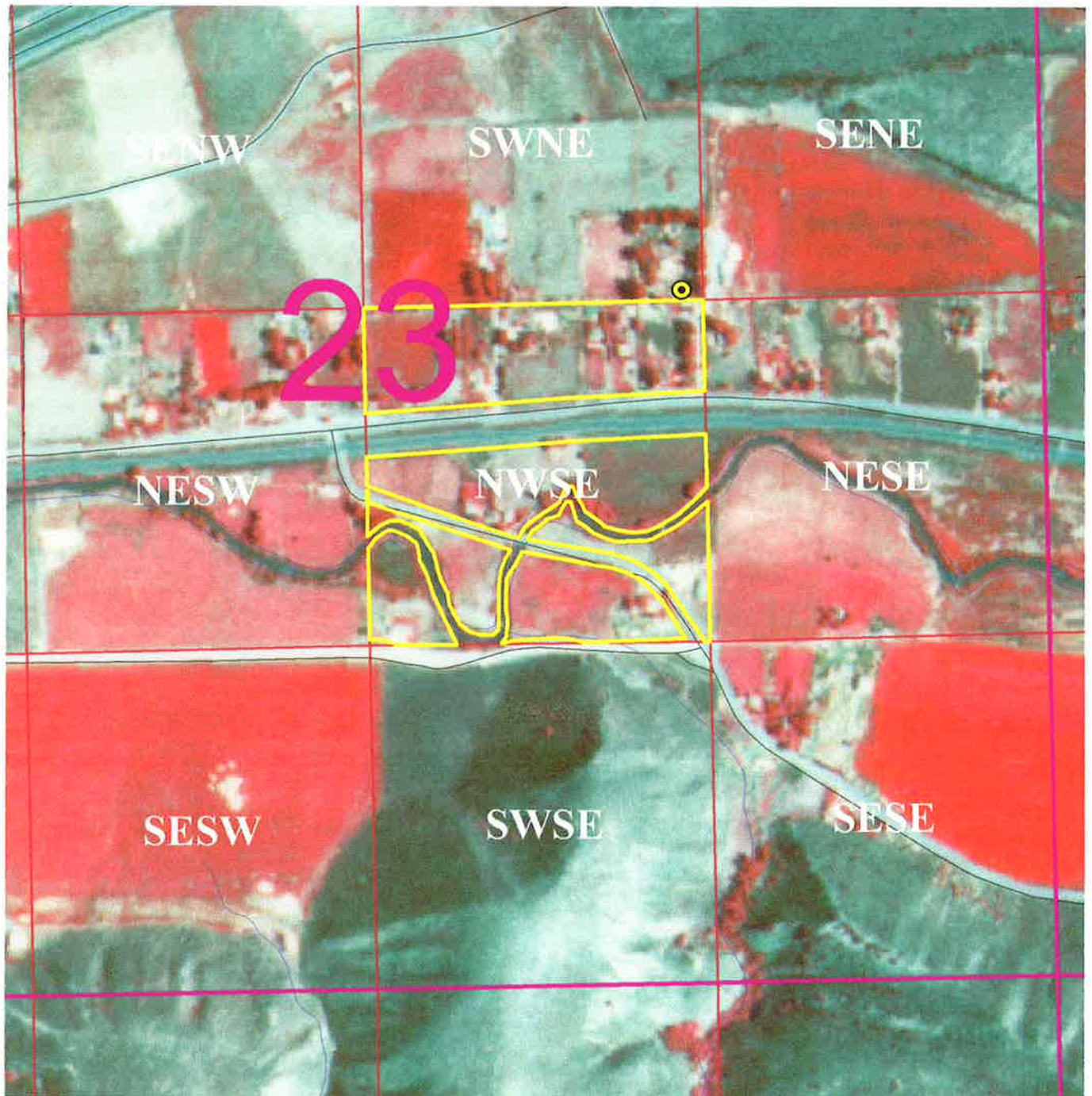
Water Right Claim Number A29-02409A
Township , 7S35E

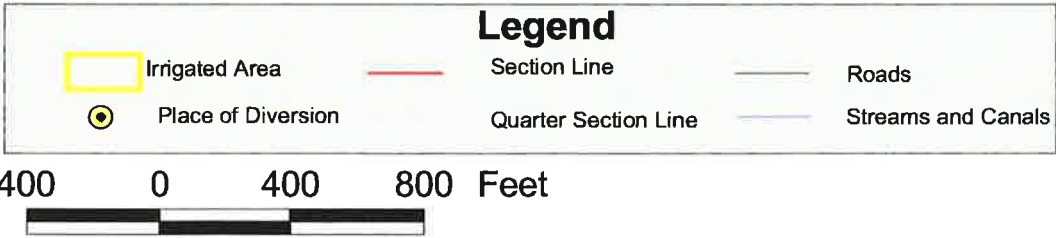
08/30/2000



Water Right Claim Number A29-02409A
Township , 7S35E

08/30/2000





IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2409A V1

WATER RIGHT NUMBER: 29-2409A V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHN M DUDUNAKE 5406 W OLD HWY 91 POCATELLO, ID 83204 (208)775-3601

Priority Date: 04/16/1959

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.060 CFS	8.00 AF
DOMESTIC	01/01 to 12/31	0.040 CFS	0.60 AF
	<u>Total Diversion:</u>	0.060 CFS	8.60 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4NW1/4SE1/4	Sec. 23, Twp 07S, Rge 35E, B.M.
BANNOCK County		

Place of UseIRRIGATION Within BANNOCK County

T07S R35E S23 NWSE 2.0

Total Acres: 2

DOMESTIC Within BANNOCK County

T07S R35E S23 NWSE

Total Acres: 0

Conditions of Approval:

1. C18 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.
2. N10 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. N12 THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-2409A V1

Comments:

1. PSKAGGS 10/29/2001 8:20:53 AM Transferred Right
Comment: This is now a approved transfer, transfer number = 69278

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre: 0.03
Generic Max Volume Per Acre: 4
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary	11/7/2001 8:40:08 AM	csaxton	11/7/2001 8:40:08 AM	csaxton	Active

Verification Log:

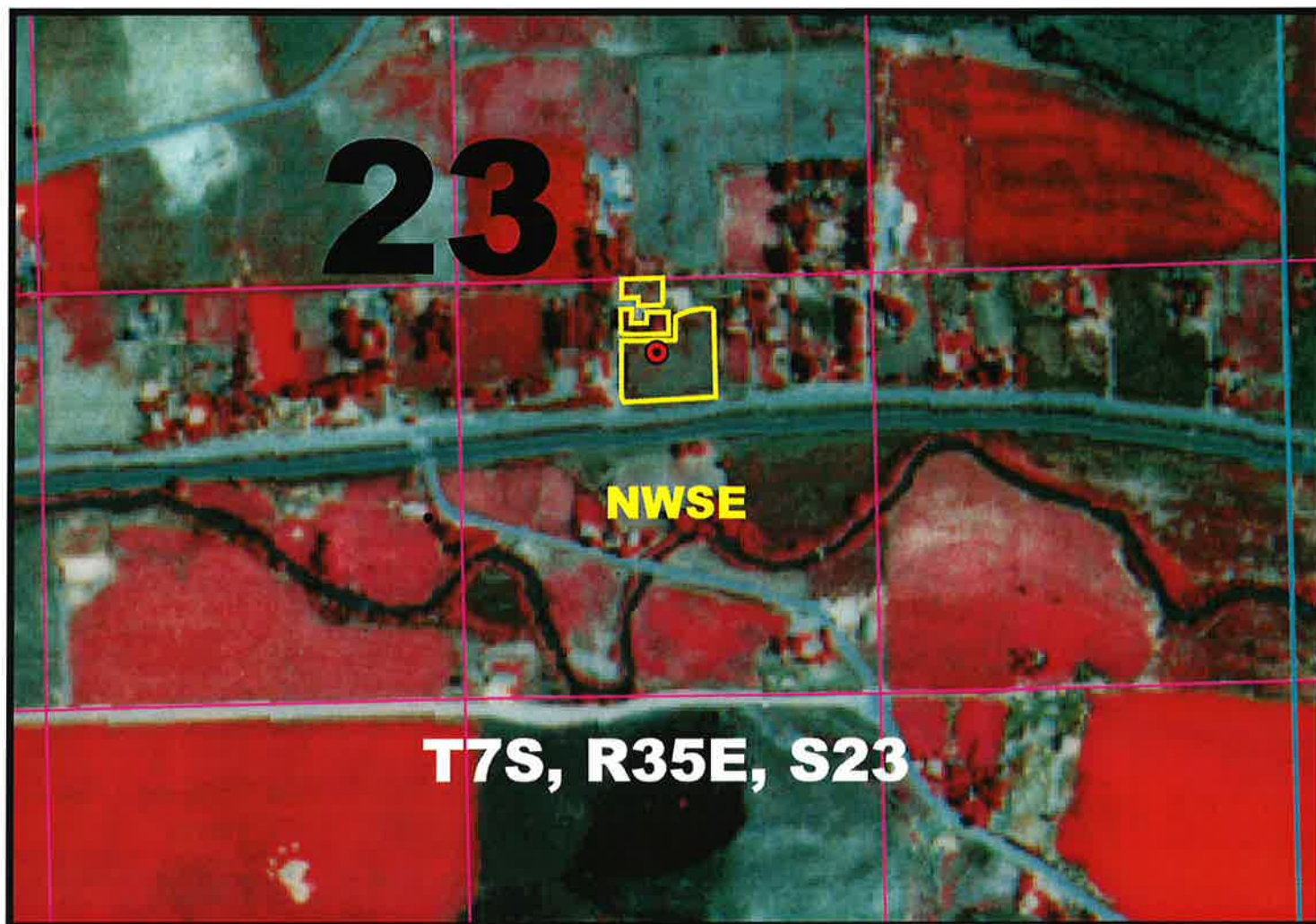
<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Summary	11/7/2001 8:40:09 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (Yes) 7. Is this a split or combined right? (No) 8. Do you have documents you would like to attach or link to the file? (Yes) 9. Would you like to set the verification date?
POU	11/7/2001 8:26:42 AM	csaxton	Edited shape boundary
POD	11/7/2001 8:22:14 AM	csaxton	Edited point location
POU	11/7/2001 8:27:07 AM	csaxton	Edited shape boundary



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s): 29-02409A



0 1320 Feet

Total Irrigated Acres: 2.0

PROFILED



Point(s) of Diversion



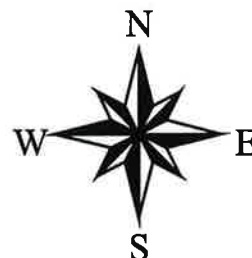
Place of Use



Quarter Quarter Lines



Section Lines



SCANNED

FEB 04 2006

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: November 2001

02/08/2003

Craig

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: 29-2409A

JOHN M DUDUNAKE
5406 W OLD HWY 91
POCATELLO ID 83204
Telephone Number: (208)775-3601

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: 2-21-03

SIGNATURE:

Please print your name:

John M. Dudunake

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

SCANNED

FEB 04 2006

PROFILED

RECEIVED

FEB 21 2003

Department of Water Resources
Eastern Region

RECEIVED
JUN 12 2003
Department of Water Resources
Eastern Region



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 10, 2003

RECEIVED
JUN 12 2003
Department of Water Resources
Eastern Region

JOHN M DUDUNAKE
5406 W OLD HWY
POCATELLO ID 83207

RE: Notice of Error (NOE) for Snake River Basin Adjudication (SRBA) preliminary recommendation 29-02409A

Dear Mr. Dudunake,

This office received the NOE request you submitted on February 28, 2003. You had a question concerning your house well.

29-02409A was recommended as defined in approved Transfer 69278. Water Right 29-02409A is for domestic use around your home and for 2 acres of irrigation. I hope this answers your questions.

You will be notified by the SRBA court at the time the directors report is issued.

Respectfully submitted,

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

SCANNED

FEB 04 2006

PROFILED

Memorandum

Date: July 13, 2001

From: Craig Saxton

Subject: Dudunake Transfer 29-02409A&B

29-02409 has been split into an A and B portion.

29-02409:	0.26 cfs	18.3 ac	0.014 cfs/acre
-----------	----------	---------	----------------

Preliminary Recommendation 29-02409A:	0.06 cfs	2.0 ac	0.03 cfs/acre
---------------------------------------	----------	--------	---------------

Preliminary Recommendation 29-02409B:	0.15 cfs	7.6 ac	0.02 cfs/acre
---------------------------------------	----------	--------	---------------

Total	0.21 cfs	9.6 ac	
-------	----------	--------	--

Conclusion: CFS and ACREAGE less than originally licensed.

SCANNED

FEB 04 2006

PROFILED

June 21, 2001

JOHN M DUDUNAKE
5406 W OLD HWY 91
POCATELLO ID 83204

RE: Application for Transfer of a Water Right – 29-02409A

Dear Mr. Dudunake,

As we spoke about during our conversation on June 12, 2001, I have prepared a transfer application to move the point of diversion under your portion of 29-02409 from the original irrigation well, to the well you currently use to irrigate the property surrounding your home.

I have taken the liberty of filling out part of the application. I have highlighted the areas you need to complete. Please look over the application and initial any changes you wish to make to the areas I completed. Then sign the application in front of a notary and return it to this office with the filing fee of \$100.00.

In addition, could you please sketch in the location of your well that you are currently using to irrigate the land around your home.

I apologize for the inconvenience but am encouraged that we are working out the necessary details that will allow a favorable recommendation to the SRBA court thus securing your water rights for the future.

As always, please feel free to contact me with any questions.

Respectfully submitted,

Craig L. Saxton
Water Resource Agent
Adjudication Bureau

PROFILED

SCANNED
FEB 04 2006

RECEIVED

NOV 05 2001

Department of Water Resources
Eastern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69278

This is to certify that: JOHN M DUDUNAKE
5406 W OLD HWY 91
POCATELLO ID 83204
(208)775-3601

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
29-2409A	AJC/License	04/16/1959	0.13 cfs		2.0	2.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

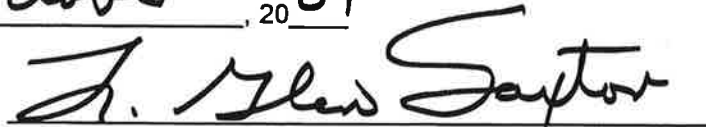
Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
29-2409A	NO	YES	NO	NO	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
29-2409A	29-2409A	0.06 cfs	8.6 af	N/A	2.0		N/A	N/A	N/A	N/A
TOTALS		0.06 cfs	8.6 af	N/A	2.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 29th day of October, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 29-2409A
As Modified by Transfer No. 69278

In accordance with the approval of Transfer No. 69278, Water Right No. 29-2409A is now described as follows.

Right Holder: JOHN M DUDUNAKE
 5406 W OLD HWY 91
 POCATELLO ID 83204

Priority Date: 04/16/1959

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	01/01	to 12/31	0.04 CFS	0.6 AF
IRRIGATION	04/01	to 10/31	0.06 CFS	8.0 AF
			0.06 CFS	8.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSE Sec. 23 Twp 07S Rge 35E BANNOCK County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
07S 35E 23	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
														X			

Total Acres:

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
07S 35E 23	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
														2.0			2.0

Total Acres: 2

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

WATER RIGHT NO. 29-2409A
As Modified by Transfer No. 69278

CONDITIONS OF APPROVAL

4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
6. Place of use is located within Black Rock Subdivision.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 29th day of October, 2001


Chief, Water Allocation Bureau

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant John M. Dudunak Phone 208-775-3601
Post Office address 5406 W. Old Hwy 91 Polatello, Ida 83204

A. PURPOSE OF TRANSFER

RECEIVED

JUL 02 2001

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

Department of Water Resources
Eastern Region

2. Describe the reason for the proposed changes Right split through c/o in 1992.
After split, ROD changed to Domestic well on Property
retained By John Dudunak

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>29-03409</u>	<u>7/16/1956</u>	<u>0.06 cfs</u>	<u>Irrigation</u>	<u>4/1</u> to <u>10/31</u>
<u>29-13207</u>				to
				to
				to
				to

2. Total amount of water being transferred 0.06 cubic feet per second and/or _____ acre-feet per annum

3. Source of water Groundwater tributary to none

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
			<u>NW SE</u>	<u>23</u>	<u>75</u>	<u>35E</u>	<u>Bannock</u>	

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>75</u>	<u>35E</u>	<u>23</u>														<u>2</u>			<u>2</u>

Total Acres 2

General Information:

- a. Description of diversion system 6" Well Main Line and Sprinklers
Well is also to be used for Domestic
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
Yes No No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
N/A

d. Remarks:

Planted 2000 Trees on 2 acres

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20 _____

For the Director

page 3 of 6

T 69278

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

07/11/2001

WATER RIGHT NO. 29-2409

SPLIT RIGHT

Owner Type
Current Owner

Name and Address
JOHN M DUDENAKE
POCATELLO, ID

Priority Date: 04/16/1959
Basis: License
Status: Active

Source
GROUND WATER

Tributary to

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	/	/	0.26 CFS		
DOMESTIC	/	/			
Total Diversion			0.26 CFS		

Location of Point(s) of Diversion:

GROUND WATER SWNE Sec. 23 Township 07S Range 35E BANNOCK County

IRRIGATION Use:
Acre Limit: 18

Place(s) of use:

Place of Use Legal Description: IRRIGATION BANNOCK County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07S	35E	23		SWNE	16									
				NWSE	2									

Place of Use Legal Description: DOMESTIC same as IRRIGATION

Total Acres: 18

Remarks:

1. General AC. IRR.=18.3.

Dates:

Licensed Date: 08/21/1979
Decreed Date:
Permit Proof Due Date:
Permit Proof Made Date:
Permit Approved Date:
Permit Moratorium Expiration Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Application Received Date:

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.06 cfs for Irrigation purposes from 4-01 to 10-31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
				<u>SW NE 23</u>	<u>7S</u>	<u>3SE</u>	<u>Dannock</u>	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>7S</u>	<u>3SE</u>	<u>23</u>														<u>2</u>			<u>2</u>

Total Acres 2

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 0.20 cfs for Irrigation purposes from 4-01 to 10-31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
				<u>SW NE 23</u>	<u>7S</u>	<u>3SE</u>	<u>Dannock</u>	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>7S</u>	<u>3SE</u>	<u>23</u>			<u>16</u>														<u>16</u>

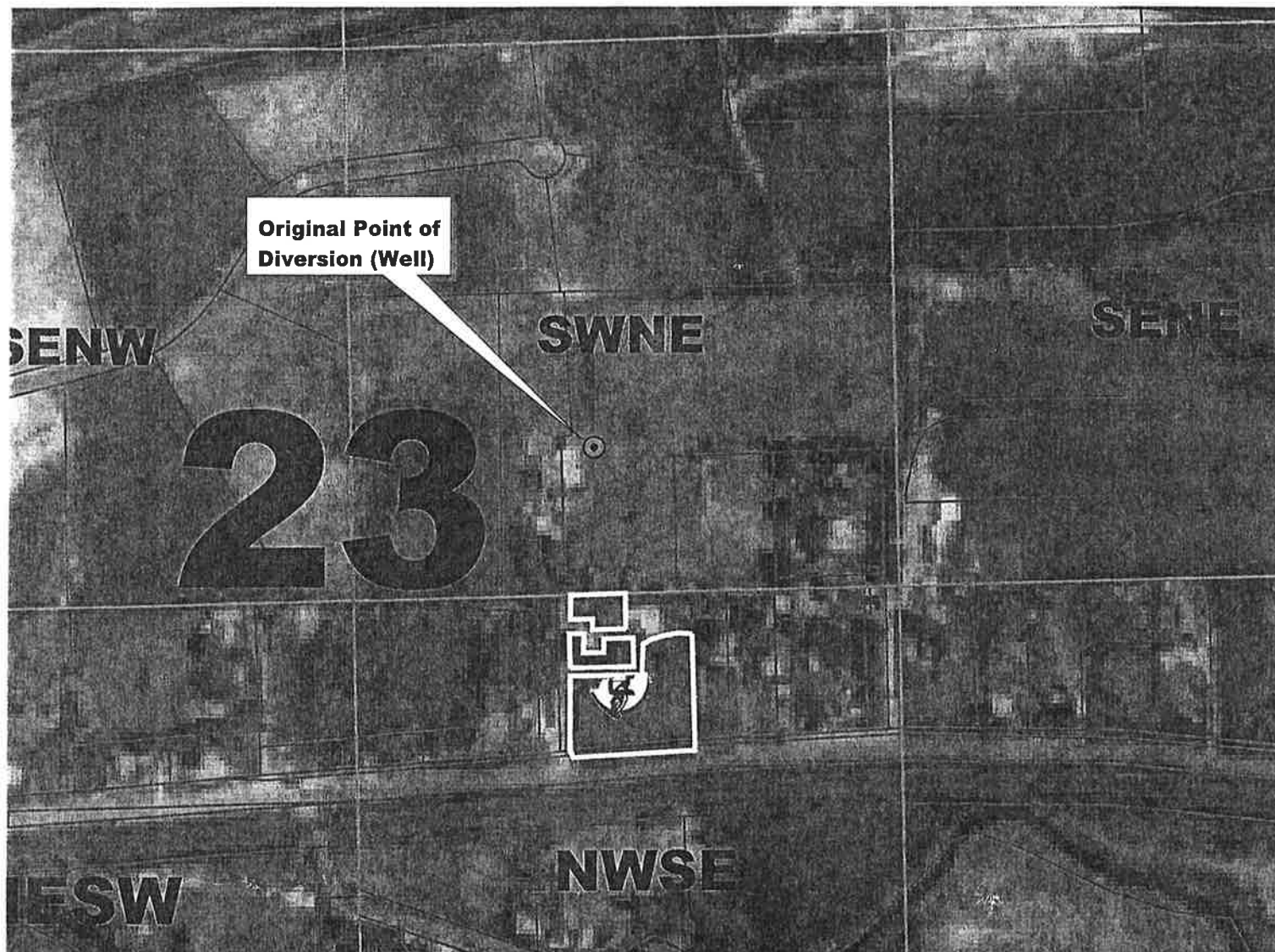
Total Acres 16

page 5 of 6

T69278

John Dudunake - Transfer Application

Please indicate below the location of
your well that you use to irrigate your pasture
and return this map with your Transfer App.



Point of Diversion

Irrigated Acreage: 2.0

Place of Use



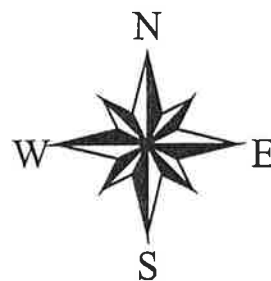
Taxlot Boundaries



Section Lines



Quarter Quarter Lines



Prepared By: Craig Saxton
June 2001

PART 3

B. CHANGES IN NATURE OF USE

1.

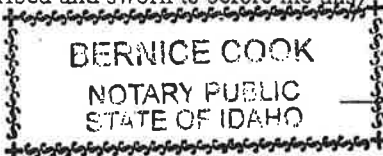
<u>New Nature of Use</u>	<u>Amount(cfs/af-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
<u>N/A</u>			to _____
			to _____
2. Quantity and quality of return flows and location of discharge:
N/A
3. Describe effects on other water uses resulting from the proposed change:
N/A

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

John S. J. [Signature]
(Signature of Applicant)

Subscribed and sworn to before me this 29 day of June, 2001.



Bernice Cook
(Notary Public)

My commission expires 8-14-04

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 1 attachments

Received by _____ Date _____ Protest filed by _____

Prelim. Check by _____ Fee \$100.00

Receipted by HWT #E026883 Date _____

Published in Idaho State Journal Copies of protest forwarded by _____

Pub. Dates July 26 & Aug 2, 2001 Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____

State of Idaho License and Certificate of Water Right

Water License No. G-27901

Amount 26 c.f.s.

Water District No.

Priority April 16, 1959

THIS IS TO CERTIFY that JOHN M. DUDENAKE of Pocatello, Idaho made application for a permit to appropriate the public waters of the State of Idaho dated April 18, 1959 that Permit No. G-27901 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 26 second feet, was issued thereunder on September 6, 1961 showing that said works were completed on the 10th day of September, 1959; and that on the 10th day of September, 1959 JOHN M. DUDENAKE

of Pocatello, 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, a tributary of subterranean flow for the purpose of irrigation and domestic use under U.S. Permit No. G-27901 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 11 of Licenses at page 7153 on the 6 day of September, 1961.

The right hereby confirmed dates from April 16, 1959.

The Point of Diversion is located

in the SW 1/4 NE 1/4 Sec. 23 T. 7 S. R. 35 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 26 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
7 S	35 E	23	SW 1/4 NE 1/4 NW 1/4 SE 1/4	18 2.5	15.8 2.5
Total number of acres to be irrigated:				18.3	

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 6th day of September, 1961.

/s/ RALPH W. THOMAS
State Reclamation Engineer.

(SEAL)

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

Permit No. 0-27901

This proof is for completion of works and benefits in Water District No. _____

1. Name of applicant: John M. Dudenak2. Source of water supply: Subterranean from drilling well and power pump3. Location of point of diversion: Is in the S4E4 of Section 23T. 7 S. R. 35 E. B.M. County of Bannock4. Describe works as they exist, giving dimensions and capacities of same: Reida Sarmagala2 1/2 HP 1/2" Pump Westinghouse life line starter Type N Switch Panel 18"West on pole (flo. base) Well 5' x 8' deep - 8' x 8' cap 5 h. - 66' - 4' x 450'buried steel main 16 in. - 1400' of 3' x 48' alum lateral - 3.5 - 1/4" 1836'5. Water is used for: Irrigation and domestic use6. State whether or not water has been turned into works of diversion: yes.

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):

SW 1/4, NW 1/4, Sec. 23, T. 7 S. R. 35 E. B.M. - 20 1/2 acres

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

8. What large stream would the water here appropriated finally reach?

Remarks: M. Dudenak alongMeasured by taking pressure reading at various places along systemThis examination was made on the 22 day of July 1962(Signed) Loyne Johnson Examiner

John K. DeMenaco

Scale: 2 inches equals 1 mile. Draw Map in Ink

22244

JUN 15 2001

Log for claim A29-02409A

Spatial Dynamics BTB

8/30/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s35e	23	NWSE	2	30	Indiscernible
07s35e	36	SWNE	0	0	POD placement?
Totals:			2	30	

6/27/01 | 29-11280 PD'd Domestic Right

on 6/12/01 John said He irrigated the acreage Around his House
from his Domestic Well. He irrigates trees.
Transfer Needed for POD.

AJ5809NP
No. A29-02409A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 151

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOHN M DUDUNAKE 5406 W OLD HWY 91 POCATELLO ID 83204 (208) 775-3601	04/16/1959	IRRIGATION DOMESTIC	03-15 11-15 01-01 12-31	0.130 CFS 0.040 CFS	
TOTAL DIVERSION:					0.130 CFS	
CONSUMPTIVE USE:						26.20 AFA
Water Source: GROUNDWATER		Tributary to:		Stage: LICENSE		

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 29-2409A
Date Received: 4/12/1990
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JOHN M DUDUNAKE Phone: (208)775-3601

5406 W OLD HWY 91
POCATELLO ID USA 83204

2. Date of Priority: 04/16/1959

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07S	35E	23	NW SE	BANNOCK	

5. Description of diverting works:

Well, mainline to sprinklers & house.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.06	8
DOMESTIC	01/01	12/31	0.04	0.6

7. Total Quantity Appropriated is:
0.06 C.F.S. and/or 8.6 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:
Number of homes: 1

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	35E	23	NW	SE	DOMESTIC	
			NW	SE	IRRIGATION	2
					Section Acres	2
					Total Acres	2

11. Place of use in counties: BANNOCK

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

Place of use is located within Black Rock Subdivision.

15. Basis of Claim: License

SCANNED
FEB 04 2006

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: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this

of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

JUN 15 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: A29-02409A
Date Received: 4/12/1990
Receipt No: X777777
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN M. DUDUNAKE
Address: 5406 W OLD HWY 91
POCATELLO ID

208-775-3601

83204

2. Date of Priority: APR 16, 1959

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	35E	23	SW	NE			BANNOCK

5. Description of diverting works:
WELL/PUMP 84' DEEP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.130		
DOMESTIC	01/01	12/31	0.040		

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

A.F.A.

8. Total consumptive use is 26.2 Acre Feet Per Annum.

9. Non-irrigation uses:
D/ ONE HOME S/ STOCKWATER

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	35E	23	NW	SE		IRR	2.0

Section Acres 2.0



10. Place of Use: Continued

Total Acres 2.0

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:
29-00495

14. Remarks:
PAID # E013090

15. Basis of Claim: LICENSE

Water Right Number: 27901

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: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

NOVEMBER 19, 1992

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

MARK OTTESON
5004 REDFISH
CHUBBUCK ID 83202

RE: CHANGE IN OWNERSHIP FOR PORTION OF A29-02409

The request for Change in Ownership concerning the Notice of Claim in the above reference has been processed and the Notice split into two separate portions.

Enclosed is a "copy" of your portion of the water right with a new water right number assigned for your portion of A29-02409.

Since you purchased 8.5 acres of land from John M. Dudunake, the above mentioned water right A29-02409 has been split into A29-02409A and A29-02409B. A29-02409B gives you 0.13 cfs for 8.5 acres and A29-02409A with 0.13 cfs on 2 acres is the remaining portion belonging to Mr. Dudunake.

Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,

for *Jo Thompson*
Dave Carlson
Water Rights Agent, Adjudication

DC:jt

Enclosure: A29-02409B

cc: John M Dudunake/copy of A29-02409A/copy of letter

MICROFILMED
DEC 09 1992