

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 29-2451

WATER RIGHT NUMBER: 29-2451

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SCOTT HUNEYCUTT ✓ 411 S 19TH POCATELLO, ID 83201 (208)233-8344
Current Owner	MARY S HUNEYCUTT ✓ 411 S 19TH POCATELLO, ID 83201 (208)233-8344
Original Owner	ARTHUR L WATSON ✓ ZZ
Original Owner	LYNN D WELLER ✓ 4729 PONDEROSA POCATELLO, ID 83201
Original Owner	LAURETTA WELLER ✓ 4729 PONDEROSA POCATELLO, ID 83201

Priority Date: 07/14/1961 ✓

Basis: License ✓

Status: Active ✓

SourceSPRING *unnamed ck*Tributary

RAPID CREEK ✓

Beneficial UseDOMESTIC *oops*
OK

From To

01/01 to 12/31 ✓

Diversion Rate

0.040 CFS ✓

Annual Volume

2.40 AF ✓

Total Diversion:

0.040 CFS ✓

2.40 AF ✓

Location of Point(s) of DiversionSPRING *unnamed ck*
BANNOCK County~~NE1/4SW1/4~~*SW SE SW*

Sec. 35, Twp 06S, Rge 36E, B.M. ✓

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	36E	35																	

*C18**Parcel #: R 3847011800*Conditions of Approval:*X/01 : 1 home*

SCANNED

FEB 10 2006

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 29-2451

Remarks:

Comments:

Dates and Other Information:

Claim Received Date: 2/28/2002
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

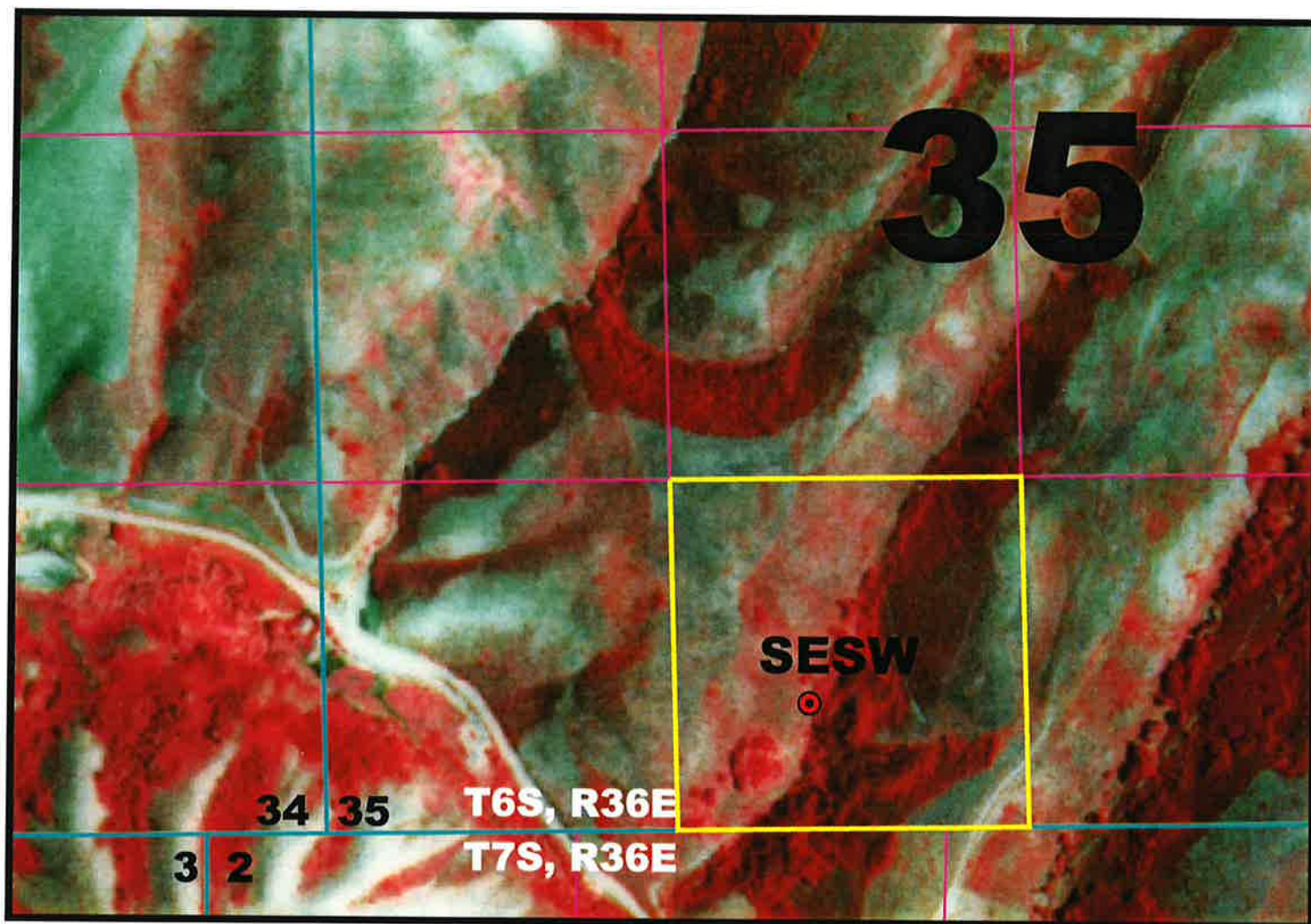
SCANNED
FEB 10 2006



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s): 29-02451



1320 0 1320 Feet

Total Irrigated Acres: N/A
Domestic

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



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: February 2003

2-4-03 : See Notes in ECVR.

PROFILED

SCANNED
FEB 10 2006

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 29978/29-2451 Priority July 14, 1961 Amount 0.04 cfs

THIS IS TO CERTIFY, that Lynn D. Weller & Lauretta Weller
of Pocatello, Idaho, have, ~~xxx~~ complied with the terms and conditions of Permit
No. 29978/29-2451 issued pursuant to Application for Permit dated July 14, 1961
and has submitted proof to the Department of Water Administration on July 15, 1966
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 0.04 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from an unnamed creek
tributary of Rapid Creek is hereby confirmed in the following amounts:
Amount 0.04 cfs for Domestic from Jan. 1 to Dec. 31 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 0.04 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 35, Twp. 6 S, Rge. 36 E, B.M.

in the county of Bannock; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 2.4 acre feet per year ~~xxx~~

~~xxxxxx~~

Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6 S	36 E	35									X								

Total number of acres irrigated _____

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 4 day of
December, 19 73.


Director

29 2451

Receipt # 1337.2

APPLICATION FOR AMENDMENT

NOV 29 1973

Permit No. 29978/29-2451

4724 Ponderosa, Pocatello, Idaho, and represents to the Director of
the Idaho Department of Water Administration:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 29978/29-2451, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NE 1/4 SW 1/4, Sec. 35 Twp. 6 S
Rge. 36 E, B. M., County of Bannock. Other points of diversion:

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 0.04 for Domestic purposes from Jan. 1 to Dec. 31 (both dates inclusive)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre feet per annum) TOTAL: 0.04 cfs

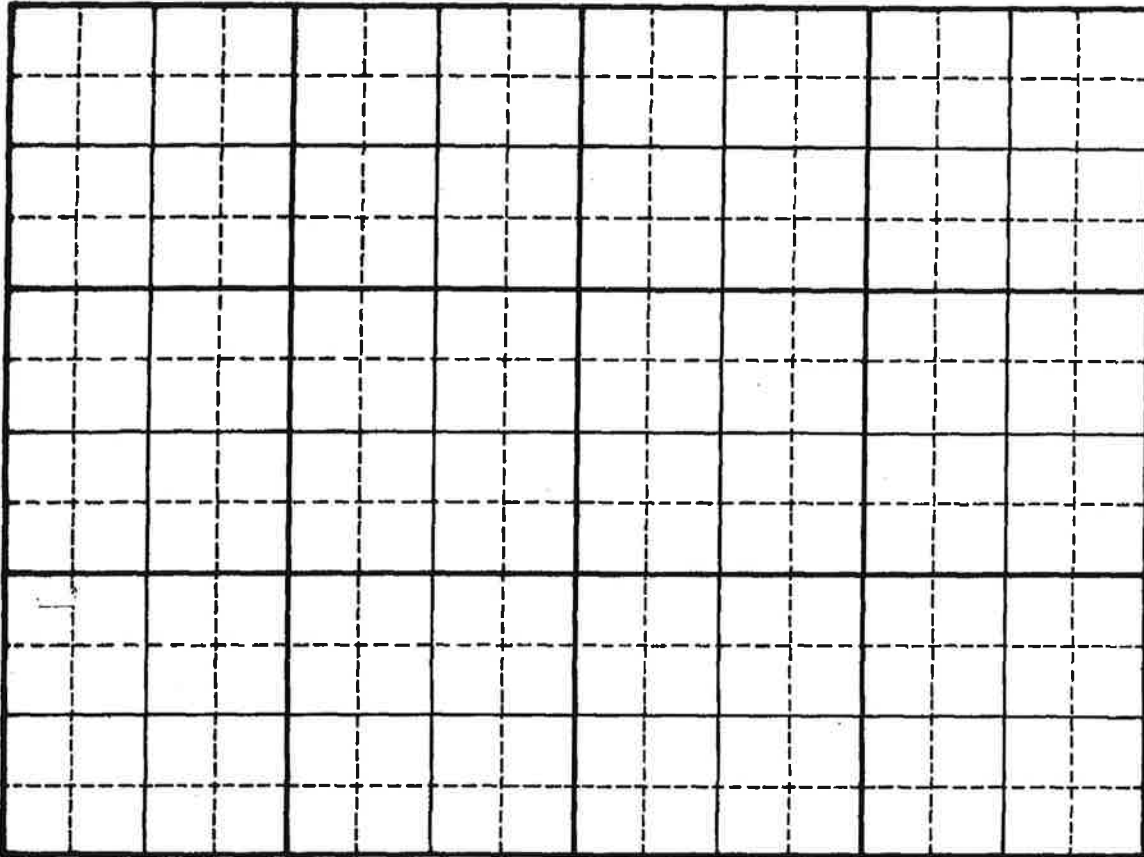
3. Place of use or land to be irrigated:

[illegible]

Total number of acres to be irrigated

29 2451

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holders own risk.

Signed at _____, this _____ day of _____, 19 ____.

(see signature at bottom of first page)
(signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

I, R. KEITH HIGGINSON, Director of the Department of Water Administration,
hereby approve the above application for amendment for Permit No. 29978/29-2451.

Witness my hand this 4 day of December, 19 73.

R. Keith Higgins
Director

Application For Permit To Appropriate the Public Waters of the State of Idaho

29-2451

APPLICATION No. 37967
PERMIT No. 29978
DISTRICT No.

Assigned to Lynn D. Weller
and Lauretta Weller
Pocatello, Ida

1. Name of Applicant: Arthur L. Watson

Postoffice address: P.O. Box 413, Pocatello

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) Bond to be issued:
- (d) Other resources:

2. Quantity of water claimed: 0.04

cubic feet per second.

3. Source of water supply: Unnamed creek

which is a tributary of Rapid Creek

4. Location of point of diversion:

feet distant from the

corner of Section , T. , R. , B.M., and is in the SW $\frac{1}{4}$ SE $\frac{1}{4}$
of section 35 , T. 6 S. , R. 36 E. , B. M., County of Bannock

5. Water is to be used for Garden, berries, and fruit and other trees

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 of , 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: \$ No cost

8. Kind of works: Diversion and 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 1 feet; height 1 feet.

11. Ditch: Width at bottom $\frac{1}{3}$ feet; width at water line Av 7 in. feet; depth of water $\frac{1}{3}$ 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 5 years.

13. The time required for the complete application of the water to the proposed use is 0 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

16. (a) Is reservoir to be used? 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.

s/ Arthur L. Watson Applicant.

By Agent.

Date of first receipt at Department of Reclamation: 8:30 A.M. July 14, 1961

Returned to applicant for correction: July 14, 1961

Corrected application received: 8:00 A.M. July 24, 1961

Approval of State Reclamation Engineer

The number of this permit is 29978
Recorded in Book 105 Page 29978 Approved July 28, 1961
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 Sept. 28, 1961 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 January 28, 1964
The whole of said work to be completed on or before July 28, 1966
Beneficial use of water appropriated in accordance herewith, to be made on or before July 28, 1966

WITNESS My hand this 28th day of July, 1961

s/ GEO. N. CARTER
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS, 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 28th day of July, 1961.

Countersigned:

(SEAL) By s/ ARNOLD WILLIAMS

By s/ ROBERT E. SMYLLIE Governor.

Secretary of State.

REMARKS: I have a small spring which furnishes drinking water for the house; its just a short ways from the house. A spring on my property is the head of the un-named creek.

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	Totals
			NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	
6 So.	36 EBM	35				2	2
ASSIGNMENT ✓							
For value received, I hereby assign all of my right, title and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No. 29978 to Lynn D. Weller and Lauretta Weller, husband and wife of Pocatello, Idaho							
/s/ ARTHUR L. WATSON Permit Holder							
State of Idaho) County of Bannock)							
On this 18th day of May, 1966, before me, a Notary Public for the State of Idaho, residing at Pocatello, Idaho personally appeared Arthur L. Watson, a bachelor, known to me to be the person whose name is subscribed to the within instrument and duly acknowledged to me that he executed the same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.							
/s/ R. D. MERRILL Notary Public, residing at Pocatello, Idaho							
My commission expires: August 2, 1969							

LICENSE ISSUED FOR .04 SEC. 17.
LICENSE PAGE NO.

December 5, 1973

Re: Permit No. 29978/29-2451

C
Lynn D. Weller & Lauretta Weller
4729 Ponderosa
Pocatello, Idaho 83201

Dear Mr. & Mrs. Weller:

O
Enclosed herewith is a copy of the Water License issued on the above referenced permit.

We are also enclosing a copy of the approved amendment along with Receipt #13373 in the amount of \$15.00.

P
Sincerely,

BOBBY D. FLEENOR
Assistant Director

Y
jfr

Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor
R. Keith Higginson
Director

614 State Street
Statehouse -- Annex 2
Boise, Idaho 83720
(208) 384-2190



Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

November 13, 1973

Re: Permit No. 29978/29-2451

Lynn D. Weller & Laurretta Weller
~~2501 E. 1st Avenue~~
Pocatello, Idaho 83201
H. R. 9 Kenderosa
Dear Mr. & Mrs. Weller:

Permit # 29978/29-2451

A representative of this Department has made an examination of the works covered by your Permit No. 29978/29-2451 and has found the following:

Quantity of water diverted: 0.04 cfs (unnamed creek)

Amount of water that can be recognized as beneficially used under Idaho law: 0.04 cfs

The maximum quantity diverted shall not exceed 2.4 acre feet per year.

Beneficial use: Domestic use within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 35, Twp. 6 S, Rge. 36 E

Point of diversion: NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 35, Twp. 6 S, Rge. 36 E, B.M.

Priority date established: July 14, 1961

The point of diversion and place of use found by our examiner differs from that listed under the permit, therefore, it will be necessary to amend the permit before a water license can be issued. We have enclosed a partially completed application for amendment for your use. Please sign and return the application along with a \$10.00 filing fee.

Please be advised that there is also a \$5.00 licensing fee due. Therefore we must receive the completed amendment application and a fee totaling \$15.00 within 30 days of the date of this letter in order to be able to issue your water license as set forth above.

If you do not concur with these findings or have any questions, please contact this office within the 30 day period.

Sincerely,

Bobby D. Fleenor
BOBBY D. FLEENOR
Assistant Director

Enclosure

299 2451

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor
R. Keith Higginson
Director

614 State Street
Statehouse - Annex 2
Boise, Idaho 83720
(208) 384-2190



Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

November 13, 1973

Re: Permit No. 29978/29-2451

Lynn D. Weller & Laurretta Weller
2501 S. 5th Avenue
Pocatello, Idaho 83201

Dear Mr. & Mrs. Weller:

A representative of this Department has made an examination of the works covered by your Permit No. 29978/29-2451 and has found the following:

Quantity of water diverted: 0.04 cfs (unnamed creek)

Amount of water that can be recognized as beneficially used under Idaho law: 0.04 cfs

The maximum quantity diverted shall not exceed 2.4 acre feet per year.

Beneficial use: Domestic use within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 35, Twp. 6 S, Rg. 36 E

Point of diversion: NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 35, Twp. 6 S, Rge. 36 E, B.M.

Priority date established: July 14, 1961

The point of diversion and place of use found by our examiner differs from that listed under the permit, therefore, it will be necessary to amend the permit before a water license can be issued. We have enclosed a partially completed application for amendment for your use. Please sign and return the application along with a \$10.00 filing fee.

Please be advised that there is also a \$5.00 licensing fee due. Therefore we must receive the completed amendment application and a fee totaling \$15.00 within 30 days of the date of this letter in order to be able to issue your water license as set forth above.

If you do not concur with these findings or have any questions, please contact this office within the 30 day period.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

Enclosure

Form 28
2M-4-65

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. 29978 /29-2451

REPORT ON PROOF OF Completion of Works & Beneficial Use

29 2451

Rpt. 3rd E.

Imp. 6 d.

35 10 + P.U.
* 10

P.D.
20

Volume

1 1/2 i.e. i.e.

1/2 stock domestic

Q measured Not measured
Q recommended 0.096 based on system &
Volume 2 A-E/VR current usage
Acreage -
Found 1/2 acre
recommended 1/2
Subdy 1
Amendments
☐ No
☒ Yes
☒ for use
☒ purpose



C
1601

D
2067

D
A964
8.3

E
574
6/23

M.D. P.D.

H
251

A316
8.2

F
809

A326

G
33

A325

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

Permit No. 29978, 29-2451

This proof is for Completion of Works & Beneficial Use in Water District No. _____

1. Name of applicant Lynn D. & Lauretta Weller
2. Source of water supply: Unnamed Creek
3. Location of point of diversion: Is in the SW 1/4 Sec. 35, T. 6 S., R. 36 E., B.M.
T. _____ R. _____ County of Bannock
4. Describe works as they exist, giving dimensions and capacities of same: _____

5. Water is used for: Irrigation
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):
SW 1/4 Sec. 35, T. 6 S., R. 36 E., 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? _____

Remarks: Renter Gary King accompanied on exam
13 head of stock - horses & mules drink
from ditch.
House with one family user water from
spring in same subdivision.
800' pipe - 1 1/2" x 1/4" inch steel & 2" plastic mixed
with estimated 20-30 ft fall. Also occasionally
used thru ditch. No flow measurement made.
I recommend that purpose be changed to
Domestic & Lic issued for 0.04 cfs
This examination was made on the 28th day of June, 1973

(Signed)

Norman C. Young
P. E.
Examiner

29 2451

Mr. Weller lives in Pocatello and
 someone else is renting his place.
 Aug 5-71 - water was looked at unable to
 examine at this time

Mr. Weller & I went to examine
 water & use after he had told me
 water was being used. He had
 only about 0.88 acre under
 cultivation & no water being
 used 5/3/72 BMR (said he was
 going to plow more ground up & irrigate)

1525-1212
 Weller, D.
 1100 7th St
 5/12/72
 2501 S. 5th
 233-0484

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.

29 2451

Lynn D. Weller
 2501 South 5th Avenue
 Pocatello, Idaho

Permit No. 29978 / 29-2451

Examination for Completion of Works & Beneficial Use

County Bannock

Quantity: 0.04 c.f.s. Sec. 35 T. 6 S. R. 36 E., B.M.

Source: Unnamed Creek

P.D.: SW 1/4 Sec. 35, T. 6 S., R. 36 E., B.M.

Use: Irrigation

Extension:

Protest:

Completion of Works:

Other Rights: none

Filed: July 14, 1961

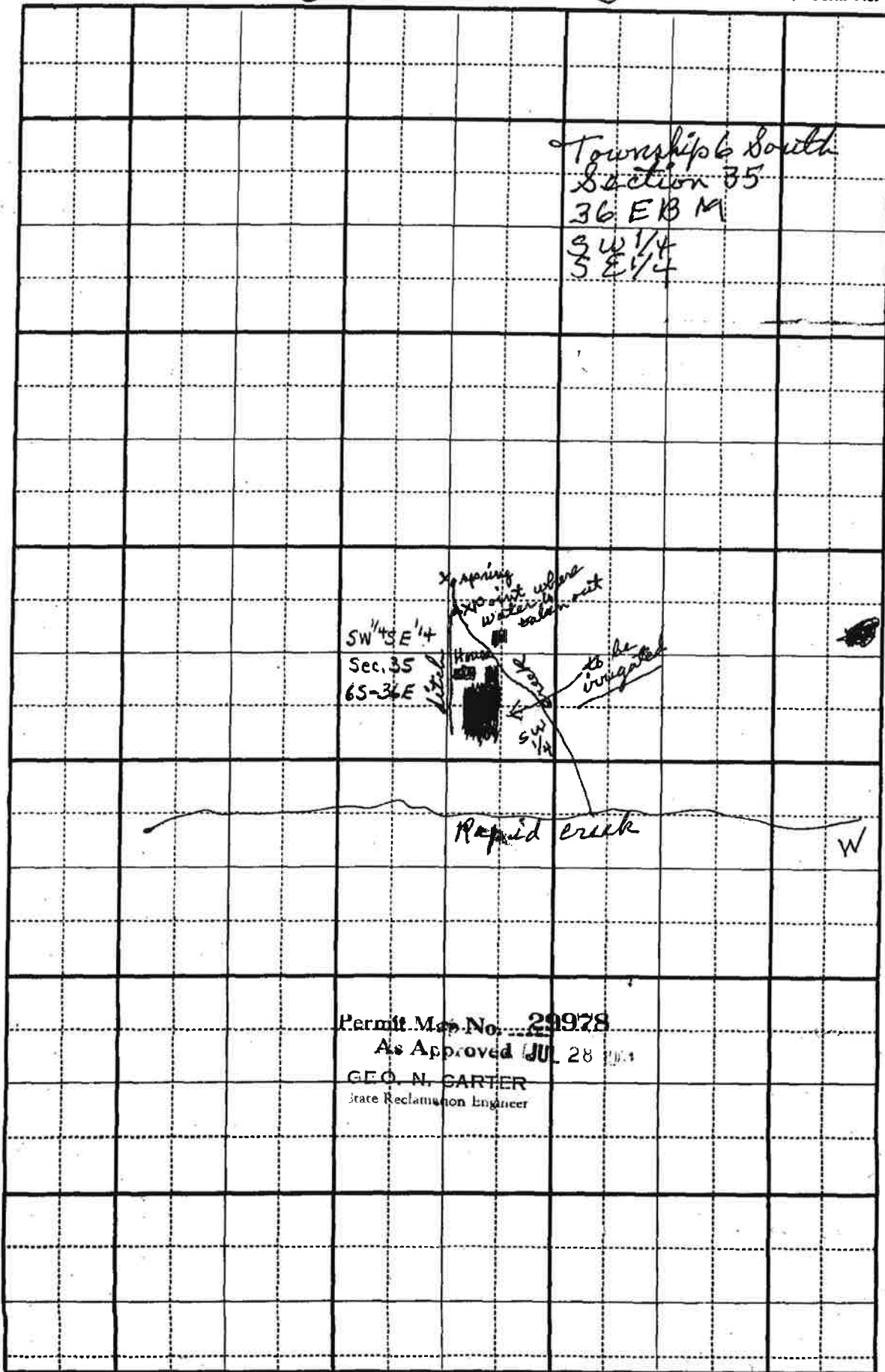
Due: July 28, 1966

Made: July 15, 1966

NAME OF APPLICANT

Arthur L. Watrous

Form No. 0



Permit Map No. 29978

As Approved JUL 28 1914

GEO. N. CARTER
State Reclamation Engineer

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

2 in Equal 1/4 mile

29978

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 29-2451
Date Received: 2/28/2002
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

SCOTT HUNEYCUTT Phone: (208)233-8344

411 S 19TH
POCATELLO ID USA 83201

MARY S HUNEYCUTT Phone: (208)233-8344

411 S 19TH
POCATELLO ID USA 83201

2. Date of Priority: 07/14/1961

3. Source: SPRING Trib. to: RAPID CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06S	36E	35	NE SW	BANNOCK	

5. Description of diverting works:

DIVERSION STRUCTURE AND PIPELINE TO HOUSE AND YARD.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
DOMESTIC	01/01	12/31	0.04	2.4

7. Total Quantity Appropriated is:
0.04 C.F.S. and/or 2.4 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06S	36E	35	SW	NW	DOMESTIC	

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

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 _____

SCANNED

FEB 10 2006