

08/13/2002

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

RIGHT NUMBER: 29-2458A
NAME AND ADDRESS: DEANNA CURRY
PO BOX 21
ARBON ID 83212

BILL CURRY
PO BOX 21
ARBON ID 83212

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 1.37 CFS
620.0 AFY

PRIORITY DATE: 01/19/1962

POINT OF DIVERSION:

T11S R33E S12 NENW Within POWER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	1.370 CFS 620.00 AFY

PLACE OF USE:

<u>IRRIGATION Within POWER County</u>			
T11S R33E S12	NENW	38.0	T11S R33E S12 NWNW 39.0
T11S R33E S12	SWNW	39.0	T11S R33E S12 SENW 39.0

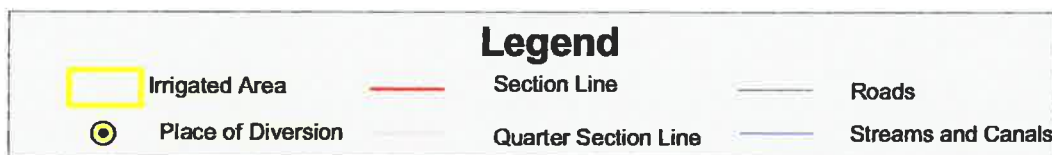
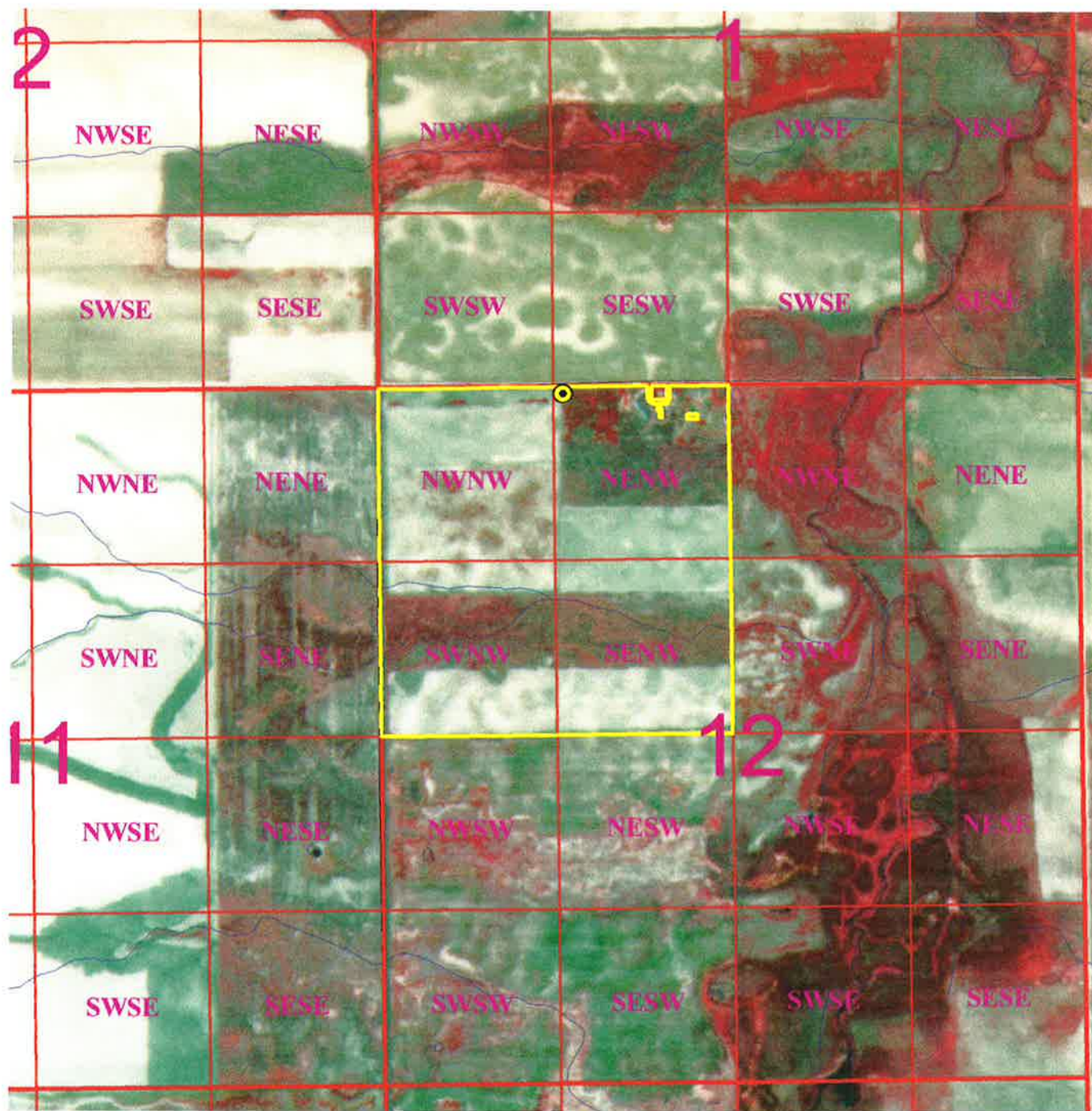
155 ACRES TOTAL

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: License

Township , 11S33E

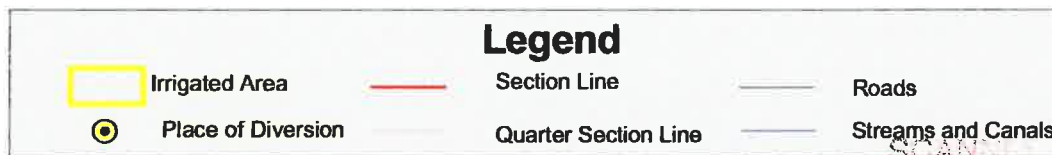
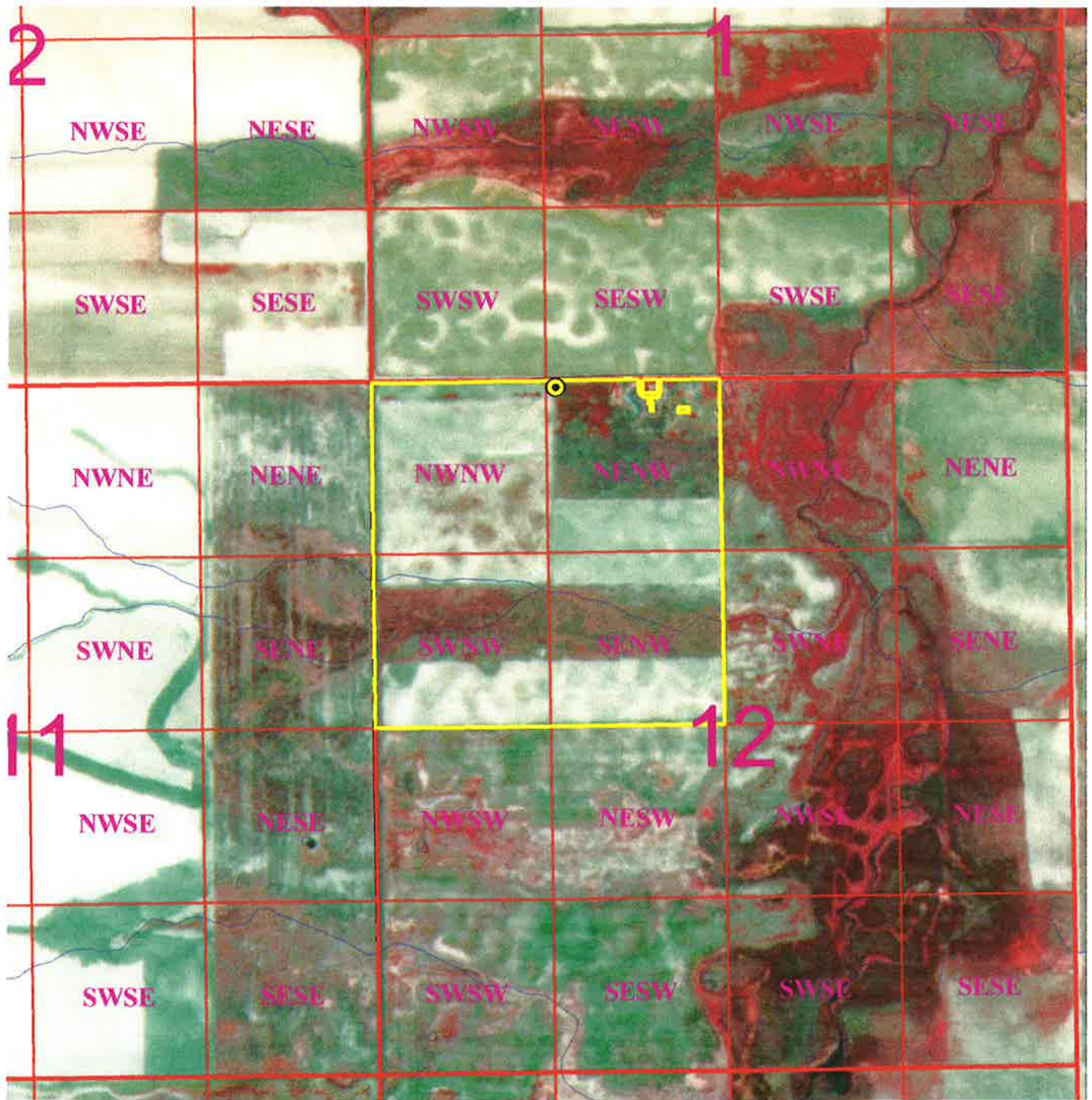


900 0 900 1800 Feet



SCANNED
FEB 10 2006

Township , 11S33E

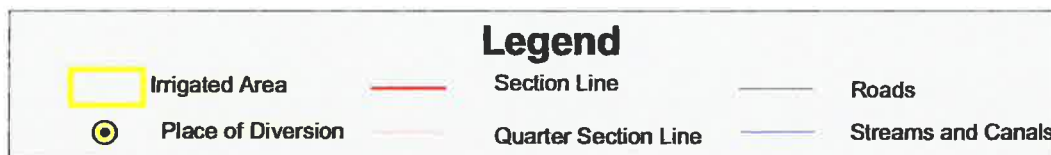
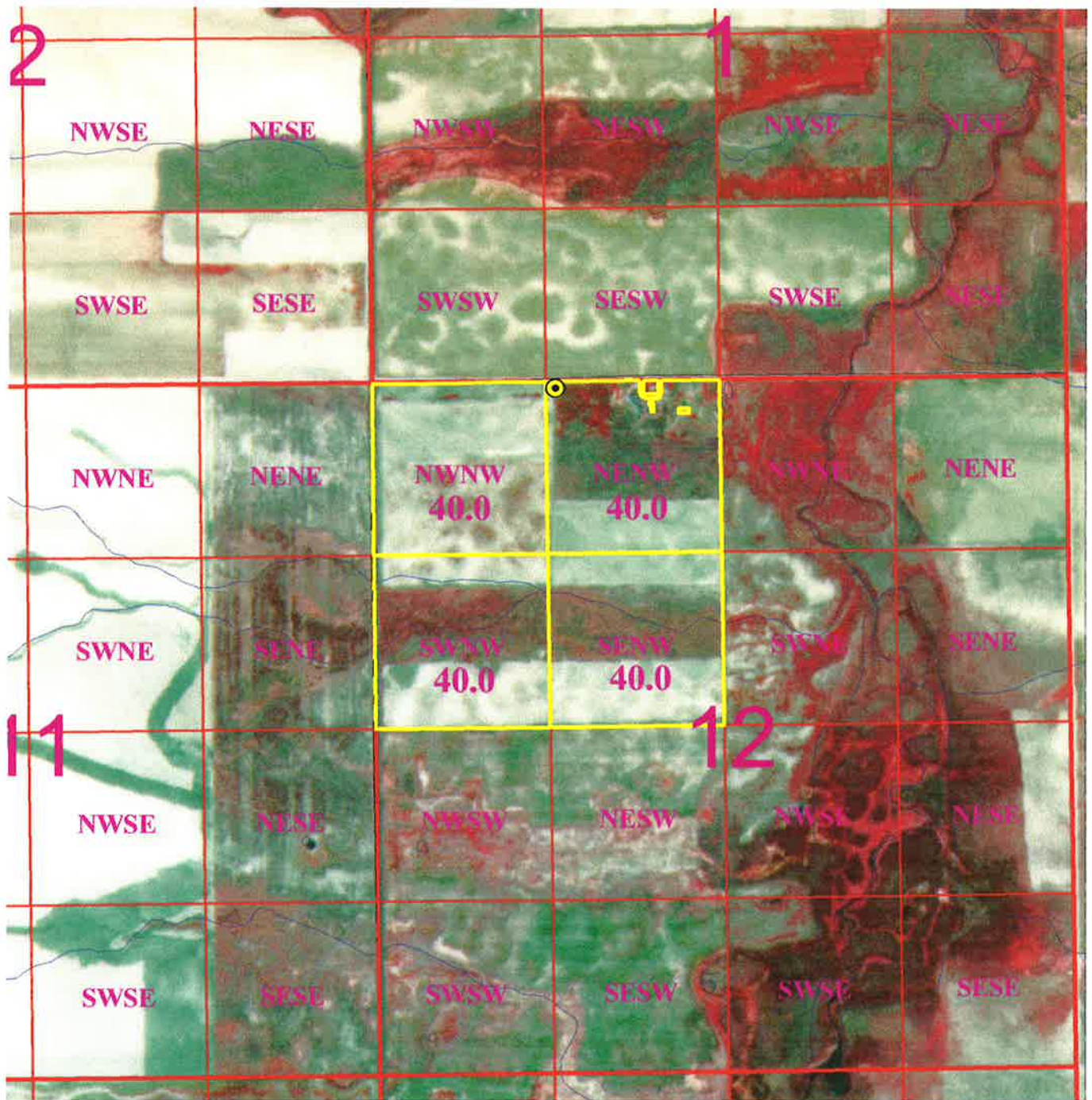


900 0 900 1800 Feet



FEB 10 2006

Township , 11S33E



900 0 900 1800 Feet



SCANNED
FEB 10 2006

AJ5809NP
No. A29-02458A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/23/00
PAGE: 14

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BILL CURRY	01/19/1962	IRRIGATION	03-15 11-15	1.370 CFS	
C	DEANNA CURRY					
	PO BOX 21					
	ARBON ID 83212			TOTAL DIVERSION:	1.370 CFS	
	(208) 335-2123			CONSUMPTIVE USE:		465.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T11S R33E S12

NWNENW

POWER County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
11S	33E	12	:																	:	155.0
																				TOTAL ACRES	155.0

POU County: POWER

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-10452 A29-10452

Other Water Rights Listing Overlapping Place(s) of Use:
A29-02458

Remarks: GEN THIS CLAIM REPRESENTS A PORTION OF LICENSED RIGHT 29-02458.
CLAIMING THE ENTIRE DIVERSION RATE OF 1.37 CFS BUT ONLY 155
ACRES ALL IN SECTION 12 THE NW 1/4.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

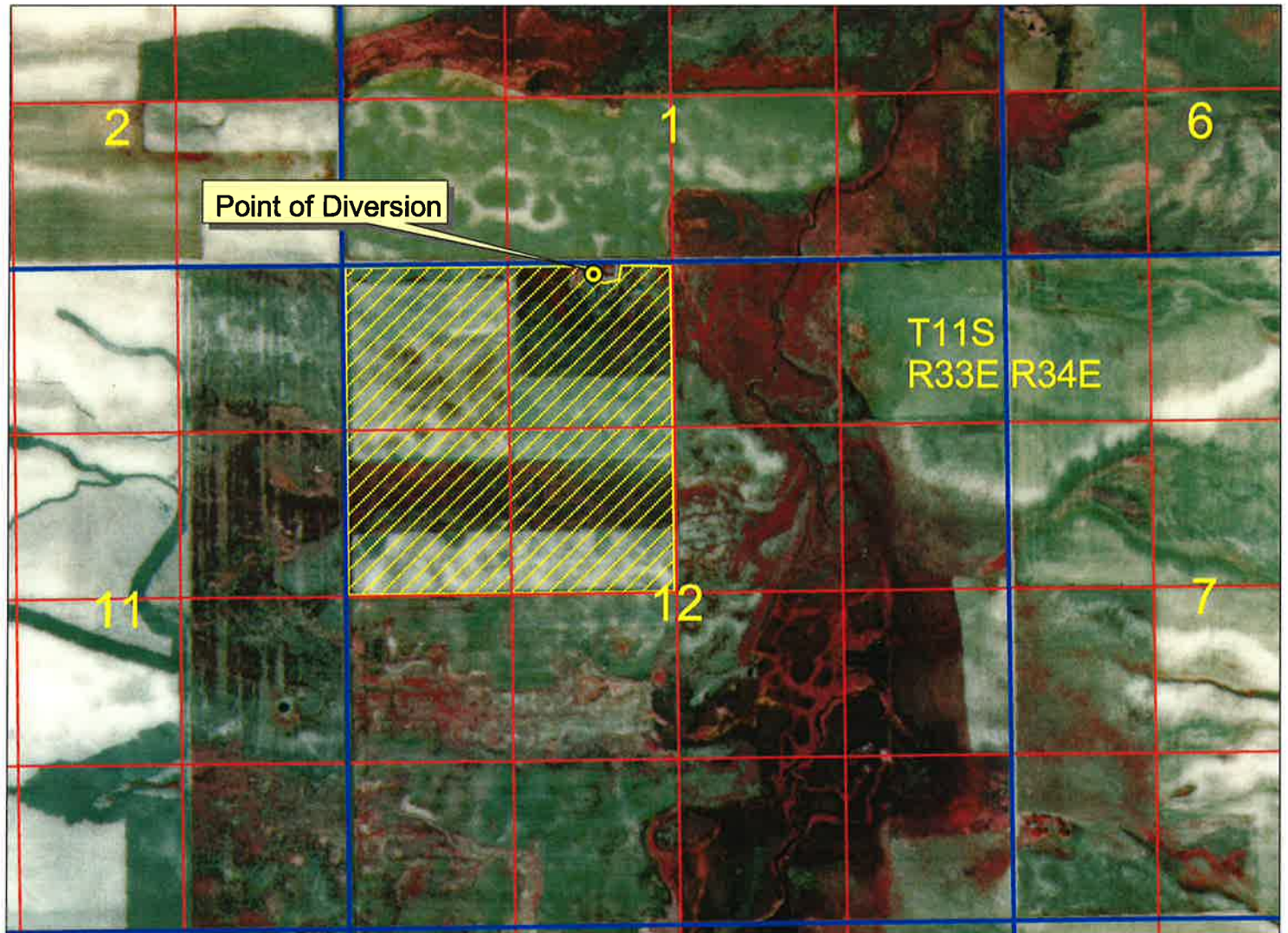
Field Inspection Flag:

Presumption Flag:

Audit: 03/08/90 BAUMHOFF 07/13/94 COX 03/29/95 POST-STD

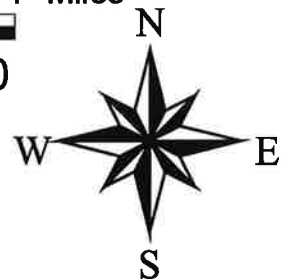


State of Idaho
Department of Water Resources
Eastern Region
Water Rights: 29-02458A



0.5 0 0.5 1 Miles

1:16000

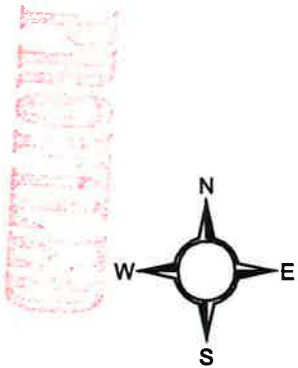


- Point(s) of Diversion
- ▨ Place of Use
- ▭ Section Lines
- ▭ Quarter Quarter Lines

PROTECTED & SCANNED
FEB 10 2006

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: P. Meyer
Date: August 2002

GPS Location of Curry Well 8/28/2001
B. Contor accompanied by Barry Williams
Well 60 ft south of GPS location

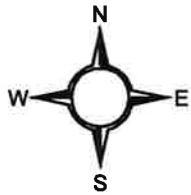


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FEB 10 2006

GPS Location of Curry Well 8/28/2001
B. Contor accompanied by Barry Williams
Well 60 ft south of GPS location



PROVIDED



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FEB 10 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

August 30, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Barry Williams
1277 Mink Creek Road
Arbon, Idaho 83212

Re: Wells

Dear Mr. Williams:

Enclosed are copies of the water right and claim records for the two wells we looked at Saturday.

29-2458 and 29-7291 are pre-adjudication licenses, and claims 29-2458A and 29-7291 have been filed on these. Permit 29-7931A is a post-adjudication permit, so no adjudication claim is required.

As we discussed on the phone the other day, there are two options for you to address your concerns with these wells. The validity of the claims can be challenged in an objection to the adjudication recommendations, once the directors report is issued. This is likely to be in about a year. The objection process is where you would raise your concerns about possible forfeiture. These claims haven't been investigated yet, so I can't tell you what the recommendations might look like. The protest period for the permit is passed, so there isn't really a way to dispute the validity of that right.

The other option is to seek relief from well interference under "conjunctive management." This is still an evolving process, probably the best way to approach it would be in a letter to the regional manager Ron Carlson. Any kind of ground water right would be subject to conjunctive management.

Please give me a call if you have questions.

Sincerely,

Bryce A. Contor
Senior Water Resource Agent

SCANNED

FEB 10 2006

PROFILED

MEMORANDUM

To: 29-2458A, 29-7291, 29-7931A
Fr: Bryce Contor
Date: 9/12/2001
Re: Well Interference

When I did the Adjudication field exams for Mr. Barry Williams, he took me to two wells which he alleges are interfering with the flow of Bannock Creek. He called again today, and I also have received e-mail from Shoshone-Bannock Tribal Water Engineer Else Teton asking about these wells.

The attached letter is my response to Mr. Williams.

Williams alleges this well was forfeited for a number of years then resumed. It was in use when we drove by. See GPS data 8-28-01; The well we saw was on the ^{South} ~~North~~ side of a county road in a farm yard.

BAC 9/12/01

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FEB 10 2006

SCANNED

MAY 10 2001

Log for claim A29-02458A

Spatial Dynamics AMH

7/14/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
11s33e	12	NENW	38	40	
11s33e	12	NWNW	38	40	
11s33e	12	SWNW	39	40	
11s33e	12	SEnw	40	40	
Totals:			155	160	

PROFILED

 SPATIAL
DYNAMICS

FEB 10 2008

SCANNED
MAY 10 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: A29-02458A
Date Received: 3/08/1990
Receipt No: M006193
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BILL CURRY
Address: P.O. BOX 21
ARBON, ID

208-335-2123

83212

AND/OR

Name: DEANNA CURRY
Address: P.O. BOX 21
ARBON, ID

208-335-2123

83212

2. Date of Priority: JAN 19, 1962

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11S	33E	12	NW	NE	NW		POWER

5. Description of diverting works:
WELL & PUMP, GRAVITY IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.370		

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

A.F.A.

8. Total consumptive use is 465.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A29-02458A

Page 1

Date: 03/19/90

PROFILED

SCANNED
FEB 10 2006

MICROFILMED
NOV 13 1992

A2902458A



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	33E	12	NE	NW		IRR	38.0
			NW	NW		IRR	38.0
			SW	NW		IRR	39.0
			SE	NW		IRR	40.0
Section Acres							155.0
Total Acres							155.0

11. Place of use in counties: POWER

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

THIS CLAIM REPRESENTS A PORTION OF LICENSED RIGHT 29-02458.
CLAIMING THE ENTIRE DIVERSION RATE OF 1.37 CFS BUT ONLY 155
ACRES ALL IN SECTION 12 THE NW 1/4.

15. Basis of Claim: LICENSE
Water Right Number: 30370