

IDAHO DEPARTMENT OF WATER RESOURCES 10/29/2001
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

NAME AND ADDRESS: DR RANDALL S FOWLER
7776 W PORTNEUF RD
POCATELLO ID 83204

KERI L FOWLER
7776 W PORTNEUF RD
POCATELLO ID 83204

SOURCE: PORTNEUF RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.09 CFS

PRIORITY DATE: 07/02/1962

POINT OF DIVERSION:

T07S R35E S21 SESENW 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	0.090 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T07S R35E S21	NESW	4.0	T07S R35E S21	NWSW	1.0
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5 ACRES TOTAL

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

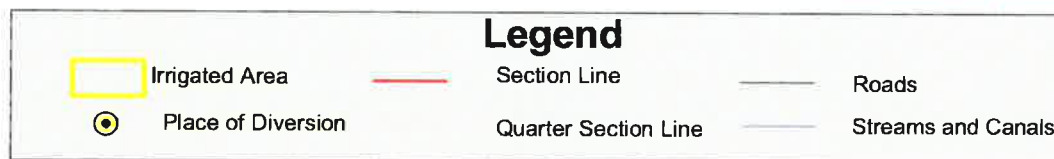
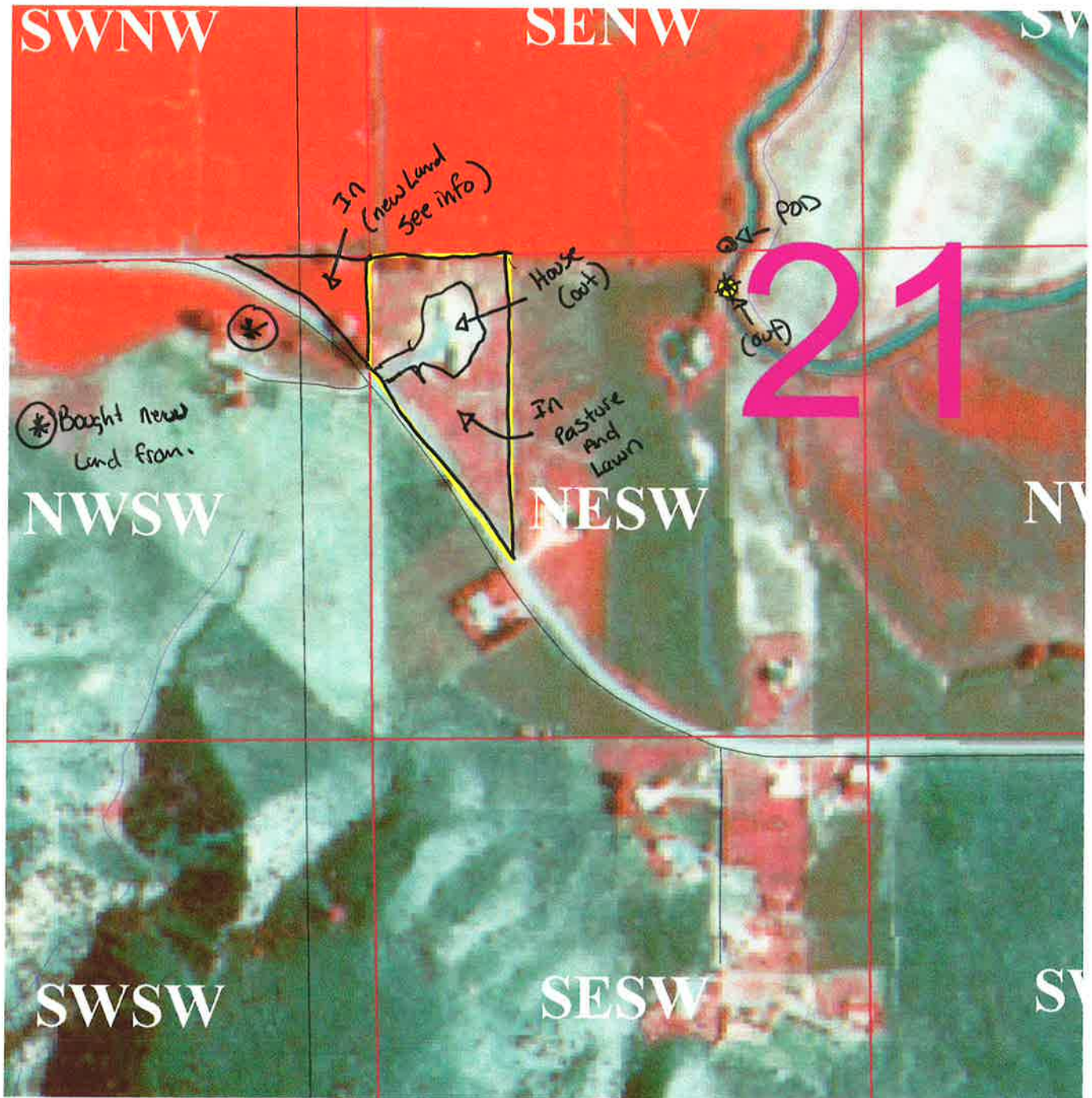
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

Water Right Claim Number A29-02462A
Township , 7S35E

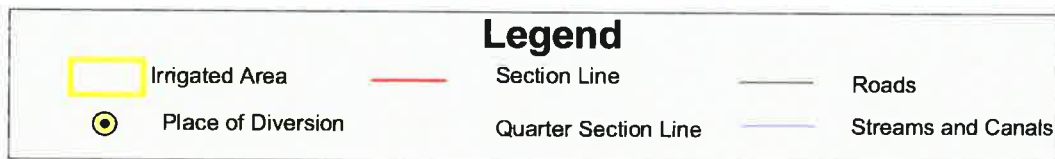
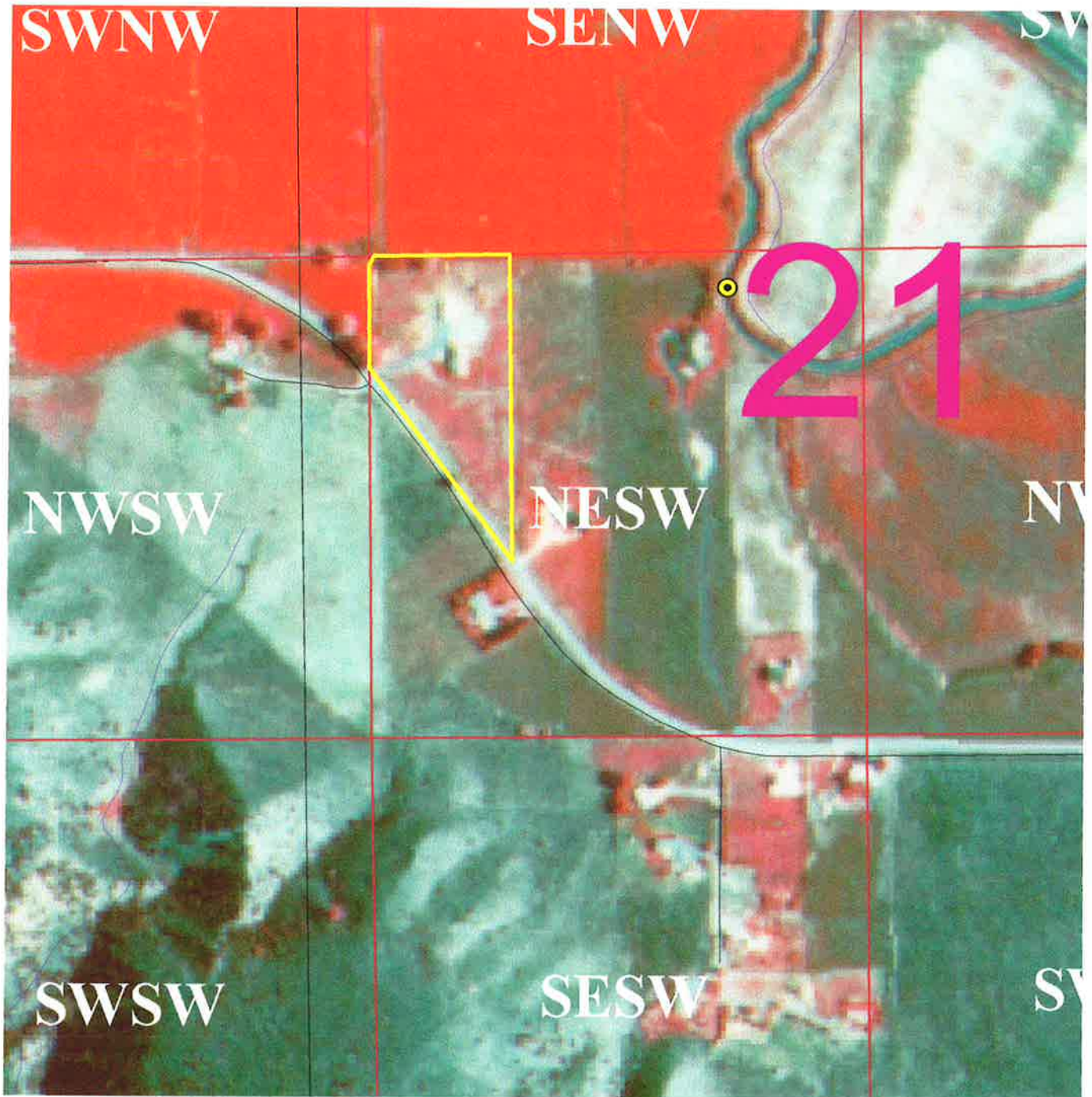
08/31/2000



SCANNED
FEB 15 2006

Water Right Claim Number A29-02462A
Township , 7S35E

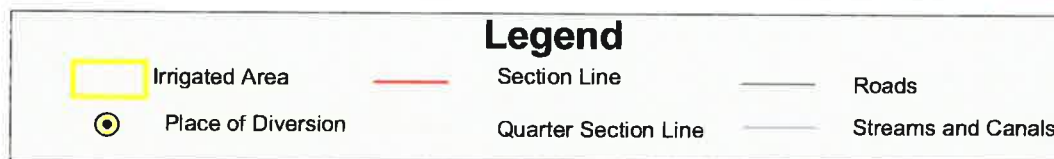
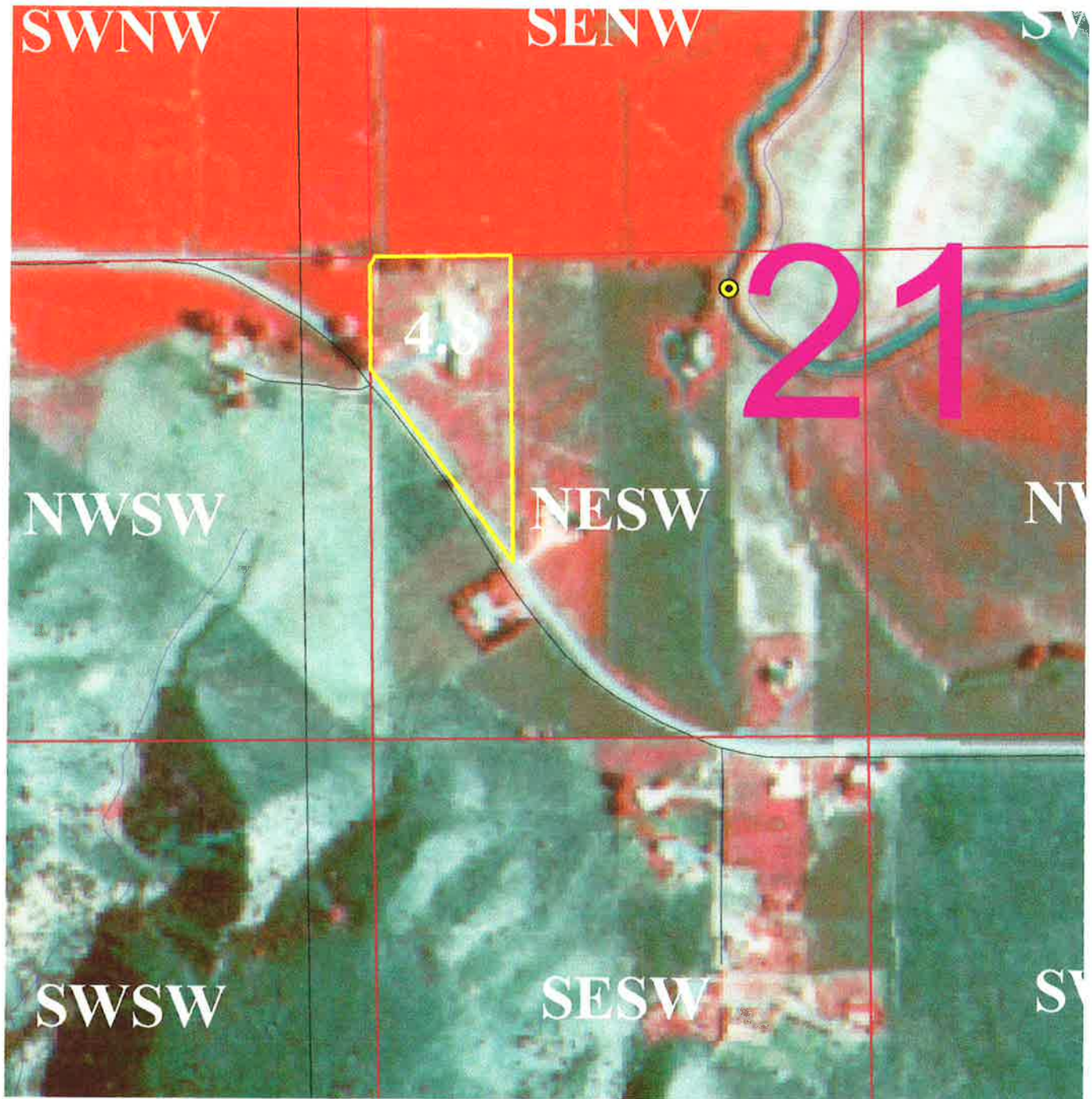
08/31/2000



SCANNED
FEB 15 2006

Water Right Claim Number A29-02462A
Township , 7S35E

08/31/2000



SCANNED
FEB 15 2006

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2462A V1

WATER RIGHT NUMBER: 29-2462A V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	HEATHER E MURRAY 7776 W PORTNEUF RD POCATELLO, ID 83204 (208)234-4242
Original Owner	ALBERT M JOHNSON POCATELLO, ID 83201
Original Owner	JOHN T MURRAY 7776 W PORTNEUF RD POCATELLO, ID 83204 (208)234-4242
Current Owner	DR RANDALL S FOWLER 7776 W PORTNEUF RD POCATELLO, ID 83204 (208)239-1800
Current Owner	KERI L FOWLER 7776 W PORTNEUF RD POCATELLO, ID 83204 (208) 239-1800

Priority Date: 07/02/1962

Basis: License

Status: Active

Source

PORTNEUF RIVER

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Diversion Rate

0.090 CFS

Annual VolumeTotal Diversion: 0.090 CFSLocation of Point(s) of DiversionPORTNEUF RIVER
BANNOCK County

SE1/4SE1/4NW1/4

Sec. 21, Twp 07S, Rge 35E, B.M.

Place of UseIRRIGATION Within BANNOCK County

T07S R35E S21 NESW 4.0 T07S R35E S21 NWSW 1.0

Total Acres: 5

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2462A V1

3. 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.

Remarks:Comments:

1. csaxton 10/9/2001 Split Right
Comment: Right 29-02462 has been split into portions A thru E. Sum of recommended CFS and Acreage does not exceed the original license.
2. csaxton 10/29/2001 Amended Claim
Comment: Amended claim received on Oct 23, 2001. Claimant paid for 5 acres on claim, but added 0.5 acres on amended claim totaling 5.5 acres. My recommendation is for 5.0 acres so addition fees were not requested.

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: 29
 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

Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
Priority Date	10/9/2001 9:03:38 AM	csaxton			Active
POD	10/9/2001 9:07:26 AM	csaxton			Active
Source	10/9/2001 9:10:09 AM	csaxton			Active
POU	10/9/2001 9:13:13 AM	csaxton			Active
Use	10/9/2001 9:14:40 AM	csaxton			Active
Season	10/9/2001 9:21:45 AM	csaxton			Active
Quantity	10/9/2001 9:26:45 AM	csaxton			Active
Summary	10/29/2001 1:21:06 PM	csaxton	10/29/2001 1:21:06 PM	csaxton	Active

Verification Log:

Element	Date Time Stamp	Reviewer	Log text
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2462A V1

Contacts	10/9/2001 9:03:07 AM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Billy Dean Byington did field exam between 6/5/01 and 6/8/01.
Season	10/9/2001 9:22:44 AM	csaxton	(Yes) 1. Is the basis of claim decree or license? (No) 4. Does the parent right have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Priority Date	10/9/2001 9:04:39 AM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	10/9/2001 9:08:26 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the parent right have a POD? (No) 5. Can the claimed POD be verified using the water right file? (Yes) 6. Is there evidence that there has been a change in the POD? (Yes) 7. Can the change be verified as an accomplished transfer? (Yes) 8. Does the file contain all the necessary information to verify the POD? (Yes) 10. Is a POD remark and/or condition required? Description for Question 6 - Statement from original owner Wilma Munn states that land had been irrigated at the time of selling to previous owners of the Fowlers in 1981. Fowlers statement that the point of diversion was in place at the time he purchased property in 1992. This indicates POD in place in 1981 but not where originally licensed.
POD	10/9/2001 9:10:44 AM	csaxton	Edited point location
Source	10/9/2001 9:11:10 AM	csaxton	(Yes) 1. Is the basis of claim decree or license? (Yes) 4. Does the parent right have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2462A V1

POU	10/9/2001 9:14:14 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the parent right have a POU? (No) 6. Can the claimed POU be verified using the water right file? (Yes) 7. Is there evidence that there has been a change in the POU? (Yes) 8. Can the claim be verified as an accomplished transfer? (Yes) 13. Does the file contain all the necessary information to verify the POU? (Yes) 14. Is a POU remark and/or condition required? Description for Question 8 - One acre outside of the licensed POU irrigated by at least 1981. Description for Question 13 - NAPP Photography.
POU	10/9/2001 9:14:28 AM	csaxton	Edited shape boundary
POU	10/9/2001 9:15:00 AM	csaxton	Edited PLS
Use	10/9/2001 9:15:40 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the parent right have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
POD	10/9/2001 9:27:45 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the parent right have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required?
POU	10/29/2001 1:17:11 PM	csaxton	Edited PLS
POU	10/29/2001 1:16:48 PM	csaxton	Edited shape boundary

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2462A V1

Summary 10/29/2001 1:21:12 PM 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?

02/08/2003

NOTICE OF ERROR
REPLY

Craig

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: 29-2462A

DR RANDALL S FOWLER
7776 W PORTNEUF RD
POCATELLO ID 83204
Telephone Number: (208) 239-1800

KERI L FOWLER
7776 W PORTNEUF RD
POCATELLO ID 83204
Telephone Number: (208) 239-1800

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: 2/24/03 SIGNATURE: *[Signature]*
Please print your name: Randall Fowler

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

SCANNED
FEB 15 2006

PROFILED

RECEIVED
FEB 20 2003
Regional Office
Idaho Falls, ID



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s): 29-02462A



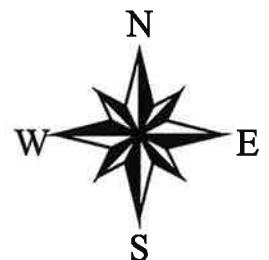
1320 0 1320 Feet

Total Irrigated Acres: 5.0

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

PROFILED

SCANNED
FEB 15 2006



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

October 9, 2001

DR RANDALL S FOWLER
7776 W PORTNEUF RD
POCATELLO ID 83204

RE: Amendment of Snake River Basin Adjudication (SRBA) Claim 29-02462A

Dear Dr. Fowler,

Thank you for your quick response regarding the previous request for information. I however, overlooked one other detail that needs to be taken care of in order for me to complete the recommendation on right 29-02462A.

Your original claim described a diversion rate of 0.04 cfs. Based on the number of splits claimed for the original parent right, I feel I can recommend a diversion rate of 0.09 cfs. However, to do this your claim needs to be amended.

I have prepared and amended claim that not only adjusts the diversion rate, but also describes the water right as I potentially plan to recommend. Please look over the claim and initial any changes you wish to make. When satisfied, sign the claim in front of a notary and return it to this office as soon as possible. For your convenience, enclosed is a map showing my potential recommendation.

I apologize that I did not catch the need for this amendment sooner. However, I feel working through these necessary details will be of benefit to yourself.

As always, feel free to contact me at 525-7161 if you have any questions.

Respectfully submitted,

Craig L. Saxton
Water Resource Agent
Adjudication Bureau

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SCANNED
FEB 15 2006

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. 29-2462A

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Dean Byington Date _____

Contact Person(s) Dr. Randall Fowler

Nature of Contact Drove to House

Substance of Communication _____

* Irrigating field with hand Lines

* Bought New Land, few years Ago (Info enclosed)

* If need Any additional info, Feel Free to Call.

* POD is Different than Satellite Photo (See map for Changes)

* Additional Land = 1.0 Acres

SCANNED

FEB 15 2006

PROFILED

CLAIM NO. 29 - 2462A

IDWR SUPPLEMENTAL CLAIM VERIFICATION REPORT
FOR DOCUMENTING CHANGES TO CVR

1. ☒ NAME - No change
☐ NEW OWNER: _____
(SUPPORTING DOCUMENTATION REQUIRED - ATTACH COPY)
☒ ADDRESS - No change
☐ NEW ADDRESS: _____

2. ☒ SOURCE - No change
☐ CHANGE - New source and/or tributary is: _____

3. ☐ QUANTITY - No change
☐ CHANGE - New amounts: _____ CFS and/or _____ AFY

4. ☐ PRIORITY DATE - No change
☐ CHANGE - Priority date to: _____
(EVIDENCE OF PRIORITY REQUIRED - ATTACH COPY)

5. ☐ POINT OF DIVERSION - No Change
☒ CHANGE - New point of diversion is: T _____, R _____, S _____, _____ 1/4, _____ 1/4, _____ 1/4
"See Map"
When Id: _____ T _____, R _____, S _____, _____ 1/4, _____ 1/4, _____ 1/4
(LOCATION OF POD(S) SHOULD BE SHOWN ON MAP)

6. ☒ PURPOSE AND PERIOD OF USE - No change
☐ CHANGE New purpose of use _____ New period of use _____ New amount(s) _____
_____ from _____ to _____ cfs _____ af
_____ from _____ to _____ cfs _____ af
_____ from _____ to _____ cfs _____ af

7. ☐ PLACE OF USE - No change
☒ CHANGE New place(s) of use: (LOCATION(S) AND ACRES SHOULD ALSO BE SHOWN ON MAP)
See Map

T	R	S	N E				N W				S W				S E				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

REMARKS _____

CONDITIONS _____

Reviewer _____ Date SCANNED

03/19/98

FEB 15 2006

PARCEL 1:

Lot 1, RIVERVIEW RANCHETTES, BANNOCK COUNTY, IDAHO, as the same appears on the official plat thereof, filed in the office of the County Recorder of said County.

Excepting therefrom: Beginning at the Northwest Corner of said Lot 1; thence South 00°06' West along the West line of said Lot 1, 15 feet; thence Northeasterly to a point on the North line of said Lot 1, which is North 89°40' East, 15 feet from the POINT OF BEGINNING; thence South 89°40' West, 15 feet to the POINT OF BEGINNING.

PARCEL 2:

A tract of land located in the Northwest Quarter Southwest Quarter of Section 21, Township 7 South, Range 35 East, Boise Meridian, a portion of the lands described in Instrument 768574 of the records of BANNOCK COUNTY, IDAHO, described as follows: Commencing at the West Quarter Corner of Section 21, Township 7 South, Range 35 East, Boise Meridian; thence North 89°39'00" East along the latitudinal centerline of Section 21 for a distance of 877.94 feet to a point on the North side of the Portneuf Road, said point being on a 765.00 foot radius curve approximately 25 feet Northerly of the center of the existing paved driving surface, from said point the center of the curve bears South 14°20'17" West; thence Easterly along the Northerly side of the Portneuf Road, following a 765.00 foot radius curve, concave to the Southwest, through a central angle of 9°55'09" for an arc distance of 132.44 feet to the POINT OF BEGINNING, said point being approximately 25 feet Northerly of the center of the existing paved driving surface; thence Continuing along the Northerly side of the Portneuf Road, in a Southeasterly direction, following a 765.00 foot radius curve, concave to the Southwest, through a central angle of 29°59'18", for an arc distance of 400.40 feet to a point of tangency, approximately 25 feet Northeast of center of the existing paved driving surface, from said point the center of the curve bears South 54°14'45" West; thence South 35°46'24" East 5.58 feet to a point on the West 1/16 line of said Section 21, said point being the Southwest Corner of Lot 1, RIVER VIEW RANCHETTES (a subdivision recorded in BANNOCK COUNTY as Instrument 611960); thence North 00°06'46" East (recorded as North 00°06' East) along the said 1/16 line 297.86 feet to a point in an existing fence line, said point being 3.50 feet South of the West 1/16 Corner on the latitudinal centerline of said Section 21; thence South 88°55'55" West along an existing fence 297.61 feet; thence South 18°57'18" West 39.47 feet to the POINT OF BEGINNING.

NO 92002782
RECORDER AT REQUEST OF
FIRST AMERICAN TITLE

'92 FEB 27 P12:47

OFFICIAL RECORD BOOK NO. 558
BANNOCK COUNTY, IDAHO
LARRY ALBRIGHT RECORDER

SCANNED
FEB 15 2006

Idaho Department of Water Resources
Craig Saxton
Eastern District Office
900 N Skyline Drive
Idaho Falls, ID

RECEIVED

OCT 05 2001

Department of Water Resources
Eastern Region

Re: Randall Fowler Water Rights

The one acre MOL comprising the northwest corner of the Fowlers property at 7776 West Portneuf Road, Pocatello Idaho was originally part of my homestead at 7773 West Portneuf Road. I subsequently sold it to the previous owners of the Fowlers land in approximately 1981. That one acre has been irrigated and farmed since we moved out here in 1938.

Wilma Munn
Wilma Munn

10/3/2001
Date

SCANNED

FEB 15 2006

2. 1 ac in NW1/4 was Taxigated From POB Prior to Dr Fowler Purchasing Property in 1992. Requested Statement From Fowler Confirming Change took Place Prior 1987

13-762	500 SHEETS, FILLER	5 SQUARE
42-381	50 SHEETS EYE-EASE	5 SQUARE
42-382	100 SHEETS EYE-EASE	5 SQUARE
42-383	200 SHEETS EYE-EASE	5 SQUARE
42-392	100 RECYCLED WHITE	5 SQUARE
42-399	200 RECYCLED WHITE	5 SQUARE

Made in U. S. A.

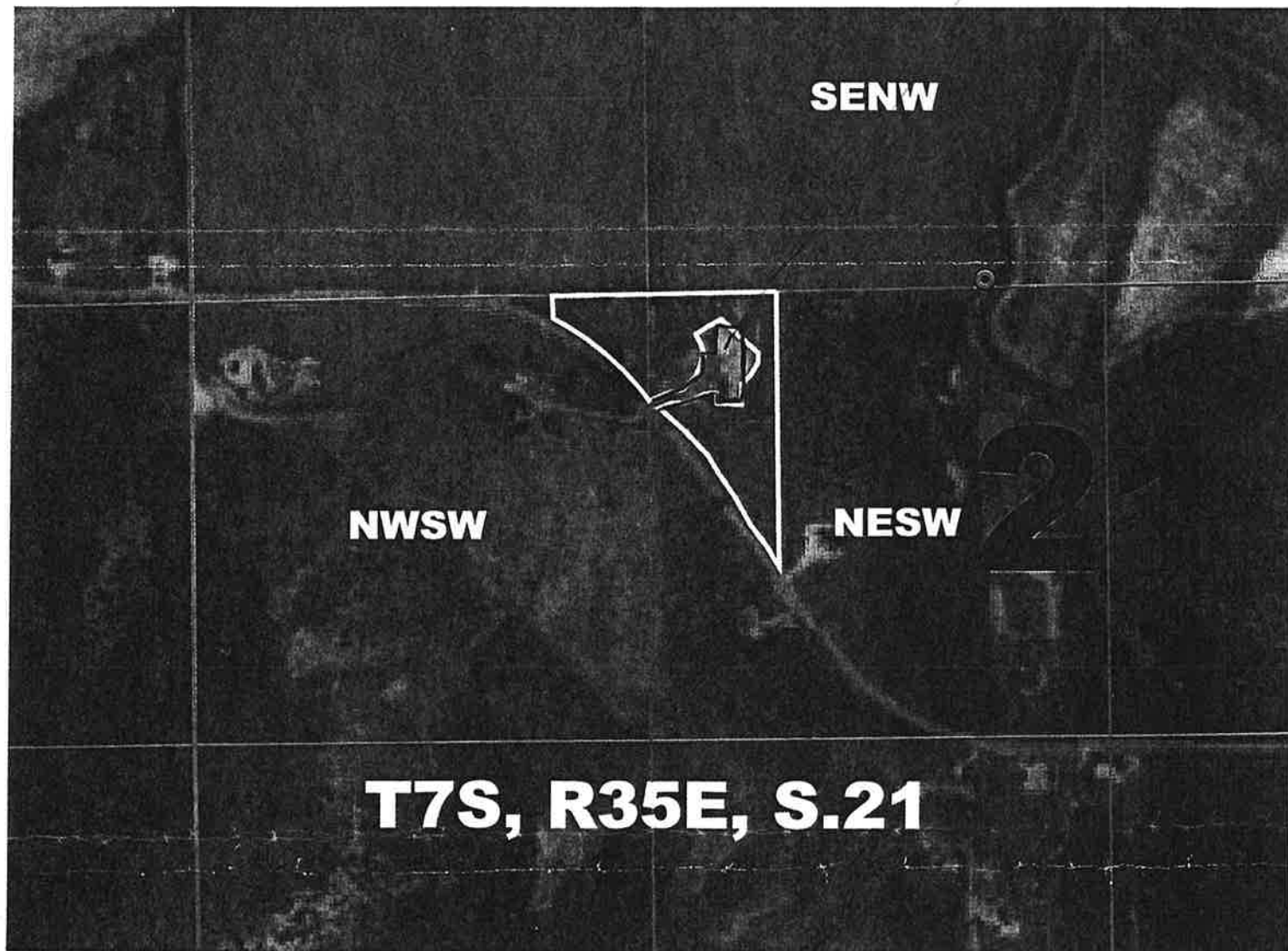


FEB 15 2006

Potential Recommendation

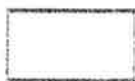
29-02462C

actual fence lines



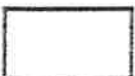
Point of Diversion

Total Irrigated Acreage: 4.6



Property Boundary - N/A

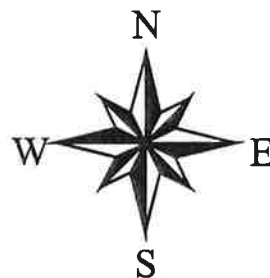
Irrigated Place of Use



Section Lines



Quarter Quarter Lines



SCANNED

FEB 15 2006

Prepared By: Craig Saxton
October 2001

29-02462A POD Field Exam B/W 6-5 & 6/8 2001



Notes: Facing West. Pump (Field Exam done by Billy-Dean Byington).

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FEB 15 2006

29-02462A POD Field Exam B/W 6-5 & 6/8 2001



Notes: Facing West. Electrical box that powers the pump (Field Exam done by Billy-Dean Byington).

SCANNED

FEB 15 2006

29-02462A POD Field Exam B/W 6-5 & 6/8 2001



Facing South. Hand lines that irrigate pasture and lawn. House on right side of picture (Field Exam done by Billy-Dean Byington).

SCANNED

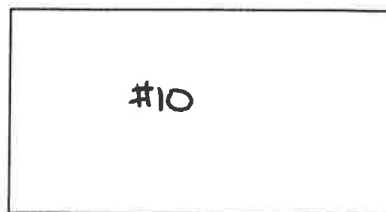
FEB 15 2006

WR #: 29-2462A

DATE: _____

GPS File: 2462A OR

Northing: _____
Easting: _____



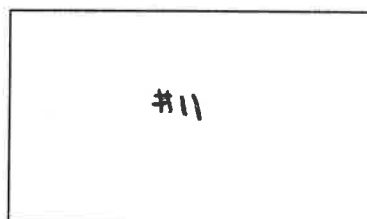
Notes: Facing West, Pump

WR #: 29-2462A

DATE: _____

GPS File: 2462A Or

Northing: _____
Easting: _____



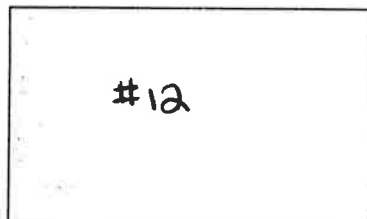
Notes: Facing West, Electrical Box that generates the pump.

WR #: 29-2462A

DATE: _____

GPS File: 2462A Or

Northing: _____
Easting: _____



Notes: Facing South, Hand Lines that Irrigate Pasture and Lawn.
House on Right side of Picture.

SCANNED

FEB 15 2006

129-02462

Claimed	Rec
A Fowler	
0.04	0.09
5 ac	4.6 ac
	5.0
B Cook	
0.30	0.18 ^v - Disallow
10 ac	9.5 ac
C Hobday	
0.08	0.06
5.3 ac	3.4 ac
D Summers	
0.20 cfs	0.15
10 ac	7.5 ac
E Pimentel	
0.10	0.07
4.8	3.8

Σ cfs Claimed = 0.72 cfs
Σ Acres Claimed = 35.1 ac

cfs = overclaimed
Acres = underclaimed

Σ cfs Recommended = 0.55 cfs
Σ Acreage Recommended = 28.8 ac
29.2

Johnson
0.55 cfs
70 ac

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SCANNED
FEB 15 2006

C Saxton 9/26/01

09/27/2001

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-2462

WATER RIGHT NUMBER: 29-2462

Owner Type
Current Owner

Name and Address
ALBERT M JOHNSON
POCATELLO, ID 83201

Fowled

Priority Date: 07/02/1962 ✓
Basis: License ✓
Status: Active ✓

Source
PORTNEUF RIVER ✓

Tributary
SNAKE RIVER

Beneficial Use
IRRIGATION ✓

From To
/ to /
4/1-10/31

~~Diversion Rate~~

Annual Volume

Total Diversion: ~~0.550 CFS~~ 0.09

Location of Point(s) of Diversion
PORTNEUF RIVER
BANNOCK County

NW1/4SE1/4
SESENW

Sec. 21, Twp 07S, Rge 35E, B.M.

Place of Use
IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	35E	21			~~2.0~~						51.0						~~57.0~~		70.0
											316	1.0							4.6

Total Acres: 70

Conditions of Approval:

Remarks:

Comments:

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-2462

Dates and Other Information:

Licensed Date: 8/21/79

Decreed Date:

Water Supply Bank Enrollment Accepted:

Water Supply Bank Enrollment Removed:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal:

Owner Name Connector:

Water District Number: 29

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant:

Decree Plaintiff:

Civil Case Number:

Judicial District:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

AJ5809NP
No. A29-02462A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 157

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	KERI L FOWLER	07/02/1962	IRRIGATION	03-15 11-15	0.040 CFS	
C	DR RANDALL S FOWLER 7776 W PORTNEUF RD POCATELLO ID 83204 (208) 234-4802					
				TOTAL DIVERSION:	0.040 CFS	
				CONSUMPTIVE USE:		12.50 AFA

Water Source: PORTNEUF RIVER

Tributary to: SNAKE RIVER

Stage: LICENSE

Point(s) of Diversion:

T07S R35E S21

NWNESW

BANNOCK County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
NENE NWNE SWNE SENE				NENW NWNW SWNW SENW				NESW NWSW SWSW SESW				NESE NWSE SWSE SESE				
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	SUM	
07S	35E	21	:	:	:	:	05	:	:	:	:	:	:	:	5.0	
TOTAL ACRES														5.0		

POU County: BANNOCK

Other Rights: MINK CREEK

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

29-10897 29-11525 A29-07605 A29-10897 A29-11525 A29-11526

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

A29-02462 A29-02462B A29-04215 A29-07605 A29-10898 A29-11526 A29-11604

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 29 Field Inspection Flag:
Presumption Flag: C

Audit: 04/11/90 MOBILE2 03/19/92 DCARLSON 03/29/95 POST-STD 04/12/00 CVANDERM

SCANNED

JUN 15 2001

Log for claim A29-02462A

Spatial Dynamics LTD

8/31/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s35e	21	NESW	5	4.8	
Totals:			5	4.8	

* Spoke to Dr. Fowler, said he was irrigating # Land with hand line pipes.

* Bought New Land Located NorthWest 1/4, SouthWest 1/4 of Section 21
(See map for more info.)

* has parcel from title Co. (inclosed with info.)

* Said if you need anymore info, feel free to call.

PROFILED

SPATIAL
DYNAMICS

SCANNED

FEB 15 2006

MARCH 20, 1992

RANDALL S FOWLER
7776 WEST PORTNEUF ROAD
POCATELLO ID 83204

RE: CHANGE IN OWNERSHIP FOR A29-02462A, 10897, AND 10898

Dear Mr. Fowler:

The request for Change in Ownership concerning your Notices of Claim in the above reference has been processed and the Notices modified to reflect you as the new owner.

Enclosed are typed Notices with your name shown as the current owner. 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 these Notices for your records.

Respectfully submitted,

Dave Carlson
Water Rights Agent, Adjudication

DC:jt

Enclosure

File: "P"

SCANNED
FEB 15 2006

PROFILE

MICROFILMED

NOV 13 1992



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 2/27/92

LEGAL DESCRIPTION OF PROPERTY: Township 07 S Range 35E
Section 21, NW 1/4 of NE 1/4 of SW 1/4, Govt. Lot , BM.
Lot 1, Block , Subdivision/Townsite Riverview Ranchettes
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR: A29-02462A A29-10897

☐ Name and Address of Former Owner/Claimant(s)(Seller): John T. and Heather E. Murray
1598 Juniper Drive
Pocatello, Idaho 83204

☐ New Owner/Claimant (Purchaser): Dr. Randall S. and Keri L. Fowler

☐ New Mailing Address: 7776 West Portneuf Road
Pocatello, Idaho 83204

☐ New Telephone Number: (208) 234- 4802

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: Photocopy of "Recorded" Warranty Deed with long legal (2 parcels) consisting of 2 pages attachments.
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s) X [Signature] Date 2/27/92

☐ Signature of New Owner/Claimant(s) X Keri L. Fowler Date 2/27/92

☐ Signature of Former Owner/Claimant(s) X John T. Murray Date 2-27-92

☐ Signature of Former Owner/Claimant(s) X Heather E. Murray Date 2-27-92

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

PROFILED
SCANNED

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

MICROFILMED

NOV 13 1992



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

MAR 19 1992

Department of Water Resources
Eastern District Office

DATE OF CLOSING: 2/27/92

LEGAL DESCRIPTION OF PROPERTY: Township 07S Range 35E
Section 20, SW 1/4 of SE 1/4 of NE 1/4, Govt. Lot , BM.
Lot , Block , Subdivision/Townsite .
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) Assigned by IDWR: A29-10898
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): John T. and Heather E. Murraray
1548 Juniper Drive
Pocatello, Idaho 83204
- ☐ New Owner/Claimant (Purchaser): Dr. Randall S. and Keri L. Fowler
- ☐ New Mailing Address: 7776 West Portneuf Road
Pocatello, Idaho 83204
- ☐ New Telephone Number: (208) 234 - 4802

- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: Photo copy of "recorded" warranty deed with long legal (2 parcels) consisting of 2 page attachment.
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s) [Signature] Date 2/27/92
Keri L. Fowler Date 2-27-92
- ☐ Signature of Former Owner/Claimant(s) [Signature] Date 2-27-92
Heather E. Murraray Date 2-27-92

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

SCANNED

FEB 15 2006

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

MICROFILMED

NOV 13 1992

State of Idaho License and Certificate of Water Right

Water License No. 30518

Amount 0.55 c.f.s.

Water District No. _____

Priority July 2, 1962

THIS IS TO CERTIFY that ALBERT M. JOHNSON made application for a permit to appropriate the public waters of the State of Idaho, dated July 2, 1962; that Permit No. 30518 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.55 second feet, was issued thereunder on August 30, 1963, showing that said works were completed on the 19th day of November, 1962; and that on the 19th day of November, 1962

ALBERT M. JOHNSON 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 Portneuf River, a tributary of Snake River, for the purpose of irrigation, under Use Permit No. 30518 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 12 of Licenses at page 7691, on the 30 day of August, 1963;

The right hereby confirmed dates from July 2, 1962;

The Point of Diversion is located in the NW 1/4 SE 1/4 Sec. 21, T. 7 S., R. 35 E., Blaine 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 0.55 cubic feet per second.

Description and location of use:

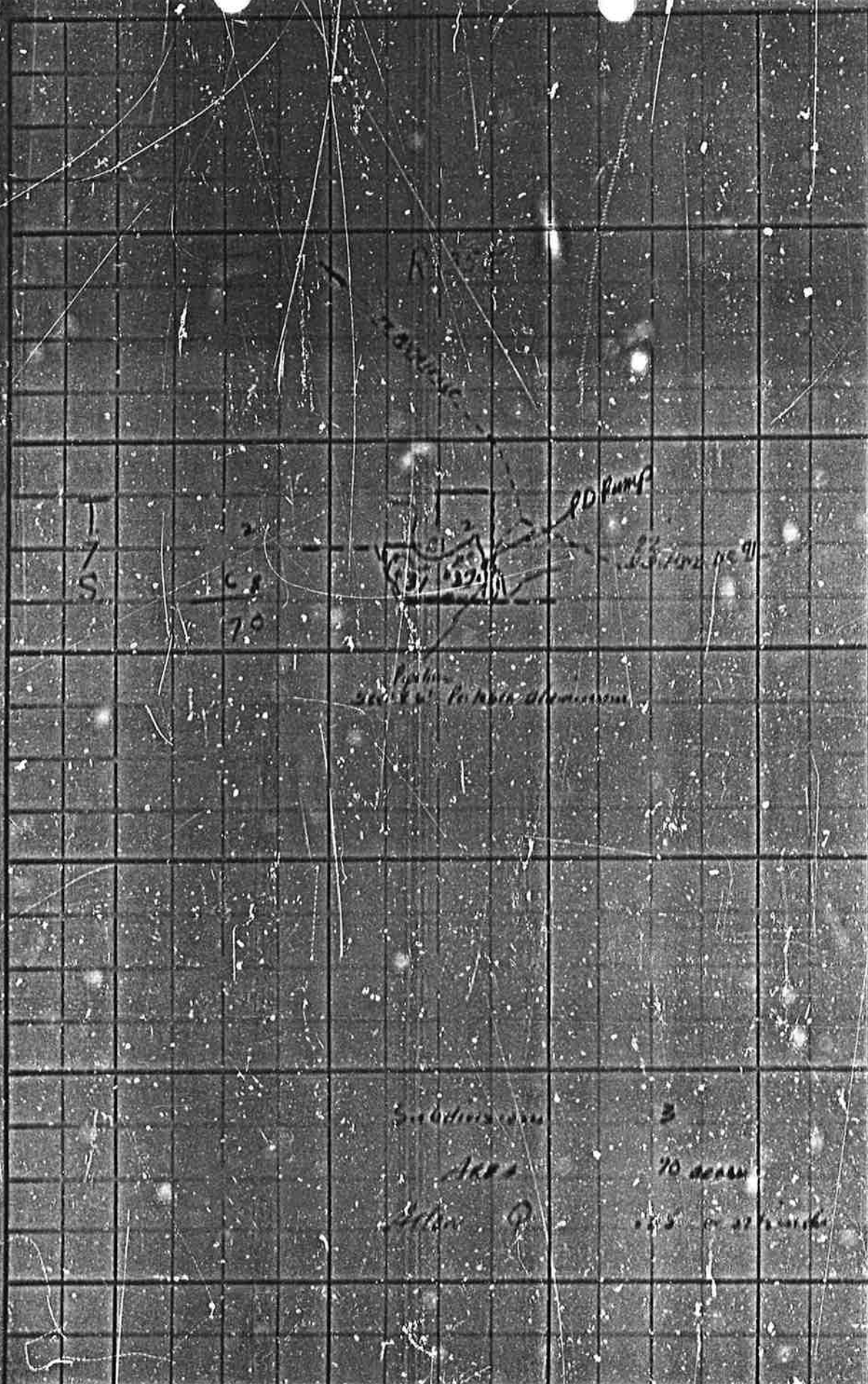
Description and Location			No. Acres Described in Permit	No. Acres Actually Irrigated
Twp.	Range	Sec.	Forty-acre Tract	
7 S.	35 E.	21	SW 1/4	1.95
			NE 1/4	27.1
			NW 1/4	35.1
			Total number of acres to be irrigated:	
				70

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 30th day of August, 1963.

E. CARL E. TAPPAN
State Reclamation Engineer

(SEAL)



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 29-2462A
Date Received: 4/9/90
Receipt No: E012970
Received By:

AMENDED

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DR RANDALL S FOWLER Phone: (208) ⁴⁷⁸⁻²²⁵⁵~~239-1800~~

7776 W PORTNEUF RD
POCATELLO ID USA 83204

KERI L FOWLER Phone: (208) ⁴⁷⁸⁻²²⁵⁵~~239-1800~~

7776 W PORTNEUF RD
POCATELLO ID USA 83204

RECEIVED

OCT 23 2001

Department of Water Resources
Eastern Region

2. Date of Priority: 07/02/1962

3. Source: PORTNEUF RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07S	35E	21	SE SE NW	BANNOCK	

5. Description of diverting works:

PUMP AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.09	

7. Total Quantity Appropriated is:

0.09 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	35E	21	NE	SW	IRRIGATION	~~3.6~~ 4.5
			NW	SW	IRRIGATION	1
Section Acres						~~4.6~~ 5.5
Total Acres						~~4.6~~ 5.5

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:

A29-10897

14. Remarks:

CLAIM AMENDED TO ADD CFS AND MORE ACCURATELY DESCRIBE ELEMENTS OF THE WATER RIGHT. CLAIM SET TO TEMPORARY STATUS UNTIL SIGNED AND RETURNED BY CLAIMANT (CSAXTON 10/9/01)

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: ONE

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): [Signature] Date: 10/18/01

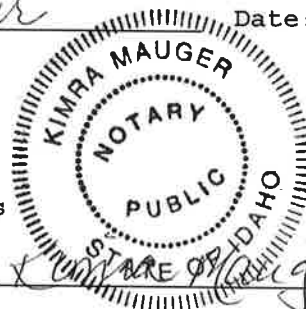
Keri L Fowler Date: 10/18/01

State of Idaho)

County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this

of October 18 2001



Notary Public

Residing at Pocatello, ID

My commission Expires 3-23-2005

SCANNED

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: A29-02462A
Date Received: 4/ 9/1990
Receipt No: E012970
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DR RANDALL S FOWLER 208-234-4802
Address: 7776 WEST PORTNEUF ROAD 83204
POCATELLO ID 239-1800
AND
Name: KERI L FOWLER 208-234-4802
Address: 7776 WEST PORTNEUF ROAD 83204
POCATELLO ID

2. Date of Priority: JUL 2, 1962

3. Source: PORTNEUF RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	35E	21	NW	NE	SW		BANNOCK

5. Description of diverting works:
PUMP AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.040		

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

8. Total consumptive use is 12.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
07S	35E	21	NE	SW		IRR	5.0

A29-02462A

Page

SCANNED

Date: 03/19/92

PROFILED

FEB 15 2006

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NOV 13 1992

10. Place of Use: Continued

Section Acres 5.0

Total Acres 5.0

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:

MINK CREEK

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 30548

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 _____

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: A29-02462A
Date Received: 3/30/1990
Receipt No: ED12970
Received By: CA

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN T. MURRAY *Fowler c/o* 208-234-4242
Address: 7776 W. PORTNEUF RD.
POCATELLO, ID 83204

AND/OR

Name: HEATHER E. MURRAY 208-234-4242
Address: 7776 W. PORTNEUF RD.
POCATELLO, ID 83204

2. Date of Priority: JUL 02, 1962

3. Source: PORTNEUF RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
07S	35E	21	NW NE SW		BANNOCK

5. Description of diverting works:
PUMP AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.040		

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

8. Total consumptive use is 12.5 Acre Feet Per Annum.

9. Non-irrigation uses:

A29-02462A

Page 1

Date: 03/30/90

PROFILED

SCANNED
FEB 15 2006

MICROFILMED
NOV 13 1992

A2902462A



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	35E	21	NE	SW		IRR	5.0
Section Acres							5.0
Total Acres							5.0

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:
MINK CREEK

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 30548

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: -1-

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): *John I. Murray* Date: 3/30/90
Date: _____

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 30th day
of March 19 90

Carter Fritschle
Notary Public

Seal

Residing at Carter Fritschle, Notary Public
Residing at Eagle, Idaho
My Commission Expires My commission Expires March 21, 1994

A29-02462A

T 75
R 35E

SCANNED
FEB 15 2006

MICROFILMED
NOV 13 1992

