

06/18/2003

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

RIGHT NUMBER: 29-2565

NAME AND ADDRESS: GLEN BOLINGBROKE
4365 S EPH LN
ARBON ID 83212

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.040 CFS
505.400 AFY

PRIORITY DATE: 09/12/1961

POINT OF DIVERSION:

T10S R34E S7 NWNESE Within POWER County

T10S R34E S7 NENWSE Rediversion Within POWER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

1.040 CFS
505.40 AFY

PLACE OF USE:

IRRIGATION Within POWER County

T10S R34E S07	NENE	28.0	T10S R34E S07	SWNE	35.0
T10S R34E S07	SENE	36.0	T10S R34E S07	NESE	31.0
T10S R34E S07	NWSE	27.0	T10S R34E S07	SWSE	39.0
T10S R34E S08	SWNE	29.0	T10S R34E S08	NENW	6.0
T10S R34E S08	NWNW	39.0	T10S R34E S08	SWNW	40.0
T10S R34E S08	SENW	20.0	T10S R34E S08	NESW	39.0
T10S R34E S08	NWSW	40.0			

409 ACRES TOTAL

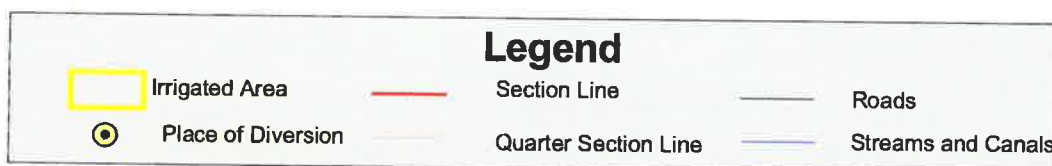
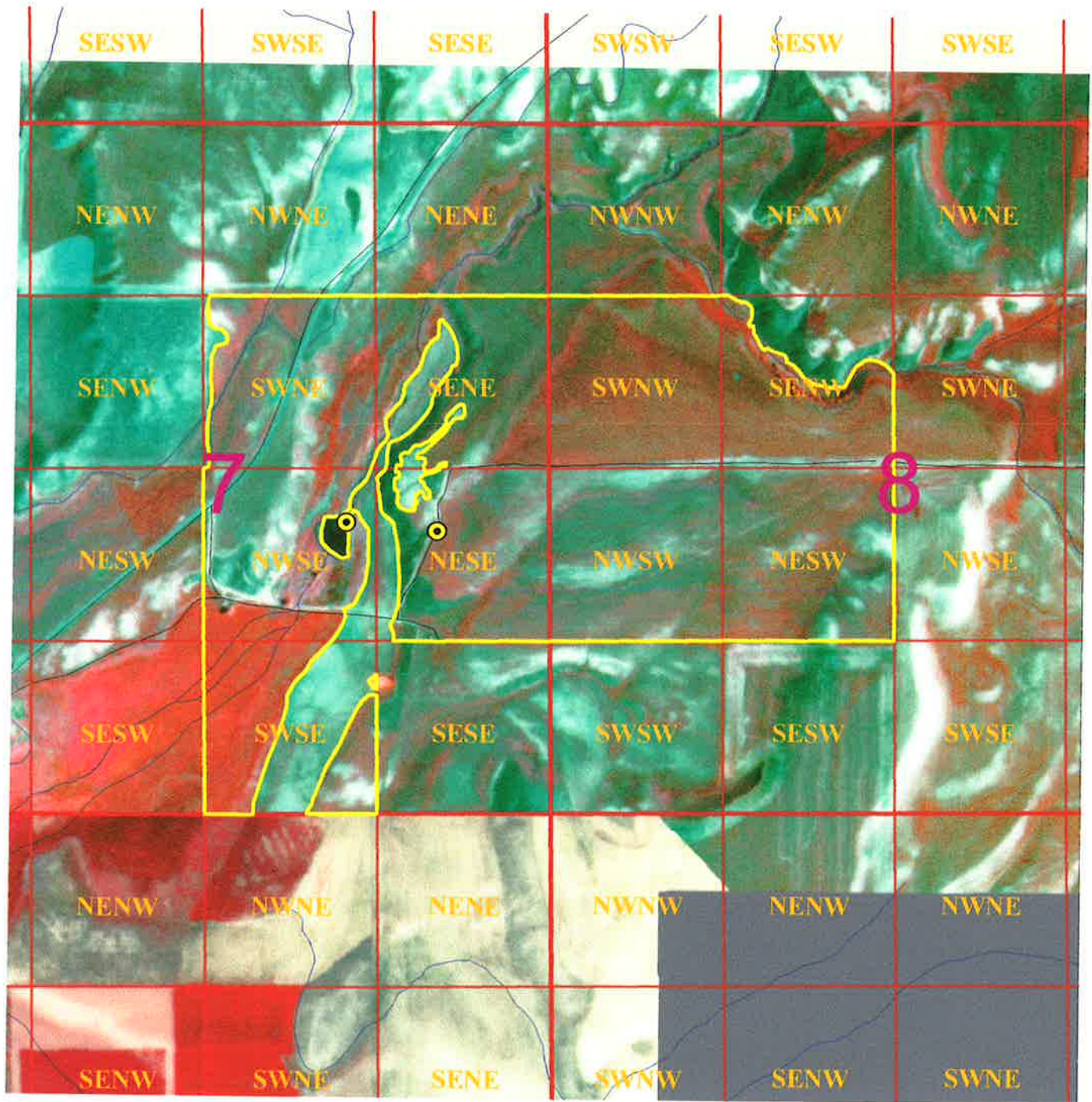
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 409 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-00447, 29-02565,
29-10857, and 29-13234.

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

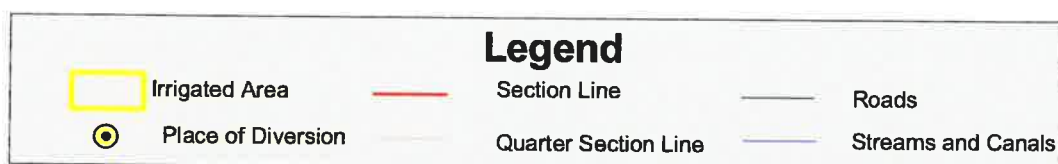
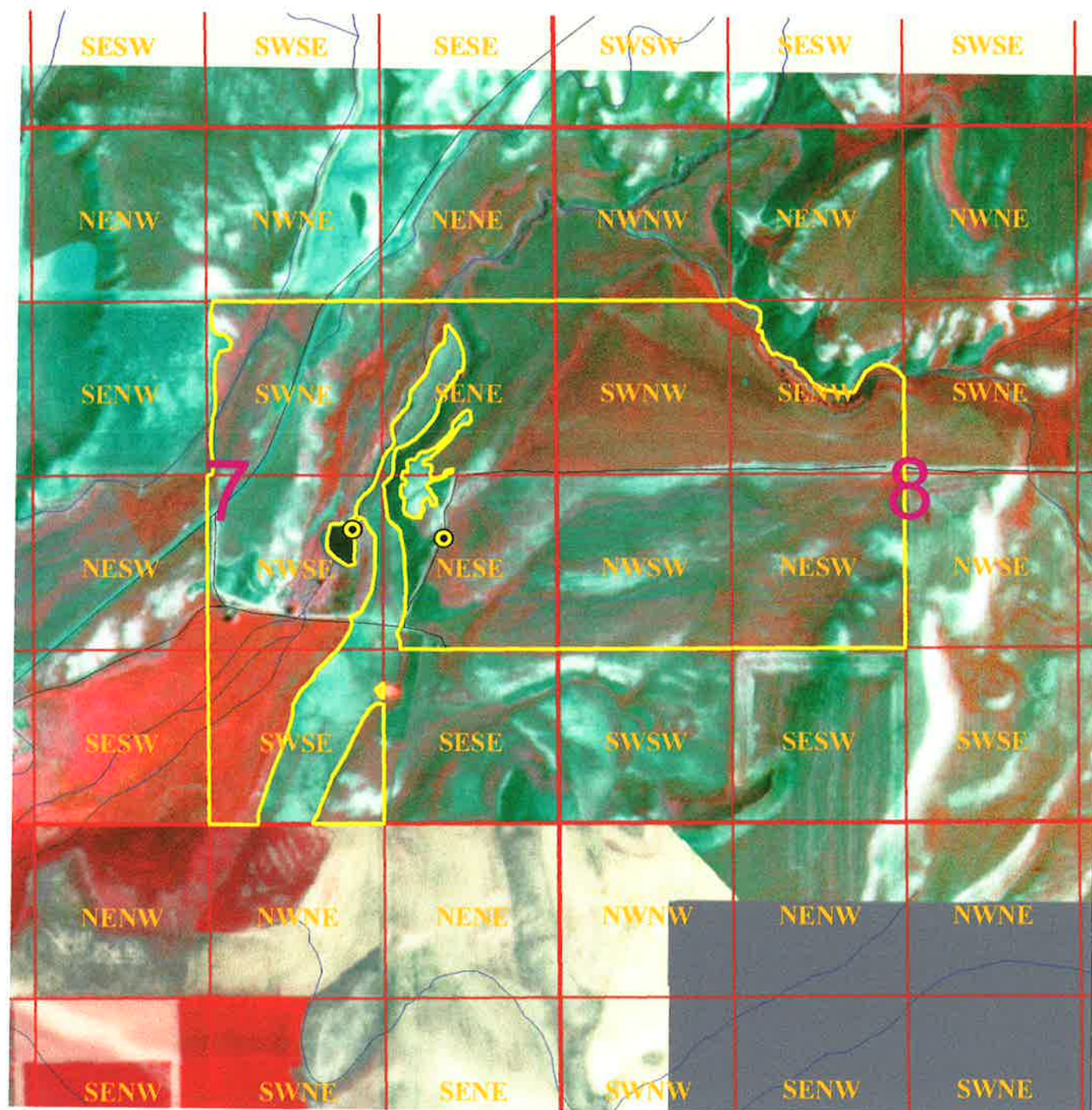
Township , 10S34E



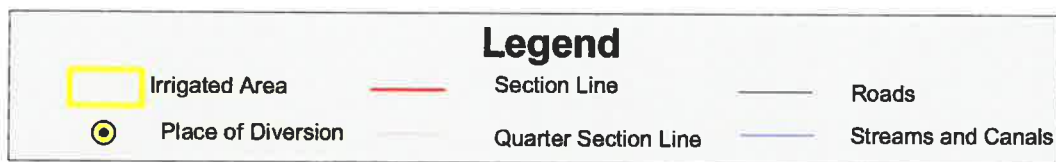
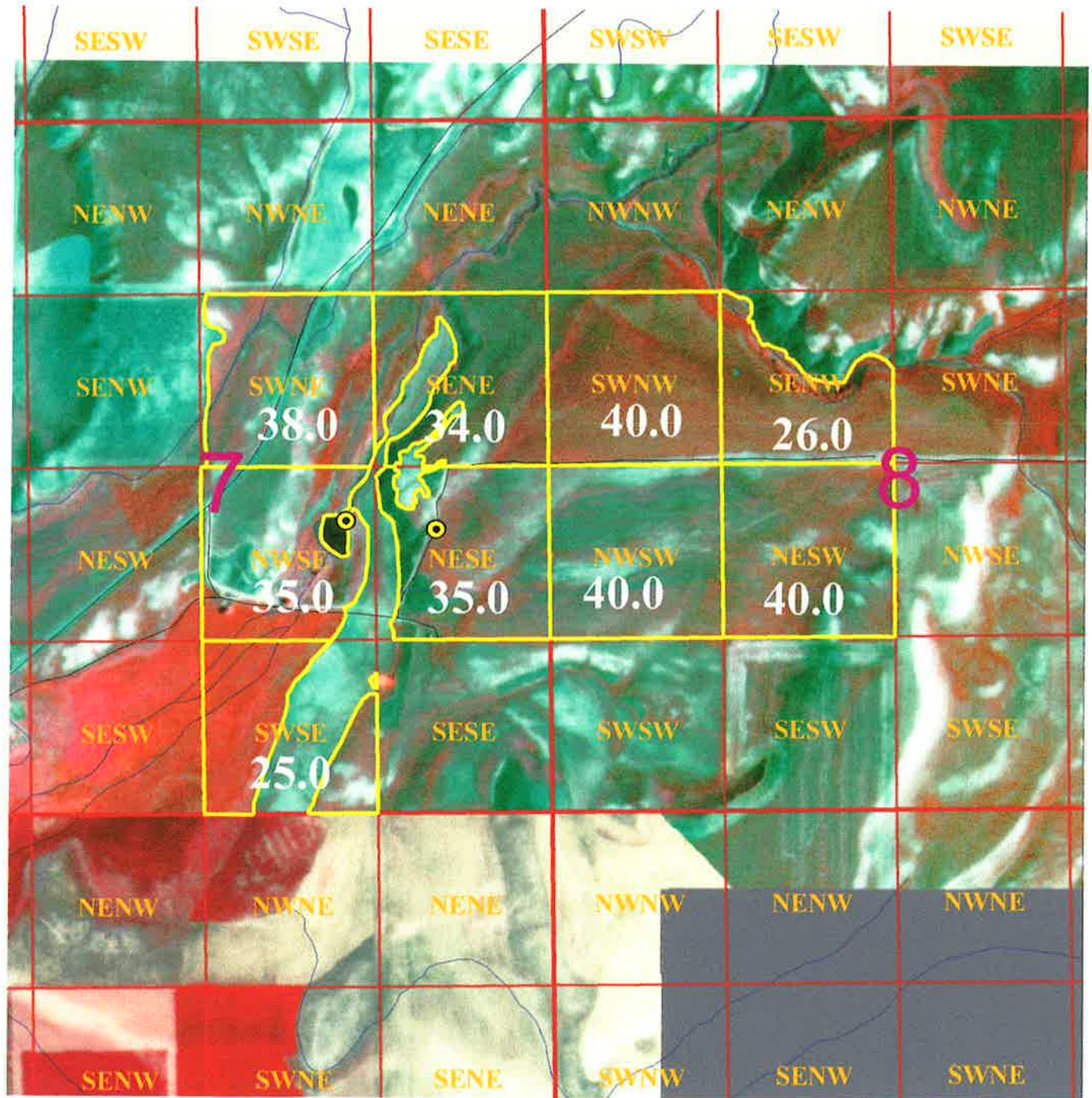
900 0 900 1800 Feet



Township , 10S34E



Township , 10S34E



900 0 900 1800 Feet



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2565 V1

WATER RIGHT NUMBER: 29-2565 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	EPHRIAM BOLINGBROKE
Current Owner	ARBON, ID 83212 GLEN BOLINGBROKE 4365 S EPH LN ARBON, ID 83212 (208)335-2181
Attorney	RACINE OLSON NYE COOPER BUDGE PO BOX 4229 POCATELLO, ID 83205 (208)232-6101

Priority Date: 09/12/1961

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	1.040 CFS	505.40 AF
	<u>Total Diversion:</u>	1.040 CFS	505.40 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NW1/4SE1/4	Sec. 7, Twp 10S, Rge 34E, B.M.
POWER County	(Rediversion)	
GROUND WATER	NW1/4NE1/4SE1/4	Sec. 7, Twp 10S, Rge 34E, B.M.
POWER County		

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	
10S	34E	7	28.0		35.0	36.0									31.0	27.0	39.0		196.0
10S	34E	8			29.0		6.0	39.0	40.0	20.0	39.0	40.0							213.0

Total Acres: 409

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.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-2565 V1

Remarks:

1. Place of Use - Irrigation USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 409 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-00447, 29-02565, 29-10857, and 29-13234.

Comments:

1. csaxton 1/31/2003 POD

Comment: Licensed for two points of diversion, one being a point of re-diversion. POD location determined by Bryce Contors field exam on 8/25/01.

2. csaxton 6/18/2003 Over lap

Comment: Overlap POU with 29-00447 of 59.5 and 29-10857 of 24.9 acres.

3. csaxton 6/18/2003 Diversion Rate

Comment: No diversion Rate limiter because all rights covering claimed POU total far less than one inch per acre.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

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:
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:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	1/31/2003 11:15:00 AM	csaxton			Active
Priority Date	1/31/2003 11:15:29 AM	csaxton			Active
POD	1/31/2003 11:16:03 AM	csaxton			Active
Source	1/31/2003 11:22:52 AM	csaxton			Active
POU	1/31/2003 11:23:05 AM	csaxton			Active
Use	1/31/2003 11:39:39 AM	csaxton			Active
Season	1/31/2003 11:40:01 AM	csaxton			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2565 V1

Quantity	1/31/2003 11:41:51 AM	csaxton	Active
Summary	01/31/2003	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	1/31/2003 11:15:00 AM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: B. Contor FE 8/25/01
POD	1/31/2003 11:16:50 AM	csaxton	Edited point location
Priority Date	1/31/2003 11:15:28 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	1/31/2003 11:16:02 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
POD	1/31/2003 11:17:25 AM	csaxton	Edited PLS
POD	1/31/2003 11:20:52 AM	csaxton	Edited point location
POD	1/31/2003 11:21:22 AM	csaxton	Edited PLS
Source	1/31/2003 11:22:51 AM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License 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?
POU	1/31/2003 11:23:04 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
POU	1/31/2003 11:23:55 AM	csaxton	Edited shape boundary
POU	1/31/2003 11:24:41 AM	csaxton	Edited shape boundary
POU	1/31/2003 11:30:14 AM	csaxton	Edited shape boundary

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2565 V1

POU	1/31/2003 11:33:17 AM	csaxton	Edited shape boundary
POU	1/31/2003 11:35:01 AM	csaxton	Edited shape boundary
POU	1/31/2003 11:36:18 AM	csaxton	Edited shape boundary
POU	1/31/2003 11:37:05 AM	csaxton	Edited PLS
Use	1/31/2003 11:39:39 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License 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?
Quantity	1/31/2003 11:41:50 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - As licensed
Summary	1/31/2003 11:47:09 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? (No) 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?
Season	1/31/2003 11:40:00 AM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (No) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 18. Is a Period of Use remark and/or condition required?
POU	5/23/2003 1:03:29 PM	csaxton	Edited shape boundary
POU	6/18/2003 1:04:58 PM	csaxton	Edited shape boundary

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 29-2565

WATER RIGHT NUMBER: 29-2565

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	RACINE OLSON NYE COOPER BUDGE ✓ PO BOX 4229 POCATELLO, ID 83205 (208)232-6101
Current Owner	GLEN BOLINGBROKE ✓ 4365 S EPH LN ARBON, ID 83212 (208)335-2181

Priority Date: 09/12/1961 ✓

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	03/15 to 11/15 ✓	1.040 CFS ok	505.40 AF ok
~~IRRIGATION FROM STORAGE~~	~~03/15 to 11/15~~		~~505.40 AF~~
~~IRRIGATION STORAGE~~	~~03/15 to 11/15~~		~~5.20 AF~~
		<u>Total Diversion:</u>	
		1.040 CFS ok	505.40 AF ok

no storage component needed

Location of Point(s) of Diversion

GROUND WATER ✓	NW1/4SE1/4 ok	Sec. 7, Twp 10S, Rge 34E, B.M. ✓
POWER County	(Rediversion)	
GROUND WATER ✓	NE1/4SE1/4 ok	Sec. 7, Twp 10S, Rge 34E, B.M. ✓
POWER County		

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	
10S	34E	7	28.0		35.0	36.0									31.0	27.0	39.0		196.0
10S	34E	8			29.0		6.0	39.0	40.0	20.0	39.0	40.0							213.0

OK {

Total Acres: 409

IRRIGATION FROM STORAGE same as IRRIGATIONConditions of Approval:*This Right and others limited to 409 ac*

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 29-2565

Remarks:

1. Explanatory Claim amended to show original licensed acres and to show original storage, mentioned in permit application and license exam but not shown on original license.

Place of use is a permissible place of use with 29-477 and 29-10857. Pond is used for storage of ground water under this right and for storage of surface water under a beneficial use right. B Contor, 9/19/2001.
2. General CONFORMED ATTORNEY ADDRESS DMS

Dates and Other Information:

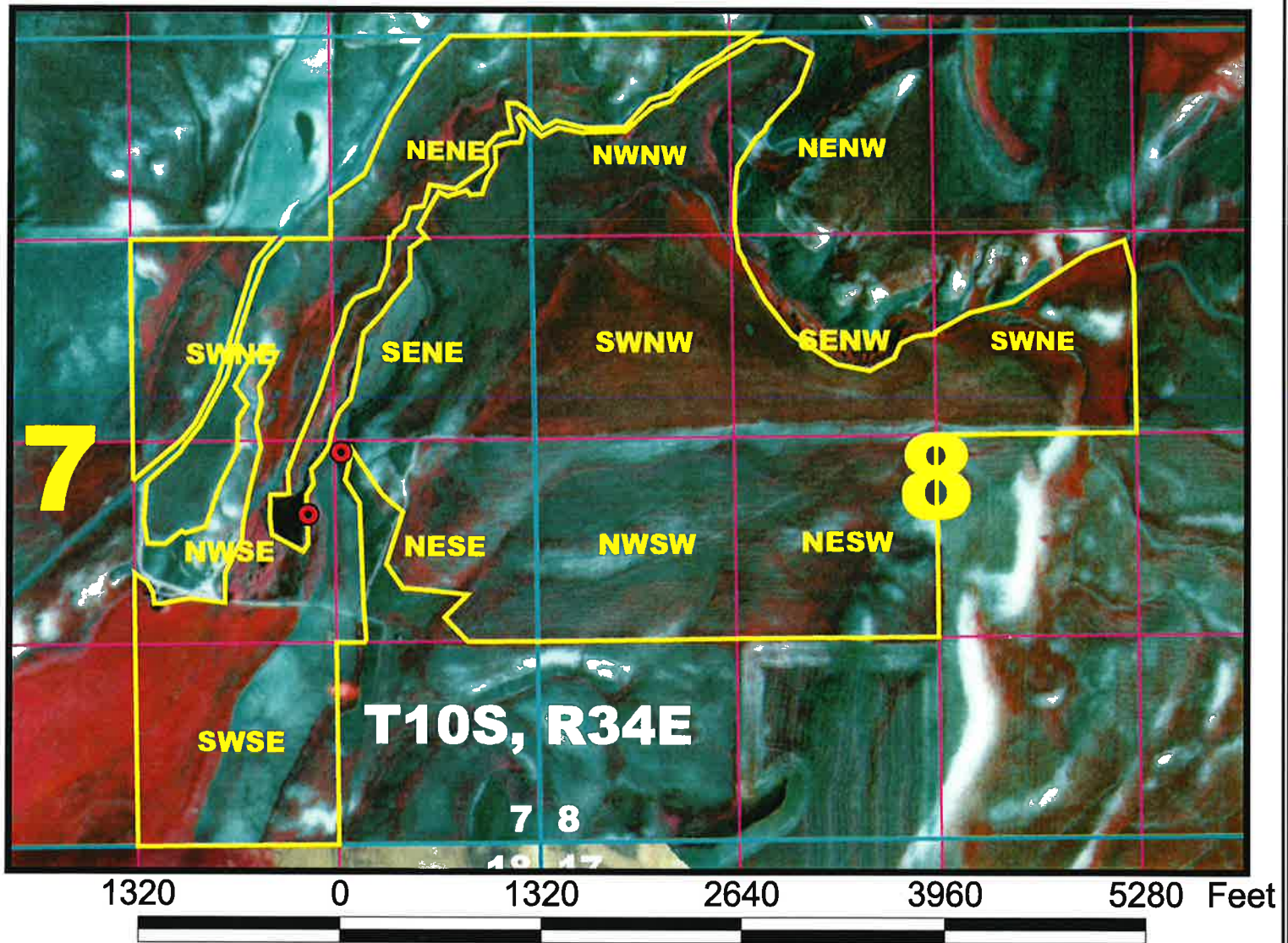
Claim Received Date: 3/29/1990



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s): 29-02565



Total Irrigated Acres: 409.0

● Point(s) of Diversion

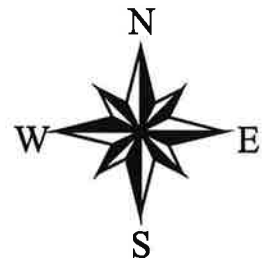
□ Place of Use

□ Quarter Quarter Lines

□ Section Lines

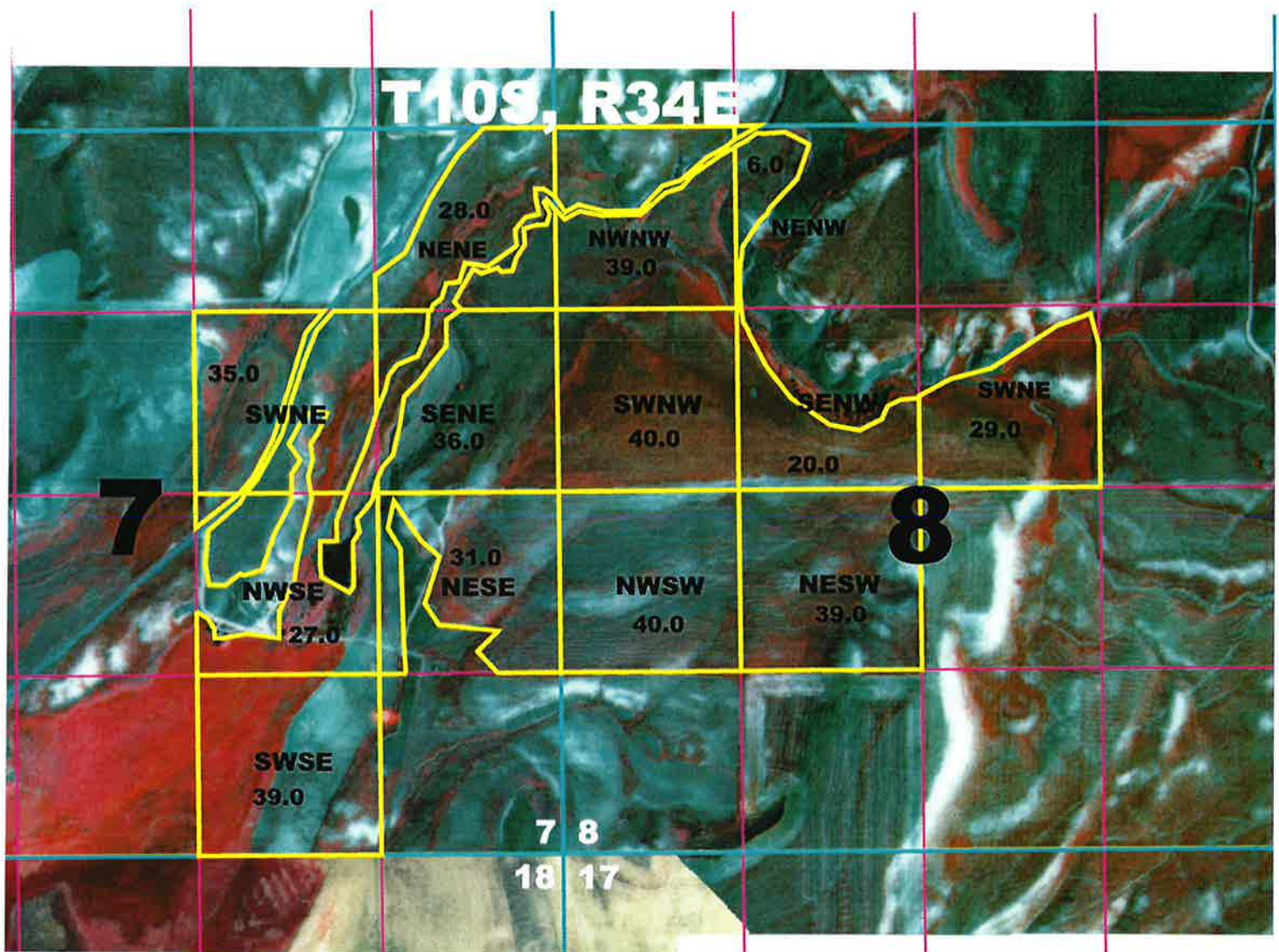
PROFILED

SCANNED
FEB 24 2006



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

Acreage Calculation Map for 29-00477, 29-02565, 29-10857, 29-13234



Point of Diversion

Irrigated Acres = 409.0



Bannock Co Tax Lot Data - N/A



Place of Use



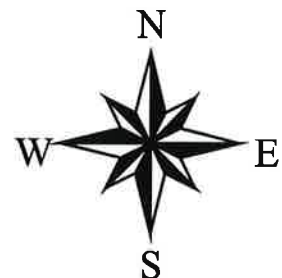
Recommended POU



Section Lines



Quarter Quarter Lines



SCANNED

FEB 24 2006

PROFILED

Prepared By: Craig Saxton
June 2003

1-29-03: POD Determined B-1 D. Contor FE on 8-25-01

: Amended Claim Solicited and Never signed.

: Overlap with Rattlesnake Ck of 59.5 acres.
Overlap with Spring Water of 24.9 acres

5-23-03 : Cannot recommend a Storage Component under this claim since it wasn't licensed. This would be an enlargement of the license. In addition, if Pond was large enough to require a storage component, why wasn't it licensed? But, Pond size calculations do not indicate that a storage component is needed.

Licensed with diversion Rate of 1.04 cfs:

$$1.04 \text{ cfs} \times 1.9835 = 2.06 \approx \boxed{2.1 \text{ AF}}$$

Notes indicate depth of Pond is 4 FT: From "Determining Reservoir Capacity" worksheet:

$$\text{Capacity} = \text{Surface area} \times \text{max depth} \times 0.4$$

$$= (1.3 \text{ acre}) \times 4 \text{ FT} \times (0.4)$$

$$= 2.08 \approx \boxed{2.1 \text{ AF}}$$

No Storage Component Needed

SCANNED

FEB 24 2006

PROFILED

LAW OFFICES OF

**RACINE, OLSON, NYE, BUDGE &
BAILEY
CHARTERED**

CENTER PLAZA-CORNER FIRST & CENTER
POST OFFICE BOX 1391
POCATELLO, IDAHO 83204-1391

TELEPHONE (208) 232-6101
FACSIMILE (208) 232-6109

SENDER'S E-MAIL ADDRESS: rcb@racinelaw.net

LOUIS F. RACINE, JR.
WILLIAM D. OLSON
W. MARCUS W. NYE
RANDALL C. BUDGE
JOHN A. BAILEY, JR.
JOHN R. GOODELL
JOHN B. INGELSTROM
DANIEL C. GREEN
BRENT O. ROCHE
KIRK B. HADLEY
FRED J. LEWIS
MITCHELL W. BROWN
ERIC L. OLSEN
DAVID E. ALEXANDER
LISA M. CHRISTON
RICHARD A. HEARN, M.D.
LANE V. ERICKSON
PATRICK N. GEORGE
SCOTT J. SMITH
LISA A. WOOD, CPA
STEPHEN J. MUHONEN

BOISE OFFICE

CONRAD J. AIKEN
THEODORE C. PETERS
DEBORAH L. LEHOSIT

101 SOUTH CAPITOL
BOULEVARD
U.S. BANK PLAZA, SUITE 202
BOISE, IDAHO 83702
TELEPHONE: (208) 395-0011
FACSIMILE: (208) 433-0187

April 21, 2003

RECEIVED

MAY 27 2003

**WATER RESOURCES
WESTERN REGION**

Idaho Department of Water Resources
Eastern Division
900 N. Skyline Drive, Suite A
Idaho Falls, Idaho 83402

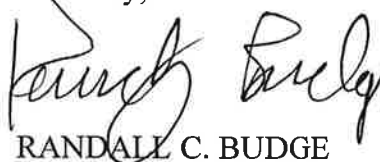
Re: *Glen Bolingbroke*
Water Right Claim Nos. 29-2565, 29-477, 29-10857

To Whom It May Concern:

As attorney for the Claimant, Glen Bolingbroke, I am returning Notice of Error replies for each of the above-referenced water rights. Right Nos. 29-2565 and 29-477 are agreed to, while a priority date error is identified on Right No. 29-10857. We are seeking additional information to substantiate the earlier priority date.

If you have any questions, please don't hesitate to contact me.

Sincerely,


RANDALL C. BUDGE

RCB:rr

Enclosures

cc: Glen Bolingbroke

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APR 22 2003

Department of Water Resources
Eastern Region

SCANNED

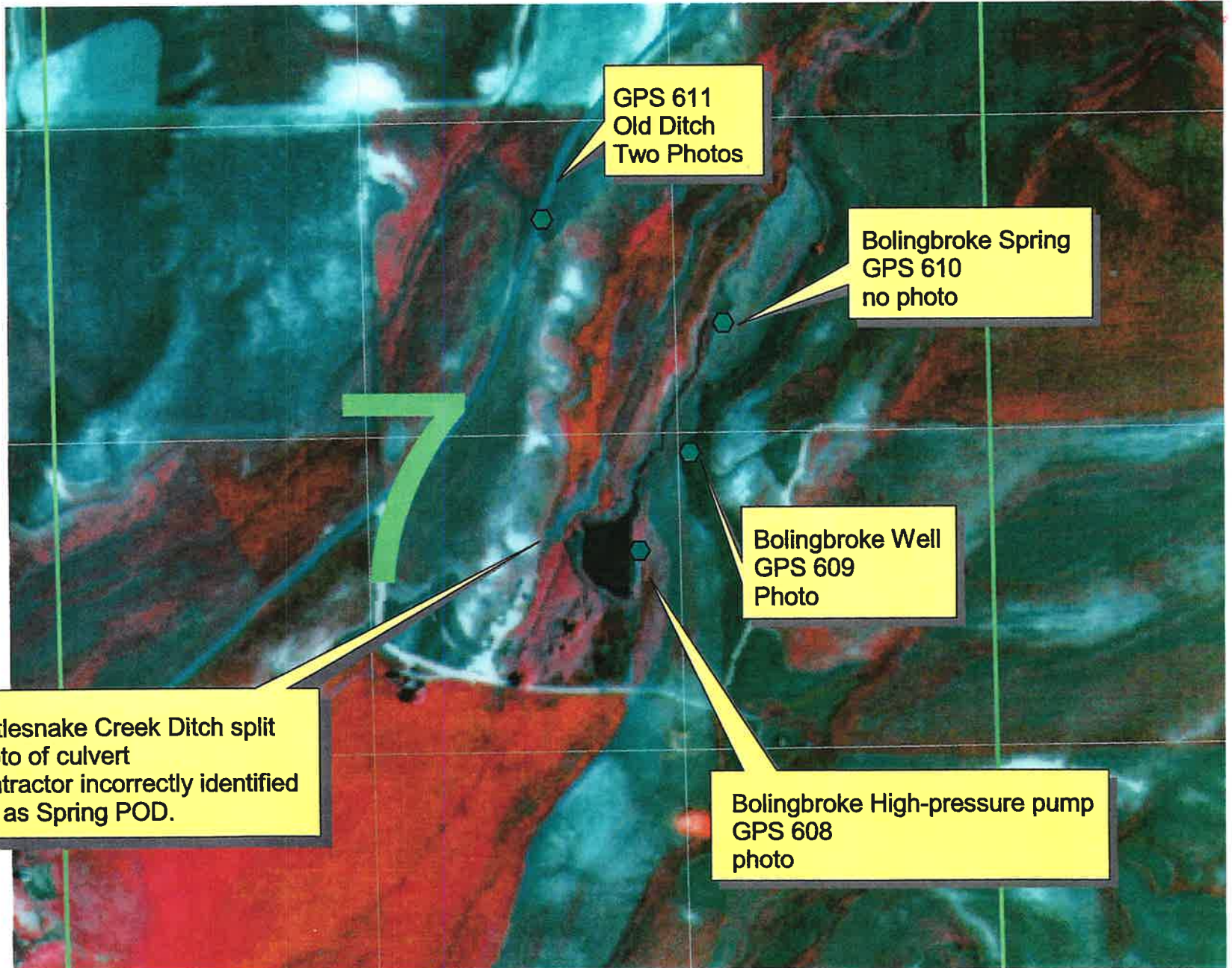
FEB 24 2006

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GPS and Photo Locations Glen Bolingbroke and Janet Hayball Claims Field work 8/25/2001

SCANNED
FEB 24 2006

FILED





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

September 19, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Glen Bolingbroke
4365 S EPH LANE
ARBON ID 83212

Re: Adjudication claims 29-477, 29-2565, 29-10857, 29-13234

Dear Mr. Bolingbroke:

Enclosed are copies of amended adjudication claims to show the original licensed place of use for the sprinkler well, and to show the Rattlesnake Creek and spring rights as a "permissible place of use" on the same lands. Also enclosed is a beneficial use claim to show the storage of water in your pond.

I've discussed these claims with your attorney Mr. Budge, and have mailed copies to him. I believe they correctly reflect your use of water and will allow an accurate recommendation to the court.

Please review these claims and discuss them with Mr. Budge. If you believe they are accurate, please return them with notarized signatures and a check for \$50 for the filing fee of the new claim (29-13234). As your attorney, Mr. Budge could also sign.

Mr. Paul Meyer will be handling the review and recommendation of these rights. He has years of experience and is very good. Please call him at 208-525-7161 if you have further questions.

Sincerely,

Bryce A. Contor
Senior Water Resource Agent

cc: Randal Budge, Attorney at Law

FEB 24 2006

SCANNED

PROFILED

Contor, Bryce

From: Randy Budge [rcb@racinelaw.net]
Sent: Tuesday, September 18, 2001 6:38 PM
To: Contor, Bryce
Cc: Randy Budge; Meyer, Paul
Subject: Re: Bolingbroke

I think proceeding as you have outlined is fine. Thanks for the help and good luck. I know Paul and am sure he will carry forward. Please send the revised claims directly to Glen Bollingbroke for his signature and return with a copy to me. That will expedite matters.

Thanks and good luck!
Randy Budge

----- Original Message -----

From: Contor, Bryce
To: 'rcb@racinelaw.net'
Cc: Meyer, Paul
Sent: Friday, September 14, 2001 4:45 PM
Subject: Bolingbroke

Thanks for getting back with me. Besides the go-ahead on amended claims, I was hoping for maps from you. Since your maps apparently are about the same as mine, and since apparently Mr. Bolingbroke's holdings haven't changed since the license was issued to his father, I propose sending amended claims that match the place of use of the ground water license, with the decreed Rattlesnake Creek water and the beneficial use claim from the spring amended to a Permissible Place of Use basis.

The other thing I propose is to amend the ground water license to reflect the storage in the pond, and sending a new beneficial use claim for storage of surface water in the pond.

I'll be in the office again Tuesday, if this sounds like an acceptable plan let me know and I'll crank out the amended claims and the new claim.

You see I've cc'd this to Paul Meyer. I'm leaving the dept, Paul has years of experience and will be taking over the claims I was working on. You can reach him at the same phone number, he and I have reviewed Mr. Bolingbroke's situation.

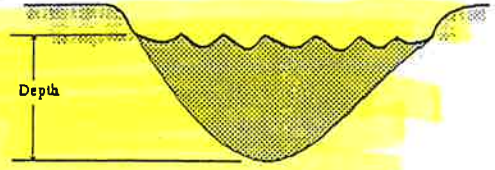
PROFILED

SCANNED
FEB 24 2006

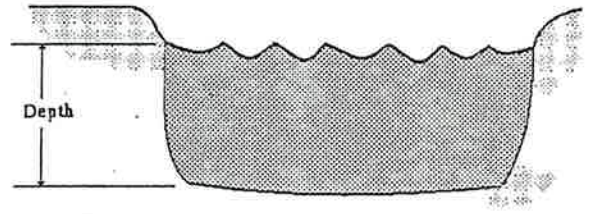
3. DETERMINING RESERVOIR CAPACITY

A. V shaped reservoirs, lakes, and ponds.

$$\text{Capacity} = \text{Surface Area} \times \text{Maximum Depth} \times 0.4$$

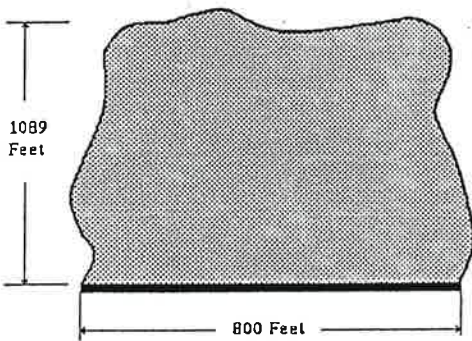


B. Flat Bottom reservoirs, lakes, and ponds.



$$\text{Capacity} = \text{Surface Area} \times \text{Maximum Depth}$$

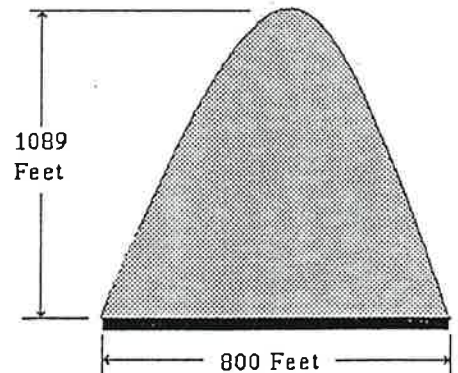
EXAMPLES:



1. Smith Creek Pond is 800' wide, 1089' long and 9' deep.

$$\begin{aligned} \text{Surface Area} &= 800' \times 1089' \\ &= 43,560 \\ &= 20 \text{ acres} \end{aligned}$$

$$\begin{aligned} \text{Capacity} &= 20 \text{ acres} \times 9 \text{ feet} \\ &= 180 \text{ acre feet} \end{aligned}$$



1. Trout Creek Reservoir is 800' wide, 1089' long and 9' deep.

$$\begin{aligned} \text{Surface Area} &= \frac{1}{2}(800') \times 1089' \\ &= 43,560 \\ &= 10 \text{ acres} \end{aligned}$$

$$\begin{aligned} \text{Capacity} &= 10 \text{ acres} \times 9 \times 0.4 \text{ feet} \\ &= 36 \text{ acre feet} \end{aligned}$$

PROFILED

FEB 24 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

September 6, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Randall C. Budge
PO BOX 1391
POCATELLO ID 83204-1391

Re: Glen Bolingbroke Adjudication Claims
A29-477, A29-2565, A29-10857

Dear Mr. Budge:

Recently I visited with your client Glen Bolingbroke of Arbon about his water right claims. He suggested I contact you.

From my review of his rights, it appears that there are some opportunities for Mr. Bolingbroke to amend his claims to more correctly identify his historical use of water. This will allow me to make recommendations that better accommodate historical practices, and allow Mr. Bolingbroke the flexibility to continue these practices. These are:

1. Total number of irrigated acres.

License 29-2565 is for 409 acres of irrigation from a well. Only 304 acres were claimed, but it appears that the pre-CRP practice was likely closer to the original licensed acreage. There may have been an accomplished transfer changing the location of the place of use.

If this analysis is correct, it would be appropriate to amend the claim to reflect the actual pre-CRP irrigation practice and acreage. Mr. Bolingbroke believes you have a Farm Service Agency map in your files that would show the pre-CRP farmed and irrigated lands.

Could you please send me a copy of this map, and let me know if I should prepare an amended claim to reflect more acres than currently claimed?

2. Co-mingling of Ground Water and Surface Water

Mr. Bolingbroke is able to deliver Rattlesnake Creek water (29-477), well water (29-2565) and spring water (29-10857) through the same sprinkler

PROFILE

SCANNED
FEB 24 2006

distribution system to all the same lands. To correctly reflect this ability and practice, I would like to recommend all three rights on a "Permissible Place of Use" basis on the same lands. Should I prepare amended claims to reflect this practice?

3. Storage in Pond

It appears that Mr. Bolingbroke is able to store more than 24 hours of irrigation water in his pond. This technically requires a separate storage right, and I would like to make recommendations that reflect and record this historical beneficial use.

Because the pond is referenced on the well permit application and licensing exam for right 29-2565, the pond storage can be included on an amended claim for that right. The surface water storage can be recorded with a new "beneficial use" claim for storage.

There will be no fee for the amended claims, except for a fee of one dollar per acre for additional acres of irrigation. The fee for the beneficial use claim will be fifty dollars.

Please send me a copy of the map Mr. Bolingbroke referred to, and review these proposed changes. Let me know if you would like me to prepare amended claims and/or an additional claim. I believe these proposed changes would allow me to more correctly recommend Mr. Bolingbroke's water rights.

Sincerely,



Bryce A. Contor

Senior Water Resource Agent

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FEB 24 2006

MEMORANDUM

To: 29-10857, Ben Use Storage claim, 29-256.
 Fr: Bryce Center
 Date: 8/31/01
 Re: Volume of Storage, Division rate of Spring

1) Volume of Storage:

no section

~~Pond area (see attached GIS) 1.3 acres.
 Mr. Belling broke says pond is "over his head." Assume average depth = 4 ft.
 4 feet x 1.3 acres = 5.2 acre feet.
 This is volume for GW storage
 under converted 29-2565 and
 for SW storage under Ben. Use
 claim. Combined limit = 5.2-acre feet~~

2) Division rate of Spring:

Mr. Belling broke indicates spring fills
 pond in "two to three weeks".
~~5.2 acre feet~~ ^{2.1} ~~0.37~~ ^{0.15} ~~ac/day~~
 14 days

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total authorized canal diversion volume.
Total volume on license left @ 505.4
afa to reflect the fact that the
water diverted and the water delivered
from storage are the same authorized
volumes, not two additive volumes.
BAC.

505.4
canal/yr
1.04 x 1.9835 x 246

This is combined limit. Calculate
each component (60 / 50) the
same way.

~~1.93 g/s x 1.9835 af/day/cts x 214 days
= 820 ac-ft.~~

~~Combined limit not needed~~
29-477
29-2565
29-10857
0.70 g/s
1.04 g/s
0.19 g/s
1.93 g/s

a) 409 ac-ft x 4.0 afa = 1636 ac-ft

3) Diversion from Storage

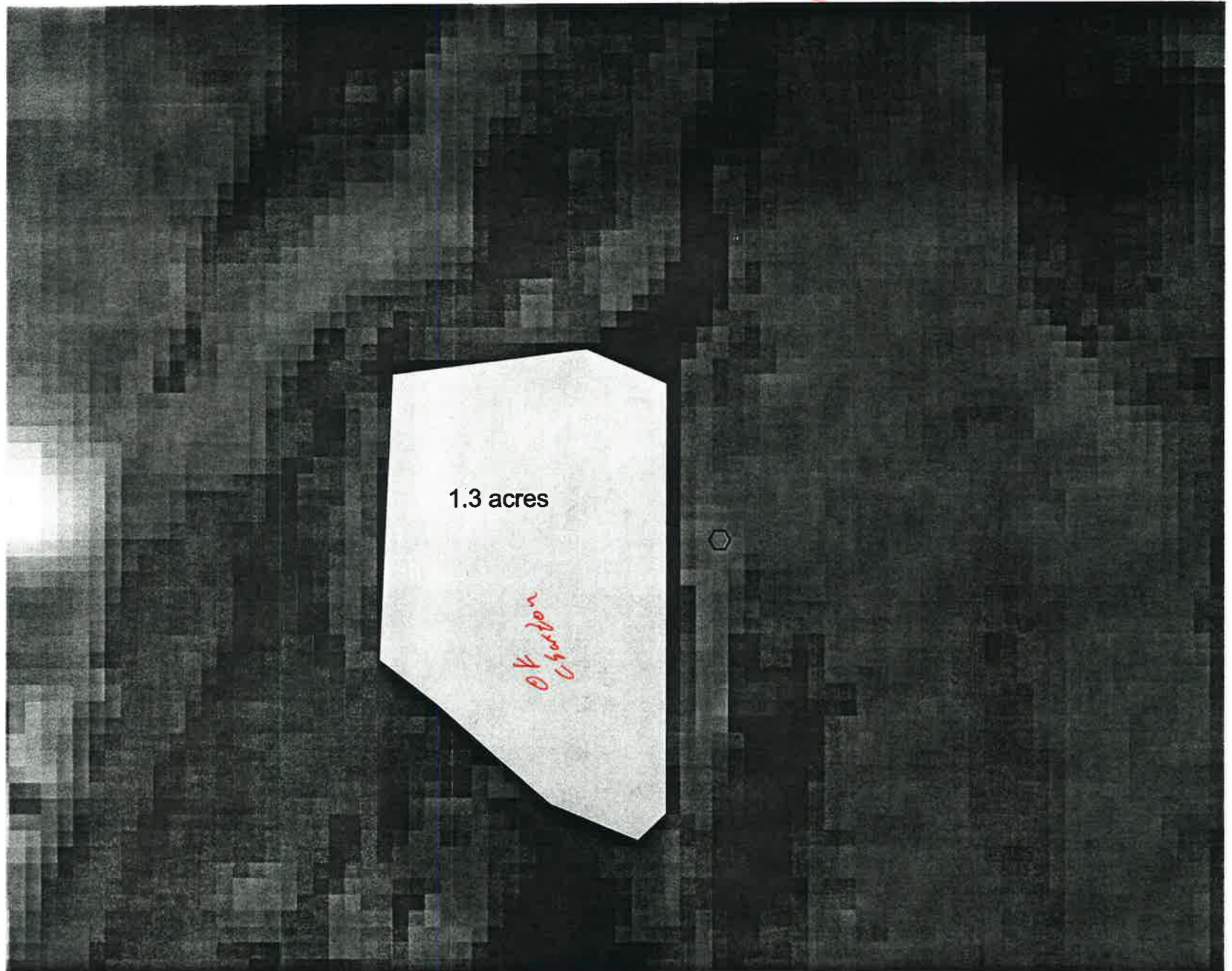
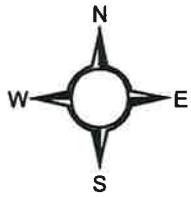
~~0.37 af/day~~ = ~~0.19 g/s~~
1.9835
0.15
0.08 cfs

Memo 8/31/01

Pond, 29-10857

SCANNED
FEB 24 2006

PROFILED



SCANNED

MAY 10 2001

Log for claim A29-02565

Spatial Dynamics AMH

7/17/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
10s34e	7	SWNE	38	38	
10s34e	7	SENE	36	34	
10s34e	7	NESE	25	35	
10s34e	7	NWSE	35	35	
10s34e	7	SWSE	30	25	
10s34e	8	SWNW	40	40	
10s34e	8	SENW	20	26	
10s34e	8	NESW	40	40	
10s34e	8	NWSW	40	40	
Totals:			304	313	

AJ5809NP
No. A29-02565

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/23/00
PAGE: 33

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GLEN BOLINGBROKE 4365 S EPH LN ARBON ID 83212 (208) 335-2181	09/12/1961	IRRIGATION	03-15 11-15	1.040 CFS	505.40 AFA
					TOTAL DIVERSION:	1.040 CFS
					CONSUMPTIVE USE:	505.40 AFA 760.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T10S R34E S07

NESE

POWER County

Point(s) of Re-diversion: T10S R34E S07

NWSE

POWER County

Place of use Legal Description for: IRRIGATION

NE																NW								SW								SE																															
T	R	S	NENE		NWNE		SWNE		SENE		:	NENW		NWNW		SWNW		SENW		:	NESW		NWSW		SWSW		SESW		:	NESE		NWSE		SWSE		SESE		:	SUM																								
			Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:																									
10S	34E	7	:					38		36	:									:								:	25		35		30				:	164.0																									
10S	34E	8	:								:					40		20		:				40		40		:									:	140.0																									
																														TOTAL ACRES																																	304.0

POU County: POWER

Non-Irrigation Uses: NONE

Other Rights: RATTLESNAKE CREEK

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-10859 A29-10857 A29-10859

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00477 A29-10857

Remarks: GEN CONFORMED ATTORNEY ADDRESS DMS

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 03/29/90 DCARLSON 03/30/90 DCARLSON 12/03/92 COX 07/13/94 COX
03/23/95 SSHERMAN 03/29/95 DSMITH 03/29/95 POST-STD

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 29-2565 Priority September 12, 1961 Amount 1.04 cfs

THIS IS TO CERTIFY, that EPHRIAM BOLINGBROKE
of Arbon, Idaho, has complied with the terms and conditions of Permit
No. 29-2565 issued pursuant to Application for Permit dated September 12, 1961,
and has submitted proof to the Department of Water Resources on June 23, 1966,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.04 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>March 15</u> to <u>November 15</u> at <u>1.04</u> cfs and <u>505.4</u> acre feet		
	from _____ to _____ at _____ cfs and _____		
	from _____ to _____ at _____ cfs and _____		

(both dates inclusive)

Subject, however, to the condition that no more than 1.04 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
505.4 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7, Twp. 10S,
Rge. 34E, B.M. in the County of Power

Description and location of place of use:

Twp.	Range	Sec.	NEW				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 $\frac{1}{4}$	
10S	34E	7	28	38	36										28	35	30		192
		8		30		8	39	40	20	40	40								217

Total number of acres irrigated 409

Remarks:

This water is re-diverted from a pond within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7,
Twp. 10S, Rge. 34E, B.M.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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 29 day of
February, 19 80

Director

APPLICATION FOR PERMIT
To Appropriate the Subterranean Waters of the State of Idaho

29-2565

Application No. G-38217
Permit No. G-30183
District No.

1. Name of Applicant: Ephriam Bolingbroke
Postoffice address: Arbon County: Power State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second 6 or Idaho
Miners' inches 300 or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Underground water
4. Location of point of diversion or well is in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 7
Twp. 10 S , Rge. 34 E , B.M., County of Power
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Drilled well - cased - pumped
8. Estimated cost of works: \$5,000.00
9. (a) Is reservoir to be used? There is a small reservoir available if needed
(b) Capacity of reservoir: unknown
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:
7/10 of one cubic foot per second from Rattlesnake Creek - subject to prior rights
 - (a) 2 cu. ft. (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) 4 cu.ft. (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks:

Ephriam Bolingbroke

Applicant.

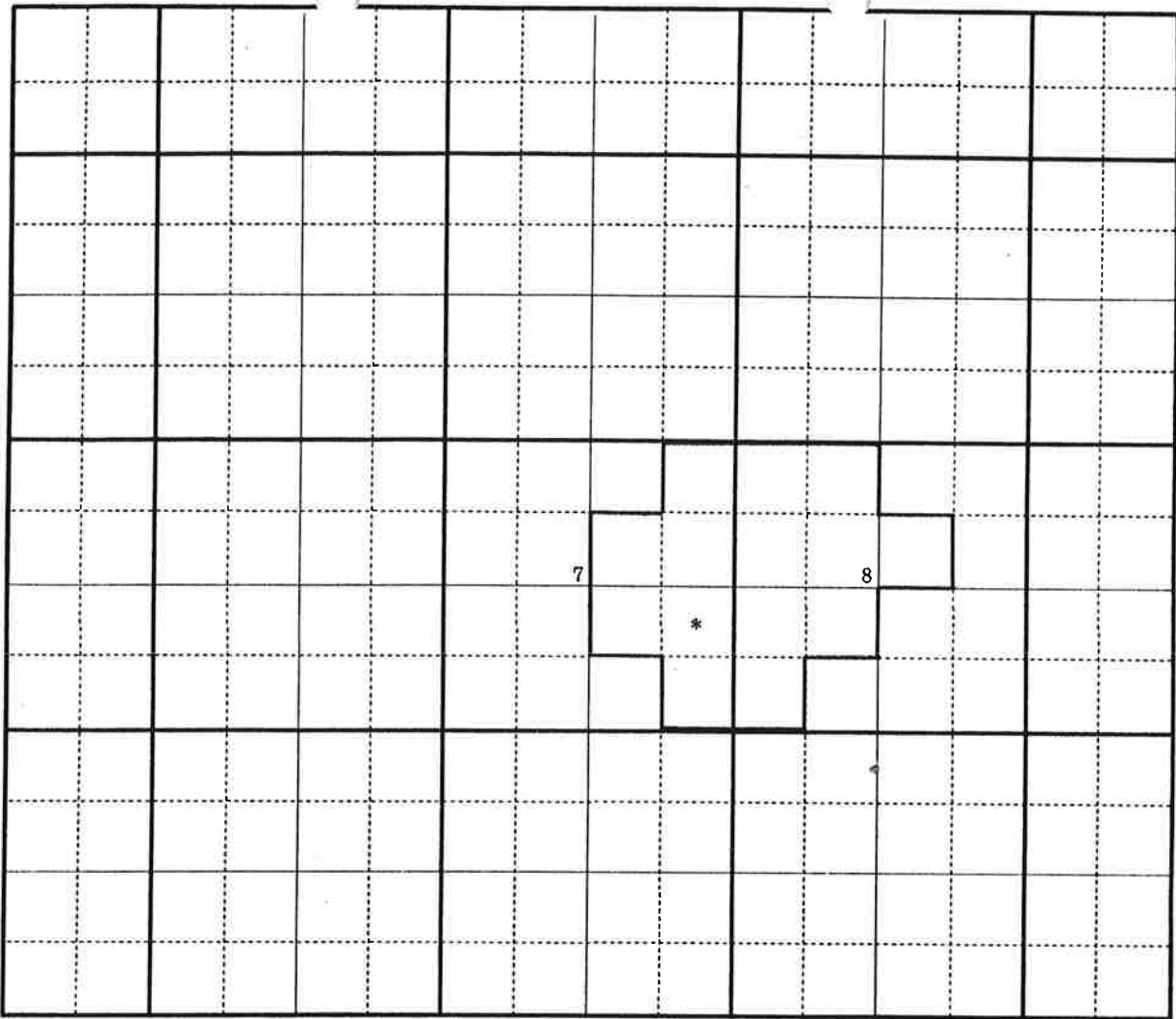
Agent.

Corrected application received:

Governor

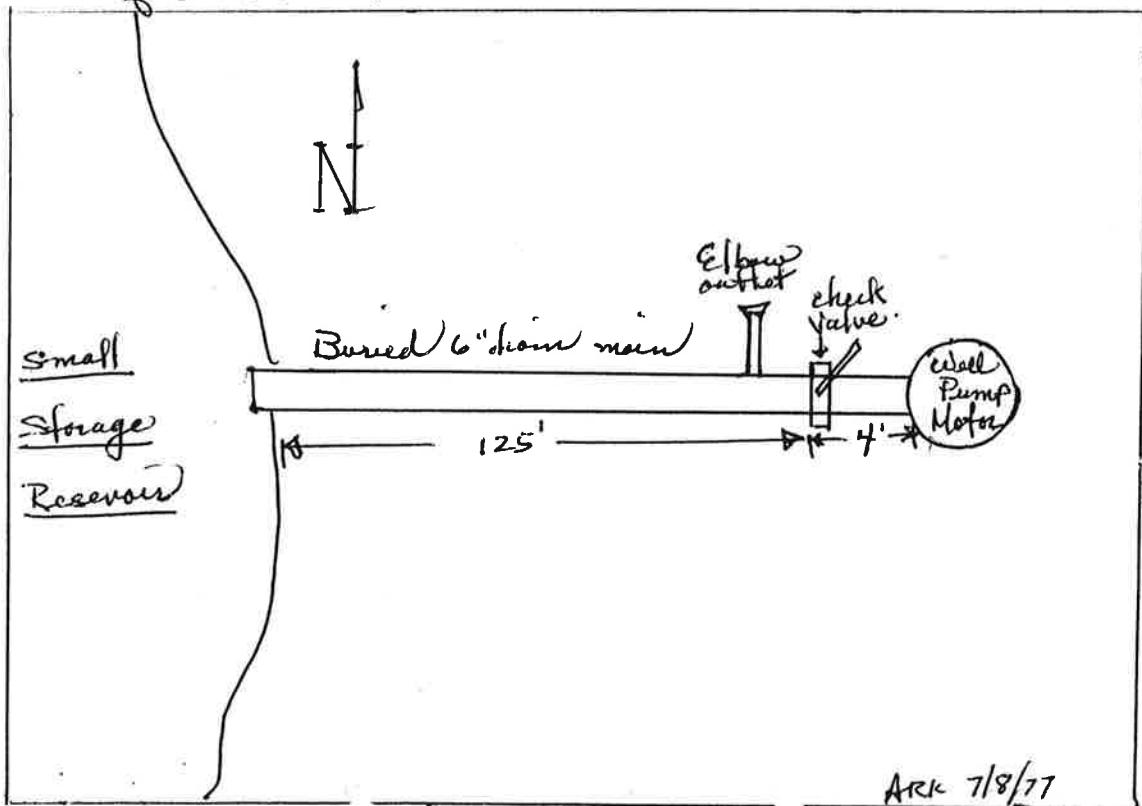
Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10 S	34 E	7	40		40	40											240		
10 S	34 E	8			40		40	40	40			40	40	40			320		
															TOTAL		560		

T.
10
S



Point of Diversion

Diagram of System



Licensing Amendment
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No. 29-2565

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

Comes now EPHRAIM BOLINGBROKE
of (address) Arbon, Idaho 83212, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
No. 29-2565, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NO CHANGE
1/4 1/4, Section _____, Township _____, Range _____, B.M.,
County of _____ Other points of diversion: _____

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

Amount 1.04 for Irrigation purposes from Mar. 15 to Nov. 15 (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10S	34E	7	28		38	36									25	35	30		192
		8			30		8	39	40	20	40	40							217

Total number of acres to be irrigated = 409

4. a. Who owns the property at the point of diversion? Ephraim Bolingbroke
b. Who owns the land to be irrigated or the place of use? Ephraim Bolingbroke
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

RECEIVED

FEB 5 1980

Department of Water Resources
Eastern District Office

Mr. Bolingbroke raises grain usually without benefit of irrigation. However, badly needed rainfall does not always occur at the necessary time. His system is designed to distribute a small quantity of water to dry spots over a large area.





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

RECEIVED

APR - 3 1990

EASTERN REGION

Department of Water Resources

Eastern District Office

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

APR - 2 1990

RANDALL C. BUDGE
PO BOX 1391
POCATELLO, ID 83204

MARCH 30, 1990

Dear Mr. BUDGE:

Please find enclosed a Notice of Claim which has been computer generated based on the information from the original claim(GLEN BOLINGBROKE).

In item #6 on your notice, under irrigation use, you claimed 6.08 cfs, however License 29-02565 is for 1.04 cfs as as the computer generated claim indicates. Please review this claim for any other corrections, then sign the form, having your signiture notarized and return it to this office by May 01, 1990.

If you want to increase the water use for irrigation, you need to file an application for permit for the extra water amount.

Should you have any questions or objections regarding the computer record of your notice, please contact this office.

Sincerely,

Ernest Carlson
Water Rights Supervisor, Adjudications

MICROFILMED
NOV 13 1992

CLAIMANT'S NAME

CLAI DENT. NO.

A29-02565

DATE RECEIVED

CK #

AMOUNT \$

YES	NO	Required Info?
-----	----	-------------------

1. Is the name and address complete with zip code?
2. Is a priority date entered?
Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required.
3. (a) Is a source entered?
(b) Is a tributary to entered? (if required) N/A ____
4. Is the legal description of the p.d. sufficient?
5. Is there a description of the diverting works?
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.
Is the period of use included?
Is a quantity claimed for each use?
7. Is a total quantity claimed entered?
8. If required is a consumptive use entered? N/A ____
Is the consumptive use correct? N/A ____
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. N/A ____
10. Is (are) the place(s) of use and purpose(s) indicated?
11. Is (are) the county(ies) entered?
12. Is the ownership of p.u. checked?
13. Are other water rights listed or "none" indicated?
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A ____
15. Is the basis of the claim indicated?
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A ____
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.
18. Has the claim been signed, sealed, and dated by a notary?
19. Was this claim filed on time, or was an extension granted?
20. Is the fee enclosed correct? Exempt ____
21. If this claim is based on an existing water right, has the identification number been entered? N/A ____
22. Should this claim be data entered?

Claim checked by:

Date:

Claim must be returned to claimant:

X (Yes) / (No)

Claimant must be notified of modifications:

☒ (Yes) ☐ (No)

Receipt Prepared by:

Date:

Claim data entered by:

Date:

Sent to claimant by:

Date:

Checked by:

Date:

Comments:

MICROFILMED
NOV 13 1992

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 29-2565
Date Received: 3/29/1990
Receipt No: E012617
Received By:

AMENDED NOTICE OF CLAIM TO A WATER RIGHT AMENDED
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

GLEN BOLINGBROKE Phone: (208)335-2181
4365 S EPH LN
ARBON ID USA 83212

RECEIVED
MAY 07 2003
WATER RESOURCES
WESTERN REGION

2. Date of Priority: 09/12/1961

3. Source: GROUND WATER , GROUND WATER Trib. to: ,

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
10S	34E	7	NW SE	POWER R	
10S	34E	7	NE SE	POWER	

5. Description of diverting works:

WELL, PUMP & RES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	1.04	505.4
IRRIGATION STORAGE			03/15 11/15	
5.2				
IRRIGATION FROM STORAGE			03/15 11/15	
505.4				

7. Total Quantity Appropriated is:
1.04 C.F.S. and/or 505.4 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
10S	34E	7	✓ NE	NE	IRRIGATION	28
			✓ SE	NE	IRRIGATION	36
			✓ NE	SE	IRRIGATION	31
			✓ SW	NE	IRRIGATION	35
			✓ NW	SE	IRRIGATION	27
			✓ SW	SE	IRRIGATION	39
					Section Acres	196
10S	34E	8	✓ NE	NW	IRRIGATION	6
			✓ NW	NW	IRRIGATION	39
			✓ SW	NE	IRRIGATION	29
			✓ SE	NW	IRRIGATION	20
			✓ SW	NW	IRRIGATION	40
			✓ NE	SW	IRRIGATION	39
					Section Acres	213
					Total Acres	409

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:

14. Remarks:

Claim amended to show original licensed acres and to show original storage, mentioned in permit application and license exam but not shown on original license.

Place of use is a permissible place of use with 29-477 and 29-10857. Pond is used for storage of ground water under this right and for storage of surface water under a beneficial use right.

Claim given temporary database status pending return of signed amended claim. B Contor, 9/19/2001.

15. Basis of Claim: License

SCANNED

FEB 24 2006

16. Signature(s)

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): Glen Bolingbroke Date: 10/2/01

Date: _____

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 2 day

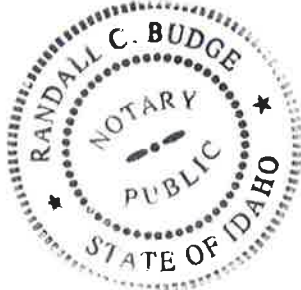
of October 2001

Randall C. Budge

Notary Public

Residing at Pocatello, ID

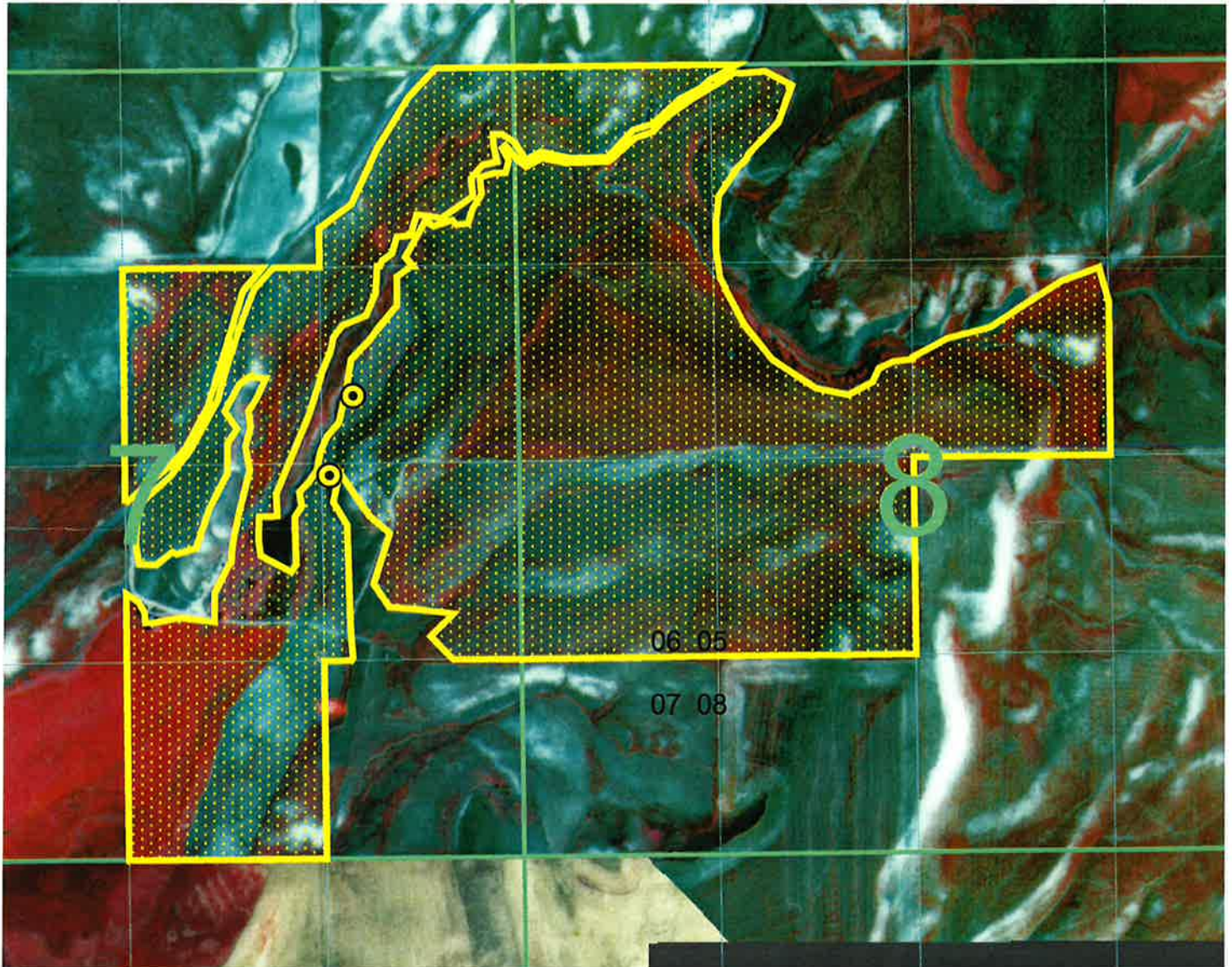
My commission Expires 10/11/2006



Permissible Place of Use

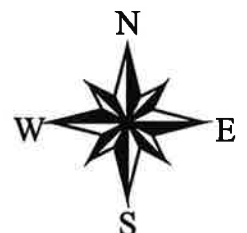
Bolingbroke Amended Claims

Place of Use Based On Original License 29-2565



- Point of Diversion - This Right
- Point of Diversion - Other Rights
- Place of Use - This Right
- Place of Use - Other Rights
- Township
- Section
- Quarter-quarter Section

500 0 500 Feet



Township 10S Range 34E

Prepared from 1987/1988 NAPP photography by B. Contor, 9/2001.

SCANNED
FEB 24 2006

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: A29-02565
Date Received: 3/29/1990
Receipt No: EC12617
Received By: _____

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GLEN BOLINGBROKE
Address: 4365 SOUTH EPH LANE
ARBON, ID 83212
208-335-2181

2. Date of Priority: SEP 12, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	34E	7	NE	SE			POWER
			NW	SE		R	POWER

5. Description of diverting works:
WELL, PUMP & RES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.040		505.40

7. Total Quantity Appropriated is:
1.040 C.F.S. (and/or) 505.40 A.F.A.

8. Total consumptive use is 760.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	34E	7	SW	NE		IRR	38.0
			SE	NE		IRR	36.0

A29-02565

Page 1

Date: 03/30/90

MICROFILMED
NOV 13 1992

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
10S	34E	7	NE		SE		IRR	25.0
			NW		SE		IRR	35.0
			SW		SE		IRR	30.0
			Section Acres					164.0
		8	SW		NW		IRR	40.0
			SE		NW		IRR	20.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			Section Acres					140.0
			Total Acres					304.0

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:
RATTLESNAKE CREEK

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 30183

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): Kris Hadley Date: 4/2/90
ATTORNEY FOR GLEN Date: BALDWIN

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this, 2nd day

of April 19 90

Seal

re me this 2nd day
Katherine M. J. Jolladay
Notary Public

Residing at: Locatello, Idaho

My Commission Expires 7-5-92



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3/4
40 AD - 129/10857

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 429-02565
Date Received 3-29-90
Receipt Number E012617

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

MAR 29 1990

Department of Water Resources
Eastern District Office



Please type or print clearly

1. Name of Claimant (s) Glen Bolingbroke Phone (208) 335-2181

Mailing Address 4365 South Eph Lane, Arbon, Idaho Zip 83212

2. Date of Priority (Only one (1) per claim) 9-12-61

3. Source of water supply (a) Groundwater
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 10S Range 34E Section 7,
_____ 1/4 of NE 1/4 of SE 1/4, Govt. Lot, E. B.M., County of Power

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Irrigation well, 16" hole, 170" deep,
this water is rediverted from a pond within the NW & SE 1/4, Sec. 7, TWP 10'S
R 34 E.B.M. with a 40 H.P. high pressure pump. Irrigation well powered
by 15 H.P. engine with 5 stage pump.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 3-15 to 11-15 amount ~~53~~ 6.08 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) ~~53~~ 6.08 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is ~~6655~~ 760 acre feet per annum.

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

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
10S	34E	7			38	36									25	35	30		164.00
		8							40	20	40	40							140.00

Total number of acres irrigated 304.00

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

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
Below or None ()

14. Remarks:
Also receive irrigation from Rattlesnake Creek source.
Water right claim filed simultaneously herewith.

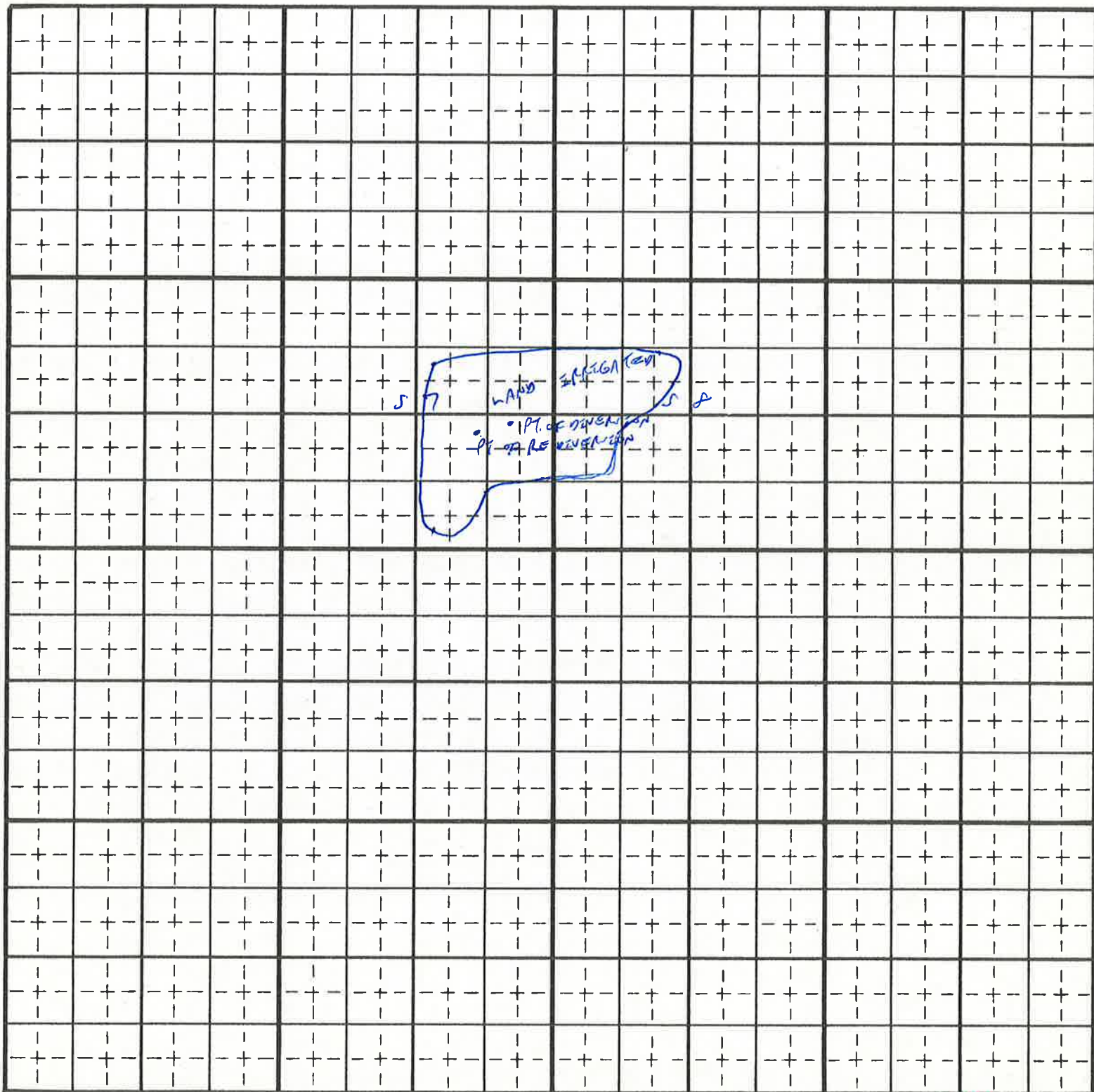
Last Name _____ Ident No. _____

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Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

S7 T10S R34E



Last Name _____ Ident No. _____

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15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number 29-2565
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ✓
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments _____

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

Signature of Claimant (s) ✗ Glen Bolingbroke Date 12-13-89
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

State of Idaho/or _____)
County of BANNOCK) SS.

Subscribed and sworn (or affirmed) before me this 15th day of March 19 90

SEAL

Notary Public Kirk Harding

Residing at Pocatello

My Commission Expires 12/12/95

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, RANDALL C. BUDGE, will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature by Kirk Harding

Address P. O. Box 1391/Pocatello, Idaho 83204

Date December 5, 1989

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NOV 13 1992

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant