

06/25/2002

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

RIGHT NUMBER: 29-4061

NAME AND ADDRESS: GLEN W ROMRIELL
1326 S OLD HWY 91
INKOM ID 83245

KATHY ROMRIELL
1326 S OLD HWY 91
INKOM ID 83245

SOURCE: SPRINGS

TRIBUTARY: SINKS

QUANTITY: 0.15 CFS

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

PRIORITY DATE: 08/28/1958

POINT OF DIVERSION:

T08S R36E S11 SWNE Within BANNOCK County

FOUR POINTS OF DIVERSION LOCATED IN T8S, R36E, S11, SWNE.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
STOCKWATER	01/01 12/31	0.020 CFS
IRRIGATION	04/01 11/01	0.150 CFS

PLACE OF USE:

DOMESTIC Within BANNOCK County

T08S R36E S11 SENW

STOCKWATER Within BANNOCK County

T08S R36E S11 SWNE

T08S R36E S11 SENW

IRRIGATION Within BANNOCK County

T08S R36E S11 SWNE 4.2 T08S R36E S11 SENW 0.3

4.5 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.
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
DOMESTIC USE AND STOCKWATER USE IS NOT A DETERMINATION OF
HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Beneficial Use

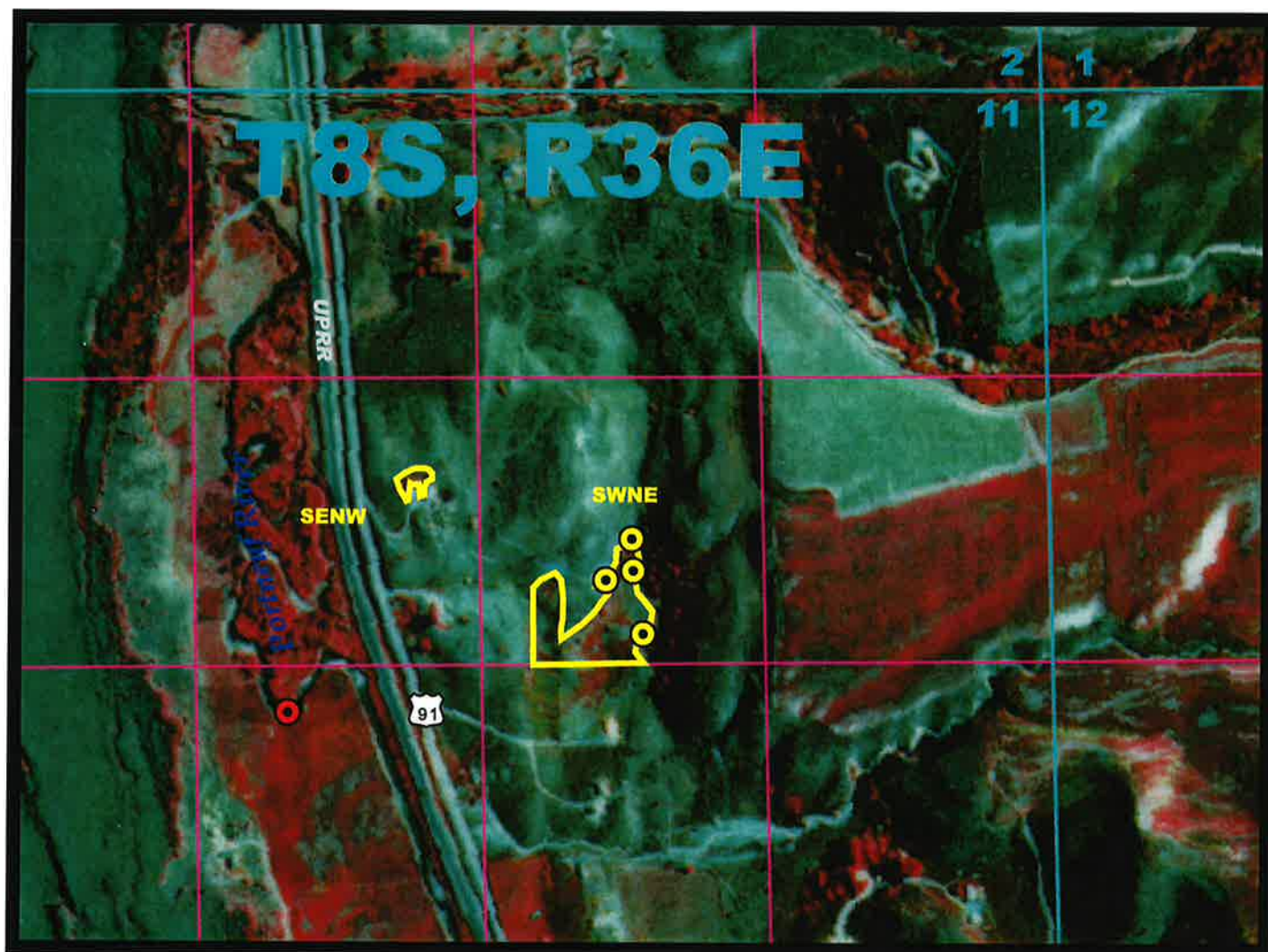


State of Idaho

Department of Water Resources

Eastern Region

Water Right(s): **29-04061**



500 0 500 1000 1500 2000 2500 3000 3500 4000 4500 Feet

LEGEND



Point of Diversion

SESE

Place of Use



Section



Quarter-Quarter

Place of Use: T8S, R36E
Sec. 11 (parts of) SWNE, SENW

Point(s) of Diversion: T8S, R36E
Sec. 11 SWNE (4 Springs)

SCANNED

MAR 02 2006



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: June 2002

PROFILED

29-4061 Bu claim

6/13/02 Met Mr. Komar, visited spring sites and well heads.
Took photos.

I. System is a series of small springs which have been dug out and covered. Black plastic pipe covers were used for the flow. Mr. Komar moves the pipes out or twice per day. Open flow good.

II. The springs are not tributary - they empty, flow a short distance and sink unless captured and piped off.

III. No measurement done - $< 0.20 \text{ cfs}$; claims at 0.21 cfs for flow on site @ 0.15 cfs , 0.02 for stock, and 0.04 for domestic - 0.15 cfs stock and domestic @ 0.06 But not additive. Thus, no measurements.

IV. Priority evidence supports claim -

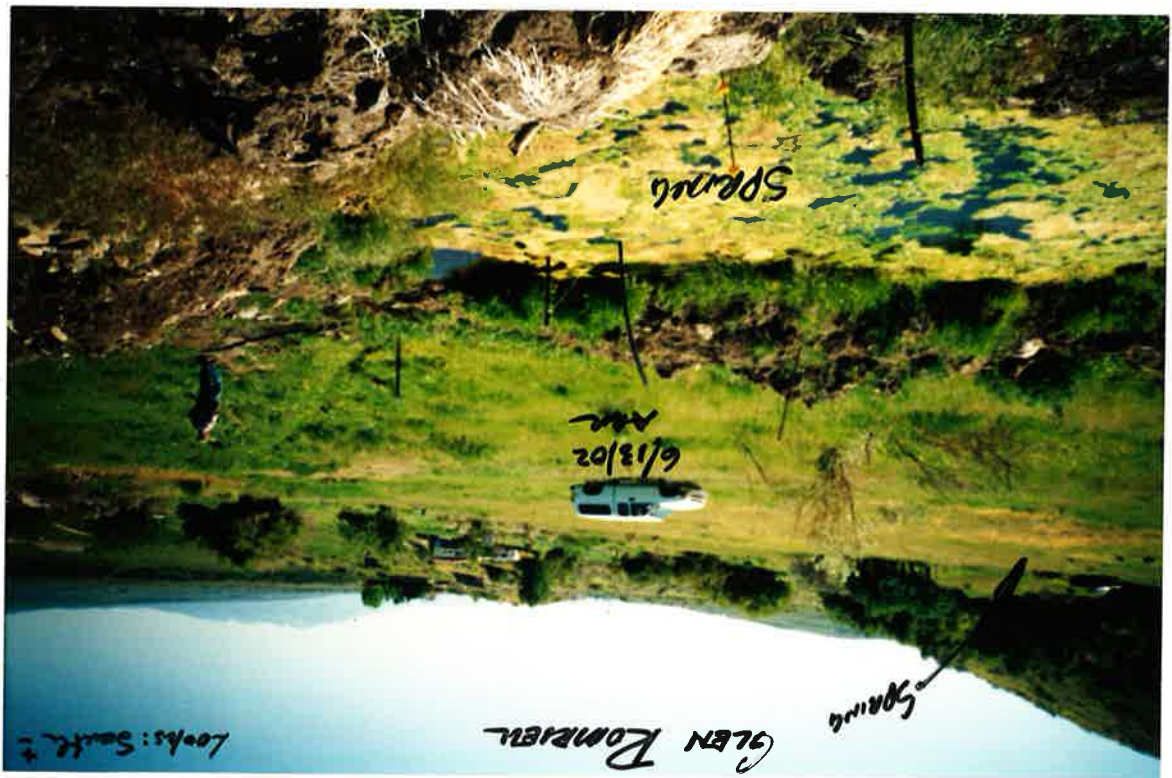
PROFITEE

SCANNED

MAR 02 2006

SCANNED
MAR 02 2006

PROTECTED



2 1
11 12

T8S, R36E

UPRR

Portneuf River



SENW

.3

SWNE

4.2



91





State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Mr Glen Romriell
1326 S Old Hwy 91
Inkom Id 83245

Re: Adjudication Claim 29-04061

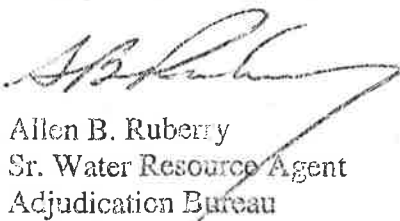
Dear Mr. Romriell;

Thank you for your response with the documentation of your water right. I am, however, at a loss to understand the mailing. I have searched the files, to include Boise, and cannot find the original claim. IDWR documentation does indicate that you have filed a claim and paid fees, but the claim is not to be found. Therefore, I have enclosed another claim form. Please sign with a Notary Public and return it to my attention.

I will be conducting a field exam in the very near future. The scope of the field exam will be to measure the output of the spring and verify the Place of Use acres. With the attached claim I have included a GIS representation (photo) of the area. Please take a moment and outline the acres irrigated and the location of the spring; this will aid me greatly in the field exam.

Again, thank you for your response and I apologize for any inconvenience this may have caused. Should you have any questions regarding this matter, please feel free to contact this office.

Respectfully submitted,


Allen B. Ruberry
Sr. Water Resource Agent
Adjudication Bureau

Cc; file

Enclosures; GIS illustration (2)
Claim copy; 29-04061

PROFILE

RECEIVED

JUN 04 2002

Department of Water Resources
Eastern Region

SCANNED

MAR 02 2003

FE 6/13/02
Photo & GPS Springs
Scattered well/pool's

May 21, 2002

29-4061

Allen B. Ruberry
Adjudication Bureau
900 N. Skyline Dr.
Idaho Falls, ID 83402

RE: Legal Notice
Second Round Service of Commencement Notice Basin 29
General Adjudication of rights to the Use of Water from the Snake River Basin Water System.

Dear Mr. Ruberry,

Enclosed are some documents related to the ownership of our property and affidavits of persons who formerly resided on the property. We would appreciate this documentation be added to our claim to water rights on the property and as our proof of Beneficial Use of the said spring water thereon.

I am not sure whether the time for supplying this information has past but the affidavits were hard to get as most of the previous property owners have past away and their families dispersed.

Thank you for your prompt attention to this information.

Sincerely,

Glen W. Romriell

RECEIVED

MAY 22 2002

Department of Water Resources
Eastern Region

PROFILED

SCANNED
MAR 02 2005

AFFIDAVIT

State of Idaho)
)
)
County of Bannock)

I, Glen Romriell of Inkom, Idaho bought the property known as 1326 S.Old Hwy 91 in August of 1965 from James and Ruby Keaton. My Warranty Deed #547519 dated August 25, 1965 specifically mentioned the spring water located on the property and the ditches. See attached Notice.

Mr. Keaton did not ever live on the property but did apply for a permit to do improvements to the spring water.

Application for permit #35472

Permit # 27539/29-2522

Source of Water Supply: springs (unnamed SW1/4Ne1/4 0.4cfs and SE1/4NW1/4 0.1cfs)

Water to be used for; domestic and irrigation

Kind of Works; pump & sprinkler system

The applied for work was to be completed by September of 1963 and Beneficial use of water to be made on or before September 2, 1969.

I did not know of this application when I bought the property. In fact the property was rented first to Russell Keller. I later rented it with option to buy and did in fact buy it in August of 1965.

From the time I bought it to date I have used the springs to water the pasture and livestock. I also built another holding tank to supply water for domestic use and I have a reservoir and run pipe down to water the surrounding area around the home.

January 1, 1976 we sold a home and approximately 4.75 acres to Edwin Bruderer with rights to the spring that supplied water to that home. The legal description of the property as follows;

A tract of land in the SE ¼ NW ¼ and SW ¼ NE ¼, Section 11, T.8S., R.36E., B.M., Bannock County, Idaho.

The complete legal is on file in Bannock County. Mr. Bruderer did file on that water during the first adjudication. We filed a Claim to a Water Right on January 5, 1976. Claim #294061(Bonneville County) was the place of filing. We did not follow through with anything else at that time. We were lead to believe nothing else was necessary by the Idaho Falls Office of Water Works.

Please add this information as our proof of Beneficial Use of the spring water on the property as legally described here.

On this 20, day of May 2002, _____ personally appeared before me, To be the signer of the above instrument, and that he acknowledge the same.

Subscribed and sworn to before me this 20 day of May 2002.



Glen W. Romriell

Julianne Jones
NOTARY PUBLIC FOR IDAHO

Residing at: Tocatello

Commission expires: 11/2004

SCANNED

MAR 02 2006

Legal Description of property located at 1326 S. Old Hwy 91, Inkom, Idaho.

The SW1/4NE1/4 of Section 11, Township 8 South, Range 36 East Boise Meridian; also that portion of the SE1/4NW1/4 of said Section 11, lying Easterly of the Oregon Short Line Railroad track Bounded as follows: Commencing at the Northwest corner of the SW1/4NE1/4 of Section 11, running thence 80 rods South; thence 24 rods West; thence in a Northwesterly direction along the right of way of said Oregon Short Line Railroad to a point 42 rods West of the place of beginning; thence East to the point of beginning.

Subject to Agreement as to boundary and to establish liquidated damages, between Sheldon Lish and Fred Tripp, recorded June 19, 1956, in Book 16 of Agreements, page 432, records of Bannock County, Idaho.

SCANNED

MAR 02 2006

Location of Springs

'""@-@									
NE NW SW SE 1 NE		SW SE 1 NE NW; W SE 1 NE NW		SE 1 Totals		NW			
-		SW							

SCANNED

MAR 02 2006

April 13, 2002

To Whom It May Concern:

I, Lynn Lish, do make affidavit as to my knowledge of the spring water located on the property known as 13 26 S. Old Hwy 91 Inkom, Idaho.

My father, Sheldon Lish, bought this property as referenced previously in 1949. At that time there were several existing springs located in the upper section of the ground and one located close to the front of the property which ran along old highway 30. There were also ditches.

We cleaned out the ditches for the purpose of irrigation. We also built a cistern and holding tank using spring marked # 1 on the attached map. This water was used to bring water to the house. Spring # ran along the ground and watered the stock and the pasture.

We owned the property until 1957 when it was then sold to James & Ruby Keaton.

Yours Truly,

Duval Lynn Lish

State of Idaho)

County of Bannock)

On this 22, day of April, 2002, Duval Lynn Lish personally appeared before me, to be the signer of the above instrument, and that he acknowledged the same.

Subscribed and sworn to before me this 22 day of April, 2002.



Julianne Jones
NOTARY PUBLIC FOR IDAHO
Residing at: Pocatello
Commission expires: 11/2004

SCANNED

MAR 02 2005

April 13, 2002

To Whom It May Concern:

I, Larry Lish, do make affidavit as to my knowledge of the spring water located on the property known as 13 26 S. Old Hwy 91 Inkom, Idaho.

My father, Sheldon Lish, bought this property as referenced previously in 1949. At that time there were several existing springs located in the upper section of the ground and one located close to the front of the property which ran along old highway 30. There were also ditches.

We cleaned out the ditches for the purpose of irrigation. We also built a cistern and holding tank using spring marked # 1 on the attached map. This water was used to bring water to the house. Spring # ran along the ground and watered the stock and the pasture.

We owned the property until 1957 when it was then sold to James & Ruby Keaton.

Yours Truly,

Larry Lish

State of Idaho)

County of Bannock)

On this 22, day of April, 2002, Larry Lish
personally appeared before me, to be the signer of the above instrument, and that he
acknowledged the same.

Subscribed and sworn to before me this 22 day of April, 2002.



Julianne Jones
NOTARY PUBLIC FOR IDAHO
Residing at: Pocatello
Commission expires: 1/2004

SCANNED
MAR 02 2006

N O T I C E

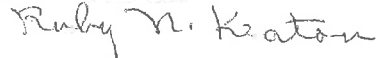
I, the undersigned, do hereby notify Mr. Fred J. Tripp that I am purchasing the property herein described on a Real Estate Agreement from Sheldon Lish; that I am entitled to possession of the said property and you are hereby notified that in the event you enter upon the said land or do anything that will affect the value thereof, you will be guilty of criminal trespass and the proper authorities will be notified.

A description of said land is as follows:

The SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, Township 8 South of Range 36 East Boise Meridian; also that portion of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 11, lying Easterly of the Oregon Short Line Railroad Track bounded as follows:

Commencing at the Northwest corner of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 11, running thence 60 rods South; thence 24 rods West; thence in a Northwesterly direction along the right of way of said Oregon Short Line Railroad to a point 42 rods West of the place of beginning; thence East to the point of beginning, containing in all 58.75 acres, more or less, also all fences, improvements, springs of water, also all water, water rights, laterals, ditches pertaining thereto....

IN WITNESS WHEREOF, I have hereunto set my hand and seal
this 16th day of March, 1961.

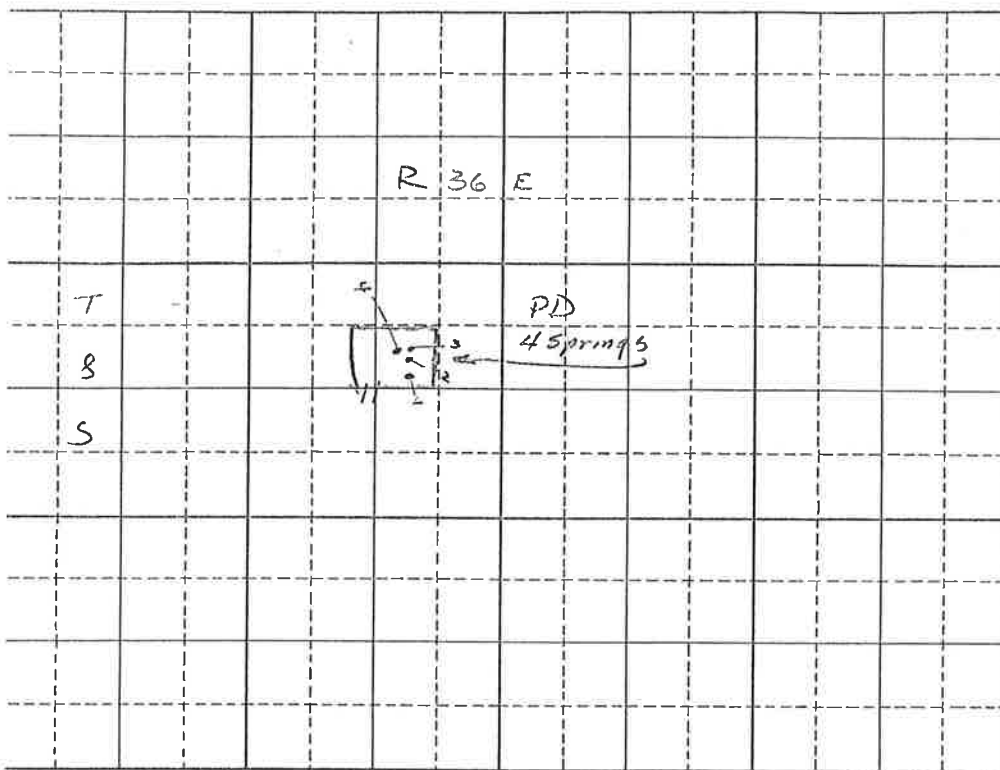

James E. Keaton

Ruby M. Keaton

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

(7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Sonneville) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this 5th day of January, 19 76.

Edward Bonnell
(Claimant)

Larry O. Hurler
Notary Public

Residing at Idaho Falls Id.

My commission expires March 21, 1979

For Department Use Only

Received by <u>---</u>	Date <u>1-25-76</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>---</u>	Date <u>1-25-76</u>		claimant by:	
\$10.00 fee received by <u>---</u>	Date <u>1-25-76 #5-54</u>			
Approved for publication by <u>---</u>	Date <u>1-26-76</u>			
Published in <u>---</u>				
Dates <u>---</u>				

Idaho Department of Water Resources Receipt

Receipt ID E027468

Payment Amount \$55.00 Date Received 2/20/2002 3:32:29 PM Region Eastern Status ☐
Payment Type Cash

Payer GLEN W ROMRIELL

Comment 29-04061 adj claim

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$55.00	ADJUDICATION FILING FEE	0337		43503	1155


Signature Line (Dept. Representative)

SCANNED

MAR 02 2006

Receipt Details for ID E027468

Status	Adjustment Type	Version
		1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
2/20/2002 3:32:29 PM	2/20/2002 4:10:02 PM	EASTERN	\$55.00	Cash
Payer		GLEN W ROMRIELL		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
Card Expiration Date	Credit Card Transaction #		

Comment 29-04061 adj claim**Fee Detail:**

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$55.00	ADJUDICATION FILING FEE	43503	0337			1155

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

SCANNED
MAR 02 2006

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 29-4061
Date Received: 2/20/2002
Receipt No:
Received By: EØ27468

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

GLEN W ROMRIELL Phone: (208)775-3728

1326 S OLD HWY 91
INKOM ID USA 83245

(K) Kathy Romriell
1326 S. OLD HWY 91
Inkom, ID 83245

2. Date of Priority: 08/28/1958

3. Source: SPRINGS Trib. to: SINKS

→ 236-7275 work

4. Point of Diversion:

Township Range Section 1/4 of 1/4 of 1/4 Lot County Type
08S 36E 11 SW NE
BANNOCK

5. Description of diverting works:

springbox to a 2" pipeline to home and one acre and spring flow dammed off to
irrigate another 4 acres

6. Water is used for the following purposes:

Purpose
IRRIGATION
STOCKWATER
DOMESTIC

10/31
From To C.F.S.
04/01 11/01 0.15
01/01 12/31 0.02
01/01 12/31 0.04

(or) A.F.A

7. Total Quantity Appropriated is:
0.21 C.F.S.
0.15

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08S	36E	11	SE	NW	DOMESTIC	
			SE	NW	STOCKWATER	
			SW	NE	STOCKWATER	
			SW	NE	IRRIGATION	4
			SE	NW	IRRIGATION	1
					Section Acres	5
					Total Acres	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:

14. Remarks:

15. Basis of Claim: Beneficial Use

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): Glen W. Romriell Date: 5-31-02

5-31-02

Kathy Romriell

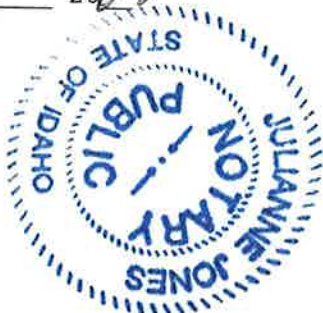
Date:

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this

of

May 2002



31st
Julianne Jones

Notary Public

Residing at

Bozartville, Idaho

My commission Expires

11/2004

T8S, R36E
Sec. 11

UPRR

Portneuf Riv.

Old Hwy 91

Interstate I-15



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 29-4061
Date Received: 2/20/2002
Receipt No:
Received By:

EO27468

DC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

GLEN W ROMRIELL Phone: (208)775-3728

1326 S OLD HWY 91
INKOM ID USA 83245

A2904061



2. Date of Priority: 08/28/1958

3. Source: SPRINGS Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
08S	36E	11	SW NE	BANNOCK	

5. Description of diverting works:

springbox to a 2" pipeline to home and one acre and spring flow dammed off to irrigate another 4 acres

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.15	
STOCKWATER	01/01	12/31	0.02	
DOMESTIC	01/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.21 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
----------	-------	---------	----------------	-----	-------

PROFILE

SCANNED

MAR 02 2006

08S

36E 11

SE NW
SE NW
SW NE
SW NE
SE NW

DOMESTIC
STOCKWATER
STOCKWATER
IRRIGATION 4
IRRIGATION 1

Section Acres 5

Total Acres 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:

14. Remarks:

15. Basis of Claim: Beneficial Use

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): Glen W. Romrell Date: 2-20-02

Date:

State of Idaho

County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this

20 of Feb 2002

Dave Carlsson

Notary Public

Residing at Rigby, ID

My commission Expires 2/26/2006



