

08/20/2001

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

RIGHT NUMBER: 29-4067

NAME AND ADDRESS: VIRGIL T GERMER
5268 W PORTNEUF RD
INKOM, ID 83245

SOURCE: PAPOOSE CREEK TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.22 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 0.22 CFS. COMBINED RIGHT NOS.:
29-04067, 29-07658, AND 29-10698.

PRIORITY DATE: 04/01/1971

POINT OF DIVERSION: T07S R35E S23 SWSESE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-01 10-31	0.22 CFS

PLACE OF USE:

IRRIGATION Within BANNOCK County
T07S R35E S23 NESE 11.1

11.1 ACRES TOTAL

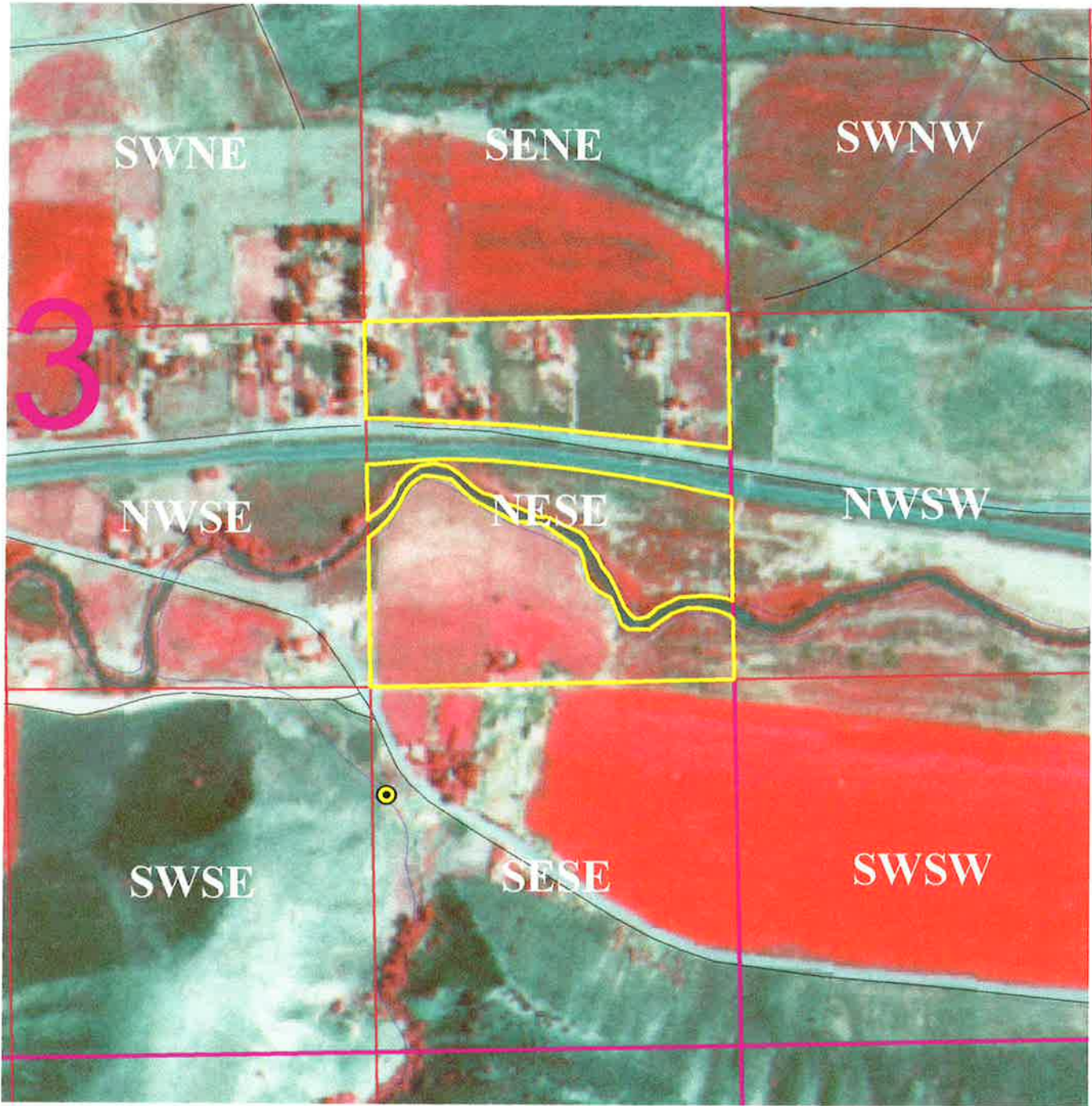
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 11.1 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-04067, 29-07658, AND
29-10698.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 11.1 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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: BASIS OF CLAIM - Beneficial Use



Irrigated Area

Place of Diversion

Section Line

Quarter Section Line

Roads

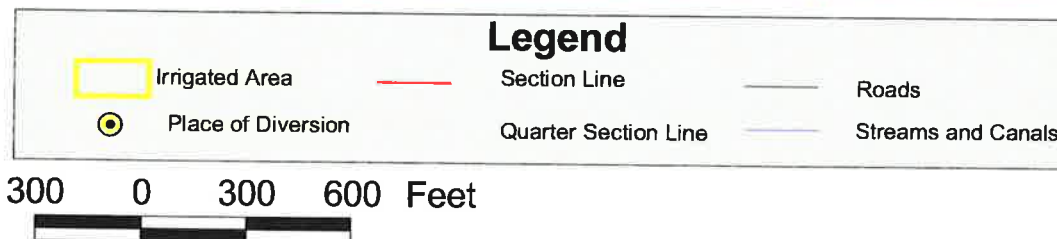
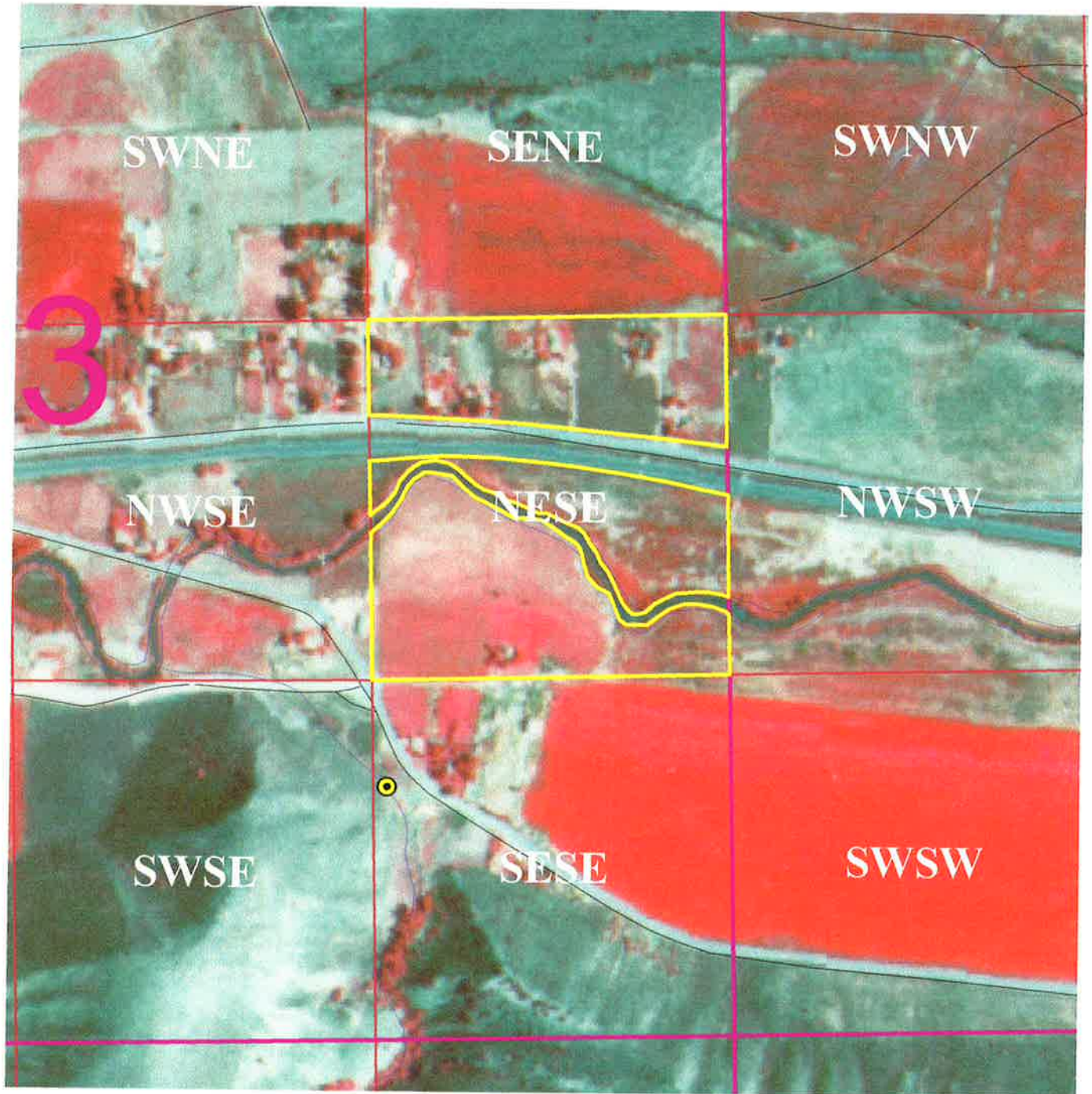
Streams and Canals

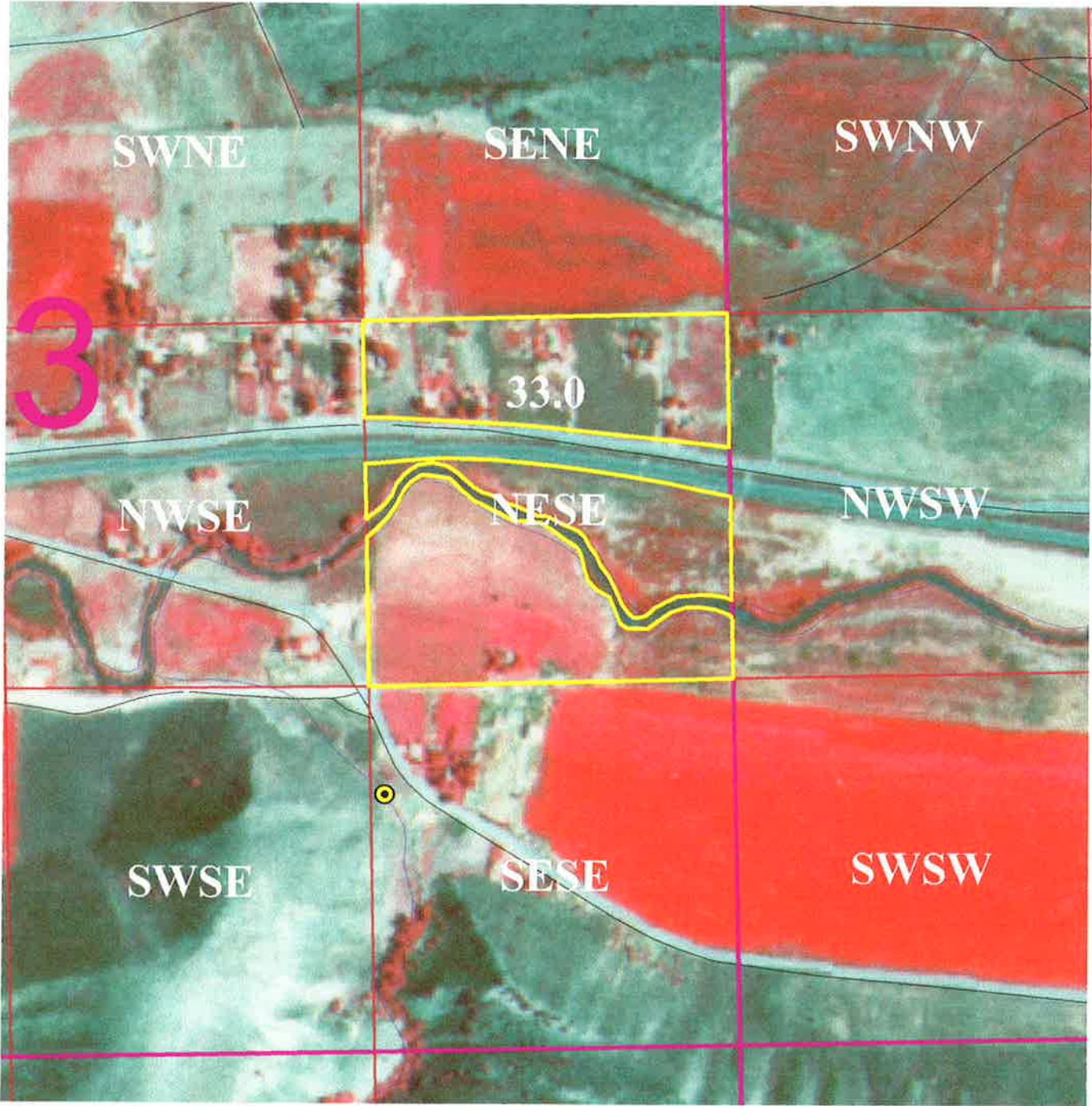
Legend



Water Right Claim Number A29-04067
Township , 7S35E

08/31/2000





 Irrigated Area

 Place of Diversion

 Section Line

 Quarter Section Line

 Roads

 Streams and Canals

Legend



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-4067 V1

WATER RIGHT NUMBER: 29-4067 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	VIRGIL T GERMER 5268 W PORTNEUF RD INKOM, ID 83245 (208)775-3782
Attorney	REED W LARSEN PO BOX 1391 POCATELLO, ID 83204
Attorney	REED W LARSEN RACINE OLSON NYE COOPER & BUDGE CHARTERED PO BOX 1391 POCATELLO, ID 832041391 (208)232-6101

Priority Date: 04/01/1971

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
PAPOOSE CREEK	PORTNEUF RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/31	0.220 CFS	
<u>Total Diversion:</u>		0.220 CFS	

Location of Point(s) of Diversion

PAPOOSE CREEK	SW1/4SE1/4SE1/4	Sec. 23, Twp 07S, Rge 35E, B.M.
BANNOCK County		

Place of UseIRRIGATION Within BANNOCK County

T07S R35E S23 NESE 11.1

Total Acres: 11.1

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.

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 11.1 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-04067, 29-07658, AND 29-10698.
2. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 11.1 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-4067 V1

3. Quantity USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.22 CFS. COMBINED RIGHT NOS.: 29-04067, 29-07658, AND 29-10698.

Comments:

1. cfritsch 5/10/01 Update
Comment: Updated POD and POU in SDE. Condition C18 added.

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: NONE RECEIVED
State or Federal: S
Owner Name Connector: OR
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>
Summary	5/10/01 3:50:33 PM		5/10/01 3:50:33 PM	cfritsch	Active

Verification Log:

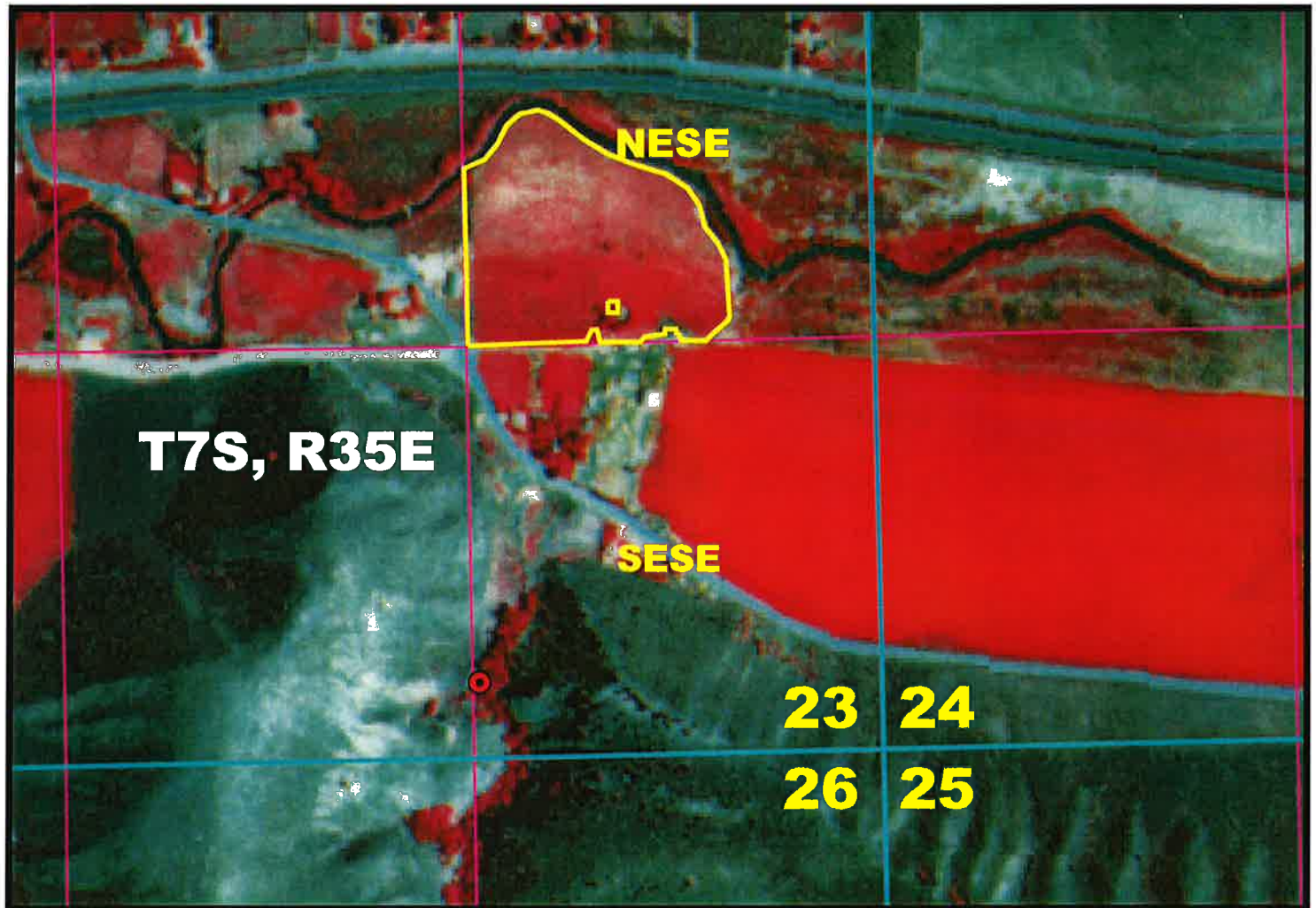
<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	5/10/01 3:35:10 PM	cfritsch	Edited point location
POU	5/10/01 3:47:39 PM	cfritsch	Edited shape boundary
POU	5/10/01 3:47:55 PM	cfritsch	Edited PLS
Summary	5/10/01 3:50:31 PM	cfritsch	1. (YES) The basis of the claim is beneficial use. 2. (NO) All the water being used for all the purposes is not being claimed and to the extent it was claimed. 4. (YES) A portion of the claim is being recommended. 5. (YES) General remark was required. 6. (NO) Explanatory remark was not required. 7. (NO) Additional condition was not required. 8. (YES) Wanted to view the recommended right. 9. (NO) This is not a split right. 10. (NO) This is not a combined right. 11. (NO) Documents were not linked or attached to this file. 12. (YES) Set the verification date.



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s): 29-04067



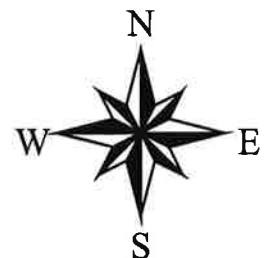
0 1320 Feet

Total Irrigated Acres: 11.1

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

SCANNED
MAR 10 2006

PROFILES



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

Craig

02/08/2003

NOTICE OF ERROR
REPLY

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: 29-4067

VIRGIL T GERMER
5268 W PORTNEUF RD
INKOM ID 83245
Telephone Number: (208) 775-3782

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: March 25-03 SIGNATURE: Laura B Germer
Please print your name: Laura B Germer

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

PROFILED

RECEIVED
APR 03 2003
Department of Water Resources
Eastern Region
SCANNED
MAR 10 2006

sent ownership
change form
4-3-03
JC

March 25-03
5268 W Portney Rd
Inkom - Id 83245

I am returning the papers with one exception
Please leave my name (Laura B Germer)

Laura B Germer as Primary on Notice.
And remove Virgil T. Germer my Husband.
Passed away Sept. 21st 95. - and add my
Son - Laval V. Germer in place of Virgil's.

Thank you

Sincerely

Laura B Germer

Phone No. and address
The Same - as notice.

REC'D

RECEIVED
MAR 23 2003
CLERK OF DISTRICT COURT

SCANNED

MAR 10 2006

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

RECEIVED
APR 10 2003
Department of Water Resources
Eastern Region

Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>done for 4-11-03</u>	<u>29-10698</u>	☐			☐
	<u>29-4067</u>	☐			☐
	<u>29-7658</u>	☐			☐
		☐			☐
		☐			☐

The following REQUIRED information must be submitted with this form:

- The appropriate FILING FEE. See instructions for fee amounts. + death certificate
- A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, WITH ATTACHED LEGAL DESCRIPTION.
- Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency AERIAL PHOTO with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

Name and Address of Former
Owner/Claimant(s)

Virgil Germer

New Owner/Claimant(s)

Laura Germer

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

Same
New Mailing Address

5268 W Portneuf Rd

City, State and ZIP Code

Idaho Id. 83245-1611

New Telephone Number

(208) 775-3782

5. Date you acquired the property

SCANNED
MAR 10 2006

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STATE OF IDAHO
IDAHO DEPARTMENT OF HEALTH AND WELFARE
CENTER FOR VITAL STATISTICS AND HEALTH POLICY
CERTIFICATE OF DEATH

Date Filed OCTOBER 02, 1995

Slate File No. 1995-05852

DECEDENT - NAME VIRGIL T. GERMER				AGE 67 YEARS	
DATE OF DEATH SEPT. 21, 1995		SEX MALE	SOCIAL SECURITY NUMBER 518-300-6867	DATE OF BIRTH MAR. 03, 1928	
BIRTHPLACE IDAHO		WAS DECEDENT EVER IN U.S. ARMED FORCES? YES		MARITAL STATUS MARRIED	
SURVIVING SPOUSE (If wife, maiden name) LAURA B. ABBEY		CITY, TOWN OR LOCATION OF DEATH POCATELLO, IDAHO			
RESIDENCE STATE IDAHO		CITY, TOWN OR LOCATION INKOM			
FATHER - NAME JOHN GERMER				BIRTHPLACE IDAHO	
MOTHER - FULL MAIDEN NAME VIRGINIA BERDOLLI				BIRTHPLACE ITALY	
NAME AND ADDRESS OF MORTUARY MANNING-WHEATLEY FUNERAL CHAPEL, POCATELLO, IDAHO					
FUNERAL SERVICE LICENSEE MICHAEL S. HAMMOND					
METHOD OF DISPOSITION BURIAL		TIME OF DEATH 7:00 A.M.		MANNER OF DEATH NATURAL	
CAUSE OF DEATH (underlying cause last) a. MULTIPLE METASTATIC CA TO BRAIN					Approximate Interval Between Onset and Death MONTHS
b. LUNG CA					MONTHS
c. SMOKING					YEARS
d. 					
OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH but not resulting in the underlying cause given above CONCURRENT CVA 2NDARY BRAIN METS					AUTOPSY PERFORMED? NO
NAME OF CERTIFIER CHRISTOPHER C. SHIELDS, M.D.				TITLE OF CERTIFIER PHYSICIAN	
CORONER REVIEW AREA					
ACTION				NAME	
EXTERNAL CAUSES ONLY					
DATE OF INJURY		HOUR OF INJURY		INJURY AT WORK?	
DESCRIPTION OF HOW INJURY OCCURRED					
PLACE OF INJURY		LOCATION OF INJURY			

This is a true and correct reproduction of the document officially registered and placed on file with the IDAHO CENTER FOR VITAL STATISTICS AND HEALTH POLICY.

DATE ISSUED: DECEMBER 12, 2000

This copy is not valid unless prepared on engraved border displaying state seal and signature of the Registrar.

Jane S. Smith
JANE S. SMITH
STATE REGISTRAR

SCANNED

MAR 10 2006



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 29



RIGHT ID
POD ID
Quad
Claim Type
Easting
Northing
GPSID

Diversion Description

HEADGATE TO PIPE/DITCH/PIPE TO SPRINKLER LINE. 8" pipe flows full. Also centrifugal pump to sprinkler line.

Assumptions

Assume main source of diversion is the 8 inch pipe. Assume slope,

Invoice #

Phase-0 (No Attention)
Phase-I (Ready to Go to Field)
Phase-II (Site Visit - Data Missin
Phase-III (Complete w/issues)
Phase-IV (Total Complete)

Linked

Photos

EPE (ft)

Date (M/D/Y)

Time

Flow Rate (CFS)

Open Channel Flow

☒ Complete one box from both Area and Calculation sections

Cross Sectional Area

☒ Circular Channel

- ☐ Less than half full
☐ Half full
☐ More than half full
☒ Full

Diameter

Depth

☐ Rectangular Channel

Width

Depth

Flow Calculation

☐ Continuity

Velocity

☐ Orifice

(Use only for head over a pipe flowing full with free discharge)

Depth of Water above orifice centerline

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe

Width of weir

☒ Manning (If used, include photo of representative channel section)

Channel Slope

Channel Description

Concrete lined	.016
Smooth earth	.025
Earth	.033
Rough bed, weeds on sides	.04
Smooth natural stream	.033
Rough natural stream	.1

Pumped System

☐

HP

Pressure Head (psi)

Elevation Head (ft)

Motor Mfg

Motor Serial #

Pump Type

Pump Mfg

Pump Serial#

New Contact Information

☐

New Contact Comments

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JAN 23 2003

Department of Water Resources
Eastern Region

JUN 13 2001

03/05/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 29-4067

Owner Type
Current OwnerName and Address
VIRGIL T GERMER
5268 W PORTNEUF RD
INKOM, ID 83245
(208)775-3782

Attorney

REED W LARSEN
PO BOX 1391
POCATELLO, ID 83204

Attorney

REED W LARSEN
RACINE OLSON NYE COOPER &
BUDGE CHARTERED
PO BOX 1391
POCATELLO, ID 832041391
(208)232-6101Priority Date: 04/01/1971
Basis: Beneficial Use
Status: ActiveSource
PAPOOSE CREEKTributary to
PORTNEUF RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01	10/31	0.22 CFS		
Total Diversion			0.22 CFS		

Location of Point(s) of Diversion:

PAPOOSE CREEK SWSESE Sec. 23 Township 07S Range 35E BANNOCK County

IRRIGATION Use:
Acre Limit: 11.1

Place(s) of use:

Place of Use Legal Description: IRRIGATION BANNOCK County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07S	35E	23		NESE	11.1									

Total Acres: 11.1

Remarks:

1. General

RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM OTHER SOURCES FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE, WHICH WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 29 REPORT FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE WILL CONTAIN REMARKS LIMITING THE COMBINED USE OF THIS RIGHT AND THE RIGHTS FROM THE OTHER SOURCES.

THE CONSUMPTIVE USE VOLUME OF THIS RIGHT SHALL NOT EXCEED 33.3 AF IN A SINGLE

IRRIGATION SEASON.

Dates:

Licensed Date:
Claim Received Date: 01/08/1990
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Decreed Date:
Date Filed with Court:
Objection Filed Date:
SF5 Filed:
Special Master Recom Signed Date:

Element Reviewed/Verified Dates: No dates found

Other Information:

Receipt Number(s): E011510
State or Federal: S
Owner Name Connector: OR
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
PresumptionFlag:
Notice of Error Flag:NONE RECEIVED
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Verification Log: No log entries

Log for claim A29-04067

Spatial Dynamics BTD

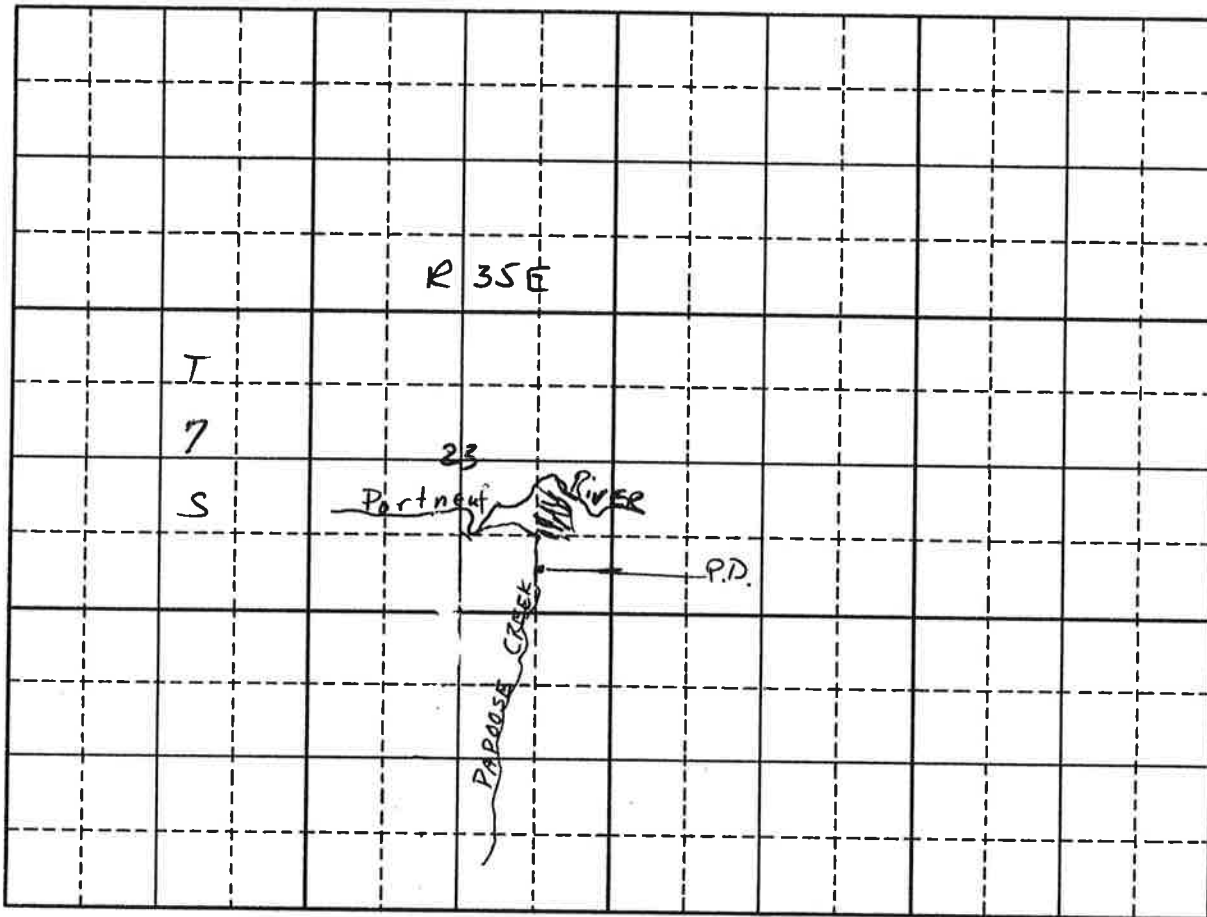
8/31/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s35e	23	NESE	13	33	Indiscernible
Totals:			13	33	

DATE: 05/18/00
PAGE: 177

Audit: 01/08/90 VERNER 03/01/93 FRAZEE 03/29/95 POST-STD

(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 Bonneville) 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 30th day of August, 1976.

Hyman Martin Palmer
(Claimant)

Loren O'Halloran
Notary Public
Residing at Idaho Falls, Id

My commission expires March 21, 1979

For Department Use Only

Received by <u>EW</u>	Date <u>8-30-76</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>EW</u>	Date <u>8/30/76</u>		claimant by:	
\$10.00 fee received by <u>EW</u>	Date <u>8-30-76</u>			
Approved for publication by <u>me</u>	Date <u>9-23-76</u>			
Published in <u>Idaho State Journal</u>				
Dates <u>Sept. 24 to 30, 1976</u>				

State of Idaho
Department of Water Resources

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APR 24 1986

ASSIGNMENT OF ~~PERMIT~~ CLAIM

Department of Water Resources

I, Mrs. H. Martin Palmer, hereby assign to Virgil T. or Laura Germer
of 5268 W. Portneuf Rd. Inkom, Idaho 83245
Address

CHECK ONE

☒ All my right, title, and interest in and to ~~Permit~~ CLAIM No. _____
to appropriate the public waters of the State of Idaho.

☒ The following described portion of my right, title, and interest in and to ~~Permit~~ CLAIM
No. 29-4067 to appropriate the public waters of the State of Idaho.

(Describe that portion of the ~~permit~~ claim being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

0.26 cfs or 13 miners inches for use on 13. acrs located in

the NE4SE4 S23 T7s R 35 E Tax Parcel Number R4013039000.

Made this 21 day of April, 19 86.

Mrs. H. Martin Palmer
CLAIM ~~Permit~~ Holder

Spouse of ~~Permit~~ Holder
Claim

State of Idaho)
County of Bannock) ss.

On this 21 day of April, 19 86, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

John W. Moore
Notary Public residing at
Boise, Idaho

My commission expires:

1/78

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ok

S E L	First Name	O W N	Water Right No.	Priority Date	Source	Total Diversion	Use Code Desc
GERMER							
VIRGIL		C	A29-07659/	08/25/1982	GROUNDWATER	0.040	04 STOCK 43 DOMEST
LAURA		C	A29-07659/	08/25/1982	GROUNDWATER	0.040	04 STOCK 43 DOMEST
VIRGIL		C	A29-10698	06/10/1928	PORTNEUF RI	0.260	01 IRR
VIRGIL		C	R29-07659/	08/25/1982	GROUNDWATER	0.040	04 STOCK 43 DOMEST
LAURA		C	R29-07659/	08/25/1982	GROUNDWATER	0.040	04 STOCK 43 DOMEST
VIRGIL T		C	A29-04067/	04/01/1945	PAPOOSE CRE	0.260	01 IRR
VIRGIL		C	A29-07658/	08/25/1982	GROUNDWATER	0.150	01 IRR 49 FIRE
LAURA		C	A29-07658/	08/25/1982	GROUNDWATER	0.150	01 IRR 49 FIRE
LAURA		C	A29-10698	06/10/1928	PORTNEUF RI	0.260	01 IRR

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

Modified all
+ AZ9-10101 - Crossall
Suffield - A+R AZ9-04064B
✓ - 10103
Palmer AZ9-10102
Matthews A+R AZ9-04064C
Thompson AZ9-04064D

AZ904067



Attach NOA
to each record
A + R?

NOA.

MICROFILMED
APR 12 1994

INPUT: SELECTION:FRAZEE-NAME-SIMPLOT.SEL

ADJUDICATION ATTO

NAME ADD/UPDATE

TIME: 21:11.4
PAGE: 1

TYPE OF ACTION: ADD

MODIFY ALL FIELDS FLAG:

LAST NAME: YOUNG, GRAY OR BRUCE BELZER
ADDRESS LINE 1: J R SIMPLOT CO LEGAL DEPT
ADDRESS LINE 3: PO BOX 27
CITY: BOISE

FIRST NAME:
ADDRESS LINE 2:999 MAIN ST STE 1300
STATE: ID ZIP: 837070027 PHONE NUMBER: (208) 389-7318

36-02208 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-02212 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-02213 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-02542 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-02619 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-02620 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-02648A ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-02648B ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-02729 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-04006 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-04179 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-04180 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-04181 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-04182 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-04256 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-07333 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-07636 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-08154 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-13319 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
36-13320 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
57-02202 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
57-02203 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A01-04058 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A01-10101 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-00006 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-00015 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-00060 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-00076 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-00087 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-02053 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-02118 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-02139 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-02166 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-02220 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-02221 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-02222 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-02241 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-02409 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-07027 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-07040 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-07382 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-10002 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-10026 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A02-10049 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A22-07423 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A22-07451 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A24-07113 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A24-07164 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A24-07169 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE

*You have N.O.A. copy.
- Joel*

RECEIVED

APR 01 1993

Department of Water Resources
Eastern District Office

*Printout attached to ea. claim?
J.R. Enright*

APR 12 1994
FILMED

INPUT: _SELECTION:FRAZEE-NAME-SIMPLOT.SEL

TYPE OF ACTION: ADD

MODIFY ALL FIELDS FLAG:

LAST NAME: YOUNG, GRAY OR BRUCE BELZER
ADDRESS LINE 1: J R SIMPLOT CO LEGAL DEPT
ADDRESS LINE 3: PO BOX 27
CITY: BOISE

FIRST NAME:
ADDRESS LINE 2:999 MAIN ST STE 1300
PHONE NUMBER: (208) 389-7318

STATE: ID ZIP: 837070027

A25-13297 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A25-13298 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A27-02138 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A27-02168 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A27-07126 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A27-07294 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A27-11241 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A27-11242 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A27-11338 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A29-02375 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A29-02501 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A29-02502 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A29-04088 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A29-04307 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A29-04311 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A29-04312 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
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A29-04489 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A29-07036 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A29-07763 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A29-11312 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A29-11313 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A33-02054 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A33-02075 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A33-02076A ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A33-02076B ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A33-02119 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A33-02125 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A33-07007 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A33-07053 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
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A33-10092 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A35-02413 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A35-04175 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A35-04189 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A35-08114 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A35-08131 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A35-08162 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A35-11480 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A36-02208 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A36-02212 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A36-02213 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A36-02542 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A36-02619 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A36-02620 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A36-02648 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A36-02729 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A36-04006 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE
A36-04179 ATTORNEY NAME SUCCESSFULLY ADDED TO NAME FILE

APR 12 1994
MICROFILMED

GRAY YOUNG
BRUCE BELZER
Attorneys at Law
J. R. Simplot Company Legal Department
999 Main Street, Suite 1300
P.O. Box 27
Boise, ID 83707
(208) 389-7318
(208) 389-7515 Telefacsimile

Attorneys for J. R. Simplot Company

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO IN AND FOR THE COUNTY OF CASSIA

In Re the General Adjudication
of Rights to the Use of Water
From the Snake River Drainage
Basin Water System.

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as Director
of the Idaho Department of
Water Resources,

Petitioner,

vs.

The United States;
The State of Idaho;
and All Claimants to the Use
of Water from the Snake River
Basin Water System,

Respondents.

ALICE FOSHA, HELEN FLINT, and
BEVERLY ADAMS, individuals,

Plaintiffs,

vs.

A. KENNETH DUNN, Director of the
Department of Water Resources
of the State of Idaho,

Twin Falls County
Civil Case No. 39576

and

Cassia County
Civil Case No. 13770-12-83

NOTICE OF APPEARANCE

Don modified thru
C.A.N. program.
4-1-93

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APR 07 1993

Department of Water Resources
Eastern District Office

MICROFILMED

APR 12 1994

Defendants.)

IN THE MATTER OF THE GENERAL)
DETERMINATION OF RIGHTS TO THE)
USE OF GROUNDWATER DIVERTED)
FROM SECTIONS 19, 20, 21, 28, 29,)
30, 31, 32, AND 33, T. 11 S.,)
R. 27 E., B.M.)

A. KENNETH DUNN, Director of the)
Department of Water Resources)
of the State of Idaho,)

Counterplaintiff,)

vs.)

ALICE FOSHA, HELEN FLINT, and)
BEVERLY ADAMS, individuals,)

Counterdefendants.)

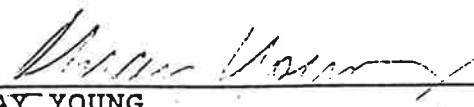
TO ALL PARTIES:

GRAY YOUNG, Assistant General Counsel, J. R. Simplot
Company, hereby enters his appearance as co-counsel on behalf
of J. R. Simplot Company in this action. All notices to
J. R. Simplot Company should be delivered to the following
address:

Gray Young
Bruce Belzer
J. R. Simplot Company
Legal Department
999 Main Street, Suite 1300
P.O. Box 27
Boise, ID 83707

DATED this 20th day of January, 1992.

By


GRAY YOUNG

Assistant General Counsel

4507v/1-20-92/1:42

MICROFILMED

APR 12 1994

CERTIFICATE OF MAILING

I HEREBY CERTIFY that a true and correct copy of the foregoing NOTICE OF APPEARANCE was mailed this 20th day of January, 1992, in an envelope with sufficient first-class postage prepaid thereon to the following:

Idahome Farms, Inc.
1925 Oakley Avenue
Burley, ID 83318

Dennis Jay Harper
Star Route
Declo, ID 83323

Roland Allen Land &
Livestock
Star Route
Malta, ID 83342

Mark J. Taylor
Strong & Manni
5th Floor, Boston Building
Salt Lake City, UT 84111
Attorney for Fosha, et al.

Leo A. Jardine
Jardine, Linebaugh,
Brown & Dunn
Suite 400
370 East South Temple
Salt Lake City, UT 84111
Attorney for Raft River Ranches, Inc.

A. Lynne Krogh-Hampe
Deputy Attorney General
Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706-2237


VICKI SPANGLER

MICROFILMED
APR 12 1994

Reed W. Larsen
RACINE, OLSON, NYE, COOPER
& BUDGE, CHARTERED
P.O. Box 1391 - Center Plaza
Pocatello, ID 83204-1391
Telephone: (208) 232-6101

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 Drainage Basin
Water System,

Case Nos. 39576 ✓
41798

The State of Idaho, ex rel.
R. Keith Higginson in his official
capacity as director of the Idaho
Department of Water Resources,

AMENDED NOTICE OF
APPEARANCE

Petitioner,

vs.

Document No.
92-01-011

United States; State of Idaho; and
all unknown claimants to the use
of water from the Snake River
Drainage Basin Water System,

Respondents.

THERON J. SMITH and CARMA B.
SMITH, husband and wife,

Plaintiffs,

vs.

AMENDED NOTICE OF APPEARANCE - 1

MICROFILMED
APR 12 1994

JAY SCOFFIELD and TARA
SCOFFIELD, husband and wife;
GRACE PALMER, a single person;
BILLIE JEANNE CROXALL, a single
person; VIRGIL T. GERMER and
LAURA GERMER, husband and wife;
KEITH HIGGINSON, director of the
Idaho Department of Water Resources,
and JOHN DOES I, II, III and IV,

Defendants.

TO: THE ABOVE-NAMED PLAINTIFFS AND THEIR ATTORNEY OF RECORD:

COMES NOW Reed W. Larsen, of the firm of Racine, Olson, Nye, Cooper & Budge, Chartered, and hereby enters an amended appearance on behalf of Defendants Virgil Germer and Laura Germer, husband and wife, Thomas R. Thompson and Tracy Thompson, husband and wife, and Joseph E. Matthews and Tahna Matthews, husband and wife, in the above matter and hereby gives notice of their representation by the firm of Racine, Olson, Nye, Cooper & Budge, Chartered. All future pleadings and correspondence and notice should be sent to the undersigned counsel.

Thomas R. Thompson and Tracy Thompson are the predecessors in interest to the property owned by the Defendant Grace Palmer and Joseph E. Matthews and Tahna Matthews are the successors in interest of property owned by Billie Jean Croxall, Defendants in the above action, and as such they are proper parties to appear and defend this litigation.

AMENDED NOTICE OF APPEARANCE - 2

MICROFILMED

APR 12 1934

DATED this 21 day of December, 1991

RACINE, OLSON, NYE, COOPER
& BUDGE, CHARTERED

By 
REED W. LARSEN

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on the 31 day of December, 1991, a true, correct and complete copy of the foregoing was mailed, postage prepaid, to the following:

Thomas J. Holmes
P.O. Box 967
Pocatello, ID 83204

Isaac McDougall
P.O. Box 4048
Pocatello, ID 83205

Billie Jeanne Croxall
5230 W. Portneuf Road
Inkom, ID 83245

Grace Palmer
5208 W. Portneuf Road
Inkom, ID 83245

Jim Jones
Attorney General
Statehouse, Room 210
Boise, ID 83720

Peter C. Monson
U.S. Attorney
Land & Natural Resources Div.
Indian Resources Section
P.O. Box 44378
Washington, D.C. 20026

A. Lynne Krogh-Hampe
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, ID 83720

Jay and Tara Scoffield
5195 West Portneuf Road
Inkom, ID 83245



AMENDED NOTICE OF APPEARANCE - 3

MICROFILMED
APR 12 1994

JUN 13 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 29-04067
Date Received: 1/8/90
Receipt No: E011510
Received By:

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

1. Name of Claimant(s)

VIRGIL T GERMER Phone: (208)775-3782

5268 W PORTNEUF RD
INKOM ID USA 83245

2. Date of Priority: 04/01/1945

3. Source: PAPOOSE CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07S	35E	23	SE SE	BANNOCK	

5. Description of diverting works:

HEADGATE TO PIPE/DITCH/PIPE TO SPRINKLER LINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.26	

7. Total Quantity Appropriated is:
0.26 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	23	NE	SE	IRRIGATION	13
					Section Acres	13
					Total Acres	13

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: Statutory Claim

DO NOT FILM

A29-04067
Twin Falls.
Scottfield

CA 9-28-92

original claim sent to Fifth Judicial Court in
This right is part of Smith v.

MICROFILMED
APR 12 1994