

05/29/2003

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

RIGHT NUMBER: 29-4095
NAME AND ADDRESS: DAVELLA F WHITE
PO BOX 1524
POCATELLO ID 83204

NATHANIEL E WHITE
PO BOX 1524
POCATELLO ID 83204

SOURCE: SPRING TRIBUTARY: SINKS
QUANTITY: 0.120 CFS
PRIORITY DATE: 03/14/1922
POINT OF DIVERSION:

T06S R34E S33 SESESE Within BANNOCK County Source: SPRING

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.120 CFS
IRRIGATION	04/01 10/31	0.020 CFS

Domestic use is for 3 homes.

PLACE OF USE: IRRIGATION Within BANNOCK County
T06S R34E S34 SWSW 1.0
DOMESTIC same as IRRIGATION

1 ACRES TOTAL

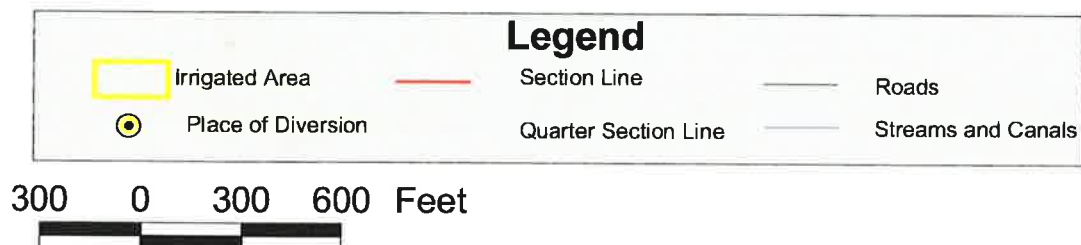
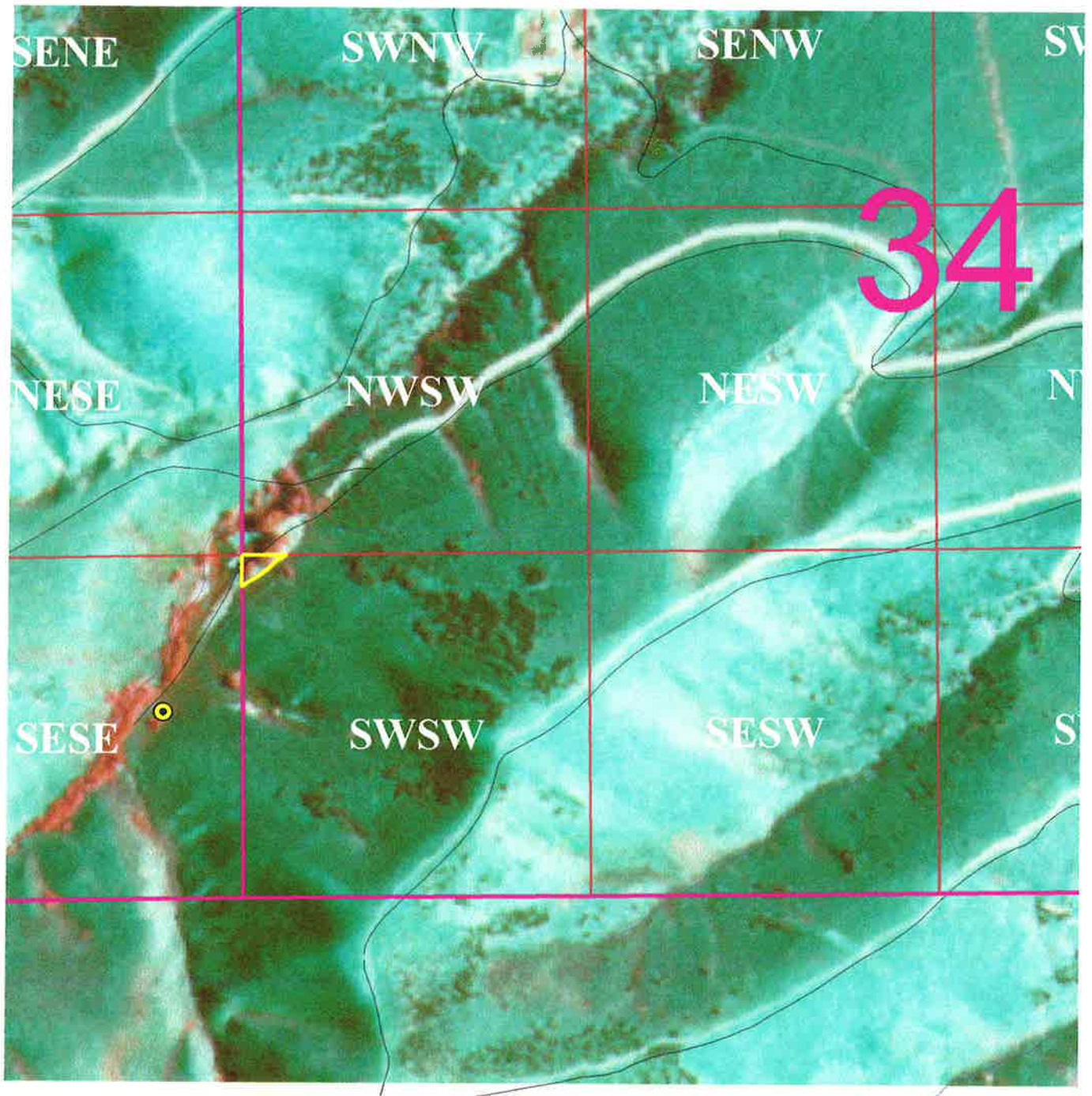
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Beneficial Use

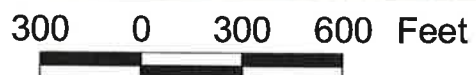
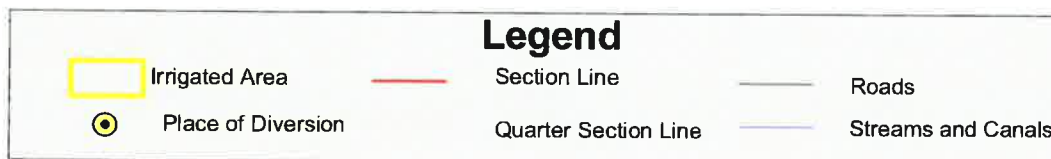
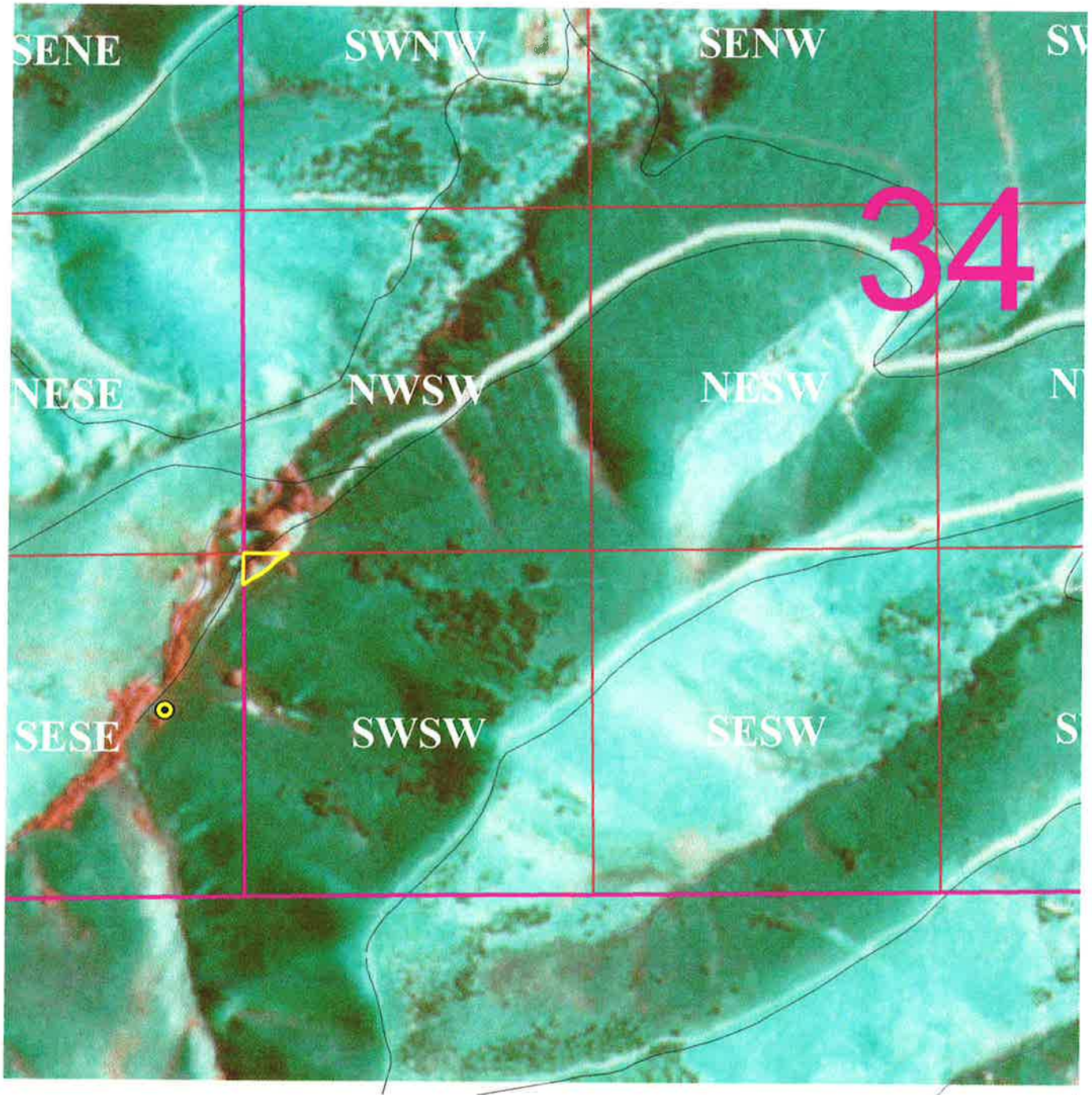
Water Right Claim Number A29-04095
Township , 6S34E

09/20/2000



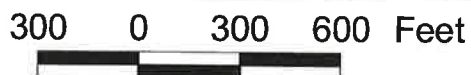
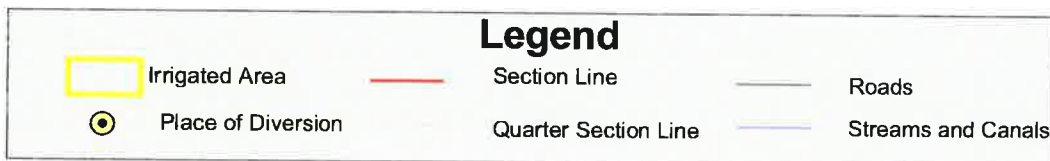
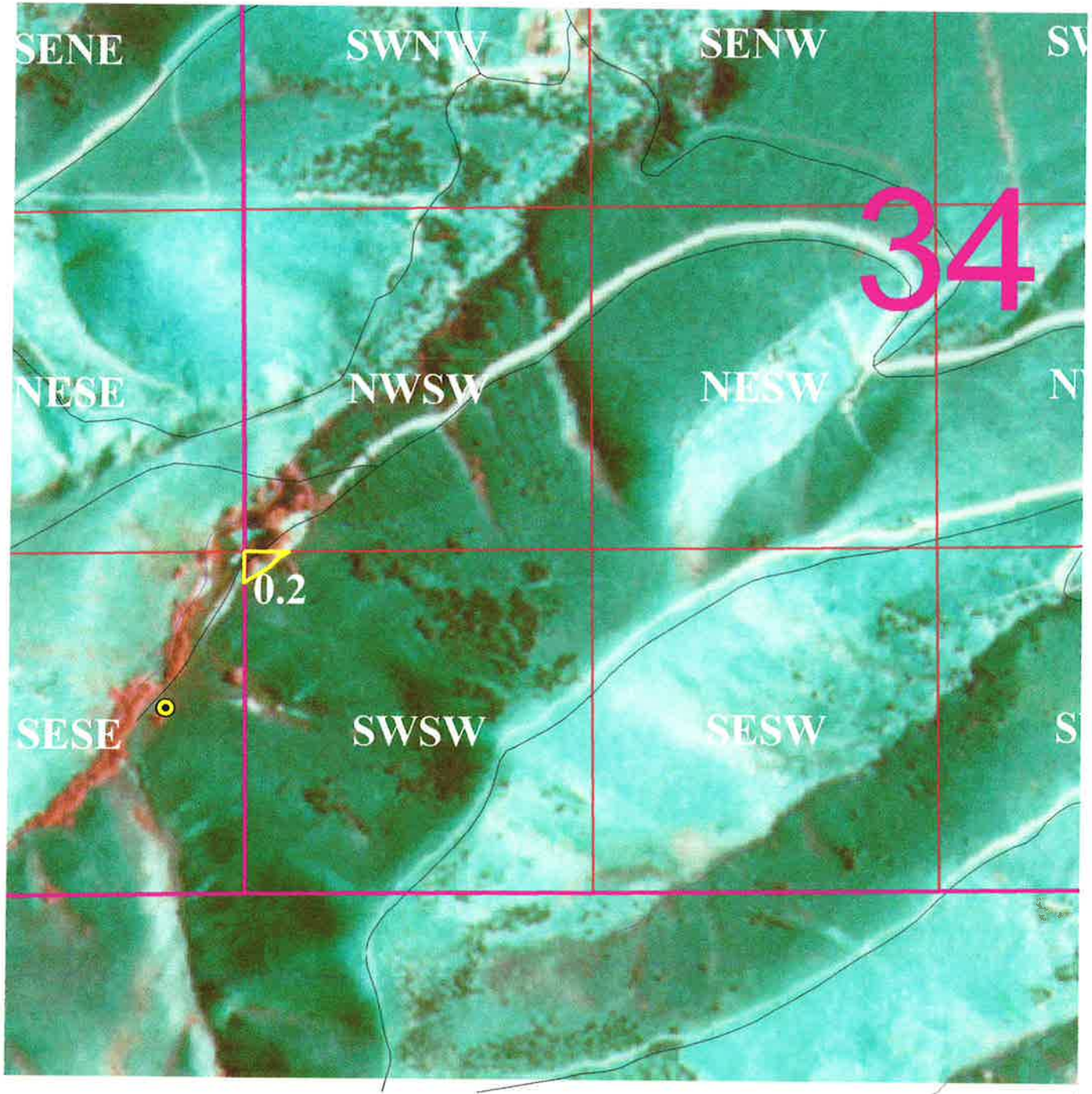
Water Right Claim Number A29-04095
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09/20/2000



Water Right Claim Number A29-04095
Township , 6S34E

09/20/2000





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

May 29, 2003

DAVELLA F WHITE
NATHANIEL E WHITE
PO BOX 1524
POCATELLO ID 83204

Re: Water right Nos. 29-4095 & 29-4096.

Dear Mr. and Mrs. White,

We recently received your amended claim for water right claim number 29-4095 and have made the changes to the water right recommendation accordingly. For your convenience, I have included a copy of the revised recommendation for water right claim number 29-4095 but also a copy of water right claim number 29-4096. As was explained in our previous communication, we saw no need to revise water right claim number 29-4096.

Please review these preliminary recommendations for accuracy as you have done before. If you have any questions in this regard, please feel free to call me at 525-7161.

Sincerely,

W. Roger Warner
Adjudication Agent

Enclosure: Revised recommendation for water right claim number 29-4095.
Recommendation for water right claim number 29-4096.

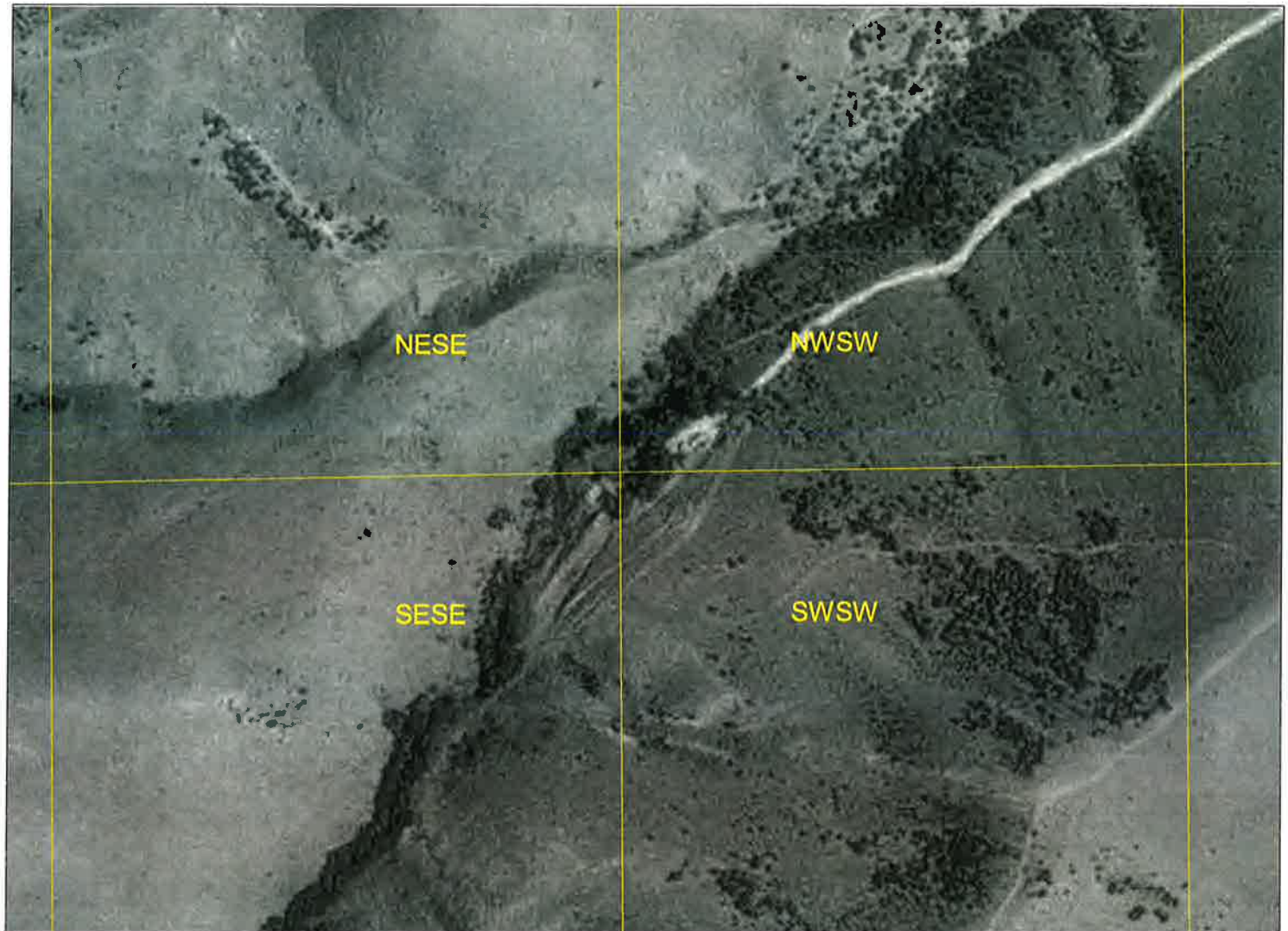
PROFILED

SCANNED
MAR 15 2006



**State of Idaho
Department of Water Resources
Eastern Region**

Claim No.: 29-4095 & 29-4096



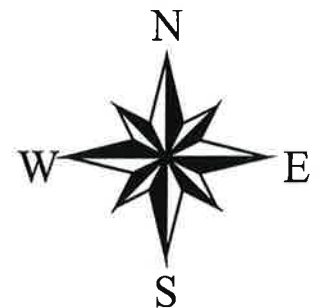
0.07 0 0.07 0.14 Miles

Irrigated Acres =

PROFILED

 Administrative BasinsAdminbas.shp
 QQ

SCANNED
MAR 15 2006



GIS Place of Use Illustration
1990 NAPP PHOTOGRAPHY
Prepared by R. Warner
Date: April, 2003

Warner, Roger

From: RICHARD WHITE [ricknw777@yahoo.com]
Sent: Sunday, April 20, 2003 8:31 PM
To: Warner, Roger
Subject: Re: White water right claims

Dear Roger Warner,

After receiving your latest E-mail dated April 18, 2003, regarding water right claims 29-4095, and 29-4096, I feel we have put together a satisfactory water right claim package. I think these claims will now reflect my Mothers stake in Idaho's water resources. Thank you for your guidance in this endeavor.

I was curious about the best way to determine quantity in cubic feet per second. How do you calculate quantities given a certain pipe diameter and the other variables involved? When you have time perhaps you could forward this type of information?

Again Thank You for your patient and prompt feedback.

Sincerely,
Richard N. White

Do you Yahoo!?
[The New Yahoo! Search](#) - Faster. Easier. Bingo.

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SCANNED
MAR ' 5 2006

4/21/2003

April 18, 2003

DAVELLA F WHITE
NATHANIEL E WHITE
PO BOX 1524
POCATELLO ID 83204

Re: Water right Nos. 29-4095 & 29-4096.

Dear Mr. and Mrs. White,

Recent discussions with your representative, Richard White has helped in understanding the water rights referenced above. From the discussion we learned that there was a dairy on the property with associated barns, residences, and work areas that were established circa 1915. Affidavits in the file give descriptions of the construction of the spring water collection box and pipeline that conveyed water from the spring to the developed dairy and residences. It was also expressed that a holding tank or cistern if you will was constructed to store spring water for use at the dairy and that at times, water ran low because of the commercial use of the water.

On the 27th of March 1979, Nathaniel E. White submitted two claims for a water right to the Idaho Department of Water Resources. The claims were assigned the numbers referenced above. One claim was for domestic (two homes) and irrigation from a spring for a total of 0.10 cfs while the other was for 1 acre of irrigation from an unnamed creek at 0.02 cfs.

On April 4th, 1988, we received claims to these same water rights for the Snake River Basin Adjudication (or SRBA). These claims, however, differed in that they only claimed 0.02 cfs for the combination domestic and irrigation right (29-4095). Within the last few weeks, you received a preliminary recommendation of the water right recommending the water rights as they were claimed on the SRBA claim filing NOT based upon the original 1979 claim.

Conversations with Mr. Richard White indicated that the amounts shown on the preliminary recommendations appeared insufficient since there were three residences and associated irrigated areas surrounding this establishment.

Our review of aerial photography, both black and white and infrared did show the area of concern but did not show conclusively what was being irrigated. Therefore, an agent representative from Idaho Department of Water Resources visited the location on April 17, 2003 to view the residences and irrigated areas. His verbal report to me with photographs demonstrates that there are three older established residences on the

property. Two appeared to be initially constructed for families while the third was a bunkhouse for hired help. The bunkhouse, however, had running water for toiletries and showers. Areas irrigated appear to be less than the 1-½ acre that would be allowed under the domestic right for the three residences.

It also appears that the irrigation water right 29-4096 for surface water from the unnamed creek would have been used to irrigate the same general areas but from a surface water source rather than the spring. This seems reasonable since Richard's account concerning spring water use in the dairy may have not allowed sufficient quantities for irrigation of those areas on occasions.

Given the additional information, we recommend that you submit an amended claim to a water right for water right number 29-4095 reflecting that the domestic portion of the water right is actually for three homes rather than only for two as was shown on the 1979 claim. An amended claim form reflecting this change is enclosed. Upon the form it shows a claimed amount of 0.12 cfs for the three homes and 0.02 cfs for irrigation. This needs to be signed and notarized before returning to our office.

If we change the water right to reflect three homes rather than two homes, that would allow up to 1 ½ acres of irrigated lawn and garden surrounding the residences plus one (1) acre for irrigation of orchard or pasture under the irrigated portion of this water right. Together, this would allow for 2 ½ acres of land to be irrigated from the spring. This total area appears to be liberal with respect to areas observed during the site visit.

At this time we do not suggest making an amended claim for the right 29-4096 since it appears sufficient for the amount of acreage that has been irrigated.

Upon receipt of the amended claim, we will process it and review again for evaluation and recommendation. You will then be sent a revised preliminary recommendation for this water right.

If you have any questions in this regard, please feel free to call me at 525-7161.

Sincerely,



W. Roger Warner
Adjudication Agent

Enclosure: Amended claim for water right Nos. 29-4095.

Cc: Richard White – ricknw777@yahoo.com

PROFILED

SCANNED

MAR 15 2006



looking at dam for pond.



Irrigated lawn next to band on the
North side

SCANNED

MAR 15 2006

April 18, 2003

DAVELLA F WHITE
NATHANIEL E WHITE
PO BOX 1524
POCATELLO ID 83204

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Upon receipt of the amended claim, we will process it and review again for evaluation and recommendation. You will then be sent a revised preliminary recommendation for this water right.

If you have any questions in this regard, please feel free to call me at 525-7161.

Sincerely,



W. Roger Warner
Adjudication Agent

Enclosure: Amended claim for water right Nos. 29-4095.

Cc: Richard White – ricknw777@yahoo.com

PROFILED

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MAR 15 2006



looking at dam for pond.



*Irrigated lawn next to barn on the
north side*

MAR 15 2006

SCANNED



Barn - irrigated lawn on right side (North)

SCANNED

MAR 5 2006

NOTICE OF ERROR
REPLY

RECEIVED
APR 16 2003
Department of Water Resources
Eastern Region

02/18/2003
Craig

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 21, 2003

Water right number: 29-4095

DAVELLA F WHITE
PO BOX 1524
POCATELLO ID 83204
Telephone Number: (208)232-6001

NATHANIEL E WHITE
PO BOX 1524
POCATELLO ID 83204
Telephone Number: (208)232-6001

RECEIVED
APR 03 2003
Department of Water Resources
Eastern Region

1. Describe the portion of the proposed recommendation with which you disagree (e.g. Period of use, priority date, period of use, source):

Disagree: Purpose of use Domestic
Disagree: Irrigation
Disagree: Domestic same as Irrigation
Change to: Place of use: Irrigation w/ Bannock county
T6S R34E S34 SWSW 1.0
Describe the changes you wish to make in the proposed recommendation:
Domestic → Period of use 3/14/22 to indefinite (as long as property in family)
Irrigation 3/14/22 to indefinite (as long as property in family)
Irrigation is within Bannock county and will be for 3.5 acres not 1 acre.

3. Give a brief explanation as to why you disagree with these portions:

AS a courtesy I cannot allow you to take away the water rights to this property given by the President of the United States in March of 1922. I cannot let you take the water away on Dec. of 2031. We will continue to keep water rights as long as the property remains in the family. It will be necessary to irrigate 3.5 acres of land surrounding the homes & outbuildings to protect these buildings from range fires. Not just 1 acre.
I AGREE with this proposed recommendation: no changes need to be made.

DATE:

SIGNATURE:

Please print your name:

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

Thank you for the courtesy Notice - it is very courteous to notify a person when their water rights are being stolen.

Davella White

Source: Spring

Domestic use for 2 homes and 1 guest home

Irrigation 3.5 acres to irrigate and protect

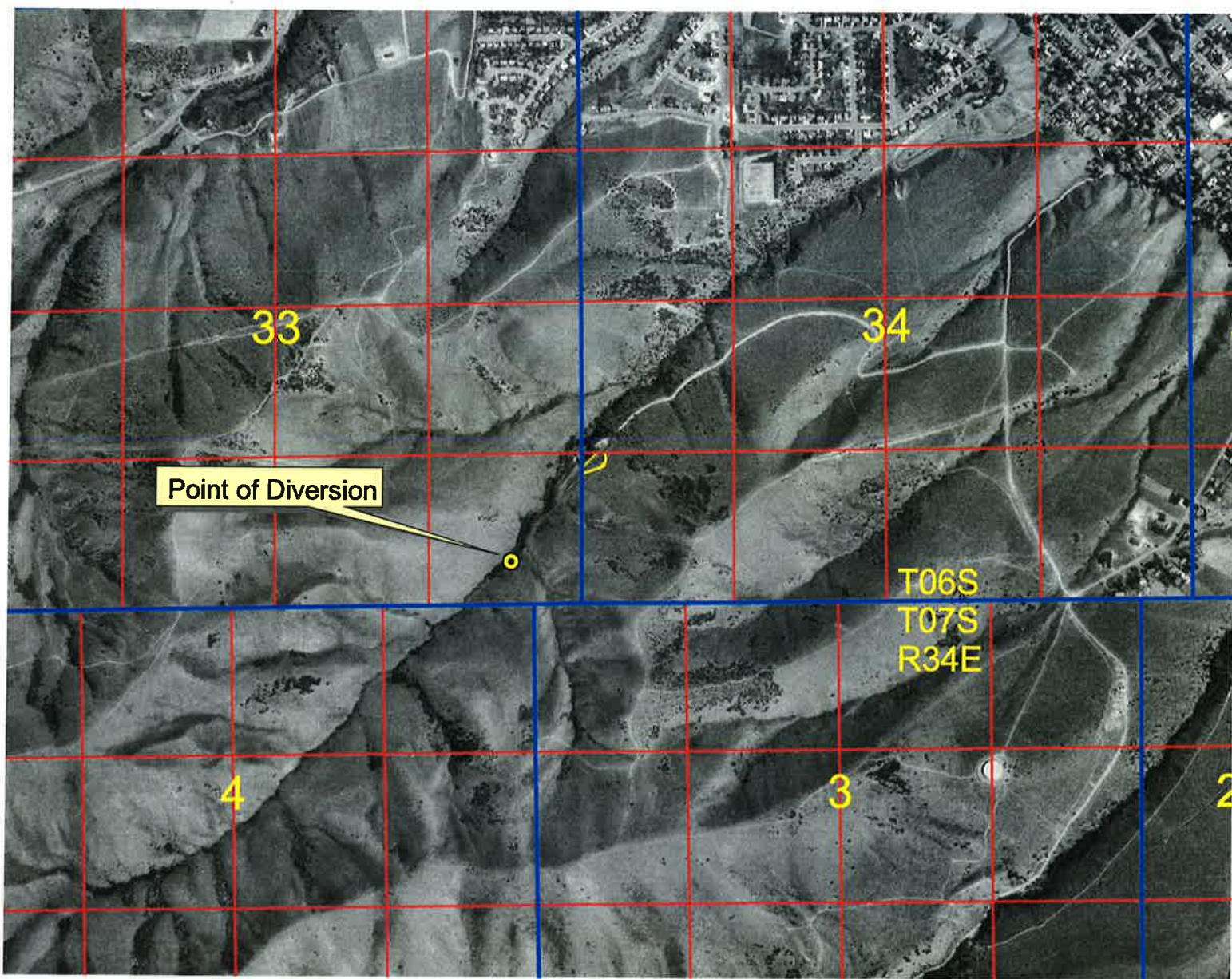
3 homes - trees - outbuildings from range fires,
This Spring has been the source of water since 3-14-22
And needs to continue to be the source as long as this property is in our family.

PROFILE

SCANNED
MAR 15 2006



State of Idaho
Department of Water Resources
Eastern Region
Water Right 29-4095



0.5 0 0.5 1 Miles

1:16000



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

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SCANNED
MAR 15 2005

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: P. Meyer
Date: January 2003



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 29

RIGHT ID
POD ID
Quad
Claim Type
Easting
Northing
GPSID

Diversion Description

Spring with earth dam. EPE 19 ft. limited horizon. Placed tag on red power shutoff box on dam.

Assumptions

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)

19

Date (M/D/Y)

Time

Flow Rate (CFS)

0

Invoice #

2000-037-01-0

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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RECEIVED
JAN 23 2003



Department of Water Resources
Eastern Region

SCANNED

JUN 13 2001

Log for claim A29-04095

Spatial Dynamics LTD

9/20/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06s34e	34	SWSW	1	0.2	POD placement?
Totals:			1	0.2	

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/24/00
PAGE: 67

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	NATHANIEL E WHITE	03/14/1922	IRRIGATION	03-15 11-15	0.020 CFS	
C	DAVELLA F WHITE		DOMESTIC	01-01 12-31	0.020 CFS	
	PO BOX 1524					
	POCATELLO ID 83204					
	(208) 232-6001					
				TOTAL DIVERSION:	0.020 CFS	
				CONSUMPTIVE USE:		2.50 AFA

Stage: STATUTORY CLAIM

BANNOCK County

NE

NW

MS

SE

				NE				NW				SW				SE							
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM		
06S	34E	34	:																	:	1.0		
																					01	:	1.0
																					TOTAL ACRES	:	1.0

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Non-Irrigation Uses: D/TWO SINGLE-FAMILY DWELLINGS.

Other Rights: NONE.

Other Water Rights Listing Overlapping Place(s) of Use:
A29-04096

Remarks: GEN CLAIM LISTS SOURCE AS UNNAMED SPRING TRIBUTARY TO UNNAMED CREEK.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 04/04/88 MCC 05/18/88 NOYES 07/19/94 THOMPSON 03/29/95 POST-STD

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Nathaniel E. White

(Name of Claimant)

P. O. Box 1524, Pocatello, Idaho 83201

Telephone No. 232-6001

(Mailing Address)

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) March 14, 1922

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Unnamed spring tributary to unnamed creek

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>0.08 cfs</u>	Use <u>Domestic</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity	<u>0.02 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>3/15</u>	To <u>11/15</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

- (4) 0.10 cfs TOTAL QUANTITY USED.

(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

SE 1/4 SE 1/4, Sec. 33 Twp. 6S Rge. 34E B.M., County of Bannock

Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Collection box, 4" pipes to 6000 gal. tank, to homes and garden

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
6S	34E	34											1						1

No. of acres 1

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: two homes

NOTE: Include here the type and number of stock watered:

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

MICROFILM

Blackfoot 023176.

The United States of America,

Do all to whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Register of the Land Office at Blackfoot, Idaho,

has been supplied to the General Land Office, whereby it appears that pursuant to the Act of Congress of May 20, 1892,

the said Homestead to Actual Settlers on the public domain, and the acts supplemental thereto, the claim of

William J. White

has been established and duly examined and is conformable to section 16, southwest quarter of the southwest quarter of Section thirty-four in Township six south of Range thirty-four east of the Boise Meridian, Idaho, containing forty acres.

and with the result of the Survey of the said land returned to the GENERAL LAND OFFICE by the Surveyor-General:

NOW KNOW YE, therefore, is hereby granted by the UNITED STATES unto the said claimant the tract of Land above described; TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant. However, subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted a right of way thorough for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, Warren D. Harding,

President of the United States of America, have caused these letters to be made

Public, and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand at the District of Columbia this **FOURTEENTH**

day of **APRIL**, 1914, in the year of our Lord one thousand

and hundred and **TWENTY-TWO** and of the Independence of the

United States of America the **FORTY-SIXTH**.

By **Warren D. Harding**

By **Charles C. English** Secretary.

By **Wm. P. Le Roy** Register of the General Land Office.

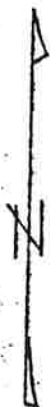
RECORD DEPT. OF THE INTERIOR 023176

NE⁴SE⁴
Sec. 33, T. 6S, R. 34 E. B.M.

South ¹/₁₆ Line ↘

South ¹/₁₆ Cor. - East Line
Sec. 33, T. 6S, R. 34 E, B.M.

SE⁴ SE⁴ 33



SPRING

619.8

1126.07

33°24'

940.0

East Line - Sec 33

U.S. F.S. Mon.
and Stone

33

34

South Line - Sec 33 ↘

N.E. White
Location of Spring
in SE¹/₄ SE¹/₄ Sec. 33
T. 6S, R. 34 E, B. M.
Bannock County, Idaho

HAMILTON AND VOELLER
CONSULTING ENGINEERS
110 N. 2ND AVE.
BOCATELLO, IDAHO

Scale: 1" = 200'
DWG No. 23-9-253

John E. Jones 3510 Harper Street
Oakland, Calif.

East ¹/₁₆ Line ↘ Sec. 33

White
12959 and 12979 West White Road
(Extension of West Clark)
Pocatello, ID 83204

RECEIVED
MAY 3 1994

Department of Water Resources
Eastern District Office

Statement as Evidence of Priority

RE: White Springs Water Rights
Claim #29 4095 and #20 4096

To: Idaho Department of Water (or whomever it may concern)

From: Nina Isham
3975 Pine Street
Boise, ID 83703
(208)387-0245

Date: January, 1994

I grew up with my parents, four sisters, and two brothers on 40 acres west of Pocatello, currently known as the property at the end of West White Road. In my childhood, the property was better known as the Maple Leaf Dairy. My parents obtained a deed of ownership for the 40 acres on West White Road on March 14, 1922, from President Taft, after they had fulfilled the homestead requirements. Part of this requirement was that a water source be developed in order to help establish property improvement. The water that was used for the household, barns, the dairy, livestock and crops was obtained from the canyon springs that are west of the property (SE 1/4 Section 33 and SW 1/4 Section 34).

In fact, in 1922, my brothers, Nathaniel "Todda" and William "Bill" dug the original trenches and ran the first pipe from the springs to the primary dwelling at the time. My family also diverted part of the water from all of the springs to a holding pond--that we created--which was used for irrigation and watering animals.

NOV 13 1996

POOR ORIGINAL

Nina Isham
Evidence of Priority, White Springs
Page 2

Therefore, I have first-hand knowledge and I actually witnessed (or participated in) the improvements made on the property and the beneficial use made of the water sources that are included under Water Rights Claim Numbers 29 4095 and 29 4096.

When another house was added in the early 1930s, the same water source was used for this second house that had been used for the original dairy barn--from the aforementioned springs. Currently, the water from the springs is still being used by the two houses for domestic use, as well as for irrigation, watering purposes, and fire protection for the property.

° If additional information or clarification is needed, please contact me.

Signature

Date

Kathleen Gonzalez
Notary Public

2/19/94
Date

MICROFILMED
NOV 13 1996

EVIDENCE OF PRIORITY

Evidence of priority can be established in many ways. Tax records, aerial photos, power bills and affidavits are a few examples of evidence that can be submitted.

If an affidavit is used for evidence of priority the least amount of info. that is needed is as follows:

- 1) From whom is the affidavit
- 2) How the person who signed the affidavit can be contacted (Phone # and/or address).
- 3) When the water was first used; this date should be as specific as possible (month/day/year). 03/14/22
- 4) The basis of the information; how this person has knowledge of the date and use. Example: "I lived next to Mr. Smith when he began using water from Willow Creek to irrigate 40 acres in the SW 1/4 of section 2 in 1936."

* The more information that the affidavit has on the date and use, the better the evidence for support.

Irrigation SE 1/4, Sect 33,
use SW 1/4 Sect 34
TWP

Domestic SE 1/4 Sect 33 ~~Sec 33~~
use SW 1/4 Sec 34

For (2) homes

NOV 13 1990

White
12059 West White Road
Pocatello, ID 83204

RECEIVED
MAY 3 1994

Department of Water Resources
Eastern District Office

Statement as Evidence of Priority

RE: White Springs Water Rights
Claim Numbers #29 4095 and #20 4096

To: Idaho Department of Water (or whomever it may concern)

From: William White
24 Hillcrest
Pocatello, ID 83204
(208)233-2568

Date: January, 1994

My family lived on the property that has been previously known as Maple Leaf Dairy. My parents gained ownership of the 40 acres where this Dairy was located (currently referred to as the property at the end of West White Road) on March 14, 1922, and the water that was used for houses, barns, the dairy, livestock and crops was obtained from the canyon springs that are directly above the property (SE 1/4 Section 33 and SW 1/4 Section 34).

In fact, when I was a young man in 1922, my brother, Nathaniel and me dug the original trenches and ran the first pipe from the springs to the primary dwelling at the time, and also to a holding pond that was used for irrigation and watering animals. So, I have first-hand knowledge and experience about the improvements made on the property and the beneficial use made of the water under Water Rights Claim Numbers 29 4095 and 29 4096.

When another house was added in the early 1930s, the same water source was used that had been used for the original dairy barn, from the aforementioned springs.

POOR ORIGINAL

William White
Evidence of Priority, White Springs
Page 2

Currently, the water from the springs is still being used by the two houses for domestic use, as well as for irrigation, watering purposes, and fire protection for the property.

If additional information or clarification is needed, please contact me.

William A White
Signature

Feb. 1-94
Date

Subscribed and sworn before me this 1st day of Feb. 1994.

Kathy R. Standley
Notary Public

2/1/94
Date

The springs were used from 1922
My Family Homesteaded the Forty Acres in 1915
we lived and developed a dairy - Built a house &
dairies using the water from the springs all that time
My Brother & I piped the water over a quarter mile
to a tank above the house, to put water in the house
& barns. That left enough water in creek for
cattle & gardens & trees.

As you know cattle are great - Tolerant at springs
making water used below unfit for humans.

The land is in a narrow steep canyon

NOV 13 1994

EVIDENCE OF PRIORITY

Evidence of priority can be established in many ways. Tax records, aerial photos, power bills and affidavits are a few examples of evidence that can be submitted.

If an affidavit is used for evidence of priority the least amount of info. that is needed is as follows:

- 1) From whom is the affidavit
 - 2) How the person who signed the affidavit can be contacted (Phone # and/or address).
 - 3) When the water was first used; this date should be as specific as possible (month/day/year). 03/14/22
 - 4) The basis of the information; how this person has knowledge of the date and use. Example: "I lived next to Mr. Smith when he began using water from Willow Creek to irrigate 40 acres in the SW 1/4 of section 2 in 1936."
- * The more information that the affidavit has on the date and use, the better the evidence for support.

Irrigation SE 1/4, Sect 33
use SW 1/4 Sect 34
TWP

Domestic SE 1/4 Sect 33 ~~SE 1/4~~
use SW 1/4 Sect 34

For (2) homes

NOV 13 1995

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 29-4095
Date Received: 4/4/1988
Receipt No: E000061
Received By:

RECEIVED
MAY 21 2003
Department of Water Resources
Eastern Region

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

RECEIVED

MAY 07 2003

WATER RESOURCES
WESTERN REGION

1. Name of Claimant(s)

DAVELLA F WHITE Phone: (208)232-6001

PO BOX 1524
POCATELLO ID USA 83204

NATHANIEL E WHITE Phone: (208)232-6001

PO BOX 1524
POCATELLO ID USA 83204

2. Date of Priority: 03/14/1922

3. Source: SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06S	34E	33	SE SE SE	BANNOCK	

5. Description of diverting works:

HEADBOX TO STORAGE TANK AND PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.02	
DOMESTIC	01/01	12/31	0.02 0.12	

7. Total Quantity Appropriated is:

~~0.02~~ 0.12 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

PROVIDES DOMESTIC WATER FOR THREE HOMES

10. Place of use:

RECEIVED

MAY 02 2003

SCANNED
Department of Water Resources
Eastern Region

MAR 15 2006

PROFILE
04/18/2003

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06S	34E	34	SW	SW	IRRIGATION	1
Section Acres						1
Total Acres						1

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:

CLAIM LISTS SOURCE AS UNNAMED SPRING TRIBUTARY TO UNNAMED CREEK.

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 X 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): DarVella White Date: 4/29/2003

_____ Date:

State of Idaho)
County of BANNOCK) SS.

Subscribed and sworn (or affirmed) before me this

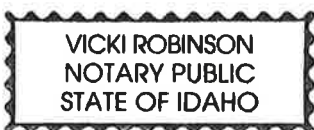
29th of April 2003

Vicki Robinson

Notary Public

Residing at Pocatello Idaho

My commission Expires 1/24/09



SCANNED

MAR 15 2006

SCANNED
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: A29-04095
Date Received: 4/04/1988
Receipt No: E000061

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NATHANIEL E. WHITE 208-232-6001
Address: P. O. BOX 1524
POCATELLO, ID 83204

OR

Name: DAVELLA F. WHITE 208-232-6001
Address: P. O. BOX 1524
POCATELLO, ID 83204

2. Date of Priority: MAR 14, 1922

3. Source: SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	34E	33	SE	SE	SE		BANNOCK

5. Description of diverting works:
HEADBOX TO STORAGE TANK AND PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.020		
IRRIGATION	03/15	11/15	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/TWO SINGLE-FAMILY DWELLINGS.

A2904095



A29-04095

Page 1

Date: 04/04/88

MICROFILMED
NOV 13 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	34E	34	SW	SW		IRR	1.0
Section Acres							1.0
Total Acres							1.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
NONE.

14. Remarks:

CLAIM LISTS SOURCE AS UNNAMED SPRING TRIBUTARY TO UNNAMED CREEK.

15. Basis of Claim: STATUTORY CLAIM
Water Right Number:

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): Nathaniel E. White Date: 4-4-88

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 4th day
of April 19 88 Colleen Wray
Notary Public

Seal

Residing at Waho Falls
My Commission Expires 5/29/1991

NE 1/4 SE 1/4
Sec. 33, T. 6S, R. 34E, B.M.

South 1/16 Line

South 1/16 Cor. - East Line
Sec. 33, T. 6S, R. 34E, B.M.

SE 1/4 SE 1/4 33.

SPRING

619.8

1126.02

33°24'

940.0

East Line - Sec 33

U.S. F.S. Mon.
and Stone

33 34

South Line - Sec 33

N.E. White
Location of Spring
in SE 1/4 SE 1/4 Sec. 33
T. 6S., R. 34E., B. M.

Bannock County, Idaho

MICROFILMED

NOV 13 1992

HAMILTON AND VOELLER

CONSULTING ENGINEERS

110 N. 2ND AVE.

BOCATELLO, IDAHO

Scale: 1" = 200' Dwn RHB

DWG No. 23-9-256

John C. Goss 2510 Harper Street
Oakland, Calif.