

10/28/2002

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

RIGHT NUMBER: 29-4101A

NAME AND ADDRESS: CURTIS DUNN
PO BOX 101
INKOM ID 83245

JODEANA DUNN
PO BOX 101
INKOM ID 83245

SOURCE: WALKER CREEK

TRIBUTARY: MARSH CREEK

QUANTITY: 0.420 CFS

PRIORITY DATE: 05/05/1916

POINT OF DIVERSION:

T08S R36E S15 NWNESE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:PURPOSE OF USEPERIOD OF USEQUANTITY

STOCKWATER

01/01 12/31

0.020 CFS

IRRIGATION

03/15 11/15

0.420 CFS

PLACE OF USE:

STOCKWATER Within BANNOCK County

T08S R36E S15

NESW

T08S R36E S15

NWSW

IRRIGATION Within BANNOCK County

T08S R36E S15

NESW

10.0

T08S R36E S15

NWSE

4.1

14.1 ACRES TOTAL

 $\times .03 = .420 \text{ CFS}$

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.

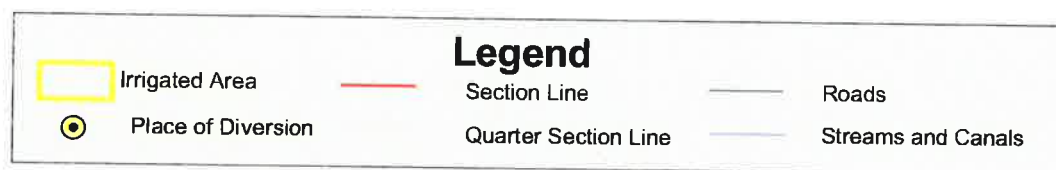
EXPLANATORY MATERIAL: Beneficial Use

Water Right 29-4101A

1

SCANNED
MAR 22 2008

Township , 8S36E

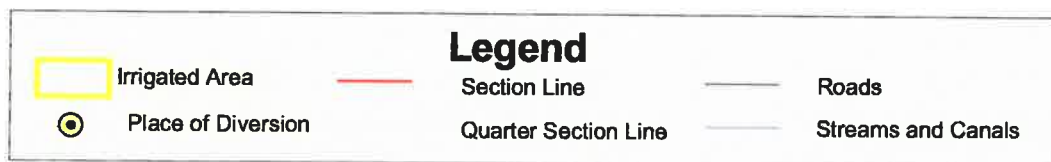
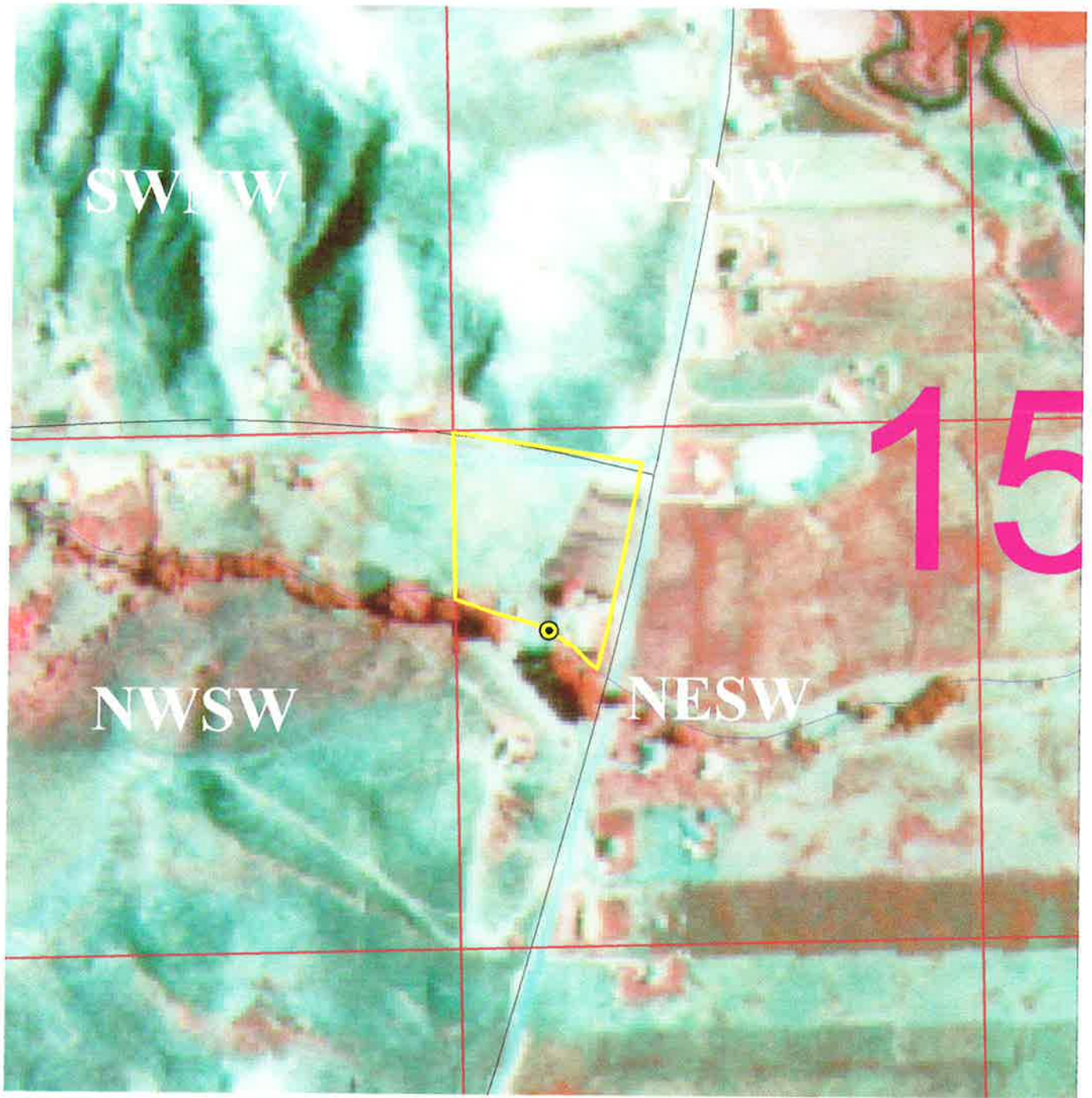


200 0 200 400 Feet



SCANNED
MAY 21 2003

Township , 8S36E

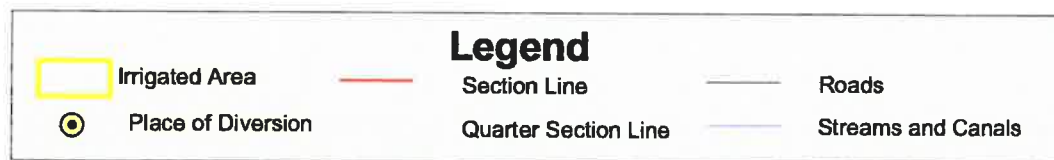
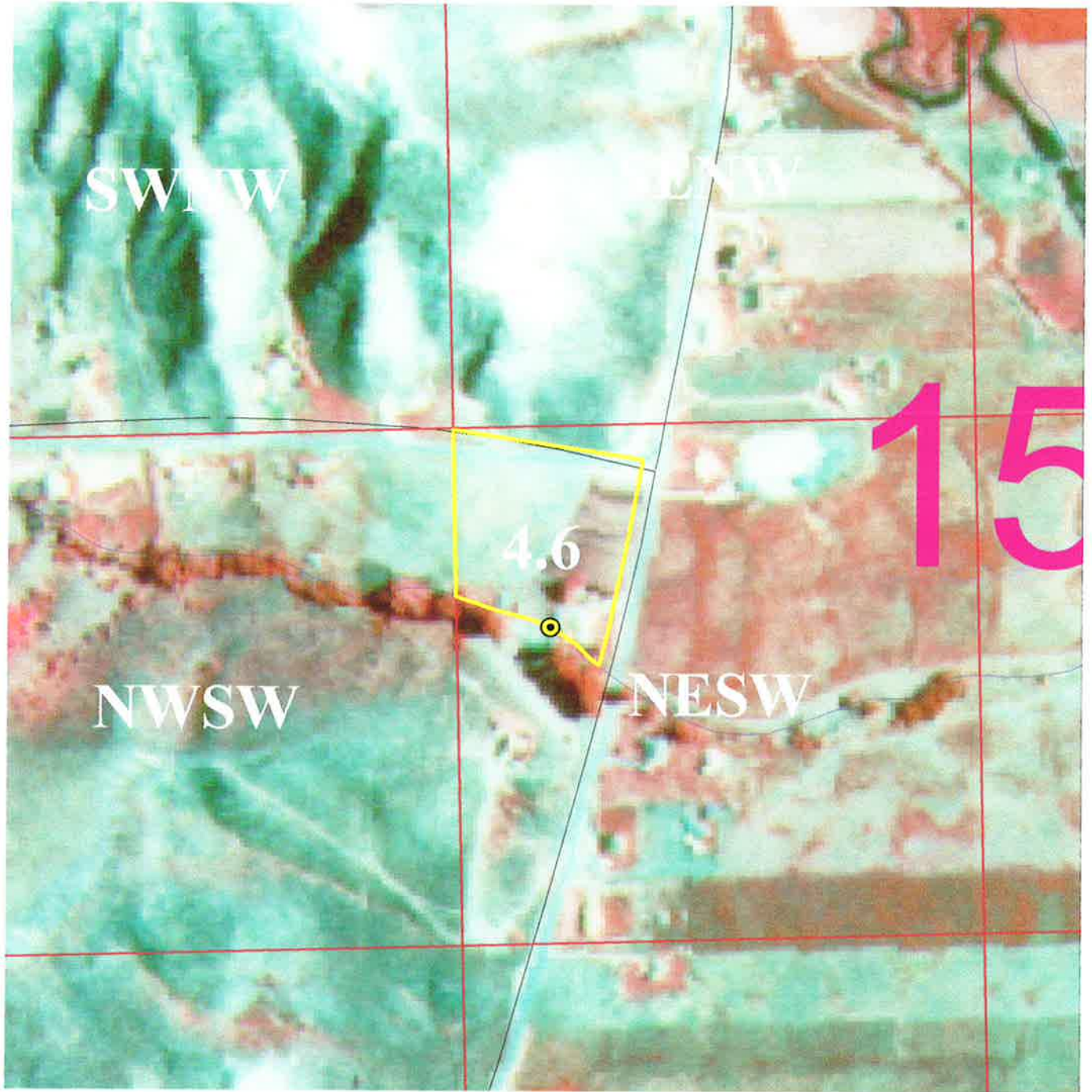


200 0 200 400 Feet



SCANNED
MAY 21 2000

Township , 8S36E



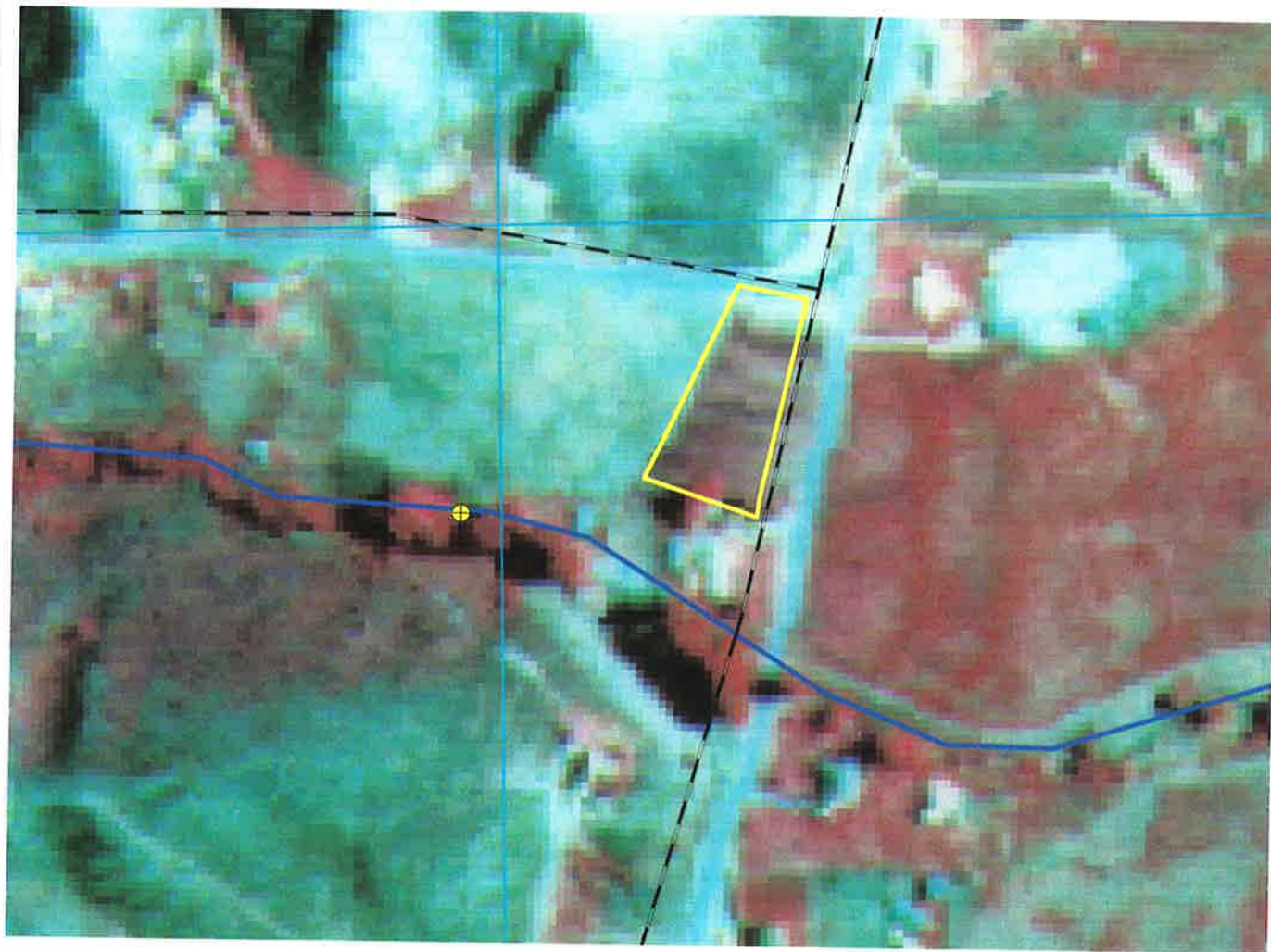
SCANNED
MAR 21 2003



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right 29-4101B

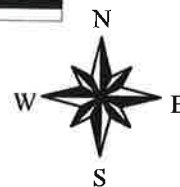


LEGEND

-  Point of Diversion
-  Place of Use
-  STREETS
-  SECTIONS
-  QUATER-QUATERS
-  STREAMS

Place of Use: T8S, R36E,
(part of) Section 15

Points of Diversion: T8S, R36E
Sec.15 NENWSW



GIS Place of Use Illustration
1987/88 NAPP PHOTOGRAPHY
Prepared by C. Bird
Date: August 2002

PROFILED

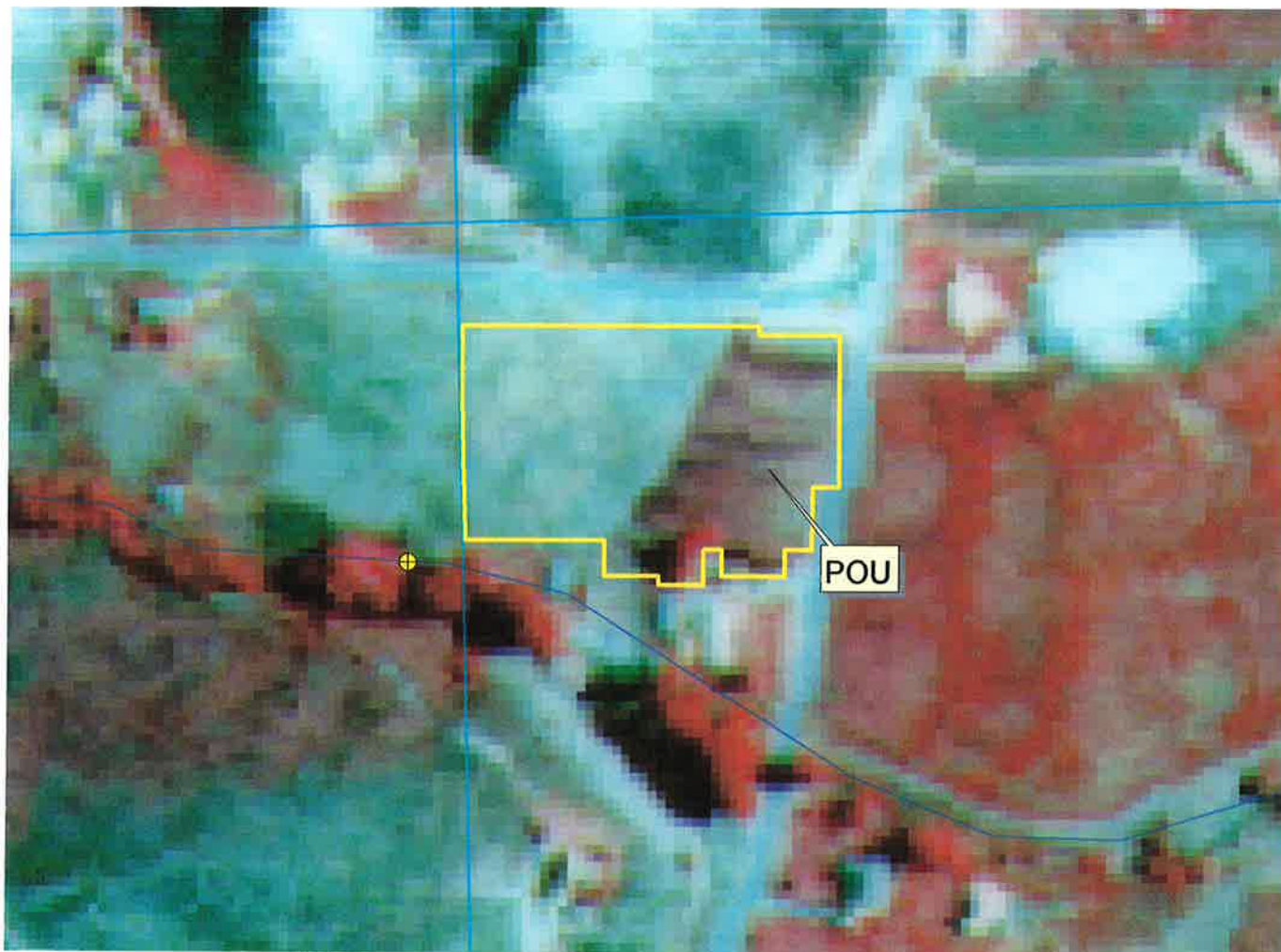
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MAR 22 2005



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right 29-4101B



0.02 0 0.02 0.04 Miles



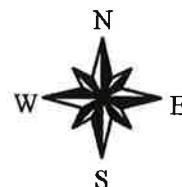
3.0 IRRIGATED ACRES

LEGEND

- ⊕ Point of Diversion
- Place of Use
- ▲ STREETS
- ▭ SECTIONS
- ▭ QUATER-QUATERS
- ▭ STREAMS

Place of Use: T8S, R36E,
(part of) Sections 15 NESW

Points of Diversion: T8S, R36E
Sec. 15 NENWSW



GIS Place of Use Illustration
1987/88 NAPP PHOTOGRAPHY
Prepared by C. Bird
AMENDED Date: JULY, 2004

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MAR 22 2006



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

August 25, 2004

Gene Wise
2712 S Marsh Creek Rd
McCammon, ID 83250

Robert Wardle
2652 S Marsh Creek Rd
McCammon, ID 83250

Re: *SRBA Subcase Nos. 29-7479, 29-7647*

Dear Mssrs. Wise and Wardle:

This letter follows the hearing we had today in front of the SRBA Court concerning the above subcases. You had questions concerning the Department's basis for recommending 0.03 cfs per acre for claim no. 29-4101A. I have enclosed a copy of the Department's claim file on that claim that includes the Department's basis for its recommendation. As was explained to you today, if you want to object to claim no 29-4101A, you would need to file a motion to set aside the partial decree for that water right.

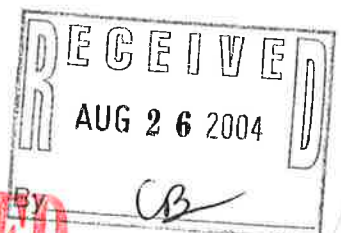
You also had questions concerning why the Department will not increase the quantity of water under your water rights. Water right no. 29-7647 was licensed on August 19, 1985, for 0.12 cfs with a June 15, 1982, priority date. I have enclosed a copy of the license for your reference. Water right no. 29-7479 was licensed on July 29, 1986, for 0.12 cfs with an April 3, 1979, priority date. I have enclosed a copy of that license for your reference.

Unlike your licensed water rights, water right no. 29-4101A is a beneficial use water right. Therefore, there has been no prior proceeding that has confirmed what amount of water has been historically diverted and beneficially used under water right no. 29-4101A. However, your licensed water rights went through an administrative process that binds the parties and their successors as well as the Department. Idaho Code § 42-

Natural Resources Division - Water Resources Unit
1301 North Orchard St., Boise, Idaho 83706-2237
Telephone: (208) 327-7920; Legal FAX: (208) 327-7866
Adjudication FAX: (208) 327-5400

MAR 22 2006

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220 states "Such license shall be binding upon the state as to the right of such licensee to use the amount of water mentioned therein" Because your water rights went through a process where notice was given to the parties and any other interested persons, changing the quantity is not appropriate without another administrative process. In addition, the SRBA Court has held it is not proper to "collaterally attack" a license in the SRBA. *Memorandum Decision and Order on Challenge; and Order of Partial Decree, Wood v. Troutt, Subcase No. 65-05663B (Issued May 9, 2002)*. In other words, changing the quantity on a license is not appropriate in the SRBA. Thus, your option to change the quantity of water under your licenses is to request that the licenses be amended.

However, as I discussed with you earlier, the Department only amends licenses if there was a clear error. In the case of your licenses, only 0.02 cfs per acre was requested in the original permits. The licenses issued were for the amount per acre requested. I do not believe that there was an error in the licenses.

Because water right no. 29-4101A was not licensed, there was more flexibility when recommending that water right. The claimant provided the Department with information that it concluded supported 0.03 cfs per acre. If you disagreed with that conclusion, it was your responsibility to file an objection to that water right. Since water right no. 29-4101A has been partially decreed, your only option to object to the Department's recommendation on that water right is to try and set aside the partial decree.

If you have any further questions, please contact me at (208) 327-5404.

Very Truly Yours,



Candice M. McHugh
Deputy Attorney General, IDWR

cc: *electronically*
Cindy Bird
Ernie Carlsen

SCANNED

MAR 22 2006

Bird, Cindy

From: McHugh, Candice
Sent: Wednesday, August 11, 2004 12:22 PM
To: Bird, Cindy
Subject: RE: 29-4101B SF5

Cindy, since you were gone, Ernie signed this for you.

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

From: Pew, Lori
Sent: Tuesday, August 10, 2004 3:49 PM
To: Bird, Cindy
Cc: McHugh, Candice
Subject: 29-4101B SF5

<< File: Untitled.tif >> Can you print, sign & return by fax (327-5400) to Candice as soon as possible. Thanks,
Danni

SCANNED
MAR 22 2006

RECEIVED

AUG 10 2004

DEPARTMENT OF
WATER RESOURCES

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

) SUBCASE NO. 29-4101B
)
)
)
)

Case No. 39576

) STANDARD FORM 5
)
)
)

) STIPULATED ELEMENTS OF A
) WATER RIGHT
)

This form is used to report the stipulated elements of one water right acquired under state law. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; and they have been served with sufficient process, according to the law; and that they have appeared, prosecuted and defended their positions with regard to this water right dispute.

The claimants and IDWR agree and stipulate that the elements of this water right should be described per the attached. The claimants and IDWR have indicated their concurrence by their signatures below and by initialing each of the attached pages.

CLAIMANT/ OBJECTOR:

Charles E. Thomsen 08/06/04
Charles E Thomsen Date

CLAIMANT/ OBJECTOR:

Jean Thomsen 8-06-04
Jean Thomsen Date

IDWR CONCURRENCE:

Cindy Bird _____
Sr. Water Resource Agent, IDWR Date

Candice M. McHugh _____
Attorney for IDWR Date

SCANNED

MAR 22 2005

IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED
WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGET NUMBER: 29-4101B

NAME AND ADDRESS:

CHARLES E THOMSEN
2599 S MARSH CREEK RD
MC CAMMON ID 83250

JOAN THOMSEN
2599 S MARSH CREEK RD
MC CAMMON ID 83250

SOURCE:

Source:
WALKER CREEK

Tributary:
MARSH CREEK

*BT
Jmt*

QUANTITY:

0.060 CFS

~~0.020 CFS~~

PRIORITY DATE:

05/05/1916

POINT OF DIVERSION:

T08S R36E S15 NENWSW
Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

03/15 11/15

0.060 CFS

~~0.020 CFS~~

STOCKWATER

01/01 12/31

0.020 CFS

PLACE OF USE:

IRRIGATION

within BANNOCK County

T08S R36E S15 NESW 3.0

~~T08S R36E S15 NESW 1.0~~

STOCKWATER

within BANNOCK County

T08S R36E S15 NESW

3 ACRES TOTAL

~~1 ACRES TOTAL~~

SF5

Water Right No.: 29-4101B

1

SEARCHED
MAR 22 2006

IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED
WATER RIGHTS ACQUIRED UNDER STATE LAW

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

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

RF
gmt

SCANNED
MAR 22 2003

CERTIFICATE OF MAILING

I certify that on 8-7-04, ~~2004~~ I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 83720
Boise, ID 83720-0098

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

Charles E Thomsen & Joan Thomsen
2599 S Marsh Creek Rd
McCammon ID 83250

Charles E. Thomsen

Signature of person or attorney mailing the form

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MAR 22 2006

Bird, Cindy

From: McHugh, Candice
Sent: Wednesday, July 28, 2004 1:40 PM
To: Bird, Cindy
Subject: FW: 29-4101B Thomsen SF5

[Here's the email as an FYI.](#)

Thanks

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

From: McHugh, Candice
Sent: Monday, July 26, 2004 11:57 AM
To: Bird, Cindy
Cc: Carlsen, Ernie
Subject: 29-4101B Thomsen SF5

Cindy,

I spoke with Mr. Thomsen. He is willing to settle for what they claimed -- quantity 0.06 cfs on 3 acres. Could you prepare an SF5 attachment in underline/strikeout? I would like to get this in the mail to him by Thursday if possible. Thanks. I'm ccing Ernie since I'm not sure what your system allows you to do. Thanks

Candice

Confidentiality Notice: This e-mail may contain confidential and privileged information exempt from disclosure under applicable law. This message is intended only for the use of the individual or individuals identified above. If you have received this message by mistake, please notify the sender immediately by replying to this message. Please delete the message from your system and do not review, disclose, copy, or distribute any information contained or attached to the message. Thank You

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MAR 22 2005

Notes

Charles & Richard will talk to Joann and let me know what they would like to do. CB

7/8/04 Settlement Conference July 27th. Candice phone discussion. Candice will call the Thomsen's and offer 0.05 cts on 2 1/2 acres. CB faxed a copy of the sales agreement.

Candice is going to call the Thomsen's to see if they have a warranty deed.

7/16/04 Received scanned copies of warranty deed from Candice. Very poor copies.

7/16/04 12:50pm called Joan & Charles and asked them to send a copy to the office because these are poor copies.

COPIED
MAR 22 2006

Notes

6/23/03 No response on the request to amend the claim.

Recommend as originally claimed.

5/15/03 Pauline has called several times and left messages. Haven't heard anything yet.

4/16/03 Joan called and wants to change their notice of error reply. Would like to claim $1\frac{1}{2}$ " per acre not 1" per acre.

4/22/04 Basin 29 settlement Conference in Posatello at Danmark Co Courthouse. Charles Thomson and Richard (?) (I think it was Bob Waddley) appeared for the court hearing. I explained their warranty deed only conveyed 0.05 CBs with the purchase of this prob property so they could either do 0.05 on 2.5 acres at 1-inch per acre, or 0.05 on 1.67 acres at $1\frac{1}{2}$ inches per acres but they can't have $1\frac{1}{2}$ inches on $2\frac{1}{2}$ acres because they are limited according to their warranty deed. co

SCANNED

MAR 22 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 22, 2004

Candice McHugh
Deputy Attorney
1301 N. Orchard St.
Boise, ID 83706

REF: 29-4101B

Subject: Copy of Claimants warranty deed

Hi Candice,
Per your request I called the Thomsen's and requested copies of their warranty deed and attached documents. I received them in today's mail so I'm forwarding them to you.

Respectfully,

Cindy E. Bird

Enclosed: Warranty deed
Exhibit A & B
Sales agreement

Tuesday, 1:30pm Pocatello airport

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MAR 22 2006

WARRANTY DEED

749618

FOR VALUE RECEIVED KEITH VAUGHN HENRICHS, JANET MAY MARK, GLORIA GAY MARLEY, trustees, under testamentary trust, of February 26, 1976, case no. SP-1147 and Keith Vaughn Henrichs and Josephine V. Henrichs, husband and wife, Janet May Mark and Eddie R. Mark, husband and wife and Gloria Gay Marley and Maynard Marley, husband and wife
 The Grantors, do hereby grant, bargain, sell and convey unto

CHARLES THOMSEN and JOAN M. POESY, two single persons

The Grantees, whose address is 2599 Marsh Creek Road, Pocatello, Idaho

the following described premises, to-wit:

See Attached Exhibit "A" to Warranty Deed

The grantor herein reserves a 7.5 foot easement for ingress and egress on the south side of the ditch lying northerly of an existing creek on Parcel II, and a 7.5 foot easement for ingress and egress on the north side of the ditch lying northerly of an existing creek on Parcel II, and a 30 foot easement at the headgate on Parcel II.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owner in fee simple of said premises; that said premises are free from all encumbrances except covenants, conditions, restrictions and easements of record and any assessments for the year 1985, which are not yet due and payable,

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: April 9, 1985

Keith Vaughn Henrichs *Janet May Mark* *Gloria Gay Marley*
 Keith Vaughn Henrichs 4-11-85 Janet May Mark 4-10-85 Gloria Gay Marley 4-15-85
Josephine V. Henrichs *Eddie R. Mark* *Maynard Marley*
 Josephine V. Henrichs 4-11-85 Eddie R. Mark 4-15-85 Maynard Marley 4-15-85

STATE OF IDAHO, COUNTY OF BANNOCK

On this 10th day of April, 1985, before me, a notary public in and for said State, personally appeared Keith Vaughn Henrichs, Josephine V. Henrichs, Janet May Mark, Eddie R. Mark, Gloria Gay Marley and Maynard Marley

known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

NOTARY SEAL

Regina Scott
 Notary Public

Residing at Pocatello

Idaho

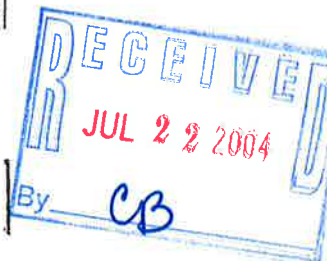
STATE OF IDAHO
 COUNTY OF

On this 27 day of April, 1985, before me, a Notary Public, personally appeared

Eddie R. Mark
 known or identified to me to be the person whose name subscribed to the within instrument, and acknowledged to me that he executed the same.

NOTARY SEAL

Sherry Helmandollar
 Notary Public
 Residing at Pocatello, Idaho



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MAR 22 2006

RECEIVED
NOV 12 2003
Department of Water Resources

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

A: Subcase 29-4101B

(Insert water right number)

Case No. 39576

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B: NAME AND ADDRESS OF PERSON OBJECTING

Name: Charles & Joan (Poesy) Thomsen

Address: 2599 S. Marsh Creek Road

McCammon, ID 83250

Daytime Phone: _____

Name & Address of Attorney, if any:

C: CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Same as above

Address: _____



D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ Name and Address
Should be: _____
2. ☐ Source
Should be: _____
3. ☒ Quantity
Should be: 1) .05 CFS for 2.5 acres, not .02 for 1 acre
2) .03 CFS per acre, not .02 CFS per acre
4. ☐ Priority Date
Should be: _____
5. ☐ Point(s) of Diversion
Should be: _____
6. ☐ Instream Flow Description
Should be: _____
7. ☐ Purpose(s) of Use
Should be: _____
8. ☐ Period of Year
Should be: _____
9. ☐ Place of Use
Should be: _____

11. I object because:

☐ This water right should not exist.

☒ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): _____

Please see attached sheet

SCANNED

MAR 22 2008

E. REASONS SUPPORTING OBJECTION(S):

The IDWR preliminary recommendation on this water right - 29-4101B reduced the acres claimed to one acre based on an aerial photo taken of this property in 1987 (see enclosure 1). This photo does not provide a complete or true evaluation of this acreage that was irrigated on this property under our water right, 29-4101B.

We (Charles Thomsen and Joan M. Poesy) purchased this property (6.7 acres) from Keith Henrichs on May 31, 1985. In the purchase agreement a water right was granted from the seller of .05 CFS to irrigate 2.5 acres of our property (see enclosure 2). We proceeded to irrigate these 2.5 acres of our property from Walker Creek using an irrigation ditch and an in stream pump. The acreage shown in the photo was irrigated from the irrigation ditch and the acreage above the ditch was irrigated with the pump.

Beginning in 1986 and lasting until the Walker Creek irrigation rotation agreement was signed in February of 1988 Mr. Keith Henrichs, the individual we purchased the property from would not allow us to pump from Walker Creek to irrigate the acreage above the ditch. Please review the statement from Chuck Thomsen dated October 27, 1988, that explains the irrational reasons for Henrichs' actions (see enclosure 3).

This controversy was settled by the Walker Creek irrigation agreement signed by all Walker Creek water users in February 1989 (see enclosure 4). After the agreement was signed we began irrigating the acreage (1.5) above the ditch again and have continued to irrigate this acreage for the past 14 years. Please note the Walker Creek agreement provides our property 16 hours on our rotation.

Please review claim no: 29-4101 which shows this property was included in an amended claim filed by Mr. Keith Henrichs in October 1987 (see enclosure 5). Our property is that 6.7 acres above Marsh Creek Road. Claim no. 29-4101 is now 29-4101A and is also enclosed for your review. This claim has been reduced in acreage but has received an increase from .02 CFS per to .03 CFS per acre because the soil has a low water holding capacity (see enclosure 6). Our acreage has the same type soil and should receive the same consideration (see enclosure 7).

SCANNED

MAR 22 2006

07/10/2003

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-4101B
NAME AND ADDRESS: JOAN THOMSEN
2599 S MARSH CREEK RD
MC CAMMON ID 83250
CHARLES E THOMSEN
2599 S MARSH CREEK RD
MC CAMMON ID 83250

SOURCE: WALKER CREEK TRIBUTARY: MARSH CREEK

QUANTITY: 0.020 CFS

PRIORITY DATE: 05/05/1916

POINT OF
DIVERSION: T08S R36E S15 NENWSW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
IRRIGATION	03/15 11/15	0.020 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County
T08S R36E S15 NESW 1.0
STOCKWATER Within BANNOCK County
T08S R36E S15 NESW

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: BASIS OF CLAIM - Beneficial Use

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

SCANNED

MAR 22 2006

1109



MAR 22 2006

Finckh - Lyden

Account Date of - 3/30/85

$t = 5500 = 600$ $9/30/15$ Armed Forces Day

1867-1885

... 1985. ... 1/4 dollar 3/4 ...

the account of the purchase and receipt of the

the observed growth between adjacent

at Bowls, Little Park - 300 ft. ¹ ft. ² ft. ³ ft. ⁴ ft. ⁵ ft. ⁶ ft. ⁷ ft. ⁸ ft. ⁹ ft. ¹⁰ ft. ¹¹ ft. ¹² ft. ¹³ ft. ¹⁴ ft. ¹⁵ ft. ¹⁶ ft. ¹⁷ ft. ¹⁸ ft. ¹⁹ ft. ²⁰ ft. ²¹ ft. ²² ft. ²³ ft. ²⁴ ft. ²⁵ ft. ²⁶ ft. ²⁷ ft. ²⁸ ft. ²⁹ ft. ³⁰ ft. ³¹ ft. ³² ft. ³³ ft. ³⁴ ft. ³⁵ ft. ³⁶ ft. ³⁷ ft. ³⁸ ft. ³⁹ ft. ⁴⁰ ft. ⁴¹ ft. ⁴² ft. ⁴³ ft. ⁴⁴ ft. ⁴⁵ ft. ⁴⁶ ft. ⁴⁷ ft. ⁴⁸ ft. ⁴⁹ ft. ⁵⁰ ft. ⁵¹ ft. ⁵² ft. ⁵³ ft. ⁵⁴ ft. ⁵⁵ ft. ⁵⁶ ft. ⁵⁷ ft. ⁵⁸ ft. ⁵⁹ ft. ⁶⁰ ft. ⁶¹ ft. ⁶² ft. ⁶³ ft. ⁶⁴ ft. ⁶⁵ ft. ⁶⁶ ft. ⁶⁷ ft. ⁶⁸ ft. ⁶⁹ ft. ⁷⁰ ft. ⁷¹ ft. ⁷² ft. ⁷³ ft. ⁷⁴ ft. ⁷⁵ ft. ⁷⁶ ft. ⁷⁷ ft. ⁷⁸ ft. ⁷⁹ ft. ⁸⁰ ft. ⁸¹ ft. ⁸² ft. ⁸³ ft. ⁸⁴ ft. ⁸⁵ ft. ⁸⁶ ft. ⁸⁷ ft. ⁸⁸ ft. ⁸⁹ ft. ⁹⁰ ft. ⁹¹ ft. ⁹² ft. ⁹³ ft. ⁹⁴ ft. ⁹⁵ ft. ⁹⁶ ft. ⁹⁷ ft. ⁹⁸ ft. ⁹⁹ ft. ¹⁰⁰ ft. ¹⁰¹ ft. ¹⁰² ft. ¹⁰³ ft. ¹⁰⁴ ft. ¹⁰⁵ ft. ¹⁰⁶ ft. ¹⁰⁷ ft. ¹⁰⁸ ft. ¹⁰⁹ ft. ¹¹⁰ ft. ¹¹¹ ft. ¹¹² ft. ¹¹³ ft. ¹¹⁴ ft. ¹¹⁵ ft. ¹¹⁶ ft. ¹¹⁷ ft. ¹¹⁸ ft. ¹¹⁹ ft. ¹²⁰ ft. ¹²¹ ft. ¹²² ft. ¹²³ ft. ¹²⁴ ft. ¹²⁵ ft. ¹²⁶ ft. ¹²⁷ ft. ¹²⁸ ft. ¹²⁹ ft. ¹³⁰ ft. ¹³¹ ft. ¹³² ft. ¹³³ ft. ¹³⁴ ft. ¹³⁵ ft. ¹³⁶ ft. ¹³⁷ ft. ¹³⁸ ft. ¹³⁹ ft. ¹⁴⁰ ft. ¹⁴¹ ft. ¹⁴² ft. ¹⁴³ ft. ¹⁴⁴ ft. ¹⁴⁵ ft. ¹⁴⁶ ft. ¹⁴⁷ ft. ¹⁴⁸ ft. ¹⁴⁹ ft. ¹⁵⁰ ft. ¹⁵¹ ft. ¹⁵² ft. ¹⁵³ ft. ¹⁵⁴ ft. ¹⁵⁵ ft. ¹⁵⁶ ft. ¹⁵⁷ ft. ¹⁵⁸ ft. ¹⁵⁹ ft. ¹⁶⁰ ft. ¹⁶¹ ft. ¹⁶² ft. ¹⁶³ ft. ¹⁶⁴ ft. ¹⁶⁵ ft. ¹⁶⁶ ft. ¹⁶⁷ ft. ¹⁶⁸ ft. ¹⁶⁹ ft. ¹⁷⁰ ft. ¹⁷¹ ft. ¹⁷² ft. ¹⁷³ ft. ¹⁷⁴ ft. ¹⁷⁵ ft. ¹⁷⁶ ft. ¹⁷⁷ ft. ¹⁷⁸ ft. ¹⁷⁹ ft. ¹⁸⁰ ft. ¹⁸¹ ft. ¹⁸² ft. ¹⁸³ ft. ¹⁸⁴ ft. ¹⁸⁵ ft. ¹⁸⁶ ft. ¹⁸⁷ ft. ¹⁸⁸ ft. ¹⁸⁹ ft. ¹⁹⁰ ft. ¹⁹¹ ft. ¹⁹² ft. ¹⁹³ ft. ¹⁹⁴ ft. ¹⁹⁵ ft. ¹⁹⁶ ft. ¹⁹⁷ ft. ¹⁹⁸ ft. ¹⁹⁹ ft. ²⁰⁰ ft. ²⁰¹ ft. ²⁰² ft. ²⁰³ ft. ²⁰⁴ ft. ²⁰⁵ ft. ²⁰⁶ ft. ²⁰⁷ ft. ²⁰⁸ ft. ²⁰⁹ ft. ²¹⁰ ft. ²¹¹ ft. ²¹² ft. ²¹³ ft. ²¹⁴ ft. ²¹⁵ ft. ²¹⁶ ft. ²¹⁷ ft. ²¹⁸ ft. ²¹⁹ ft. ²²⁰ ft. ²²¹ ft. ²²² ft. ²²³ ft. ²²⁴ ft. ²²⁵ ft. ²²⁶ ft. ²²⁷ ft. ²²⁸ ft. ²²⁹ ft. ²³⁰ ft. ²³¹ ft. ²³² ft. ²³³ ft. ²³⁴ ft. ²³⁵ ft. ²³⁶ ft. ²³⁷ ft. ²³⁸ ft. ²³⁹ ft. ²⁴⁰ ft. ²⁴¹ ft. ²⁴² ft. ²⁴³ ft. ²⁴⁴ ft. ²⁴⁵ ft. ²⁴⁶ ft. ²⁴⁷ ft. ²⁴⁸ ft. ²⁴⁹ ft. ²⁵⁰ ft. ²⁵¹ ft. ²⁵² ft. ²⁵³ ft. ²⁵⁴ ft. ²⁵⁵ ft. ²⁵⁶ ft. ²⁵⁷ ft. ²⁵⁸ ft. ²⁵⁹ ft. ²⁶⁰ ft. ²⁶¹ ft. ²⁶² ft. ²⁶³ ft. ²⁶⁴ ft. ²⁶⁵ ft. ²⁶⁶ ft. ²⁶⁷ ft. ²⁶⁸ ft. ²⁶⁹ ft. ²⁷⁰ ft. ²⁷¹ ft. ²⁷² ft. ²⁷³ ft. ²⁷⁴ ft. ²⁷⁵ ft. ²⁷⁶ ft. ²⁷⁷ ft. ²⁷⁸ ft. ²⁷⁹ ft. ²⁸⁰ ft. ²⁸¹ ft. ²⁸² ft. ²⁸³ ft. ²⁸⁴ ft. ²⁸⁵ ft. ²⁸⁶ ft. ²⁸⁷ ft. ²⁸⁸ ft. ²⁸⁹ ft. ²⁹⁰ ft. ²⁹¹ ft. ²⁹² ft. ²⁹³ ft. ²⁹⁴ ft. ²⁹⁵ ft. ²⁹⁶ ft. ²⁹⁷ ft. ²⁹⁸ ft. ²⁹⁹ ft. ³⁰⁰ ft. ³⁰¹ ft. ³⁰² ft. ³⁰³ ft. ³⁰⁴ ft. ³⁰⁵ ft. ³⁰⁶ ft. ³⁰⁷ ft. ³⁰⁸ ft. ³⁰⁹ ft. ³¹⁰ ft. ³¹¹ ft. ³¹² ft. ³¹³ ft. ³¹⁴ ft. ³¹⁵ ft. ³¹⁶ ft. ³¹⁷ ft. ³¹⁸ ft. ³¹⁹ ft. ³²⁰ ft. ³²¹ ft. ³²² ft. ³²³ ft. ³²⁴ ft. ³²⁵ ft. ³²⁶ ft. ³²⁷ ft. ³²⁸ ft. ³²⁹ ft. ³³⁰ ft. ³³¹ ft. ³³² ft. ³³³ ft. ³³⁴ ft. ³³⁵ ft. ³³⁶ ft. ³³⁷ ft. ³³⁸ ft. ³³⁹ ft. ³⁴⁰ ft. ³⁴¹ ft. ³⁴² ft. ³⁴³ ft. ³⁴⁴ ft. ³⁴⁵ ft. ³⁴⁶ ft. ³⁴⁷ ft. ³⁴⁸ ft. ³⁴⁹ ft. ³⁵⁰ ft. ³⁵¹ ft. ³⁵² ft. ³⁵³ ft. ³⁵⁴ ft. ³⁵⁵ ft. ³⁵⁶ ft. ³⁵⁷ ft. ³⁵⁸ ft. ³⁵⁹ ft. ³⁶⁰ ft. ³⁶¹ ft. ³⁶² ft. ³⁶³ ft. ³⁶⁴ ft. ³⁶⁵ ft. ³⁶⁶ ft. ³⁶⁷ ft. ³⁶⁸ ft. ³⁶⁹ ft. ³⁷⁰ ft. ³⁷¹ ft. ³⁷² ft. ³⁷³ ft. ³⁷⁴ ft. ³⁷⁵ ft. ³⁷⁶ ft. ³⁷⁷ ft. ³⁷⁸ ft. ³⁷⁹ ft. ³⁸⁰ ft. ³⁸¹

1891

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to be printed and filled -
for damaged beyond.

[Handwritten signature]

05 CED

Journal of Agriculture & Natural Resources

to be removed by - May 31, 1985 in future
management and also.

make on site inspection and acquire of pictures in order to conduct all

of process and no commitment, all
right or want anything.

Frank Morgan/Lewis - Chicago - Chicago, Ill. 1985.

Handwritten signature and date: 3/25/81

See in four pictures

Statement for Walker Creek Hearing - Oct. 27, 1988

Name: Chuck Thomsen
Claim: Statutory - 29-4101 - Supported by Deed to property.
Priority: March 15, 1912
Purchased property: April 1, 1985
Located: Downstream from John Schultz

I purchased this property from Keith Henrichs in 1985 with water rights included. This is supported by my deed and Keith Henrichs verbal agreement with me prior to moving in. In fact, Mr. Henrichs sold me an irrigation pump and pipe to irrigate my top pasture. However, when I started using the pump for this purpose, Mr. Henrichs told me I had to shut it down because he claimed I was using his water out of Walker Creek. This same year (1985) Keith Henrichs tore out my dam and diversion which was used for diverting water to the lower three acres of my property for over 30 years.

The following year (1986) Keith Henrichs tore out the side of a new diversion I had rebuilt in the spring. In 1987 he pulled my suction pipe out of my ditch and told me to shut it off or burn it up.

Since the Licensed Water users and I filed a protest in early 1988, Keith Henrichs has tried to enlist my support to deny these individuals their water rights. His main argument has been that since we are both claim holders it would be to our best interests to cooperate with each other. I have refused to cooperate with him in any way and fully support the other users attempts to obtain their legal water rights. I have observed Keith Henrichs flood his property many times in the past three years. Small lakes

have formed on numerous occasions while downstream users have been forced to let their pastures burn up. I feel that I have enough water assigned to me by our 1988 Rotational Agreement and if Keith Henrichs would use proper irrigating methods his share according to the agreement would be sufficient.

We all agreed to the 1988 Rotational Agreement. I believe it was fair and equitable to all users and was a much more beneficial use of water than in years past when Keith Henrichs claimed all of Walker Creek water. It is difficult for me to understand the reasons why the Department of Water resources has issued a "Cease and Desist" order against the other Licensed water users when every condition of the agreement was adhered to by all users.

Chuck Thomsen
2599 S. Marsh Cr. Rd.
McCammon, Id., 83250

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MAR 22 2006

(4)

WALKER CREEK IRRIGATION ROTATION AGREEMENT

The undersigned water users of Walker Creek, located in Bannock County, Idaho, hereby agree to distribute the water of Walker Creek until such time as the rights and priorities of the parties have been formally adjudicated. The agreed distribution shall be as follows:

(A). If the flow of Walker Creek exceeds .36 cubic foot per second ("cfs"), the waters of Walker Creek shall be distributed by the undersigned users on a 10-day rotation period. The order of delivery and number of hours of use per rotation for each user shall be:

Keith Henrichs - 96 hours

Raymond Girard - 36 hours

Gene Wise - 31 hours

Bob Wardle - 31 hours

Chuck Thompson - 16 hours

John Shultz - 10 hours

Norman Rademacher - 20 hours

(B). If the water flow of Walker Creek falls below .36cfs, as measured as set forth below, then the above stated 10-day rotation period shall be modified and the undersigned users shall go to a 20-day rotation period. The modification from the 10-day rotation period to the 20-day rotation period will be based on the same acreage as the 10-day rotation period and on the same water allotment of .02cfs/acre/user. The number of hours of use per rotation credited to each user under the 20-day rotation period shall be:

Keith Henrichs - 192 hours

Raymond Girard - 72 hours

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MAR 22 2006

Gene Wise - 62 hours
Bob Wardle - 62 hours
Chuck Thompson - 32 hours
John Shultz - 20 hours
Norman Rademacher - 40 hours

The reason for the modification from a 10-day rotation period to a 20-day rotation period when the flow of Walker Creek falls below .36cfs is to allow the parties longer periods of time to irrigate so that they may preserve, in times of low water, their pastures and other appurtenant property. Any of the undersigned users may use the water during their stated turn on each rotation or may pass their turn to another user they so designate. Any such designation shall not effect the designating party's use of the water on the next rotation. Each of the undersigned users is responsible for regulating their headgate at both the beginning and end of their respective turn.

For a determination of which rotation period to use at any particular time, the measurement of the flow of water in Walker Creek shall be done at such time as the water level appears to be approaching .36cfs. Any of the undersigned users may request the Portneuf River water master, if he or she so consents, or some other third person mutually agreed upon by all of the undersigned users to measure the water. If a

12
disagreement arises as to measurement, any of the undersigned users may request that a Department of Water Resources official measure the flow of water in Walker Creek. Such measurement by a Department of Water Resources official shall be deemed conclusive as to the level of flow in Walker Creek.

All measurements of the flow of Walker Creek used to make any determination under this agreement shall take place at the point of diversion used by water users Wardle, Wise and Girard. Any such measurements shall take place at a consistent hour at each time of measurement. An hour agreed upon by the parties is 10:00 a.m. on the day of measurement, or such consistent time as is convenient to the Portneuf River water master, the mutually agreed upon third party, or the Department of Water Resources official.

This agreement shall be in force and effect during the time period from March 15 through November 15 of each and every year, beginning with March 15, 1989, until an adjudication of the rights of the undersigned water users of Walker Creek is finally and fully completed. All prior agreements among the Walker Creek water users are superceded by this agreement. This agreement is binding on heirs, personal representatives, successors and assigns of any of the undersigned water users.

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All of the undersigned, including the Department of Water Resources, agree that no adjudication has been completed on Walker Creek and that this agreement does not have any binding effect on any of the undersigned parties on any future adjudication. This agreement is solely a compromise agreement of a continuing controversy as to the rights and priorities of the parties to the use of Walker Creek and shall be considered solely in that regard. It shall not be considered as an admission in any regard by any of the undersigned parties as to their claims, licenses, permits or other arguments they may have in a subsequent adjudication. It shall not be considered binding, and shall not be used by any of the parties, including the Department of Water Resources, in any adjudication and shall not be considered by any Court in any hearing or other proceeding on an adjudication. All of the parties hereto reserve their objections to the various claims of the other users. The Department of Water Resources acknowledges and understands that the purpose of this agreement is solely for the purpose of a settlement of an on-going controversy. This agreement is a temporary, interim agreement until an adjudication of the rights of the parties can be formally determined.

The Department of Water Resources agrees that any cease and desist order issued to any of the undersigned

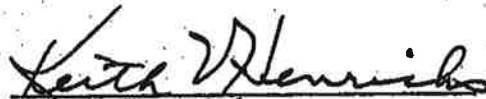
14

users is hereby terminated. It is further understood that the parties who received cease and desist orders do not admit that the Department of Water Resources had any legal authority to issue the cease and desist orders.

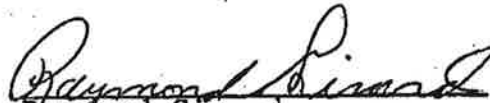
The Department of Water Resources agrees to recognize this agreement and not to intervene in the agreement or interfere with any of the use of the undersigned unless such parties do not abide by the rotation agreement set forth above. The undersigned users understand that the Department of Water Resources cannot view the agreement as revising any water rights the parties may be determined as having in an adjudication, but is solely an interim agreement.

IN WITNESS WHEREOF the undersigned hereby execute this agreement and acknowledge that each clearly understands the terms and conditions stated herein.

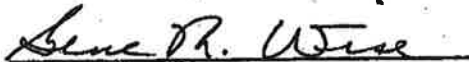
Dated: 1-19-89


Keith Henrichs

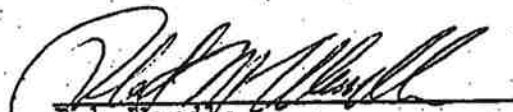
Dated: 2-5-89


Raymond Girard

Dated: 2-4-89


Gene Wise

Dated: 2-4-89


Bob Wardle

Dated: 2-4-89

Chuck Thompson
Chuck Thompson

Dated: Feb 6 1989

John Shultz
John Shultz

Dated: Feb 5, 89

Norman Rademacher
Norman Rademacher

Acknowledged and Approved by
the State of Idaho, Department
of Water Resources

Dated: February 5, 1989

By Norman C. Young
Norman C. Young
Administrator
Resource Administration Div.
Department of Water Resources



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 24, 1989

Jim Spinner
Green, Service, Gasser & Kerl
2043 E. Center
P. O. Box 4883
Pocatello, ID 83205-4883

RE: Walker Creek Rotation Agreement

Dear Mr. Spinner:

Enclosed is the executed copy of the agreement. I have kept a copy for the department's files, and am providing a copy to Mr. Goodell.

You, Mr. Goodell, and each of the water users are to be commended for negotiating rather than litigating this matter. I am confident that the spirit of cooperation, evidenced by the agreement and the forthright discussions at the conference of positive ways to resolve distribution and water supply problems on Walker Creek, will allow the community to use the available water in harmony.

Sincerely,

A handwritten signature in cursive script, reading "Norman C. Young".

NORMAN C. YOUNG
Administrator
Water Management Division

NCY:alw

cc: John Goodell with agreement copy
Encl.

SCANNED

MAR 22 2006

Claim No. **29-4101**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED

CLAIM TO A WATER RIGHT AMENDED



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 Keith V. or Josephine V. Henrichs

2526 S. Marsh Creek Road, McCannon, ID 83250 (Name of Claimant)

(Mailing Address)

(Zip Code)

Telephone No. 254-3340

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 15, 1912

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)
Walker Creek tributary to Marsh 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, af)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)			
Quantity		Use		Period of Use From	(Mo., Day)	To	(Mo., Day)
2.00 cfs		Use	Irrigation	Period of Use From	3/15	To	11/15
0.02 cfs		Use	Stockwater	Period of Use From	1/1	To	12/31
Quantity		Use		Period of Use From		To	
Quantity		Use		Period of Use From		To	
Quantity		Use		Period of Use From		To	
Quantity		Use		Period of Use From		To	
2.02 cfs		TOTAL QUANTITY USED.		Period of Use From		To	

- (5) A) Point of diversion: (Location of point where water is diverted from its source)
NE % SW %, Sec. 15 Twp. 85 Rge. 36E 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. Private ditch 3' x 2' deep

- (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.

[illegible]

No. of acres 31

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

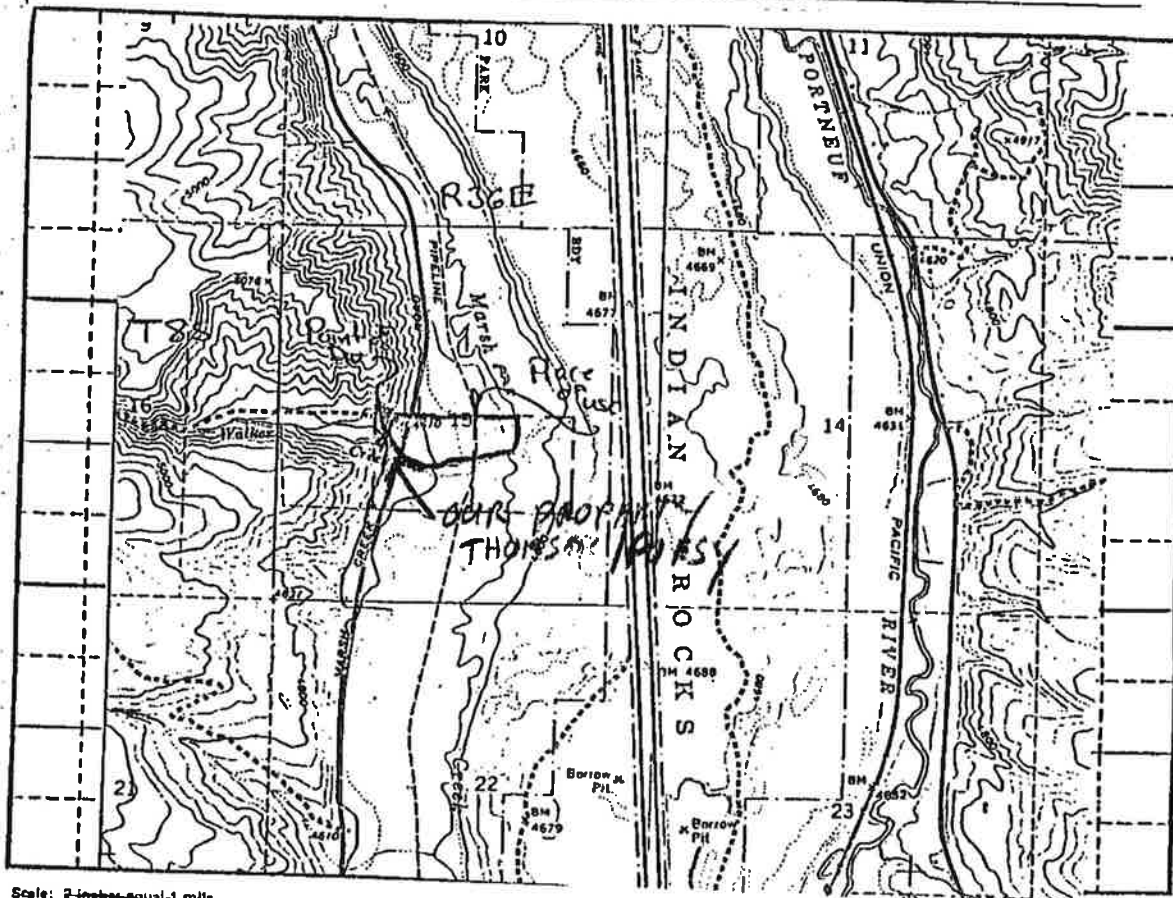
NOTE: Include here the type and number of stock watered: 80 head of cows and calves

- (7) If you are claiming water as a member of an organization, list name of organization: 80 head of cc

MAR 22 2005

Remarks

12 13 14



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 affiant's knowledge.

Sworn to before me this 29th day of Oct.

Kirk W. Lennick
(Claimant)

19 87.

William Wray
Notary Public

Residing at Idaho Falls

My commission expires 5/29/1991

FOR DEPARTMENT USE ONLY

Received by RCW Date 11-2-87
Prelim. check by N.A. Date 11-2-87
Published in Idaho State Journal
Dates 11-19 + 11-26-87

Exception filed by:

Forwarded to claimant by:

Date

SCANNED

MAR 22 2000



United States
Department of
Agriculture

Soil
Conservation
Service

250 South 4th--Suite 112
Pocatello, Idaho 83201

March 14, 1988

Keith Henrichs
2526 S. Marsh Creek Rd.
McCammon, Idaho 83250

Dear Keith:

As a follow-up to your question on the Honoho gravelly silt loam, this soil has a lower water holding capacity than the average silt loam soil in Bannock County. As stated in our letter dated March 2, 1988, its water holding capacity is 4.8 to 6.6 inches, while the average silt loam is 11.4 to 12.6 inches of water.

Thus, if the State of Idaho, Department of Water Resources typical allocation per acre is .02 cfs per acre on average soils, then to have adequate water as stated above, an increase of 50% is needed.

The above information applies to all soils in your area labeled Honodaho gravelly silt loam.

Sincerely,

David L. Curtis

David L. Curtis
District Conservationist

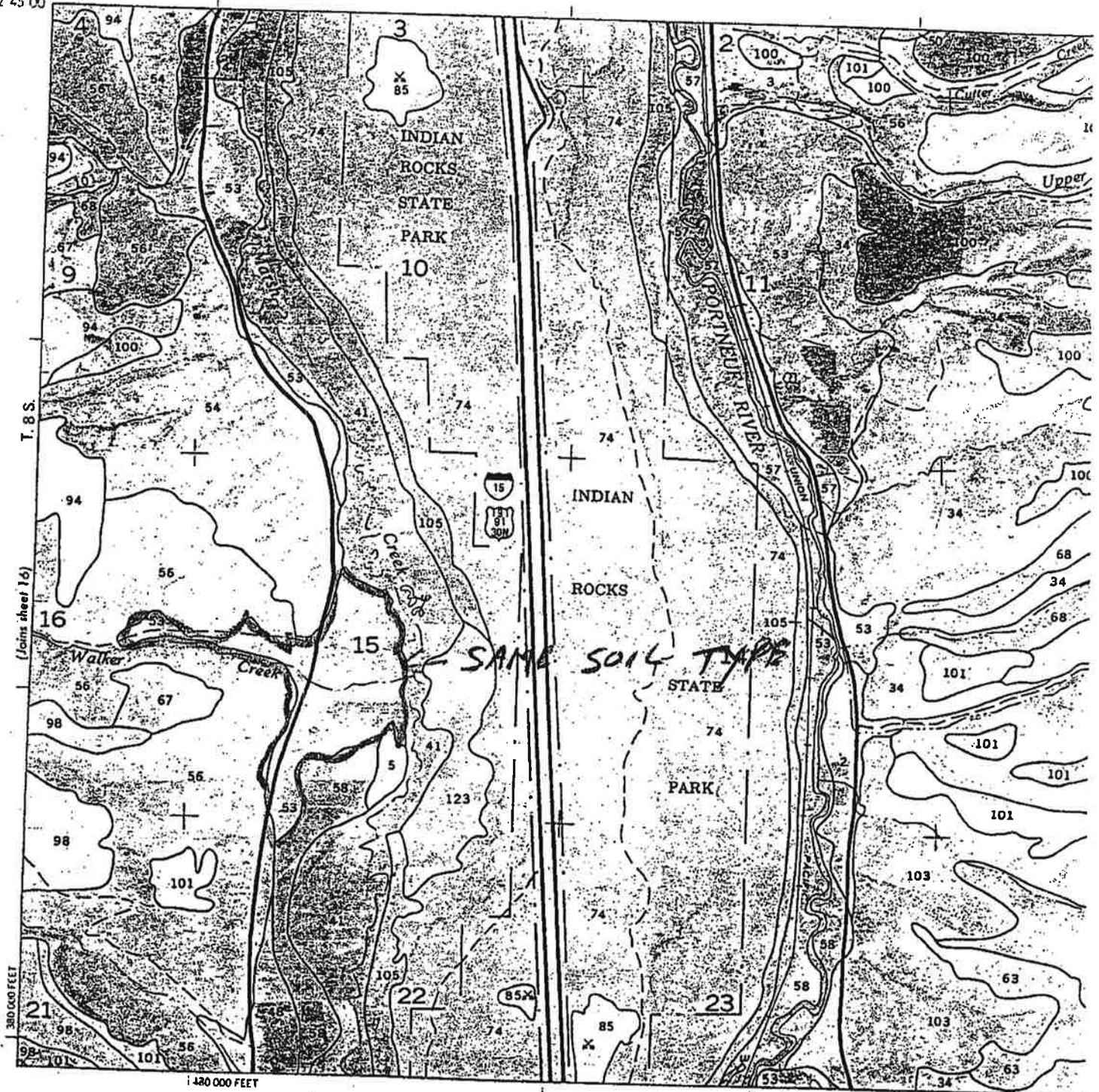
jw
cc: file

FILE (2)(7)

SOIL SURVEY BANNOCK COUNTY AREA, IDA

112°15'00"
42°45'00"

Base maps are an lithophotocopy prepared by the U.S. Department of the Interior, Geological Survey, from 1974, 1976, and 1977 aerial photography. Coordinates and ticks and land division corners, if shown, are approximately positioned.



F:

VERIFICATION (Must be Completed)

State of Idaho)

County of BANNOCK) ss.

Charles E. Thomson John Poesy Thomson, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

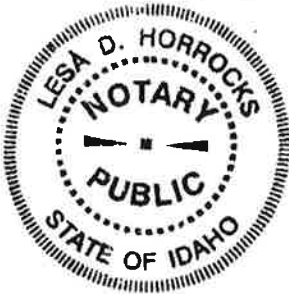
That I am the party/claimant/filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant/objecting and that ^{we} I have read this objection, know its contents and believe that the statements are true to the best of ^{our} my knowledge.

Charles E. Thomson
(Signature of person filing objection)

John Poesy Thomson
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

November 14, 2003



Lesa D. Horrocks
Notary Public for Idaho

Residing at: Pocatello

My Commission Expires: 9/14/2005

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on November 14, ²⁰⁰³~~2002~~, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707 *Hand Delivered*

2. One copy to the claimant of the water right at the following address:

Name: Charles & Joan (Poesy) Thomsen
Address: 2599 S. Marsh Creek Road
McCammon, ID 83250

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney
mailing on Objector's behalf

SCANNED
MAR 22 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 21, 2003

Charles and Joan Thomsen
2599 S. Marsh Creek Rd
McCammon, ID 83250

REF: Snake River Basin Adjudication Claim 29-4101B

Subject: Amended Claim

RESPONSE DATE: JUNE 23, 2003

Dear Claimants:

In response to your request to amend your SRBA claim to claim an increased diversion rate. I've enclosed an amended claim with the increase diversion rate. I want to also remind you from our phone conversational that you must provide the department with the evidence to support the increased diversion rate. This form must be signed in front of a notary and returned to me with the supporting documentation by the response date above.

If you have any further questions, please feel free to contact me at 547-3993.

Sincerely;

Cindy E. Bird
Adjudication Bureau

Enclosed: Amended claim 29-4101B

SCANNED

MAR 22 2006

02/18/2003

NOTICE OF ERROR
REPLY

Cindy

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: 29-4101B

JOAN THOMSEN
2599 S MARSH CREEK RD
MC CAMMON ID 83250
Telephone Number: (208)254-3805

CHARLES E THOMSEN
2599 S MARSH CREEK RD
MC CAMMON ID 83250
Telephone Number: (208)254-3805

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: 3-25-03 SIGNATURE: *Charles E Thomsen*
Please print your name: Charles E Thomsen

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

PROFILED

SCANNED
MAR 22 2006

02/18/2003

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: 29-7647

ROBERT M WARDLE
2652 S MARSH VALLEY CREEK RD
MC CAMMON ID 83250
Telephone Number: (208)254-9325

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source): ~~.02 CFS PER ACRE NOT SUFFICIENT.~~

THIS PIECE OF PROPERTY HAS THE SAME SOIL TYPE AS THE PROPERTY OWNED BY CURTIS DUNN NOW LISTED UNDER RIGHT NUMBER: 29-410 AND SHOULD ALSO BE ALLOWED .03 CFS PER ACRE AS THE DUNN ACRE.

2. Describe the changes you wish to make in the proposed recommendation:

ADD .01 CFS PER ACRE ~~THIS~~ ^{TO} THIS WATER RIGHT.

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

.02 CFS PER ACRE IS NOT ENOUGH WATER TO ADEQUATELY WATER MY ACREAGE.

 I AGREE with this proposed recommendation, no changes need to be made.

DATE: 4/21/03

SIGNATURE

Charles E. Thomsen

Please print your name: Charles E Thomsen

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

PLEASE SEE SUPPORTIVE INFORMATION ENCLOSED:

ENCLOSURE (1) D.L. CURTIS LTR OF MARCH 2, 1988.

ENCLOSURE (2) D.L. CURTIS LTR OF MARCH 14, 1988.

ENCLOSURE (3) IDWR PRELIMINARY RECOMMENDATION FOR RIGHT NUMBER 29-410/A

ENCLOSURE (4) ~~PAW LTR OF 3/15/1988~~

ENCLOSURE (5) ~~MAP~~



SCANNED

MAR 22 2006

ENCLOSURE (1)



United States
Department of
Agriculture

Soil
Conservation
Service

250 South 4th--Suite 112
Pocatello, Idaho 83201

March 2, 1988

Keith Henrichs
2526 S. Marsh Creek Rd.
McCannon, Idaho 83250

Dear Keith:

The soil on your property is classified as Hondoho Arbone gravelly silt loam. This soil is formed in alluvium derived from mixed sources.

The Hondoho soil is the dominant soil present here and below the 15 inch depth it is a composite of very gravelly loam and very cobbly loam.

Due to the above nature of this soil, it is very droughty and porous. Its water holding capacity is quite low when compared to the average silt loam soil in Bannock county. Specifically, its water holding capacity for a 60 inch profile varies from 4.8 to 6.6 inches of water, while the average silt loam varies from 11.4 to 12.6 inches of water.

Thus, the only way to have adequate irrigation water is to increase the amount of water needed by 40 to 50 per cent.

One other way to insure adequate irrigation water is to put it in a measuring devise at your property line.

David L. Curtis

David L. Curtis
District Conservationist

jw
cc: file



The Soil Conservation Service
is an agency of the



MAR 22 2000

MICROFILMED

129-04661 3 1992



United States
Department of
Agriculture

Soil
Conservation
Service

250 South 4th--Suite 112
Pocatello, Idaho 83201

March 14, 1988

Keith Henrichs
2526 S. Marsh Creek Rd.
McCammon, Idaho 83250

Dear Keith:

As a follow-up to your question on the Hondohe gravelly silt loam, this soil has a lower water holding capacity than the average silt loam soil in Bannock County. As stated in our letter dated March 2, 1988, its water holding capacity is 4.8 to 6.6 inches, while the average silt loam is 11.4 to 12.6 inches of water.

Thus, if the State of Idaho, Department of Water Resources typical allocation per acre is .02 cfs per acre on average soils, then to have adequate water as stated above, an increase of 50% is needed.

The above information applies to all soils in your area labeled Hondohe gravelly silt loam.

Sincerely,

David L. Curtis
District Conservationist

jw
cc: file



The Soil Conservation Service



MAR 22 2008

10/28/2002

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

RIGHT NUMBER: 29-4101A

NAME AND ADDRESS: CURTIS DUNN
PO BOX 101
INKOM ID 83245

JODEANA DUNN
PO BOX 101
INKOM ID 83245

SOURCE: WALKER CREEK

TRIBUTARY: MARSH CREEK

QUANTITY: 0.420 CFS

PRIORITY DATE: 05/05/1916

POINT OF DIVERSION:

T08S R36E S15 NWNESE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USEPERIOD OF USEQUANTITY

STOCKWATER

01/01 12/31

0.020 CFS

IRRIGATION

03/15 11/15

0.420 CFS

PLACE OF USE:

STOCKWATER Within BANNOCK County

T08S R36E S15 NESW

T08S R36E S15

NWSW

IRRIGATION Within BANNOCK County

T08S R36E S15 NESW 10.0

T08S R36E S15

NWSE 4.1

14.1 ACRES TOTAL $\times .03 = .420 \text{ CFS}$

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

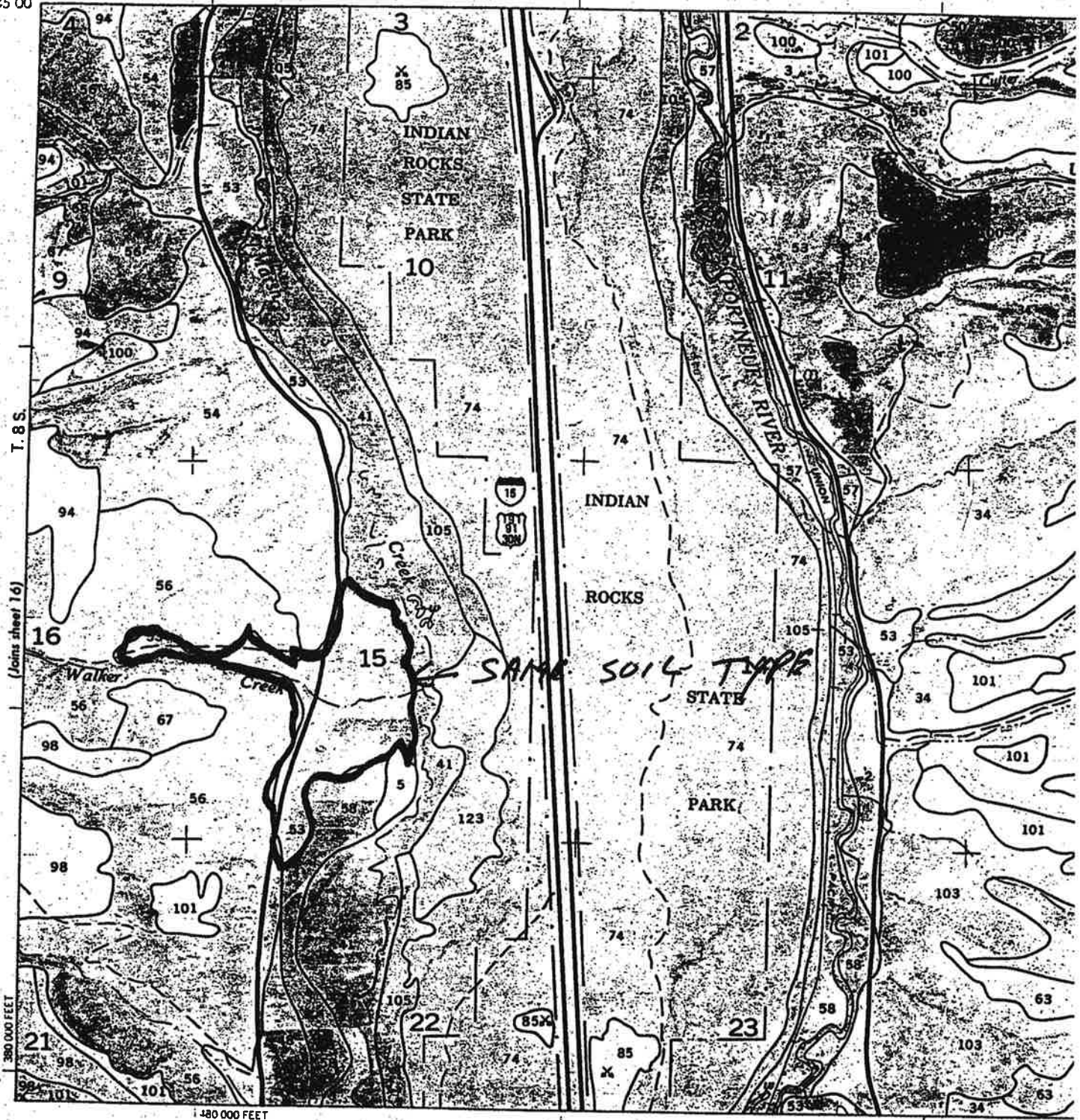
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Beneficial Use

ENCEL (4)

112°15'00"
42°45'00"

Base maps are orthophotographs prepared by the U.S. Department of the Interior, Geological Survey, from 1974, 1976, and 1977 aerial photography. Coordinate grid lines and land division corners, if shown, are approximately positioned.



Contacts Data Entry Form

Owner Type _____ Full Name _____ Address _____ City _____ State _____ Zip _____ Phone _____
Current Owner Charles E. & Joan Thomsen
Name connector: and _____, or _____, and/or _____
Current Owner 2599 S. Marsh Creek Rd.
Current Owner Mc Cammon, ID 83250.

Representing Attorney: _____ Phone Number: _____

Accompanied By: Joan Thomsen Phone Number: 254-3805.

Relationship to Claimant: Claimant

Date of Field Exam: 7/30/02 Time: 9 Am.

Directions to Property (if different from above) and/or update owner information:

-Married feb 2001

purchased the property in 1985. (March)

Reviewer: CB

Date: 7/30/02

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MAR 22 2006

Priority Date Data Entry Form

Claim Number: A29-04101BWater Right Priority Date: March 15, 1912 Water Right Basis: _____Claimed Priority Date: _____ Claimed Basis: Statutory ClaimRecommended Priority Date: 5-5-1916 Recommended Basis: B. U☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

7/30/02 Needs to provide evidence of priority - needs
+6/2 4/02 Jodeana Dunn submitted evidence
on 29-4101A. 5/5/1916

Reviewer: CBDate: 10/24/02

SCANNED

MAR 22 2006

Point of Diversion and Source Data Entry Form

Claim Number: A29-04101B

Water Right Point of Diversion: T____, R____, Sec.____,____,____,____. County:_____

Source:_____ Tributary:_____

Claimed Point of Diversion: T____, R____, Sec.____,____,____,____. County:_____

Source:_____ Tributary:_____

Recommended Point of Diversion: T 8S, R 36E, Sec. 15, NE, NW, SW. County: Bannock

Source: Walker Crk Tributary: Marsh Crk

☒ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
<u>8S</u>	<u>36E</u>	<u>15</u>		<u>NE NW SW</u>	<u>Bannock</u>	<u>Walker Crk</u>
GPS Coordinates: <u>N42.7228997</u>				<u>W112.2371508</u>		
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						

Other rights from this POD? _____

Document how the POD and Source were verified and/or Pump and Motor data:

field exam
ditches & headgate, gravity system.

Transfers Changing POD _____

Reviewer: CB

Date: _____

SCANNED

MAR 22 2006

Place Of Use Data Entry Form

Claim Number:

A29-04101B☐ Use Claimed POU as Recommended POU

Claimed Place of Use

Tw	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Recommended Place of Use

Tw	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
8S	36E	15	NESW		Bannock		1.0	Irrigation

Total Acres 1.0

Document how the POU was verified:

Field exam1987/88 NAPP PHOTOGRAPHY

Transfers Changing POU _____

Reviewer:

CB

Date:

8/19/02

SCANNED

MAR 22 2006

Period of Use and Quantity Data Entry FormClaim Number: A29-04101B☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity**Water Right Period of Use and Diversion Rate**

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	3/15	11/15	0.02	
Stock	1/1	12/31	0.01	

Overall Diversion Rate 0.02 Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

- SOU - Rotation agreement?
Admin. SOU? Emailed Candace

Reviewer: CBDate: 01/19/02

SCANNED

MAR 22 2006

Purpose of Use Data Entry Form

Claim Number: A29-04101B☐ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
Irrigation			1-0	
Stock		8		

Document how the Purpose of Use was verified:

- No. of Stock 4 horses / 4 steers
- 1987/88 NAPP PHOTOGRAPHY
- Field Exam

Transfers Changing Purpose of Use _____

Reviewer: CBDate: 8/19/02SCANNED
MAR 22 2006

CLAIM TO A WATER RIGHT

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

(Name of Claimant)

Telephone No. 254-3620

(1) Date of priority: (When was the water first applied to a beneficial use) March 15, 1912

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

Walker Creek tributary to Marsh 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)	
Quantity		Use		(Mo., Day)	(Mo., Day)
Quantity	0.75 cfs	Use	Irrigation	Period of Use From 3/15	To 11/15
Quantity	0.02 cfs	Use	Stockwater	Period of Use From 1/1	To 12/31
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity	0.75 cfs	Use		Period of Use From	To

(4) 0.77 cfs USE Period of Use From
(cfs, gpm, AFA) TOTAL QUANTITY USED.

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE % SW % Sec. 15 Twp. 8S Rge. 36E 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. Private ditch 3' wide by 2' deep

(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.

[illegible]

No. of acres 31

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

NOTE: Include here the type and number of stock watered: 80 head of cows and calves
If you are claiming water as a member of an association, please specify:

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

1964

Instrument # 132830

4-1007.

The United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS, a schedule of allotments approved by the Secretary of the Interior has been deposited in the General Land Office, whereby it appears that Nehi Shadit an Indian of the Fort Hall Reservation has been allotted the following described land:

The north half of the southwest quarter of Section fifteen in Township eight south of Range thirty-six east of the Boise Meridian, Idaho, containing eighty acres, (NEWS 4)

according to the official Plat of the Survey of the said land, returned to the General Land Office by the Surveyor General:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the provisions of the Act of Congress of February 20, 1889 (25 Stat., 682), THE ACT TO ORGANIZE AND REGULATE the land presents NEHI SHADIT, into the said Nehi Shadit and his heirs, the land above described: TO HAVE AND TO HOLD to, and together with his rights, privileges, immunities, and appurtenances, of whatsoever nature, forever, unto the said Nehi Shadit and to his heirs forever, with the provision that the title here acquired shall not be subject to alienation, lease, or incumbrance, either by voluntary conveyance of the grantee or his heirs, or by the judgment, order, or decree of any court, or subject to trust of any character, but shall remain and remain inalienable and not subject to taxation for the period of twenty-five years, and until such time as the President may see fit to remove the restriction. And there is reserved from the land hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

This patent is issued in lieu of one dated May 3, 1902.

IN TESTIMONY WHEREOF, I, Woodrow Wilson, President of the United States of America, have caused these letters to be signed Patent, and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the NINTH day of MAY in the year of our Lord one thousand nine hundred and SIXTEEN and of the Independence of the United States the one hundred and NINTH.

By the President: Woodrow Wilson

By M. P. LeRoy, Secretary.

(S241)

L. T. C. Lamar, Recorder of the General Land Office.

RECORDED: Patent Bureau 6/1/16

RECORDED: AUG 31 1916 3 05 PM in Book 66 of Deeds and 476 Records of Blinnock County State of Idaho at the request of P. T. C. L. Fee \$1.00 By A. Smyth, Clerk

INSTRUMENT NO. 132830

5-176

OFFICE OF INDIAN AFFAIRS

RECEIVED

AUG 26 19

62411

INDIAN DEED THROUGHT LANDS.

THIS INSTRUMENT, made and entered into this sixth day of March one thousand nine hundred and twenty-two, by and between Isaacsho, Reayon, Slim Topti, Navelona Tindora, Chany Tindora, Lordezo Tindora, William Tindora, Pearl Tindora, Tony Edmo, Bidoon Tindora, and Sna Doozwater, of Fort Hall, Idaho, heirs of Nehi Shadit, deceased, a Fort Hall Indian, parties of the first part, and Mrs Albert Zwilgart, of Pocatello, Idaho, party of the second part:

WITNESSETH, That said parties of the first part, for and in consideration of the sum of THREE THOUSAND (\$3,000.00) Dollars, in hand paid, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell, and convey unto said party of the second part the following described real estate and premises situated in Blinnock County, State of Idaho, to wit:

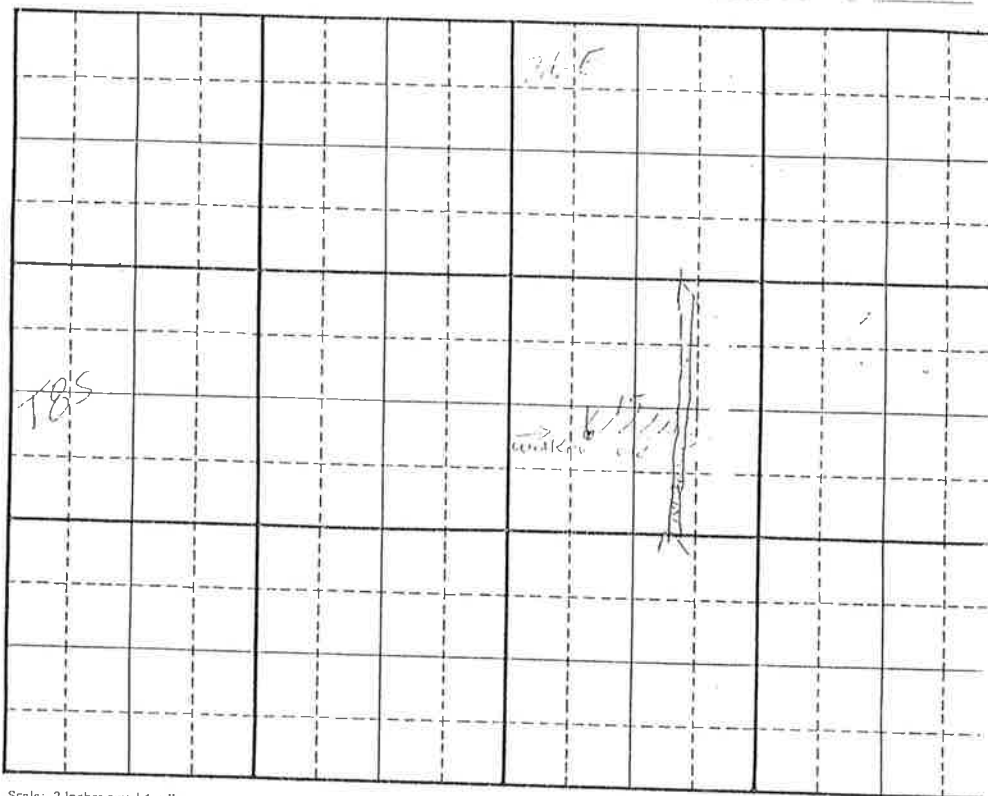
North one-half (N/2) of the south-east quarter (SE/4) of section fifteen (15) township eight (8) north, range thirty-six (36) east of the Boise Meridian, Idaho, containing eighty (80) acres, more or less.

"And there is reserved from the land hereby granted, a right of way for ditches and canals constructed by the authority of the United States."

ALL TO R.S. attached and cancelled. together with all the improvements thereon and the appurtenances thereto in any way. And the said parties of the first part, for themselves and their heirs, executors, and administrators, do hereby covenant, promise, and agree to and with the said party of the second part, his heirs and assigns, that they will forever warrant and defend the said premises against the claim of all persons, existing or to claim by, through, or under the only.

To have and to hold with described premises unto the said party of the second part, his heirs, executors, administrators, and assigns, forever.

RECEIVED
SEP 27 2002



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 affiant's knowledge.

Sworn to before me this 19th day of June

Belle Maurine Hensrich
(Claimant)

Arthur Wray
Notary Public
Residing at Idaho Falls, Id.

My commission expires 6/15/81

FOR DEPARTMENT USE ONLY

Received by <u>Cal</u>	Date <u>6-12-79</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>Bye</u>	Date		claimant by:	
\$20.00 fee received by <u>Cal</u>	Date <u>6-12-79</u>			
Published in <u>Idaho State Journal</u>				
Dates <u>June 28 & July 5, 1979 & July 12, 1979</u>				

29-4101
(2.02)

29-4101A
DUNN (0.42)

29-4101B
Thomson (0.02)

SCAN
MAR 22 2006

PROCESSED

SCANNED

JUN 04 2001

Log for claim A29-04101B

Spatial Dynamics LTD

6/29/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
08s36e	15	NESW	3	4.6	
Totals:			3	4.6	

PROFILED

 SPATIAL
DYNAMICS
MAY 21 2001

AJ5809NP
No. A29-04101B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/27/00
PAGE: 112

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOAN POESY	03/15/1912	IRRIGATION	03-15 11-15	0.060 CFS	
C	CHARLES E THOMSEN 2599 S MARSH CREEK RD MC CAMMON ID 83250 (208) 254-3805		STOCKWATER	01-01 12-31	0.020 CFS	
TOTAL DIVERSION:					0.060 CFS	
CONSUMPTIVE USE:						7.50 AFA

Water Source: WALKER CREEK

Tributary to: MARSH CREEK

Stage: STATUTORY CLAIM

Point(s) of Diversion:

T08S R36E S15

NWNESW

BANNOCK 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	:
08S	36E	15	:					:					:					:						:	3.0
TOTAL ACRES																							3.0		

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE									
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:		
			:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
08S	36E	15	:					:					:					:						:	S

POU County: BANNOCK

Non-Irrigation Uses: STOCKWATER, 12 CATTLE

Other Rights: SEE REMARKS

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

29-10013 29-10952 29-11729 A29-04101A A29-07205 A29-07479 A29-07647 A29-10013 A29-10952 A29-11647
A29-11729 A29-12514

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

A29-04101 A29-04101A A29-07205 A29-07479 A29-07647 A29-10014 A29-11730

Remarks: GEN A CLAIM FOR AN ADDITIONAL 3 ACRES OF IRRIGATION WILL BE FILED
BASED ON IDAHO CODE 42-1416(2).

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

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

Audit: 04/25/90 ESRBA 07/19/94 THOMPSON 03/29/95 POST-STD



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

RECEIVED

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

DATE: JAN. 3, 1995

FEB 24 1995

Department of Water Resources
Eastern District Office

A29-11730
CHARLES E THOMSEN
JOAN POESY
2599 S MARSH CREEK RD
MCCAMMON ID 83250

EVIDENCE OF PRIORITY

Dear Claimant:

The Notice of Claim identified above and or below has been filed in the Snake River Basin Adjudication (SRBA). The notice indicates a water usage of irrigation, or other commercial application that is based on **BENEFICIAL USE**. Water rights of this type are established by the historical use of water, dating back to when the water was first used for the purpose claimed. This date is known as the **PRIORITY DATE**, has not been confirmed by a license, Decree, or Permit. For this reason, proof must be provided supporting the priority date. As the claimant, you are responsible for submitting the necessary proof to support the **PRIORITY DATE**.

For your reference, I have provided a printout of your Notice of claim and the pamphlet **EVIDENCE OF PRIORITY**. The pamphlet suggests which documents will fulfill this requirement.

The IDWR can not recommend the notice be decreed by the court if no evidence of a priority date is submitted.

Please submit the documentation supporting the priority date by March 31, 1995, referencing the information with the corresponding Water right number. If you have any questions, please contact this office.

Dave Carlson
Water Right Agent, Adjudications

PROFILED

MICROFILMED

NOV 13 1990

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MAR 7 1995

Dave Carlson

Dave when we purchased our property in 1986, from Kieth Henrichs. He had left the water rights on the property, that we purchased from him under his permit # 29/410. The property was owned by his parents, George Henrichs. I would like that portion of water rights, we agreed upon in the rotation agreement to be put in our names, & Property discription.

I hope this information will be helpful.

RECEIVED

FEB 24 1995

Department of Water Resources
Eastern District Office

Charles E. Thomsen

Charles E. Thomsen

254-3805

Charles E. Thomsen
2599 So. Marshcreek Rd.
McCammon, Idaho 83250

MICROFILMED

NOV 13 1990

SCANNED

MAR 21 2006

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

12:30:51
06/03/96

CLAIM NUMBER: A20-041028

PAGE: 1
GENERAL INFORMATION

LAST: HENKIONS
ADDRESS: 2526 S MARSH CREEK ROAD
CITY: MCCAMMON
PHONE NUMBER: 208-254-3340

FIRST: KATH V
STATE: ID ZIP: 83250

OWNER CODE: 0

LAST: POESY
ADDRESS: 2599 S MARSH CREEK RD
CITY: MC CAMMON
PHONE NUMBER: 208-254-3805

FIRST: JOAN
STATE: ID ZIP: 83250

OWNER CODE: C

LAST: HENKIONS
ADDRESS: 2526 S MARSH CREEK ROAD
CITY: MCCAMMON
PHONE NUMBER: 208-000-0000

FIRST: JOSEPHINE V
STATE: ID ZIP: 83250

OWNER CODE: 0

LAST: THOMSEN
ADDRESS: 2599 S MARSH CREEK RD
CITY: MC CAMMON
PHONE NUMBER: 208-254-3805

FIRST: CHARLES E
STATE: ID ZIP: 83250

OWNER CODE: 0

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y(✓) N()

CLAIM REMARKS: GRN A CLAIM FOR AN ADDITIONAL 3 ACRES OF IRRIGATION WILL BE FILED
BASED ON IDAHO CODE 42-1416(2).

0017 1 2 UYN

06/03/96

CONTACT PERSON: _____

PHONE NUMBER: (____) _____

DATE OF FIELD EXAM: 7/17/96

APPOINTMENT MADE: Y() NO (X)

TIME: ____:____ A() P()

ACCOMPANIED BY: NONE (DRIVE-BY)

PHONE NUMBER: (____) _____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

MAR 21 2006

SEARCHED

CLAIM NUMBER: 2009-021013

AT CLARK # A29-041018
BIRMINGHAM 05-15-97
SHANE S

3. CAN THE PROPERTY TAKE CLAIMED BY A MEMBER ON LICENSE?

2000

YC → NC ✓

2018

$$R/A(1) \rightarrow Y(1) \rightarrow M(1)$$
$$N(A) \rightarrow Y(\quad) \rightarrow N(\quad)$$

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N/A () Y () W ()

FIELD EXAM COMPLETION
FIELD EXAM SENT TO STATE OFFICE
LICENSES ISSUED

W/2 () Y () M ()

YES ☒ NO ☐

4. IS THE STAGE OF THE CLAIM CODED CORRECTLY?

STAKE SHOULD BE CODED AS "J"

RECOMMENDED PRIORITY DATE:

DATE _____

MAR 21 2008

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A29-041013	08S 36E	15	NW	NE	SW			SANBODK		

OTHER AJ CLAIMS WITH SAME AJ POD

WR RECORDS IN SAME 40 ACRE TRACT

A PREFIX	R PREFIX
A29-04101A	R29-10013
A29-07205	R29-10817
A29-07479	R29-10952
A29-07647	R29-11055
A29-10013	R29-11729
A29-10817	
A29-10952	
A29-11055	
A29-11647	
A29-11729	
A29-12514	

SOURCE: WALKER CREEK

TRIG: MARSH CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
29-04101	08S 36E	15		NE	SW			SANBODK		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX	R PREFIX
29-07205	A29-04101A
29-07479	A29-07205
29-07647	A29-07479
	A29-07647
	A29-10013
	A29-10817
	A29-10952
	A29-11055
	A29-11647
	A29-11729
	A29-12514

SOURCE: WALKER CREEK

TRIG: MARSH CREEK

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

A IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INQUIRY ANALYSIS PERFORMED AND ENTER FLAG 'C' WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FINAL EXAM? Y() N()

MAJ 2 1 2005
SCANNED

SCANNED

[Signature]

THEIR: MARCH: EXERCISE

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAMATO ()

OTHER (DESCRIBE IN NOTES BELOW)


$$\{ \dots \} N \{ \dots \} A$$

5. $\frac{1}{2} \ln 2$

778 (1972)

☐ 28. ☒ 29. ☐ 30. ☐ 31. ☐ 32. ☐ 33. ☐ 34. ☐ 35. ☐ 36. ☐ 37. ☐ 38. ☐ 39. ☐ 40. ☐ 41. ☐ 42. ☐ 43. ☐ 44. ☐ 45. ☐ 46. ☐ 47. ☐ 48. ☐ 49. ☐ 50. ☐ 51. ☐ 52. ☐ 53. ☐ 54. ☐ 55. ☐ 56. ☐ 57. ☐ 58. ☐ 59. ☐ 60. ☐ 61. ☐ 62. ☐ 63. ☐ 64. ☐ 65. ☐ 66. ☐ 67. ☐ 68. ☐ 69. ☐ 70. ☐ 71. ☐ 72. ☐ 73. ☐ 74. ☐ 75. ☐ 76. ☐ 77. ☐ 78. ☐ 79. ☐ 80. ☐ 81. ☐ 82. ☐ 83. ☐ 84. ☐ 85. ☐ 86. ☐ 87. ☐ 88. ☐ 89. ☐ 90. ☐ 91. ☐ 92. ☐ 93. ☐ 94. ☐ 95. ☐ 96. ☐ 97. ☐ 98. ☐ 99. ☐ 100. ☐ 101. ☐ 102. ☐ 103. ☐ 104. ☐ 105. ☐ 106. ☐ 107. ☐ 108. ☐ 109. ☐ 110. ☐ 111. ☐ 112. ☐ 113. ☐ 114. ☐ 115. ☐ 116. ☐ 117. ☐ 118. ☐ 119. ☐ 120. ☐ 121. ☐ 122. ☐ 123. ☐ 124. ☐ 125. ☐ 126. ☐ 127. ☐ 128. ☐ 129. ☐ 130. ☐ 131. ☐ 132. ☐ 133. ☐ 134. ☐ 135. ☐ 136. ☐ 137. ☐ 138. ☐ 139. ☐ 140. ☐ 141. ☐ 142. ☐ 143. ☐ 144. ☐ 145. ☐ 146. ☐ 147. ☐ 148. ☐ 149. ☐ 150. ☐ 151. ☐ 152. ☐ 153. ☐ 154. ☐ 155. ☐ 156. ☐ 157. ☐ 158. ☐ 159. ☐ 160. ☐ 161. ☐ 162. ☐ 163. ☐ 164. ☐ 165. ☐ 166. ☐ 167. ☐ 168. ☐ 169. ☐ 170. ☐ 171. ☐ 172. ☐ 173. ☐ 174. ☐ 175. ☐ 176. ☐ 177. ☐ 178. ☐ 179. ☐ 180. ☐ 181. ☐ 182. ☐ 183. ☐ 184. ☐ 185. ☐ 186. ☐ 187. ☐ 188. ☐ 189. ☐ 190. ☐ 191. ☐ 192. ☐ 193. ☐ 194. ☐ 195. ☐ 196. ☐ 197. ☐ 198. ☐ 199. ☐ 200. ☐ 201. ☐ 202. ☐ 203. ☐ 204. ☐ 205. ☐ 206. ☐ 207. ☐ 208. ☐ 209. ☐ 210. ☐ 211. ☐ 212. ☐ 213. ☐ 214. ☐ 215. ☐ 216. ☐ 217. ☐ 218. ☐ 219. ☐ 220. ☐ 221. ☐ 222. ☐ 223. ☐ 224. ☐ 225. ☐ 226. ☐ 227. ☐ 228. ☐ 229. ☐ 230. ☐ 231. ☐ 232. ☐ 233. ☐ 234. ☐ 235. ☐ 236. ☐ 237. ☐ 238. ☐ 239. ☐ 240. ☐ 241. ☐ 242. ☐ 243. ☐ 244. ☐ 245. ☐ 246. ☐ 247. ☐ 248. ☐ 249. ☐ 250. ☐ 251. ☐ 252. ☐ 253. ☐ 254. ☐ 255. ☐ 256. ☐ 257. ☐ 258. ☐ 259. ☐ 260. ☐ 261. ☐ 262. ☐ 263. ☐ 264. ☐ 265. ☐ 266. ☐ 267. ☐ 268. ☐ 269. ☐ 270. ☐ 271. ☐ 272. ☐ 273. ☐ 274. ☐ 275. ☐ 276. ☐ 277. ☐ 278. ☐ 279. ☐ 280. ☐ 281. ☐ 282. ☐ 283. ☐ 284. ☐ 285. ☐ 286. ☐ 287. ☐ 288. ☐ 289. ☐ 290. ☐ 291. ☐ 292. ☐ 293. ☐ 294. ☐ 295. ☐ 296. ☐ 297. ☐ 298. ☐ 299. ☐ 300. ☐ 301. ☐ 302. ☐ 303. ☐ 304. ☐ 305. ☐ 306. ☐ 307. ☐ 308. ☐ 309. ☐ 310. ☐ 311. ☐ 312. ☐ 313. ☐ 314. ☐ 315. ☐ 316. ☐ 317. ☐ 318. ☐ 319. ☐ 320. ☐ 321. ☐ 322. ☐ 323. ☐ 324. ☐ 325. ☐ 326. ☐ 327. ☐ 328. ☐ 329. ☐ 330. ☐ 331. ☐ 332. ☐ 333. ☐ 334. ☐ 335. ☐ 336. ☐ 337. ☐ 338. ☐ 339. ☐ 340. ☐ 341. ☐ 342. ☐ 343. ☐ 344. ☐ 345. ☐ 346. ☐ 347. ☐ 348. ☐ 349. ☐ 350. ☐ 351. ☐ 352. ☐ 353. ☐ 354. ☐ 355. ☐ 356. ☐ 357. ☐ 358. ☐ 359. ☐ 360. ☐ 361. ☐ 362. ☐ 363. ☐ 364. ☐ 365. ☐ 366. ☐ 367. ☐ 368. ☐ 369. ☐ 370. ☐ 371. ☐ 372. ☐ 373. ☐ 374. ☐ 375. ☐ 376. ☐ 377. ☐ 378. ☐ 379. ☐ 380. ☐ 381. ☐ 382. ☐ 383. ☐ 384. ☐ 385. ☐ 386. ☐ 387. ☐ 388. ☐ 389. ☐ 390. ☐ 391. ☐ 392. ☐ 393. ☐ 394. ☐ 395. ☐ 396. ☐ 397. ☐ 398. ☐ 399. ☐ 400. ☐ 401. ☐ 402. ☐ 403. ☐ 404. ☐ 405. ☐

STATION 624 08/08/88 11:45

SNL 106

NAME: JAHN ID: 107 W/L: W/L SS: ONE ONE

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1. *Journal of the American Medical Association*, 1997; 277: 1001-1005.

LINK

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Figure 1. Schematic representation of the experimental design. The subjects were divided into two groups: the control group and the experimental group. The control group was divided into two subgroups: the control group and the experimental group. The experimental group was divided into two subgroups: the control group and the experimental group. The control group was divided into two subgroups: the control group and the experimental group. The experimental group was divided into two subgroups: the control group and the experimental group.

References

NOTE

ERN

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AS \$/ACRES	WE \$/ACRES	LANDSAT DATA	FIELD EXAM.	APPROX. ACRES
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NE SW HENRICHS, KEITH V. A29-04101 7 21.0

ADDITIONAL POU FOUND

TOTAL ACRES A29-041018 31.00 64.00

POU COUNTY: BANNOCK

Q. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

YES () NO (X)

A IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A29-041018	WALKER CREEK	POUSY, JOAN	0.060	0.020		
A29-04101A	WALKER CREEK	HENRICHS, KEITH V	0.690	0.030		
A29-07205	WALKER CREEK	GIRARD, RAYMOND W	0.140	0.020		
A29-07479	WALKER CREEK	WISE, GENE M	0.120	0.020	21.00	3.50
A29-07647	WALKER CREEK	WARDLE, ROBERT M	0.120	0.020		
A29-10014	MARSH CREEK	HENRICHS, JOSEPHINE V	0.670	0.029		
A29-11730	WALKER CREEK	THOMSEN, CHARLES E	0.050	0.020		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A29-041018	STOCKWATER	POUSY, JOAN	FROM 01-01 TO 12-31	0.020 CFS	
A29-10013	DOMESTIC	HENRICHS, KEITH V	FROM 01-01 TO 12-31	0.040 CFS	
R29-10817	DOMESTIC	WARDLE, ROBERT M	FROM 01-01 TO 12-31	0.040 CFS	
R29-10817	STOCKWATER	WARDLE, ROBERT M	FROM 01-01 TO 12-31	0.020 CFS	
R29-11729	DOMESTIC	EVANS, RONALD	FROM 01-01 TO 12-31	0.040 CFS	
R29-11731	DOMESTIC	PECK, NANCY	FROM 01-01 TO 12-31	0.040 CFS	
A29-10817	DOMESTIC	WARDLE, ROBERT M	FROM 01-01 TO 12-31	0.040 CFS	
A29-10817	STOCKWATER	WARDLE, ROBERT M	FROM 01-01 TO 12-31	0.020 CFS	
A29-11055	DOMESTIC	WISE, GENE M	FROM 01-01 TO 12-31	0.040 CFS	

MAR 21 2009

SCANNED

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A29-11055	STOCKWATER	WISE, GENE M	FROM 01-01 TO 12-31	0.020 CFS	
A29-11731	DOMESTIC	PECK, NANCY	FROM 01-01 TO 12-31	0.040 CFS	
A29-10952	DOMESTIC	POESY, JOAN M	FROM 01-01 TO 12-31	0.040 CFS	
A29-10952	STOCKWATER	POESY, JOAN M	FROM 01-01 TO 12-31	0.020 CFS	
A29-11729	DOMESTIC	EVANS, DONALD	FROM 01-01 TO 12-31	0.040 CFS	
A29-11055	DOMESTIC	WISE, JENNIFER A	FROM 01-01 TO 12-31	0.040 CFS	
A29-11055	STOCKWATER	WISE, JENNIFER A	FROM 01-01 TO 12-31	0.020 CFS	
A29-11647	DOMESTIC	KIR, MARCIA	FROM 01-01 TO 12-31	0.040 CFS	
A29-10013	DOMESTIC	HENRICH, KEITH V	FROM 01-01 TO 12-31	0.040 CFS	
A29-10952	DOMESTIC	POESY, JOAN M	FROM 01-01 TO 12-31	0.040 CFS	
A29-10952	STOCKWATER	POESY, JOAN M	FROM 01-01 TO 12-31	0.020 CFS	
A29-04101A	STOCKWATER	HENRICH, KEITH V	FROM 01-01 TO 12-31	0.020 CFS	

3. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N(✓)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: SEE REMARKS

4. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y(✓) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG 'C' WITH THE APPROPRIATE EXPLANATORY CODE.

5. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y() N(✓)

6. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y(✓) N()

7. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N(✓)

SCANNED
 MAR 21 2008

CHECK DOCUMENTS USED TO VERIFY PCU: (✓) ORTHOPHOTOQUAD, IOWR NO. 3841; () TOPOGRAPHIC QUAD, IOWR NO. _____
(✓) NAPP, IOWR NO. 3841 NW (1987); (✓) ASCS PHOTO; () OTHER _____

NOTES:

Field Exam was a drive-by on 7-17-96. Using NAPP, and ASCS photo from Bannock County ASCS office, the dot method of calculating acres was used to find that 2.5 Acres are actually irrigated.

RECOMMENDATIONS:

TOTAL ACRES: 2.5 N/A()

REVIEWED BY: St. Taylor

DATE: 7/29/96

SCANNED
MAR 21 2005

A. CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
829-04101B IRRIGATION	FROM 03-15 TO 11-15	0.060 CFS	
829-04101B STOCKWATER	FROM 01-01 TO 12-31	0.020 CFS	
TOTAL DIVERSION RATE/VOLUME		0.060 CFS	

B. WE RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
89-04101 IRRIGATION	FROM 03-15 TO 11-15	2.000 CFS	
89-04101 STOCKWATER	FROM 01-01 TO 12-31	0.020 CFS	
TOTAL DIVERSION RATE/VOLUME		2.020 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y(☒) N(☐)

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y(☒) N(☐)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y(☐) N(☒)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y(☒) N(☐)

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☐) Y(☐) N(☒)

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☒) Y(☐) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☒) Y(☐) N(☐)

SCANNED
 2/1/2007

NOTES:

RECEIVED
MAY 7 1 2006

AT CLAIM TOTAL DIVERSION RATE: 0.060 CES
WE ROOT RIGHT TOTAL DIVERSION RATE: 2.020 CES

4. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A () Y () N () ☒
5. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A () Y () N () ☒
- * ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

6. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? N/A () Y () N () ☒
- * IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

7. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y () N () ☒

FLOW MEASUREMENT

MEASUREMENT METHOD SEE ATTACHED CALCULATIONS.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE ACRES 2.5 * 0.02 CES/ACRE = 0.05 CES
(Taken from review)

- IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CES/ACRE CLAIMED? Y () N () ☒
- IF YES, IS AN ADDITIONAL WATER USE FORM FILLED AND ATTACHED? Y () N () ☒

2. IRRIGATION DIVERSION VOLUME
CLAIMED DIVERSION VOLUME = AE/A
ACRES 2.5 * DIVERSION VOL. AE/A FOR AREA
TOTAL DIVERSION VOLUME AE/A

3. IRRIGATION CONSUMPTIVE USE
CLAIMED CONSUMPTIVE USE = 7.5 AE/A
ACRES 2.5 * CONSUMPTIVE VOL. AE/A FOR AREA
TOTAL CONSUMPTIVE USE AE/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

MAR 29 2003

EXPLANATORY REMARKS (CODE)

EXPLANATORY CONDITIONS (ECC)

STANDARD REMARKS (CODE):

STANDARD CONDITIONS (CODE):

154

END OF MESSAGE

4-29-76

NON-IRRIGATION USES CLAIMED: STOCKWATER, 12 CATTLE

TOTAL 203 111 184

05070

22

IRRIGATION STOCKWATER

01-01 10-10

0.02	0.020
0.05	0.050
0.10	0.100
0.20	0.200
0.50	0.500
1.00	1.000
2.00	2.000
5.00	5.000
10.00	10.000
20.00	20.000
50.00	50.000
100.00	100.000
200.00	200.000
500.00	500.000
1000.00	1000.000
2000.00	2000.000
5000.00	5000.000
10000.00	10000.000
20000.00	20000.000
50000.00	50000.000
100000.00	100000.000
200000.00	200000.000
500000.00	500000.000
1000000.00	1000000.000
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200000000000000000000000.00	200000000000000000000000.000
500000000000000000000000.00	500000000000000000000000.000
1000000000000000000000000.00	1000000000000000000000000.000
2000000000000000000000000.00	2000000000000000000000000.000
5000000000000000000000000.00	5000000000000000000000000.000
10000000000000000000000000.00	1000000000

DATE: 11/11/11

DATE: 11/11/2011

REC-
PURPOSE OF USE

REC'D, BRIDGE
TO GOING

DATE _____
PAGE _____

REF: 010
VOL: 43/4

MS, (M_n)₀ = 100,000, (M_n)_∞ = 100,000.

RECOMMENDATIONS: CHECK HERE IS RECOMMENDED AS CLAIMED ()

RECOMMENDATIONS REVIEW SHEET

41

STATION NUMBER: 224-041019

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP	ACCEPTED	NEEDS
FORFEIT/ABANDON	AS CLAIMED	REVIEW
ADDITIONAL DIV. AMOUNT	(3)	(1)

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 29-04101

TOTAL DIVERSION RATE OF WR SPLITS DATABASE 2.020 EXAMINER CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A29-04101A	0.690	-	-	29-04101	2.020
-	A29-04101B	0.060	-	-		
TOTAL CFS		0.750				2.020

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N) DATABASE N FIELD EXAMINER Y() N(✓)

IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

NOTES:

The sum of the splits do not equal the original 243 claim because the number of acres is less than the original statutory claim.

AUTHENTICATION:

SIGNATURE: *G. J. Taylor* DATE: 7- -96

NAME OF FIELD EXAMINER: *G. J. Taylor* TITLE: *As Water Agent*

8
JAMES B. GREEN
ARCHIE W. SERVICE
CLARK GASSER*
K. KERL
D. PAPPAS
FREDERICK L. RINGE
STEVEN V. RICHERT
GUY R. PRICE

GREEN, SERVICE, GASSER & KERL
ATTORNEYS AT LAW
2043 E. CENTER — P.O. BOX 4883
POCATELLO, IDAHO 83205-4883
TELEPHONE (208) 232-4471
FAX (208) 232-1808

DUANE A. BYBEE**
OF COUNSEL

BOISE OFFICE

SUITE 302 JEFFERSON PLACE
350 NINTH STREET
P.O. BOX 1887
BOISE, IDAHO 83701
TELEPHONE (208) 343-2222

RICK CARNAROLI
JAMES A. SPINNER
KAY E. MOORE
BART GREEN
ROBERT J. WILLIAMS (Boise Office)

February 28, 1989

RECEIVED

FEB 24 1995

Department of Water Resources
Eastern District Office

*Also Member D.C. Bar
**Also Member Utah Bar

Mr. Bob Wardle
2652 Marsh Creek Rd.
McCammon, ID 83250

Re: Walker Creek Rotation Agreement

Dear Bob:

Enclosed please find an executed "original" copy of the Walker Creek Irrigation Rotation Agreement fully executed by Norman Young of the Water Resources Department. The enclosed copy is the only original copy Mr. Young sent back to me. I have made a copy of that for my file, but you should keep that in a secure place if an original copy is ever needed.

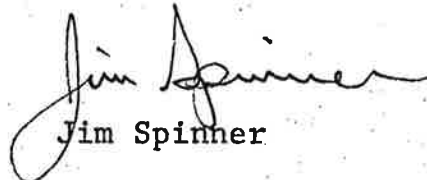
Pursuant to our phone conversation I will take no further action in this matter unless requested by you or any of the Walker Creek user group. The fees I quoted to you during our conversation would be the outstanding balance.

I have also enclosed a copy of the cover letter sent by Norman Young with the rotation agreement for your information. I enjoyed working with you and all the other water users in this matter. I will keep my fingers crossed that the agreement is a sign the Mr. Henrichs intends to start acting in a more neighborly manner.

If we can be of any further assistance let me know.

Very truly yours,

GREEN, SERVICE, GASSER & KERL


Jim Spinner

JS/drs
Encl.
4/12/059/14

SCANNED

MAR 21 2005

NOV 13 1995



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HICINSON
DIRECTOR

FEB 24 1995

Department of Water Resources
Eastern District Office

February 24, 1989

Jim Spinner
Green, Service, Gasser & Kerl
2043 E. Center
P. O. Box 4883
Pocatello, ID 83205-4883

RE: Walker Creek Rotation Agreement

Dear Mr. Spinner:

Enclosed is the executed copy of the agreement. I have kept a copy for the department's files, and am providing a copy to Mr. Goodell.

You, Mr. Goodell, and each of the water users are to be commended for negotiating rather than litigating this matter. I am confident that the spirit of cooperation, evidenced by the agreement and the forthright discussions at the conference of positive ways to resolve distribution and water supply problems on Walker Creek, will allow the community to use the available water in harmony.

Sincerely,

NORMAN C. YOUNG
Administrator
Water Management Division

NCY:alw
cc: John Goodell with agreement copy
Encl.

SCANNED

MAR 21 2006

NOV 13 1990

10
RECEIVED
FEB 24 1995

WALKER CREEK IRRIGATION ROTATION AGREEMENT

Department of Water Resources
Eastern District Office

The undersigned water users of Walker Creek, located in Bannock County, Idaho, hereby agree to distribute the water of Walker Creek until such time as the rights and priorities of the parties have been formally adjudicated. The agreed distribution shall be as follows:

(A). If the flow of Walker Creek exceeds .36 cubic foot per second ("cfs"), the waters of Walker Creek shall be distributed by the undersigned users on a 10-day rotation period. The order of delivery and number of hours of use per rotation for each user shall be:

Keith Henrichs - 96 hours

Raymond Girard - 36 hours

Gene Wise - 31 hours

Bob Wardle - 31 hours

Chuck Thompson - 16 hours

John Shultz - 10 hours

Norman Rademacher - 20 hours

(B). If the water flow of Walker Creek falls below .36cfs, as measured as set forth below, then the above stated 10-day rotation period shall be modified and the undersigned users shall go to a 20-day rotation period. The modification from the 10-day rotation period to the 20-day rotation period will be based on the same acreage as the 10-day rotation period and on the same water allotment of .02cfs/acre/user. The number of hours of use per rotation credited to each user under the 20-day rotation period shall be:

Keith Henrichs - 192 hours

Raymond Girard - 72 hours

NOV 13 1990

SCANNED
MAR 21 2008

Gene Wise - 62 hours
Bob Wardle - 62 hours
Chuck Thompson - 32 hours
John Shultz - 20 hours
Norman Rademacher - 40 hours

The reason for the modification from a 10-day rotation period to a 20-day rotation period when the flow of Walker Creek falls below .36cfs is to allow the parties longer periods of time to irrigate so that they may preserve, in times of low water, their pastures and other appurtenant property. Any of the undersigned users may use the water during their stated turn on each rotation or may pass their turn to another user they so designate. Any such designation shall not effect the designating party's use of the water on the next rotation. Each of the undersigned users is responsible for regulating their headgate at both the beginning and end of their respective turn.

For a determination of which rotation period to use at any particular time, the measurement of the flow of water in Walker Creek shall be done at such time as the water level appears to be approaching .36cfs. Any of the undersigned users may request the Portneuf River water master, if he or she so consents, or some other third person mutually agreed upon by all of the undersigned users to measure the water. If a

NOV 13 1990

SCANNED

MAR 21 2006

12
disagreement arises as to measurement, any of the undersigned users may request that a Department of Water Resources official measure the flow of water in Walker Creek. Such measurement by a Department of Water Resources official shall be deemed conclusive as to the level of flow in Walker Creek.

All measurements of the flow of Walker Creek used to make any determination under this agreement shall take place at the point of diversion used by water users Wardle, Wise and Girard. Any such measurements shall take place at a consistent hour at each time of measurement. An hour agreed upon by the parties is 10:00 a.m. on the day of measurement, or such consistent time as is convenient to the Portneuf River water master, the mutually agreed upon third party, or the Department of Water Resources official.

This agreement shall be in force and effect during the time period from March 15 through November 15 of each and every year, beginning with March 15, 1989, until an adjudication of the rights of the undersigned water users of Walker Creek is finally and fully completed. All prior agreements among the Walker Creek water users are superceded by this agreement. This agreement is binding on heirs, personal representatives, successors and assigns of any of the undersigned water users.

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All of the undersigned, including the Department of Water Resources, agree that no adjudication has been completed on Walker Creek and that this agreement does not have any binding effect on any of the undersigned parties on any future adjudication. This agreement is solely a compromise agreement of a continuing controversy as to the rights and priorities of the parties to the use of Walker Creek and shall be considered solely in that regard. It shall not be considered as an admission in any regard by any of the undersigned parties as to their claims, licenses, permits or other arguments they may have in a subsequent adjudication. It shall not be considered binding, and shall not be used by any of the parties, including the Department of Water Resources, in any adjudication and shall not be considered by any Court in any hearing or other proceeding on an adjudication. All of the parties hereto reserve their objections to the various claims of the other users. The Department of Water Resources acknowledges and understands that the purpose of this agreement is solely for the purpose of a settlement of an on-going controversy. This agreement is a temporary, interim agreement until an adjudication of the rights of the parties can be formally determined.

The Department of Water Resources agrees that any cease and desist order issued to any of the undersigned

14
users is hereby terminated. It is further understood that the parties who received cease and desist orders do not admit that the Department of Water Resources had any legal authority to issue the cease and desist orders.

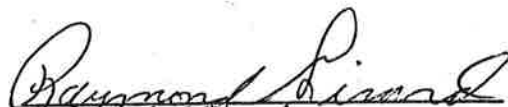
The Department of Water Resources agrees to recognize this agreement and not to intervene in the agreement or interfere with any of the use of the undersigned unless such parties do not abide by the rotation agreement set forth above. The undersigned users understand that the Department of Water Resources cannot view the agreement as revising any water rights the parties may be determined as having in an adjudication, but is solely an interim agreement.

IN WITNESS WHEREOF the undersigned hereby execute this agreement and acknowledge that each clearly understands the terms and conditions stated herein.

Dated: 1-19-89


Keith Henrichs

Dated: 2-5-89


Raymond Girard

Dated: 2-4-89


Gene Wise

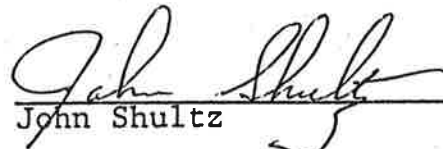
Dated: 2-4-89


Bob Wardle

Dated: 2-4-89


Chuck Thompson

Dated: Feb 6 1989

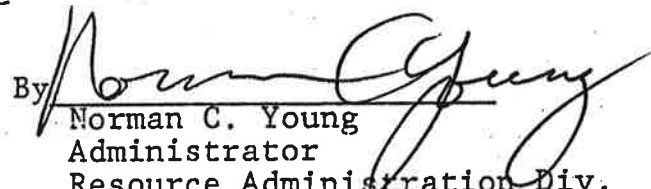

John Shultz

Dated: Feb 5, 89


Norman Rademacher

Acknowledged and Approved by
the State of Idaho, Department
of Water Resources

Dated: February 5, 1989

By 
Norman C. Young
Administrator
Resource Administration Div.
Department of Water Resources

ADDENDUM

The attached Rotation Agreement is incorporated by reference and hereby made a part of the Walker Creek Irrigation Rotation Agreement.

RECORDED

NOV 13 1995

JAMES B. GREEN
ARCHIE W. SERVICE
CLARK GASSER*
RON KERL
JIM D. PAPPAS
FREDERICK L. RINGE
STEVEN V. RICHERT
GUY R. PRICE

RICK CARNAROLI
JAMES A. SPINNER
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BART GREEN
ROBERT J. WILLIAMS (Boise Office)

*Also Member D.C. Bar
**Also Member Utah Bar

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2043 E. CENTER — P.O. BOX 4883
POCATELLO, IDAHO 83205-4883
TELEPHONE (208) 232-4471
FAX (208) 232-1808

RECEIVED
FEB 24 1995
DUANE A. BYBEE**
OF COUNSEL
BOISE OFFICE
Department of Water Resources
Eastern District Office
SUITE 302 JEFFERSON PLACE
40 NINTH STREET
P.O. BOX 1887
BOISE, IDAHO 83701
TELEPHONE (208) 343-2222

February 10, 1989

John R. Goodell, Esq.
P.O. Box 1391
Pocatello, ID 83204-1391

Re: Walker Creek Rotation Agreement

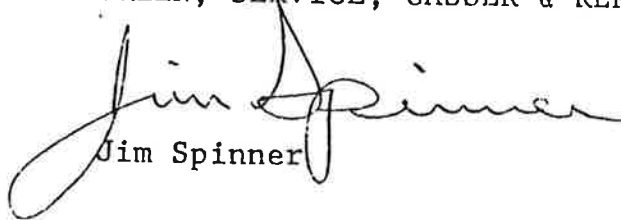
Dear John:

Enclosed please find an original copy of the Walker Creek Irrigation Rotation Agreement fully executed by my clients. Also enclosed please find my letter to Norman Young of the Department of Water Resources to sign the Agreement and Acknowledgement and Approval.

If you have any questions please feel free to give me a call. Best regards.

Very truly yours,

GREEN, SERVICE, GASSER & KERL


Jim Spinner

JS/drs
Encl.
cc: Clients
4/12/041/5

MICROFILMED
NOV 13 1990

SCANNED
MAR 21 2006

JAMES B. GREEN
 ARCHIE W. SERVICE
 CLARK GASSER*
 RON KERL
 TIM D. PAPPAS
 FREDERICK L. RINGE
 STEVEN V. RICHERT
 GUY R. PRICE

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 POCATELLO, IDAHO 83205-4883
 TELEPHONE (208) 232-4471
 FAX (208) 232-1808

DUANE A. BYBEE**
 OF COUNSEL

BOISE OFFICE

SUITE 302 JEFFERSON PLACE
 350 NINTH STREET
 P.O. BOX 1887
 BOISE, IDAHO 83701
 TELEPHONE (208) 343-2222

February 10, 1989

Mr. Norman C. Young
 Administrator
 Department of Water Resources
 1301 North Orchard St.
 Statehouse Mail
 Boise, ID 83720

Re: Walker Creek Rotation Agreement

Dear Mr. Young:

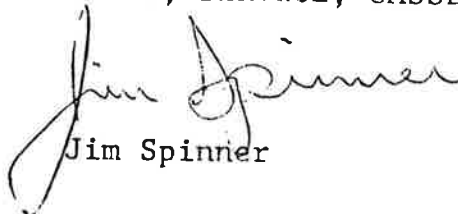
I am pleased to enclose an original and copy of the Walker Creek Irrigation Rotation Agreement signed by all of the water users. The Agreement incorporates the record made at the conference concerning the distribution of water from Walker Creek in Pocatello back in October, 1988. Pursuant to the agreement of the parties and the Department of Water Resources, please review the Agreement and execute the same on behalf of the Department on page 6 of the Agreement. Upon execution, please return the original Agreement to me in the envelope provided. The enclosed copy of the executed Agreement is for the Department's file.

I appreciate your efforts in this case and your patience at the October hearing.

If you have any questions please feel free to give me a call. Otherwise, I will look to receive the executed Agreement within the next 15 days. Best regards.

Very truly yours,

GREEN, SERVICE, GASSER & KERL


 Jim Spinner

JS/drs

Encl.

cc: John Goodell, Esq.
 Clients

4/12/041/4

RECEIVED

FEB 24 1995

Department of Water Resources
 Eastern District Office

SCANNED

MAR 21 2006

NOV 13 1990

RECEIVED

FEB 24 1995

Department of Water Resources
Eastern District Office

2-2-89

Bob:

Enclosed find an original and three rotation agreements signed by Henrichs. Please have all the other users sign such and return them to me to send to the D.W.R.

Balance due to our firm as of 2-2-89 is:

Previous statement:	\$ 196.14
January time:	+ 175.00 (to 2-2-89)
Payment	- 75.00
Total	<u>\$296.14</u>

A statement will be mailed shortly.

Thanks,

296.14
15.00 (2-2 - 2-15)
311.14

Jim Spinner

NOV 13 1990

SOANED

MAR 2 1995

FEB 24 1995

Department of Water Resources **CHANGE IN OWNERSHIP OF NOTICE OF CLAIM**

Eastern District Office

Eastern District Office
[] Water Right Number(s): (1st) # 29-410 - Amended # 29-4101

[] Name and Address of
Former Claimant:

Former Claimant: Kreth V. or Josephine V. HEURICHs

2526 S. MARSH CRK RD. (208)

M^cCammon Ida, 83250 (254-3340)

[] New Claimant(s): Charles E. Thomsen i.R

JOAN POESY

[] New Mailing Address: 2599 S. MARSH CRK. Rd

McCammon Ida. 83250

New Telephone Number: (208) 254-3805

[] Does the change in ownership result in a splitting of the water right claimed? X yes no

If yes, then describe the portion of the water right that is now claimed by the new owner:

(Township 8 S RANGE 36 E Section 15

$\frac{1}{4}$ of NE $\frac{1}{4}$ of SW) Township ~~24~~ Range
36E

[] Attach proof of ownership.
Describe proof attached:

[] Signature of New Claimant(s):

Charles E. Hogan
Paul M. Poesy

Date: 2-18-95

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

MICHOFF, L. M.

Abstract

SCANNED

MAR 21 2006

POOR ORIGINAL

RECEIVED

FEB 24 1995

Department of Water Resources
Eastern District Office

WALLER IRRIGATION

10 day

SCHEDULE

SCANNED

MAR 21 2006

McChesney

NOV 13 1995

POOR ORIGINAL

2 P.M. March 15	TO 6 A.M. March 16
2 P.M. March 25	TO 6 A.M. March 26
2 P.M. Apr 4	TO 6 A.M. Apr 5
2 P.M. Apr 14	TO 6 A.M. Apr 15
2 P.M. Apr 24	TO 6 A.M. Apr 25
2 P.M. May 4	TO 6 A.M. May 5
2 P.M. May 14	TO 6 A.M. May 15
2 P.M. May 24	TO 6 A.M. May 25
2 P.M. June 3	TO 6 A.M. June 4
2 P.M. June 13	TO 6 A.M. June 14
2 P.M. June 23	TO 6 A.M. June 24
2 P.M. July 3	TO 6 A.M. July 4
2 P.M. July 13	TO 6 A.M. July 14
2 P.M. July 23	TO 6 A.M. July 24
2 P.M. Aug 2	TO 6 A.M. Aug 3
2 P.M. Aug 12	TO 6 A.M. Aug 13
2 P.M. Aug 22	TO 6 A.M. Aug 23
2 P.M. Sept 1	TO 6 A.M. Sept 2
2 P.M. Sept 11	TO 6 A.M. Sept 12
2 P.M. Sept 21	TO 6 A.M. Sept 22
2 P.M. Oct 1	TO 6 A.M. Oct 2

6 A.M. March 16	TO 4 P.M. March 16
6 A.M. March 26	TO 4 P.M. March 26
6 A.M. Apr 5	TO 4 P.M. Apr 5
6 A.M. Apr 15	TO 4 P.M. Apr 15
6 A.M. Apr 25	TO 4 P.M. Apr 25
6 A.M. May 5	TO 4 P.M. May 5
6 A.M. May 15	TO 4 P.M. May 15
6 A.M. May 25	TO 4 P.M. May 25
6 A.M. June 4	TO 4 P.M. June 4
6 A.M. June 14	TO 4 P.M. June 14
6 A.M. June 24	TO 4 P.M. June 24
6 A.M. July 4	TO 4 P.M. July 4
6 A.M. July 14	TO 4 P.M. July 14
6 A.M. July 24	TO 4 P.M. July 24
6 A.M. Aug 3	TO 4 P.M. Aug 3
6 A.M. Aug 13	TO 4 P.M. Aug 13
6 A.M. Aug 23	TO 4 P.M. Aug 23
6 A.M. Sept 2	TO 4 P.M. Sept 2
6 A.M. Sept 12	TO 4 P.M. Sept 12
6 A.M. Sept 22	TO 4 P.M. Sept 22
6 A.M. Oct 2	TO 4 P.M. Oct 2

NOV 13 1995

SCANNED

MAR 21 2006

MAR 2 4 2006

SCANNED

NOV 13 1998

TO 12 NOON March 17	TO 12 NOON March 21
TO 12 NOON March 27	TO 12 NOON March 31
TO 12 NOON April 5	TO 12 NOON April 10
TO 12 NOON April 16	TO 12 NOON April 20
TO 12 NOON April 26	TO 12 NOON April 30
TO 12 NOON May 6	TO 12 NOON May 10
TO 12 NOON May 16	TO 12 NOON May 20
TO 12 NOON May 26	TO 12 NOON May 30
TO 12 NOON June 5	TO 12 NOON June 9
TO 12 NOON June 15	TO 12 NOON June 19
TO 12 NOON June 25	TO 12 NOON June 29
TO 12 NOON July 5	TO 12 NOON July 9
TO 12 NOON July 15	TO 12 NOON July 19
TO 12 NOON July 25	TO 12 NOON July 29
TO 12 NOON Aug 4	TO 12 NOON Aug 8
TO 12 NOON Aug 14	TO 12 NOON Aug 18
TO 12 NOON Aug 24	TO 12 NOON Aug 28
TO 12 NOON Sept 3	TO 12 NOON Sept 7
TO 12 NOON Sept 13	TO 12 NOON Sept 17
TO 12 NOON Sept 23	TO 12 NOON Sept 27
TO 12 NOON Oct 3	TO 12 NOON Oct 7

1991 (96)

K HENRICHS

TO 12 NOON March 17	TO 12 NOON March 21
TO 12 NOON March 27	TO 12 NOON March 31
TO 12 NOON April 5	TO 12 NOON April 10
TO 12 NOON April 16	TO 12 NOON April 20
TO 12 NOON April 26	TO 12 NOON April 30
TO 12 NOON May 6	TO 12 NOON May 10
TO 12 NOON May 16	TO 12 NOON May 20
TO 12 NOON May 26	TO 12 NOON May 30
TO 12 NOON June 5	TO 12 NOON June 9
TO 12 NOON June 15	TO 12 NOON June 19
TO 12 NOON June 25	TO 12 NOON June 29
TO 12 NOON July 5	TO 12 NOON July 9
TO 12 NOON July 15	TO 12 NOON July 19
TO 12 NOON July 25	TO 12 NOON July 29
TO 12 NOON Aug 4	TO 12 NOON Aug 8
TO 12 NOON Aug 14	TO 12 NOON Aug 18
TO 12 NOON Aug 24	TO 12 NOON Aug 28
TO 12 NOON Sept 3	TO 12 NOON Sept 7
TO 12 NOON Sept 13	TO 12 NOON Sept 17
TO 12 NOON Sept 23	TO 12 NOON Sept 27
TO 12 NOON Oct 3	TO 12 NOON Oct 7

POOR ORIGINAL

1991 (20)

N RADEMAKER

POOR ORIGINAL

12 NOON	March 21	TO	7 P.M.	March 22
12 NOON	March 31	TO	7 P.M.	Apr 1
12 NOON	Apr 10	TO	7 P.M.	Apr 11
12 NOON	Apr 20	TO	7 P.M.	Apr 21
12 NOON	Apr 30	TO	7 P.M.	May 1
12 NOON	May 10	TO	7 P.M.	May 11
12 NOON	May 20	TO	7 P.M.	May 21
12 NOON	May 30	TO	7 P.M.	May 31
12 NOON	June 9	TO	7 P.M.	June 10
12 NOON	June 19	TO	7 P.M.	June 20
12 NOON	June 29	TO	7 P.M.	June 30
12 NOON	July 9	TO	7 P.M.	July 10
12 NOON	July 19	TO	7 P.M.	July 20
12 NOON	July 29	TO	7 P.M.	July 30
12 NOON	Aug 8	TO	7 P.M.	Aug 9
12 NOON	Aug 18	TO	7 P.M.	Aug 19
12 NOON	Aug 28	TO	7 P.M.	Aug 29
12 NOON	Sept 7	TO	7 P.M.	Sept 8
12 NOON	Sept 17	TO	7 P.M.	Sept 18
12 NOON	Sept 27	TO	7 P.M.	Sept 28
12 NOON	Oct 7	TO	7 P.M.	Oct 8

7 P.M.	March 22	TO	7 A.M.	March 24
7 P.M.	Apr 1	TO	7 A.M.	Apr 3
7 P.M.	Apr 11	TO	7 A.M.	Apr 13
7 P.M.	Apr 21	TO	7 A.M.	Apr 23
7 P.M.	May 1	TO	7 A.M.	May 3
7 P.M.	May 11	TO	7 A.M.	May 13
7 P.M.	May 21	TO	7 A.M.	May 23
7 P.M.	May 31	TO	7 A.M.	June 2
7 P.M.	June 10	TO	7 A.M.	June 12
7 P.M.	June 20	TO	7 A.M.	June 22
7 P.M.	June 30	TO	7 A.M.	July 2
7 P.M.	July 10	TO	7 A.M.	July 12
7 P.M.	July 20	TO	7 A.M.	July 22
7 P.M.	July 30	TO	7 A.M.	Aug 1
7 P.M.	Aug 9	TO	7 A.M.	Aug 11
7 P.M.	Aug 19	TO	7 A.M.	Aug 21
7 P.M.	Aug 29	TO	7 A.M.	Aug 31
7 P.M.	Sept 8	TO	7 A.M.	Sept 10
7 P.M.	Sept 18	TO	7 A.M.	Sept 20
7 P.M.	Sept 28	TO	7 A.M.	Sept 30
7 P.M.	Oct 8	TO	7 A.M.	Oct 10

NOT FORWARDED
FEB 13 1995

SCANNED
FEB 21 2006

7 A.M.	March 24	TO	2 P.M.	March 23
7 A.M.	Apr 7	TO	2 P.M.	Apr 4
7 A.M.	Apr 13	TO	2 P.M.	Apr 14
7 A.M.	Apr 23	TO	2 P.M.	Apr 24
7 A.M.	May 3	TO	2 P.M.	May 4
7 A.M.	May 13	TO	2 P.M.	May 14
7 A.M.	May 23	TO	2 P.M.	May 24
7 A.M.	June 2	TO	2 P.M.	June 3
7 A.M.	June 12	TO	2 P.M.	June 13
7 A.M.	June 22	TO	2 P.M.	June 23
7 A.M.	July 2	TO	2 P.M.	July 3
7 A.M.	July 12	TO	2 P.M.	July 13
7 A.M.	July 22	TO	2 P.M.	July 23
7 A.M.	Aug 1	TO	2 P.M.	Aug 2
7 A.M.	Aug 11	TO	2 P.M.	Aug 12
7 A.M.	Aug 21	TO	2 P.M.	Aug 22
7 A.M.	Aug 31	TO	2 P.M.	Sept 1
7 A.M.	Sept 10	TO	2 P.M.	Sept 11
7 A.M.	Sept 20	TO	2 P.M.	Sept 21
7 A.M.	Sept 30	TO	2 P.M.	Oct 1

POOR ORIGINAL

2008 APR 14

NOV 14 1995

SECRET

MAR 21 2008

RECEIVED

FEB 24 1996

Department of Water Resources
Eastern District Office

POOR ORIGINAL

WALKER IRRIGATION

20 day

SCHEDULE

SCANNED

MAR 21 2006

APPROVED

ROY 19 1996

C THOMPSON

1991

(12)

10 A.M. March 17	TO	4 P.M. March 16
10 A.M. Apr 4	TO	4 P.M. Apr 3
10 A.M. Apr 24	TO	4 P.M. Apr 23
10 A.M. May 14	TO	4 P.M. May 13
10 A.M. June 3	TO	4 P.M. June 4
10 A.M. June 23	TO	4 P.M. June 24
10 A.M. July 17	TO	4 P.M. July 11
10 A.M. Aug 3	TO	4 P.M. Aug 3
10 A.M. Aug 22	TO	4 P.M. Aug 23
10 A.M. Sept 11	TO	4 P.M. Sept 12
10 A.M. Oct 1	TO	4 P.M. Oct 2

POOR ORIGINAL

N PAVENHOFER

1991

(40)

4 P.M. March 16	TO	10 A.M. March 16
4 P.M. Apr 3	TO	10 A.M. Apr 7
4 P.M. Apr 25	TO	10 A.M. Apr 27
4 P.M. May 15	TO	10 A.M. May 17
4 P.M. June 4	TO	10 A.M. June 4
4 P.M. June 24	TO	10 A.M. June 24
4 P.M. July 14	TO	10 A.M. July 14
4 P.M. Aug 3	TO	10 A.M. Aug 5
4 P.M. Aug 23	TO	10 A.M. Aug 25
4 P.M. Sept 12	TO	10 A.M. Sept 14
4 P.M. Oct 2	TO	10 A.M. Oct 4

J SCHULTZ

1991

(20)

10 A.M. March 12	TO	4 A.M. March 17
10 A.M. Apr 7	TO	4 A.M. Apr 9
10 A.M. Apr 27	TO	4 A.M. Apr 31
10 A.M. May 17	TO	4 A.M. May 18
10 A.M. June 4	TO	4 A.M. June 7
10 A.M. June 24	TO	4 A.M. June 27
10 A.M. July 14	TO	4 A.M. July 17
10 A.M. Aug 5	TO	4 A.M. Aug 4
10 A.M. Aug 25	TO	4 A.M. Aug 24
10 A.M. Sept 14	TO	4 A.M. Sept 13
10 A.M. Oct 4	TO	4 A.M. Oct 5

K HENRICH5

1991

(192)

4 A.M. March 19	TO	4 A.M. March 27
4 A.M. Apr 2	TO	4 A.M. Apr 16
4 A.M. Apr 22	TO	4 A.M. May 6
4 A.M. May 18	TO	4 A.M. May 26
4 A.M. June 7	TO	4 A.M. June 15
4 A.M. June 27	TO	4 A.M. July 5
4 A.M. July 17	TO	4 A.M. July 25
4 A.M. Aug 4	TO	4 A.M. Aug 11
4 A.M. Aug 24	TO	4 A.M. Sept 3
4 A.M. Sept 15	TO	4 A.M. Sept 27
4 A.M. Oct 5	TO	4 A.M. Oct 13

RECEIVED

NOV 13 1990

MAR 2 1996

MAR 2 1 2006

SCANNED

NOV 13 1996

COPIES AVAILABLE

8 P.M.	Apr 1	TO	10 A.M.	Apr 4
8 P.M.	Apr 21	TO	10 A.M.	Apr 24
8 P.M.	May 11	TO	10 A.M.	May 14
8 P.M.	May 31	TO	10 A.M.	June 3
8 P.M.	June 20	TO	10 A.M.	June 23
8 P.M.	July 10	TO	10 A.M.	July 13
8 P.M.	July 30	TO	10 A.M.	Aug 2
8 P.M.	Aug 17	TO	10 A.M.	Aug 22
8 P.M.	Sept 8	TO	10 A.M.	Sept 11
8 P.M.	Sept 28	TO	10 A.M.	Oct 1

G WISE

1991

(62)

8 P.M.	March 29	TO	8 P.M.	Apr 1
8 P.M.	Apr 19	TO	8 P.M.	Apr 21
8 P.M.	May 8	TO	8 P.M.	May 11
8 P.M.	May 28	TO	8 P.M.	May 31
8 P.M.	June 17	TO	8 P.M.	June 20
8 P.M.	July 7	TO	8 P.M.	July 10
8 P.M.	July 27	TO	8 P.M.	July 30
8 P.M.	Aug 16	TO	8 P.M.	Aug 19
8 P.M.	Sept 5	TO	8 P.M.	Sept 8
8 P.M.	Sept 25	TO	8 P.M.	Sept 28
8 P.M.	Oct 15	TO	8 P.M.	Oct 18

H GIRARD

1991

(72)

6 A.M.	March 27	TO	8 P.M.	March 29
6 A.M.	Apr 16	TO	8 P.M.	Apr 18
6 A.M.	May 6	TO	8 P.M.	May 8
6 A.M.	May 26	TO	8 P.M.	May 28
6 A.M.	June 15	TO	8 P.M.	June 17
6 A.M.	July 5	TO	8 P.M.	July 7
6 A.M.	July 25	TO	8 P.M.	July 27
6 A.M.	Aug 14	TO	8 P.M.	Aug 16
6 A.M.	Sept 7	TO	8 P.M.	Sept 9
6 A.M.	Sept 27	TO	8 P.M.	Sept 29
6 A.M.	Oct 17	TO	8 P.M.	Oct 19

POOR ORIGINAL

1991 (62)

Robert Ward

ENGINEERS

436 NORTH MAIN • P.O. BOX 11 • POCA TELLO, IDAHO 83201 • (208) 233-196

SURVEYORS

GROUP, INC.

DESCRIPTION FOR EVELEE HILL

A 4.9 acre parcel of land situated in the northeast quarter, southwest quarter, Section 15, Township 8 South, Range 36 East, Boise Meridian, more particularly described as follows:

Commencing at the West quarter corner, Section 15, Township 8 South, range 36 East, B.M.; thence

North $89^{\circ}16'10''$ East a distance of 1873.44 feet to an intersection with the easterly right of way of Marsh Creek Road; thence

South $11^{\circ}14'00''$ West (recorded as South $11^{\circ}02'$ West) along the easterly right of way of Marsh Creek Road a distance of 508.45 feet to the point of curvature of a tangent curve, the radius point of said curve being North $78^{\circ}46'00''$ West a distance of 2894.77 feet from said point of curvature, said curve having a tangent distance of 75.59 feet and a central angle of $2^{\circ}59'29''$; thence

southerly along said curve along the easterly right of way of Marsh Creek Road an arc distance of 151.14 feet to a point of tangency from which the radius point bears North $75^{\circ}46'31''$ West a distance of 2894.77 feet, said point also being THE POINT OF BEGINNING, said point marked with a $\frac{1}{2}$ x24-inch iron rebar set this survey; thence

South $69^{\circ}40'30''$ East a distance of 394.40 feet to a point in Walker Creek; thence

North $77^{\circ}18'30''$ East a distance of 332.28 feet to a point in Walker Creek; thence

North $72^{\circ}32'30''$ East a distance of 225.38 feet to an intersection with the meridional centerline of said Section 15, said point marked with a $\frac{1}{2}$ x24-inch iron rebar set this survey; thence

South $0^{\circ}12'17''$ East along said meridional centerline a distance of 292.06 feet, said point marked with a $\frac{1}{2}$ x24-inch iron rebar set this survey; thence

South $89^{\circ}22'30''$ West a distance of 998.37 feet to an intersection with the easterly right of way of Marsh Creek Road, said point marked with a $\frac{1}{2}$ x24-inch iron rebar set this survey; thence

North $17^{\circ}06'00''$ East (recorded as North $16^{\circ}54'$ East) along said easterly right of way a distance of 166.84 feet to the point of curvature of a tangent curve, the radius point of said curve being North $72^{\circ}54'00''$ West a distance of 2894.79 feet from said point of curvature, said curve having a tangent distance of 72.65 feet and a central angle of $2^{\circ}52'31''$; thence

SCANNED

MAR 21 2006

northerly along said curve an arc distance of
145.27 feet to the point of beginning, containing
4.9 acres, more or less.

Job No. 185009
April 10, 1985

SCANNED

MAR 21 2006

EXHIBIT "A"

2-2

759585

All that portion of the following described property lying West of the Meridional Centerline of Section 15, Township 8 South, Range 36 E.B.M., BANNOCK COUNTY, IDAHO, TO WIT:

Beginning at a point on the Easterly Right of Way Line of Marsh Creek Road that is North $89^{\circ}16'10''$ East on the latitudinal centerline of Section 15, Township 8 South, Range 36 East, Boise Meridian, 1873.44 feet and South $11^{\circ}02'$ West on the Easterly Right of Way Line of Marsh Creek Road 508.45 feet and on a curve to the right with a radius 2894.79 feet for a distance of 151.14 feet from the West quarter corner of said Section 15; thence South $69^{\circ}40'30''$ East 394.40 feet; thence North $77^{\circ}18'30''$ East 332.28 feet; thence North $72^{\circ}32'30''$ East 240.13 feet; thence North $85^{\circ}33'15''$ East 163.78 feet; thence North $71^{\circ}43'45''$ East 240.01 feet; thence East 919.50 feet, more or less, to the East 1/16 line of said Section 15; thence South $00^{\circ}10'30''$ East 362.5 feet; thence South $89^{\circ}22'30''$ West 2323.45 feet, more or less, to the Easterly Right of Way Line of Marsh Creek Road; thence North $16^{\circ}54'$ East on said Easterly Right of Way Line 166.84 feet; thence Northerly on a curve to the left with a radius of 2894.79 feet for a distance of 145.27 feet, more or less, TO THE POINT OF BEGINNING.

SUBJECT TO: COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS, EASEMENTS AND AGREEMENTS OF RECORD, IF ANY.

SCANNED

MAR 21 2006

Keith Henrichs

1-14845-K

2-1

DEED

502094

FOR VALUE RECEIVED, GENERAL SALES, INC.

a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey unto **GEORGE HERBERT HENRICHS and MAURINE D. HENRICHS**, husband and wife grantee, the following described real estate, to-wit:

See attached Schedule "A" Schedule "B"
Subject to attached restrictions

Schedule "A"

A TRACT OF LAND IN THE NE $\frac{1}{4}$ SW $\frac{1}{4}$ AND THE NW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 15, TOWNSHIP 8 SOUTH, RANGE 36 E., B. M., BANNOCK COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EASTERLY RIGHT OF WAY LINE OF MARSH CREEK ROAD THAT IS NORTH 89° 16' EAST ON THE LATITUDINAL CENTERLINE OF SECTION 15, TOWNSHIP 8 SOUTH, RANGE 36 E., B. M. 1873.44 FEET FROM THE WEST QUARTER CORNER OF SAID SECTION 15; THENCE NORTH 89° 16' 10" EAST 2092.25 FEET, MORE OR LESS, TO THE EAST 1/16 LINE OF SAID SECTION 15; THENCE SOUTH 00° 10' 30" EAST ON EAST 1/16 LINE OF SAID SECTION 15, 585.60 FEET; THENCE WEST 219.50 FEET; THENCE SOUTH 71° 43' 45" WEST 240.01 FEET; THENCE SOUTH 55° 33' 15" WEST 163.78 FEET; THENCE SOUTH 72° 32' 30" WEST 240.13 FEET; THENCE SOUTH 77° 18' 30" WEST 332.28 FEET; THENCE NORTH 69° 40' 30" WEST 394.40 FEET, MORE OR LESS, TO THE EASTERLY RIGHT OF WAY LINE OF MARSH CREEK ROAD; THENCE NORTHERLY ON THE SAID EASTERLY RIGHT OF WAY LINE ON A CURVE TO THE LEFT WITH A RADIUS OF 2894.79 FEET FOR A DISTANCE OF 151.14 FEET; THENCE NORTH 11° 02' EAST ON THE SAID EASTERLY RIGHT OF WAY LINE 508.45 FEET, MORE OR LESS, TO THE POINT OF BEGINNING...

- Grantor reserves unto itself the right to use the necessary water from Walker Creek to irrigate its property adjacent to the above described property.

Schedule : "B"

NO DWELLING SHALL BE PERMITTED ON THE ABOVE DESCRIBED PROPERTY HAVING LESS THAN 1,000 SQUARE FEET EXCLUSIVE OF GARAGE. SAID DWELLING SHALL BE OF NEW CONSTRUCTION MATERIALS. NO USED MATERIAL OR USED DWELLINGS SHALL BE MOVED ON TO THE ABOVE DESCRIBED PROPERTY. ANY TRAILER HOUSE IN GOOD CONDITION MAY BE MOVED ON DESCRIBED PROPERTY AS LONG AS THEY ARE A MINIMUM SIZE OF 12 FEET BY 50 FEET.

GRANTEES UNDER ANY CONVEYANCE SHALL NOT AT ANYTIME CONDUCT, OR PERMIT TO BE CONDUCTED ON SAID PROPERTY, ANY TRADE OR BUSINESS OTHER THAN FARMING. SAID LAND CAN BE USED FOR PRIVATE DWELLING OR RESIDENCE AND NOT FOR A COMMERCIAL BUSINESS.

ALL LIVESTOCK SHALL BE LIMITED TO TWO PER ACRE, EXCEPT GOATS AND PIGS, WHICH SHALL BE LIMITED TO TWO EACH ON THE ABOVE DESCRIBED TRACT.

THE ABOVE DESCRIBED PROPERTY SHALL NOT BE USED AS A DUMPING GROUND OR FOR STORAGE OF LARGE QUANTITIES OF EQUIPMENT OR MATERIALS.

GRANTOR RESERVES ONE-HALF OF ALL MINERAL RIGHTS.

SC
MAR 1953

County: Bannock
Stream: Marsh creek.
Amount: 6 sec. ft.
Use: irrigation and domestic.
Priority: 12-4-1904.

STATE OF IDAHO

Water License No. 645.

WHEREAS, On the 4th day of June, A. D. 1904, Wm. A. Walker, Joseph Neeser, J. D. Lockyear and an Indian named "Andrew"

of Inkorn, County of Bannock, State of Idaho, duly made application (No. 928) to me for a permit to use 7.4 cubic feet per second of the waters of MARSH CREEK

County of Bannock, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 7th day of June, A. D. 1904, Permit No. 645 was issued to said applicants for the diversion of said water and providing for the completion of the works of diversion therein described on or before the 7th day of June, A. D. 1907, and for the application to beneficial use of said water on or before the 7th day of June, A. D. 1911, and,

WHEREAS, On the 7th day of June, A. D. 1907, Wm. A. Walker, Joseph Neeser, J. D. Lockyear and an Indian named "Andrew"

the holders of said permit, duly made proof of the completion of adequate works for the diversion of 7.4 cubic feet per second of said waters, as evidenced by my Certificate No. 645 dated July 6, 1907, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 7.4 cubic feet per second of water with date of priority of June 4, 1904, and

WHEREAS, On the 22nd day of March, A. D. 1910, Dollaretta Neeser, successor in interest to Joseph Neeser, deceased, transferred all her right, title and interest in and to said permit to Margaret A. Neeser, and

WHEREAS, On the 11th day of December, A. D. 1912, Wm. A. Walker transferred his right, title and interest in and to 30 inches of the waters appropriated under

WHEREAS, On the 18th day of December, A. D. 1911, Margaret A. Neeser, J. D. Lockyear and R. W. Hofhine,

the holders of said permit, duly made proof of the application to beneficial use of six (6) feet per second of said water;

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, hereby grant and confirm to Margaret A. Neeser, J. D. Lockyear and R. W. Hofhine,

of Inkorn, County of Bannock, State of Idaho, the holders and owners of said Permit No. 645, a perpetual right, dating from December 4, 1904, to the use of six (6) cubic feet per second of the waters of Marsh Creek

in the County of Bannock and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point near South boundary line of NE 1/4 of SW 1/4, Sec. 18, T. 8 S., R. 36 E., B. M., and conducted to and upon 300 acres divided as follows: 28 acres in SW 1/4 of SW 1/4 & 37 acres in SW 1/4 of SW 1/4, Sec. 34, T. 7 S., R. 36 E., B. M., 40 acres in NE 1/4 of NW 1/4 & 38 acres in SE 1/4 of NW 1/4, Sec. 3, T. 8 S., R. 36 E., B. M., said land being owned by Margaret A. Neeser; 24 acres in NW 1/4 of NW 1/4, Sec. 10, 34 acres in SW 1/4 of SW 1/4 & 22 acres in NW 1/4 of SW 1/4, Sec. 3, T. 8 S., R. 35 E., B. M., said land being owned by J. D. Lockyear; 18 acres in SW 1/4 of NW 1/4, 28 acres in NW 1/4 of SW 1/4 & 34 acres in NE 1/4 of SW 1/4, Sec. 10, T. 8 S., R. 36 E., B. M., said land being owned by R. W. Hofhine.

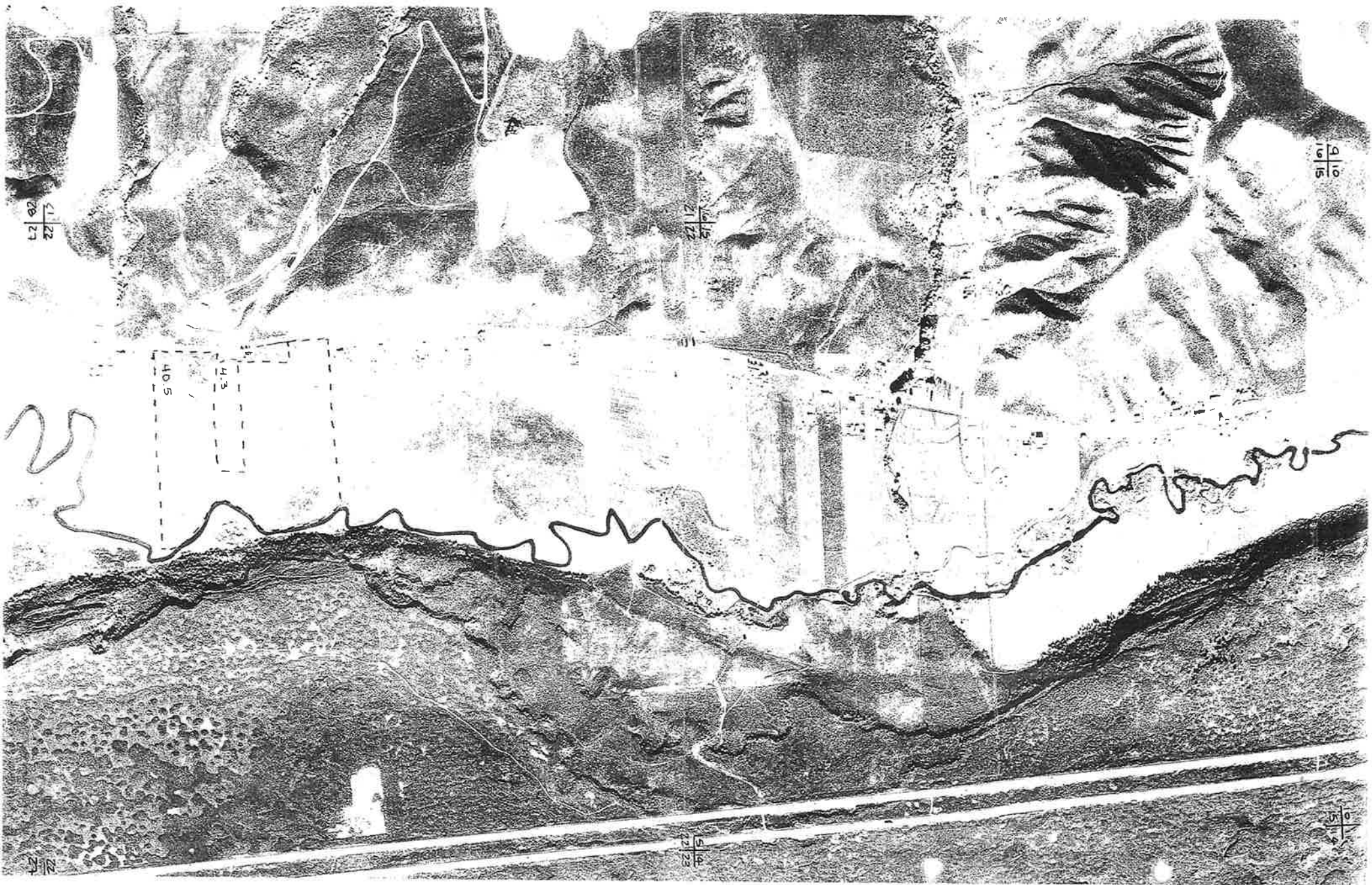
for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho, applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 8th day of February, A. D. nineteen hundred and thirteen

A. E. Robinson,

(Seal)

State Engineer



12/02
22/12

40.5

43

22/12
22/12

6/0
5/0

5/0
22/23

5/0
6/0

3

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 29-4101B
Date Received: 4/25/1990
Receipt No: E013660
Received By:

AMENDED

AMENDED

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

1. Name of Claimant(s)

JOAN THOMSEN Phone: (208)254-3805

2599 S MARSH CREEK RD
MC CAMMON ID USA 83250

CHARLES E THOMSEN Phone: (208)254-3805

2599 S MARSH CREEK RD
MC CAMMON ID USA 83250

2. Date of Priority: 03/15/1912

3. Source: WALKER CREEK Trib. to: MARSH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
08S	36E	15	NW NE SW	BANNOCK	

5. Description of diverting works:

HEADGATES AND DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.09	
STOCKWATER	01/01	12/31	0.02	

7. Total Quantity Appropriated is:
0.09 C.F.S.

PROFILED

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	15	NE	SW	STOCKWATER	
			NE	SW	IRRIGATION	3
					Section Acres	3
					Total Acres	3

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:

CLAIMANT REQUESTED AN AMENDMENT TO THIS CLAIM AT A HIGHER RATE PER ACRE BASED ON THE CLAIM OF JODENA DUNN UNDER THE 29-4101 STATUTORY CLAIM.

A CLAIM FOR AN ADDITIONAL 3 ACRES OF IRRIGATION WILL BE FILED BASED ON IDAHO CODE 42-1416(2).

15. Basis of Claim: Statutory Claim

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.

SCANNED

IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED
WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-4101B

NAME AND ADDRESS:

CHARLES E THOMSEN
2599 S MARSH CREEK RD
MC CAMMON ID 83250

JOAN THOMSEN
2599 S MARSH CREEK RD
MC CAMMON ID 83250

SOURCE:

Source:
WALKER CREEK

Tributary:
MARSH CREEK

QUANTITY:

0.060 CFS
0.000 AFY

~~0.020 CFS~~

PRIORITY DATE: 05/05/1916

POINT OF DIVERSION:

T08S R36E S15 NENSW
Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
IRRIGATION	03/15 11/15	<u>0.060 CFS</u> ~~0.020 CFS~~
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE:

IRRIGATION within BANNOCK County
T08S R36E S15 NESW 3.0
STOCKWATER within BANNOCK County
T08S R36E S15 NESW

~~T08S R36E S15 NESW 1.0~~

3 ACRES TOTAL

~~1 ACRES TOTAL~~

IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED
WATER RIGHTS ACQUIRED UNDER STATE LAW

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

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

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

1

JUN 04 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

53

Ident. Number: A29-04101B

Date Received: 4/20/1990

Receipt No: E013660

Received By: DE

CA

RECEIVED

APR 25 1990

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHARLES E. THOMSEN 208-254-3805
Address: 2599 S. MARSH CREEK RD.
MC CAMMON, ID 83250

OR

Name: JOAN POESY 208-254-3805
Address: 2599 S. MARSH CREEK RD.
MC CAMMON, ID 83250

2. Date of Priority: MAR 15, 1912

3. Source: WALKER CREEK Trib. to: MARSH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	36E	15	NW	NE	SW		BANNOCK

5. Description of diverting works:
HEADGATES AND DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.060		
STOCKWATER	01/01	12/31	0.020		

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

A.F.A.

8. Total consumptive use is 7.5 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 12 CATTLE

A29-04101B

Page 1

Date: 04/20/90

MAY 2 1990

PROFILED

MICROFILMED
NOV 13 1992

A2904101B



10.-Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	36E	15	NE	SW		IRR	3.0
			NE	SW		STOCK	

Section Acres 3.0

Total Acres 3.0

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:
SEE REMARKS

14. Remarks:
A CLAIM FOR AN ADDITIONAL 3 ACRES OF IRRIGATION WILL BE FILED
BASED ON IDAHO CODE 42-1416(2).

15. Basis of Claim: STATUTORY CLAIM

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): Charles E. Loman Date: 4-24-90

Joan Forsy Date: 4-24-90

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 24 day

of April 19 90

Clare Brodie
Notary Public

Seal

Residing at Mc Cammon

My Commission Expires 9-26-94