

10/04/2002

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

RIGHT NUMBER: 29-4140
NAME AND ADDRESS: TODD GILBERT
PO BOX 302
INKOM ID 83245

JANINE GILBERT
PO BOX 302
INKOM ID 83245

SOURCE: CUTLER CREEK TRIBUTARY: PORTNEUF RIVER
QUANTITY: 0.06 CFS
PRIORITY DATE: 04/10/1905
POINT OF DIVERSION:

T08S R36E S1 NESESE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.060 CFS

PLACE OF USE: T08S R36E S02 SWSE 2.0

2.0 ACRES TOTAL

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

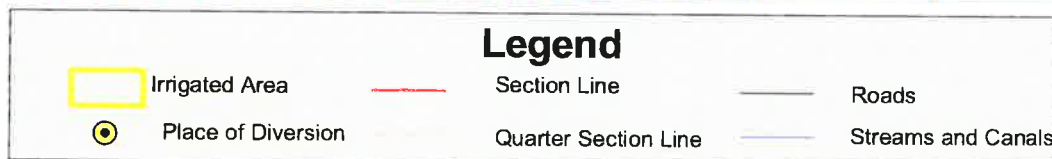
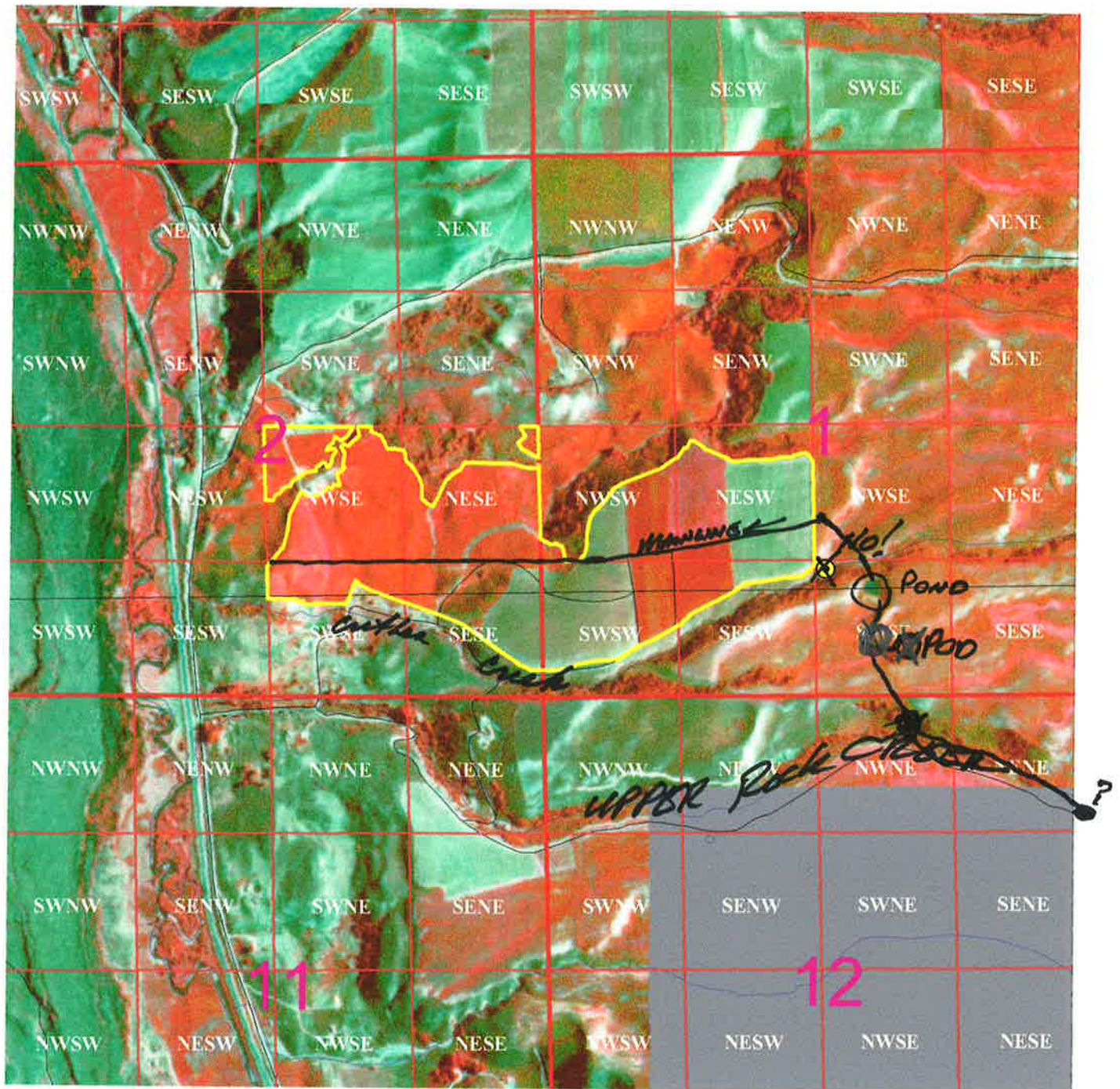
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Beneficial Use

Water Right Claim Number A29-04140

08/11/2000

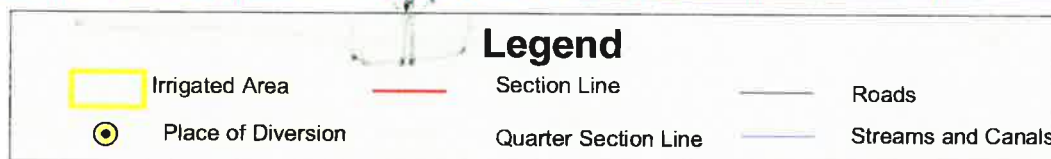
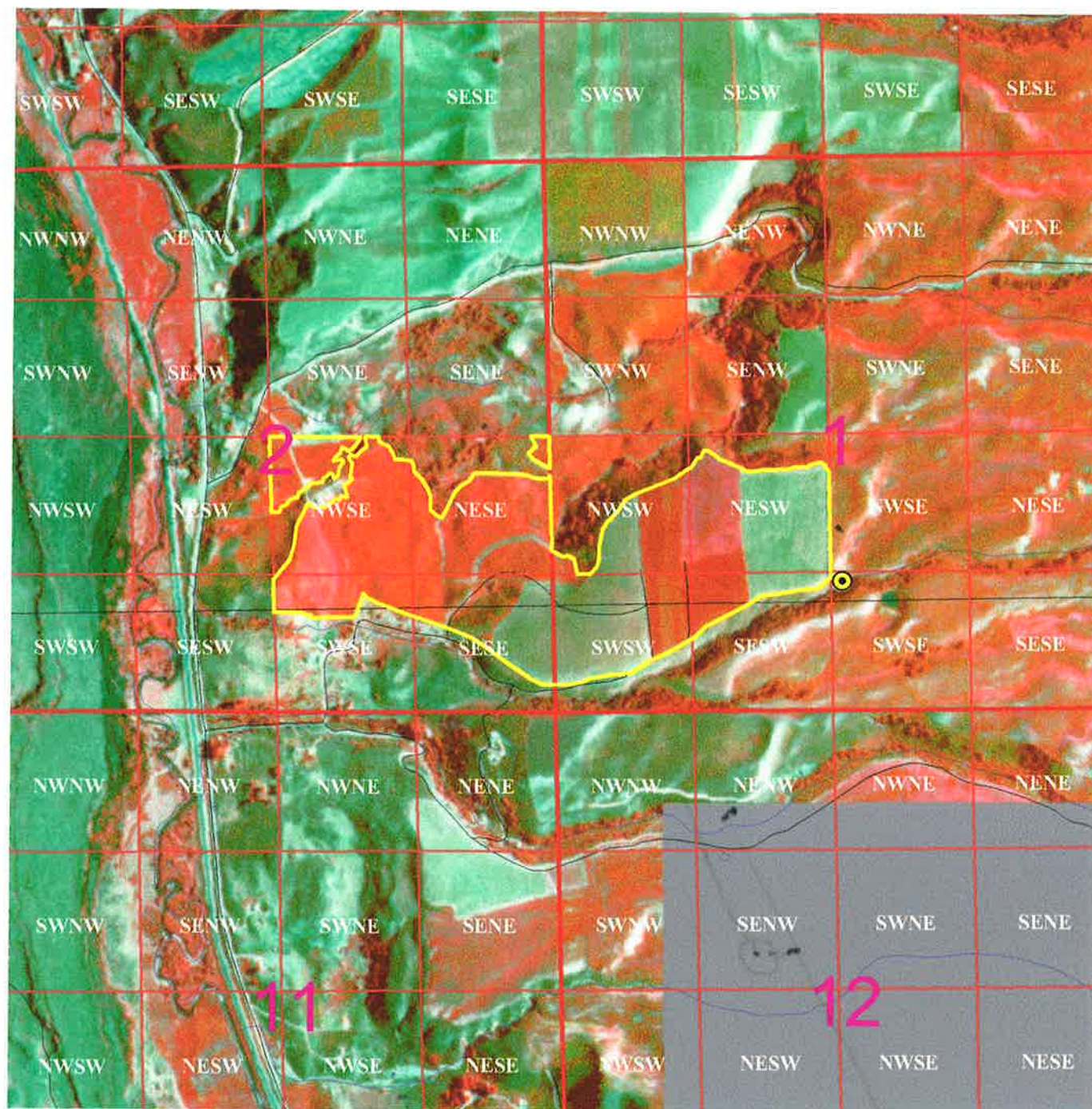
Township , 8S36E



Water Right Claim Number A29-04140

08/11/2000

Township , 8S36E



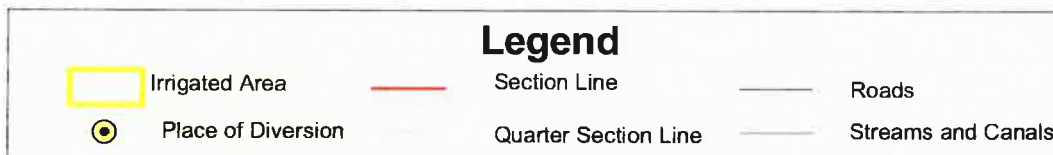
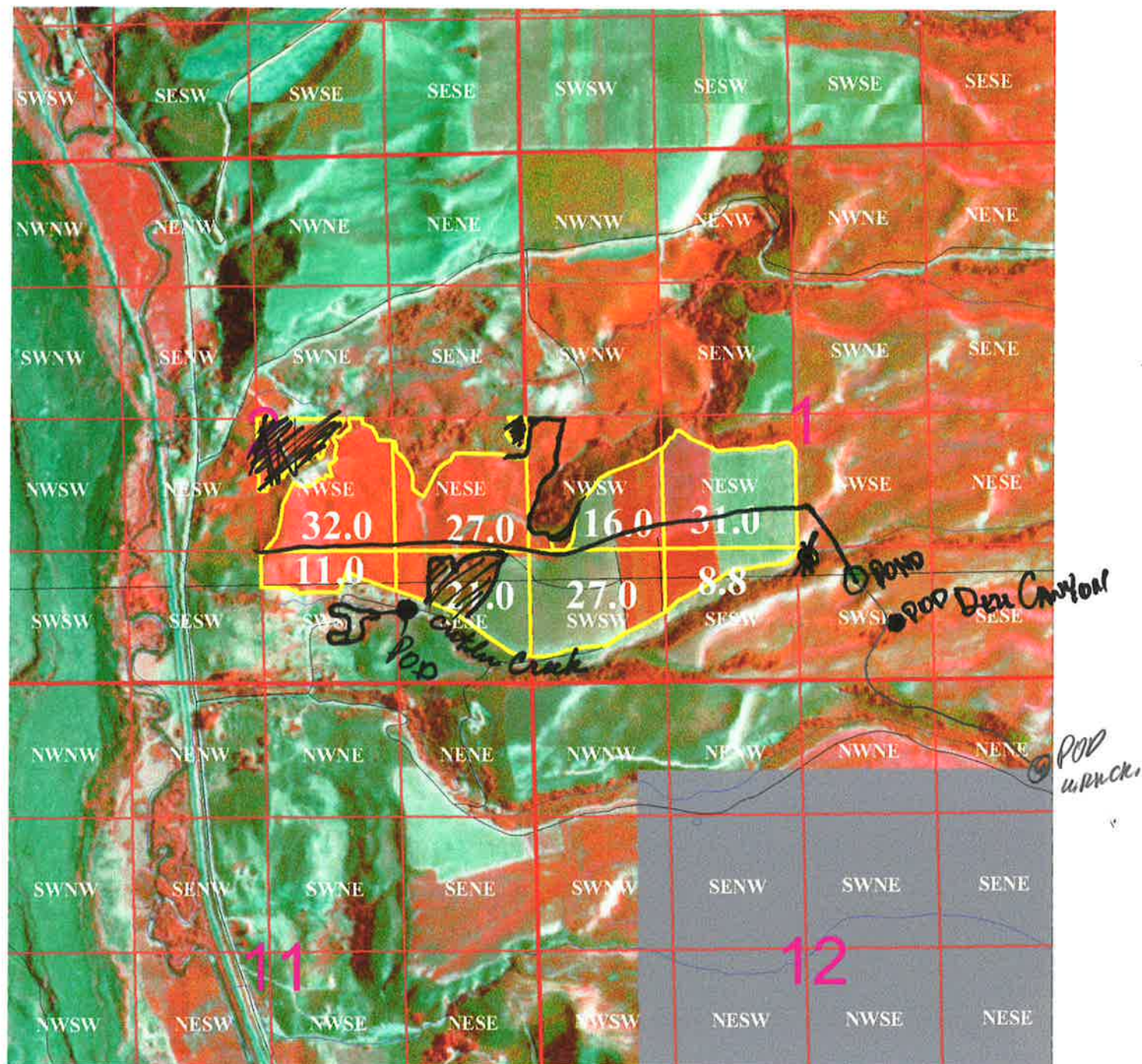
1000 0 1000 2000 Feet



Water Right Claim Number A29-04140

08/11/2000

Township , 8S36E





SCANNED

DRUGS

Department of Water Resources

Eastern Region



29-04140

29-04106

29-04107

29-04141

Place of Use: (parts of)

**T8S, R36E Sec. 1 SW,
Sec. 2 SE**

**Point(s) of Diversion: T8S, R36E
Sec. 1 SESWSE Unnamed Stream
Sec. 2 NWSESE Cutler Ck
Sec. 12 SENENE Upper Rock Ck**



LEGEND



Point of Diversion



Place of Use



Section



Quarter-Quarter

GIS Place of Use Illustration
1957/1988 NAPP Photography
Prepared by: A. Ruberry
Date: October 2002

02/08/2003

NOTICE OF ERROR
REPLY

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

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

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

Water right number: 29-4140

TODD GILBERT
PO BOX 302
INKOM ID 83245
Telephone Number: (208) 775-3698

JANINE GILBERT
PO BOX 302
INKOM ID 83245
Telephone Number: (208) 775-3698

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: 3-03-07 SIGNATURE: Todd Gilbert
Please print your name: Todd Gilbert

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

PROFILED

SCANNED
MAR 16 2006

Place Of Use Data Entry Form

Claim Number: _____

_____ 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
85	36B	2	SWS	6	Benn		2	Prairie

Total Acres 2

Document how the POU was verified:

LAWN, TREES & GARDEN only use or Cutten ch

Transfers Changing POU _____

Reviewer: _____

Date: _____

PROTECTED

SCANNED
MAR 13 2002

29-4140

Date: _____

MAR 16 2016

Priority Date Data Entry Form

Claim Number: _____

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: April 10, 1905 Recommended Basis: By☐ 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:

Priority REFLECTED BY 1902 POSTED NOTICE.
CLAIMS 1905 - OK. NO OTHER USERS
ON CUTTEN CREEK

Reviewer: _____

Date: _____

SCANNED

MAR 16 2006

Point of Diversion and Source Data Entry Form

Claim Number: _____

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 85, R 36, Sec. 2, NW, SE, SE. County: BarnumSource: Cuthen Ch Tributary: Pontneut River
☐ Use Claimed POD and Source as Recommended POD and Source

RE: Quan BB 41

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
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:

10/3/02 Met w/ Mr. Giribont - He states POD is NOT AS SHOWN ON HIS MAP AND NEVER WAS. POD IS ACTUALLY IN SEC. 2 NWSESE

Transfers Changing POD _____

Reviewer: _____

Date: _____

SCANNED

MAR 18 2006

Period of Use and Quantity Data Entry Form

Claim Number: _____

☐ 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
<i>Prong</i>	<i>4/1</i>	<i>10/31</i>	<i>0.06</i>	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate *0.06* Overall Diversion Volume _____

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

*0.06 ⇒ 1 1/2" / hr - AUGURED BY DORT ON SMALL AC.
SOIL IS DORT STD*

Reviewer: _____

Date: _____

SCANNED
MAR 16 2006

Chase
To Dahlke

Two Cusom

378758

REAL ESTATE MORTGAGE

THIS INDENTURE, made this 28th day of February, in the year of our Lord One Thousand Nine Hundred Sixty Two, between WILMER L. DAHLKE and BONNIE JEAN DAHLKE, husband and wife, of Pocatello, Bannock County, Idaho, parties of the first part, and AMOS B. CHASE and CAROL D. CHASE, husband and wife, of Pocatello, Bannock County, Idaho, the parties of the second part:

WITNESSETH:

That the said parties of the first part, for and in consideration of the sum of TWENTY FIVE THOUSAND NINE HUNDRED FIFTY SIX AND 24/100 DOLLARS (\$25,956.24), lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged have granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell and convey unto the said parties of the second part, their heirs and assigns forever, all that certain lot, piece or parcel of land situate, lying and being in the County of Bannock, State of Idaho, and more particularly described as follows, to-wit:

Lots 1 and 2, Southwest Quarter Northeast Quarter, West Half Southeast Quarter, Southwest Quarter, Section 1, Township 8 South, Range 36 East, Boise Meridian;
North Half Southeast Quarter, Southeast Quarter Southeast Quarter, Section 2;
Also, beginning at the Northeast corner of the Southwest Quarter of the Southeast Quarter of Section 2, and running thence South 62 rods; thence West 80 rods; thence North 52 rods; thence East 80 rods to the place of beginning, all in Township 8 South, Range 36 East, Boise Meridian.

29-04107
29-04106
TOGETHER with any and all water, water rights, irrigation ditches belonging or in anywise appertaining thereto, and especially including an undivided one-half interest in and to a right to use the water of Rock Creek in said Bannock County, to the extent or amount of 10 cubic feet per second acquired under and by virtue of that certain Water Application dated June 18, 1902 which is found of record in Book 2 of Water Locations at Page 137 of the Records of Bannock County, Idaho; also, the right to the use of the water of the certain unnamed stream in Bannock County, to the extent or amount of 3 cubic feet per second of time acquired by the predecessors of the grantors, under and by virtue of that certain notice of Water Application dated June 27, 1902 and which is found of record in Book 2 of Water Locations at Page 133 of the Records of Bannock County, Idaho.

Domestic
Source
TOGETHER with an undivided one-half interest in and to that certain spring located near the easterly boundary line of the SE 1/4 of Section 2, Township 8 South, Range 36 East, Boise Meridian, together with the water system, including water line and storage tank which was originally installed for the Onyx School.

TOGETHER with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.

Pg 183

The length of said proposed canal or conduit is about five miles.
That it is intended to complete the works for the diversion and use of said water as aforesaid within Three Years.

A copy of this notice was duly posted at or near the point of intended diversion on the 25th day of June 1902.

Witness my hand at Pocatello County of Bannock State of Idaho, this 25th day of June 1902.

Appropriator and Claimant. (J.B. Evans,
State of Utah,)
(SS.
County of Salt Lake.)

J.B. Evans being first duly sworn, deposes and says that he is of lawful age and that he is the appropriator and claimant of the Water Right described in the within and foregoing notice and whose name is subscribed thereto. That the statements in said notice are true, and that the original notice of which the foregoing is a true copy, was posted in a conspicuous place at or near the point of intended diversion at 12.20 o'clock noon M., the 25th day of June 1902.

J.B. Evans,
Subscribed and Sworn to before me this 27th day of June, 1902.

F.F. Clayton,
Notary Public.

(SEAL)

Recorded at request of J.B. Evans, at 4.30 o'clock P.M. July 9th, 1902.
By E.G. Gallet, J.S. Campbell,
Deputy. Fee 80¢ Recorder.

Notice of Water Appropriation.

STATE OF IDAHO,)
(SS.
Bannock County.)

TO ALL CONCERNED:--

Notice is hereby given,--That Eathen P. Cutler, Sr., of McCammon, of the County of Bannock and State of Idaho, hereby claims the use of the waters of that certain unnamed stream, and all its tributaries, here flowing to the extent or amount of three (3) cubic feet per second of time, to be diverted at a point on said stream near the south-east corner of the north-west quarter of the south-east quarter of Section 1 in Township 8 South of Range 36 E.B.M., at which said point a copy of this notice is posted.

It is intended to use the waters above described for agricultural and domestic purposes upon the north half of the south-west quarter of Section 1 and the north half of the south-east quarter of Section 2 in Township 8 South of Range 36 East of the Boise Meridian in Idaho, and containing 160 acres.

Said waters are intended to be diverted by means of a ditch about one and one-fourth miles in length running from the above described point of diversion in a general westerly direction, and distributed over the lands above described. The ditch having its terminus in the north-west quarter of the south-east quarter of Section 2 above described.

The works for the diversion and use of the water above described will be fully completed and in use within one (1) year from the date of this notice.

Witness the hand of Claimant at McCammon, Bannock County, Idaho, this 27th day of June, A.D., 1902.

Eathen P. Cutler, Sr.,
Claimant.

STATE OF IDAHO,)
(SS.
Bannock County.)

Eathen P. Cutler, Sr., being first duly sworn according to law deposes and says that he is of lawful age and the claimant of the water right mentioned in the foregoing notice and whose name is subscribed thereto; that the statements in said notice contained are true and that the original notice of which the foregoing is a true copy was posted in a conspicuous place at the point of diversion therein described on the 27th day of June, A.D., 1902, at 5.05 o'clock P.M.

Eathen P. Cutler, Sr.

Subscribed and sworn to before me this 30 day of June, A.D. 1902, by the said Eathen P. Cutler, Sr.,

J.M. Stinger,
Justice of the Peace.

Recorded at request of Bannock Abst. Co. at 2.10 o'clock P.M. July 10th, 1902.
By E.G. Gallet, J.S. Campbell,
Deputy. Fee 80¢ Recorder.

NOTICE OF WATER APPROPRIATION.

STATE OF IDAHO,)
(SS.
Bannock County.)

TO ALL CONCERNED:-- Notice is hereby given:-- That Daniel Swinehart, of Pocatello, of the County of Bannock and State of Idaho hereby claims the use of the waters of the Portneuf River, here flowing to the extent or amount of three hundred (300) cubic feet per second of time, to be diverted at a point on said stream in the westerly portion of the north-east quarter of the north-east quarter of Section 20 in Township 6 South of Range 34 E.B.M., at which said point a copy of this notice is posted.

It is intended to use said waters for power, agricultural and domestic purposes upon lands in Township 6 South of Range 34 East of the Boise Meridian.

Said waters are intended to be diverted and conducted to, upon and over the lands above described by means of a dam constructed at the above described point of diversion and ditches leading therefrom.



DIVERSION FROM CUTLER CREEK -
 MR. GILBERT Dams stream to Gravity
 Flow PIPELINE. Irrigates 2 ac
 of LAWN / CROSS

Does NOT USE Dam's Pump its
 ALL GRAVITY.

PROFILED

SCANNED
 MAR 16 2006

Todd Gilbert Ranch

T8S R36E

T8S R37E

NWSE
23

NESE
26

NWSW
20

NESW
31

10

SWSE

2.0

29-04140

SESE
17

SWSW
27

SESW
9.1

POND

29-04106

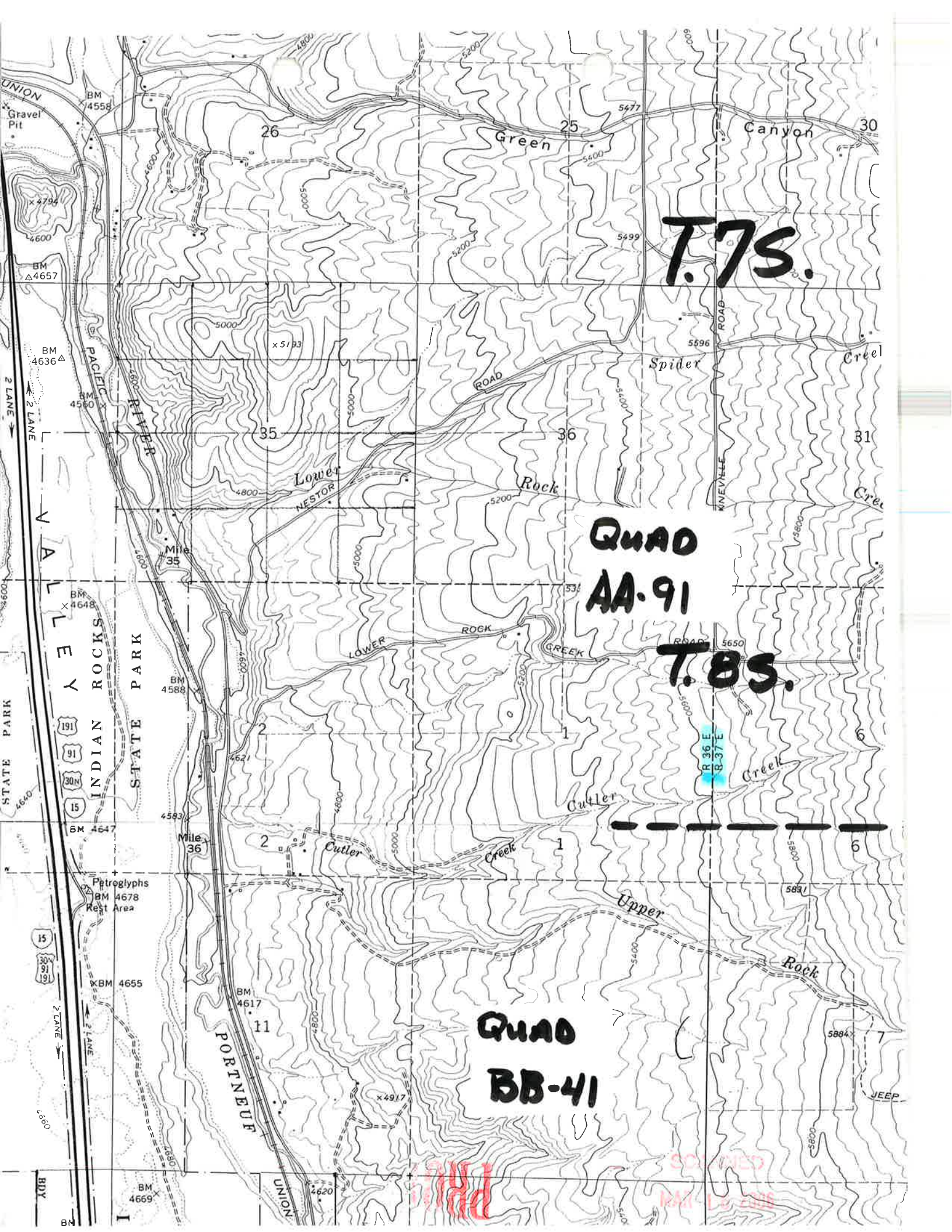
Unnamed Stream

Cutler Creek

Upper Rock Creek

1 6
12 7

29-04141
29-04107



T.7S.

Quad
AA-91

T.8S.

Quad
BB-41

R 36 E
S 37 E

SCANNED

MAY 18 2001

Log for claim A29-04140

Spatial Dynamics AMH

8/11/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
08s36e	1	NESW	30	31	
08s36e	1	NWSW	20	16	
08s36e	1	SWSW	25	27	
08s36e	1	SESW	15	8.8	
08s36e	2	NESE	40	27	
08s36e	2	NWSE	35	32	
08s36e	2	SWSE	10	11	
08s36e	2	SESE	20	21	
Totals:			195	173.8	

I. NOOD EVIDENCE OF Priority

II. According to USGS Quad (BB-41) CC Attached
 DEL CANYON IS NOT RECOGNIZED AS AN OFFICIAL
 NAME - RATHER, LOCALLY KNOWN. Cotton Ch,
 HOWEVER, IS RECOGNIZED BY BB-41, * See item #14
 of claim.

CLAIM TO A WATER RIGHT

MICROFILMED



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

DECEMBER 13, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

TODD GILBERT
PO BOX 302
INKOM ID 83245

RE: CHANGE IN OWNERSHIP FOR A29-04106, A29-04107,
A29-04140, AND A29-04141

Dear Mr. Gilbert:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed are copies of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep these Notices for your records.

Respectfully submitted,

Jo Thompson
Adjudication Secretary

Enclosure: Notices of Claim

MICROFILMED
NOV 13 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 7 Mar 1995

LEGAL DESCRIPTION OF PROPERTY: Township 85 Range 36E
Section 1, 1/4 of SW 1/4, Govt. Lot 1, BM.
Lot , Block , Subdivision/Townsite
If you have additional legal descriptions, please attach separate sheet. SE 1/4 Sec 2, T8S, R36E

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☒ Water Right Number(s)
Assigned by IDWR: A29-04106/4107/4140/4141 (No - R - records)
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Wilmer L or Bonnie Dahlke
P.O. Box 415
- ☐ New Owner/Claimant (Purchaser): INKOM, Id 83245
Todd or Janine Gilbert
- ☐ New Mailing Address: P.O. Box 302
INKOM Id 83245
- ☐ New Telephone Number: (208) 775-3698
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: Quitclaim Deed & Exhibit A
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)
- ☐ Signature of New Owner/Claimant(s): Todd A. Gilbert Date 12-13-95
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: 12-13 By: KW
Further Action Needed:

Further Action Taken
Date: 12-13 By: CP
Final Review and Data-Entry
Date: 12-13 By: CP
Claim Numbers of Split, if any: N/A

MICROFILMED
NOV 13 1995

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

2-8-95

I Joyce Orders do hereby witness that Bill Dahlke has used his water right on Upper Rock Creek for forty years more or less for irrigation and live stock.

I also witness that Bill Dahlke has used his water right on Cutler Creek and Dell Canyon for forty years more or less for irrigation and live stock.

I also witness that Bill Dahlke has used his water right on unnamed spring for forty years more or less for irrigation and live stock.

Joyce Tripp Orders
2-8-95

- 40 yrs
19 55

RECEIVED

FEB 10 1995

NOV 13 1995

Department of Water Resources
Eastern District Office

State of Idaho)

:

County of Bannock)

On this 8 day of February, 1995, before me a
Notary Public in and for said county and state, personally appeared

Jayne Trepp Order known to be the person whose name
is subscribed to the foregoing instrument and acknowledged to me that
he/she executed the same.

In witness whereof, I have hereunto set my hand and affixed my
official seal the day and year in this certificate first above written.

Sherry Helmanclaw

Notary Public

Idaho

Residing at:

November 1, 1999

My Commission Expires:

RECEIVED

FEB 10 1995

Department of Water Resources
Eastern District Office

MICROFILMED

NOV 13 1994



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

DATE: JAN. 3, 1995

A29-04140
BONNIE J DAHLKE
WILMER L DAHLKE
PO BOX 415
INKOM

ID 83245

A29-04141
BONNIE J DAHLKE
WILMER L DAHLKE
PO BOX 415
INKOM

ID 83245

RECEIVED

FEB 10 1995

Department of Water Resources
Eastern District Office

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

A29-04107
WILMER L DAHLKE
BONNIE J DAHLKE
PO BOX 415
INKOM

ID 83245

A29-04106
WILMER L DAHLKE
BONNIE J DAHLKE
PO BOX 415
INKOM

ID 83245

MICROFILMED
NOV 13 1996

MAY 18 2001

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A29-04140
Date Received: 1/29/1990
Receipt No: E011870
Received By:

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: TODD GILBERT
Address: PO BOX 302
INKOM ID 83245
208-775-3698
OR
Name: JANINE GILBERT
Address: PO BOX 302
INKOM ID 83245
208-775-3698
2. Date of Priority: APR 10, 1905
3. Source: CUTLER CREEK
DELL CANYON
Trib. to: PORTNEUF RIVER
PORTNEUF RIVER
4. Point of Diversion:
Township Range Section 1/4 of 1/4 of 1/4 Lot County
08S 36E 1 SW SE BANNOCK
5. Description of diverting works:
DIVERSION DAM TO RESERVOIR PUMP & MOTOR FOR SPRINKLER IRRIGATION
6. Water is used for the following purposes:
Purpose From To C.F.S. (or) A.F.A.
IRRIGATION 03/15 11/15 1.500
7. Total Quantity Appropriated is:
1.500 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 487.5 Acre Feet Per Annum.
9. Non-irrigation uses:
NONE

RECEIVED
NOV 13 1990

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
08S	36E	1	NE		SW		IRR	30.0
			NW		SW		IRR	20.0
			SW		SW		IRR	25.0
			SE		SW		IRR	15.0
							Section Acres	90.0
		2	NE		SE		IRR	40.0
			NW		SE		IRR	35.0
			SW		SE		IRR	10.0
			SE		SE		IRR	20.0
							Section Acres	105.0
							Total Acres	195.0

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:

29-04106/04107/04141

14. Remarks:

HIGH WATER FILING

RESERVOIR IS WITHIN SWSE SEC 1, T08S, R36E

THERE IS ONLY ONE SOURCE AND THE LOCAL NAME FOR THE SOURCE IS

DELL CANYON

CHANGED OWNERSHIP 12/13/95/JT/KW

15. Basis of Claim: STATUTORY CLAIM

MICROFILMED

NOV 13 1996

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A29-04140
Date Received: 1/29/1990
Receipt No: E011870
Received By: Kew

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WILMER L. DAHLKE 208-775-3627
Address: P.O. BOX 415
INKOM, ID 83245

OR

Name: BONNIE J. DAHLKE 208-775-3627
Address: P.O. BOX 415
INKOM, ID 83245

2. Date of Priority: APR 10, 1905

3. Source: CUTLER CREEK Trib. to: PORTNEUF RIVER
DELL CANYON PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	36E	1	SW	SE			BANNOCK

5. Description of diverting works:

DIVERSION DAM TO RESERVOIR PUMP & MOTOR FOR SPRINKLER IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.500		

7. Total Quantity Appropriated is:

1.500 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 487.5 Acre Feet Per Annum.

9. Non-irrigation uses:

NONE

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	36E	1	NE	SW		IRR	30.0
			NW	SW		IRR	20.0
			SW	SW		IRR	25.0
			SE	SW		IRR	15.0
						Section Acres	90.0
		2	NE	SE		IRR	40.0
			NW	SE		IRR	35.0
			SW	SE		IRR	10.0
			SE	SE		IRR	20.0
						Section Acres	105.0
						Total Acres	195.0

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:
29-04106/04107/04141

14. Remarks:
HIGH WATER FILING
RESERVOIR IS WITHIN SWSE SEC 1, T08S, R36E
THERE IS ONLY ONE SOURCE AND THE LOCAL NAME FOR THE SOURCE IS
DELL CANYON

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:

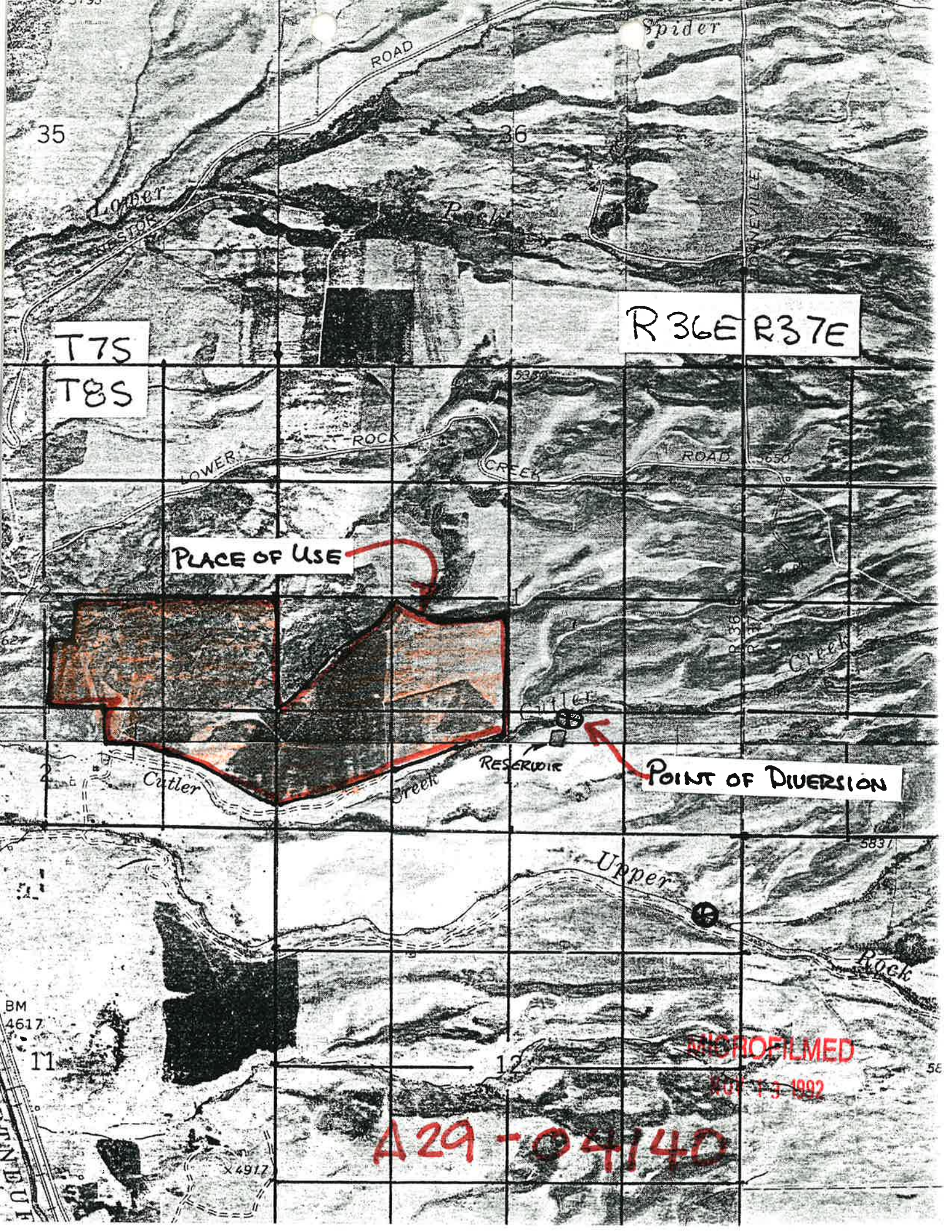
I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Theresa L Dahlke Date: 1-29-90
_____ Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 29th day
of January 19 90
Seal

Cecilia May
Notary Public
Residing at Idaho Falls
My Commission Expires 5/29/1991



35

36

Spider

Lower
Rustor

Rock

ONEVILLE

T7S

T8S

R36E R37E

PLACE OF USE

LOWER

ROCK

CREEK

ROAD

5650

5380

Creek

Cutler

Creek

RESERVOIR

POINT OF DIVERSION

Upper

Rock

BM
4617

11

12

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4917