

08/21/2001

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

RIGHT NUMBER: 29-4207A

NAME AND ADDRESS: LM BULL  
5787 W PORTNEUF RD  
POCATELLO, ID 83204

SOURCE: PORTNEUF RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.19 CFS

PRIORITY DATE: 12/31/1930

POINT OF DIVERSION: T07S R35E S23 SENESW 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          | 0.19 CFS        |

PLACE OF USE:

| <u>IRRIGATION Within BANNOCK County</u> |      |    |
|-----------------------------------------|------|----|
| T07S R35E S23                           | NESW | 11 |

11 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



# STATE OF IDAHO

Department of Water Resources  
Eastern Region

Water Right(s): 29-04207A

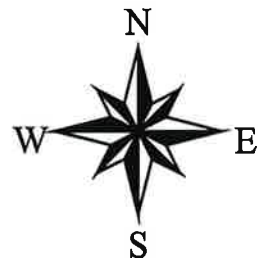


0 1320 Feet

**Total Irrigated Acres: 11.0**

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

PROFILED SCANNED  
MAR 09 2005



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

02/08/2003

NOTICE OF ERROR  
REPLY

*Craig*

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

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

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

Water right number: 29-4207A

LM BULL  
5787 W PORTNEUF RD  
POCATELLO ID 83204  
Telephone Number: (208) 775-4582

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: 2-28-2003

SIGNATURE: *LM Bull*

Please print your name: L. M. Bull

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

PROFILED

RECEIVED  
MAR 1 2003  
DEPT. OF WATER RESOURCES  
SALT LAKE CITY

SCANNED  
MAR 09 2005



# IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 29

RIGHT ID 29 4207 A  
POD ID 203688  
Quad Inkorn  
Claim Type S-1  
Easting 635972  
Northing 189135  
GPSID A0012583

## Diversion Description

8" casing with submersible pump behind house. Domestic use.

## Assumptions

Horse power, pressure head, and elevation head.

## Invoice #

2000-037-01-0

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

Linked  
Photos

OD ID 203688 01.JPG

EPE (ft)

Date (M/D/Y)

Time

Flow Rate (CFS)

10-02-01

14:05

0.077504610226320

## Open Channel Flow

☐ Complete one box from both Area and Calculation sections

### Cross Sectional Area

#### ☐ Circular Channel

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

Diameter 0

Depth

#### ☐ Rectangular Channel

Width

Depth

## Flow Calculation

☐ Continuity

Velocity 0

#### ☐ Orifice

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

Depth of Water  
above orifice  
centerline

#### ☐ Weir

(Use only for water flowing freely over weir)

Height of water  
above nappe

Width of weir

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

Channel Slope

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

## Pumped System ☒

HP 1.5

Pressure Head (psi) 30

Elevation Head (ft) 50

Motor Mfg

Motor Serial #

Pump Type Submersible

Pump Mfg

Pump Serial#

## New Contact Information ☐

New Contact Comments

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RECEIVED  
JAN 23 2003



SCANNED

MAR 09 2005

Department of Water Resources  
Eastern Region

PROFILED

**29-04207A**

**POD**

**Field Exam 8/15/01**



Looking SW. Picture taken from North side of Portneuf. Diversion for this right is on the S. Side of Portneuf. POU behind pump house in picture (csaxton 8/21/01).

**PROFIT**

SCANNED  
MAR 09 2005

**29-04207A**

**POD**

**Field Exam 8/15/01**



Looking SW. Picture taken from North side of Portneuf. Diversion for this right is on the S. Side of Portneuf. POU behind pump house in picture (csaxton 8/21/01).

**PROFILE**

SCANNED

MAR 09 2005

## **Memorandum**

**Date:** August 21, 2001

**From:** Craig L Saxton

**Subject:** 29-04207(A,B,C)

**POU** –Recommend three rights totaling 17.1 acres of irrigation in the NESW and NWSE.

**POD** - Statutory claim mentions two points of diversion to irrigate both sides of river. C portion of right was bought in 1981 and that is when the additional POD was put in place. In addition, Kenneth Payne said that historically they used two pumps to irrigate both sides of the river. So Kenneth's is the only addition.

**Priority Date** – 12-31-1930 based on affidavit.

**Diversion Rate** – 0.3 cfs for 17.1 acres is 0.0175 per acre

**Diversion Vol** – N/A

**SOU** – IDWR Standard

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## CLAIM TO A WATER RIGHT

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

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

Notice is hereby given that Russell F. &/or Tressa Davis

(Name of Claimant)

Rt. #3, South, Box 240, Pocatello, ID 83201

(Mailing Address)

Telephone No. 775-3657

(Zip Code)

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

- (1) Date of priority: (When was the water first applied to a beneficial use) June 1, 1930

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)

Portneuf River tributary to Snake River

- (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)<br>(Mo., Day) |                 |
|----------|-----------------|-------------------------------------|--------------------------------------|-----------------|
| Quantity | <u>0.30 cfs</u> | Use <u>Irrigation</u>               | Period of Use From <u>4/1</u>        | To <u>11/1</u>  |
| Quantity | <u>0.02</u>     | Use <u>Stockwater</u>               | Period of Use From <u>1/1</u>        | To <u>12/31</u> |
| Quantity |                 | Use                                 | Period of Use From                   | To              |
| Quantity |                 | Use                                 | Period of Use From                   | To              |
| Quantity |                 | Use                                 | Period of Use From                   | To              |

- (4) 0.32 TOTAL QUANTITY USED.

(cfs, gpd, AFA)

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

NE 1/4 SW 1/4, Sec. 23 Twp. 7S Rge. 35E B.M., County of Bannock

Additional points of diversion: (two points)

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. Pump with pipeline to sprinkler system. Formerly flood irrigated.

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

| T  | R   | SEC. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | TOTAL |
|----|-----|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|-------|
|    |     |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |       |
| 7S | 35E | 23   |        |        |        |        |        |        |        |        | 19     |        |        |        |        | 2      |        |        | 21    |
|    |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|    |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|    |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|    |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|    |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|    |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|    |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|    |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|    |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |

No. of acres 21

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: Approx. 20 head range cattle

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

\_\_\_\_\_

Scale: 2 inches equal 1 mile.

...and the type of the public and salary system.

County of San Diego ss.

attendant's knowledge.

Sworn to before me this 23 day of October

Residing at

August 1984

Exception filed by: 10-26-81 Date: 11-26-81

Date 9-16-81 #19074

1918



13-782 500 SHEETS, FILLER 5 SQUARE  
42-381 50 SHEETS EYE-EASE® 5 SQUARE  
42-382 100 SHEETS EYE-EASE® 5 SQUARE  
42-389 200 SHEETS EYE-EASE® 5 SQUARE  
42-392 100 RECYCLED WHITE 5 SQUARE  
42-399 200 RECYCLED WHITE 5 SQUARE  
Made in U. S. A.

3 Average Claimed = 18.4  $\Rightarrow$  under Claimed  
3 cfs Claimed = 0.31  $\Rightarrow$  under Claimed

lot is only 12.5 ac  
Actual = 18 ac

A Bull 0.19 cfs 13.4 ac  
B Davis 0.06 3 ac  
C Payne 0.06 2 ac

Davis  
29-4207  
0.32  
8/ac

SCANNED

JUN 13 2001

Log for claim A29-04207A

Spatial Dynamics BTD

9/5/00

| TR             | SEC | QQ   | Acres<br>Claimed | Acres<br>Found | COMMENT |
|----------------|-----|------|------------------|----------------|---------|
| 07s35e         | 23  | NESW | 13.4             | 13             |         |
| <b>Totals:</b> |     |      | 13.4             | 13             |         |

4/3/01 Needs Evidence of Priority  $\Rightarrow$  Evidence Found in  
microfilm  
CS

5/3/01 Nothing in Parent Claim. split before children  
were filed

PROFILED

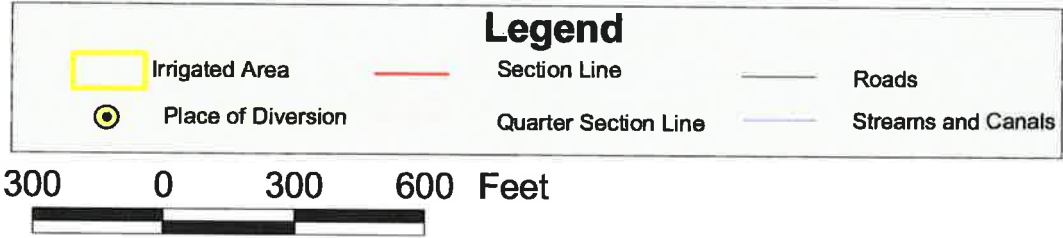
SCANNED

MAR 22 2005

 SPATIAL  
DYNAMICS

Water Right Claim Number A29-04207A  
Township , 7S35E

09/05/2000





Irrigated Area

Place of Diversion

Section Line

Quarter Section Line

Roads

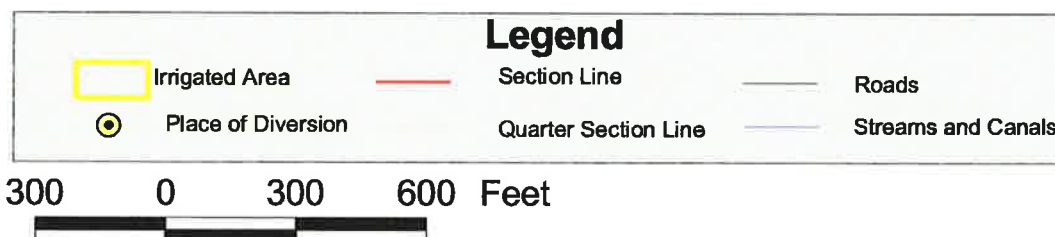
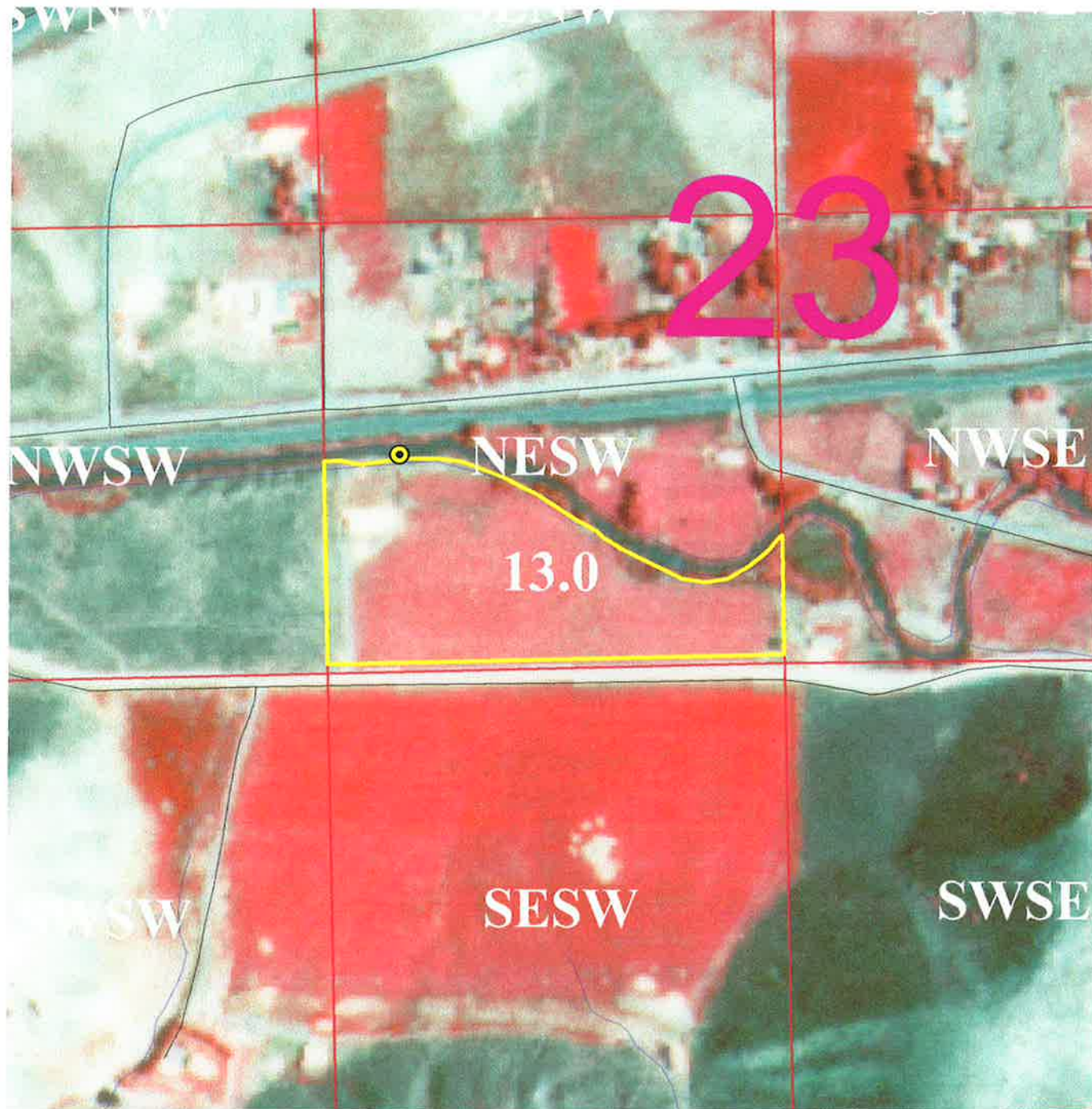
Streams and Canals

**Legend**



Water Right Claim Number A29-04207A  
Township , 7S35E

09/05/2000



AJ5809NP  
No. A29-04207A

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00  
PAGE: 191

| OWNER<br>CODE    | NAME & ADDRESS                                                        | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|-----------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | LM BULL<br>5787 W PORTNEUF RD<br>POCATELLO ID 83204<br>(208) 775-4582 | 06/01/1930       | IRRIGATION | 04-01 11-01           | 0.190 CFS         |                     |
| TOTAL DIVERSION: |                                                                       |                  |            |                       | 0.190 CFS         |                     |
| CONSUMPTIVE USE: |                                                                       |                  |            |                       |                   | 33.50 AFA           |

Water Source: PORTNEUF RIVER

Tributary to: SNAKE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T07S R35E S23 NESW BANNOCK County

Place of use Legal Description for: IRRIGATION

| NE  |     |    |   | NW |    |    |    | SW |    |    |    | SE |    |   |    |    |    |    |    |    |             |      |
|-----|-----|----|---|----|----|----|----|----|----|----|----|----|----|---|----|----|----|----|----|----|-------------|------|
| T   | R   | S  | : | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | : | Lt | Ac | Lt | Ac | Lt | Ac | :           | SUM  |
| 07S | 35E | 23 | : |    |    |    |    |    |    |    |    |    |    | : |    |    |    |    |    |    | :           | 13.4 |
|     |     |    |   |    |    |    |    |    |    |    |    |    |    |   |    |    |    |    |    |    | TOTAL ACRES | 13.4 |

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: NONE

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

29-10446 29-10597 29-10694 29-12175 A29-04207B A29-04468 A29-10094 A29-10446 A29-10447 A29-10694  
A29-12175

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

A29-04207 A29-04207B A29-04207C A29-04425 A29-04468 A29-10447

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

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

Audit: 03/15/90 JONES 07/20/94 THOMPSON 03/29/95 POST-STD

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
CLAIM TO A WATER RIGHT

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

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

Notice is hereby given that **RUSSELL F. AND/OR TRESSA DAVIS**

Rt. #3, South, Box 240 Pocatello 83201 (Name of Claimant)

Telephone No. 775-3657

(Mailing Address) \_\_\_\_\_ (Zip Code) \_\_\_\_\_ Telephone No. 775-3657

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) June 1, 1930 R.F.S.  
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)  
 PORTNEUF RIVER tributary to SNAKE RIVER

(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, AFD) |            | (Domestic, Irrigation, Stock, Etc.) |            | (Both dates Inclusive) |       |
|-----------------|------------|-------------------------------------|------------|------------------------|-------|
| Quantity        | (Mo., Day) | Use                                 | (Mo., Day) | Period of Use From     | To    |
| 0.30 cfs        |            | Irrigation                          |            | 4/1                    | 11/1  |
| 0.02 cfs        |            | Stockwater                          |            | 1/1                    | 12/31 |
|                 |            |                                     |            |                        |       |
|                 |            |                                     |            |                        |       |
|                 |            |                                     |            |                        |       |
|                 |            |                                     |            |                        |       |

|              |                      |                    |    |
|--------------|----------------------|--------------------|----|
| Quantity     | Use                  | Period of Use From | To |
| (4) 0.32 lbf | TOTAL QUANTITY USED. |                    |    |

(5) A) Point of diversion: (Location of point where water is diverted from its source)  
NE 1/4 SW 1/4 Sec. 23 Twp. 7S Rge. 35E B.M. County of Bannock  
Additional points of diversion: two points

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. Pump with pipeline to sprinkler system. Formerly flood irrigated

(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]

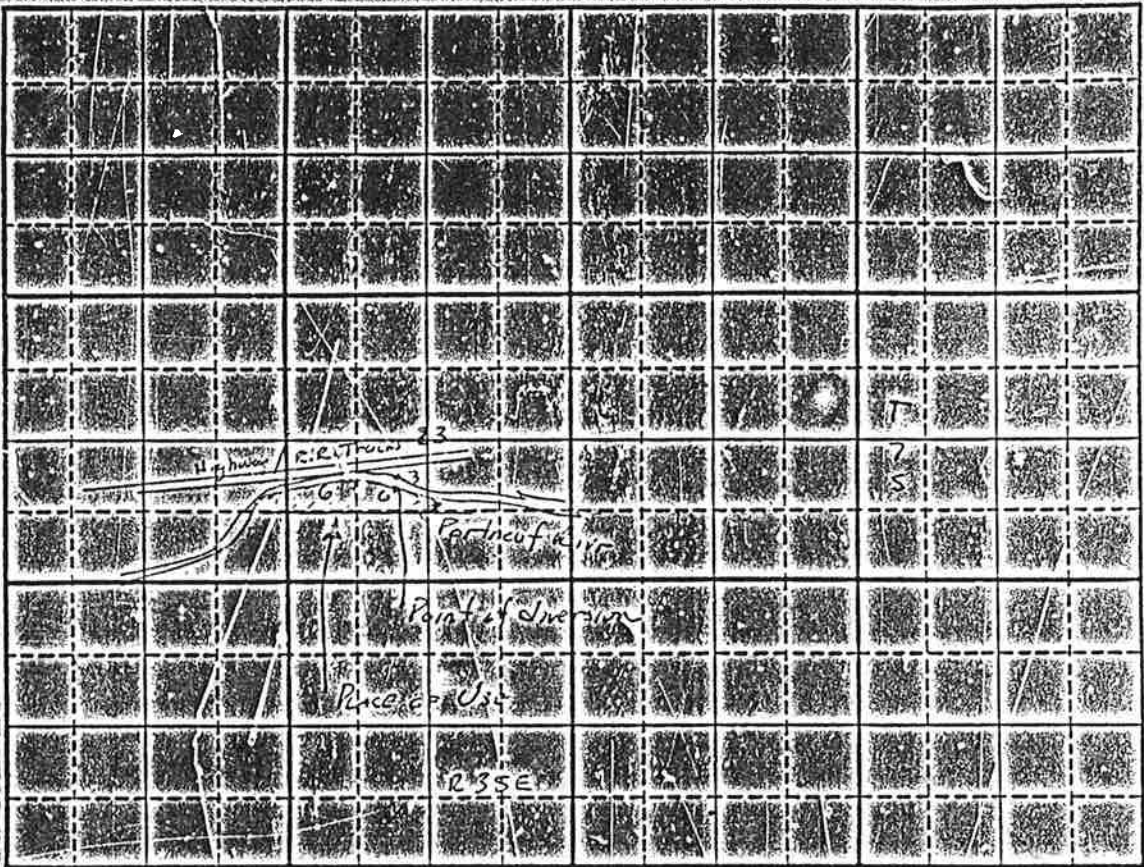
No. of acres 15

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: Approx. 20 head range cattle  
If you are claiming water as a member of an organization, list name of organization:

(7) If you are claiming water as a member of an organization, list name of organization: Approx. 20 head range cattle

(8) Remarks



Scale: 2 inches equal 1 mile.

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

State of Idaho )  
County of Bannock ) ss.

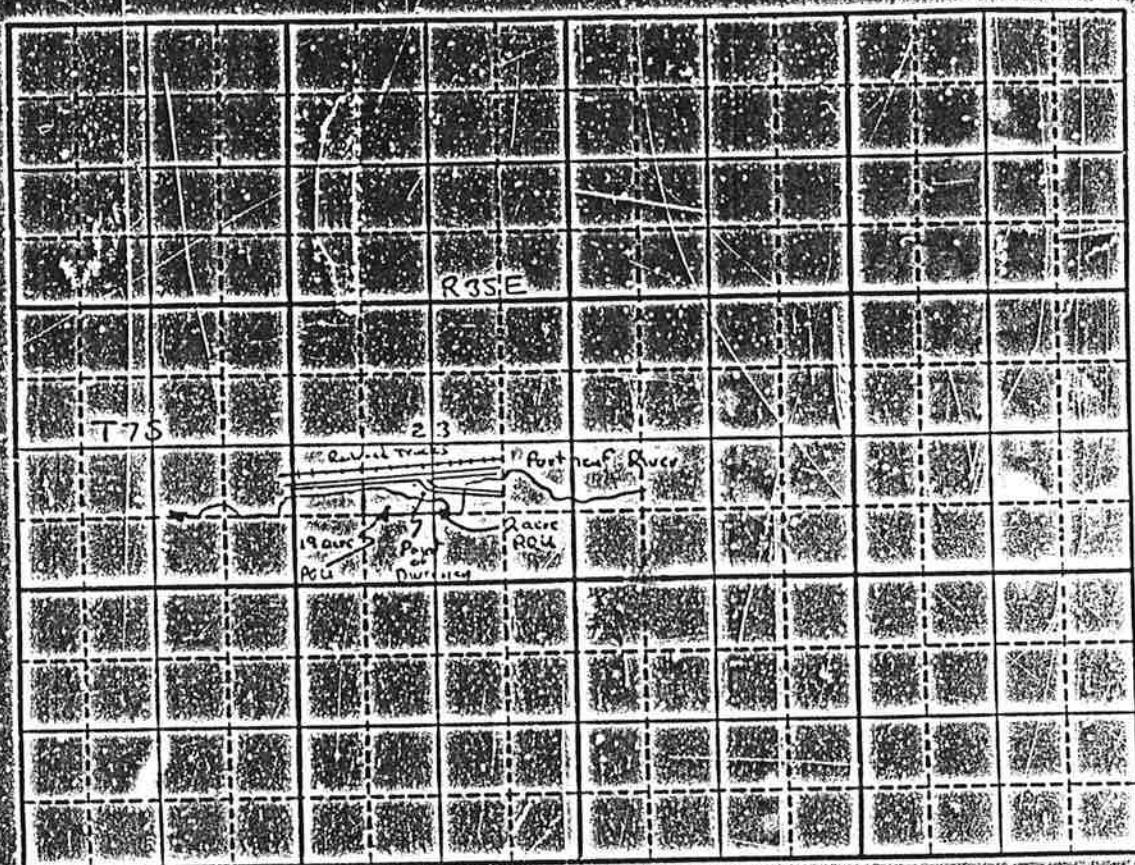
Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 11th day of September, 1921  
Charles W. Jones Claimant  
George H. Jones Notary Public

Residing at Scoutville, Idaho

My commission expires 7-7-23

| FOR DEPARTMENT USE ONLY           |                     |                    |              |
|-----------------------------------|---------------------|--------------------|--------------|
| Received by <u>KCW</u>            | Date <u>9-11-21</u> | Exception filed by | Forwarded to |
| Prelim. check by                  | Date                |                    | claimant by  |
| \$20.00 fee received by <u>KN</u> | Date <u>9-12-21</u> |                    |              |
| Published in                      |                     |                    |              |
| Dates                             |                     |                    |              |



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 Bannock

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.

Spencer Hays  
Russell J. Hays

(Claimant)

Sworn to before me this 23 day of October, 19 81.

R. Basil Bowen

Notary Public

Residing at Lukon, IdahoMy commission expires August 1984Prepared by HUS

FOR DEPARTMENT USE ONLY

Received by CUDate 10-26-81

Exception filed by

Prelim. check by HUSDate 10-26-81\$30.00 fee received by CUDate 9-16-81

#19074

Published in Idaho State JournalDates 8-5 and 11-11-81

Forwarded to claimant by

Date

IN THE MATTER OF:

AFFIDAVIT

State of Idaho  
County of Blaine

Martin Palmer being first duly sworn,  
deposes and says:

That the water from the  
Portland River has been used on  
the property described below since  
1938

T.R. NE 1/4 SW 1/4 19.08 AC  
S23-T7S-R3SE

T.R. NE 1/4 SW 1/4 & NW 1/4 SE 1/4 2.47 ac  
S23-T7S-R3SE

Martin Palmer  
(Signature)

Subscribed and sworn to before me this 4th day of June, 1981.

Charles H. Palmer  
(Notary Public)

Residing at Portland, Ore.  
My Commission Expires 1/1/82

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 29-4207A V1

WATER RIGHT NUMBER: 29-4207A V1

| <u>Owner Type</u> | <u>Name and Address</u>                                               |
|-------------------|-----------------------------------------------------------------------|
| Current Owner     | LM BULL<br>5787 W PORTNEUF RD<br>POCATELLO, ID 83204<br>(208)775-4582 |

Priority Date: 12/31/1930

Basis: Beneficial Use

Status: Active

| <u>Source</u>  | <u>Tributary</u> |
|----------------|------------------|
| PORTNEUF RIVER | SNAKE RIVER      |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION            | 04/01 to 10/31          | 0.190 CFS             |                      |
|                       | <u>Total Diversion:</u> | 0.190 CFS             |                      |

Location of Point(s) of Diversion

|                |                 |                                 |
|----------------|-----------------|---------------------------------|
| PORTNEUF RIVER | SE1/4NE1/4SW1/4 | Sec. 23, Twp 07S, Rge 35E, B.M. |
| BANNOCK County |                 |                                 |

Place of UseIRRIGATION Within BANNOCK County

T07S R35E S23    NESW    11.0

Total Acres: 11

Conditions of Approval:

1. C18    THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks:Comments:

1. csaxton    8/21/01    Split Right  
Comment: Statutory claim 29-04207 split into A, B, C portions.

Dates and Other Information:

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 29-4207A V1

Dates and Other Information:

Decreed Date:  
 Enlargement Use Priority Date:  
 Enlargement Statute Priority Date:  
 Defendant:  
 Plaintiff:  
 Civil Case Number:  
 Judicial District:  
 Notice of Error Flag:  
 State or Federal: S  
 Owner Name Connector:  
 Water District Number:  
 Generic Max Rate Per Acre:  
 Generic Max Volume Per Acre:  
 Swan Falls Trust or Nontrust:  
 Swan Falls Dismissed:  
 DLE Act Number:  
 Carey Act Number:  
 Mitigation Plan: False

Element Reviewed/Verified Dates:

| <u>Element</u> | <u>Last Reviewed Date</u> | <u>Reviewer</u> | <u>Last Verified Date</u> | <u>Verifier</u> | <u>Status</u> |
|----------------|---------------------------|-----------------|---------------------------|-----------------|---------------|
| Contacts       | 8/21/01 9:35:14 AM        | csaxton         |                           |                 | Active        |
| Contacts       | 8/21/01 9:35:23 AM        | csaxton         |                           |                 | Active        |
| Priority Date  | 8/21/01 1:51:28 PM        | csaxton         |                           |                 | Active        |
| POD            | 8/21/01 1:52:00 PM        | csaxton         |                           |                 | Active        |
| Source         | 8/21/01 1:58:28 PM        | csaxton         |                           |                 | Active        |
| POU            | 8/21/01 2:02:02 PM        | csaxton         |                           |                 | Active        |
| Use            | 8/21/01 2:03:14 PM        | csaxton         |                           |                 | Active        |
| Season         | 8/21/01 2:03:45 PM        | csaxton         |                           |                 | Active        |
| Quantity       | 8/21/01 2:04:52 PM        | csaxton         |                           |                 | Active        |
| Summary        | 8/21/01 2:10:49 PM        | csaxton         | 8/21/01 2:10:49 PM        | csaxton         | Active        |

Verification Log:

| <u>Element</u> | <u>Date Time Stamp</u> | <u>Reviewer</u> | <u>Log text</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|----------------|------------------------|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Contacts       | 8/21/01 9:35:12 AM     | csaxton         | 1. Appointment has not been scheduled.<br>Comment for 1: Field exam done without meeting with claimant.                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Priority Date  | 8/21/01 1:51:26 PM     | csaxton         | 1. (NO) There has not been a later court decree of the water right(s) from the water source.<br>4. (YES) The basis of claim is beneficial use.<br>4b. (NO) The priority date was not claimed after the date a permit was required for the source and water use.<br>10. (YES) The claim file contains sufficient evidence of priority date.<br>12. (YES) The claim is recommended.<br>13. (YES) The claim is coded correctly.<br>14. (NO) Priority remark was not required.<br>15. (NO) Priority condition was not required. |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 29-4207A V1

|        |                    |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|--------|--------------------|---------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| POD    | 8/21/01 1:51:58 PM | csaxton | <p>1. (YES) The basis is beneficial use.<br/> 4. (NO) There is not evidence that there has been a change in the Point of Diversion.<br/> 6. (YES) The file contains all the necessary information to verify the POD.<br/> Comment for 6: Field Exam 8/15/01<br/> 8. (NO) Point of Diversion remark was not required.<br/> 9. (NO) Point of Diversion condition was not required.</p>                                                                                                                                                                      |
| POD    | 8/21/01 1:56:39 PM | csaxton | Edited point location                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Source | 8/21/01 1:58:26 PM | csaxton | <p>1. (YES) The basis is beneficial use.<br/> 4. (NO) There is not evidence that there has been a change in the Source.<br/> 7. (YES) The file contains all of the necessary information to verify the source.<br/> Comment for 7: Field Exam 8/15/01<br/> 8. (YES) The source is surface water.<br/> 9. (YES) The source is a standard source.<br/> 10. (NO) Source remark was not required.<br/> 11. (NO) Source condition was not required.</p>                                                                                                        |
| POU    | 8/21/01 2:02:00 PM | csaxton | <p>1. (YES) The POU is required.<br/> 2. (YES) The basis of claim is beneficial use.<br/> 5. (NO) There is no evidence that there has been a change in the POU.<br/> 9. (YES) The file contains all the necessary information to verify the POU.<br/> Comment for 9: 1987 NAPP PHOTOGRAPHY<br/> 12. (NO) POU remark was not required.<br/> 13. (NO) POU condition was not required.</p>                                                                                                                                                                   |
| POU    | 8/21/01 2:01:43 PM | csaxton | Edited shape boundary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| POU    | 8/21/01 2:02:00 PM | csaxton | Edited PLS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Use    | 8/21/01 2:03:12 PM | csaxton | <p>1. (YES) The basis of claim is beneficial use.<br/> 4. (NO) There is not evidence that there has been a change to the purpose of use.<br/> 9. (YES) The file contains all the necessary information to verify the purpose of use.<br/> 11. (NO) Purpose of Use remark was not required.<br/> 12. (NO) Purpose of Use condition was not required.</p>                                                                                                                                                                                                   |
| Season | 8/21/01 2:03:43 PM | csaxton | <p>1. (YES) The basis of claim is beneficial use.<br/> 4. (NO) There is not evidence that there has been a change to the period of use.<br/> 9. (YES) The file contains all the necessary information to verify the period of use.<br/> 11. (NO) The basis of is not a decree, license, or a transferred beneficial use right that has had the period of use administratively determined.<br/> 13. (YES) Irrigation is the purposed use.<br/> 15. (NO) Period of Use remark was not required.<br/> 16. (NO) Period of Use condition was not required.</p> |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 29-4207A V1

|          |                    |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|----------|--------------------|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Quantity | 8/21/01 2:04:50 PM | csaxton | <p>1. (YES) The basis of claim is beneficial use.</p> <p>5. (NO) A flow measurement was not required.</p> <p>Comment for 5: PER DAVID TUTHILL NO MEASUREMENT NEEDED FOR CLAIMS LESS THAN 0.20 CFS</p> <p>6. (NO) The source is not ground water and the purpose of use does not require a diversion volume limit.</p> <p>7. (NO) The parent right does not have an annual diversion volume limit.</p> <p>9. (NO) Quantity remark was not required.</p> <p>10. (NO) Quantity condition was not required.</p>                                                                                     |
| Summary  | 8/21/01 2:10:47 PM | csaxton | <p>1. (YES) The basis of the claim is beneficial use.</p> <p>2. (YES) All the water being used for all the purposes is being claimed and to the extent it was claimed.</p> <p>5. (NO) General remark was not required.</p> <p>6. (NO) Explanatory remark was not required.</p> <p>7. (YES) Additional condition was required.</p> <p>8. (YES) Wanted to view the recommended right.</p> <p>9. (NO) This is not a split right.</p> <p>10. (NO) This is not a combined right.</p> <p>11. (NO) Documents were not linked or attached to this file.</p> <p>12. (YES) Set the verification date.</p> |
| Contacts | 8/21/01 9:35:22 AM | csaxton | <p>1. Appointment has not been scheduled.</p> <p>Comment for 1: Field exam done without meeting with claimant 8/15/01.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

JUN 13 2001

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

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

CIVIL CASE NUMBER: 39576

RECEIVED  
APR 05 1990

Ident. Number: A29-04207A  
Date Received: 3/15/1990  
Receipt No: 5012849/90  
Received By:

Department of Water Resources  
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: L.M. BULL  
Address: 5787 W. PORTNEUF RD.  
POCATELLO, ID 83204  
208-775-4582

2. Date of Priority: JUN 01, 1930

3. Source: PORTNEUF RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County  |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 07S      | 35E   | 23      | NE     | SW     |     |     | BANNOCK |

5. Description of diverting works:  
PUMP IN RIVER TO SPRINKLERS

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.190  |      |        |

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

8. Total consumptive use is 33.5 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 07S      | 35E   | 23      | NE     | SW  |     | IRR | 13.4  |

Section Acres 13.4

A29-04207A

Page 1

Date: 03/15/90

PROFILED

SCANNED  
MAR 22 2006

MICROFILMED  
NOV 13 1992

A2904207A



10. Place of Use: Continued

Total Acres 13.4

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:  
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do \_\_\_\_\_ do not ~~X~~ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: \_\_\_\_\_

**For Individuals:**

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

Signature of Claimant(s): Im Bull Date: 3-28-90  
\_\_\_\_\_  
Date: \_\_\_\_\_

State of Idaho )  
County of \_\_\_\_\_ ) SS.

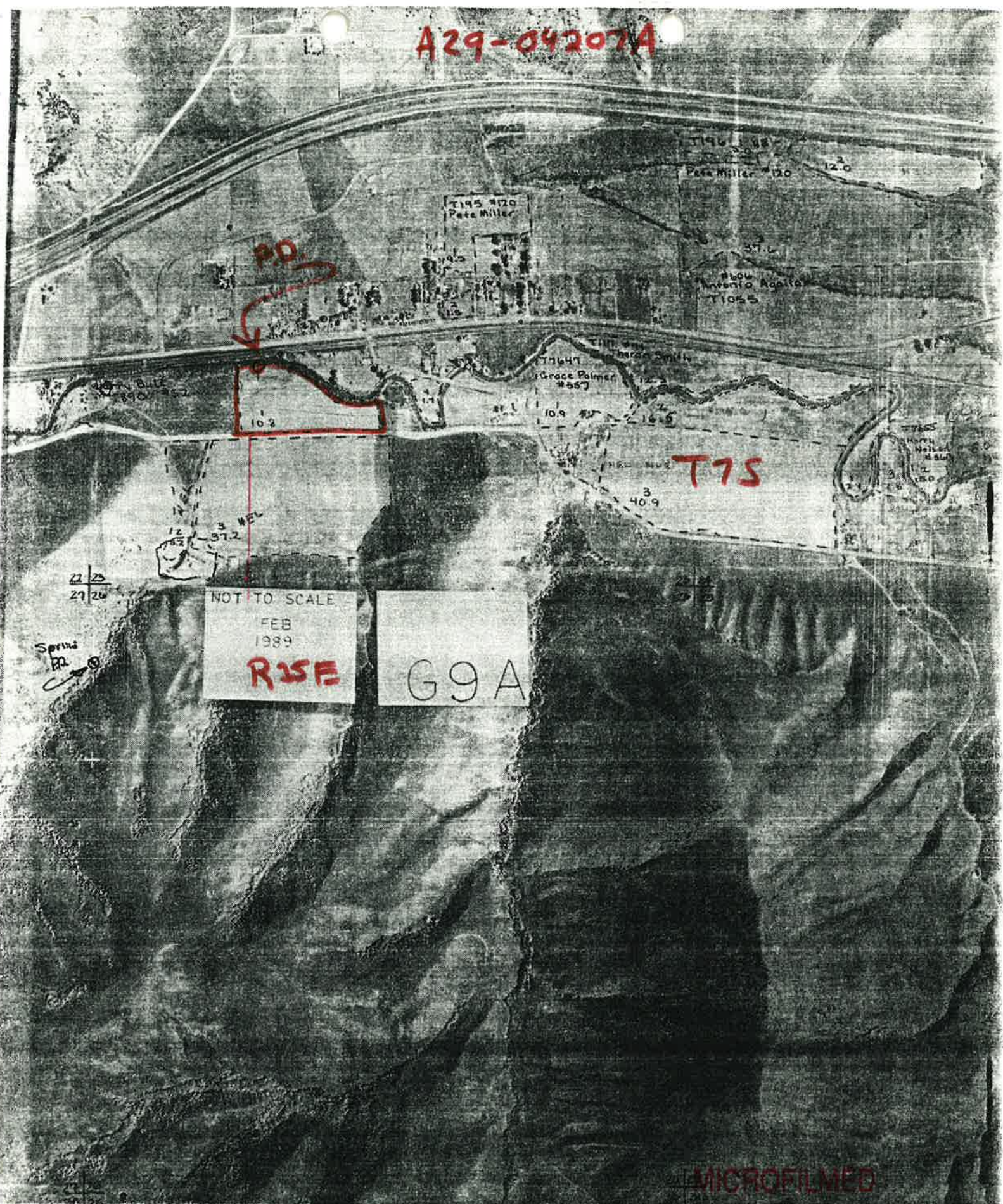
Subscribed and sworn (or affirmed) before me this 28 day  
of March 19 90

Nancy Esquivel  
Notary Public

Seal

Residing at Pocatello Idaho  
My Commission Expires 1-12-96

A29-04207A



NOT TO SCALE  
FEB  
1989  
**RISE**

G9A

MICROFILMED

NOV 13 1992