

12/11/2002

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

RIGHT NUMBER: 29-4259

NAME AND ADDRESS: RONNIE BOYD HOLLAND
PO BOX 2407
POCATELLO ID 83206

AMY E HOLLAND
PO BOX 2407
POCATELLO ID 83206

SOURCE: PORTNEUF RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.140 CFS

PRIORITY DATE: 06/01/1938

POINT OF DIVERSION:

T07S R35E S21 SWNESE 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	0.140 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T07S R35E S21	SWNE	0.5	T07S R35E S21	NESE	5.5
T07S R35E S21	NWSE	1.0			

7 ACRES TOTAL

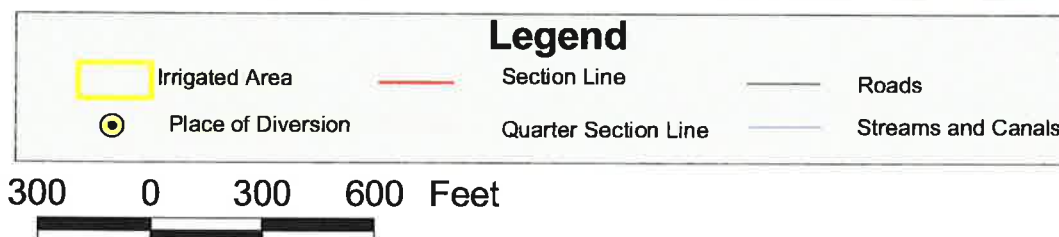
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

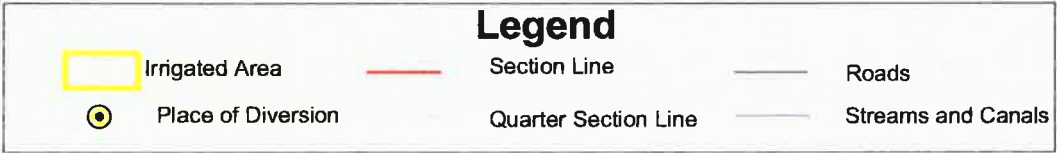
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Beneficial Use

Water Right Claim Number A29-04259
Township , 7S35E

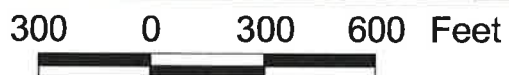
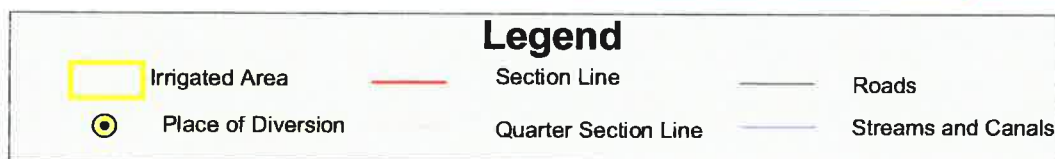
09/05/2000





Water Right Claim Number A29-04259
Township , 7S35E

09/05/2000



02/08/2003

Craig

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: 29-4259

RONNIE BOYD HOLLAND
PO BOX 2407
POCATELLO ID 83206
Telephone Number: (208) 233-8742

AMY E HOLLAND
PO BOX 2407
POCATELLO ID 83206
Telephone Number: (208) 233-8742

RECEIVED
APR 02 2003
WATER RESOURCES
WESTERN REGION

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:

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APR 07 2003
Department of Water Resources
Eastern Region

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

DATE: 3-22-03

SIGNATURE:

Please print your name:

Ronnie B. Holland *Amy E. Holland*
Ronnie B. Holland Amy E. Holland

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

PROFILE

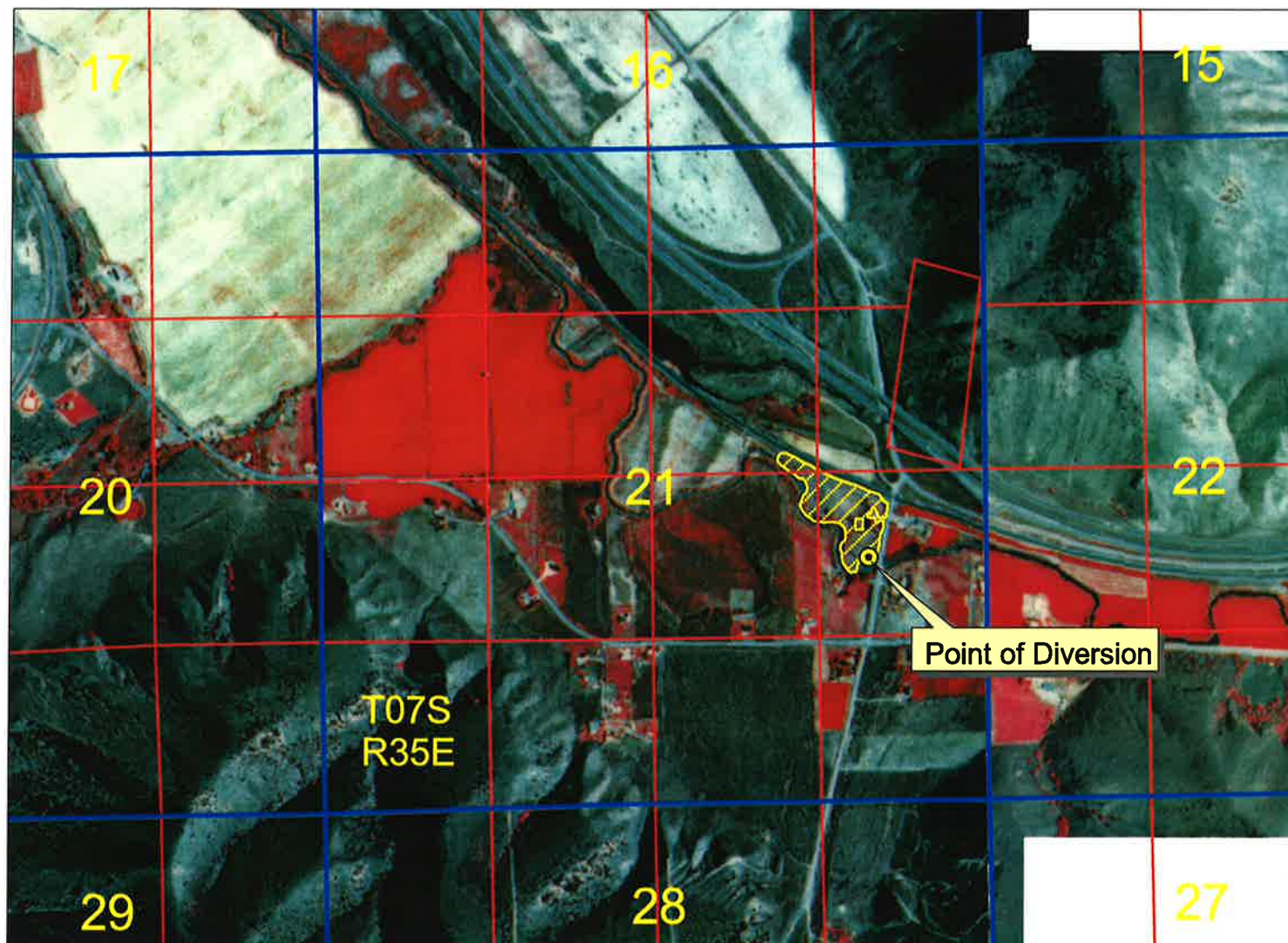
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RECEIVED
MAR 28 2003
Department of Water Resources
Eastern Region



State of Idaho
Department of Water Resources
Eastern Region
Water Right 29-4259

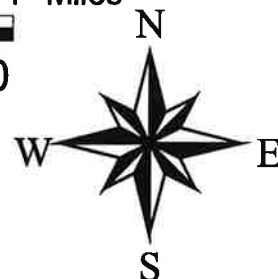


0.5 0 0.5 1 Miles

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1:16000



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

PROFILED

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: P. Meyer
Date: December 2002

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 29-4259

WATER RIGHT NUMBER: 29-4259

Owner Type
Current OwnerName and Address
RONNIE BOYD HOLLAND
PO BOX 2407
POCATELLO, ID 83206
(208) 233-8742

Current Owner

AMY E HOLLAND
PO BOX 2407
POCATELLO, ID 83206
(208) 233-8742

Priority Date: 06/01/1938

Basis: Beneficial Use

Status: Active

Source

PORTNEUF RIVER

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

4/01 to 11/01

Diversion Rate

0.270 CFS

Annual VolumeTotal Diversion:

0.270 CFS

Location of Point(s) of Diversion

PORTNEUF RIVER

BANNOCK County

NE1/4NE1/4SE1/4

Sec. 21, Twp 07S, Rge 35E, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07S	25E	21																	
					0.2										6.0	1.0			7.0
															4.9	0.1			5.0

Total Acres: 7.0

Conditions of Approval:Remarks:

- THIS CLAIM SHOULD BE REFERENCED TO STATUTORY CLAIM NO. 29-4259.

Comments:Dates and Other Information:

Claim Received Date: 4/20/1990
 State or Federal: S
 Owner Name Connector: OR
 Mitigation Plan: False

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5-25-02 : No Priority Evidence
called

: Property is only 6.7 acres. No measurement needed

: NCO - to Amy - spoke to Amy
Ronnie Lloyd Holland
9195 W Caribou Rd → DO 2407
Pocahontas, IA 53204 83206
233-8742

: Two Years - Since own Property - No use of water
Since they owned Property
: moved in after 1988 - Neighbor

: doesn't look like this is Valid - but send
NCO anyway.

: Domestic 29-10006 - PD'd

: Parcel only 6.6 acres - no measurement

5-29-02 : Stopped By Home and No one there. Give Call
to Amy to set up Appointment

: NO Signs of Irrigation. Picture taken of Pasture

6-24-02 : Ron Holland Called Concerning NCO sent to
Amy. I didn't know what Right he was speaking
of specifically so He was going to find the
letter and have Amy call me back.

Ron's Cell is 251-0700 cell.

6-25-02 : Ron called and left message @ Eastern, His PH is
233-8742, 29-04059 = WR.

from W (met with Ron @ his home)
: Bollinger - Ran the joint prior to Hollands owning Property

: Gave Ron a C/O Form and told him I would
disallow claim w/o Evidence But should still
File C/O for Domestic Right.

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9-11-02 : Letter of historical use Received. States that Morris Daily remembers Irrigation of the Claimed POE as far back as he can remember. Affidavit From Morris Daily Found in Claim 29-10598 states that Morris Daily moved into area in 1937.

Based on this Info - Priority date Claimed is good.

: Need to locate POE.

1959 or 1960

* Jerry Lowery was last one to put water on the place in mid 80's.

* Bollinger Pumped out of river with Gas Pump

: POE Determined By speaking with Morris Dayley a long time resident of the area that used to farm the Claimed POE.

: Recommend Claim based on Morris Dayley's statements

12-2-02 : Priority: Good - See 9-11-02 Notes

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PROFILE

29-04259

5/29/02

Looking West @
Claimant Property



Looking South
@ claimant
Property



PROFILE

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RECEIVED

SEP 06 2002

WATER RESOURCES
WESTERN REGION

RECEIVED

OCT 17 2002

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	29-04259				
PD' 29-10006					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts: \$25.00
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

4. New Owner/Claimant(s)

RONNIE BOYD HOLLAND / AMY E. HOLLAND
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address

P.O. Box 2407

City, State and ZIP Code

LOCATELLO, ID 83206

New Telephone Number

(208) 233-8742

5. Date you acquired the property

APRIL 15, 1999

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Darryl Marley
DARRYL MARLEY, as Co-Trustee
of the JOHN C. MARLEY TRUST

STATE OF IDAHO)
: ss
County of Bannock)

On this 6th day of April, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared J. WENDELL MARLEY, Co-Trustee of the JOHN C. MARLEY TRUST, known to me to be the person whose name is subscribed to the foregoing and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.



STATE OF IDAHO)
: ss
County of Bannock)

Katre M. Holladay
NOTARY PUBLIC FOR IDAHO
Residing at: POCATELLO, IDAHO
My Commission expires: 7/5/2004

On this 7th day of April, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared S. WAYNE MARLEY, Co-Trustee of the JOHN C. MARLEY TRUST, known to me to be the person whose name is subscribed to the foregoing and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.



WARRANTY DEED - 2

R. E. Dyer
NOTARY PUBLIC FOR IDAHO
Residing at: Pocatellos
My Commission expires: 13 Sep 1999

PROFIL

SCANNED
MAR 03 2005

I certify that I have read and approved of the contents of the original of this copy.

Ronnie Boyd
Amy E. Holland

WARRANTY DEED

FOR VALUE RECEIVED, J. WENDELL MARLEY, S. WAYNE MARLEY, SHARON MARLEY and DARRYL MARLEY, as Co-Trustees of the JOHN C. MARLEY TRUST (Grantor), do hereby grant, bargain, sell and convey unto RONNIE BOYD HOLLAND and AMY E. HOLLAND, husband and wife, whose current address is 9195 West Caribou Road, Pocatello, Idaho (Grantee), their heirs and assigns forever, the premises located in Bannock County, Idaho, and more fully described in Exhibit A which is attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD the said premises, with their appurtenances, including all gas, oil and mineral rights.

Grantor does hereby covenant that it is the owner in fee simple of said premises, that the premises are free from all encumbrances excepting discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose, easements or claims of easement not shown by the public records, use restrictions and building and zoning regulations and ordinances of any governmental unit, and that it will warrant and defend the same from all lawful claims.

DATED this 7th day of April, 1999.

J. Wendell Marley

J. WENDELL MARLEY, as Co-Trustee
of the JOHN C. MARLEY TRUST

S. Wayne Marley

S. WAYNE MARLEY, as Co-Trustee
of the JOHN C. MARLEY TRUST

Sharon Marley

SHARON MARLEY, as Co-Trustee
of the JOHN C. MARLEY TRUST

PROFILED

SCANNED

MAR 03 2005

STATE OF IDAHO)
 : ss
County of Bannock)

On this 7th day of April, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared SHARON MARLEY, Co-Trustee of the JOHN C. MARLEY TRUST, known to me to be the person whose name is subscribed to the foregoing and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.

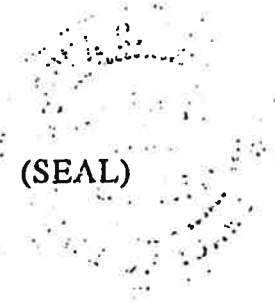



NOTARY PUBLIC FOR IDAHO
Residing at: ocatello
My Commission expires: 13 Sep. 1999

STATE OF IDAHO)
 : ss
County of Bannock)

On this 7th day of April, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared DARRYL MARLEY, Co-Trustee of the JOHN C. MARLEY TRUST, known to me to be the person whose name is subscribed to the foregoing and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.




NOTARY PUBLIC FOR IDAHO
Residing at: ocatello
My Commission expires: 13 Sep. 1999



EXHIBIT "A"

LEGAL DESCRIPTION

The land referred to in this Commitment is described as follows:

A parcel of land in the North half of the Southeast Quarter and the Southwest Quarter Northeast Quarter of Section 21, Township 7 South, Range 35 East, Boise Meridian, BANNOCK COUNTY, IDAHO, more particularly described as follows: Beginning at the East 1/16 corner on the Latitudinal Centerline of Section 21, Township 7 South, Range 35 East, Boise Meridian; thence North 89°58' West along the said Latitudinal Centerline, 61.87 feet to a point on the Westerly Right-of-Way line of the Union Pacific Railroad, the TRUE POINT OF BEGINNING; thence Northwesterly along said Right-of-Way line on a curve to the right having a radius of 5,802.58, 312.00 feet to a point on the Westerly bank of the Portneuf River; thence South 12°00' East along said Westerly bank 156.95 feet, more or less, to the Latitudinal Centerline of said Section 21; thence South 89°58' East along said Latitudinal Centerline, 93.00 feet, more or less, to the Easterly bank of said river; thence meandering along said Easterly bank South 43°17' East, 125.00 feet; thence continuing along said Easterly bank South 4°06' East 220.30 feet; thence continuing along said Easterly bank, South 39°59' East, 61.84 feet, more or less, to a point on the East 1/16 line of said Section 21; thence South 0°25' East along said East 1/16 line, 30.00 feet, more or less, to the Centerline of said Portneuf River; thence meandering along said Centerline South 77°41' East 221.5 feet; thence meandering along said Centerline, South 10°15' East 358.70 feet; thence continuing along Centerline South 75°23' East, 74.00 feet; thence continuing along said Centerline North 40°46' East, 117.00 feet; thence continuing along said Centerline South 85°14' East, 87.80 feet, more or less, to a point on the Westerly right-of-way line of the Portneuf Road; thence North 9°32' East, 464.00 feet, more or less, to a point on the Westerly right-of-way line of the Union Pacific Railroad; thence Northwesterly along a 5,802.58 foot radius curve to the right, 646.40 feet, more or less, to the TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM: A Parcel of land lying in the Northwest Quarter of the Northeast Quarter of the Southeast Quarter, Section 21, Township 7 South, Range 35 East, Boise Meridian, BANNOCK COUNTY, IDAHO, more particularly described as follows: Beginning at a point marking the Northwest corner of the said Northwest Quarter of the Northeast Quarter of the Southeast Quarter of Section 21; thence North 89°58'00" West 61.87 feet to a POINT OF BEGINNING of curve on the Southerly right-of-way line of the Union Pacific Railroad; thence Southeasterly along the said Southerly right-of-way line of the Union Pacific Railroad along a curve to the left 413.74 feet, said curve having a central angle of 4°05'07", a radius of 5,802.65 feet, tangents of 206.96 feet and a long chord of 413.65 feet bearing South 68°40'10" East to a point on a curve, also said point being REAL POINT OF BEGINNING; thence continuing Southeasterly along the said Southerly right-of-way line of the Union Pacific Railroad along a curve to the left 234.00 feet, said curve having a central

continued on page 7

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PAGE 7

angle of $2^{\circ}18'38''$, a radius of 5,802.65 feet, tangents of 117.02 feet and along chord of 233.99 feet bearing South $69^{\circ}52'03''$ East to the POINT OF ENDING of curve on the Easterly right-of-way line of Fort Hall Mine Road; thence South $9^{\circ}32'00''$ West 193.5 feet along the said Easterly right-of-way line of Fort Hall Mine Road to a point; thence leaving said Easterly right-of-way line of Fort Hall Mine Road North $80^{\circ}28'00''$ West 103.00 feet to a point; thence North $9^{\circ}32'00''$ East 53.0 feet to a point; thence North $80^{\circ}28'00''$ West 126.99 feet to a point; thence North $9^{\circ}32'00''$ East 173.54 feet along a line Easterly of said parallel to the said Easterly right-of-way line of Fort Hall Mine Road to the POINT OF BEGINNING.

ALSO EXCEPT:

Beginning at a point which bears North $35^{\circ}09'38''$ West, 1,684.17 feet from the Southeast corner of said Section 21; thence North $08^{\circ}27'05''$ East 217.54 feet; thence North $09^{\circ}41'00''$ East 288.76 feet to the Centerline of the Portneuf River; thence North $74^{\circ}41'00''$ East 3.31 feet along said River Centerline to the REAL POINT OF BEGINNING which point is also 35 feet left of Station 30+91.16 of said Highway Survey; thence North $74^{\circ}41'00''$ East 8.83 feet to a point which is 27.0 feet left of Station 30+90.89 and is on the Westerly right-of-way line of Portneuf Road; thence North $09^{\circ}41'00''$ East 475.11 feet (464.0 feet, more or less, of record) along said right-of-way to a point which is 7.0 feet right of 35+69 and is a point on a curve with the radius of 5,802.58 and is the Westerly right-of-way line of the Union Pacific Railroad Company; thence Northwesterly around said curve for a distance of 7.0 feet which point is 35 feet left of Station 35+69; thence South $09^{\circ}41'00''$ East, 478.94 feet to the Centerline of the Portneuf River and is the REAL POINT OF BEGINNING.

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MAR 03 2005

DEED IN LIEU OF FORECLOSURE

C382

92008587

For Value Received JOHN E. POLCYN AND MARLENE M. POLCYN, HUSBAND AND WIFE

the grantor^S do hereby grant, bargain, sell, and convey unto

JOHN C. MARLEY

the grantee, whose current address is P.O. BOX 116, ARIMO, ID. 83214

the following described premises, to-wit:

SE ATTACHED "EXHIBIT A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, HIS heirs and assigns forever. And the said Grantor S do hereby covenant to and with the said Grantee, that THEY ARE the owners in fee simple of said premises; that said premises are free from all incumbrances except as hereinabove set forth and that THEY will warrant and defend the same from all lawful claims whatsoever.
Dated:

John E. Polcyn
JOHN E. POLCYN

Marlene M. Polcyn
MARLENE M. POLCYN

STATE OF NEVADA COUNTY OF Humboldt
On this 6th day of JUNE, 1992
before me, a notary public in and for said State, personally appeared

JOHN E. POLCYN AND MARLENE M. POLCYN,
HUSBAND AND WIFE

known to me to be the person S who SE name S ARE
subscribed to the within instrument, and acknowledged to
me that THEY executed the same.

Terry W. Miller
Notary Public

Residing at
Chapman, Nevada

TERRY W. MILLER

PROFILE

92008587
NO RECORDATION STAMP
John Marley
92 JUN -8 110:08

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INSTRUMENT NO.

01214

EXHIBIT "A"

11:50 (AM) 12:29

A PARCEL OF LAND IN THE NORTH HALF OF THE SOUTHEAST QUARTER AND THE SOUTHWEST QUARTER NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 7 SOUTH, RANGE 35 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED FOLLOWS:

BEGINNING AT THE EAST 1/16 CORNER ON THE LATITUDINAL CENTERLINE OF SECTION 21, TOWNSHIP 7 SOUTH, RANGE 35, EAST, BOISE MERIDIAN; THENCE NORTH 89°58' WEST ALONG THE SAID LATITUDINAL CENTERLINE, 61.67 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD, THE TRUE POINT OF BEGINNING; THENCE NORTHWESTERLY ALONG SAID RIGHT-OF-WAY LINE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 5,802.58, 312.00 FEET TO A POINT ON THE WESTERLY BANK OF THE PORTNEUF RIVER; THENCE SOUTH 12°00' EAST ALONG SAID WESTERLY BANK 158.95 FEET, MORE OR LESS, TO THE LATITUDINAL CENTERLINE OF SAID SECTION 21; THENCE SOUTH 89°58' EAST ALONG SAID LATITUDINAL CENTERLINE, 93.00 FEET, MORE OR LESS, TO THE EASTERLY BANK OF SAID RIVER; THENCE MEANDERING ALONG SAID EASTERLY BANK SOUTH 43°17' EAST, 125.00 FEET; THENCE CONTINUING ALONG SAID EASTERLY BANK SOUTH 4°08' EAST 220.30 FEET THENCE CONTINUING ALONG SAID EASTERLY BANK, SOUTH 39°59' EAST, 81.84 FEET, MORE OR LESS, TO A POINT ON THE EAST 1/16 LINE OF SAID SECTION 21, THENCE SOUTH 0°25' EAST ALONG SAID EAST 1/16 LINE, 30.00 FEET, MORE OR LESS, TO THE CENTERLINE OF SAID PORTNEUF RIVER; THENCE MEANDERING ALONG SAID CENTERLINE SOUTH 77°41' EAST 221.5 FEET, THENCE MEANDERING ALONG SAID CENTERLINE, SOUTH 10°15' EAST 358.70 FEET; THENCE CONTINUING ALONG CENTERLINE SOUTH 75°23' EAST, 74.00 FEET, THENCE CONTINUING ALONG SAID CENTERLINE NORTH 40°40' EAST, 117.00 FEET; THENCE CONTINUING ALONG SAID CENTERLINE SOUTH 85°14' EAST, 87.80 FEET, MORE OR LESS, TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF THE PORTNEUF ROAD; THENCE NORTH 9°32' EAST, 464.00 FEET, MORE OR LESS, TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD, THENCE NORTHWESTERLY ALONG A 5,802.58 FOOT RADIUS CURVE TO THE RIGHT, 646.40 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM: A PARCEL OF LAND LYING IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, SECTION 21, TOWNSHIP 7 SOUTH, RANGE 35 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT MARKING THE NORTHWEST CORNER OF THE SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 21; THENCE NORTH 89°58'00" WEST 91.87 FEET TO A POINT OF BEGINNING OF CURVE ON THE SOUTHERLY RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE SOUTHEASTERLY ALONG THE SAID SOUTHERLY RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD ALONG A CURVE TO THE LEFT 413.74 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 4°05'07", A RADIUS OF 5,802.65 FEET, TANGENTS OF 206.90 FEET AND A LONG CHORD OF 413.65 FEET BEARING SOUTH 66°40'10" EAST TO A POINT ON A CURVE, ALSO SAID POINT BEING REAL POINT OF BEGINNING; THENCE CONTINUING SOUTHEASTERLY ALONG THE SAID SOUTHERLY RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD ALONG A CURVE TO THE LEFT 234.00 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 2°15'35", A RADIUS OF 5,802.65 FEET, TANGENTS OF 117.02 FEET AND ALONG CHORD OF 233.99 FEET BEARING SOUTH 69°52'03" EAST TO THE POINT OF ENDING OF CURVE ON THE EASTERLY RIGHT OF WAY LINE OF FORT HALL MINE ROAD; THENCE SOUTH 9°32'00" WEST 193.5 FEET ALONG THE SAID EASTERLY RIGHT OF WAY LINE OF FORT HALL MINE ROAD TO A POINT; THENCE LEAVING SAID EASTERLY RIGHT OF WAY LINE OF FORT HALL MINE ROAD NORTH 80°28'00" WEST 103.00 FEET TO A POINT; THENCE NORTH 9°32'00" EAST 53.0 FEET TO A POINT; THENCE NORTH 80°28'00" WEST 126.99 FEET TO A POINT; THENCE NORTH 9°32'00" EAST 173.54 FEET ALONG A LINE EASTERLY OF SAID PARALLEL TO THE SAID EASTERLY RIGHT OF WAY LINE OF FORT HALL MINE ROAD TO THE POINT OF BEGINNING.

EXHIBIT

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MAR 03 2005

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MAR 03 2005

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Together with the elements, hereditaments and appurtenances
therunto belonging or in anywise appertaining; subject, however,
to all zoning laws, city ordinances, easements, restrictive
agreements and rights of ways of public roads as of the date
of this agreement.

ALSO EXCEPT BEGINNING AT A POINT WHICH BEARS NORTH 35°09'38" WEST 1,604.17 FEET
FROM THE SOUTHEAST CORNER OF SAID SECTION 21, THENCE NORTH 08°27'05" EAST 217.54
FEET, THENCE NORTH 09°41'00" EAST 288.78 FEET TO THE CENTERLINE OF THE PORTNEUF
RIVER, THENCE NORTH 74°41'00" EAST 3.31 FEET ALONG SAID RIVER CENTERLINE TO THE REAL
POINT OF BEGINNING WHICH IS ALSO 35 FEET LEFT OF STATION 30+91.19 OF SAID
HIGHWAY SURVEY, THENCE NORTH 74°41'00" EAST 8.83 FEET TO A POINT WHICH IS 27.0 FEET
LEFT OF STATION 30+90.89 AND IS ON THE WESTERLY RIGHT OF WAY LINE OF PORTNEUF
ROAD, THENCE NORTH 09°41'00" EAST 476.11 FEET (464.0 FEET, MORE OR LESS, OF RECORD)
ALONG SAID RIGHT OF WAY TO A POINT WHICH IS 7.0 FEET RIGHT OF 35+69 AND IS A POINT ON
A CURVE WITH THE RADIUS OF 5,802.58 AND IS THE WESTERLY RIGHT OF WAY LINE OF THE
UNION PACIFIC RAILROAD COMPANY, THENCE NORTHWESTERLY AROUND SAID CURVE FOR A
DISTANCE OF 7.0 FEET WHICH POINT IS 35 FEET LEFT OF STATION 35+69, THENCE SOUTH
09°41'00" EAST, 478.94 FEET TO THE CENTERLINE OF THE PORTNEUF RIVER AND IS THE REAL
POINT OF BEGINNING.

95018829

01915

RIGHT OF WAY LINE OF FORT HALL MINE ROAD TO THE POINT OF BEGINNING.
9°32'00" EAST 173.5 FEET ALONG A LINE EASTERLY OF SAID PARALLEL TO THE SAID EASTERLY
53.0 FEET TO A POINT, THENCE NORTH 60°26'06" WEST 126.99 FEET TO
HALL MINE ROAD TO A POINT, THENCE LEAVING SAID EASTERLY RIGHT OF WAY LINE OF FORT
HALL MINE ROAD NORTH 60°26'06" WEST 103.09 FEET TO A POINT, THENCE NORTH 9°32'00" EAST

EXHIBIT

RECEIVED

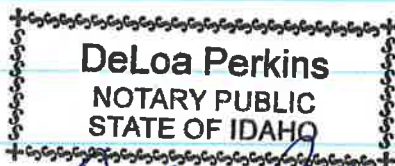
SEP 06 2002

WATER RESOURCES
WESTERN REGION

To whom it may concern,

When I bought our property in 1989 a parent to the property Ron Holland is talking about, The land was irrigated by John Polcyn (JJ) with a 2hp cylinder engine and six inch pipe in river. He ran approx 42 sprinkler heads. He did this until around 1997, he then moved to Nevada.

Frank R Bolinger
2417 N Fort Hall Mine Rd
Locate No Id 83204



DeLoa Perkins
4-28-04

Frank P. Bolinger

PROFILED

SCANNED
MAR 03 2005

AFFIDAVIT OF MORRIS J. DAYLEY

RE: IDWR No. A29-10598

OWNER: MORRIS J. DAYLEY

RECEIVED

MAR 14 1995

Department of Water Resources
Eastern District Office

STATE OF IDAHO)
: ss.
County of Bannock)

MORRIS J. DAYLEY, upon oath, swears as follows:

1. That this Affidavit is based on personal knowledge and is filed as evidence/proof of beneficial use by myself, or my predecessor in interest, under the above-referenced water right claim.

2. That my father purchased the subject property in 1937, and I have lived on the property since 1937. The property was being irrigated from the Portneuf river since the time before my father purchased the property in 1937.

3. From that time, the water has been used for the purpose I am claiming under this claim, and on the land claimed as the place of use.

FURTHER SAITH AFFIANT NAUGHT.

Dated this 13 day of March, 1995.

Morris J. Dayley
MORRIS J. DAYLEY

Subscribed and sworn to before me this 13 day of March, 1995.

(SEAL)

PROFILE

Mr. Hudley

NOTARY PUBLIC FOR IDAHO

Residing at: Bozelle

My Commission Expires: 12/95

SCANNED
MAR 03 2005

MICROFILMED

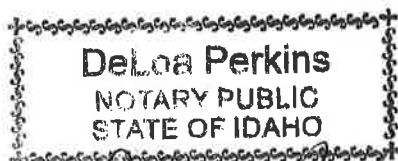
NOV 13 1996

WHEN TALKING TO FRIENDS & NEIGHBORS ABOUT THE HISTORY OF WATER USAGE FOR ADJUDICATION CLAIM No 28-04257 WE FOUND OUT THE FOLLOWING INFORMATION:

MR. MORRIS J. DAYLEY OF 6919 FORTNEUF RD., POCATELLO, ID. (208) 233-0874, HAS LIVED MOST OF HIS LIFE AT THIS ADDRESS. HIS FATHER WAS A FARMER IN THIS AREA AT THE TIME MR DAYLEY WAS IN SCHOOL. AND MORRIS HELPED HIS FATHER. MORRIS IS A RETIRED RAILROAD WORKER THAT HAS FARMED & IS STILL FARMING THE SOUTH POCATELLO & FORTNEUF RIVER AREA OF BANNOCK CO, IDAHO. MORRIS TOLD ME THAT OUR PIECE OF PROPERTY ALONG THE FORTNEUF RIVER WAS IRRIGATED AS FAR BACK AS HE CAN REMEMBER UNTIL J.J. & MARLENE POUSSON SOLD THE PROPERTY & MOVED AWAY.

DR LONNA GERSTNER, D.V.M. OF 5011 HAWTHORNE RD., CHUBBUCK, ID. (208) 237-1149, A LONG TIME BANNOCK COUNTY VETERINARIAN. SHE SAID THAT SHE REMEMBERS IRRIGATED HAY BEING HARVESTED FROM THIS PROPERTY UNTIL APPROXIMATELY THE SAME TIME PERIOD.

ENCLOSED PLEASE ALSO FIND THE NOTARIZED STATEMENT OF FRANK BOCINGER OF 2417 N. FORT HALL MINE RD., POCATELLO, ID. WITH A STATEMENT OF HIS KNOWLEDGE OF THE IRRIGATION HISTORY,



DeLoa Perkins

4-28-04

Ronnie B. [Signature]

PROFILED

RECEIVED
SCANNED
MAR 03 2005
SEP 06 2002
WATER RESOURCES
WESTERN REGION



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 11, 2002

RONNIE BOYDE HOLLAND
AMY E HOLLAND
PO BOX 2407
POCATELLO ID 83201

RE: Notice of Change In Water Right Ownership for Snake River Basin Adjudication
(SRBA) claims 29-04259 and 29-10006.

Dear Mr. and Ms. Holland:

Your information packet containing a completed Change of Ownership form and affidavits supporting recent and historical use of the water on your property was received on September 6, 2002.

However, we are still missing part of the deed trail. In order to change the ownership on the above referenced claims the department needs the deed trail from the owner on the claim/water right to yourself. You provided a deed showing conveyance of the property from the John C. Marley Trust to yourself, but we are missing the deed trail from John and Marlene Polcyn to the John C. Marley Trust.

I am returning your submitted change of ownership information along with a receipt for the \$25 filing fee. However, I am retaining for the file the affidavits you send with the packet.

Please resubmit the change of ownership information with the additional requested information to this office at your earliest convenience.

Please feel free to contact me with any further questions.

Respectfully submitted,

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

PROFILED

SCANNED

MAR 03 2005

Idaho Department of Water Resources Receipt

Receipt ID W029682

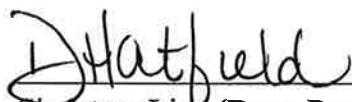
Payment Amount \$25.00 Date Received 9/6/2002 12:09:12 PM Region Western Status 
Payment Type Check Check Number 8271

Payer HOLLAND, R.B. OR AMY

Comment CHANGE OF OWNERSHIP: 29-10006 

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$25.00	OWNERSHIP CHANGES/SECURITY INTERESTS	0229	21	62140	1155



Signature Line (Dept. Representative)

SCANNED
MAR 03 2005

PROFILE



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 25, 2002

RON AND AMY HOLLAND
PO BOX 2407
POCATELLO, ID 83206

RE: CHANGE IN OWNERSHIP FOR 29-04259

Dear Ron and Amy Holland:

It has come to our attention that you may have recently purchased a tract of land in Bannock County. According to our records, the property to which I am referring to was most recently owned by Jon and Marlene Polcyn. The legal description is as follows:

T07S R35E S21 SE1/4 NW1/4
 SW1/4 NE1/4

This property was filed on in the Snake River Basin Adjudication (SRBA). IDWR is currently in the processing of reviewing the Adjudication claims in basin 29, and will submit a Directors Report in September of 2002. We recommend that if, in fact, you now own the property in question, you file a "Change in Ownership" with this department in order that we may send all further correspondence to the appropriate owner(s).

Enclosed is a Change in Ownership form. Please fill out the form completely, sign and date it and return it to my attention along with a "copy" of your Warranty Deed and legal description of the property you have purchased.

In addition, when I spoke to Amy on the phone we spoke about finding the historical use of the Portneuf river water on your property. One of the things I need is evidence of priority. I am including an evidence of Priority form letter to explain what the department needs to make a favorable recommendation on your water right.

If you have any questions regarding this matter, please call 334-2190.

Respectfully submitted,

Craig L. Saxton
Water Resource Agent
Enclosure(s)

SCANNED

MAR 03 2005

PROFILED



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 25, 2002

29-04259
AMY HOLLAND
RON HOLLAND
PO BOX 2407
POCATELLO ID 83206

RE: EVIDENCE OF PRIORITY

Dear Claimant (s):

The Idaho Department of Water Resources has begun its water right review in Basin 29. The Notice(s) of Claim identified with the number shown above in the "address" label and at the "end" of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, 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.

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some examples of Documents Which May Be Evidence of the Priority Date".

SCANNED

MAR 03 2005

PROFILED

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel.

.....
The Department 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 June 25, 2002, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please feel free to contact me at (208) 334-2190.

Respectfully submitted,



Craig L. Saxton
Water Resource Agent
Adjudication Bureau

Enclosure: Brochure on "Evidence of Priority"
Notice of Claim 29-04259

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SCANNED
MAR 03 2005

[Send To Printer](#)

[Back To TerraServer](#)

[11 x 17 Print Size](#)

USGS 12 km SE of Pocatello, Idaho, United States 15 Jul 1998



0 100M

0 100yd

Image courtesy of the U.S. Geological Survey

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SCANNED

MAR 03 2005

PROFILED



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 29



RIGHT ID
POD ID
Quad
Claim Type
Easting
Northing
GPSID

Diversion Description

5 HP PUMP TO 4 INCH MAINLINE TO SPRINKLER SYSTEM. Bit by owners dog; discontinued investigation. Not able to place GPS ID tag, unable to take photos.

Assumptions

Invoice #

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

Linked

Photos

EPE (ft)

Date (M/D/Y)

Time

Flow Rate (CFS)

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

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

Diameter

Depth

☐ Rectangular Channel

Width

Depth

Flow Calculation

☐ Continuity

Velocity

☐ Orifice

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

Depth of Water above orifice centerline

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe

Width of weir

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

Channel Slope

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

Pumped System ☒

HP

Pressure Head (psi)

Elevation Head (ft)

Motor Mfg

Motor Serial #

Pump Type

Pump Mfg

Pump Serial#

New Contact Information ☒

New Contact Comments

New owner, Jr. Wayas

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INTREPID
Engineering Services, Inc. (IES)
Enabling People and Solutions

PROFILED

SCANNED
MAR 03 2005

JUN 13 2001

April 11, 2001

A29-04259

MARLENE M POLCYN

JOHN E POLCYN

2401 N FORT HALL MINE RD

POCATELLO ID 83204

RE: EVIDENCE OF PRIORITY

Dear Claimant (s):

The Idaho Department of Water has recently begun its water right review in Basin 29. The Notice(s) of Claim identified with the number shown above in the "address" label and at the "end" of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, 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.

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice and the pamphlet entitled **"Evidence of Priority"**. The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled **"What Kind of Evidence is Required"** and **"Some examples of Documents Which May Be Evidence of the Priority Date"**.

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel.

.....
The Department 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 May 11, 2001, **referencing all documents with the corresponding Notice number.** If you have any questions not covered by this letter or the enclosed pamphlet, please feel free to contact me at 525-7161.

Respectfully submitted,

Craig Saxton
Water Resource Agent
Adjudication Bureau

Enclosure: Brochure on "Evidence of Priority"
 Notice of Claim A29-04259

Log for claim A29-04259

Spatial Dynamics BTD

9/5/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s35e	21	NESE	6	5	
07s35e	21	NWSE	1	1	
Totals:			7	6	

4/3/01 Needs Evidence of Priority - not on microfilm
LG

29-10006 - Domestic - PD'd

DATE: 05/18/00
PAGE: 197

Audit: 11/14/94 DCARLSON 03/29/95 POST-STD



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Mailing Address:
150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

31-May-1988

*Not YET SUBMITTED
MAP IS ATTACHED.*

John E. & Marlene M. Polcyn
2401 North Fort Hall Mine Road
Pocatello, Id 83204

Re: Adjudication Claim Nos. A29-10005 & A29-10006.

Dear Mr. & Mrs. Polcyn,

Enclosed are the completed claim forms which will record the water rights for your domestic well and for the Claim No. 29-4259.

Please note, both claims must be signed in the presence of a notary public and returned to this office. Please feel free to make any changes you feel are necessary to accurately describe the water right.

The filing fee for both claims is \$82.

If you have any questions please feel free to contact me.

Sincerely,

Steve McCormick, P.E.
Water Resource Engineer

MICROFILMED

NOV 13 1990

MICROFILMED

NOV 13 1992

A29-10005 / 10006

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 29-4259
Date Received: 4/20/1990
Receipt No: E013464
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

RONNIE BOYD HOLLAND Phone: (208) 233-8742

PO BOX 2407
POCATELLO ID USA 83206

AMY E HOLLAND Phone: (208) 233-8742

PO BOX 2407
POCATELLO ID USA 83206

2. Date of Priority: 06/01/1938

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	Type
07S	35E	21	NE NE SE	BANNOCK	

5. Description of diverting works:

5 HP PUMP TO 4 INCH MAINLINE TO SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.27	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	25E	21	NW	SE	IRRIGATION	1
			NE	SE	IRRIGATION	6
					Section Acres	7
					Total Acres	7

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:

THIS CLAIM SHOULD BE REFERENCED TO STATUTORY CLAIM NO. 29-4259.

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 _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

SCANNED

MAR 22 2006

JUN 13 2001

57 X

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

Renumbered A29-04259

Ident. Number: A29-10005

Date Received: 5/31/1988 P.M.

Receipt No: E013464 4-19-90

APR 20 1990

Department of Water Resources
Eastern District Office

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

1. Name: JOHN E. POLCYN 208-232-7650
Address: 2401 NO. FORT HALL MINE RD.
POCATELLO, ID 83204

AND/OR

Name: MARLENE M. POLCYN 208-232-7650
Address: 2401 NO. FORT HALL MINE RD.
POCATELLO, ID 83204

2. Date of Priority: JUN 01, 1938

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	35E	21	NE	NE	SE		BANNOCK

5. Description of diverting works:

5 H.P. PUMP TO 4 INCH MAINLINE TO SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.270		

7. Total Quantity Appropriated is:

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

8. Total consumptive use is 21.0 Acre Feet Per Annum.

9. Non-irrigation uses:

NONE.

A2904259



MICROFILMED
NOV 13 1990
MICROFILMED
NOV 13 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	25E	21	NE	SE		IRR	6.0
			NW	SE		IRR	1.0
						Section Acres	7.0
						Total Acres	7.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
NONE.

14. Remarks:
THIS CLAIM SHOULD BE REFERENCED TO STATUTORY CLAIM NO. 29-4259.

15. Basis of Claim: BENEFICIAL USE
Water Right Number: 294259

MICROFILMED
NOV 13 1990

MICROFILMED
NOV 13 1992

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):

John E Polcy
Marlene M Polcy

Date: 4/17/90

Date: 4/17/90

State of ~~Idaho~~ NEVADA)

) SS.

County of Banner ~~HUMBOLDT~~

Subscribed and sworn (or affirmed) before me this 17 day

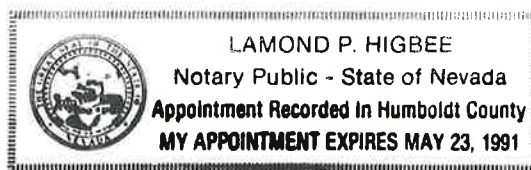
of April 19 90

Lamond P Higbee
Notary Public

Seal

Residing at Winnemucca, Nevada

My Commission Expires May 23, 1991



MICROFILMED

NOV 13 1990

MICROFILMED
NOV 13 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	25E	21	NW	SE		IRR	1.0

Section Acres 7.0

Total Acres 7.0

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:

14. Remarks:

THIS CLAIM SHOULD BE REFERENCED TO STATUTORY CLAIM NO. 29-4259.

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: _____

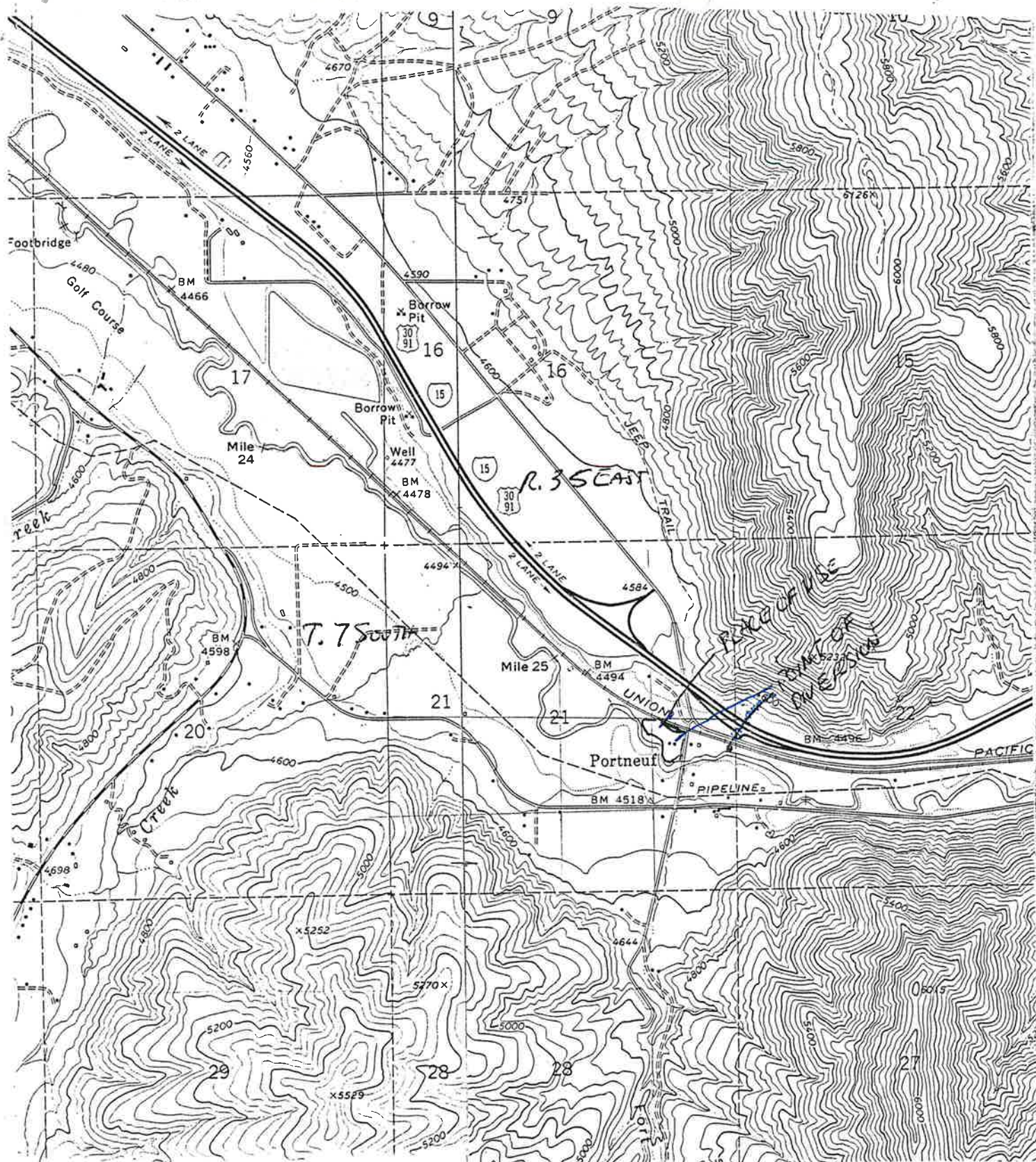
For Individuals:

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

Signature of Claimant(s): _____ Date: _____

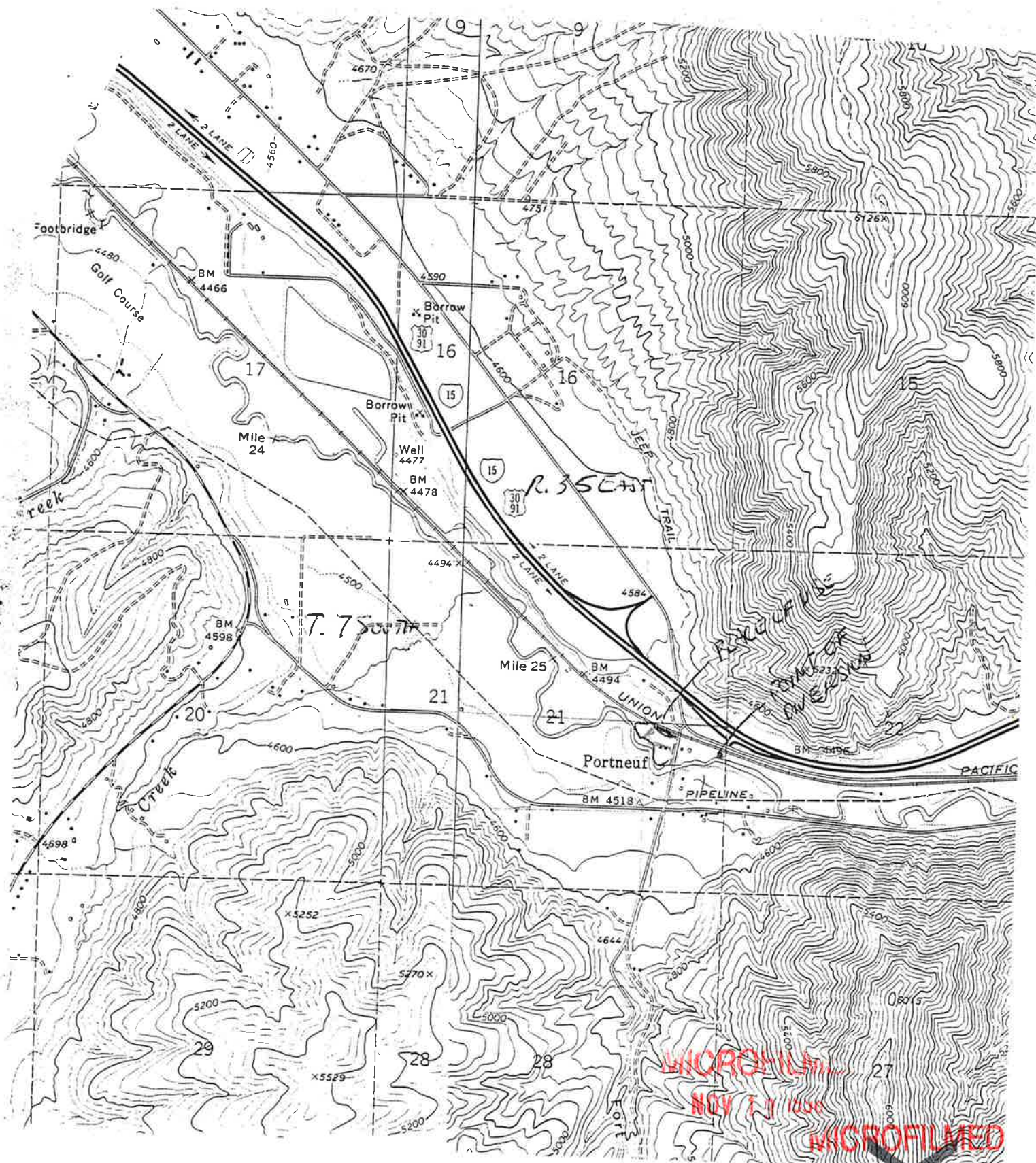
_____ Date: _____

MICROFILMED
NOV 13 1996



MICROFILMED
NOV 13 1996
MICROFILMED
NOV 13 1992

PLEASE RETURN w/ CLAIM # 29-10065



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: **A29-04259**
Date Received: 5/31/1988
Receipt No: E013464
Received By: _____

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

1. Name: MARLENE M POLCYN 208-232-7650
Address: 2401 N FORT HALL MINE RD
POCATELLO ID 83204

Name: JOHN E POLCYN 208-232-7650
Address: 2401 N FORT HALL MINE RD
POCATELLO ID 83204

2. Date of Priority: JUN 1, 1938

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	35E	21	NE	NE	SE		BANNOCK

5. Description of diverting works:
5 HP PUMP TO 4 INCH MAINLINE TO SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.270		

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

8. Total consumptive use is 21.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
07S	25E	21	NE	SE		IRR	6.0

MICROFILMED
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