

IDAHO DEPARTMENT OF WATER RESOURCES 10/31/2001  
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

NAME AND ADDRESS: HOWARD L ARMSTRONG  
13244 W TRAIL CK  
POCATELLO ID 83204

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.10 CFS  
47.2 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

USE OF THIS RIGHT WITH RIGHT NO. 29-02182 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.26 CFS.

PRIORITY DATE: 12/31/1955

POINT OF DIVERSION:

T06S R34E S28 SENWSE Within BANNOCK County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>        |
|-----------------------|----------------------|------------------------|
| DOMESTIC              | 01/01 12/31          | 0.040 CFS              |
| IRRIGATION            | 04/01 10/31          | 0.100 CFS<br>47.20 AFY |

PLACE OF USE: IRRIGATION Within BANNOCK County

|               |      |     |               |      |     |
|---------------|------|-----|---------------|------|-----|
| T06S R34E S28 | SWNE | 2.4 | T06S R34E S28 | SENE | 8.5 |
| T06S R34E S28 | NESE | 0.2 | T06S R34E S28 | NWSE | 0.7 |

DOMESTIC same as IRRIGATION

11.8 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 29-02182 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 11.8 ACRES IN A SINGLE IRRIGATION SEASON.

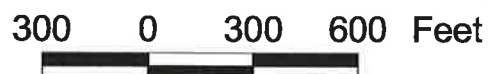
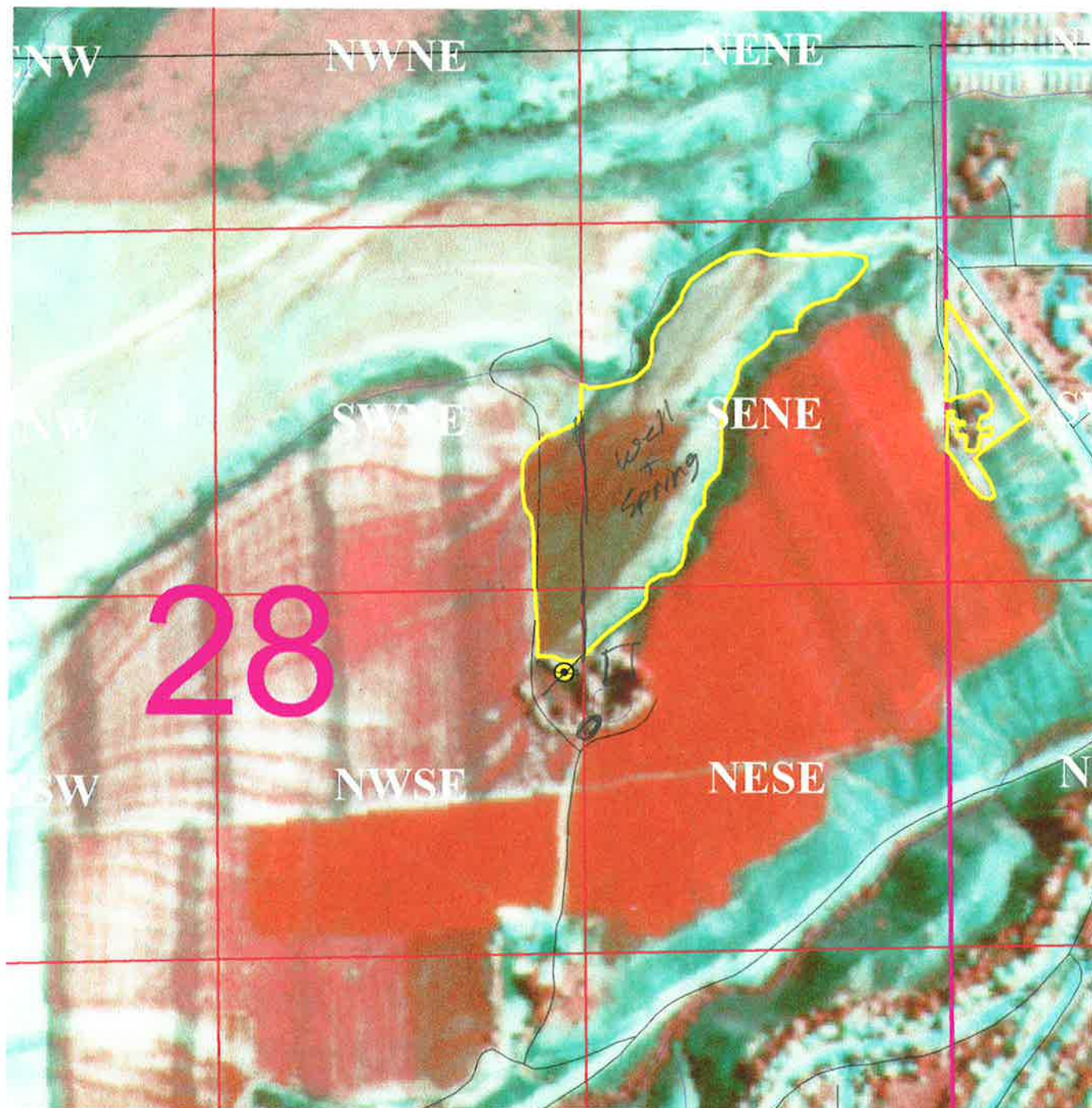
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Beneficial Use

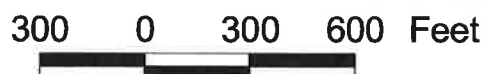
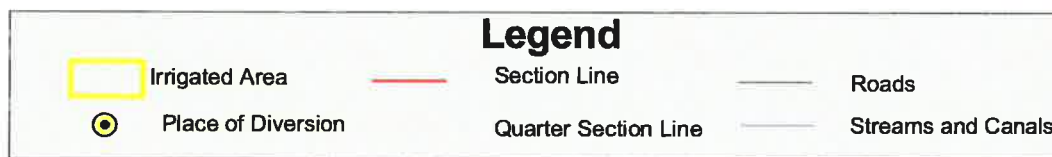
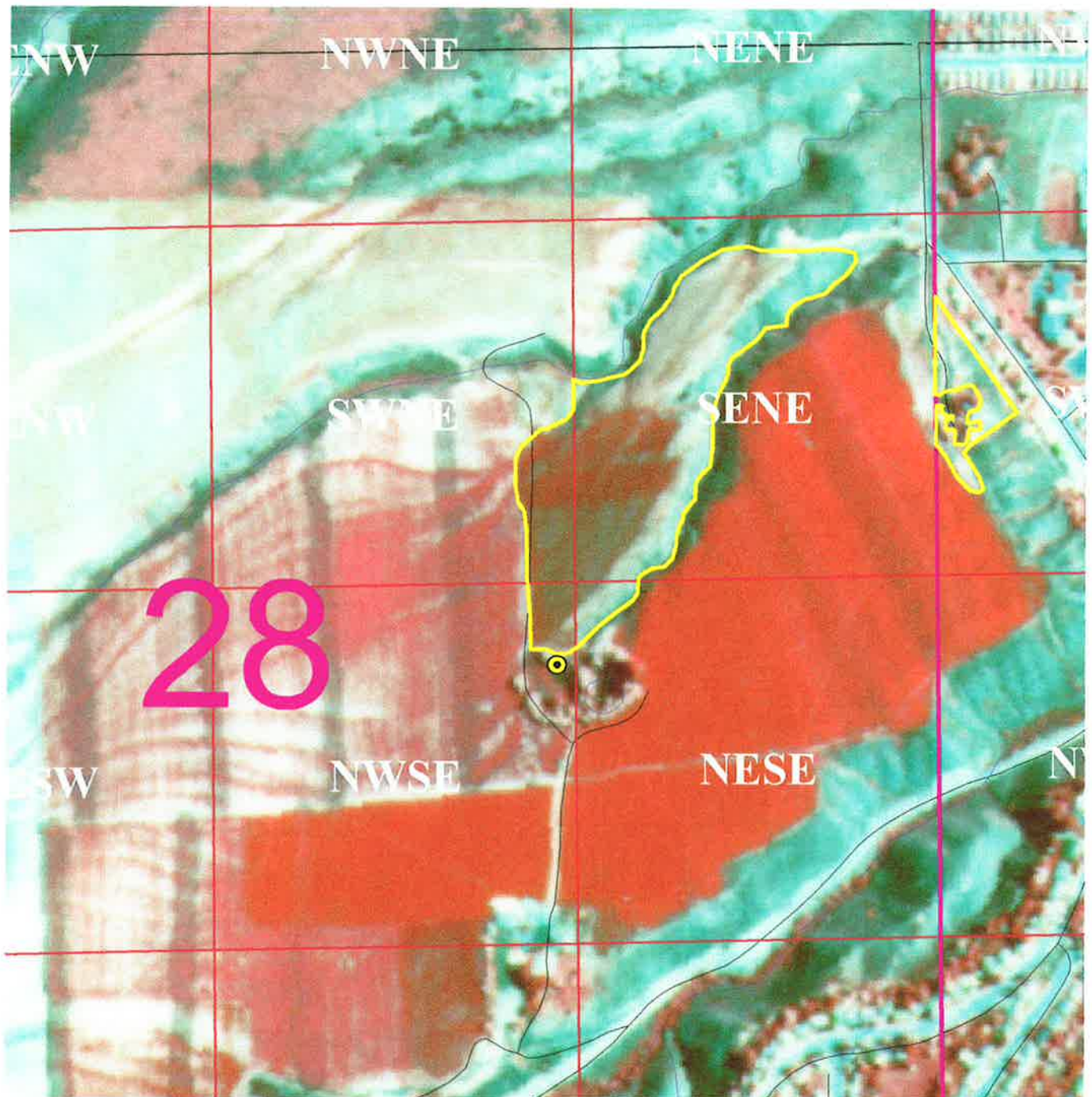
Water Right Claim Number A29-04264  
Township , 6S34E

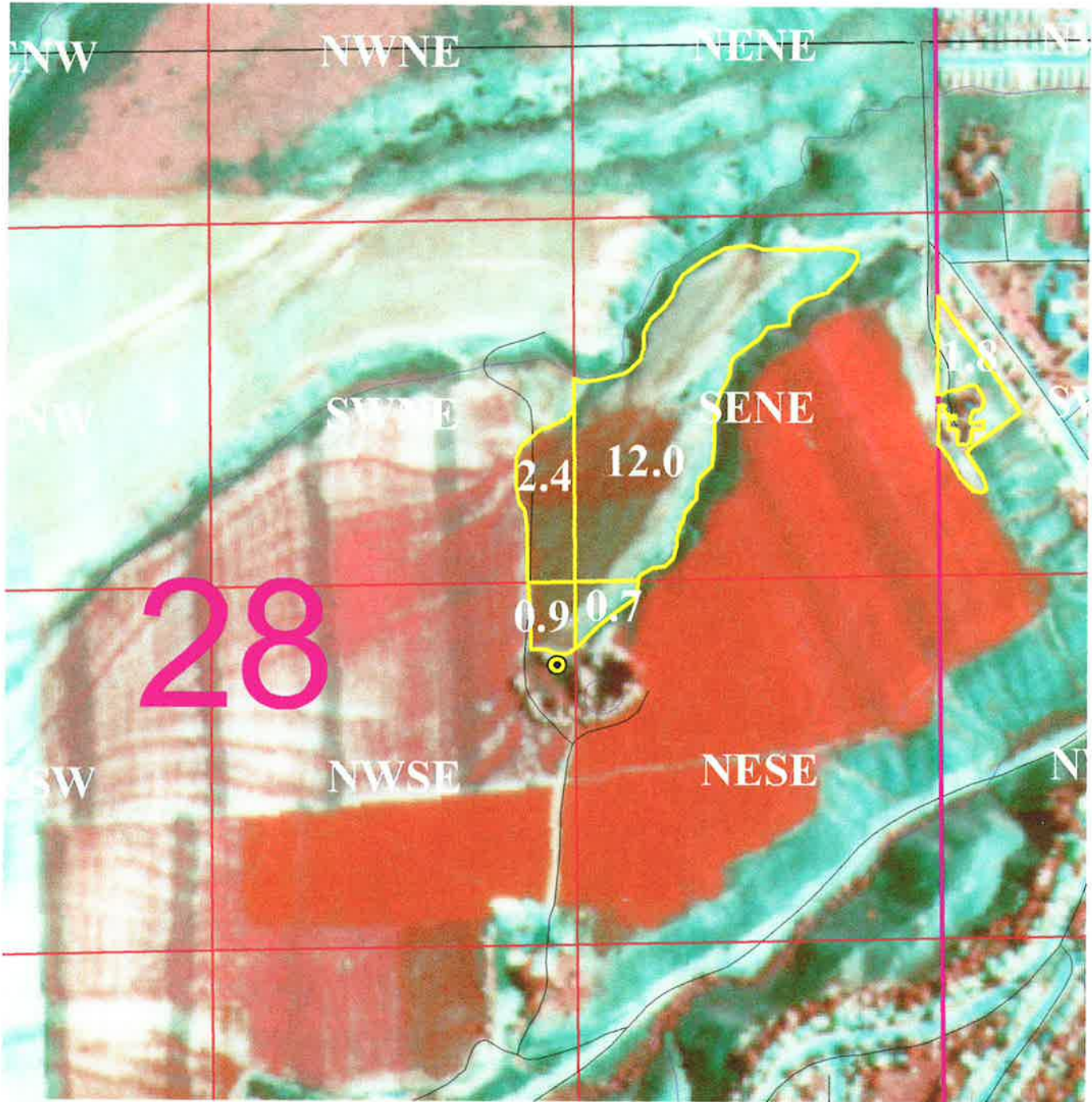
09/20/2000



Water Right Claim Number A29-04264  
Township , 6S34E

09/20/2000





 Irrigated Area

 Section Line

 Roads

 Place of Diversion

 Quarter Section Line

 Streams and Canals



## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 29-4264 V1

WATER RIGHT NUMBER: 29-4264 V1

|                   |                                                                                |
|-------------------|--------------------------------------------------------------------------------|
| <u>Owner Type</u> | <u>Name and Address</u>                                                        |
| Current Owner     | HOWARD L ARMSTRONG<br>13244 W TRAIL CK<br>POCATELLO, ID 83204<br>(208)232-5812 |

Priority Date: 12/31/1955  
Basis: Beneficial Use  
Status: Active

|               |                  |
|---------------|------------------|
| <u>Source</u> | <u>Tributary</u> |
| GROUND WATER  |                  |

|                       |                         |                       |                      |
|-----------------------|-------------------------|-----------------------|----------------------|
| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
| DOMESTIC              | 01/01 to 12/31          | 0.040 CFS             |                      |
| IRRIGATION            | 04/01 to 10/31          | 0.100 CFS             | 47.20 AF             |
|                       | <u>Total Diversion:</u> | 0.100 CFS             | 47.20 AF             |

Location of Point(s) of Diversion

|                |                 |                                 |
|----------------|-----------------|---------------------------------|
| GROUND WATER   | SE1/4NW1/4SE1/4 | Sec. 28, Twp 06S, Rge 34E, B.M. |
| BANNOCK County |                 |                                 |

Place of UseIRRIGATION Within BANNOCK County

|                   |      |     |               |      |     |
|-------------------|------|-----|---------------|------|-----|
| T06S R34E S28     | SWNE | 2.4 | T06S R34E S28 | SENE | 8.5 |
| T06S R34E S28     | NESE | 0.2 | T06S R34E S28 | NWSE | 0.7 |
| Total Acres: 11.8 |      |     |               |      |     |

DOMESTIC same as IRRIGATIONConditions 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.
2. N10 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. N12 THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

1. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NO. 29-02182 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 11.8 ACRES IN A SINGLE IRRIGATION SEASON.
2. Quantity USE OF THIS RIGHT WITH RIGHT NO. 29-02182 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.26 CFS.

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommendation Report 29-4264 V1

Comments:

1. csaxton 10/31/2001 Diversion Rate

Comment: Diversion rate recommended for this right is limited by system capacity as measured by Intrepid Engineering Services.

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> |
|----------------|---------------------------|-----------------|---------------------------|-----------------|---------------|
| Priority Date  | 10/31/2001 9:51:59 AM     | csaxton         |                           |                 | Active        |
| POD            | 10/31/2001 9:54:56 AM     | csaxton         |                           |                 | Active        |
| Source         | 10/31/2001 10:01:23 AM    | csaxton         |                           |                 | Active        |
| POU            | 10/31/2001 10:02:16 AM    | csaxton         |                           |                 | Active        |
| Use            | 10/31/2001 10:04:53 AM    | csaxton         |                           |                 | Active        |
| Season         | 10/31/2001 10:06:26 AM    | csaxton         |                           |                 | Active        |
| Quantity       | 10/31/2001 10:14:26 AM    | csaxton         |                           |                 | Active        |
| Summary        | 10/31/2001 10:18:50 AM    | csaxton         | 10/31/2001 10:18:50 AM    | csaxton         | Active        |

Verification Log:

| <u>Element</u> | <u>Date Time Stamp</u> | <u>Reviewer</u> | <u>Log text</u>                                                                           |
|----------------|------------------------|-----------------|-------------------------------------------------------------------------------------------|
| Contacts       | 10/31/2001 9:49:40 AM  | csaxton         | (No) 1. Do you want to schedule an appointment?<br><br>Comment for 1: Field Exam 6/12/01. |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 29-4264 V1

|               |                        |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|---------------|------------------------|---------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Priority Date | 10/31/2001 9:51:59 AM  | csaxton | <p>(No) 1. Should this water use have been included in a later court decree of the water rights from this source?</p> <p>(No) 4. Is the basis of claim decree or license?</p> <p>(No) 7. Is the basis of claim a Application or Permit?</p> <p>(No) 8. Is the basis of claim a posted notice?</p> <p>(No) 9. Is the Priority Date claimed after the date a permit is required for the source and the water use?</p> <p>(Yes) 12. Does the claim file contain sufficient evidence of Priority Date?</p> <p>(Yes) 15. Is the basis of claim coded correctly?</p> <p>(No) 16. Is a Priority Date remark and/or condition required?</p> <p>Description for Question 12/13 - Conversation with Claimant. He stated that well was drilled before he went to law school, and he went to law school in 1955.</p> |
| POD           | 10/31/2001 9:54:56 AM  | csaxton | <p>(No) 1. Is the basis of this claim a Decree or License?</p> <p>(No) 2. Is the basis of this claim a Application or Permit?</p> <p>(No) 6. Is there evidence that there has been a change in the POD?</p> <p>(Yes) 8. Does the file contain all the necessary information to verify the POD?</p> <p>(No) 10. Is a POD remark and/or condition required?</p> <p>Description for Question 8 - Field exam 6/12/01 GPS location taken</p>                                                                                                                                                                                                                                                                                                                                                                  |
| POD           | 10/31/2001 10:00:21 AM | csaxton | Edited point location                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| POD           | 10/31/2001 10:00:45 AM | csaxton | Edited PLS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Source        | 10/31/2001 10:01:23 AM | csaxton | <p>(No) 1. Is the basis of claim decree or license?</p> <p>(No) 2. Is the basis of claim an Application or Permit?</p> <p>(No) 6. Is the basis of claim a Posted Notice?</p> <p>(No) 7. Is there evidence that there has been a change in the source?</p> <p>(Yes) 10. Does the file contain all the necessary information to verify the source?</p> <p>(No) 11. Is a Source remark and/or condition required?</p> <p>Description for Question 10 - Field Exam 6/12/01</p>                                                                                                                                                                                                                                                                                                                               |
| POU           | 10/31/2001 10:02:16 AM | csaxton | <p>(No) 1. Is the basis of this claim a Decree or License?</p> <p>(Yes) 2b. Is the POU required?</p> <p>(No) 3. Is the basis of claim a Application or Permit?</p> <p>(No) 7. Is there evidence that there has been a change in the POU?</p> <p>(Yes) 13. Does the file contain all the necessary information to verify the POU?</p> <p>(Yes) 14. Is a POU remark and/or condition required?</p> <p>Description for Question 13 - Napp photography and field exam 6/12/01.</p>                                                                                                                                                                                                                                                                                                                           |
| POU           | 10/31/2001 10:02:55 AM | csaxton | Edited shape boundary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 29-4264 V1

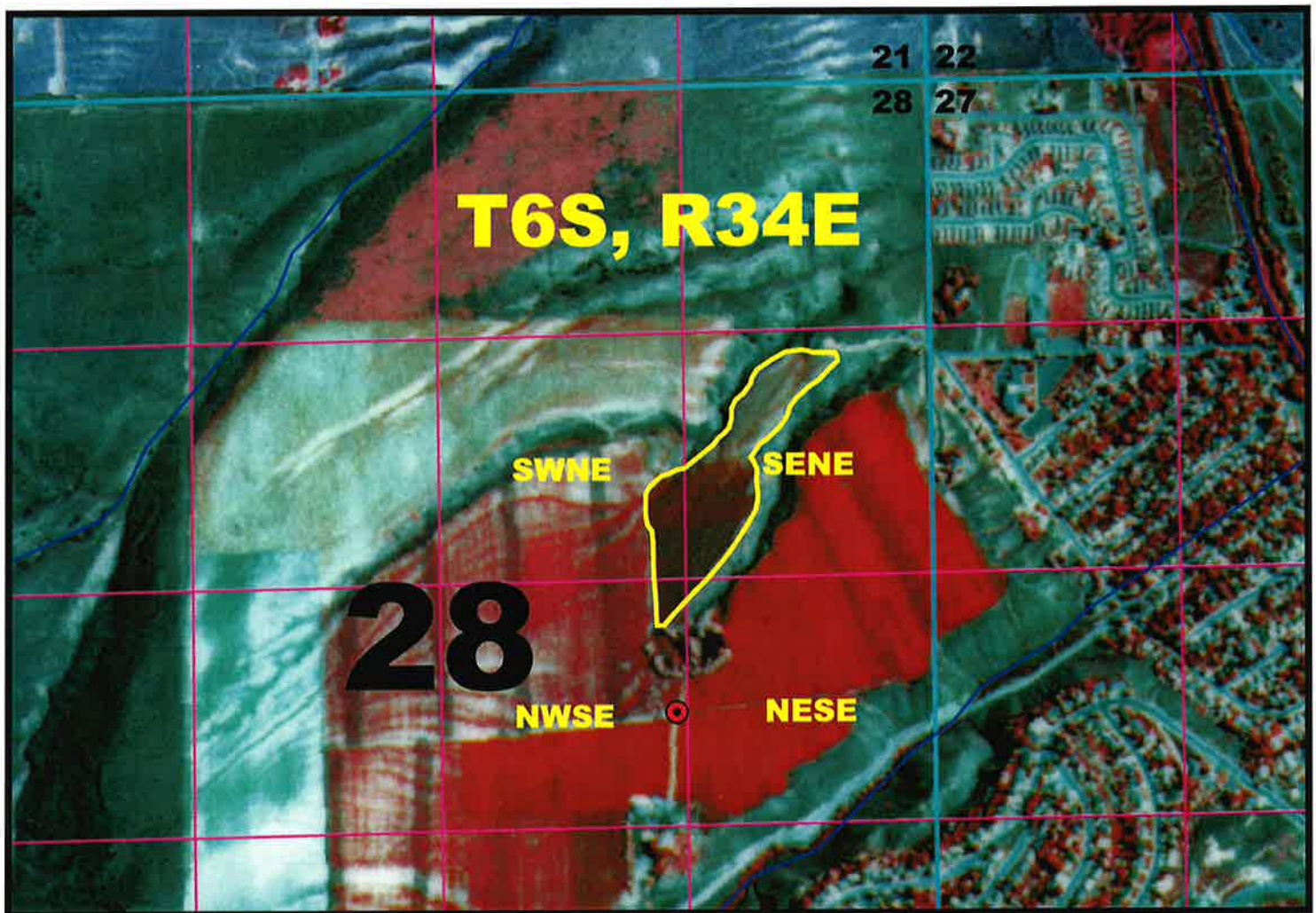
|         |                        |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|---------|------------------------|---------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| POU     | 10/31/2001 10:03:38 AM | csaxton | Edited PLS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Use     | 10/31/2001 10:04:54 AM | csaxton | <p>(No) 1. Is the basis of this claim a Decree or License?</p> <p>(No) 2. Is the basis of this claim a Application or Permit?</p> <p>(No) 6. Is there evidence that there has been a change in the Purpose of Use?</p> <p>(Yes) 11. Does the file contain all the necessary information to verify the Water Use?</p> <p>(No) 13. Is a Purpose of Use remark and/or condition required?</p> <p>Description for Question 10,11,12 - Field Exam 6/12/01</p>                                                                                                                                                                                                   |
| Season  | 10/31/2001 10:06:26 AM | csaxton | <p>(No) 1. Is the basis of claim decree or license?</p> <p>(No) 2. Is the basis of claim a Application or Permit?</p> <p>(No) 6. Is there evidence that there has been a change in the Period of Use?</p> <p>(Yes) 12. Does the file contain all the necessary information to verify the Period of Use?</p> <p>(No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined?</p> <p>(Yes) 15. Is irrigation claimed as a Purpose of Use?</p> <p>(No) 18. Is a Period of Use remark and/or condition required?</p>                                                    |
| POD     | 10/31/2001 10:14:26 AM | csaxton | <p>(No) 1. Is the basis of this claim a Decree or License?</p> <p>(No) 2. Is the basis of this claim a Application or Permit?</p> <p>(No) 6. Is the basis of claim a posted notice?</p> <p>(Yes) 7. Is a flow measurement required?</p> <p>(Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit?</p> <p>(Yes) 10. Is a irrigation a purpose of use?</p> <p>(Yes) 12. Is a Quantity remark or condition required?</p> <p>Description for Question 7 - Intrepid Engineering Theoretical calculation based on their field exam.</p> <p>Description for Question 10 - IDWR Standard for the area is 4.0af/acre.</p> |
| Summary | 10/31/2001 10:18:51 AM | csaxton | <p>(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?</p> <p>(Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed?</p> <p>(Yes) 5. Is an additional remark and/or condition required?</p> <p>(Yes) 6. Would you like to view the recommended right?</p> <p>(No) 7. Is this a split or combined right?</p> <p>(No) 8. Do you have documents you would like to attach or link to the file?</p> <p>(Yes) 9. Would you like to set the verification date?</p>                                                                                                                   |



# STATE OF IDAHO

Department of Water Resources  
Eastern Region

Water Right(s): 29-04264



1320 0 1320 2640 Feet

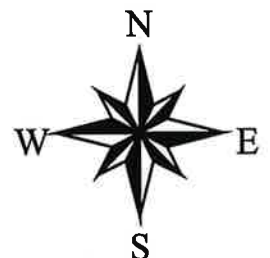
**Total Irrigated Acres: 11.8**

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

**PROFILED**

SCANNED

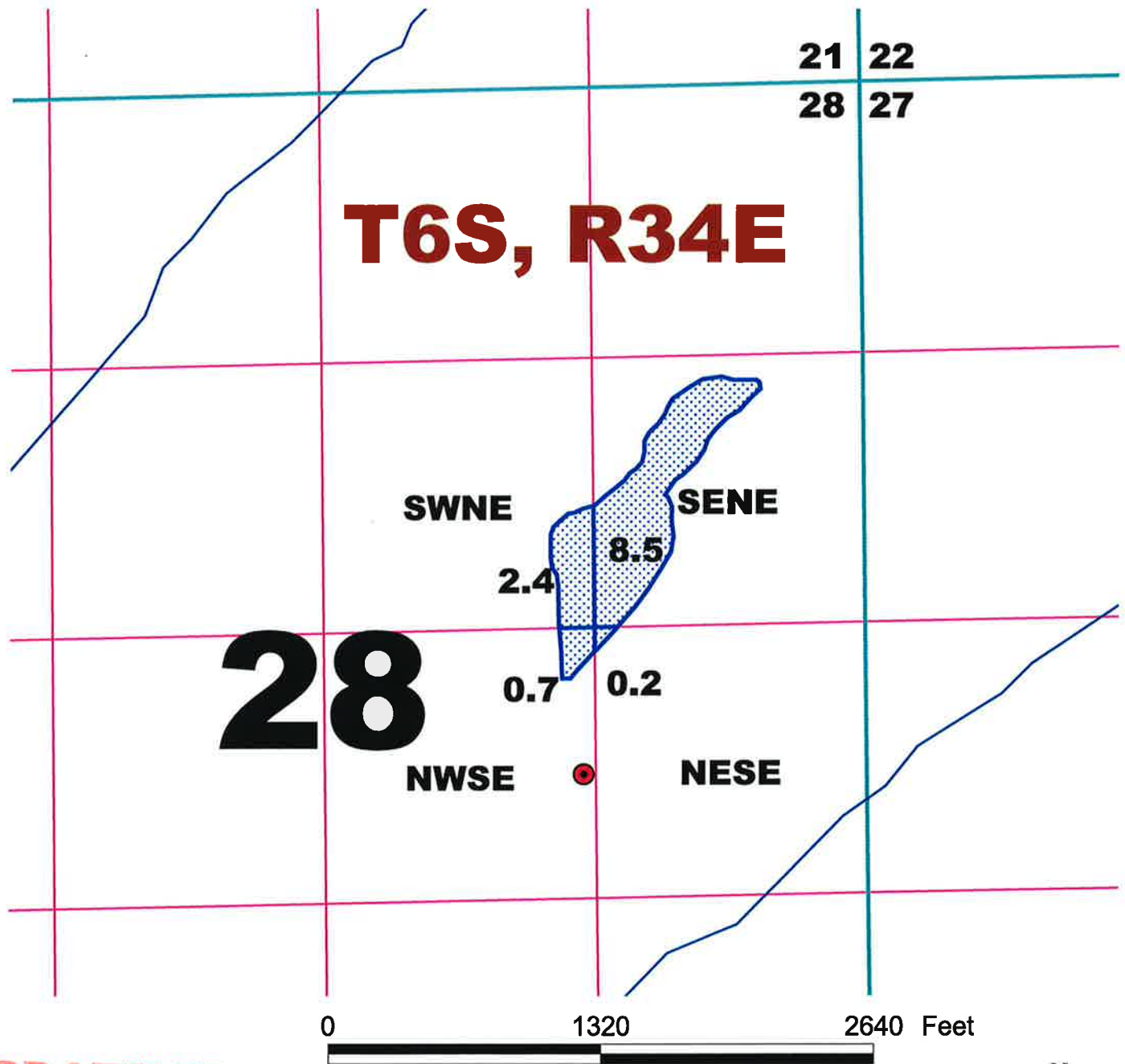
MAR 03 2005



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

# Howard L Armstrong

**WR # (s): 29-04264**



**PROFILED**

**Total Irrigated Acres: 11.8**  
SCANNED



MAR 03 2005

**Acreage Distribution**

Prepared By: Craig Saxton  
July 2001

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: 29-4264

HOWARD L ARMSTRONG  
13244 W TRAIL CREEK  
POCATELLO ID 83204  
Telephone Number: (208)232-5812

RECEIVED  
APR 14 2003  
Department of Water Resources  
Eastern 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:

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

DATE:

4-7-03

SIGNATURE:

*Howard L. Armstrong Jr.*

Please print your name:

Howard L. Armstrong Jr.

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

SCANNED

MAR 03 2005

PROFILED

## **Memorandum**

Date: July 4, 2001

From: Craig Saxton

Subject: 29-04264

29-04264 is statutory claim for well. In 1974 when the well associated with 29-07243 was installed, this well water was then put into a pond and used to irrigate the gully where it is currently in use.

### **Results**

POU – GIS shows 11.8 acres

POD – GPS point taken

Purpose of Use – Irrigation and domestic for two homes. One home isn't owned by Mr. Armstrong. He says they have a well agreement. Other user isn't on claim and shouldn't be.

SOU – Set at IDWR standard.

Overlap – E01 - Right 29-02182 is a spring used to fill the pond that irrigates the same place of use as this right.

Diversion Rate - Measurement Needed. E01 needs to be limited to 0.26 cfs recommended in 29-02182.

C18

Source – Groundwater

Priority Evidence - In conversation with Mr. Armstrong, he stated that he new the well was drilled the year before he went to Law School. He went

### **Status As of July 4, 2001**

Layouts done, JPG on X-drive, Shape made, POD accurate

Measurement Needed – then finish data entry in eCVR.

**PROFILED**

SCANNED  
MAR 03 2005

29-04264

POD

FIELD EXAM: 6/12/01



Looking South. Well is located inside the corrugated shed. Ernie Carlsen took Picture. POU to the South behind the trees in the background (csaxton 10/31/01).

SCANNED  
MAR 03 2005

PROFILED

SD-1603-3

Idaho Department Of Water Resources  
Detail Receipt Summary Screen

Date: 10/31/01  
Time: 10:10:17

Rec/No - E012011 AR/No -  
From: - ARMSTRONG, HOWARD

Receipt Type - CK Doc/No - 1995  
Remarks -

MOST CURRENT RECEIPT

Receipt Date: 02/09/1990

| Type Of Payment  | Fund | FD | PCA    | Obj  | Subsid | Fee     |
|------------------|------|----|--------|------|--------|---------|
| ADJUDICATION FEE | 9337 |    | 410162 | 6490 |        | 1417.00 |

Total Due - 1417.00

| WR/No    | WR Fee | WR/No    | WR Fee | WR/No    | WR Fee |
|----------|--------|----------|--------|----------|--------|
| A2902512 | 364.00 | A2902542 | 86.00  | A2904265 | 62.00  |
| A2902454 | 210.00 | A2907026 | 205.00 | A2907196 | 152.00 |
| A2904264 | 64.00  | A2907243 | 274.00 |          |        |

(Enter=Continue)

(GOLD7=Selection Screen)

(GOLD8=Cancel)

SCANNED  
MAR 03 2005

PROFILED



# IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 29



RIGHT ID 29 4264  
POD ID 196597  
Quad Pocatello South  
Claim Type L  
Easting 324126  
Northing 197471  
GPSID A0012686

## Diversion Description

Domestic water for 2 homes and irrigation for lawns at 2 homes & main house.

## Assumptions

### 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

POD ID 196597 01.jpg

EPE (ft)

19

Date (M/D/Y)

Time

Flow Rate (CFS)

0.158625836335564

## 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 5

Pressure Head (psi) 30

Elevation Head (ft) 125

Motor Mfg

Motor Serial #

Pump Type Submersible

Pump Mfg

Pump Serial#

## New Contact Information



New Contact Comments

This Form and the associated query are the exclusive intellectual property of Intrepid Engineering Services, and may not be copied, modified, or distributed without the express written consent of Intrepid Engineering Servc, Inc.

RECEIVED



INTREPID

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

JAN 23 2003  
SCANNED  
Department of Water Resources  
MAR 03 2005

PROFILED



# IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 29

Claim # 299079

POD ID 196597

Claim Type L

Easting 324126

Northing 197471

GPSID A0012686

Div. Capacity (CFS) 0.1

Quad Pocatello South

Linked Photos

Invoice #

2000-037-01-02

Phase

Phase-IV (Total Complete)

Township  Range  Section

## Diversion Description

Runs domestic water for 2 homes and lawn at 2 homes and main house EPE 19 ft.

## Pumped System ☒

Pump Sys Efficiency assumed

0.7

Motor Size (HP)

5

Pressure at Pump

70

Depth from Centerline of Pump to Surface

140

Motor Serial #

Pump Type

Submersible

Pump Manufact

Hours on Meter

KW hrs used

Measuring EQ.

Pump Serial#

Maximum Calculated flowrate (CFS)

0.10229804839715

## Open Channel Flow ☐

Cross Section Area ft^2

Mannings N

Hydraulic Radius ft

Slope

Maximum calculated flowrate (CFS)

## New Contact Information ☐

New First Name

New Last Name

New Phone#

New FAX#

New Street

New City-St-Zip

New Country

New Contact Comments

Prepared By: Intrepid Engineering Services, Inc.

SCANNED

MAR 03 2005



**INTREPID**

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

PROFILED

JUN 15 2001

Log for claim A29-04264

Spatial Dynamics BTD

9/20/00

| TR             | SEC | QQ   | Acres<br>Claimed | Acres<br>Found | COMMENT       |
|----------------|-----|------|------------------|----------------|---------------|
| 06s34e         | 27  | SWNW | 2                | 1.8            |               |
| 06s34e         | 28  | SWNE | 2                | 2.4            |               |
| 06s34e         | 28  | SENE | 5                | 12             | Indiscernible |
| 06s34e         | 28  | NESE | 3                | 0.7            |               |
| 06s34e         | 28  | NWSE | 2                | 0.9            |               |
| <b>Totals:</b> |     |      | 14               | 17.8           |               |

4/10/01 NO Priority Evidence in microfilm

6/8/01 - needs to Amend claim to add acres

- does well serve House - yes

- No Irrigation in S27 SWNW

- Driller Forest League

- started law school in 1959. Howard says it was drilled before he went to law school.

\*Picture - looking South N. I am in the blue jacket to left of picture with the GPS.

AJ5809NP  
No. A29-04264

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/24/00  
PAGE: 75

| OWNER<br>CODE    | NAME & ADDRESS                                          | PRIORITY<br>DATE | WATER USE              | USE PERIOD<br>FROM TO      | DIVERSION<br>RATE      | DIVERSION<br>VOLUME |
|------------------|---------------------------------------------------------|------------------|------------------------|----------------------------|------------------------|---------------------|
| C                | HOWARD L ARMSTRONG<br>PO BOX 4153<br>POCATELLO ID 83201 | 05/15/1954       | IRRIGATION<br>DOMESTIC | 04-01 11-01<br>01-01 12-31 | 0.250 CFS<br>0.050 CFS |                     |
| TOTAL DIVERSION: |                                                         |                  |                        |                            | 0.300 CFS              |                     |
| CONSUMPTIVE USE: |                                                         |                  |                        |                            |                        | 35.00 AFA           |

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

Point(s) of Diversion:

T06S R34E S28

NWSE

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  |
| 06S         | 34E | 27 | : |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | : | 2.0  |
| 06S         | 34E | 28 | : |    |    |    | 02 |    | 05 | :  |    |    |    |    |    |    |    | 03 | 02 | : | 12.0 |
| TOTAL ACRES |     |    |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | : | 14.0 |

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

POU County: BANNOCK

Non-Irrigation Uses: S/ UP TO 2 HORSES 20 COWS

Other Rights: NONE

Other Water Rights Listing Overlapping Place(s) of Use:  
A29-02182 A29-07243

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:  
Presumption Flag:

Audit: 02/09/90 DCARLSON 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

Howard L. Armstrong  
(Name of Claimant)  
P.O. Box 4153 Pocatello, Idaho 83201 Telephone No. 232 5812  
(Mailing Address) (Zip Code)

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

- (1) Date of priority: (When was the water first applied to a beneficial use) May 15 1954  
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)  
ground water tributary to

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

| Quantity                | (cfs, gpd, AFA) | Use                   | (Domestic, Irrigation, Stock, Etc.) | (Both dates inclusive)        |                 |
|-------------------------|-----------------|-----------------------|-------------------------------------|-------------------------------|-----------------|
|                         |                 |                       |                                     | (Mo., Day)                    | (Mo., Day)      |
| Quantity <u>.25 cfs</u> |                 | Use <u>Irrigation</u> |                                     | Period of Use From <u>4-1</u> | To <u>11-1</u>  |
| Quantity <u>.05 cfs</u> |                 | Use <u>Domestic</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) .30 cfs TOTAL QUANTITY USED.  
(cfs, gpd, AFA)

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

NW 1/4 SE 28 Sec. 28 Twp. 6 S Rge. 34 E B.M., County of Bannock  
Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Pumped well with 5 horse-power submersible with sprinkler lines and distribution line to home

- (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 |       |
| 6 S | 34 E | 28   |        |        | 2      | 5      |        |        |        |        |        |        |        |        | 3      | 2      |        |        | 12    |
| "   | "    | 27   |        |        |        |        |        | 2      |        |        |        |        |        |        |        |        |        |        | 2     |
|     |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |

No. of acres 14

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

In addition to irrigation water supplied to one household & surrounding yard.

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

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

1730

B7

C  
381

D  
441

A574

W 85E  
26  
T65  
A34E

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 29-4264  
Date Received: 2/9/90  
Receipt No: E012011  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

HOWARD L ARMSTRONG Phone: (208)232-5812

13244 W TRAIL CK  
POCATELLO ID USA 83204

2. Date of Priority: 05/15/1954

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County  | Type |
|----------|-------|---------|-----------------------|---------|------|
| 06S      | 34E   | 28      | NW SE                 | BANNOCK |      |

5. Description of diverting works:

WELL, SPRINKLER LINES & DISTRIBUTION LINES

6. Water is used for the following purposes:

| Purpose    | From | To    | C.F.S. | (or) A.F.A |
|------------|------|-------|--------|------------|
| IRRIGATION | 4/01 | 11/01 | 0.25   |            |
| DOMESTIC   | 1/01 | 12/31 | 0.05   |            |

7. Total Quantity Appropriated is:  
0.3 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 |
|----------|-------|---------|------------|-----|---------------|-------|
| 06S      | 34E   | 27      | SW         | NW  | IRRIGATION    | 2     |
|          |       |         |            |     | Section Acres | 2     |
| 06S      | 34E   | 28      | NE         | SE  | IRRIGATION    | 3     |
|          |       |         | NW         | SE  | IRRIGATION    | 2     |
|          |       |         | SW         | NE  | IRRIGATION    | 2     |
|          |       |         | SE         | NE  | IRRIGATION    | 5     |
|          |       |         |            |     | Section Acres | 12    |
|          |       |         |            |     | Total Acres   | 14    |

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:

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.

JUN 15 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: A29-04264  
Date Received: 2/09/1990  
Receipt No: E012011  
Received By: DE

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: HOWARD L. ARMSTRONG  
Address: P.O. BOX 4153  
POCATELLO, ID

83201

2. Date of Priority: MAY 15, 1954

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

|          |       |         |        |        |     |     |         |
|----------|-------|---------|--------|--------|-----|-----|---------|
| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County  |
| 06S      | 34E   | 28      | NW     | SE     |     |     | BANNOCK |

5. Description of diverting works:

WELL, SPRINKLER LINES & DISTRIBUTION LINES

6. Water is used for the following purposes:

| Purpose                                | From  | To    | C.F.S. | (or) | A.F.A. |
|----------------------------------------|-------|-------|--------|------|--------|
| IRRIGATION                             | 04/01 | 11/01 | 0.250  |      |        |
| DOMESTIC - <i>Home Water Agreement</i> | 01/01 | 12/31 | 0.050  |      |        |

7. Total Quantity Appropriated is:

0.300 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

35.0 Acre Feet Per Annum.

9. Non-irrigation uses:

S/ UP TO 2 HORSES 20 COWS

10. Place of Use:

|          |       |         |        |     |     |     |       |
|----------|-------|---------|--------|-----|-----|-----|-------|
| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
| 06S      | 34E   | 27      | SW     | NW  |     | IRR | 2.0   |

Section Acres 2.0

A29-04264

Page

1

Date: 02/09/90

MICROFILMED

NOV 13 1992



10. Place of Use: Continued

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|-----|----|-----|-----|---------------|-------|
| 06S      | 34E   | 28      | SW  |    | NE  |     | IRR           | 2.0   |
|          |       |         | SE  |    | NE  |     | IRR           | 5.0   |
|          |       |         | NE  |    | SE  |     | IRR           | 3.0   |
|          |       |         | NW  |    | SE  |     | IRR           | 2.0   |
|          |       |         |     |    |     |     | Section Acres | 12.0  |
|          |       |         |     |    |     |     | Total Acres   | 14.0  |

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:

15. Basis of Claim: STATUTORY CLAIM

*Study Further*

*Probably need to meet  
with Howard*

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): *Howard L. Armstrong* Date: 2-9-90  
\_\_\_\_\_  
Date: \_\_\_\_\_

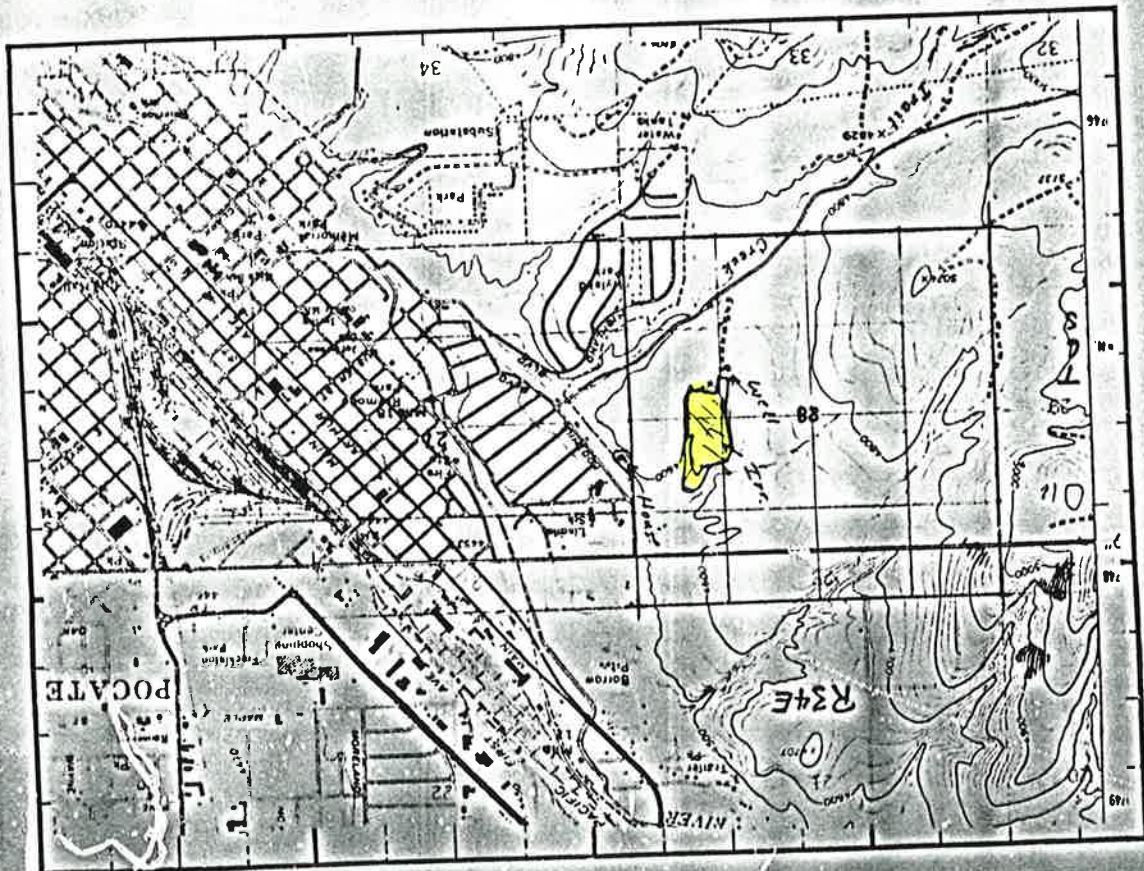
State of Idaho )  
County of Bonnaville ) ss.

Subscribed and sworn (or affirmed) before me this 9 day  
of Feb 19 90

*Ernest Carlsen*  
Notary Public



Residing at *Shake Falls, ID*  
My Commission Expires 6-14-1994



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.

Scale: 2 inches equal 1 mile.

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 20th day of October, 1908.

*[Signature]*  
 Notary Public  
 Residing at *[Address]*

My commission expires 1-1-09

FOR DEPARTMENT USE ONLY  
 Received by *[Signature]* Date *10-21-08* Exception filed by: *[Signature]* Date *10-21-08*  
 Prelim. check by *[Signature]* Date *10-21-08*  
 \$30.00 fee received by *[Signature]* Date *10-21-08*  
 Published in *[Signature]* Journal *11/11/08*  
 Dates *11/11/08*

(8) Remarks *Originally this well had a 10 horse pump and about 1/2 mile away*



1730

TUS 100