

12/16/2002

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

RIGHT NUMBER: 29-4425

NAME AND ADDRESS: BLACKROCK IRRIGATION PROJECT
5676 W OLD HWY 91
POCATELLO ID 83204

SOURCE: PORTNEUF RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.200 CFS

THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE
THAN .02 CFS PER ACRE.

PRIORITY DATE: 08/22/1928

POINT OF DIVERSION:

T07S R35E S23 SWNWSE 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	0.200 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T07S R35E S23	NESW	12.0	T07S R35E S23	NESE	12.0
T07S R35E S23	NWSE	11.0			

35 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 10 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

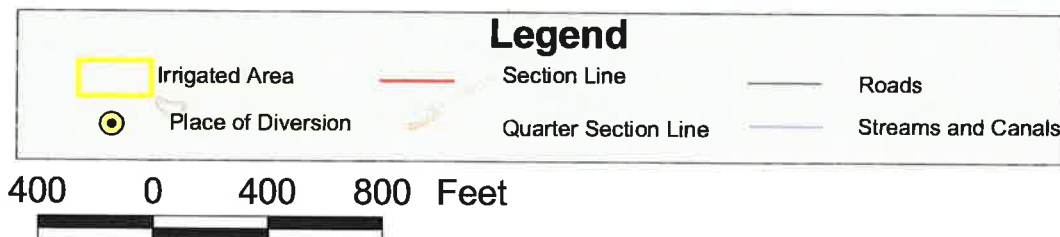
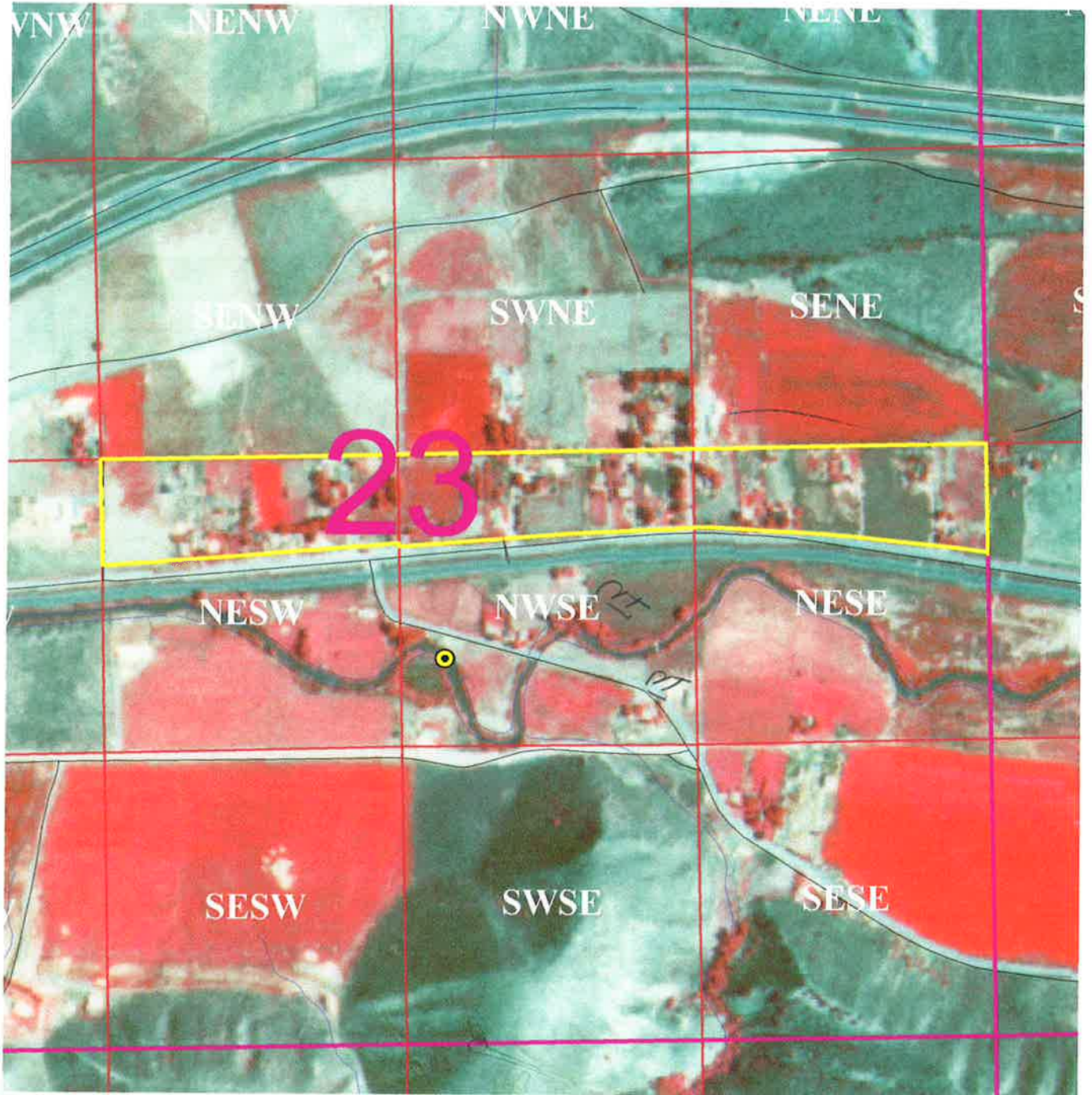
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: Beneficial Use

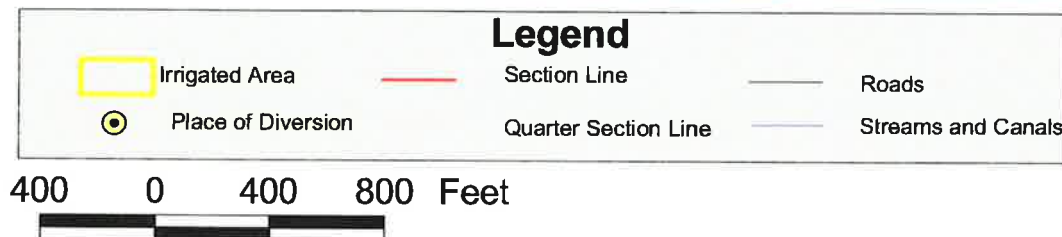
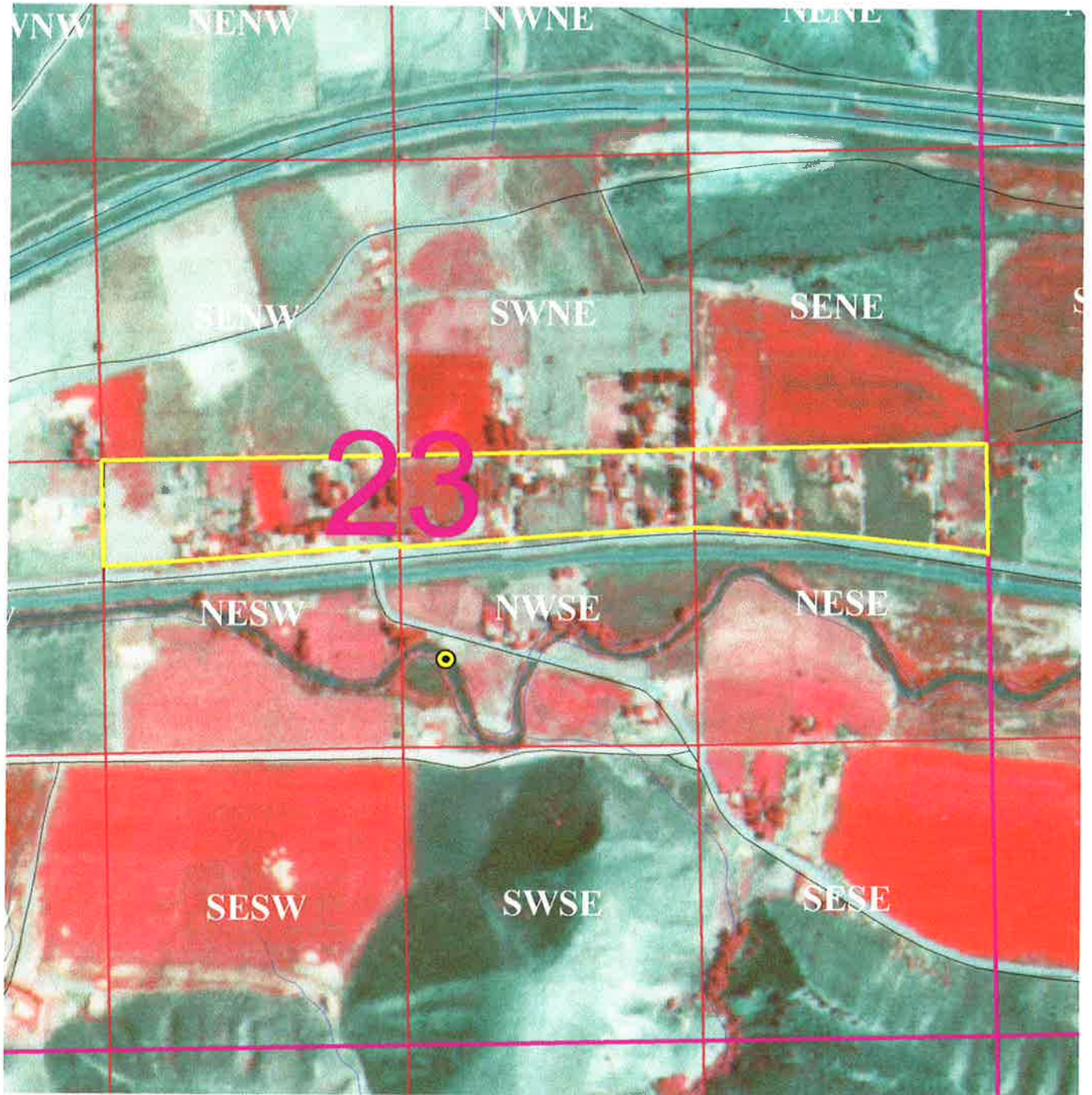
Water Right Claim Number A29-04425
Township , 7S35E

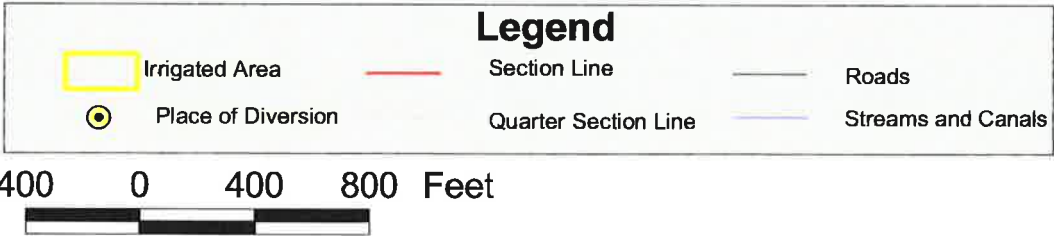
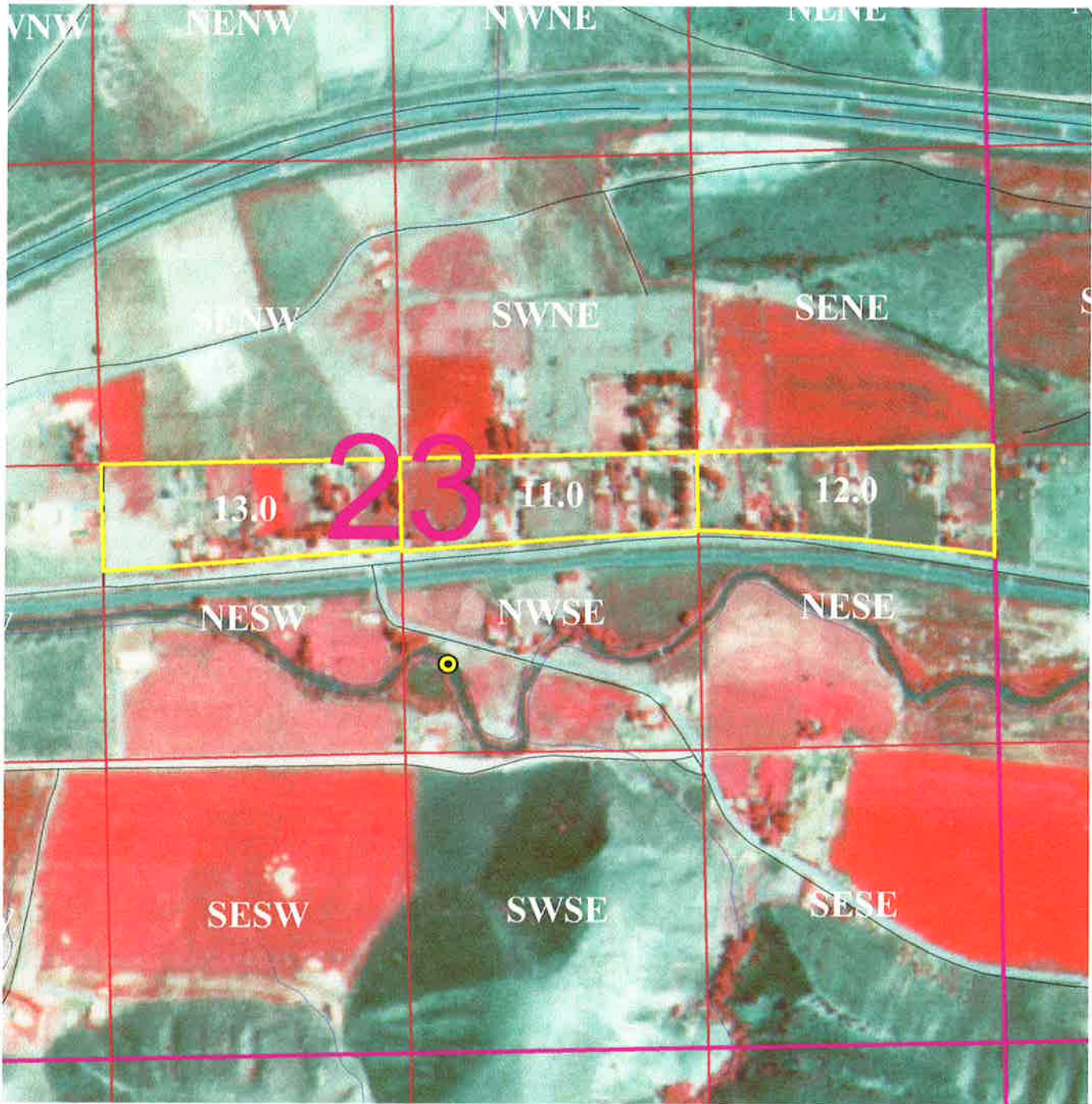
09/06/2000



Water Right Claim Number A29-04425
Township , 7S35E

09/06/2000





IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-4425 V1

WATER RIGHT NUMBER: 29-4425 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BLACKROCK IRRIGATION PROJECT 5676 W OLD HWY 91 POCATELLO, ID 83204 (208)775-3726

Priority Date: 08/22/1928

Basis: Beneficial Use

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.200 CFS	
	<u>Total Diversion:</u>	0.200 CFS	

Location of Point(s) of Diversion

PORTNEUF RIVER	SW1/4NW1/4SE1/4	Sec. 23, Twp 07S, Rge 35E, B.M.
BANNOCK County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	35E	23									12.0				12.0	11.0			35.0

Total Acres: 35

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:

1. Quantity THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.
2. Place of Use THIS RIGHT IS LIMITED TO THE IRRIGATION OF 10 ACRES WITHIN THE PLACE OF USE
- Irrigation DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Comments:

1. csaxton 12/13/2002 POU
Comment: Per claimant statement on 1/24/02, this right is limited to 10 acres within the shape defined in the SDE layer.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-4425 V1

Dates and Other Information:

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

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	12/13/2002 2:05:53 PM	csaxton			Active
Priority Date	12/13/2002 2:07:31 PM	csaxton			Active
POD	12/13/2002 2:09:32 PM	csaxton			Active
Source	12/13/2002 2:09:52 PM	csaxton			Active
POU	12/13/2002 2:10:22 PM	csaxton			Active
Use	12/13/2002 2:15:10 PM	csaxton			Active
Season	12/13/2002 2:18:31 PM	csaxton			Active
Quantity	12/13/2002 2:19:15 PM	csaxton			Active
Summary			12/13/2002	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	12/13/2002 2:05:52 PM	csaxton	(No) 1. Do you want to schedule an appointment?
			Comment for 1: Telephone conversation with claimant 1/24/02
POD	12/13/2002 2:08:14 PM	csaxton	Edited point location

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-4425 V1

Priority Date	12/13/2002 2:07:31 PM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date claimed after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Agreement between railroad and historical owner for easement for water pipeline.
POD	12/13/2002 2:08:28 PM	csaxton	Edited PLS
POD	12/13/2002 2:09:31 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
Source	12/13/2002 2:09:51 PM	csaxton	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Intrepid Field exam data
POU	12/13/2002 2:10:21 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Conversation with claimant.
POU	12/13/2002 2:10:52 PM	csaxton	Edited shape boundary
POU	12/13/2002 2:13:55 PM	csaxton	Edited PLS

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-4425 V1

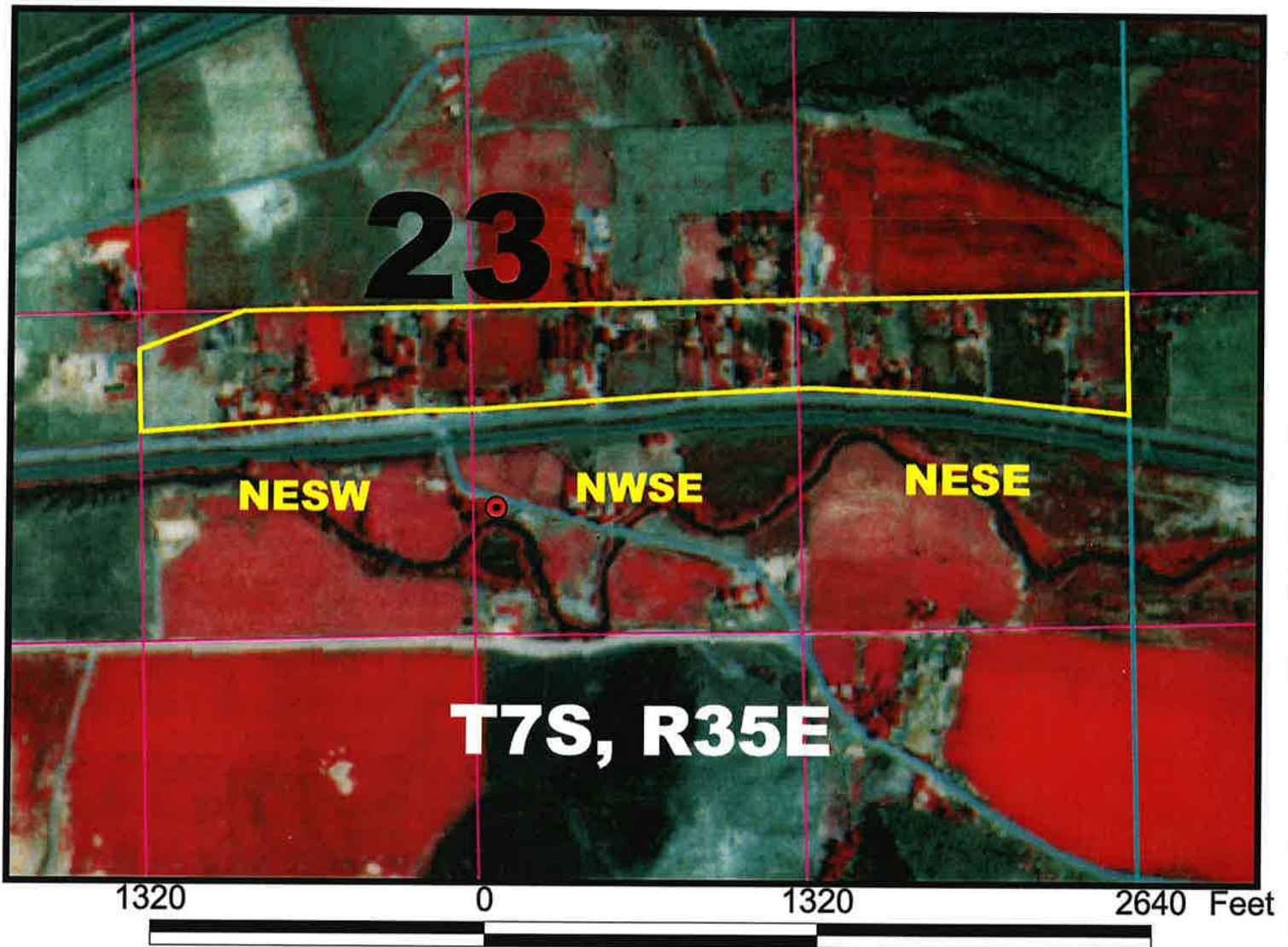
Use	12/13/2002 2:15:09 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Conversation with claimant on 1/24/02
Season	12/13/2002 2:18:30 PM	csaxton	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (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? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	12/13/2002 2:19:14 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (Yes) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (Yes) 12. Is a Quantity remark or condition required? Description for Question 7 - Intrepid Measurement Data.
Summary	12/13/2002 2:54:53 PM	csaxton	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (No) 7. Is this a split or combined right? (No) 8. Do you have documents you would like to attach or link to the file? (Yes) 9. Would you like to set the verification date?



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s): 29-04425



Total Irrigated Acres: 10.0

● Point(s) of Diversion

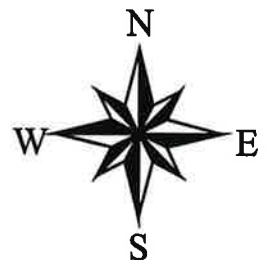
□ Place of Use

□ Quarter Quarter Lines

□ Section Lines

PROFILED

SCANNED
MAR 30 2006



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



1-24-02 : Called Leroy Erickson -
Says Blackrock Irrigation Project water currently serves
5 homes

: System - Pumped to North of service area through
8" irrigation pipe. Then Enters a ditch maybe a
Foot deep - Enough to hold water supplied by 8 in
pipe

: Slope Ditch runs $\frac{1}{2}$ mile to the East and $\frac{1}{4}$ mile
to the West. Contour map

: AerialView Shows about 24 acres of Irrigatable Land.
However, Claimant States currently irrigating about
10 ac.

12-13-02 : Reference letter 1-23-02. Recommend 10 acres
and 0.20 cfs.

: Boundary of Irrigated Ground Taken from Irrigation
Boundary Information Collected by Mark Larsen.

: Priority date Good-

12-16-02 : Spoke with Neighbor John Ondunacke. Said that
he only knows of Two current users - Erickson and
Bowmen, But water was used on his property
in 1982 - Recommend 10 acres w/in Boundary
Claimed.

John didn't know how many acres Irrigated.

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MAR 30 2006



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

January 23, 2002

LEROY H ERICKSON
5656 W OLD HWY 91
POCATELLO, ID 83204

RE: Snake River Basin Adjudication (SRBA) Claims 29-04425 and 29-04468.

Dear Mr. Erickson.

I spoke with you on the phone on January 24, 2002. After our conversation, I came across a couple of issues I wanted to bring to your attention.

29-04425:

29-04425 claims Portneuf River water for Blackrock Irrigation project. From our conversation you said among the 5 people that are serviced, the Portneuf River water was used to irrigate around 10 acres.

Based on my understanding of the system and our conversation, I am looking to recommend 10 acres of irrigation within the boundary you claimed (copy of claim enclosed) and a diversion rate of 0.20 cfs. If you feel this assessment is not accurate, feel free to contact me with any questions.

29-04468:

29-04468 claims ground water for the use of irrigation and domestic purposes. We spoke on the phone about the priority date. You originally claimed a priority date of June 1, 1935 (copy of claim enclosed). In our conversation I said I could support recommending a 1970 priority date. However, I forgot to take into account the mandatory permit statute for groundwater that states any development of irrigation from groundwater commencing after March 25, 1963 is required to go through the permit process.

What the above statement means, is I cannot recommend the claim with a priority date after March 25, 1963. Thus, I cannot recommend the 1970 priority date.

However, after speaking with my supervisor, it was suggested you provide a notarized statement explaining the basis behind your claiming the 1935 priority date. With this statement I should be able to recommend the claimed priority date of June 1, 1935.

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Without this statement I can only recommend your domestic use with a priority date of 1970.

I appreciate your prompt response on this issue. You can send your notarized statement directly to the address above with attention to me.

I apologize for the inconvenience. Please feel free to contact me at (208) 344-2190 if you have any questions.

Respectfully submitted,

Craig L. Saxton
Water Resource Agent
Adjudication Bureau

SCANNED
MAR 30 2006



SCANNED
MAR 30 2016

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SCANNED
MAR 30 2009



SCANNED
MAR 30 2006



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MAR 30 2006

SCANNED
MAR 3 8 2025





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MAR 30 2006



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 29



RIGHT ID
POD ID
Quad
Claim Type
Easting
Northing
GPSID

Diversion Description

PUMP AND PIPELINES. Pump from Portnuef river to ditch.

Assumptions

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)

Invoice #

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

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SCANNED

MAR 30 2006

S. N NED

JUL 2001

THIS AGREEMENT, made and entered into this 22nd day of August, 1928, by and between the OREGON SHORT LINE RAILROAD COMPANY, a corporation of the State of Utah (hereinafter called "Railroad Company"), party of the first part, and **S. J. PALMER, of Pocatello, Idaho,**

(hereinafter called "Licensee"), party of the second part, WITNESSETH:

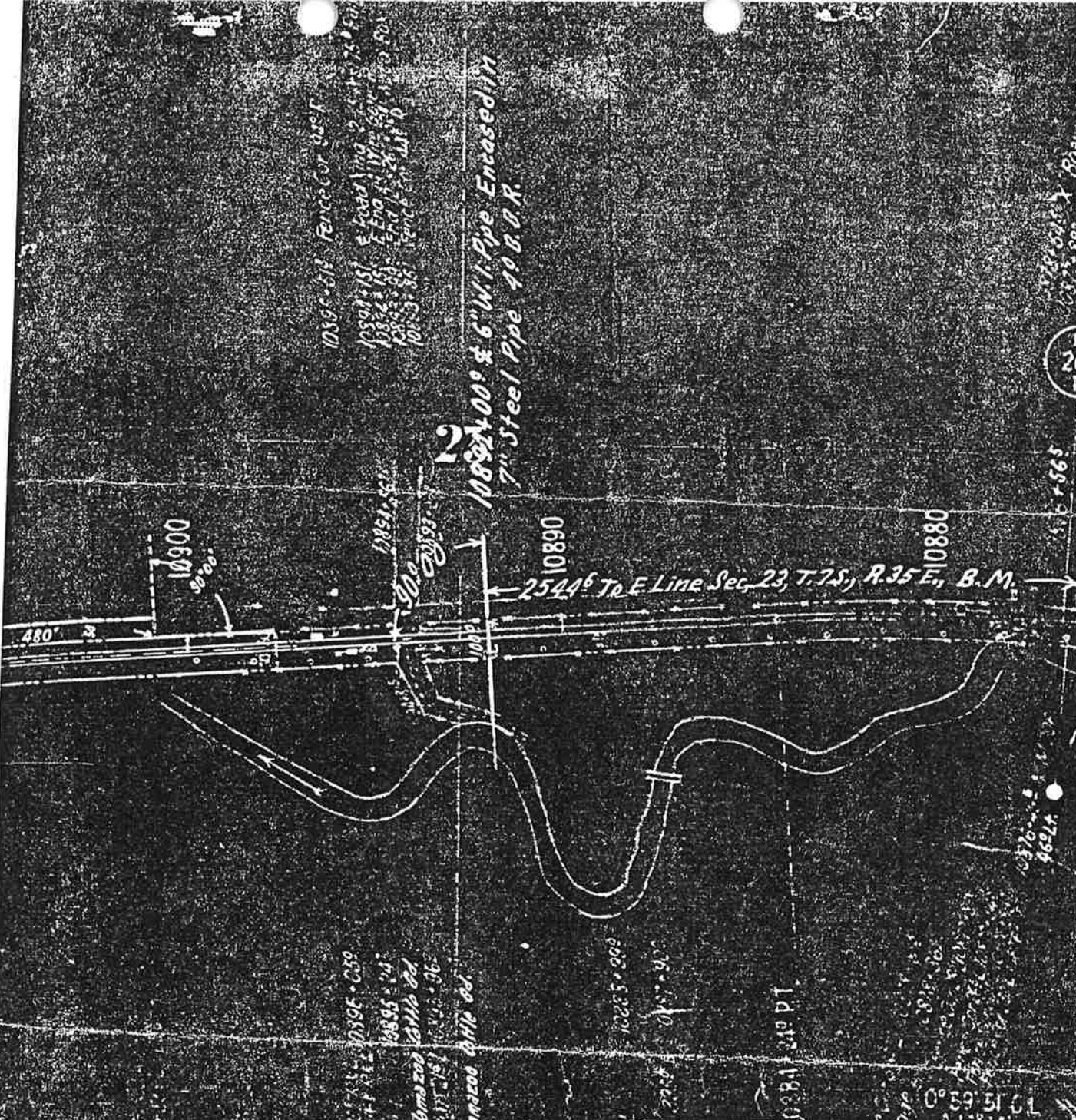
WHEREAS, the Licensee desires to construct and thereafter maintain and operate a water pipe line (hereinafter called "pipe line") extending underground across the right of way and underneath the roadbed and track ■ of the Railroad Company at **MP 206.24, between Inkom and Portneuf, Bannock County, Idaho,** in the location described as follows, to-wit:

Beginning at a point in the Southerly right of way boundary 56.5 feet perpendicularly distant from the center line of the present operated double track of the Oregon Short Line Railroad, at Engineer's Station 10892 + 00.0; thence 100.0 feet Northerly to a point in the Northerly right of way boundary 43.5 feet perpendicularly distant from center line of said double track at Engineer's Station 10892 + 00.0. Said pipe line will cross said center line at right angles thereto at Engineer's Station 10892 + 00.0, which is 2544.6 feet Westerly, measured along said center line from its intersection with the East line of Section 23, Township 7 South, Range 35 East, Boise Meridian. Said location being substantially as shown on the attached print, which is hereby made a part hereof.

IT IS THEREFORE AGREED, by and between the parties hereto as follows. to-wit:

1. RAILROAD COMPANY GRANTS RIGHT TO LICENSEE:

The Railroad Company does hereby grant unto the Licensee the right to construct and thereafter, during the term hereof, to maintain and operate the said pipe line in the location hereinbefore described, which grant is made expressly subject to the observance and performance by the Licensee of all and singular the conditions, covenants and agreements hereinafter contained to be by the Licensee kept, observed



Installation of 6" Wrought Iron Pipe Waterway
for S. J. Palmer.

Chas. E. Brown

OREGON SHORT LINE R. R. CO.	
OFFICE OF ENGR. MAINTENANCE OF WAY	
UTAH POCATELLO, IDAHO	
DIVISION	
GRANGER DISTRICT	
M. P. 206.24	BETWEEN
INKOM & PORTNEUE	
SCALE 400 FT. = 1 INCH	
Per	W. H. O.
MAY 29 1928	

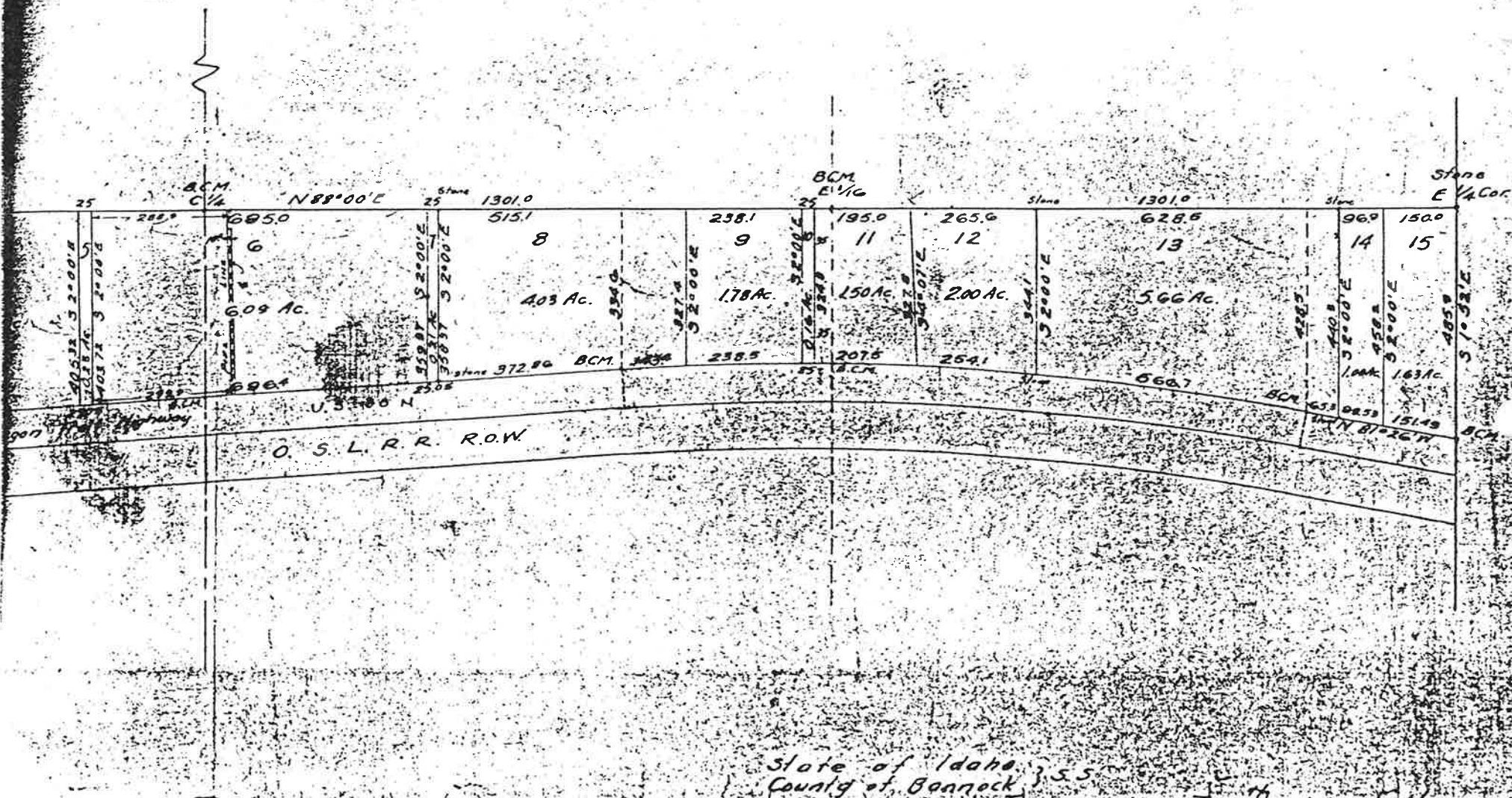
BLACK ROCK

SUBDIVISION

IN THE

$N\frac{1}{4}NW\frac{1}{4}SE\frac{1}{4}$ & $NE\frac{1}{4}SE\frac{1}{4}$ SEC. 23, T.7 S. R.35 E.B.M.

GLO Mon
N $\frac{1}{4}$ Cor
SEC. 23



DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

American Falls, Idaho
May 28th, 1927

Mr. S. J. Palmer
P. O. Box 1112
Pocatello, Idaho

Dear Sir:-

This office is in receipt of your letter of May 24th inquiring as to how you can purchase water in the American Falls Reservoir. You can make such a purchase in the following manner.

You will pay to the United States each year, prior to the irrigation season, at the rate of 75¢ per acre-foot of storage water you desire. At any time within five years, you can purchase this storage outright at its actual cost to the United States which will probably not exceed \$5 per acre-foot, and the amount you have paid in will apply on the purchase price. In addition, you will be required to pay interest at the rate of 6% per annum on deferred payments and also to pay for the operation and maintenance charges for the storage which you have purchased for the time intervening between the date of your contract and the date of your purchase.

A form of contract covering this plan is now being prepared. If you care to purchase any storage at these rates, please advise the amount you desire and we will send you a form of contract to cover as soon as it has been approved.

Yours very truly,


Dana Templin
Acting Construction Engineer.

JUN 15 2001

April 12, 2001

29-04425

BLACKROCK IRRIGATION PROJECT
5676 W OLD HWY 91
POCATELLO ID 83204

RE: EVIDENCE OF PRIORITY

Dear Claimant (s):

The Idaho Department of Water Resources 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 21, 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 L. Saxton
Water Resource Agent
Adjudication Bureau

Enclosure: Brochure on "Evidence of Priority"
 Notice of Claim 29-04425

Log for claim A29-04425

Spatial Dynamics BTD

9/6/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s35e	23	NESW	12	13	
07s35e	23	NESE	12	12	
07s35e	23	NWSE	10	11	
Totals:			34	36	

4/12/01 NO microfilm priority Evidence

AJ5809NP
No. A29-04425

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 216

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BLACKROCK IRRIGATION PROJECT 5676 W OLD HWY 91 POCATELLO ID 83204 (208) 775-3726	08/22/1928	IRRIGATION	04-15 10-15	2.000 CFS	
					TOTAL DIVERSION:	2.000 CFS
					CONSUMPTIVE USE:	92.50 AFA

Water Source: PORTNEUF RIVER

Tributary to: SNAKE RIVER

Stage: STATUTORY CLAIM

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

Place of use Legal Description for: IRRIGATION

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

07S 35E 23 :																																
:																12		:		12		10		:		34.7						
TOTAL ACRES 34.7																																

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: NONE

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

29-10604	29-10673	29-11273	29-11280	29-11454	29-11619	29-11726	29-12068	29-12144	A29-04066
A29-04207C	A29-10094	A29-10604	A29-10673	A29-10802	A29-11232	A29-11273	A29-11280	A29-11387	A29-11454
A29-11619	A29-11726	A29-12067	A29-12068	A29-12144					

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

A29-02409	A29-02409A	A29-04065	A29-04066	A29-04067	A29-04156	A29-04207	A29-04207A	A29-04207B	A29-04207C
A29-04468	A29-07658	A29-10447	A29-10696	A29-10698	A29-10802	A29-11232	R29-04067		

Remarks: GEN CLAIM C/O EDWARD HAGER

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

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

Audit: 03/08/90 JONES 07/25/94 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 BLACK ROCK IRRIGATION PROJECT

(Name of Claimant)

ROUTE 3 SOUTH 1/2 EDWARD HAGER

(Mailing Address)

POCATELLO, IDAHO

(Zip Code)

83204
775-3726

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) 8-22-1928

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)

POATNUFF RIVER tributary to SNAKE

- (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, af)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>2.0 cfs</u>	Use	<u>IRRIGATION</u>	Period of Use From <u>4-15</u>	To <u>10-15</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

- (4) TOTAL QUANTITY USED.

(cfs, af)

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

NW 1/4 SE 1/4, Sec. 23 Twp. 7S Rge. 35E B.M., County of BANNOCK
Additional points of diversion: NE 1/4 SE 1/4 Sec 23 T7S R35E

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. PUMP AND PIPELINE 15 H.P. PUMP.

- (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	
75	35E	23									19					18			37.37

No. of acres 37.37

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

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

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

BLACK ROCK IRRIGATION PROJECT

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: A29-04425
Date Received: 3/08/1990
Receipt No: 12012270
Received By: HWS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BLACKROCK IRRIGATION PROJECT 208-775-3726
Address: 5676 WEST OLD HYWAY 91
POCATELLO, ID 83204

2. Date of Priority: AUG 22, 1928

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	35E	23		NW	SE		BANNOCK

5. Description of diverting works:
PUMP & PIPELINE TO IRRIGATION SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	2.000		

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

8. Total consumptive use is 92.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	35E	23	NE	SW		IRR	12.4
			NE	SE		IRR	12.2
			NW	SE		IRR	10.1

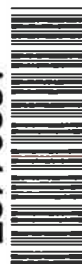
Section Acres 34.7

A29-04425

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Date: 03/08/90

A2904425



MICROFILMED

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10. Place of Use: Continued

Total Acres 34.7

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:
 NONE

14. Remarks:
 CLAIM C/O EDWARD HAGER

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 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.

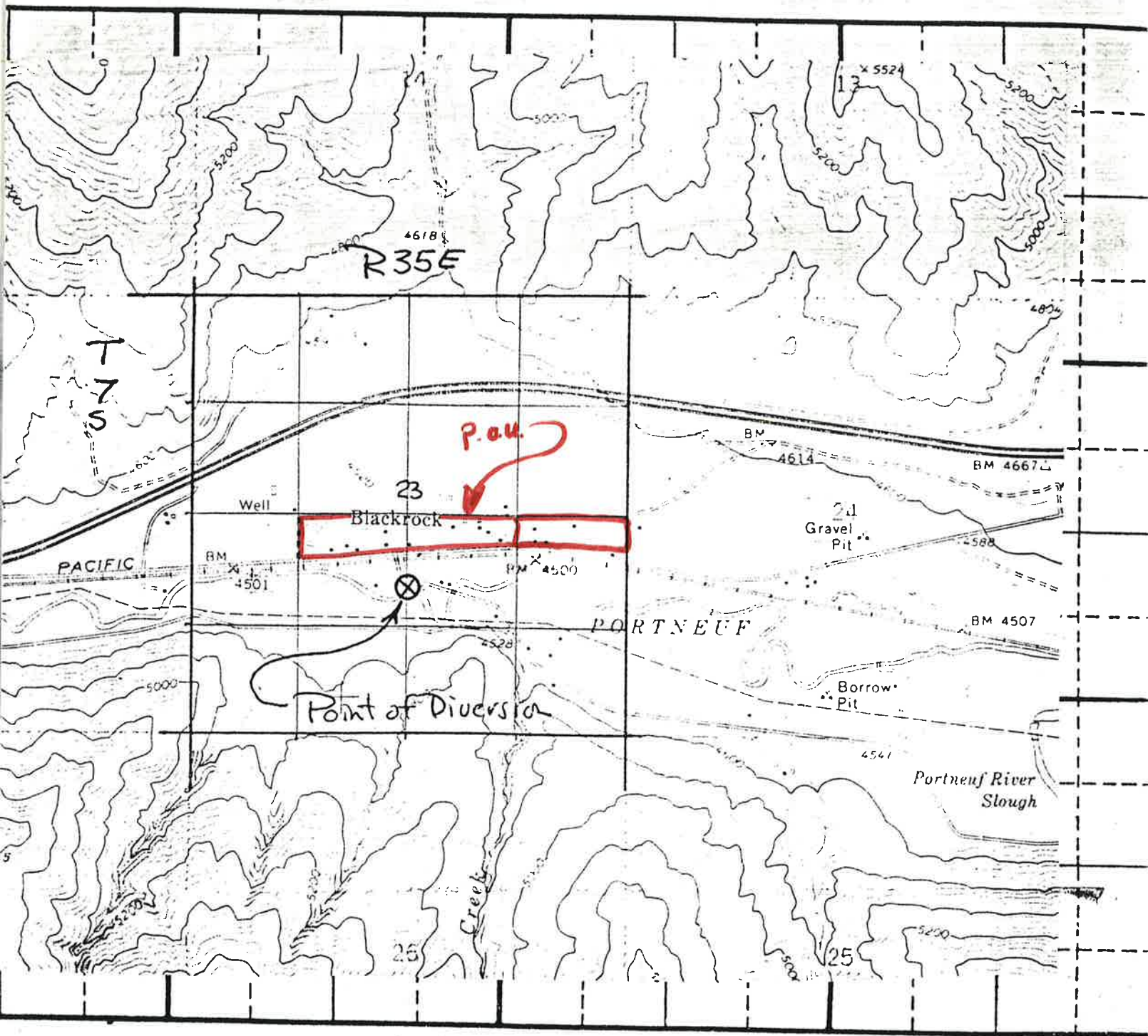
Signature of Claimant(s): President Date: 3-8-90
Edward Hager Date: 3-8-90

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 8th day
of Mar 19 90 Betty J. Thompson
Notary Public

Seal

Residing at BETTY J. THOMPSON, NOTARY PUBLIC
RESIDING AT IDAHO FALLS, ID
My Commission Expires EXPIRES: 6-30-94



1 mile.
00

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

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NOV 13 1992

who
Bonnieville
)
) ss.
)

known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim right together with all attached information, and that the matters and facts stated therein are true to the best of their knowledge and belief.