

02/18/2003

NOTICE OF ERROR
REPLY

Paul

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: 29-4451

MELVILLE J WRIGHT
4175 HAWTHORNE RD
POCATELLO ID 83202
Telephone Number: (208)237-0318

MINA B WRIGHT
4175 HAWTHORNE RD
POCATELLO ID 83202
Telephone Number: (208)237-0318

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

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

DATE: 2-25-03 SIGNATURE: *Melville J Wright*
Please print your name: MELVILLE J WRIGHT

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

PROFILED

SCANNED

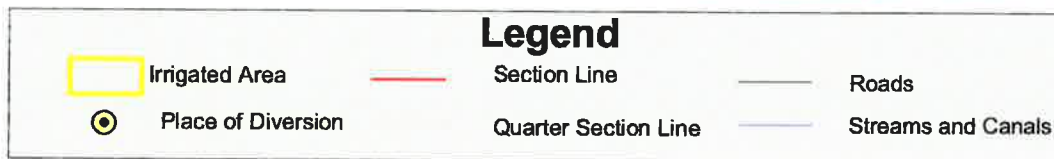
MAR 30 2003

RECEIVED

1-2-7-3

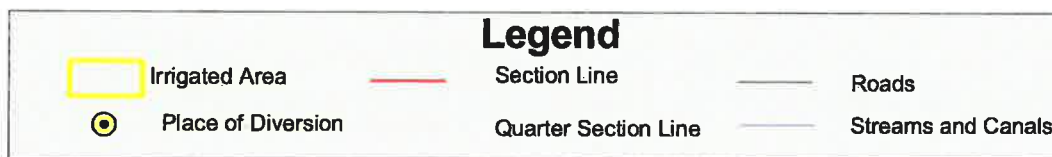
Water Right Claim Number A29-04451
Township , 6S34E

09/21/2000



Water Right Claim Number A29-04451
Township , 6S34E

09/21/2000





Irrigated Area

Place of Diversion

Section Line

Quarter Section Line

Roads

Streams and Canals

N





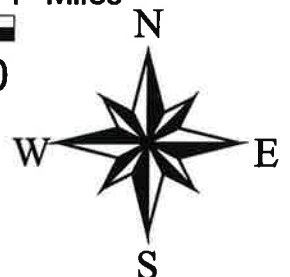
State of Idaho
Department of Water Resources
Eastern Region
Water Right: 29-4451



0.5 0 0.5 1 Miles

PROFILED

1:16000



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

SCANNED
MAR 30 2006

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



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 29



RIGHT ID
POD ID
Quad
Claim Type
Easting
Northing
GPSID

Diversion Description

Submersible 1 hp pump in pit. Located in horse pasture North of home (approx. 100 ft from road).

Assumptions

Pressure head and elevation head.

Invoice

2000-037-01-0

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

Linked

POD ID 203764 01.JPG

Photos

POD ID 203764 02.JPG

EPE (ft)

Date (M/D/Y)

Time

Flow Rate (CFS)

0.051669740150880

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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State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

September 13, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Melville and Mina Wright
4175 HAWTHORNE RD
POCATELLO ID 83202

Re: Claim A29-4451

Dear Water User:

Last spring I wrote you requesting additional information or documentation of the use of this water right. I need this information to make an accurate recommendation to the court in the Snake River Basin Adjudication. Because this right has never been confirmed by a court decree or a department investigation, I need documentation that the water uses were developed prior to March 25, 1963 (ground water source) or May 20, 1971 (surface water source).

Please refer to the letter and pamphlet sent last spring, and provide documentation. Remember that affidavits must clearly identify "first person" knowledge (I did..., I saw...) and clearly state when the use of water was first seen by the person.

Feel free to contact me or my supervisor Ernest Carlsen if you have questions.

Sincerely,

Bryce A. Contor
Senior Water Resource Agent

PROFILED

SCANNED

MAR 30 2005

SCANNED

MAY 16 2001

Memorandum

Date: 5/2/01

From: Craig Saxton

Subject: 29-04451

I spoke to Melville J Wright on the phone about his water right. Through the conversation I found some information that might be useful in the claim review.

- Melville has 5 acres that he irrigates with Ft Hall Indian Reservation Water once a week.
- When it is really dry he uses his well to water part of the five acres (which part I don't know).
- He may need to amend his claim for the entire 5 acres irrigated unless he can only get the well water to the two acres claimed.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 2, 2001

Melville and Mina Wright
4175 Hawthorne Road
Pocatello, Idaho 83202

Re: Claim 29-4451, Snake River Basin Adjudication

Dear Water User(s):

We are now in the process of reviewing adjudication claims in Administrative Basin 29. Claim filing began a number of years ago, followed by several years of resolving legal issues. We are now in the process reviewing claims in order to make recommendations to the court.

For a long period of time in Idaho's history (before 1963 from ground water, before 1971 from surface water), a water right could be perfected by simply using water. Unless a dispute were resolved in court, there may never have been a paper record of a legitimate water right. In the 1970's or 1980's, many "statutory" claims were filed to record these existing unrecorded rights, but this process did not involve any investigation by the department. Claims were simply advertised, then recorded. When the adjudication commenced, new adjudication claims were filed, based upon the older statutory claims.

Your water right falls in this class. Because of the nature of the statutory claims process and the adjudication claims process, this right has never been investigated nor verified by the department. I've enclosed copies of the adjudication claim and the older statutory claim, for your information.

In order to recommend this right, I need you to supply "evidence of priority" and "evidence of beneficial use." The enclosed pamphlet describes some typical sources that may be used. If an affidavit is used, it must clearly show that the person making the affidavit personally observed the water use. The more detail the affidavit gives, indicating dates, circumstances, amounts and details of water use, the better. As I review the documentation provided, my standard will be:

The documentation should tend to indicate that diversion works were in place and had adequate capacity for the claimed use. The documentation should also tend to indicate that water was applied to the claimed beneficial use on the claimed place of use.

Please review these documents, and provide documentation of the historical use of this right. Feel free to call me if you have questions. You should be able to reach me Thursday or Friday mornings.

Sincerely,

Bryce A. Contor
Senior Water Resource Agent

Log for claim A29-04451

Spatial Dynamics LTD

9/21/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06s34e	9	SESE	2	3.8	
Totals:			2	3.8	

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.

Notice is hereby given that Melville J. & Mina B. Wright

(Name of Claimant)

4175 Hawthorne Road, Pocatello, Idaho

83201

(Zip Code)

Telephone No. (208) 237-0318

(1) Date of priority: (When was the water first applied to a beneficial use) **Oct. 1943**

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Ground Water tributary to

(cfs. af)

(Domestic, Irrigation, Stock, Etc.)

(Both dates inclusive)

(Mo., Day)

{Mo., Day}

Quantity .04 cfs

Use Domestic

Period of Use From Jan. 1 To Dec. 31

Quantity .10 cfs

Use Irrigation

Period of Use From Mar. 15 To Nov. 15

Quantity .02 cfs

Use	Stock
-----	-------

Period of Use From Jan. 1 To Dec. 31

Quantity

Use

Period of Use From To

Quantity

Use

Period of Use From _____ To _____

(4) 12/1/82 TOTAL QUANTITY USED.

(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source) 175 ft. W of E line & 100 ft. SE ¼ SE ¼, Sec. 9 Twp. 6S Rge. 34E B.M., County of Bannock S of North line
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. Well, 3/4 hp pump submersible, 1 1/2 inch pipe 80 feet deep

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

[illegible]

No. of acres 5

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

NOTE: Include here the type and number of stock watered: horses and cattle 15-10

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

ON-CAM-FILMED

AMENDE



MAY 16 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: A29-04451
Date Received: 3/28/1990
Receipt No: E012916
Received By: DC

RECEIVED

APR - 6 1990

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MELVILLE J. WRIGHT 208-237-0318
Address: 4175 HAWTHORNE ROAD
POCATELLO, ID 83202

AND/OR

Name: MINA B. WRIGHT 208-237-0318
Address: 4175 HAWTHORNE ROAD
POCATELLO, ID 83202

2. Date of Priority: OCT 01, 1943

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	34E	9	SE	SE			BANNOCK

5. Description of diverting works:
WELL AND PUMP, PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.100		
STOCKWATER	01/01	12/31	0.020		
DOMESTIC	01/01	12/31	0.040		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A29-04451

Page 1

Date: 03/28/90

MICROFILMED

NOV 13 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	34E	9	SE	SE		IRR	2.0
Section Acres							2.0
Total Acres							2.0

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:

D/1, S/15-20 HEAD HORSES & CATTLE

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): Melville Wright Date: 4-5-90
Maria Wright Date: 4-5-90

State of Idaho)
County of BANNOCK) SS.

Subscribed and sworn (or affirmed) before me this 5th day
of April 19 90

Marilyn Haeferd
Notary Public

Seal

Residing at Bozette

My Commission Expires 2-27-92