

IDAHO DEPARTMENT OF WATER RESOURCES 12/07/2001
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

NAME AND ADDRESS: SAMUEL D JACOBS
2780 N BLACKROCK RD
POCATELLO ID 83204

SHERRIE JACOBS
2780 N BLACKROCK RD
POCATELLO ID 83204

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.09 CFS
52.6 AFY

PRIORITY DATE: 05/07/1973

POINT OF DIVERSION:

T07S R35E S23 SWNENW 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 0.60 AFY
IRRIGATION	03/15 11/15	0.090 CFS 52.00 AFY

PLACE OF USE: DOMESTIC Within BANNOCK County

T07S R35E S23 NENW

IRRIGATION Within BANNOCK County

T07S R35E S23 NENW 13.0

13 ACRES TOTAL

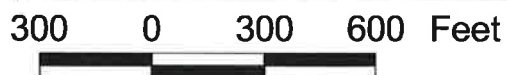
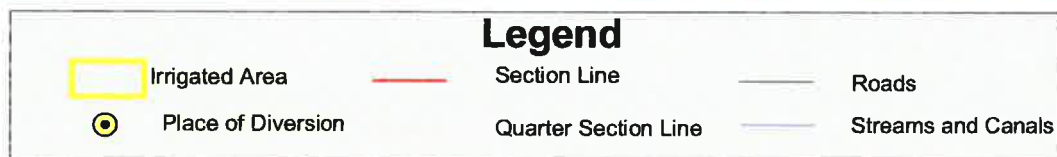
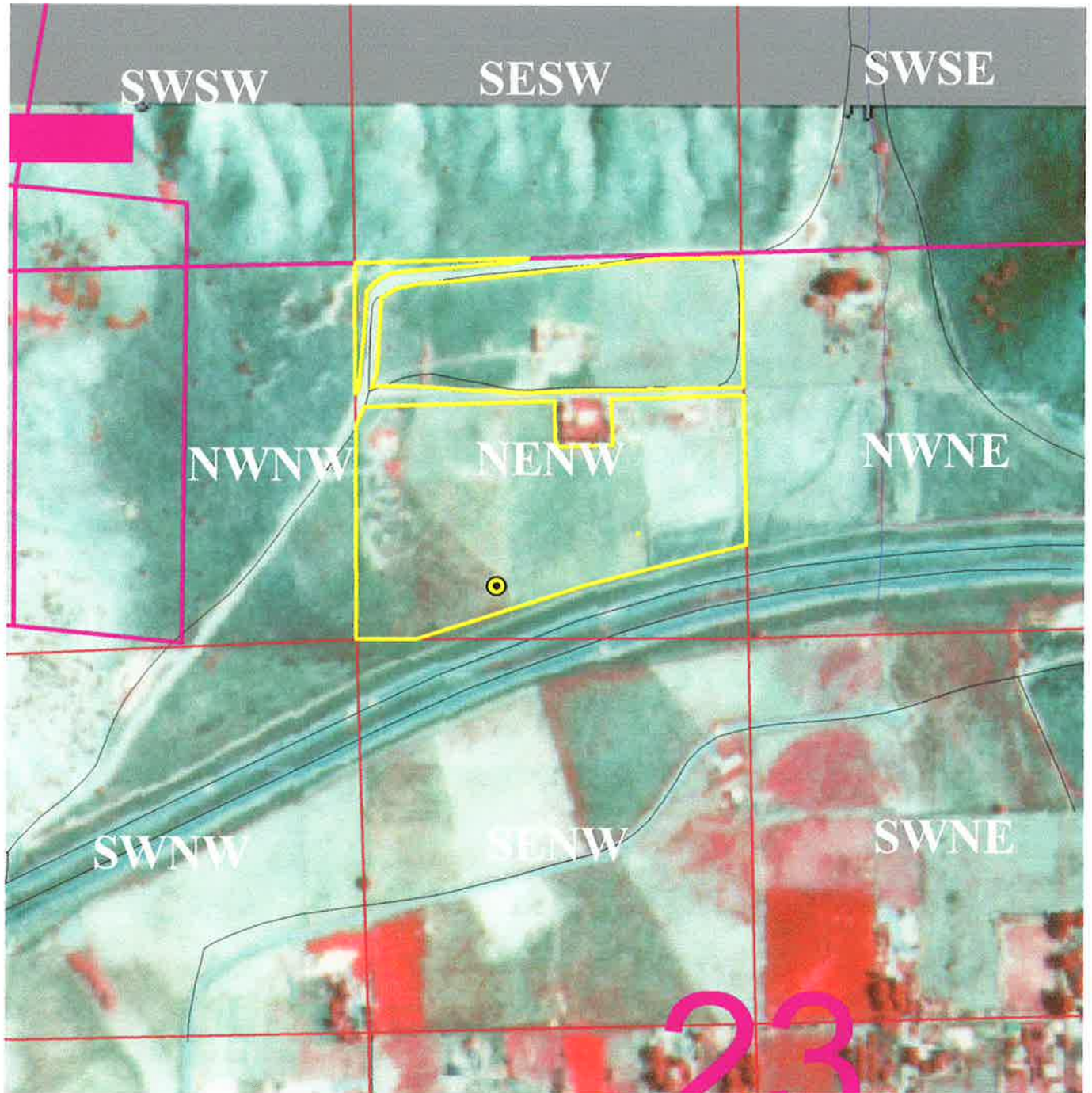
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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: License

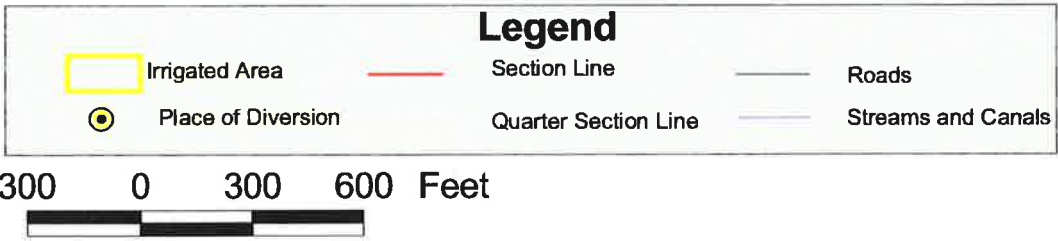
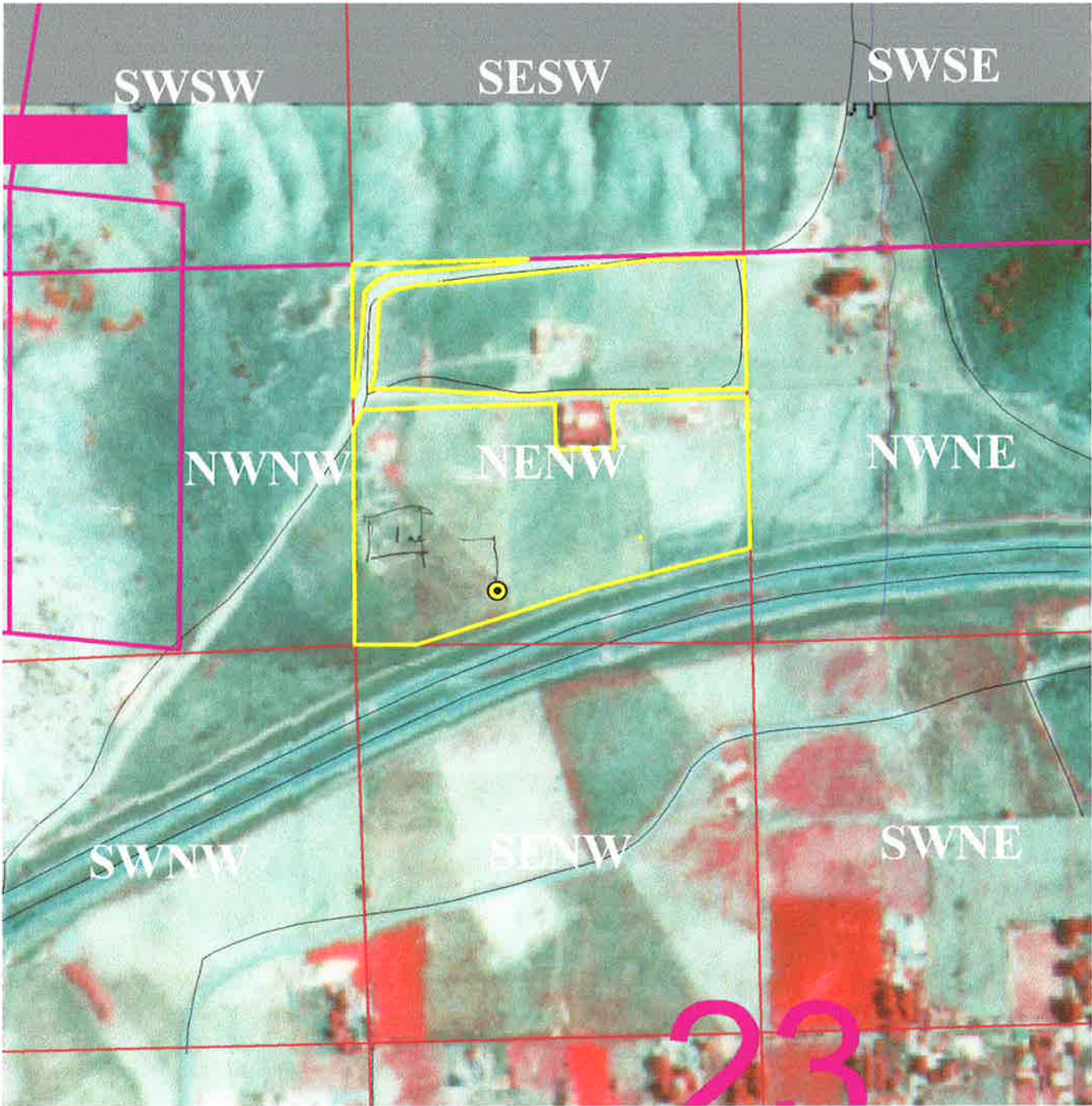
Water Right Claim Number A29-07127A
Township , 7S35E

09/07/2000



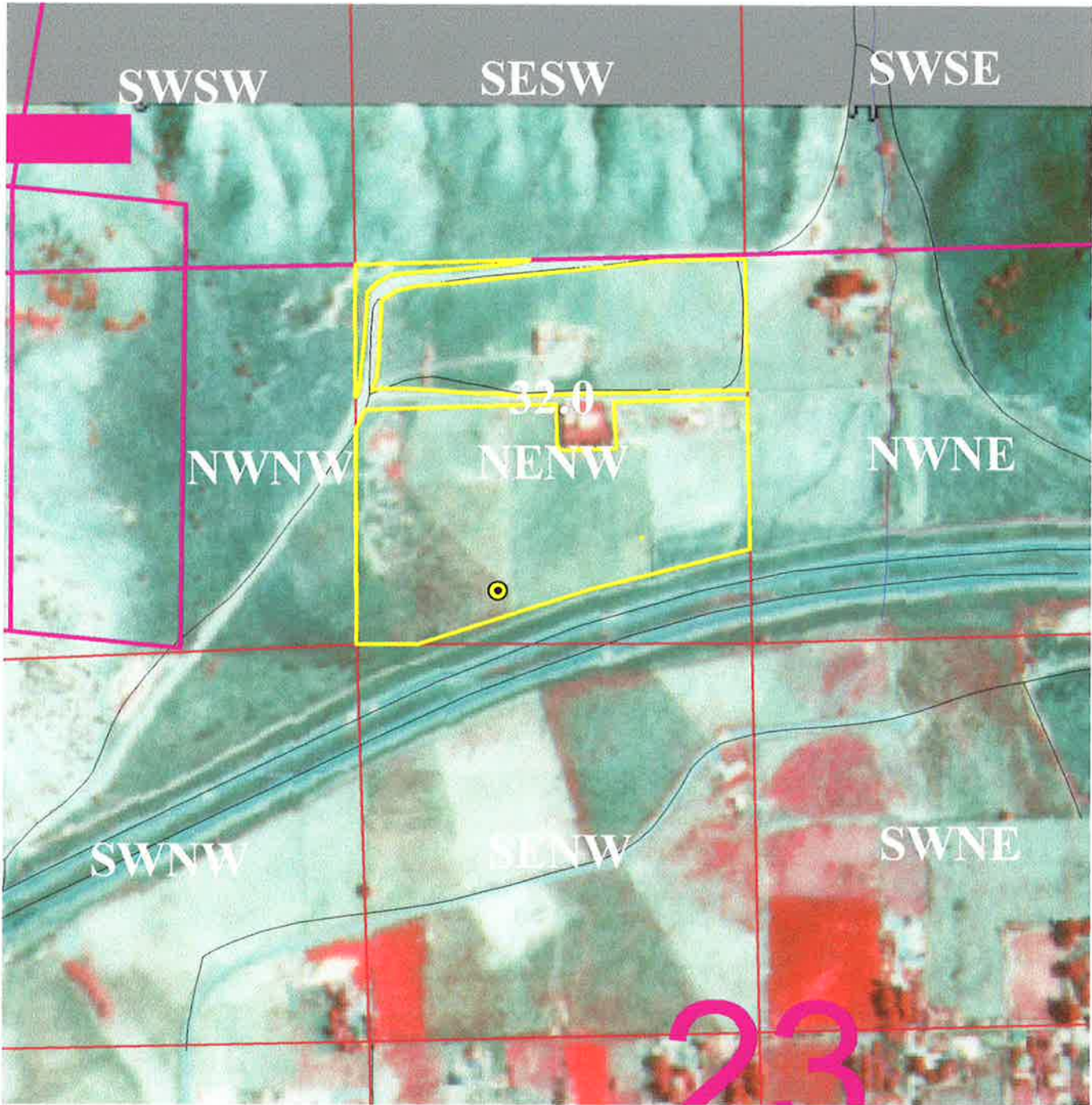
Water Right Claim Number A29-07127A
Township , 7S35E

09/07/2000



Water Right Claim Number A29-07127A
Township , 7S35E

09/07/2000



Legend

 Irrigated Area	 Section Line	 Roads
 Place of Diversion	 Quarter Section Line	 Streams and Canals



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-7127A V1

WATER RIGHT NUMBER: 29-7127A V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	BILL B HOWELL
	, ID
Current Owner	SAMUEL D JACOBS
	2780 N BLACKROCK RD
	POCATELLO, ID 83204
	(208)775-3705
Current Owner	SHERRIE JACOBS
	2780 N BLACKROCK RD
	POCATELLO, ID 83204
	(208)775-3705
Original Owner	DOLORES C HOWELL
	, ID

Priority Date: 05/07/1973

Basis: License

Status: Active

SourceTributary

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	0.60 AF
IRRIGATION	03/15 to 11/15	0.090 CFS	52.00 AF
	<u>Total Diversion:</u>	0.090 CFS	52.60 AF

Location of Point(s) of DiversionGROUND WATER
BANNOCK County

SW1/4NE1/4NW1/4

Sec. 23, Twp 07S, Rge 35E, B.M.

Place of UseDOMESTIC Within BANNOCK County

T07S R35E S23 NENW

IRRIGATION Within BANNOCK County

T07S R35E S23 NENW 13.0

Total Acres: 13

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.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-7127A V1

Remarks:Comments:

1. csaxton 12/7/2001 POU

Comment: 29-07127 was licensed for 13 acres in the NENW of Sect 23 in 1989. Administrative action post the commencement of the adjudication requires me to recommend 13 acres even though in reality the claimants parcel is only 8.6 acres.

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: OR
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	12/7/2001 10:12:41 AM	csaxton			Active
POD	12/7/2001 10:13:19 AM	csaxton			Active
Source	12/7/2001 10:19:22 AM	csaxton			Active
POU	12/7/2001 10:19:36 AM	csaxton			Active
Use	12/7/2001 10:26:03 AM	csaxton			Active
Season	12/7/2001 10:27:03 AM	csaxton			Active
Quantity	12/7/2001 10:31:12 AM	csaxton			Active
Summary	12/7/2001 10:33:41 AM	csaxton	12/7/2001 10:33:41 AM	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	12/7/2001 10:22:55 AM	csaxton	Edited shape boundary
Contacts	12/7/2001 10:12:26 AM	csaxton	(No) 1. Do you want to schedule an appointment?

Comment for 1: Field Exam 5/4/01

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-7127A V1

Priority Date	12/7/2001 10:12:43 AM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	12/7/2001 10:13:20 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the parent right have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
POD	12/7/2001 10:14:06 AM	csaxton	Edited point location
POD	12/7/2001 10:14:30 AM	csaxton	Edited PLS
Source	12/7/2001 10:19:24 AM	csaxton	(Yes) 1. Is the basis of claim decree or license? (Yes) 4. Does the parent right have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	12/7/2001 10:19:38 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the parent right have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
Use	12/7/2001 10:26:04 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the parent right have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Season	12/7/2001 10:27:04 AM	csaxton	(Yes) 1. Is the basis of claim decree or license? (Yes) 4. Does the parent right have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (No) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 18. Is a Period of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-7127A V1

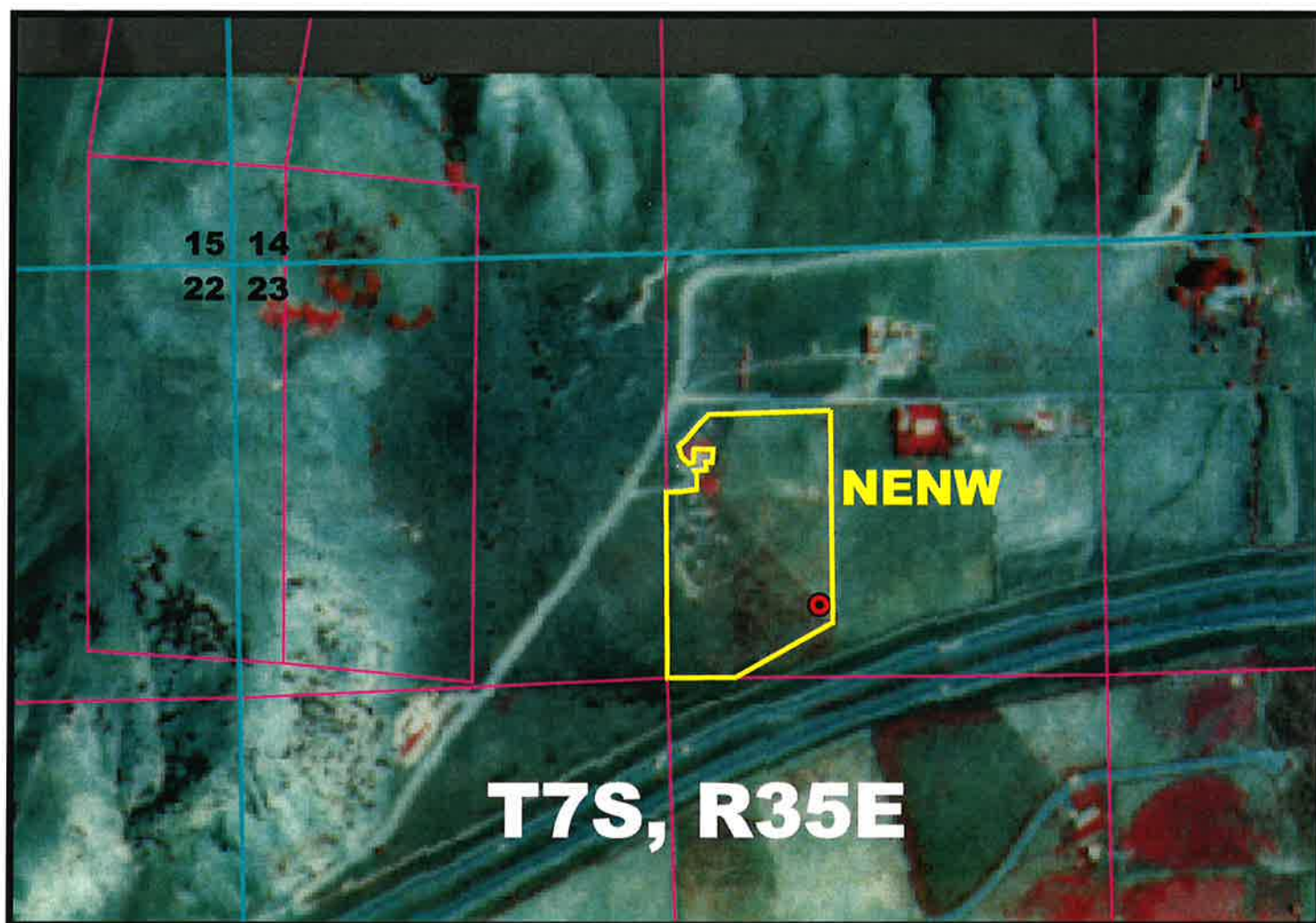
POD	12/7/2001 10:31:14 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the parent right have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - 13 acres multiplied by IDWR standard of 4af/acre.
Summary	12/7/2001 10:33:43 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (Yes) 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): 29-07127A



1320 0 1320 Feet

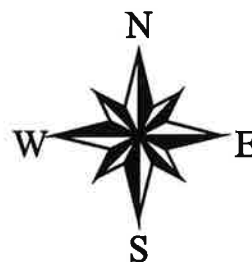
Total Irrigated Acres: 13.0

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

PROFILED

SCANNED

APR 14 2006



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

JUN 15 2001

Log for claim A29-07127A

Spatial Dynamics LTD

9/7/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s35e	23	NENW	13	32	Indiscernible
Totals:			13	32	

5/4/01 L. Jacobs Brother to Samuel Runs the Place

Pic of Pump house. Blue looking west to 1/2 ac Garden

- L. Jacobs says he irrigates 1/2 acre Garden + lawn around House.

- Hasn't Irrigated Entire Field For "long time". At least the 2 1/2 yrs that He has been living there.

- House + Irr served By same well.

- Rec ~~the~~ 1 acre of Irr. Talk to Enric about it → See Note 2:

- Pod was original that was licensed - Part B needs IR since split in 1997.

Note 2: Fortifure Clock stopped 1990, Licensed 1999. Recommend average that you can.

- No Fortifure - Recommend Entire license

AJ5809NP
No. A29-07127A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 243

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SAMUEL D JACOBS	05/07/1973	IRRIGATION	03-15 11-15	0.091 CFS	
C	SHERRIE JACOBS		DOMESTIC	01-01 12-31	0.040 CFS	
	2780 N BLACKROCK RD					
	POCATELLO ID 83204					
	(208) 775-3705					
				TOTAL DIVERSION:	0.091 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T07S R35E S23 NENW

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	: 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 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	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	SUM		
07S	35E	23	:	:	13	:	:	:	:	:	:	:	:	13.0		
													TOTAL ACRES	13.0		

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE				
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 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	: 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 Lt Ac Lt Ac			
07S	35E	23	:	:	D	:	:	:	:	:	:	:	:			

POU County: BANNOCK

Non-Irrigation Uses: ONE HOME

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

29-10677 A29-07127 A29-07127B A29-10094 A29-10677

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

A29-00495 A29-00495B A29-07127

Remarks: GEN RIGHT IS SPLIT BY CHANGE OF OWNERSHIP, 07/25/97 AS:

A29-07127A, 0.091 CFS, 13 ACRES, S. JACOBS

A29-07127B, 0.049 CFS, 7 ACRES, M. OTTESON

TOTAL 0.140 CFS, 20 ACRES, CLAIMED IN-FULL
PAID UNER RECEIPT NO. E012991.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

AJ5809NP
No. A29-07127A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 244

Audit: 08/28/97 SCOX



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 27, 1997

SAMUEL D & SHERRIE JACOBS
2780 N BLACKROCK RD
POCATELLO ID 83204

RE: CHANGE IN OWNERSHIP FOR A29-07127

Dear Mr. & Mrs. Jacobs:

The request for Change in Ownership for a portion of the above referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

A29-07127A, 0.091 cfs on 13 acres, Samuel Jacobs
A29-07127B, 0.049 cfs on 7 acres, Mark Otteson

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

Jennifer Hoagland
Technical Records Specialist

Enclosure

cc: Mark Otteson/copy letter/copy Notice of Claim

PROFILED SCANNED
APR 14 2008

RECEIVED

JUL 16 1997

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

Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right Number(s) 29-07127 / -29-0
Adjudication Claim Number(s) A29-07127 SPLIT A/B
2. The following **REQUIRED** information must be submitted with this form.
- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
B. **PLAT OF PROPERTY** or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Samuel D Jacobs

4. New Owner/Claimant(s) Mark OTTESON
Name connector (Check one): [] AND, [] OR, [] AND/OR
New Mailing Address 2830 N. Black Rock Canyon
City, State and ZIP Code Pocatello IDAHO 83204
New Telephone Number (208) 775-3173
5. Date you acquired the property 9-4-96

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) Mark Otteson Date 7-17-97
APR 14 2005 Date _____

- (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

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: A29-07127A
Date Received: 4/10/1990
Receipt No: X777777
Received By:

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: SAMUEL D JACOBS
Address: 2780 N BLACKROCK RD
POCATELLO ID

208-775-3705

83204

OR

Name: SHERRIE JACOBS
Address: 2780 N BLACKROCK RD
POCATELLO ID

208-775-3705

83204

2. Date of Priority: MAY 7, 1973

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:

150'X10" WELL WITH 7.5HP SUBMERSIBLE PUMP. PIPED TO HOME/4" SPRIN

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.091		
DOMESTIC	01/01	12/31	0.040		

7. Total Quantity Appropriated is:

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

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

ONE HOME

PROFILED

SCANNED

APR 14 2000

A2907127A



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	35E	23	NE	NW		IRR	13.0
			NE	NW		DOMEST	

Section Acres 13.0

Total Acres	13.0
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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:

RIGHT IS SPLIT BY CHANGE OF OWNERSHIP, 07/25/97 AS:
A29-07127A, 0.091 CFS, 13 ACRES, S. JACOBS
A29-07127B, 0.049 CFS, 7 ACRES, M. OTTESON

TOTAL 0.140 CFS, 20 ACRES, CLAIMED IN-FULL
PAID UNER RECEIPT NO. E012991.

15. Basis of Claim: LICENSE