

03/25/2003

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

RIGHT NUMBER: 29-7209

NAME AND ADDRESS: IRVIN L SPRAKER
745 N OLD HWY 91
INKOM ID 83245

SOURCE: SPRING

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.020 CFS

PRIORITY DATE: 07/29/1974

POINT OF DIVERSION:

T07S R36E S35 NWSWNW Within BANNOCK County Source: SPRING

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.020 CFS
STOCKWATER	01/01 12/31	0.020 CFS
IRRIGATION	04/15 10/15	0.020 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T07S R36E S34 SENE 4.0 T07S R36E S35 SWNW 1.0

DOMESTIC same as IRRIGATION
STOCKWATER same as IRRIGATION

5 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

IDAHO DEPARTMENT OF WATER RESOURCES 12/13/2001
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

Water Right 29-7209

NAME AND ADDRESS: IRVIN L SPRAKER
729 N OLD HWY 91
INKOM ID 83245

SOURCE: SPRING TRIBUTARY: PORTNEUF RIVER
QUANTITY: 0.02 CFS
PRIORITY DATE: 07/29/1974
POINT OF DIVERSION:

T07S R36E S35 NWSWNW Within BANNOCK County

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PERIOD OF USE:

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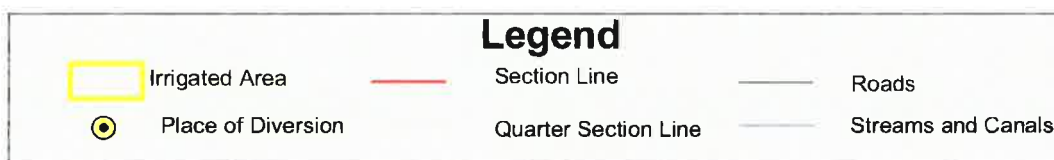
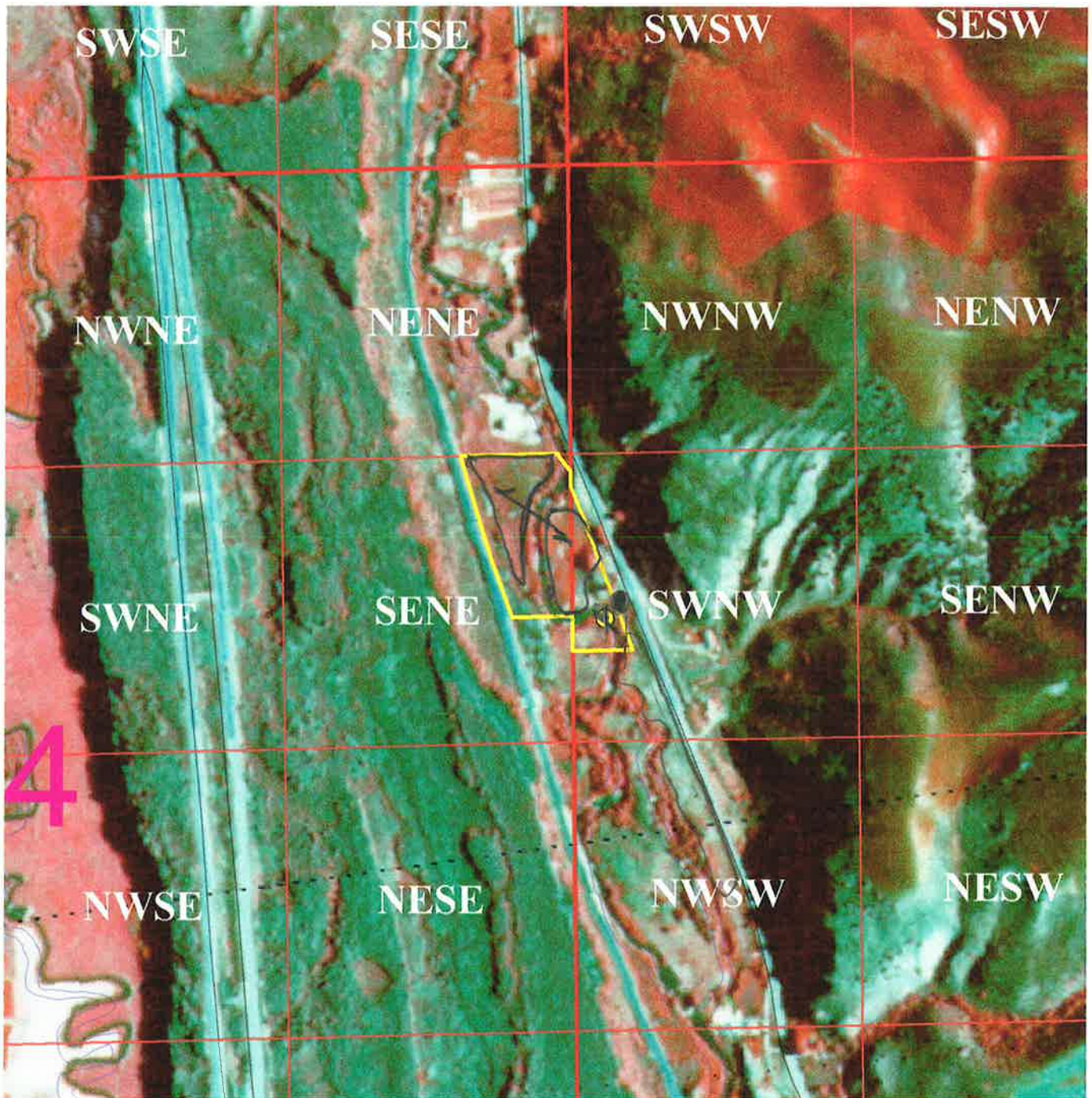
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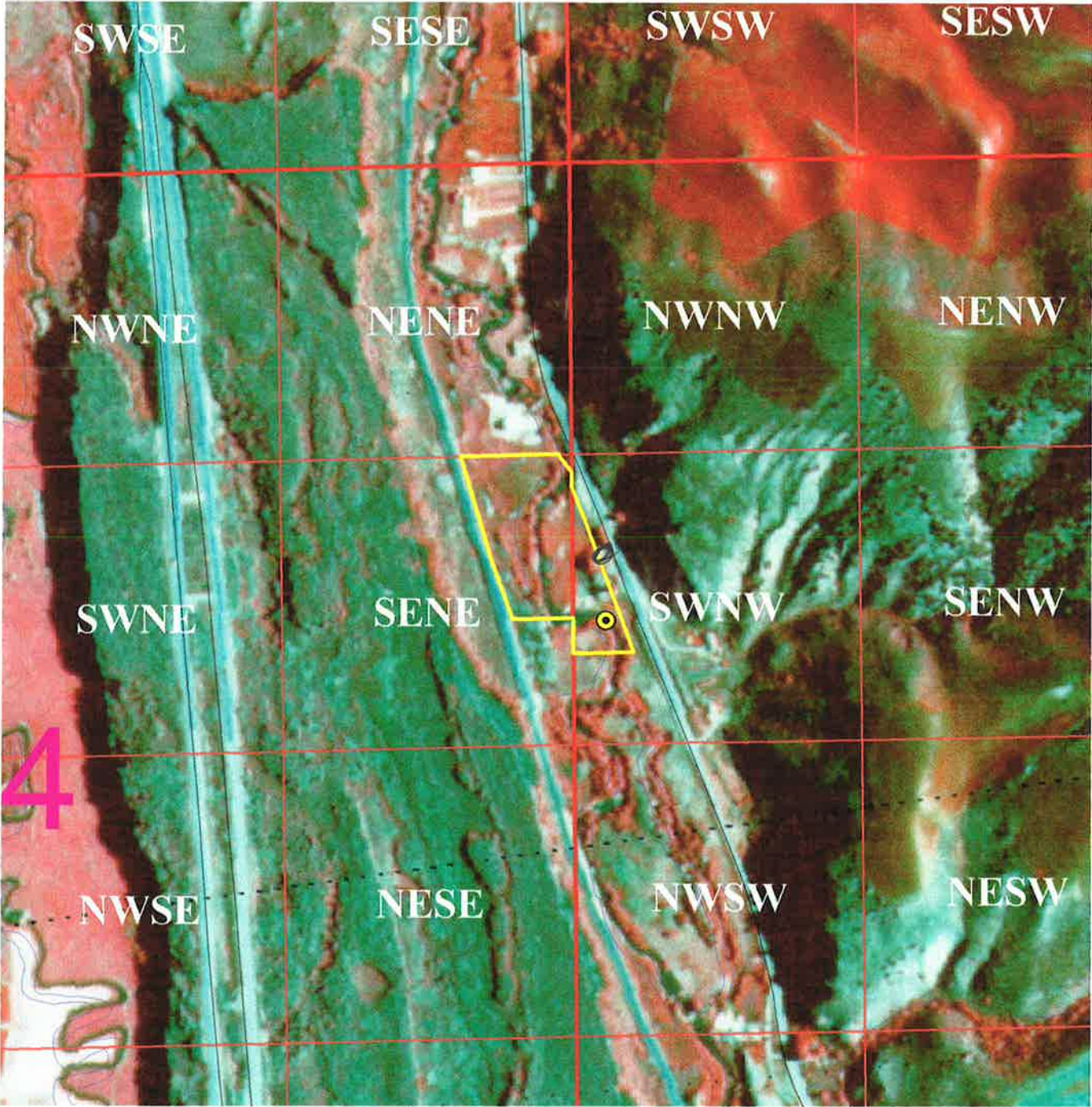
Water Right Claim Number A29-07209
Township , 7S36E

08/18/2000



Water Right Claim Number A29-07209
Township , 7S36E

08/18/2000



Irrigated Area

Place of Diversion

Section Line

Quarter Section Line

Roads

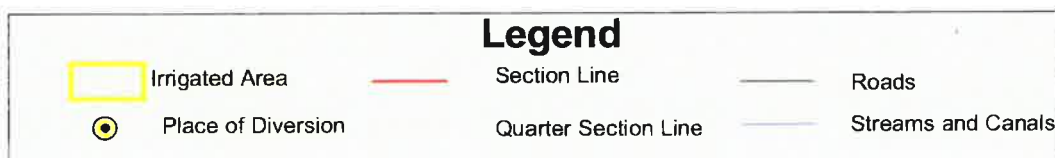
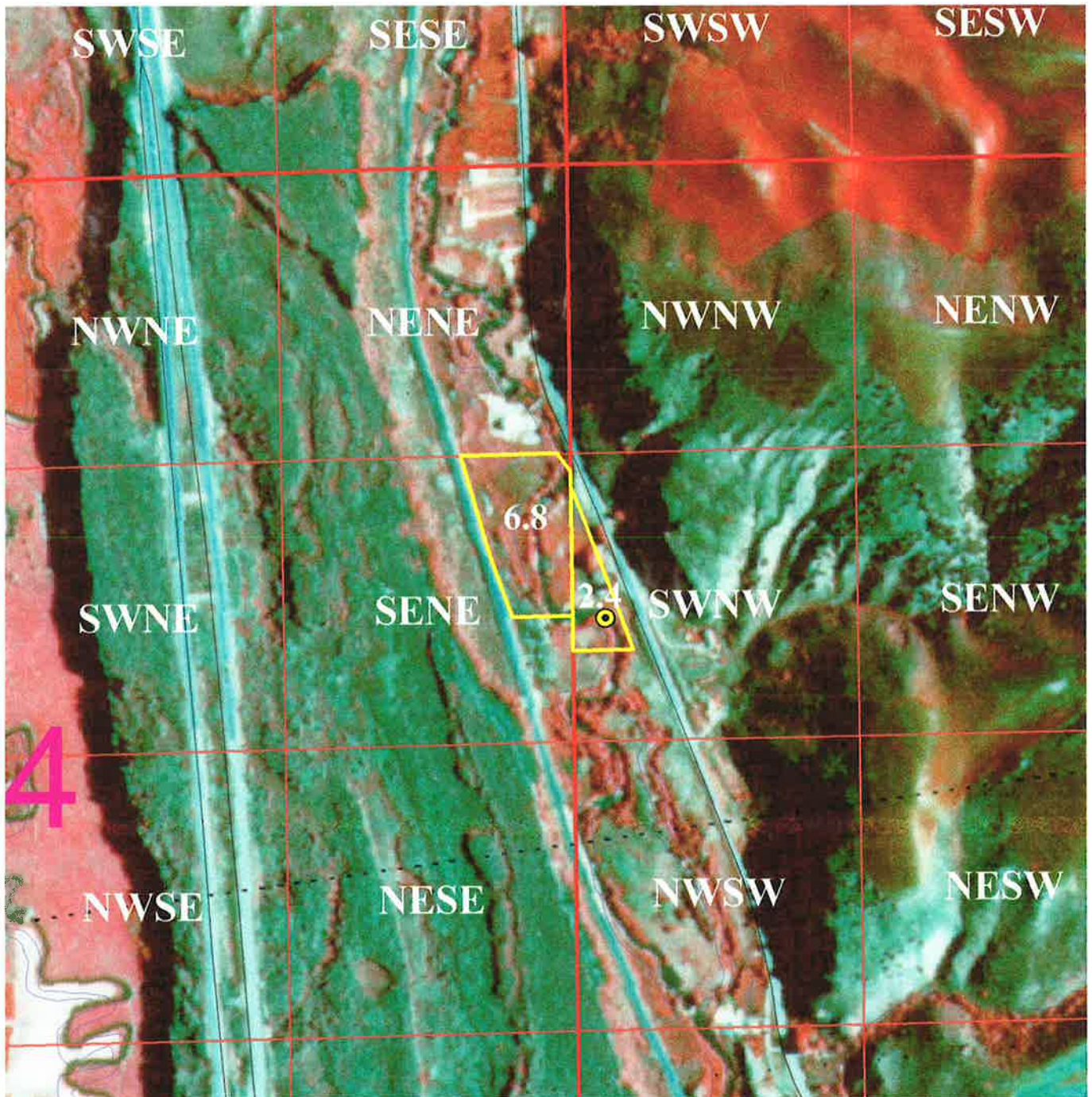
Streams and Canals



Water Right Claim Number A29-07209
Township , 7S36E

08/18/2000

34



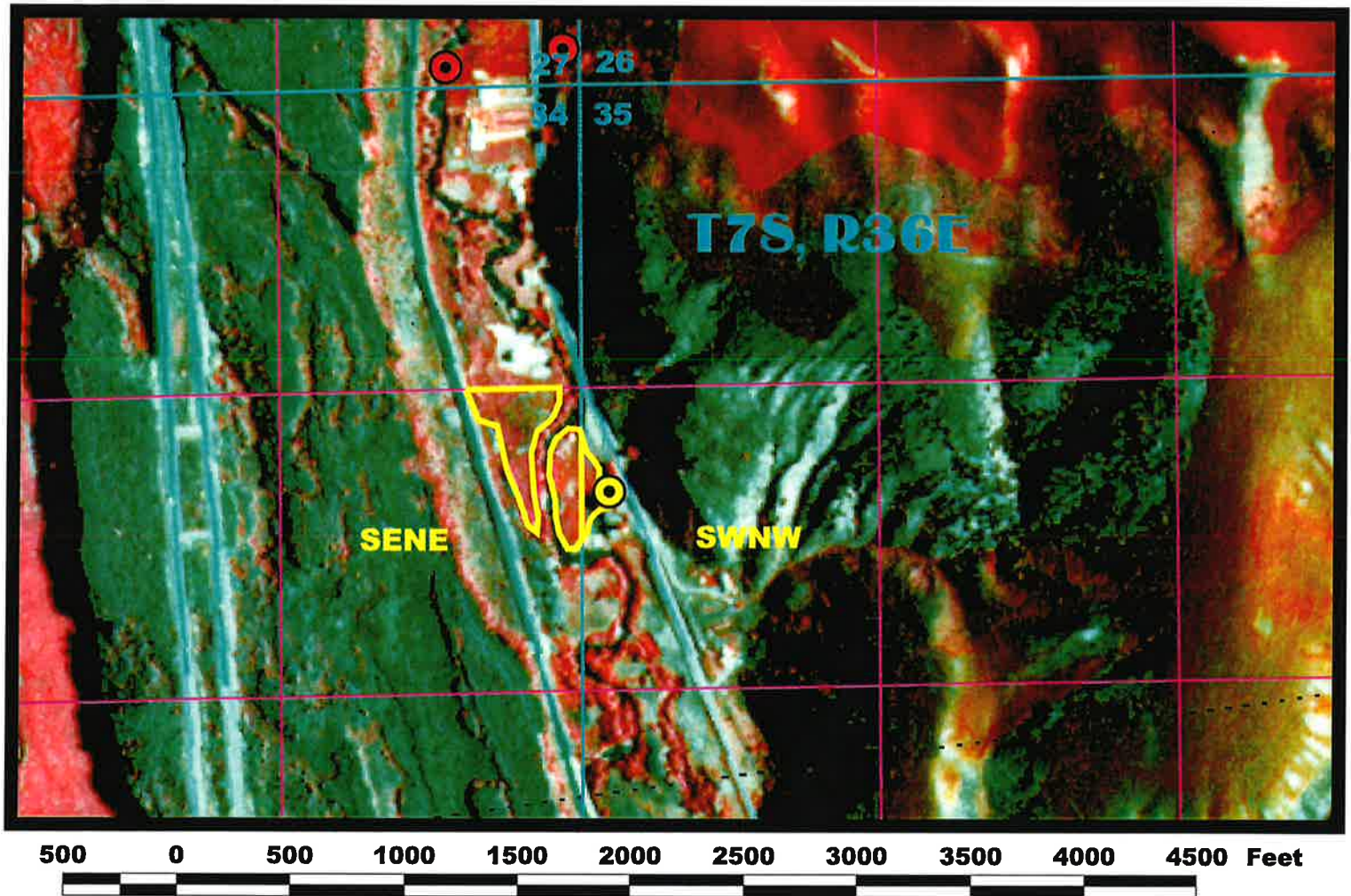


STATE OF IDAHO

Department of Water Resources

Eastern Region

Water Right(s): 29-7209



LEGEND

-  Place of Use
-  Section
-  Quarter-Quarter
-  Point of Diversion

Place of Use: T7S, R36E
(parts of) Sec. 34 SENE,
Sec. 35 SWNW

Point(s) of Diversion: T7S, R36E
Sec. 35 NWSWNW

PROTECTED

SCANNED

APR 20 2006



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: December 2001

CHANGE IN ADDRESS

This form is solely for purposes of notifying IDWR of a change in address of an adjudication claim.

[] Water Right Number(s): ^{Done} 29-7209, ^{Done} 29-7729, ^{Done} 29-297C
^{Done} 29-285C

[] Old Mailing Address: Irvin Spahr
729 N Old Hwy 91
Tukom Rd 83245

[] New Mailing Address: 745 N Old Hwy 91
Tukom Rd 83245

[] Telephone Number: 775-3410

[] Signature of Claimant: Irvin Spahr

[] Date: 25 March 2003

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

PROFILED

SCANNED

APR 20 2003

CHANGE IN ADDRESS

This form is solely for purposes of notifying IDWR of a change in address of an adjudication claim.

[] Water Right Number(s): ^{Done} 29-7209, ^{Done} 29-7729, ^{Done} 29-297C
^{Done} 29-285C

[] Old Mailing Address: Irvin Spraker
729 N Old Hwy 91
Tukom Rd 83245

[] New Mailing Address: 745 N Old Hwy 91
Tukom Rd 83245

[] Telephone Number: 775-3410

[] Signature of Claimant: Irvin Spraker

[] Date: 25 March 2003

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

SCANNED

APR 20 2006

JUN 06 2001

Log for claim A29-07209

Spatial Dynamics AMH

8/18/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s36e	34	SENE	4	6.8	
07s36e	35	SWNW	1	2.4	
Totals:			5	9.2	

4/13/01 Visited w/ THE SPANHONS - THERE IS ALSO 29-04034 what is it?
MR. SPANHON SAYS SPRING FLOW IS DOWN TO ABOUT 1/2

11/05/01 REVISITED IRVIN - LOOKED AT POU ACROSS RIVER -
SPRINKLER IRRIGATED BY PUMP FROM RIVER (BECAUSE SP FLOW
IS WAY DOWN)

CLAIMED PROBABLY MUCH AS LIC = SO RECOMMENDED

THIS IS WORTHLESS!

27 26

34 35

T7S, R36E



AJ5809NP
No. A29-07209

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/22/00
PAGE: 165

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	IRVIN L SPRAKER 729 N OLD HWY 91 INKOM ID 83245 (208) 775-3410	07/29/1974	IRRIGATION STOCKWATER DOMESTIC	04-15 10-15 01-01 12-31 01-01 12-31	0.020 CFS 0.020 CFS 0.020 CFS	
TOTAL DIVERSION:					0.020 CFS	
CONSUMPTIVE USE:						12.50 AFA

Water Source: SPRING

Tributary to: PORTNEUF RIVER

Stage: LICENSE

Point(s) of Diversion: T07S R36E S35

SWNW

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
07S	36E	34	:					04	:											4.0
07S	36E	35	:						:		01	:								1.0
TOTAL ACRES																			5.0	

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

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

POU County: BANNOCK

Other Rights: CLAIM 29-4034.

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-11162 29-11785 A29-11162 A29-11785

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the
- watermaster of State Water District No. 29.

Remarks: GEN REINSTATED 11-19-1979.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 29

Field Inspection Flag:
Presumption Flag:

Audit: 10/06/88 MULLINS 07/26/94 THOMPSON 03/29/95 POST-STD

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 29-7209 Priority 7/29/1974 Amount 0.02 cfs

THIS IS TO CERTIFY, that IRWIN L. SPRAKER
of Inkom, ID, has complied with the terms and conditions of Permit
No. 29-7209 issued pursuant to Application for Permit dated 7/10/1974,
and has submitted proof to the Department of Water Resources on 8/20/1979 (Late Proof),
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.02 cfs of water from an unnamed spring,
tributary to Portneuf River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Domestic (1 unit)	from 1/1 to 12/31	at 0.02 cfs and	1.20 AF
Irrigation	from 4/15 to 10/15	at 0.02 cfs and	7.26 AF
Stockwater	from 1/1 to 12/31	at 0.02 cfs and	0.20 AF

(both dates inclusive)

Subject, however, to the condition that no more than 0.02 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
8.66 acre feet per year, said waters to be diverted within the SNNW, Sec. 35, T7S, R36E
in the County of Bannock

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
7S	36E	34				4													4
		35							1										1

Total number of acres irrigated 5

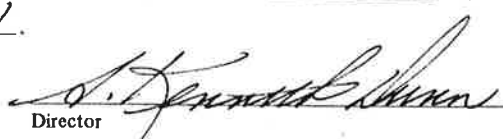
Use of water under this license is subject to control by the watermaster of
State Water District No. 29, Portneuf River.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 29 day of

May, 1981.


Director

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

29-7209

Permit No.

CONTACT WITH PERMIT HOLDER

DATE INITIALS REMARKS

- ☐ Appointment letter mailed: _____
- ☐ Telephone call made:
(List Telephone No. used) _____
- ☐ Appointment scheduled for:
(Date, time, location) _____

EXAMINATION

Date 7-15-80 Accompanied by Irwin Spraker Total Q measured 0.02 cfs

If source is surface water, estimate total flow of source _____

Methods of measurement bucket / stopwatch Meets Permit requirements? _____

Measurement calculations: $V = 5 \text{ acres} \times 3.54 \text{ cfs/acre}$ $V = 17.5 \text{ cfs}$	Spring flow = 10 gallons / 68 sec $= 8.82 \text{ gpm}$ $= 0.02 \text{ cfs}$ <i>capacity</i>	$V = 0.02 \text{ cfs} \times 1.9835 \times 183 \text{ days}$ $V = 7.26 \text{ afa}$ ✓
---	--	--

<u>Domestic</u> $1 \text{ unit} \times 1.2 = 1.2 \text{ AFA}$ V from <u>Stockwater</u> table $.2 \text{ AFA}$								
WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	<u>1/2</u>	<u>Fairbanks - Morse</u>	<u>AC 75</u>	<u>Fairbanks Morse</u>	<u>4088506</u>			

System Description 1/2 hp pump in spring pumps to Trailer house thru 1" line. Overflow of spring goes to small holding pond (8' diam) where 2 hp pump can be used to irrigate thru 200' of PVC pipe with 4 sprinkler heads.

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

Irrigation requirement = 3.5 AFA/Acre

USE	Q (cfs)	V (afa)	FROM	TO
<u>Domestic</u>	<u>0.02</u>	<u>1.20 afa</u>	<u>Jan 1</u>	<u>Dec 31</u>
<u>Irrigation</u>	<u>0.02</u>	<u>7.26 afa</u>	<u>April 15</u>	<u>Oct 15</u>
<u>Stockwater</u>	<u>0.02</u>	<u>0.20 cfs</u>	<u>Jan. 1</u>	<u>Dec 31</u>

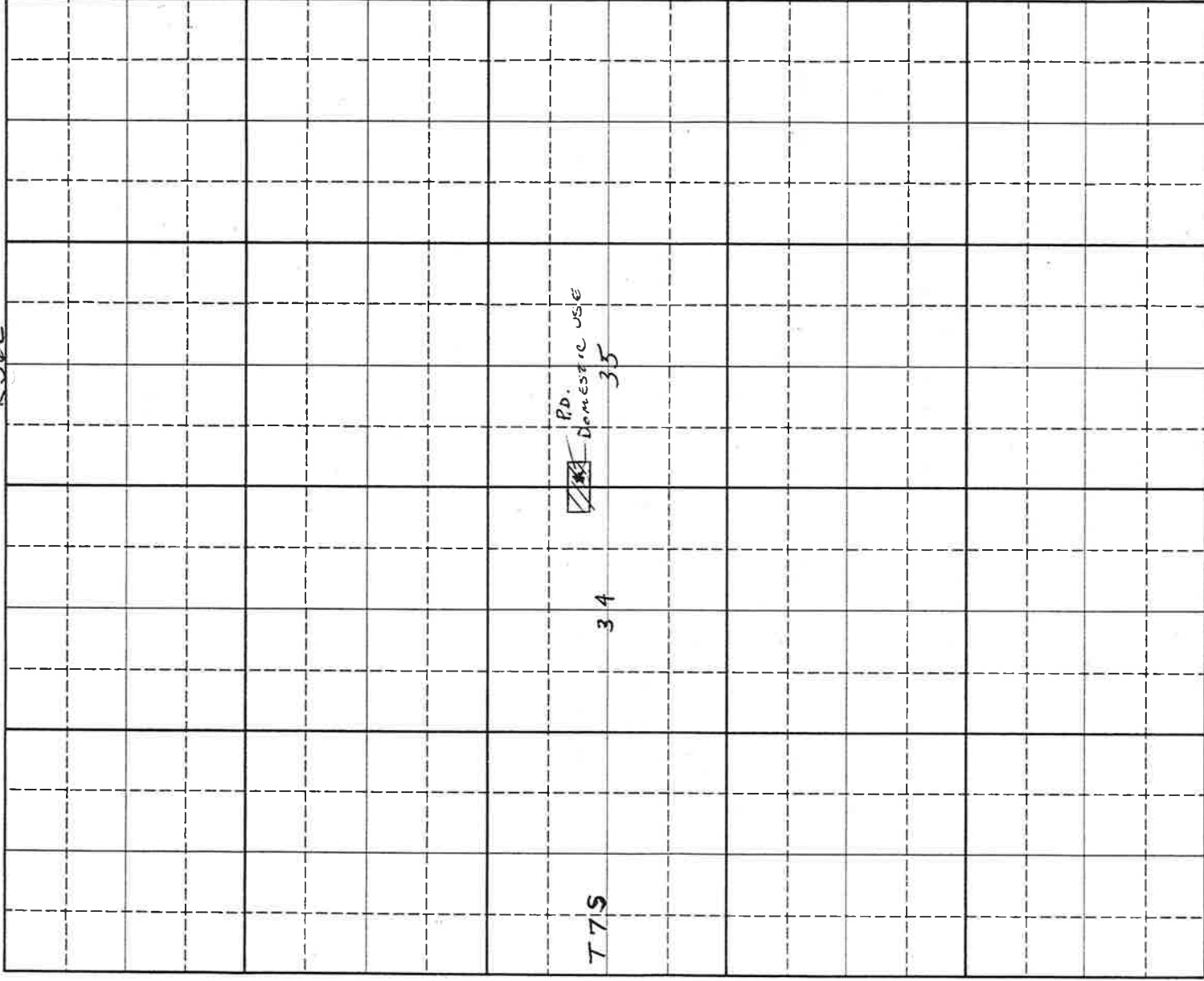
Total

0.02 cfs ✓8.66 afa ✓

Remarks

(29403) Domestic only P/U 75 36E 34 SENE
P/D ~~35 SWNW~~ 35 SWNW
unnamed spring

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Dwain L. Squaker
(Applicant)

Identification No. 29 7209

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

APPROVED

1. Name of applicant Irvin L. Spraker
post office address Rt. #1, Box 61, Pocatello, Idaho 83201
2. Source of water supply Unnamed spring which is a tributary of Portneuf River
3. a. Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 35 Township 7S
Range 36E B.M. Bannock County; additional points of diversion if any: _____

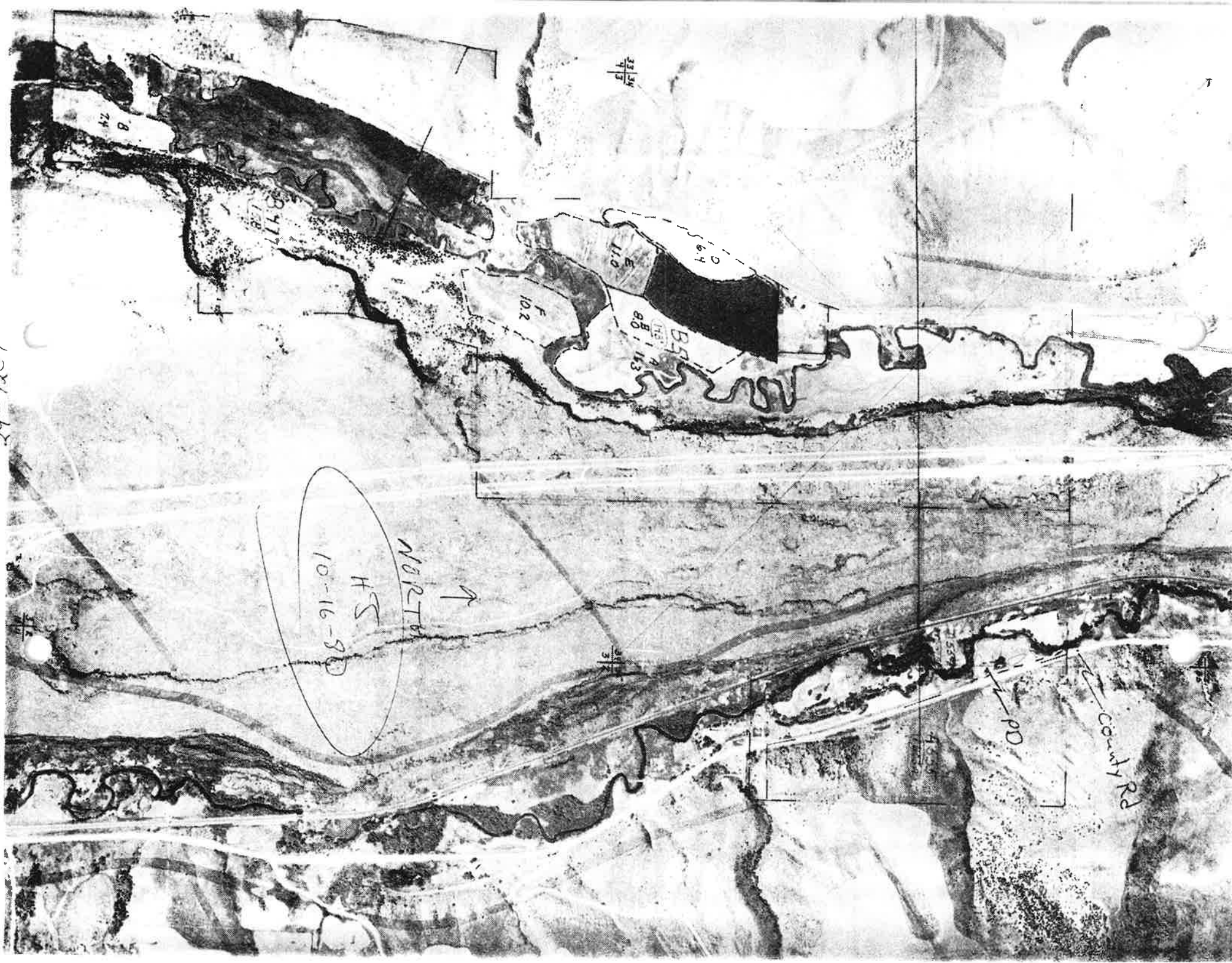
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.04 ^(cfs or ~~acre feet per month~~) for Domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
Amount 0.10 ^(cfs or ~~acre feet per month~~) for Irrigation purpose from Apr. 15 to Oct. 15 (both dates inclusive)
Amount 0.02 ^(cfs or ~~acre feet per month~~) for Livestock purpose from Jan. 1 to Dec. 31 (both dates inclusive)
5. Total quantity to be appropriated:
a. 0.16 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. pump in small concrete collecting reservoir

- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ (Mo. Day) to _____ (Mo. Day) inclusive.
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ 2,000.00
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 35 Township 7S
Range 36E B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered 20 head of beef

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water one.
(5) If water is to be used for other purposes describe: _____

MICROFILMED

29-7209



JUN 06 2001

55

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: A29-07209
Date Received: 8/18/1988
Receipt No: E002455
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: IRVIN L. SPRAKER 208-775-3410
Address: 729 N. OLD HYWAY 91
INKOM, ID 83245

2. Date of Priority: JUL 29, 1974

3. Source: SPRING Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	36E	35	SW		NW		BANNOCK

5. Description of diverting works:
PUMP & RES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.020		
STOCKWATER	01/01	12/31	0.020		
DOMESTIC	01/01	12/31	0.020		

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

8. Total consumptive use is 12.5 Acre Feet Per Annum.

9. Non-irrigation uses:

live @ 7.26 = irrig. Total E = 8.66

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	36E	34	SE	NE		IRR	4.0
						Section Acres	4.0



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	36E	35	SW	NW		IRR	1.0
Section Acres							1.0
Total Acres							5.0

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:
CLAIM 29-4034.

14. Remarks:
REINSTATED 11-19-1979.

15. Basis of Claim: LICENSE
Water Right Number: 297209

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): Irvin Spraker Date: 30 Aug 1988
_____ Date: _____

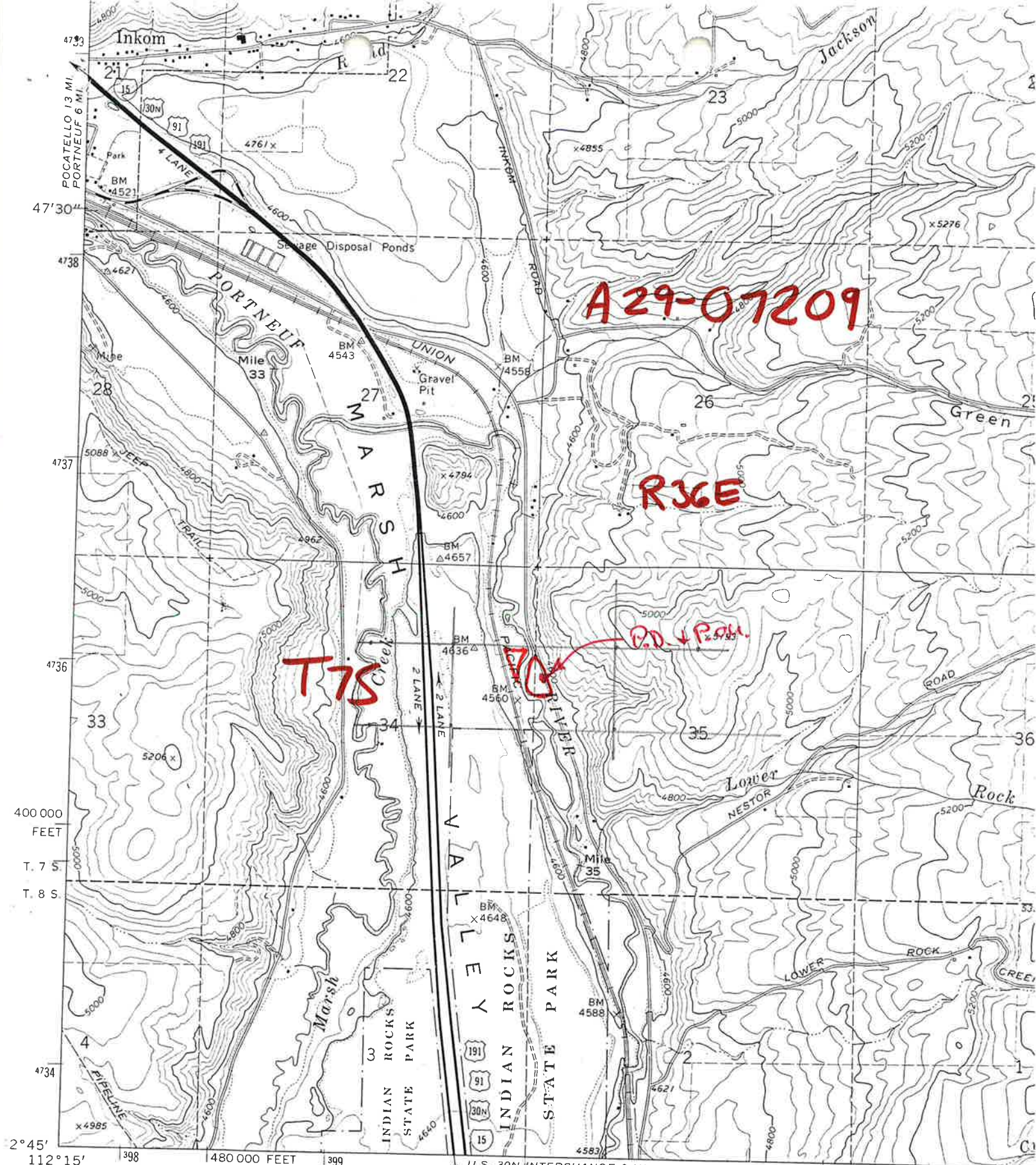
State of Idaho)
County of Lamar) SS.

Subscribed and sworn (or affirmed) before me this 30 day
of Aug 19 88

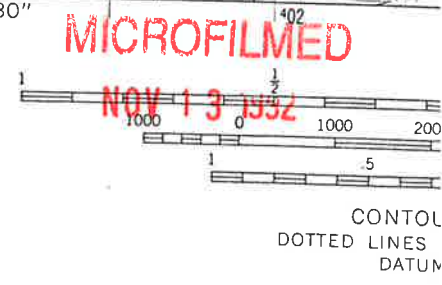
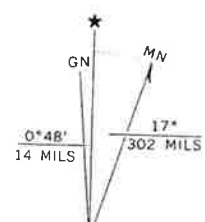
Case Broadie
Notary Public

Seal

Residing at Mr. Cannon
My Commission Expires 9-18-88



Mapped, edited, and published by the Geological Survey
 Control by USGS and USC&GS
 Topography by photogrammetric methods from aerial
 photographs taken 1967. Field checked 1968
 Polyconic projection. 1927 North American datum
 10,000-foot grid based on Idaho coordinate system,
 east zone
 1000-meter Universal Transverse Mercator grid ticks,
 zone 12, shown in blue



CONTOUR
 DOTTED LINES
 DATUM