

IDAHO DEPARTMENT OF WATER RESOURCES 12/17/2001
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

NAME AND ADDRESS: DAVID O CONNELL
8515 N PARKS RD
POCATELLO ID 83201

STACI O CONNELL
8515 N PARKS RD
POCATELLO ID 83201

SOURCE: SOUTH FORK POCATELLO CREEK TRIBUTARY: POCATELLO CREEK

QUANTITY: 0.09 CFS
17.7 AFY

USE OF THIS RIGHT WITH RIGHT NO. 29-07620 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 0.12 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION
VOLUME OF 17.7 AF.

PRIORITY DATE: 04/19/1975

POINT OF DIVERSION:

T06S R35E S20 NWNWSW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS 0.20 AFY
IRRIGATION	04/01 10/15	0.090 CFS 17.50 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY CONTINUE TO AS
LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT
EXCEEDED. THE USE OF WATER AFTER OCTOBER 15 UNDER THIS REMARK IS
SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR
LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL
DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within BANNOCK County

T06S R35E S20 NWSW 5.0

STOCKWATER same as IRRIGATION

5 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 29-07620 IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 5.0 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 5.0 ACRES WITHIN THE PLACE OF
USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

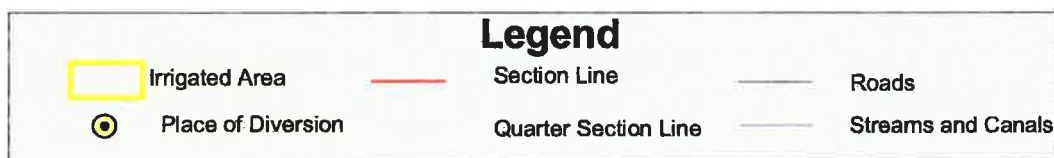
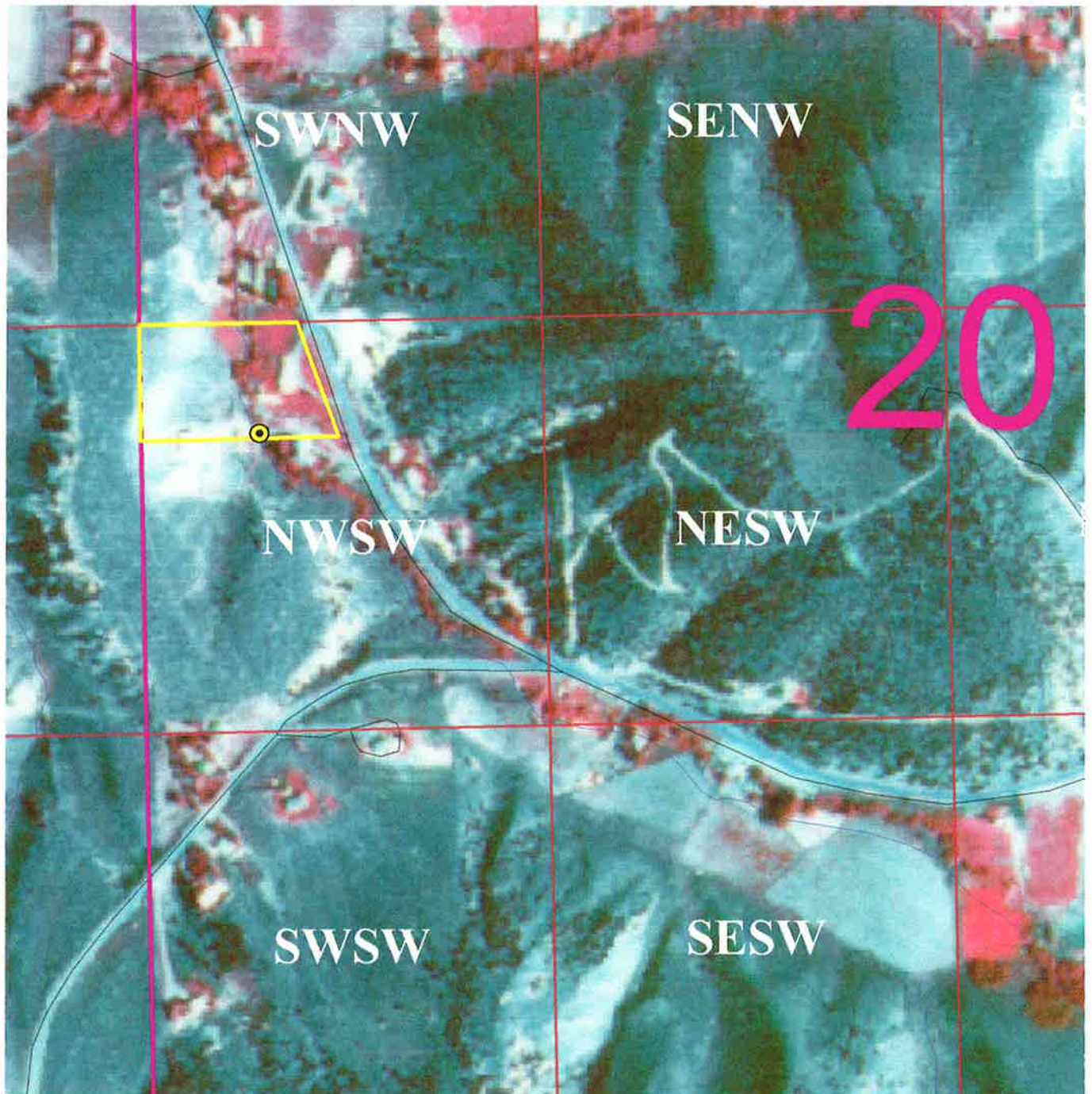
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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: License

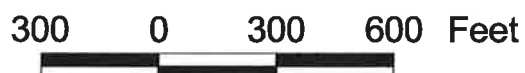
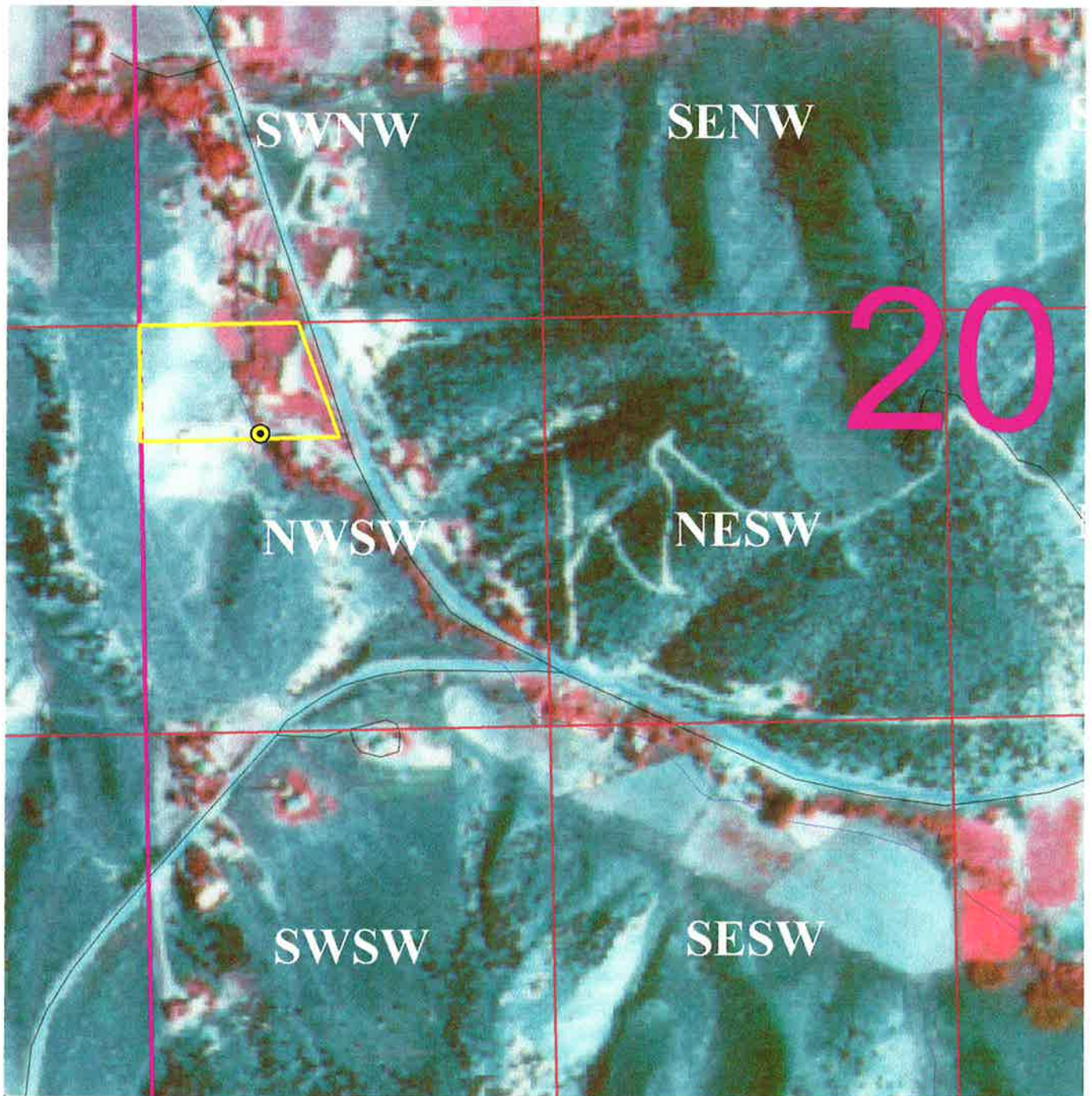
Water Right Claim Number A29-07259
Township , 6S35E

09/21/2000



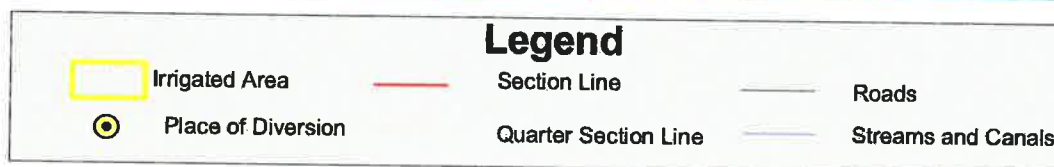
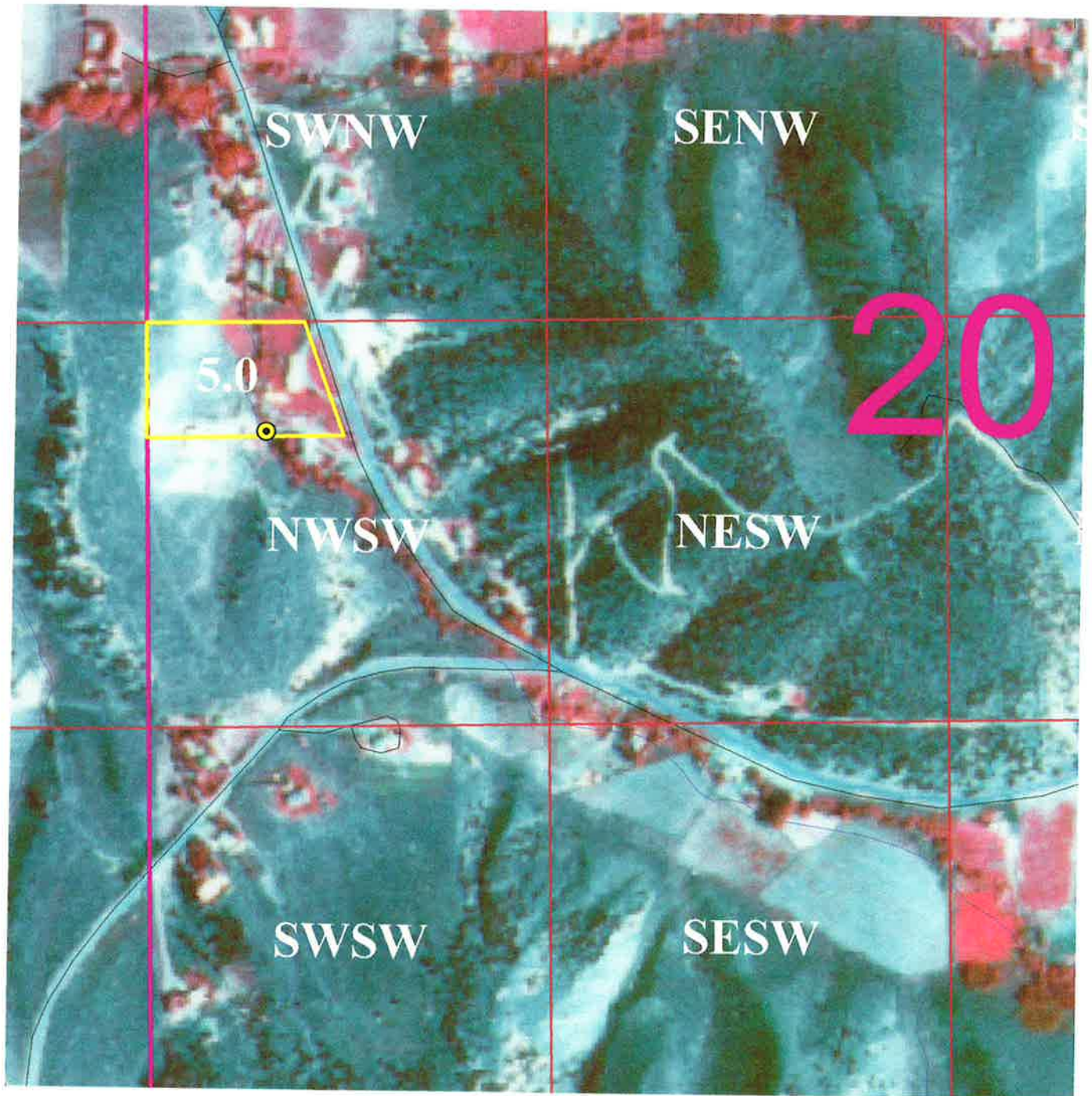
Water Right Claim Number A29-07259
Township , 6S35E

09/21/2000



Water Right Claim Number A29-07259
Township , 6S35E

09/21/2000



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-7259 V1

WATER RIGHT NUMBER: 29-7259 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ALICE E COCHRANE 8515 N PARKS RD POCATELLO, ID 83201 (208)233-5079
Current Owner	DAVID O CONNELL 8515 N PARKS RD POCATELLO, ID 83201 (208)232-4839
Current Owner	STACI O CONNELL 8515 N PARKS RD POCATELLO, ID 83201 (208)232-4839
Original Owner	JOHN F COCHRANE 8515 N PARKS RD POCATELLO, ID 83201 (208)233-5079

Priority Date: 04/19/1975

Basis: License

Status: Active

Source

SOUTH FORK POCATELLO CREEK

Tributary

POCATELLO CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.020 CFS	0.20 AF
IRRIGATION	04/01 to 10/15	0.090 CFS	17.50 AF
	<u>Total Diversion:</u>	0.090 CFS	17.70 AF

Location of Point(s) of DiversionSOUTH FORK POCATELLO CREEK
BANNOCK County

NW1/4NW1/4SW1/4

Sec. 20, Twp 06S, Rge 35E, B.M.

Place of UseIRRIGATION Within BANNOCK County

T06S R35E S20 NWSW 5.0

Total Acres: 5

STOCKWATER 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.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-7259 V1

1. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NO. 29-07620 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 5.0 ACRES IN A SINGLE IRRIGATION SEASON.
2. Quantity USE OF THIS RIGHT WITH RIGHT NO. 29-07620 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.12 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 17.7 AF.
3. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 5.0 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
4. Purpose of Use THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Comments:

1. csaxton 12/17/2001 Recommendation
Comment: Recommend as licensed

2. csaxton 12/17/2001 Source
Comment: Licensed as South Fork of Pocatello creek, tributary to Portneuf. In reality South Fork of Pocatello creek is tributary to Pocatello creek. That was reflected in recommendation.

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: AND
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	12/17/2001 10:49:24 AM	csaxton			Active
POD	12/17/2001 10:49:33 AM	csaxton			Active
Source	12/17/2001 10:50:31 AM	csaxton			Active
POU	12/17/2001 10:53:00 AM	csaxton			Active
Use	12/17/2001 10:53:47 AM	csaxton			Active
Season	12/17/2001 10:55:57 AM	csaxton			Active
Quantity	12/17/2001 10:57:05 AM	csaxton			Active
Quantity	12/17/2001 11:49:17 AM	csaxton			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-7259 V1

Summary	12/17/2001 11:54:23 AM	csaxton	12/17/2001 11:54:23 AM	csaxton	Active
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	12/17/2001 10:53:05 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?
POU	12/17/2001 10:53:23 AM	csaxton	Edited shape boundary
Use	12/17/2001 10:53:52 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?
Contacts	12/17/2001 10:48:57 AM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop Review
POD	12/17/2001 10:49:38 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	12/17/2001 10:49:53 AM	csaxton	Edited point location
POD	12/17/2001 10:50:20 AM	csaxton	Edited PLS
Source	12/17/2001 10:50:36 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?
Priority Date	12/17/2001 10:49:29 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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-7259 V1

Season	12/17/2001 10:56:02 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? (Yes) 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) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (Yes) 18. Is a Period of Use remark and/or condition required?
POD	12/17/2001 10:57:10 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? (Yes) 12. Is a Quantity remark or condition required? Description for Question 10 - Recommended as Licensed
POD	12/17/2001 11:49:17 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? (Yes) 12. Is a Quantity remark or condition required? Description for Question 10 - IDWR standard of 4 af/acre
Summary	12/17/2001 11:54:23 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? (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?

02/13/2003

NOTICE OF ERROR
REPLY

Craig

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: 29-7259

DAVID O CONNELL
8515 N PARKS RD
POCATELLO ID 83201
Telephone Number: (208)232-4839

STACI O CONNELL
8515 N PARKS RD
POCATELLO ID 83201
Telephone Number: (208)232-4839

RECEIVED
APR 03 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: 3/28/03

SIGNATURE: *David O'Connell*

Please print your name: DAVID O'CONNELL

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

SCANNED
APR 21 2003

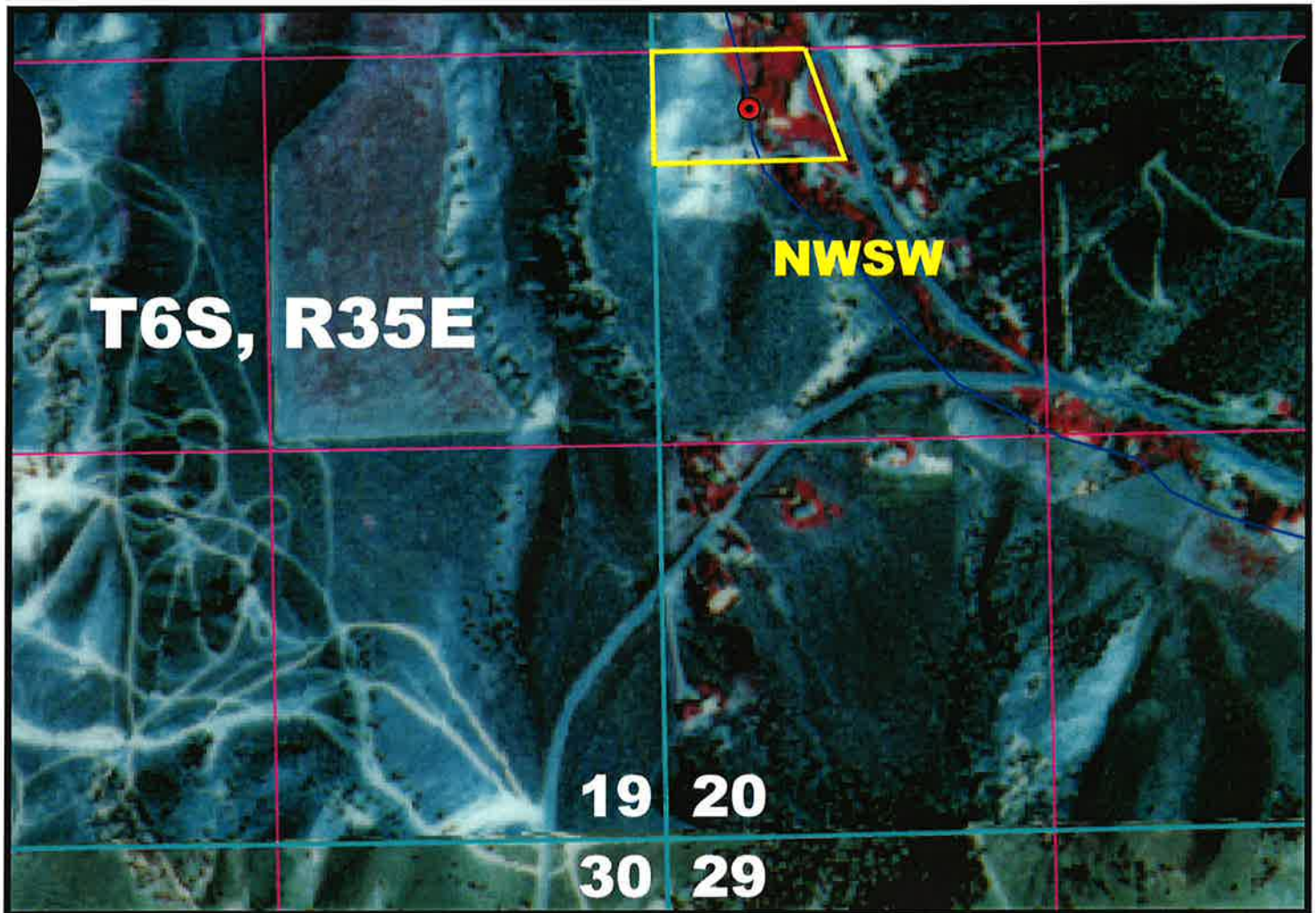
PROFILED



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s): 29-07259



1320 0 1320 Feet

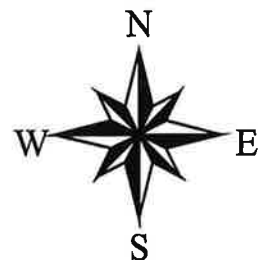
Total Irrigated Acres: 5.0

● Point(s) of Diversion

□ Place of Use

□ Quarter Quarter Lines

□ Section Lines



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

JUN 13 2001

Log for claim A29-07259

Spatial Dynamics LTD

9/21/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06s35e	20	NWSW	5	5	
Totals:			5	5	

Recommend as claimed.

Check POU.

Is this same POU as 29-07620?

AJ5809NP
No. A29-07259

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/24/00
PAGE: 101

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DAVID O CONNELL	04/19/1975	IRRIGATION	04-01 10-15	0.090 CFS	17.50 AFA
C	STACI O CONNELL		STOCKWATER	01-01 12-31	0.020 CFS	0.20 AFA
	8515 N PARKS RD					
	POCATELLO ID 83201					
	(208) 232-4839					
				TOTAL DIVERSION:	0.090 CFS	17.70 AFA
				CONSUMPTIVE USE:		17.70 AFA

Water Source: POCATELLO CREEK, SOUTH FORK

Tributary to: PORTNEUF RIVER

Stage: LICENSE

Point(s) of Diversion:

T06S R35E S20

NWSW

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	35E	20	:																	:	
			:																	:	5.0
			:																	:	5.0

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

POU County: BANNOCK

Non-Irrigation Uses: S/ 10CATTLE, 2 HORSES, 100 CHICKENS

Other Rights: NONE

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

29-07795 29-10644 29-10675 29-11066 A29-04260 A29-07620 A29-07795 A29-10644 A29-10675 A29-11066

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

A29-04260 A29-07620

Remarks: GEN CHANGED OWNERSHIP 6/14/96/JT/SB

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 05/17/90 DCARLSON 07/26/94 THOMPSON 03/29/95 POST-STD 06/14/96 JTHOMPSON

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 29-7259 Priority 4/19/1975 Amount .09 cfs
(Late Proof)

THIS IS TO CERTIFY, that JOHN F. COCHRANE
of Pocatello, ID, has complied with the terms and conditions of Permit
No. 29-7259 issued pursuant to Application for Permit dated 4/10/1975,
and has submitted proof to the Department of Water Resources on 7/10/1980,
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 .09 cfs of water from Pocatello Creek, South Fork
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
Irrigation	from <u>4/1</u> to <u>10/15</u>	at <u>.09</u> cfs and	<u>17.5</u> AF
Stockwater	from <u>1/1</u> to <u>12/31</u>	at <u>.02</u> cfs and	<u>.2</u> AF
	from _____ to _____	at _____ cfs and	
(both dates inclusive)			

Subject, however, to the condition that no more than .09 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
17.7 acre feet per year, said waters to be diverted within the NWSW, Sec. 20, T6S, R35E
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	
6S	35E	20									5								5

Total number of acres irrigated 5

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 29th day of
May, 19 81.

Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR EXTENSION OF TIME

State of Idaho)
County of Bannock)

Permit No. 29 7259

John F. Cochran of Route 5, Parks Road, Pocatello, Idaho 83201
(name) (address)

State of Idaho, being first duly sworn, upon his oath deposes and says:

That he is the holder, or the duly authorized agent of the holder *, of Permit to
Appropriate the Public Waters of the State of Idaho No. 29 7259.

That under the terms and conditions of said permit, work thereunder was required
to be completed on or before July 1, 19 77.

That he has heretofore performed the following work described under said permit:
Presently using stream for stock watering.

Costing \$ None

That he is unable to complete the remainder of the work within the required time for
the following reasons, to-wit: Insufficient time and uncertainty of available
water.

Wherefore, he asks that the Department of Water Resources extend the time for the
completion of obligations under said permit to July 1, 19 80.

John F. Cochran
(signature) *

Subscribed and sworn before me this 1st day of March, 19 77.

seal

William H. Thompson
Notary Public residing at

My commission expires 7/15/77

ACTION OF THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED
and the time within which to submit proof of beneficial use be extended to July 1, 1980.

Witness my hand this 18 day of March, 19 77.

Bobby D. Flanagan
for A. KENNETH DUNN
Administrator, Operations Division

* IF OTHER THAN HOLDER, Power of Attorney must be supplied. Forms are available
through the Department of Water Resources, Statehouse, Boise, Idaho 83720.

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

29-7259

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 8-6-80 Accompanied by John Cochran Total Q measured 0.09 cfs
If source is surface water, estimate total flow of source 2 cfs
Methods of measurement Pitot gauge Meets Permit requirements? yes

Measurement calculations: $V = 5 \text{ acres} \times 3.5 \text{ afa}$ $V = 17.5 \text{ afa} \checkmark$	Line #1 - 16.5 gpm Line #2 - 22.1 gpm total = 38.6 gpm or $0.08 \text{ cfs} - 0.05 \text{ rounded to } 0.09 \text{ cfs} \checkmark$	$V = 0.08 \text{ cfs} \times 1.4833 \times 197$ $V = 31.26 \text{ afa}$ $V = 0.09 \times 1.9835 \times 197 = 35.2 \text{ AF}$
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WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	4	Briggs Stratton	N.A.	Jatic	N.A.			

System Description From intake base on S.E. of Peacatello Creek thru pump/motor then thru 2" plastic line to two hand lines.

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

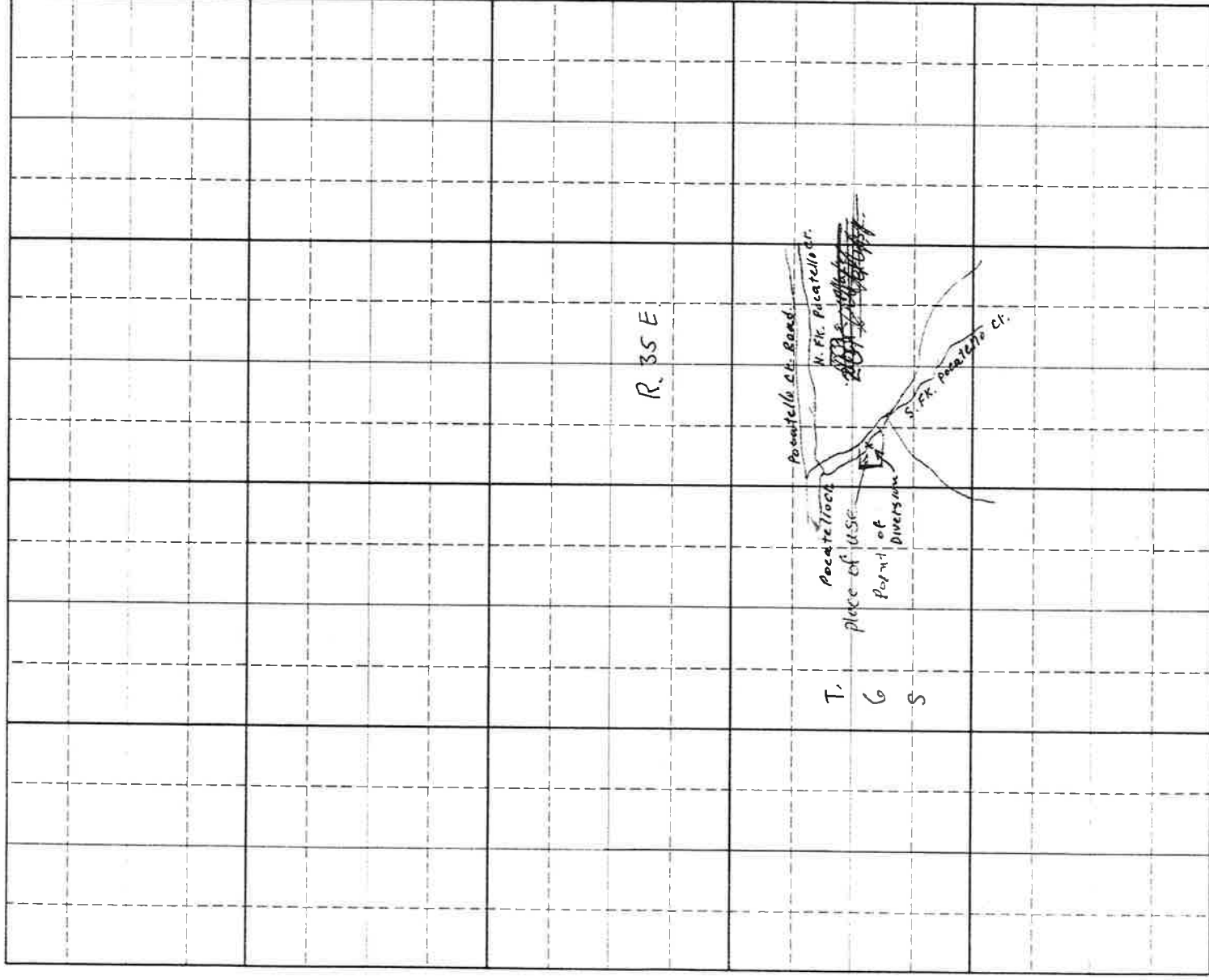
RECOMMENDED AMOUNTS

RECOMMENDED AMOUNTS		Irrigation requirement =	3.5	AFA/Acre		
USE		Q (cfs)	V (afa)	FROM	TO	
Irrigation		0.08 ✓	17.5 ✓	April 1	Oct 15	
stockwater		0.02 ✓	0.2 ✓	Jan 1	Dec 31	
						</

Remarks Acreage size confirmed at Bannock Co. assessor's office to be 5 acres.

Stock 0.02 cfs as per permit
2 AF as per stockwater table

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.

John F. Cochran
(Applicant)

Identification No. 29 7259

Application No. _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT**

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

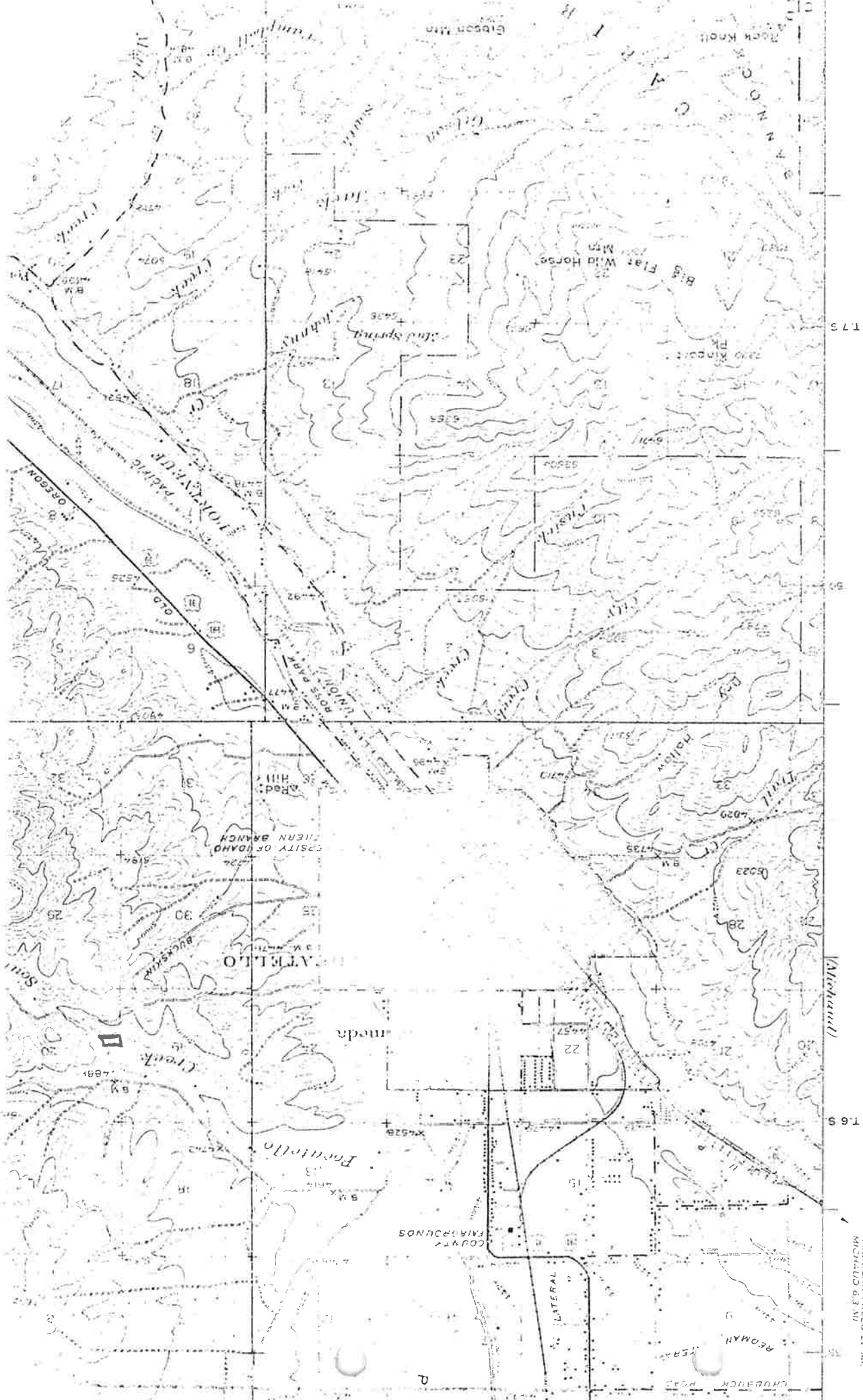
1. Name of applicant JOHN F. COCHRANE Phone: _____
post office address Route #5, Parks Road, Pocatello, Idaho 83201
2. Source of water supply South Fork Pocatello Ck. which is a tributary of Portneuf River
3. a. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 20 Township 6S
Range 35E 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 0.10 for Irrigation purpose from April 1 to October 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.02 for Stockwater purpose from Jan. 1 to December 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.12 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 3 horsepower centrifugal pump
(pressure needed to sprinkle irrigate on hillside)

- 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 _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- 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 2 years.
b. Estimated construction cost is \$ 1,500.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 20 Township 6S
Range 35E 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 3 beef cattle, 1 dairy cow, 3 horses

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____
(5) If water is to be used for other purposes describe: I may try to build a stockwatering pond
at the bottom of the hillside and also put perch or sunfish in it for the kids.

RECORDED



173

169

Michael

169

AMERICAN FALLS 22 MI.
MICHAEL 6.3 MI.



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

JUNE 14, 1996

DAVID O CONNELL
8515 N PARKS RD
POCATELLO ID 83201

RE: CHANGE IN OWNERSHIP FOR A29-07795, -07259, -07620

Dear Mr. O' Connell:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed are copies of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep these Notices for your records.

Respectfully submitted,

Jo Thompson
Adjudication Secretary

Enclosure: Notices of Claim

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NOV 13 1996



SB

RECEIVED

JUN 13 1996

Department of Water Resources
Eastern Region

May 12, 1996

Idaho Dept. of Water Resources
Attn: Steve Ball
900 N. Skyline Drive
Idaho Falls, ID 83402

To Whom It may Concern:

Enclosed you will find a Water Right Transfer Form. I was not able to fill-in the Water Right Number due to the fact that the Seller of this property has packed it away and it will be in storage until October. I hope you have away of looking this number up. If there is a problem please let me know. Sorry.

Sincerely,


KayeLynn D. Bridger
Realtor, G.R.I.

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NOV 13 1996

KayeLynn Bridger

RE/MAX Country
1424 Yellowstone Avenue
Pocatello, Idaho 83201
Phone: (208) 237-8180
Fax: (208) 237-8382

Each Office Independently Owned and Operated



MULTIPLE LISTING SERVICE
MLS

4. The Land referred to in this Commitment is described as follows:

A parcel of land in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 20, Township 6 South, Range 35 E.B.M.,
BANNOCK COUNTY, IDAHO, more particularly described as follows:

Beginning at the West $\frac{1}{4}$ corner of Section 20, Township 6 South, Range 35 E.B.M.,
thence North 89°50' East, 516.37 feet, more or less, to the Westerly right-of-way
line of Parks Road; thence South 18°27' East on the said right-of-way line, a
distance of 393.35 feet; thence South 89°50' West, 640.4 feet, more or less, to the
West line of said Section 20; thence North 0°09' West on the West line of said
Section 20, a distance of 376.5 feet, more or less, to the POINT OF BEGINNING.

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NOV 18 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 6-5-96

LEGAL DESCRIPTION OF PROPERTY: Township 6 South Range 35 E.B.M.
Section 20, NW 1/4 of SW 1/4 of 1/4 Govt. Lot , BM.
Lot , Block, , Subdivision/Townsite .
If you have additional legal descriptions, please attach separate sheet.

Please see
Attached.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR:

A29-07795, A29-07259, A29-07620

☒ Name and Address of Former
Owner/Claimant(s)(Seller):

John F. Cochran & Alice E. Cochran

P.O. Box 7175

Kalispell, MT 59904-0175

☒ New Owner/Claimant
(Purchaser):

David O'Connell & Staci O'Connell

☐ New Mailing Address:

8515 N. Parks Road

Pocatello, ID 83201

☐ New Telephone Number:

(208) 232 - 4839

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☒ Attach proof of
ownership, describe
proof attached:

Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New
Owner/Claimant(s)

Date 6/10/96

Date 6/10/96

☐ Signature of Former
Owner/Claimant(s):

Date

Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

*Reviewed by Steve Bace; reviewed by same
Completed by Jo*

FOR IDWR USE ONLY: SB 6-13-96

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: 6-14-96 By: Jo

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

N/A

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NOV 13 1996

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME _____

CLAIM NO. _____

DATE RECEIVED _____

CK # _____

AMOUNT \$ _____

YES

NO

Required
Info?

1. Is the name and address complete with zip code?
2. Is a priority date entered?
Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required.
3. (a) Is a source entered?
(b) Is a tributary to entered? (if required) N/A
4. Is the legal description of the p.d. sufficient?
5. Is there a description of the diverting works?
6. Are the water uses appropriate for the form? The short form is limited
to domestic and stockwater uses with direct diversion. All claims that
include storage or instream stockwater must use long form.
Is the period of use included?
Is a quantity claimed for each use?
7. Is a total quantity claimed entered?
8. If required is a consumptive use entered? N/A
Is the consumptive use correct? N/A
9. Are the non-irrigation uses listed properly? If this claim is on the
short form, and more than one domestic use is listed, single owner-
ship must be stated. If not under single ownership, see
Adjudication Memo # 4. N/A
10. Is (are) the place(s) of use and purpose(s) indicated?
11. Is (are) the county(ies) entered?
12. Is the ownership of p.u. checked?
13. Are other water rights listed or "none" indicated?
14. If required, are remarks correct? (If the claimant does not own
the place of use, authority for filing the claim must be
explained in the remarks.) N/A
15. Is the basis of the claim indicated?
16. If the claimant requested a monthly docket sheet, is payment enclosed?
(If yes, describe payment status in "Comments" below.) N/A
17. Is the claim signed by the claimant, and is the signature appropriate?
Organizations must complete the organization block.
18. Has the claim been signed, sealed, and dated by a notary?
19. Was this claim filed on time, or was an extension granted?
20. Is the fee enclosed correct? Exempt
21. If this claim is based on an existing water right, has the
identification number been entered? N/A
22. Should this claim be data entered?

Claim checked by: _____

Date: _____

Claim must be returned to claimant: _____

(Yes) ☒ (No)

Claimant must be notified of modifications: _____

☒ (Yes) (No)

Receipt Prepared by: _____

Claim data entered by: DC

Sent to claimant by: _____

Date: _____

Date: 5/17/90

Date: _____

Checked by: _____

Date: _____

Comments: _____

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NOV 13 1992

WARRANTY DEED

96009289

For Value Received JOHN F. COCHRANE and ALICE E. COCHRANE, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

DAVID O'CONNELL and STACI O'CONNELL, husband and wife

whose address is: 8515 NORTH PARKS ROAD, POCATELLO, ID, 83201

Hereinafter called the Grantee, the following described premises situated in BANNOCK County, Idaho, to-wit:

A parcel of land in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 20, Township 6 South, Range 35 E.B.M., BANNOCK COUNTY, IDAHO, more particularly described as follows:

Beginning at the West $\frac{1}{4}$ corner of Section 20, Township 6 South, Range 35 E.B.M., thence North 89°50' East, 516.37 feet, more or less, to the Westerly right-of-way line of Parks Road; thence South 18°27' East on the said right-of-way line, a distance of 393.35 feet; thence South 89°50' West, 640.4 feet, more or less, to the West line of said Section 20; thence North 0°09' West on the West line of said Section 20, a distance of 376.5 feet, more or less, to the POINT OF BEGINNING.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated:

6/4/96

John F. Cochrane
JOHN F. COCHRANE

Alice E. Cochrane
ALICE E. COCHRANE

STATE OF IDAHO)
COUNTY OF BANNOCK)

On This 4th day of JUNE, in the year 1996, before me, a Notary Public in and for said State, personally appeared JOHN F. COCHRANE and ALICE E. COCHRANE, known or identified to me to be the person(s) whose name(s) ARE subscribed to the within Instrument, and acknowledged to me that THEY executed the same.

NO 96009289
RECORDED AT REQUEST OF
FIRST AMERICAN TITLE
JUN 5 AM 11:13

Terris Smith
Notary Public of Idaho
Residing at POCATELLO, ID.
Commission Expires: 4-28-99

OFFICIAL RECORD BOOK NO 1008
BANNOCK COUNTY IDAHO
LARRY W. GIANI RECORDER
FEE 3.00 DEPUTY S

NOTARY SEAL

JUN 13 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: A29-07259

Date Received: 4/19/1990

Receipt No: E013325

Received By: _____

**COPY FOR
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

1. Name: DAVID O CONNELL
Address: 8515 N PARKS RD
POCATELLO ID 83201

208-232-4839

AND/OR

Name: STACI O CONNELL
Address: 8515 N PARKS RD
POCATELLO ID 83201

208-232-4839

2. Date of Priority: APR 19, 1975

3. Source: POCATELLO CREEK, SOUTH FORK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	35E	20	NW	SW			BANNOCK

5. Description of diverting works:
PUMP & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/15	0.090		17.50
STOCKWATER	01/01	12/31	0.020		0.20

7. Total Quantity Appropriated is:
0.090 C.F.S. (and/or) 17.70 A.F.A.

8. Total consumptive use is 17.7 Acre Feet Per Annum.

9. Non-irrigation uses:
S/ 10CATTLE, 2 HORSES, 100 CHICKENS

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NOV 13 1990

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	35E	20	NW	SW		IRR	5.0

Section Acres 5.0

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:
NONE

14. Remarks:
CHANGED OWNERSHIP 6/14/96/JT/SB

15. Basis of Claim: LICENSE

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NOV 13 1996

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: A29-07259
Date Received: 5/17/1990
Receipt No: E013325
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN F. COCHRANE 208-233-5079
Address: 8515 N. PARKS RD
POCATELLO, ID 83201
AND/OR
Name: ALICE E. COCHRANE 208-233-5079
Address: 8515 N. PARKS RD
POCATELLO, ID 83201

A2907259



2. Date of Priority: APR 19, 1975
3. Source: POCATELLO CREEK, SOUTH FORK Trib. to: PORTNEUF RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	35E	20	NW	SW			BANNOCK

5. Description of diverting works:
PUMP & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/15	0.090		17.50
STOCKWATER	01/01	12/31	0.020		0.20

7. Total Quantity Appropriated is:
0.090 C.F.S. (and/or) 17.70 A.F.A.

8. Total consumptive use is 17.7 Acre Feet Per Annum.

9. Non-irrigation uses:
S/ 10CATTLE, 2 HORSES, 100 CHICKENS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	35E	20	NW	SW		IRR	5.0
Section Acres							5.0
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:
NONE

14. Remarks:

15. Basis of Claim: LICENSE

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): _____ Date: _____
_____ Date: _____

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

Date Received

Receipt Number

A29-07259
4-19-90/90
E013325

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

APR 19 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) John F. and/or Alice E. Cochrane Phone (208) 233-5079
Mailing Address 8515 N. Parks Rd. Pocatello, Idaho 83201 Zip 83201

2. Date of Priority (Only one (1) per claim) April 19, 1975

3. Source of water supply (a) Pocatello Creek, South Fork
which is tributary to (b) Portneuf River

4. a. Location of existing point of diversion is: Township 6S Range 35E Section 20,
_____ 1/4 of NW 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of _____

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township 6S Range 35E Section 20, _____ 1/4 of NW 1/4 of SW 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township 6S Range 35E Section 20, _____ 1/4 of NW 1/4 of
SW 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

3 H.P. centrifugal pump with
mainline and laterals for irrigation and stock watering.

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NOV 13 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3/15 to 11/15 amount .10 or _____

For Stockwater purposes from 1/1 to 12/31 amount .02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .12 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 17.7 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Domestic, 1 home; stockwater, 2 horses, 10 cattle, 100 chickens

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
6S	35E	20										5							5

Total number of acres irrigated 5

11. In which county (ies) are lands listed above as place of use located? BONNICK

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
5 H.P. submersible (groundwater source) for same purposes or None ()

14. Remarks:

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NOV 13 1992

Last Name Cochrane Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

19 T 6 S

20 R 35 E

Place of Use and Point of Diversion

NOV 13 1992

Last Name

Cochrane

Ident No.

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 29-7259
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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 do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) Alice E. Cochran Date 4-19-90

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

State of Idaho/or _____)
County of Bonneville) SS.

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

SEAL

Notary Public Betty J. Thompson

Residing at _____
BETTY J. THOMPSON, NOTARY PUBLIC

My Commission Expires RESIDING AT IDAHO FALLS, IDAHO

Please Print Name

MY COMMISSION EXPIRES: 6-30-94

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Cochran Ident. Number _____

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NOV 13 1992