

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

07/19/2001

RIGHT NUMBER: 29-7326
NAME AND ADDRESS: ROD CARLSON
PO BOX 6101
KETCHUM, ID 83340

SOURCE: GROUND WATER

QUANTITY: 2.53 CFS
640 AFY

PRIORITY DATE: 04/28/1976

POINT OF DIVERSION: T05S R33E S33 NWNWNE Within POWER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 11-01	2.53 CFS 640.00 AFY

PLACE OF USE:

<u>IRRIGATION Within POWER County</u>			
T05S R33E S28	SWSE	40	T05S R33E S28 SESE 40
T05S R33E S33	NENE	40	T05S R33E S33 NWNE 40

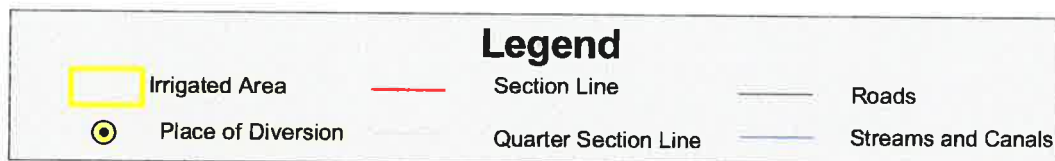
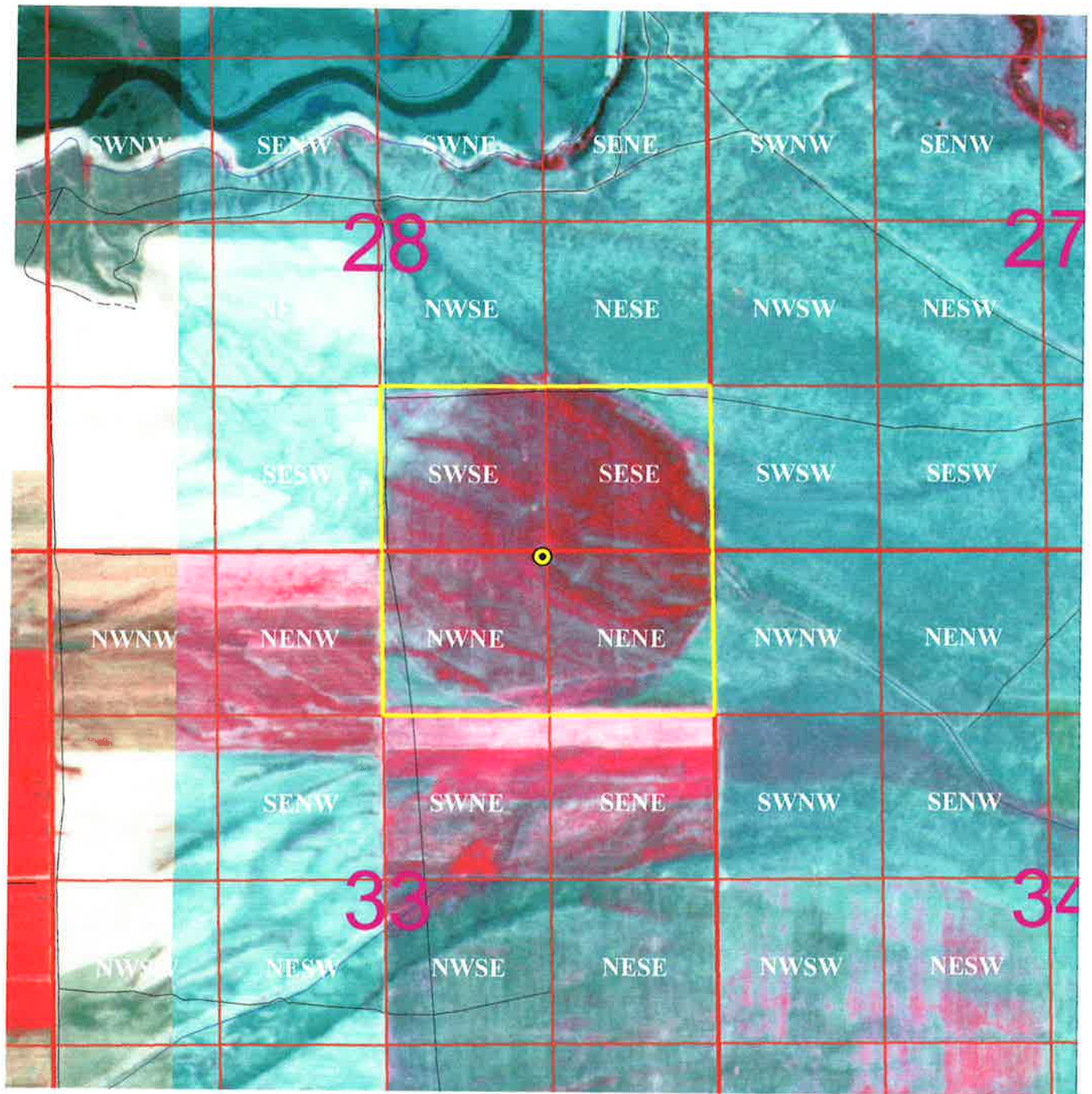
160 ACRES TOTAL

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: BASIS OF CLAIM - License

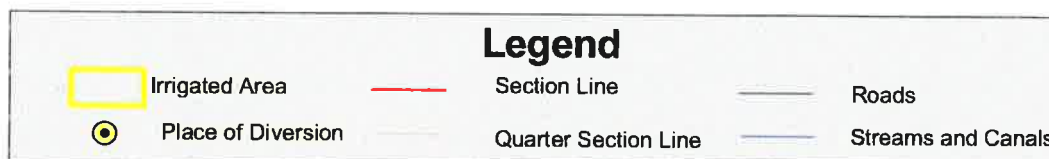
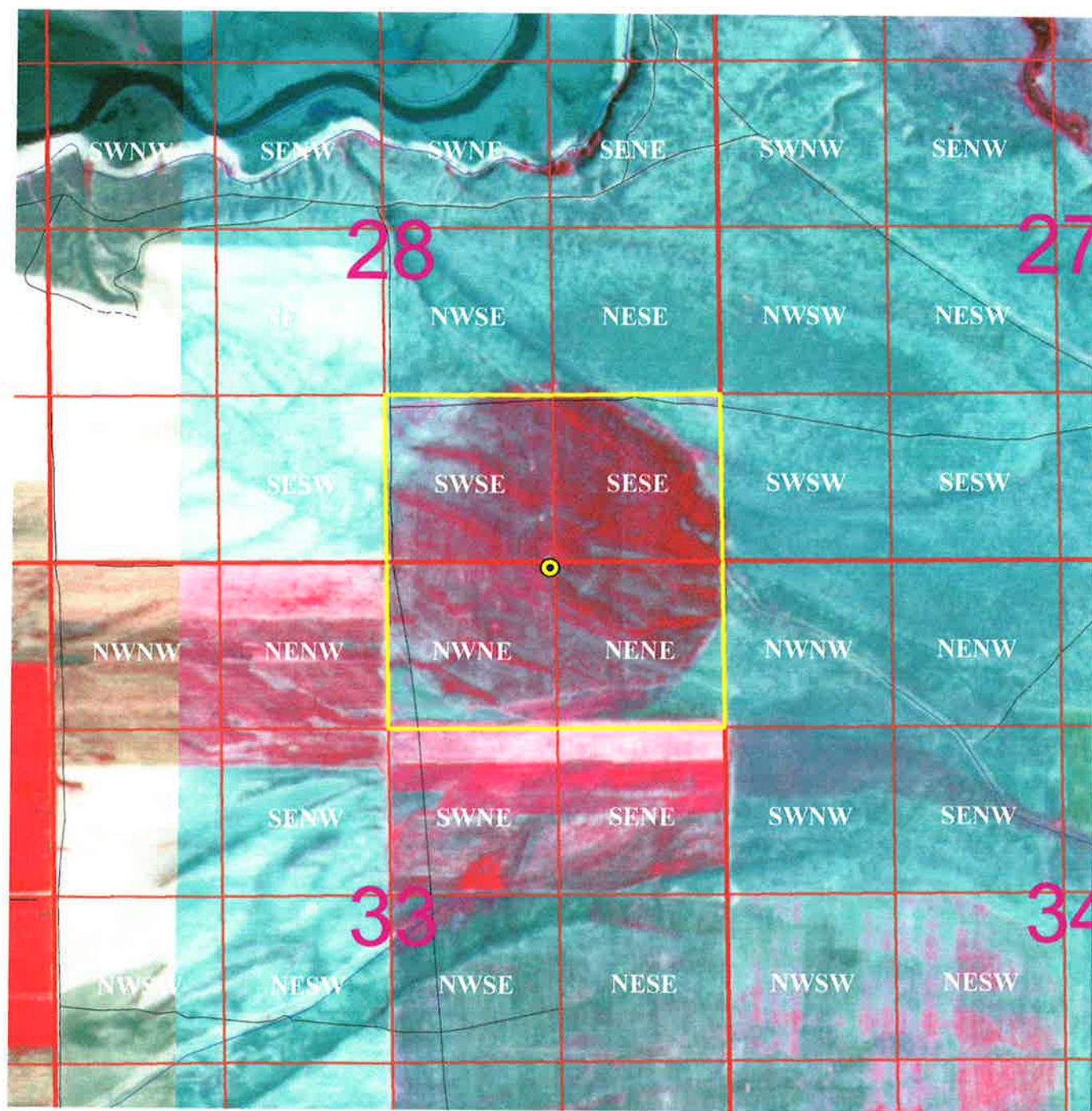
Township , 5S33E



900 0 900 1800 Feet



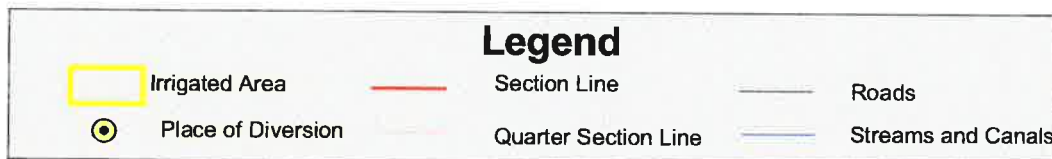
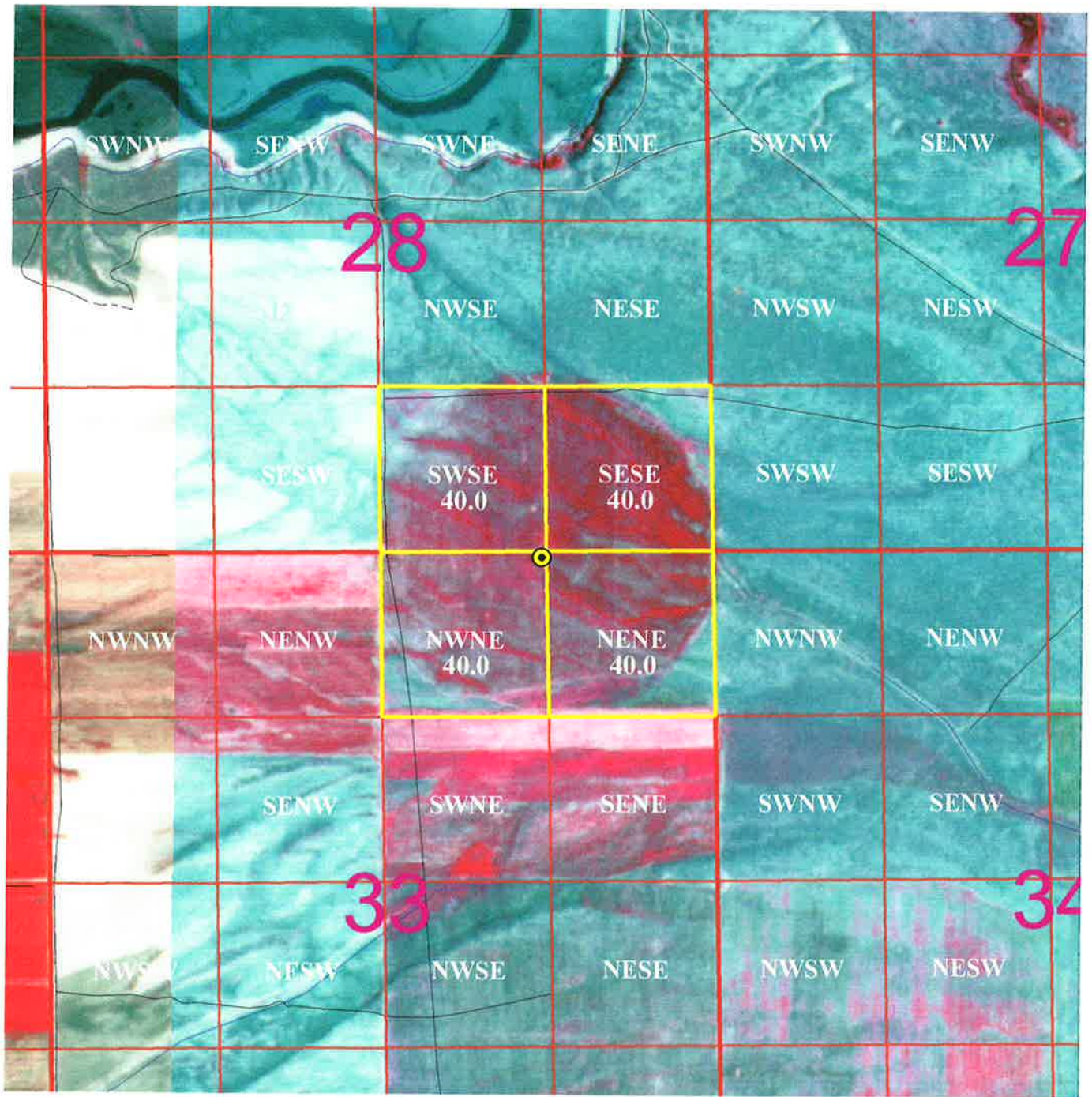
Township , 5S33E



900 0 900 1800 Feet



Township , 5S33E



900 0 900 1800 Feet





State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

May 13, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

SHOSHONE BANNOCK TRIBES
PO BOX 306
FT HALL ID 83203

RE: CHANGE IN OWNERSHIP FOR WATER RIGHT CLAIM NO. 29-7326

Dear Sir or Madam:

Thank you for notifying IDWR that the above reference water right has been sold to the Shoshone Bannock Tribe. In order to make the change, we require you to complete a change of ownership form and return to our office along with the appropriate documentation (i.e. warranty deed) that indicates such transaction took place. For your convenience, I have included a copy of the *Change in Ownership* form. Instructions for completing the form are attached. Please note that since we are currently working on your basin, the \$25 fee is NOT required.

Enclosed is a *Change in Ownership* form. Please fill out the form completely, sign and date it and return it to my attention along with a copy of the legal document used to effect the change of ownership.

If you have any questions regarding this matter, please feel free to call me at 525-7161.

Respectfully submitted,

W. Roger Warner
Adjudication Specialist

Enclosure(s) Change of Ownership form

PROFILE

SCANNED
APR 25 2008

Paul

Crabtree, Jennifer

From: Klipfel, Terry
Sent: Thursday, May 01, 2003 10:46 AM
To: Crabtree, Jennifer
Subject: Owner papers again!

Hi, Jennifer,

I was notified that 29-7326 belonging to Rod Carlson
PO Box 6101
Ketchum, ID 83340

was sold to the Shoshone Bannock Tribe
PO Box 306
Ft. Hall, ID 83203

Thanks!
Terry

SCANNED

MAY 26 2006

PROFILED

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 29-7326

Comments:

<u>Author</u>	<u>Date</u>	<u>Subject</u>	<u>Comment</u>
bcontor	7/19/2001	Recommendation	Claimed as licensed, recommended as claimed except as noted below.
bcontor	7/19/2001	Annual Volume	Volume adjusted upwards to current standard 4.0 acre feet per acre, per Carter Fritschle instructions in similar case in B31.
bcontor	7/19/2001	POD	Per claim map and license examiners sketch.
bcontor	7/19/2001	Non-use	1987 Napp indicates possibility of non-use of east pivot corners. However 1985 NAPP (copy in paper file) tends to indicate corners were irrigated in 1985, claim was signed in 1989. No five-year period of non-use found prior to signing of claim.

Dates:

Licensed Date: 04/12/1982
 Claim Received Date: 03/27/1989
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Decreed Date:
 Date Filed with Court:
 Objection Filed Date:
 SF5 Filed:
 Special Master Recom Signed Date:

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Review Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary	7/19/2001 10:45:40 AM		7/19/2001 10:45:40 AM	bcontor	Complete

Other Information:

Receipt Number(s): E006501
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate per Acre:
 Generic Max Volume per Acre:
 Civil Case Number:
 Old Case Number:
 Decree Plaintiff:
 Decree Defendant:
 PresumptionFlag:
 Notice of Error Flag:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Cary Act Number:
 Mitigation Plan: False

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log Text</u>
POD	7/19/2001 10:42:45 AM	bcontor	Edited polygons
POD	7/19/2001 10:41:45 AM	bcontor	Edited PLS
POD	7/19/2001 10:41:26 AM	bcontor	Edited point location

Summary

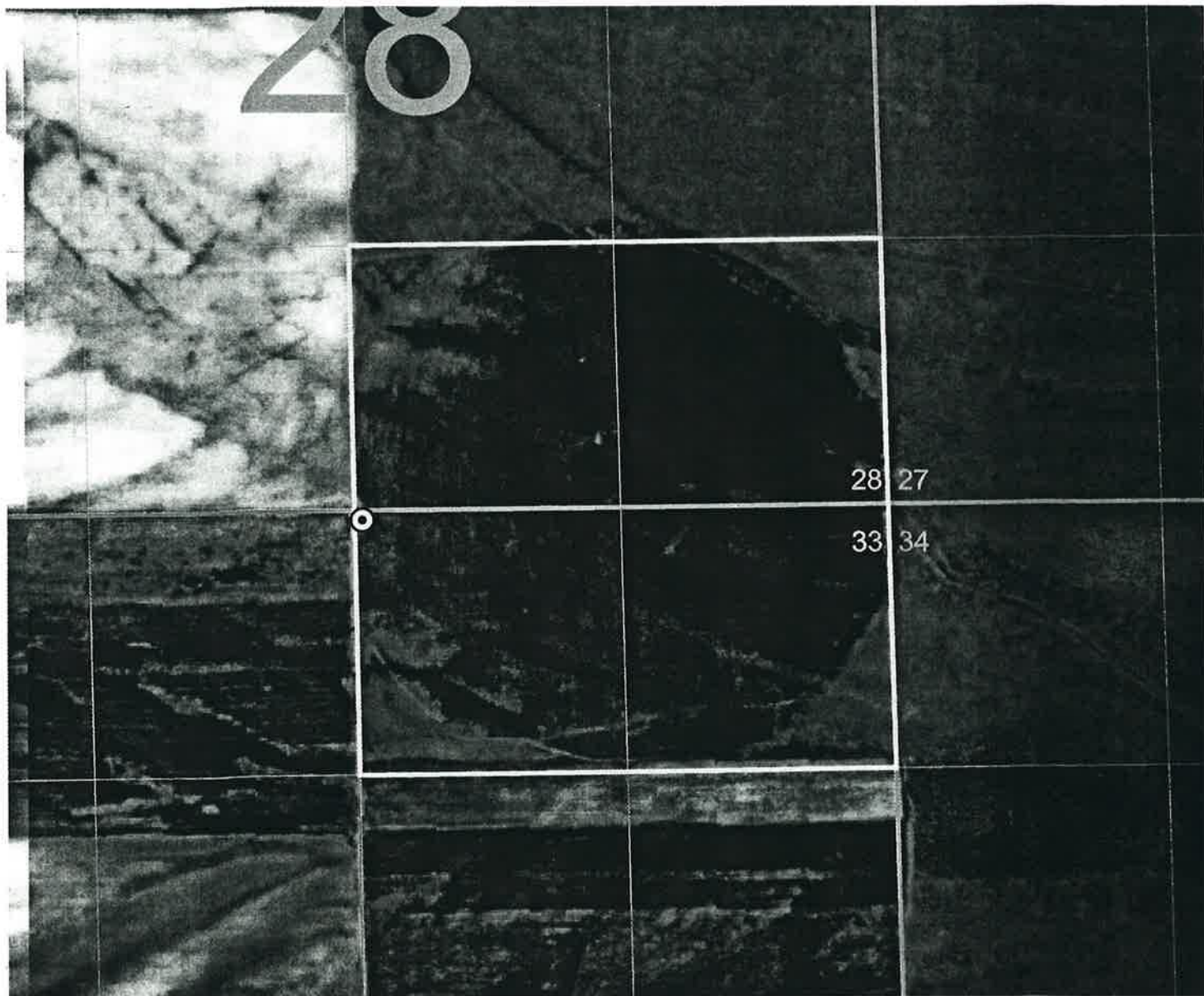
7/19/2001 10:45:37
AM

bcontor

1. (NO) The basis of the claim is not beneficial use.
3. (YES) There is indication that there has been a five year period of continuous nonuse that could result in a recommendation of forfeiture or partial forfeiture.
4. (YES) A portion of the claim is being recommended.
5. (NO) General remark was not required.
6. (NO) Explanatory remark was not required.
7. (YES) Additional condition was required.
8. (YES) Wanted to view the recommended right.
9. (NO) This is not a split right.
10. (NO) This is not a combined right.
11. (NO) Documents were not linked or attached to this file.
12. (YES) Set the verification date.

Idaho Department of Water Resources

Water Right 29-7326



500 0 500 Feet

- Point of Diversion - This Right
- Point of Diversion - Other Rights
- Place of Use - This Right
- Place of Use - Other Rights
- Township
- Section
- Quarter-quarter Section

Township 5S Range 33E
Section 28, 33



Prepared from 1987/1988 NAPP photography by B. Contor, 6/2001.

PROFILED

SCANNED

APR 26 2006

Apparent place of use.
1985 place of use
9/25/1985

North

Claim 29-7326
Doc Source NAPP AA38
photo date 9/25/1985
Date 7/19/01 Sig. SAC

AA38 9/25/1985

MAY 14 2001

Log for claim A29-07326

Spatial Dynamics AMH

7/19/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
05s33e	28	SWSE	40	40	
05s33e	28	SESE	40	40	
05s33e	33	NENE	40	40	
05s33e	33	NWNE	40	40	
Totals:			160	160	

AJ5809NP
No. A29-07326

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/23/00
PAGE: 61

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROD CARLSON PO BOX 6101 KETCHUM ID 83340 (208) 726-9426	04/28/1976	IRRIGATION	04-01 11-01	2.530 CFS	
TOTAL DIVERSION:					2.530 CFS	
CONSUMPTIVE USE:						480.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T05S R33E S33

NWNE

POWER County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE										
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM		
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
05S	33E	28	:					:					:					:						:		
05S	33E	33	:	40		40		:					:					:			40	40		:	80.0	
								:					:					:						:	80.0	
								:					:					:						:	160.0	
								:					:					:						:		

POU County: POWER

Other Rights: NONE

Remarks: GEN CHANGED ADDRESS PER REQUEST; 4/15/97/JT

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 03/27/89 JONES 03/29/95 POST-STD 04/15/97 JTHOMPSO

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 29-7326 Priority April 28, 1976 Amount 2.53 cfs

THIS IS TO CERTIFY, that PERRY R. & JOAN M. SKINNER
of Pocatello, Idaho, has complied with the terms and conditions of Permit
No. 29-7326 issued pursuant to Application for Permit dated April 28, 1976,
and has submitted proof to the Department of Water Resources on September 15, 1978,
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 2.53 cfs of water from a groundwater source,
tributary to _____, 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>April 01</u> to <u>November 1</u>	at <u>2.53</u> cfs and	<u>560</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 2.53 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
560 acre feet per year, said waters to be diverted within the NW 1/4, Sec. 33, Twp. 5S,
Rge. 33E, B.M. in the County of _____ Power

Description and location of place of use:

Twp.	Range	Sec.	NEW				NW¼				SW¼								Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5S	33E	28															40	40	80
		33	40	40															80

Total number of acres irrigated 160

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 16 day of
March, 19 81.

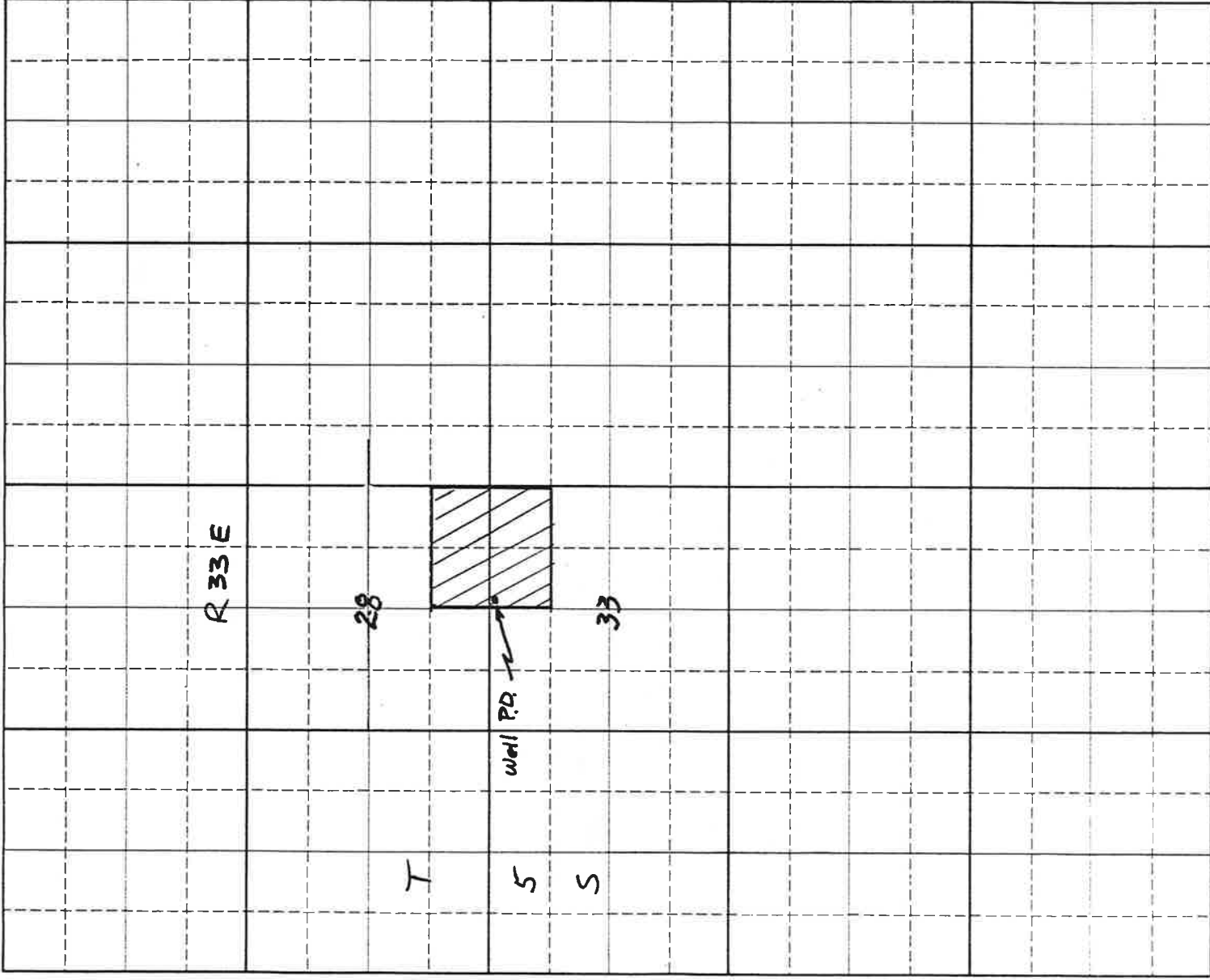

Director

MICROFILMED

FIELD REPORT

TOTAL ACREAGE 160

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.

Fernand Heger
(Applicant)

Identification No. 29 7326

Application No. _____

*Assigned to:
Benny R. + Joan M. Skinner
146 Spence Place
Pocatello, Id
9/13/78*

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

APPROVED

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

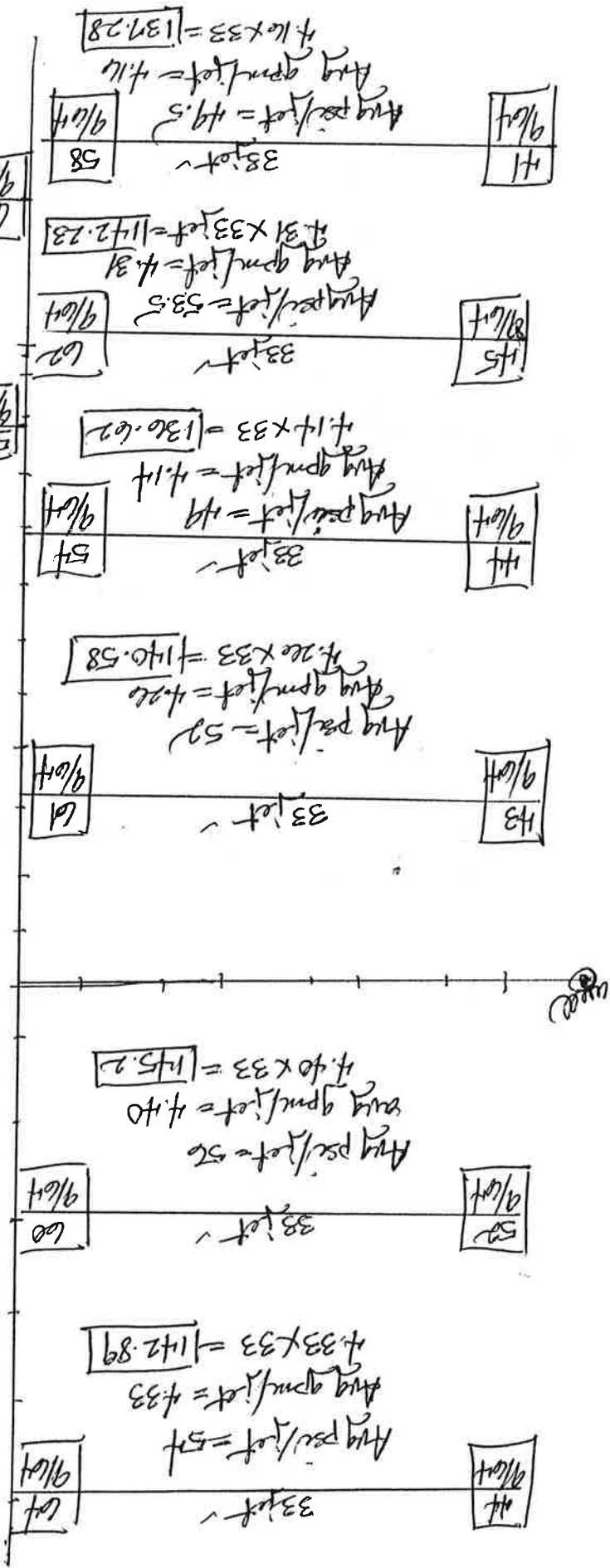
1. Name of applicant Kenneth Hege Phone: 397-4791
post office address Rt. #1, Box 104 Aberdeen, Idaho 83210
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 33 Township 5S
Range 33E B.M. Power 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 3.20 for irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (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. 3.20 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well, pump and sprinkler system

- 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 16 inches; proposed depth of well is 200 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 \$75,000.00
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ 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 _____

(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: _____

Plot tube measurement



$$4.47 \times 33 = 147.51$$

$$\text{Avg psc/lot} = 59$$

$$\text{Avg gpm/lot} = 4.47$$

$$4.37 \times 33 = 144.21$$

$$\text{Avg psc/lot} = 55$$

$$\text{Avg gpm/lot} = 4.37$$

$$1136.52 \text{ gpm} \div 448.8 \text{ gpm} = 2.53 \text{ ft}$$

$$142.89 = 145.20$$

$$140.58$$

$$136.62$$

$$142.23$$

$$137.28$$

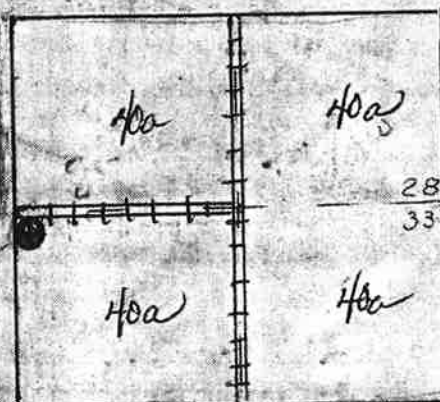
$$144.21$$

$$147.51$$

Skinner 29-7326

29 28
32 33

Point
of
diversion



28 27
33 34

32 33
5 4

33 34
4 3

ARK

RECEIVED .

100 1 1 1997

Department of Water Resources
Eastern Region

CHANGE IN ADDRESS

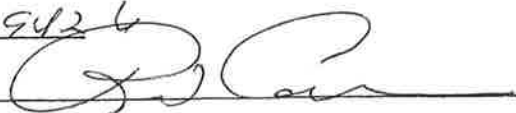
This form is solely for purposes of notifying IDWR of a change in address of an adjudication claim. ...

[] Water Right Number (s): A-29-07326
~~A-29-10049~~
~~-10050~~

[] Old Mailing Address: A-29-10051
P.O. Box 5486
Pocahontas 83202

[] New Mailing Address: P.O. Box 6108
~~Pocahontas Idaho 83202~~
Ketchum Idaho 83340

New Telephone Number: (208) 226-9426

[] Signature of Claimant: 

Date: 4-10-97

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:



RONALD D. CARLSON
HYDROGRAPHER

STATE OF IDAHO
EASTERN WATER MEASUREMENT DISTRICT
900 N. SKYLINE DR., SUITE A
IDAHO FALLS, ID 83402
(208) 525-7171 FAX (208) 525-7177

IDWR DIRECTOR
KARL J. DREHER

March 26, 1997

TREASURER
DEL RAYBOULD

ADVISORY COMMITTEE

ROD CARLSON
PO BOX 6101
KETCHUM, ID 83340

KEITH KELLER
FIRTH

LINDEN BUTIKOFER
IDAHO FALLS

Dear ROD CARLSON:

DAVID NEF
IDAHO FALLS

Thank you for the address correction that you sent to the Eastern Water Measurement District. I have updated my records but my information came from the records of the Snake River Basin Adjudication (SRBA). I have enclosed the change of address form the SRBA uses to change their records. I recommend that you complete this form and return to Jo Thompson, Department of Water Resources, 900 N. Skyline Dr., Idaho Falls, ID 83402, so that all future correspondence regarding your water right is mailed to the correct address.

BRENT CALL
RIGBY

MARK LOVELL
RIGBY

BILL TAYLOR
IDAHO FALLS

Please do not hesitate to contact this office if you have any questions regarding this matter.

KATHRYN MCLAIN
RIGBY

Respectfully submitted,

Wendy Murphy
Administrative Assistant

enclosure

MAY 14 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: A29-07326
Date Received: 3/27/1989
Receipt No: E006501
Received By:

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: ROD CARLSON
Address: PO BOX 6101
KETCHUM ID

208-726-9426

83340

2. Date of Priority: APR 28, 1976

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	33E	33		NW	NE		POWER

5. Description of diverting works:
WELL, PUMP & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.530		

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

A.F.A.

8. Total consumptive use is 480.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	33E	28	SW	SE		IRR	40.0
			SE	SE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	80.0
		33	NE	NE	IRR	40.0
			NW	NE	IRR	40.0
					Section Acres	80.0
					Total Acres	160.0

11. Place of use in counties: POWER

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
CHANGED ADDRESS PER REQUEST; 4/15/97/JT

15. Basis of Claim: LICENSE

Water Right Number: 297326

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: A29-07326
Date Received: 3/27/1989
Receipt No: E006501
Received By: HWS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROD CARLSON
Address: PO BOX 5486
CHUBBUCK, ID 83202
208-234-2692

2. Date of Priority: APR 28, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	33E	33		NW	NE		POWER

5. Description of diverting works:
WELL, PUMP & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.530		

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

8. Total consumptive use is 480.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05S	33E	28	SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	80.0

A2907326



10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	33E	33	NE	NE	IRR	40.0
			NW	NE	IRR	40.0
Section Acres						80.0
Total Acres						160.0

11. Place of use in counties: POWER

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
Water Right Number: 297326

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): Goel Carlson Date: 3-27-89

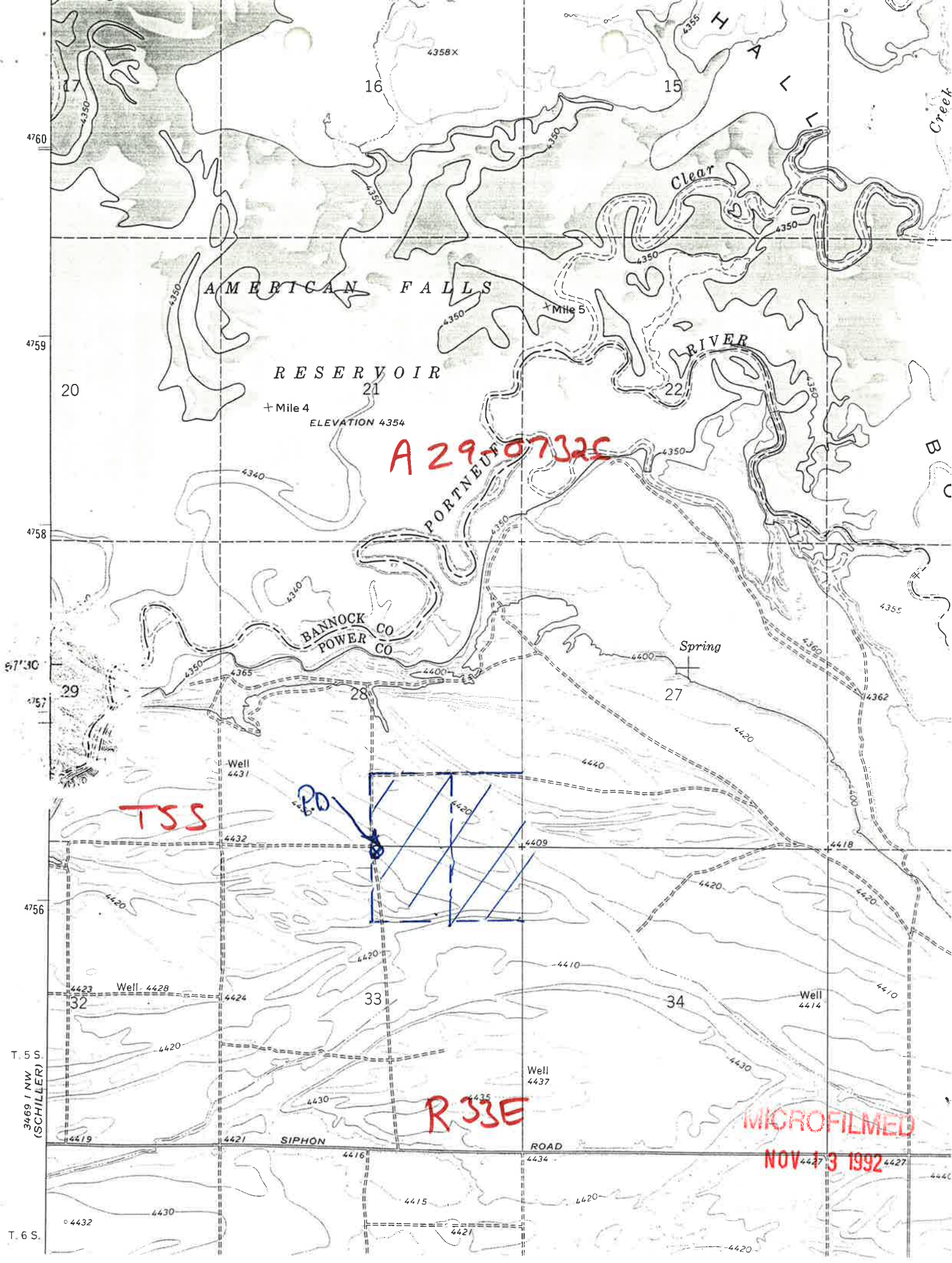
Date: _____

State of Idaho)
County of Bonneville) ss.

Subscribed and sworn (or affirmed) before me this 27th day
of March 19 89
Betty J. Thompson
Notary Public

Seal

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



A 29-0732C

TSS

PD

R 33E

MICROFILMED
NOV 13 1992