

02/20/2003

**NOTICE OF ERROR
REPLY**

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: 29-7406

DOWNATA RANCH & RECREATION INC

C/O DARLENE DOUNS

PO BOX 185

DOWNEY ID 83234

Telephone Number: (208) 897-5736

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:

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

DATE: 21 APR 03

SIGNATURE: [Signature]

Please print your name: D. GARY PETERSON ATT4 FOR DOWNATA RANCH & RECREATION, INC.

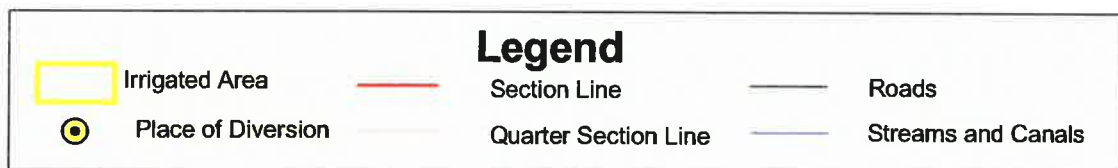
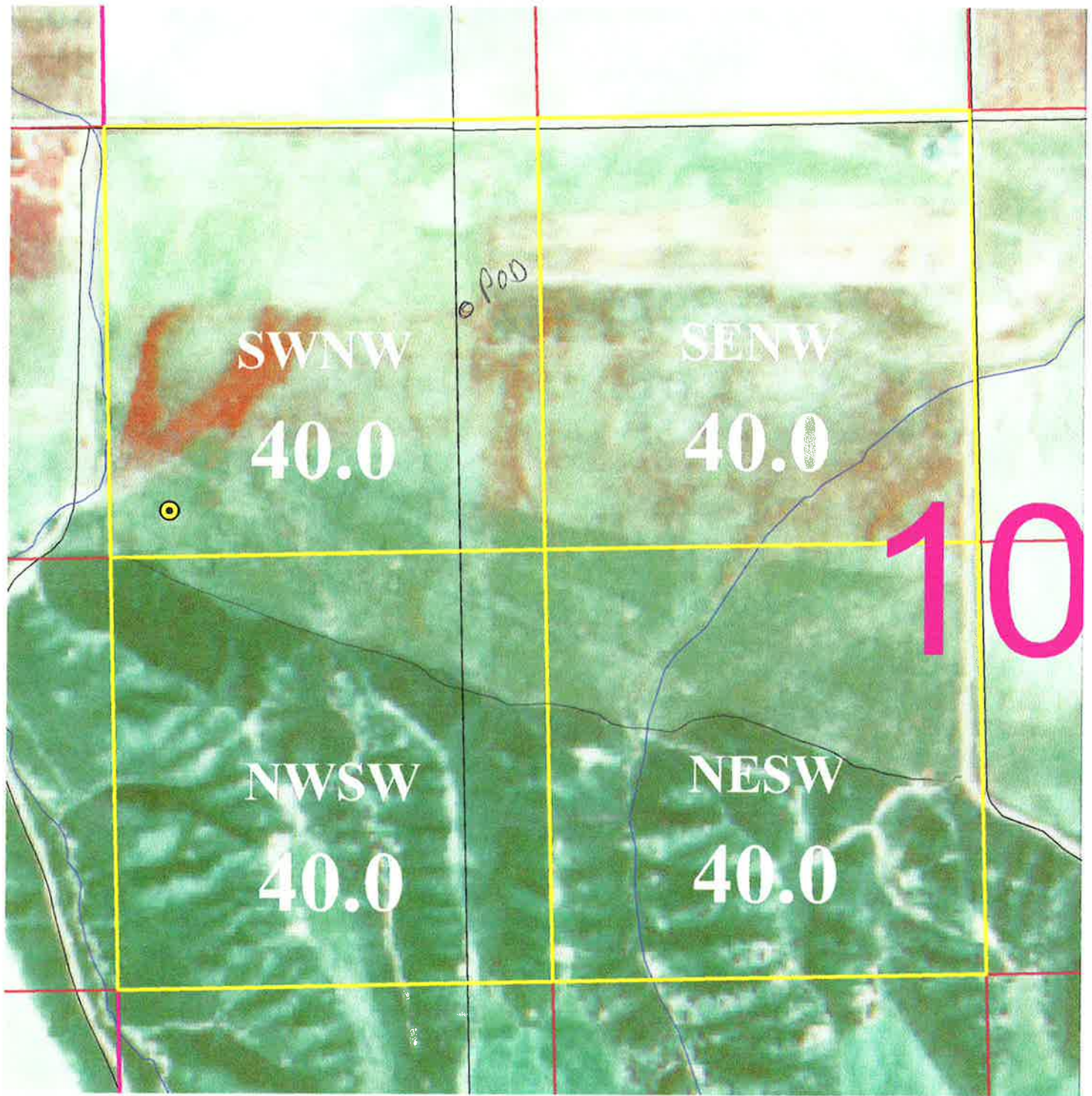
IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

PROFILED

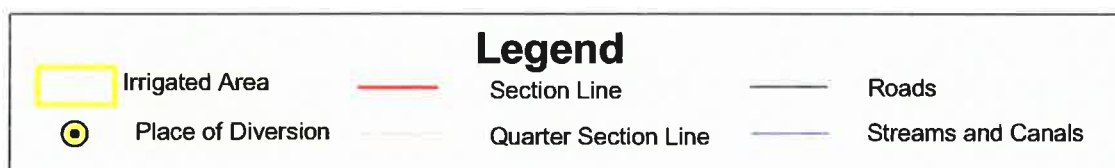
SCANNED
MAY 04 2006

RECEIVED
APR 21 2003
Department of Water Resources
Eastern Region

Township , 12S37E

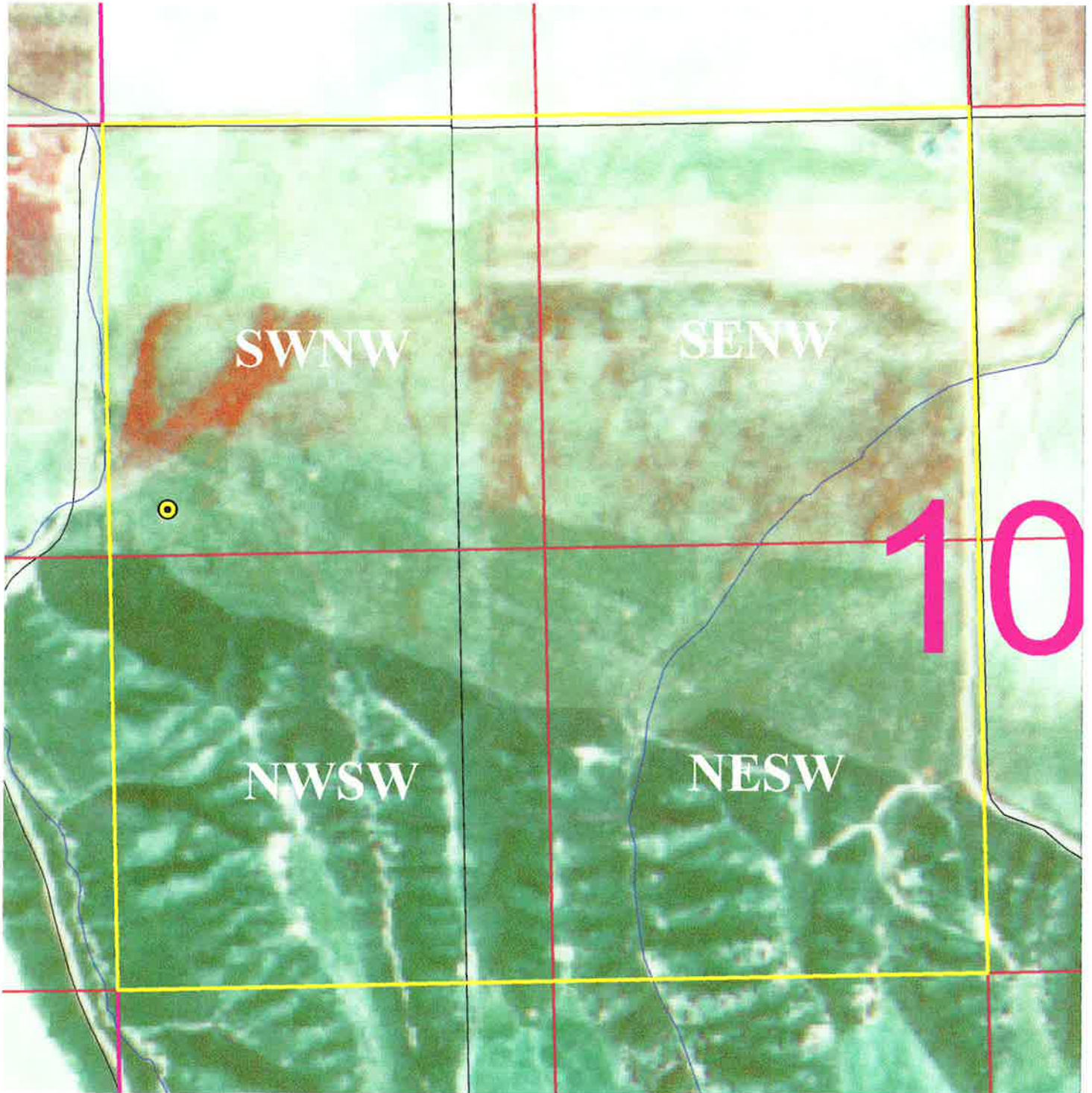


SCANNED
MAY 14 2000



127 101 500

Township , 12S37E



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



1000

0

1000



MAY 10 2000

RIGHT NUMBER: 29-7406

NAME AND ADDRESS: DOWNATA RANCH & RECREATION INC
C/O DARLENE DOUNS
PO BOX 185
DOWNEY ID 83234

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.31 CFS
416.5 AFY

PRIORITY DATE: 06/02/1977

POINT OF DIVERSION:

T12S R37E S10 SWNW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 11/01

1.310 CFS
416.50 AFY

PLACE OF USE:

IRRIGATION Within BANNOCK County

T12S R37E S10	SWNW	40.0	T12S R37E S10	SENW	40.0
T12S R37E S10	NESW	25.0	T12S R37E S10	NWSW	14.0

119 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.

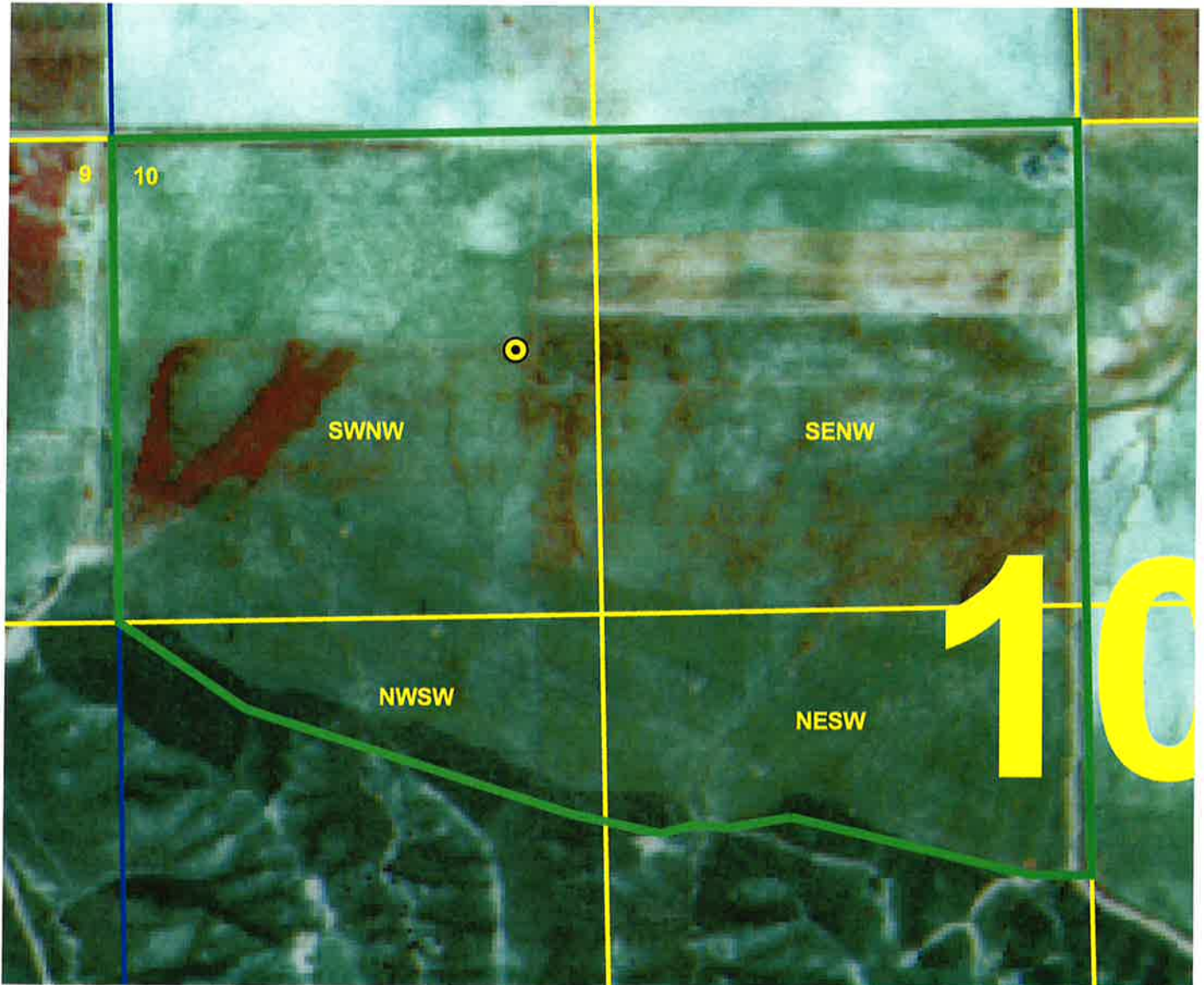
EXPLANATORY MATERIAL: License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES

29-07406

T12S, R37E SEC 10



ACRES IRRIGATED- 119



POINT OF DIVERSION

SCANNED

MAY 04 2003



PLACE OF USE

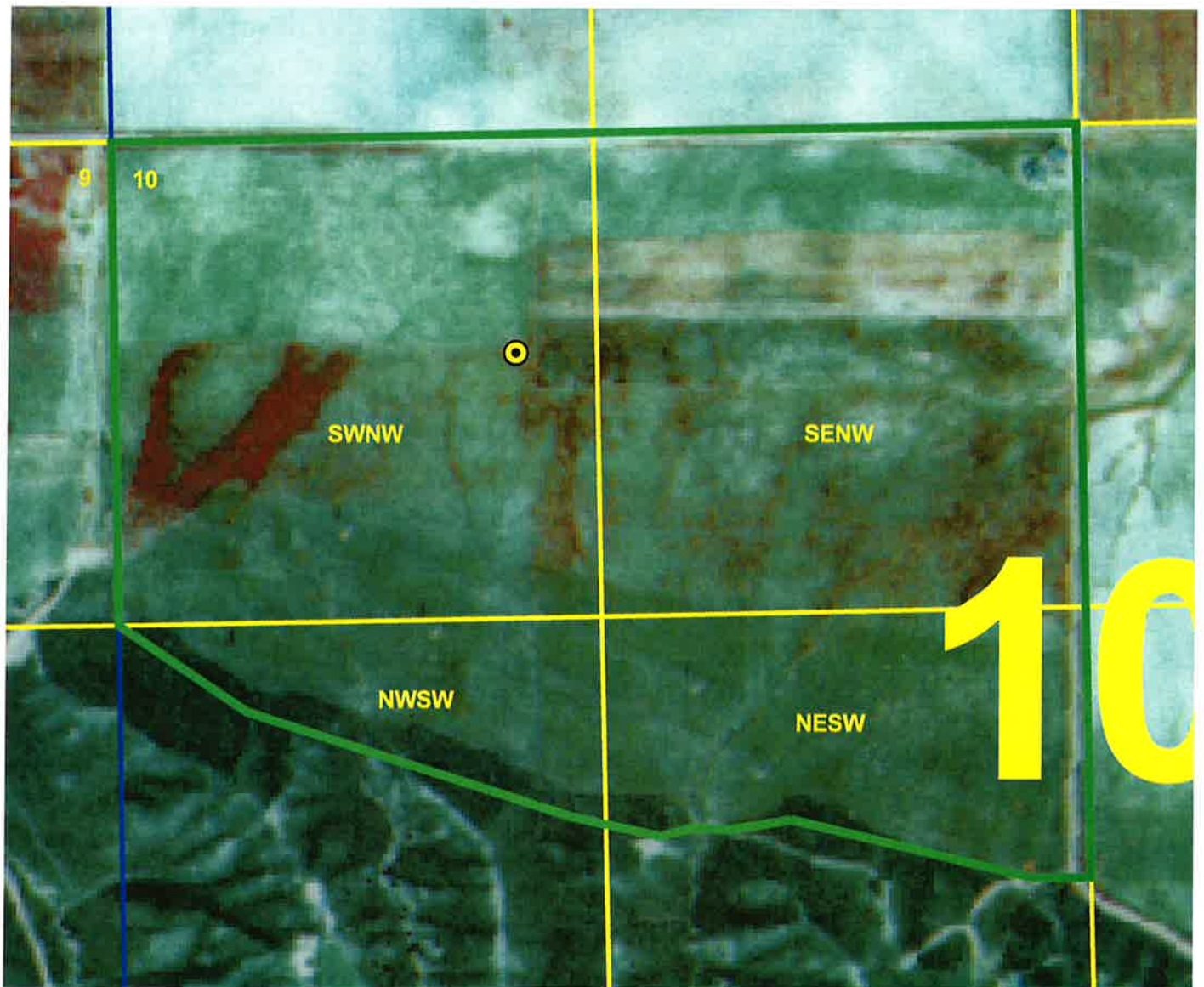
**GIS: PLACE OF USE
POINT OF DIVERSION
1987/1988 NAPP PHOTOS
DAVE CARLSON**

PROFILE

IDAHO DEPARTMENT OF WATER RESOURCES

29-07406

T12S, R37E SEC 10



ACRES IRRIGATED- 119



POINT OF DIVERSION



PLACE OF USE

**GIS: PLACE OF USE
POINT OF DIVERSION
1987/1988 NAPP PHOTOS
DAVE CARLSON**

Carlson, Dave

From: Carlsen, Ernie
Sent: Tuesday, July 03, 2001 3:52 PM
To: Carlson, Dave
Subject: FW: 29-7406 license amendment

Dave, I believe this is the answer you are waiting for concerning 29-7406. Allocations says we can move acres within the QQ.
Ernie

-----Original Message-----

From: McHugh, Candice
Sent: Friday, June 29, 2001 11:11 AM
To: Carlsen, Ernie; Tuthill, Dave
Cc: Keen, Shelley
Subject: 29-7406 license amendment

Ernie --

I forwarded your request to Dave to have this license amended since the acres in the 1/4 1/4s appeared to be in error. I spoke with Shelley Keen per Dave's request and he informed me that no transfer is needed to change the number of acres within the 1/4 1/4 so long as the correct 1/4 1/4s are identified and the total number of acres are not exceeded. It appears that the license identifies the correct 1/4 1/4s but just gets the number of acres in each one wrong. Thus, I believe the adjudication can recommend the correct number of acres within the 1/4 1/4s and although it appears to "change" the license really doesn't (kind of a fiction).

Shelley, apparently adding the number of acres within the 1/4 1/4s in the first place was precipitated by adjudication statute 42-1411 which requires listing the number of acres in each 1/4 1/4 and thus allocations adopted this method for consistency even though the statutes do not appear to require this in our licenses.

And, Ernie, we cannot reduce the number of acres from 119 to 106 unless the claimant (for some unknown reason) would consent.

If you have any other questions, let me know. Thanks

Candice

Confidentiality Notice: This e-mail may contain confidential and privileged information exempt from disclosure under applicable law. This message is intended only for the use of the individual or individuals identified above. If you have received this message by mistake, please notify the sender immediately by replying to this message. Please delete the message from your system and do not review, disclose, copy, or distribute any information contained or attached to the message. Thank You

PROFILED 1

SEARCHED
MAY 10 2003

Carlsen, Ernie

From: Carlsen, Ernie
Sent: Wednesday, May 02, 2001 4:20 PM
To: McHugh, Candice
Subject: 29-7406

Candice, here is another second opinion issue. In June 1980, an agent did the licensing field investigation on permit 29-7406. The field report was finished and reviewed at Eastern in 1986 and forwarded to the state office. In September 1991 the license was issued. During the interim, May 1990, the SRBA claim was filed to reflect the permit. Other than it taking ten years to issue the license no problem. Unfortunately, in doing the field inspection for the SRBA it is discovered there are some major issues with the license. The licensing field inspection only has a sketch of the place of use, no aerial photo, and looks like the sketch was done upside down. Consequently, the licensed legal description for the point of diversion and the acres licensed in each 1/41/4 are wrong. Because the system was in place prior to 1987, I want to use the accomplished change provision to correct the legal descriptions and acres each 1/41/4. The dilemma is fewer acres have historically been irrigated than the 119 listed on the license. The irrigated acreage is closer to 106 acres if you leave the roads in. Since the 119 acres was never irrigated I want to reduce the acreage to 106 because that is the extent of the beneficial use. Can we recommend the 106 acres? It will not require a reduction in diversion rate.

Ernie

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): A29-00491A A29-04074
A29-00491B A29-07406
A29-00492A A29-02894
A29-02293 A29-2549

[] Old Mailing Address: ~~A29-02296~~ Downata Ranch LLC
PO c/o Gary Peterson ESP
PO Box 51718, IIT, 83405-
1718

[] New Mailing Address: PO Box 185
Downey Idaho 83234

[] Telephone Number: (208) 897 5736

[] Signature of Claimant: Darlene Downey, Manager

[] Date: 5/31/01

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:

PROFILEDSCANNED
MAY 01 2001

JUNE 1, 2001

DEAR MS. DOUNS;

WATER RIGHT NUMBERS A29-00491A, A29-00491B, A29-00492A,
A29-02293, A29-02549, A29-04074, A29-02396 AND A29-07406
HAVE BEEN CHANGED TO REFLECT THE ADDRESS ON THE FRONT OF
THIS CARD.

IF YOU HAVE ANY QUESTIONS FEEL FREE TO CONTACT THIS OFFICE
AT 208-525-7161.

RESPECTFULLY SUBMITTED,

Cheri Vandermeulen

CHERI VANDERMEULEN
RECORDS CLERK



DOWNATA RANCH & RECREATION INC
C/O DARLEN DOUNS
PO BOX 185
DOWNEY ID 83234

SCANNED
MAY 14 2006



State of Idaho

Dave

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

May 8, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DOWNATA RANCH & RECREATION INC
PO BOX 185
DOWNEY ID 83234

RE: CHANGE OF ADDRESS FOR A29-00491A, A29-00491B,
A29-00492A, A29-02293, A29-02396, A29-02549, A29-04074,
A29-07406

Dear Sir or Madam:

It has come to our attention that your address may have recently changed. The address currently recorded on the above referenced water right(s) is as follows:

Downata Ranch & Recreation Inc
C/O D Gary Peterson ESQ
Hansen Beard Law Firm
Po Box 51718
Idaho Falls ID 83405-1718

We recommend if, in fact, the address in question has been changed, you file a "Change in Address" with this department in order that we may send all further correspondence to the appropriate address.

Enclosed is a Change in Address form. Please fill out the form completely, sign and date it and return it to my attention.

If you have any questions regarding this matter, please call 525-7161.

Respectfully submitted,

Cheri Vandermeulen

Cheri Vandermeulen
Records Clerk

Enclosure(s)

PROFILED

SCANNED
MAY 04 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern District Office
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

RETURN SERVICE REQUESTED

29-491A-dom.
29-491B
29-492A
29-2293
29-2396
29-2649
29-4074
29-7406

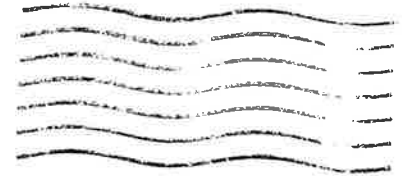
NOT DELIVERABLE
NO ADDRESSES
UNABLE TO FORWARD

WAA
SD

DOWNATA RANCH & RECREATION INC
C/O D GARY PETERSON ESQ
HANSEN BEARD LAW FIRM
PO BOX 51718
IDAHO FALLS ID 834051718

83234
Downey
PO BOX 185

834051718



SCANNED

MAY 04 2001



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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 28, 2002

GARY PETERSON
BEARD ST CLAIR GAFFNEY MCNAMARA CALDER
2105 CORONADO
IDAHO FALLS ID 83404

RE: WATER RIGHTS 29-491A, 29-491B, 29-2293, 29-2396, 29-2491, 29-2549,
29-4074, 29-7406, 29-13338

Dear Mr. Peterson:

On May 8, 2002, our office received your letter requesting we add D. Gary Peterson, Roger H. Thompson and Marilyn Gunnell to the above referenced water rights. I have made the change and copies of the claims are enclosed for your files

Sincerely,

A handwritten signature in cursive script that reads "Jennifer Crabtree". The signature is written in dark ink and is positioned above the printed name and title.

Jennifer Crabtree
Technical Records Specialist

Enclosure

cc: Roger H. Thompson
Marilyn Gunnell

PROFILED

SCANNED
MAY 04 2006



THOMPSON
MICHIE
ASSOCIATES,
INC.

May 6, 2002

Mr. Dave Carlson
Idaho Department of Water Resources
Eastern District Office
900 North Skyline Drive
Idaho Falls, ID 83402

RECEIVED
MAY 08 2002
Department of Water Resources
Eastern Region

Re: Downata Ranch & Recreation Company
Water Rights

Dear Mr. Carlson:

I was advised by Mr. Gary Peterson, Esquire, to increase the number of persons who should be receiving notices with respect to the water rights of Downata Ranch & Recreation Company.

Consequently, with respect to SRBA water rights nos. 29-13338, 29-2491, 29-02549, 29-00491, 29-07406, 29-02396, 29-04074, 29-02293, and any other water rights appearing in the name of Downata Ranch and Recreation Company, please add the following names (and addresses) of people to receive notices, to the extent they do not already appear:

D. Gary Peterson, Esquire
Beard St. Clair Gaffney McNamara Calder
2105 Coronado
Idaho Falls, Idaho 83404-7495

Roger H. Thompson, Esquire
Thompson Michie Associates Inc.
111 East Broadway, Suite 1200
Salt Lake City, UT 84111

Marilyn Gunnell
1740 Melwood Drive
Glendale, CA 91207

Sincerely,


Roger H. Thompson

cc. Gary Peterson, Esquire

111 EAST
BROADWAY
SUITE 1200
SALT LAKE CITY
UTAH 84111
801 532-6143
FAX 801 532-6159
TRUSTEES
OF
AMERICA'S
REAL
ESTATE
MANAGEMENT
CONSULTING
MARKETING

SCANNED
MAY 06 2002

ROGER H. THOMPSON
EXECUTIVE VICE PRESIDENT
AND GENERAL COUNSEL

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 29-7406

WATER RIGHT NUMBER: 29-7406

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DOWNATA RANCH & RECREATION INC C/O DARLENE DOUNS PO BOX 185 DOWNEY, ID 83234 (208) 897-5736
Attorney	DOWNATA RANCH & RECREATION INC C/O D GARY PETERSON BEARD ST CLAIR GAFFNEY MCNAMARA CALDER 2105 CORONADO IDAHO FALLS, ID 83404
Attorney	DOWNATA RANCH & RECREATION INC C/O ROGER H THOMPSON THOMPSON MICHIE ASSOCIATES INC 111 E BROADWAY STE 1200 SALT LAKE CITY, UT 84111
Representative	DOWNATA RANCH & RECREATION INC C/O MARILYN GUNNELL 1740 MELWOOD DR GLENDALE, CA 91207
Original Owner	DARRELL RANK C/O CHARLES OSBORN PO BOX 432 VERDUGO, CA 91046

Priority Date: 06/02/1977

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>
IRRIGATION	4/01 to 11/01	2.800 CFS	
	<u>Total Diversion:</u>	2.800 CFS	

Location of Point(s) of Diversion

GROUND WATER	SW1/4NW1/4	Sec. 10, Twp 12S, Rge 37E, B.M.
BANNOCK County		

Place of UseIRRIGATION Within BANNOCK County

T12S R37E S10	SWNW	30.0	T12S R37E S10	SENW	30.0
T12S R37E S10	NESW	40.0	T12S R37E S10	NWSW	40.0
Total Acres: 140					

Conditions of Approval:

SCANNED
MAY 31 2002

Log for claim A29-07406

Spatial Dynamics TWB

5/31/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
12s37e	10	SWNW	30	40	
12s37e	10	SENW	30	40	
12s37e	10	NESW	40	40	
12s37e	10	NWSW	40	40	
Totals:			140	160	

75hp Yaskawa

BSUK-

pearless pump

250528

Well N42 23 46.3
W112 07 32.5
4859

N42 23 31.7

W112 07 13.9

FILED

SPATIAL
DYNAMICS

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 29-07406

Priority: June 2, 1977

Maximum Diversion Rate: 1.31 CFS
Maximum Diversion Volume:¹ 416.5 AF

This is to certify, that DARRELL RANK
C/O CHARLES OSBORN
P.O. BOX 432
VERDUGO CA 91046

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 2, 1977; and has submitted Proof of Beneficial Use on May 30, 1980. An examination indicates that the works have a diversion capacity of 1.310 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	1.31 CFS	416.5 AF

LOCATION OF POINT(S) OF DIVERSION: NESW , Sec. 10, Township 12S, Range 37E
BANNOCK County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
12S	37E	10	SWNW 20	SENEW 20	NESW 39	119
			NWSW 40			
Total number of acres irrigated:						119

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

SEP 27 1991

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 29-07406

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 4th
day of September, 1991.

Acting for


R. Keith Higginson, Director

RECEIVED
SEP 27 1991

APPROVED

State of Idaho
Department of Water Resources

RECEIVED

APR 18 1991

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 29-07406

Department of Water Resources

Date of Priority: June 2, 1977

Maximum Diversion Rate: 1.31 CFS
Maximum Diversion Volume:¹ 416.5 AF

Comes now
C/O CHARLES OSBORN
P.O. BOX 432
DERDUGO, CA 91046

DARRELL RANK

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 29-07406, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	1.31 CFS	416.5 AF

LOCATION OF POINT(S) OF DIVERSION: NESW , Sec. 10, Township 12S, Range 37E
BANNOCK County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
12S	37E	10	SWNW 20	SENEW 20	NESW 39	119
			NWSW 40			

Total number of acres irrigated: 119

SEP 27 1991

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Mr. Darrell Rank, this 15 day of April, 1991.

Glendale, California
435 Arden Street
91203

(Signature)

President
Dannata Ranch and
Recreation. TOVER

(over)

Dr. Charles Osborn

owner of property described
has merged his ownership
fully into Donnata Ranch and
Recreation, Idaho Corporation.

Dr. John C. Gannell

435 Arden Street #520

Glendale, California

91203

is President & CEO of Donnata
Ranch and Recreation.

SEP 27 1991

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 29-07406

FOR DEPARTMENT USE ONLY

#C020256

Preliminary check by SC Fee ✓ \$20.00 Received by 12 Date 4/18/91

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 29-07406 with the following;

CONDITIONS/REMARKS:

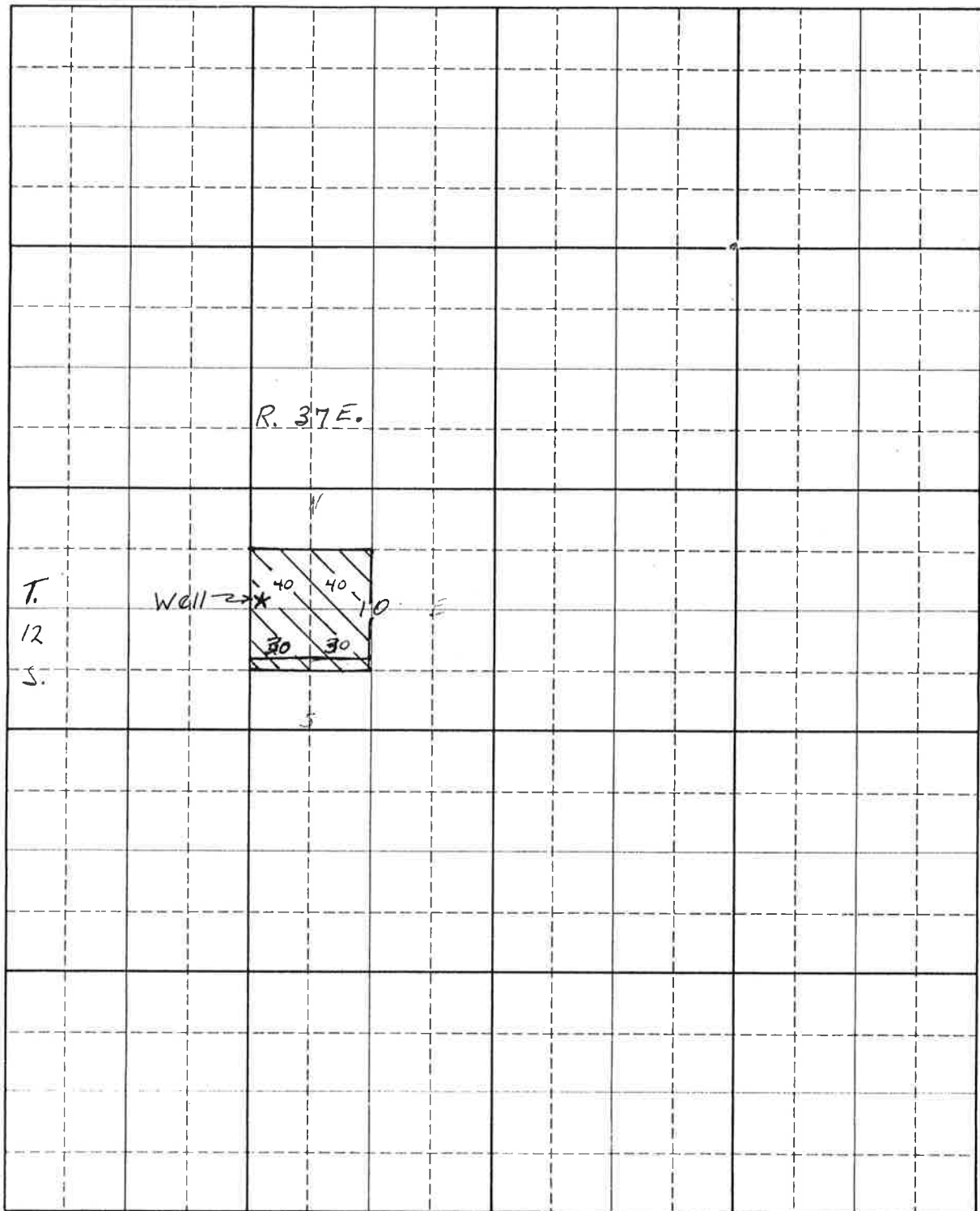
1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

Witness my hand this 4th day of September, 1991.

Acting for

R. Keith Higginson
R. Keith Higginson Direct

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.

Daniel D. Rank
(Applicant)

29 7406

Identification No. _____

Application No. _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant Darrell Rank Phone: _____
post office address Box 52, Dayton, Idaho
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 10 Township 12S
Range 37E 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 2.80 ~~3.00~~ 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. 2.80 ~~3.00~~ 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 160 ~~350~~ 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 \$ 10,000.00
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: _____

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

RECEIVED

29-7406

Permit No.

MAY 29 1986

CONTACT WITH PERMIT HOLDER

DATE

INITIALS

Department of Water Resources

☐ Appointment letter mailed:

☐ Telephone call made:

(List Telephone No. used)

☐ Appointment scheduled for:

(Date, time, location)

EXAMINATION

Date June 27, 1980 Accompanied by Danell Rank Total Q measured 1.31 cfs

If source is surface water, estimate total flow of source

Methods of measurement Annubar Eagle Eye Meter Meets Permit requirements? Yes

Measurement calculations:

$$(8.25)^2 \cdot 3.85 \sqrt{5} = 585.94 \text{ gpm} = 1.31 \text{ cfs}$$

$$1.31 \text{ cfs} \times 1.9835 \text{ AFA/ft} \times 214 \text{ ft} = 556 \text{ AFA}$$

$$119 \text{ AFA} \times 3.5 \text{ AFA} = 416.5 \text{ AFA}$$

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
1	75	G.E. Triclad	HB1224533	Perless	25052P	Annubar Eagle Eye	std std	

System Description Groundwater is diverted through 8 inch main line to two wheel line and 1 wheel line with 1/2 inch nozzle operating at 30 psi.

*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

Irrigation

1.31 cfs

416.50 AFA

April 1

Nov 1

Total

11

11

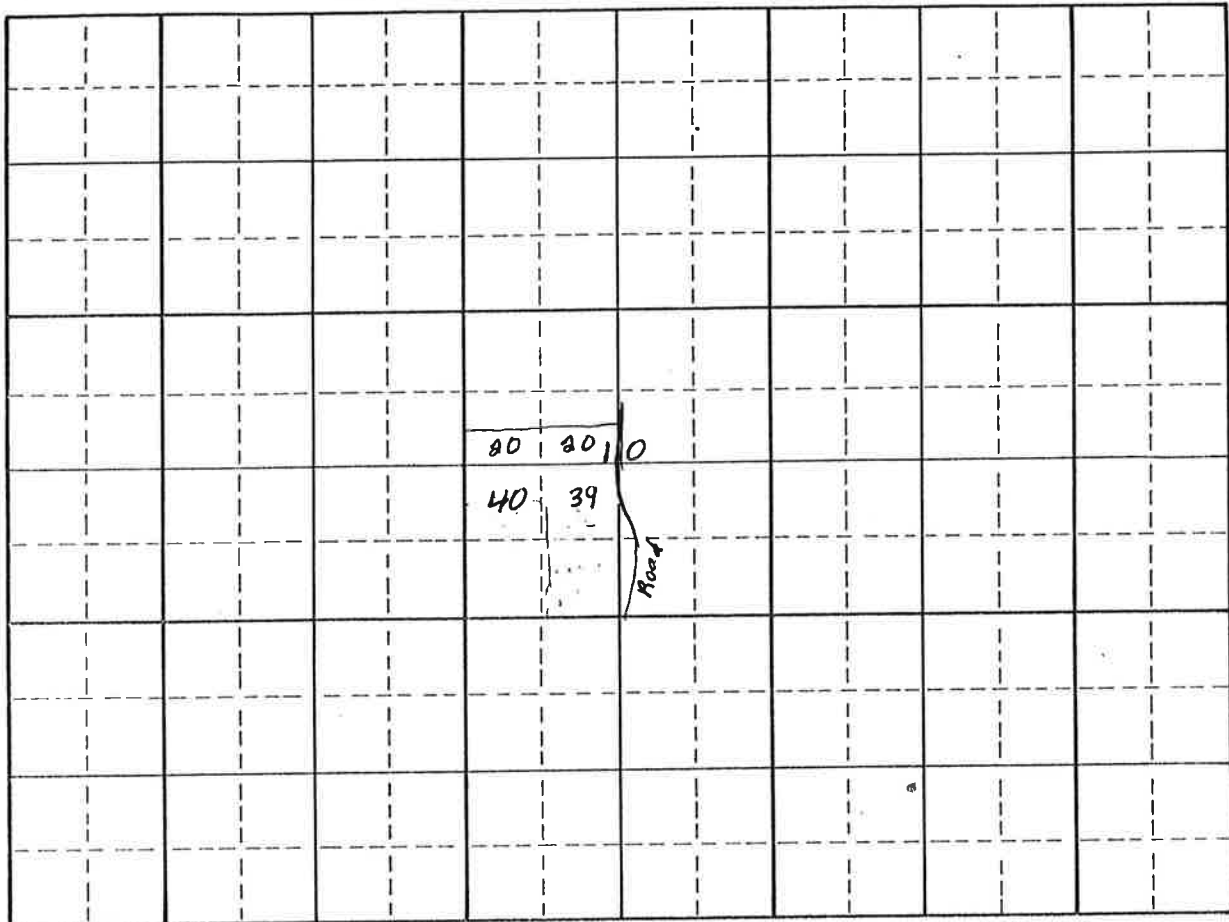
11

11

Remarks

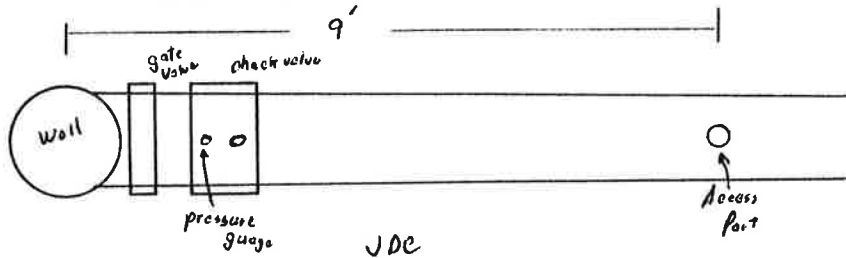
No overlap

SEP 27 1981



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)



Point(s) of diversion: NE 1/4 SW 1/4 Sec 10 T 12 S R 3 E BM.

Place(s) of Use

TWP.	RGE.	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	
123	37E	10							20	20	39	40							119
																			119

Recommended Amendments:

- ☒ Change P.D. as reflected above
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
☐ Add P.U. as reflected above

- ☐ None
☐ Other

Examiner's Signature

Checked by

Approved by

John Carlson
H.W. Jones
Raymond McPartney

Date

Date

Date

5/1/86

5-16-86

11/30/88

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/24/00
PAGE: 148

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

BANNOCK County

NE

NW

SW

SE

TOTAL ACRES

Dates: **Exam Made Date:**

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 08/12/93 DCARLSON 03/29/95 POST-STD 04/12/00 CVANDERM 04/13/00 CVANDERM

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Dawnata Ranch + Recreation, Inc. CLAIM NO. 429-07406

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 ownership 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: _____ Date: _____
Claim data entered by: _____ Date: _____
Sent to claimant by: _____ Date: _____
Checked by: MICROFILMED Date: _____

Comments: _____
APR 12 1994

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: A29-07406
Date Received: 8/12/1993
Receipt No: E014030
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DOWNATA RANCH & RECREATION INC 208-523-5171
Address: D GARY PETERSON ESQ
HANSEN BEARD LAW FIRM
PO BOX 51718
IDAHO FALLS ID 83405-1718

2. Date of Priority: JUN 2, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
12S	37E	10	SW	NW	NW		BANNOCK

5. Description of diverting works:
IRR PUMP W/MAINLN & LAT'S AS SHOWN ON MP PG 3. WELL DPTH UNKNOWN.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.800		

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

8. Total consumptive use is 350.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
12S	37E	10	SW	NW		IRR	30.0
			SE	NW		IRR	30.0
			NE	SW		IRR	40.0

A29-07406

Page

1

SCANNED

Date: 08/12/93

APR 12 1994

MAY 04 2000

PROFILE

A2907406



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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12S	37E	10	NW	SW		IRR	40.0

Section Acres 140.0

Total Acres 140.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

14. Remarks:

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: _____

MICROFILMED
APR 12 1994

SCANNED
MAY 04 2005

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A29-07406	12S	37E	10		SW	NW			BANNOCK		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
29-07406	12S	37E	10		NE	SW			BANNOCK		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

NONE

NONE

SOURCE: GROUNDWATER

TRIB:

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY
ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY
ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM _____ NAME OF EXAMINER _____) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: _____

=====

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

TWP. 12S	RGE. 37E	SEC. 10	1/4	1/4 SW	1/4 NW	LOT	POD FLAG	COUNTY BANNOCK	DIVERSION NAME	DIVERSION NBR
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: GROUNDWATER

TRIB: _____

REVIEWED BY: _____ DATE: _____

=====

SYSTEM DESCRIPTION: DESCRIBED BELOW (___), SEE LICENSE FILE (___), OR SEE ATTACHMENT (___)

A. ROOT WATER RIGHT NUMBERS: A29-07406

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
12S	37E	10	SW	NW		DOWNATA RANCH & RECREATION INCA29-07406	/ 30.0	29-07406 / 20.0	37.0		
12S	37E	10	SE	NW		DOWNATA RANCH & RECREATION INCA29-07406	/ 30.0	29-07406 / 20.0	34.0		
12S	37E	10	NE	SW		DOWNATA RANCH & RECREATION INCA29-07406	/ 40.0	29-07406 / 39.0	13.0		
12S	37E	10	NW	SW		DOWNATA RANCH & RECREATION INCA29-07406	/ 40.0	29-07406 / 40.0	4.0		

ADDITIONAL POU FOUND

TOTAL ACRES A29-07406 140.00 119.00 88.00

POU COUNTY: BANNOCK

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM:

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y() N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N()

CHECK DOCUMENTS USED TO VERIFY POU: () ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, IDWR NO. _____;
() NAPP, IDWR NO. _____; () ASCS PHOTO; () OTHER _____

NOTES:

RECOMMENDATIONS:

TOTAL ACRES: _____ N/A()

REVIEWED BY: _____ 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

A29-07406

Date Received

5-1-90

Receipt Number

EO14030 / 90

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
MAY 01 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) Downata Ranch & Recreation, Inc. Phone (208) 523-5171
Mailing Address c/o D. Gary Peterson, Esq. - Hansen Beard Law Firm
P.O. Box 51718, Idaho Falls, Idaho Zip 83405-1718

2. Date of Priority (Only one (1) per claim) June 2, 1977

3. Source of water supply (a) Groundwater
which is tributary to (b) N/A

4. a. Location of existing point of diversion is: Township 12 S Range 37 E Section 10,
1/4 of SW 1/4 of NW 1/4, Govt. Lot, B.M., County of Bannock

Additional points of diversion if any: None

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

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

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

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 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. Irrigation pump with main line
and laterals as shown on map, page 3. (Depth of well not known)

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MAY 04 2006

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4-1 to 11-1 amount 2.8 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.8 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is $(2.5 \times 140) = 350$ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

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	
12S	37E	10							30	30	40	40							140

Total number of acres irrigated 140

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

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. _____ or None (X)

14. Remarks:

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APR 14 2006

MAY 04 2006

Last Name Downata Ranch Ident No. _____
& Recreation, Inc.

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number 29-07406
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 X
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments None

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

Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am assistant secretary
Title
of Downata Ranch & Recreation, Inc., that I have signed the foregoing
Organization
document in the space below as assistant secretary of Downata Ranch & Recreation, Inc.
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

D. Gary Peterson
Title and Organization Assistant Secretary - Downata Ranch & Recreation, Inc. Date 4-26-90

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

Subscribed and sworn (or affirmed) before me this 26th day of April May 19 90

SEAL

Notary Public Ernest Carlson

Residing at Idaho Falls, Idaho

My Commission Expires 6-14-1994

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, D. Gary Peterson 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 [Signature]

Address Hansen, Beard, Martin & St. Clair, Chartered, P.O. Box 51718, Idaho Falls, Idaho 83405-1718

Date 4/26/90

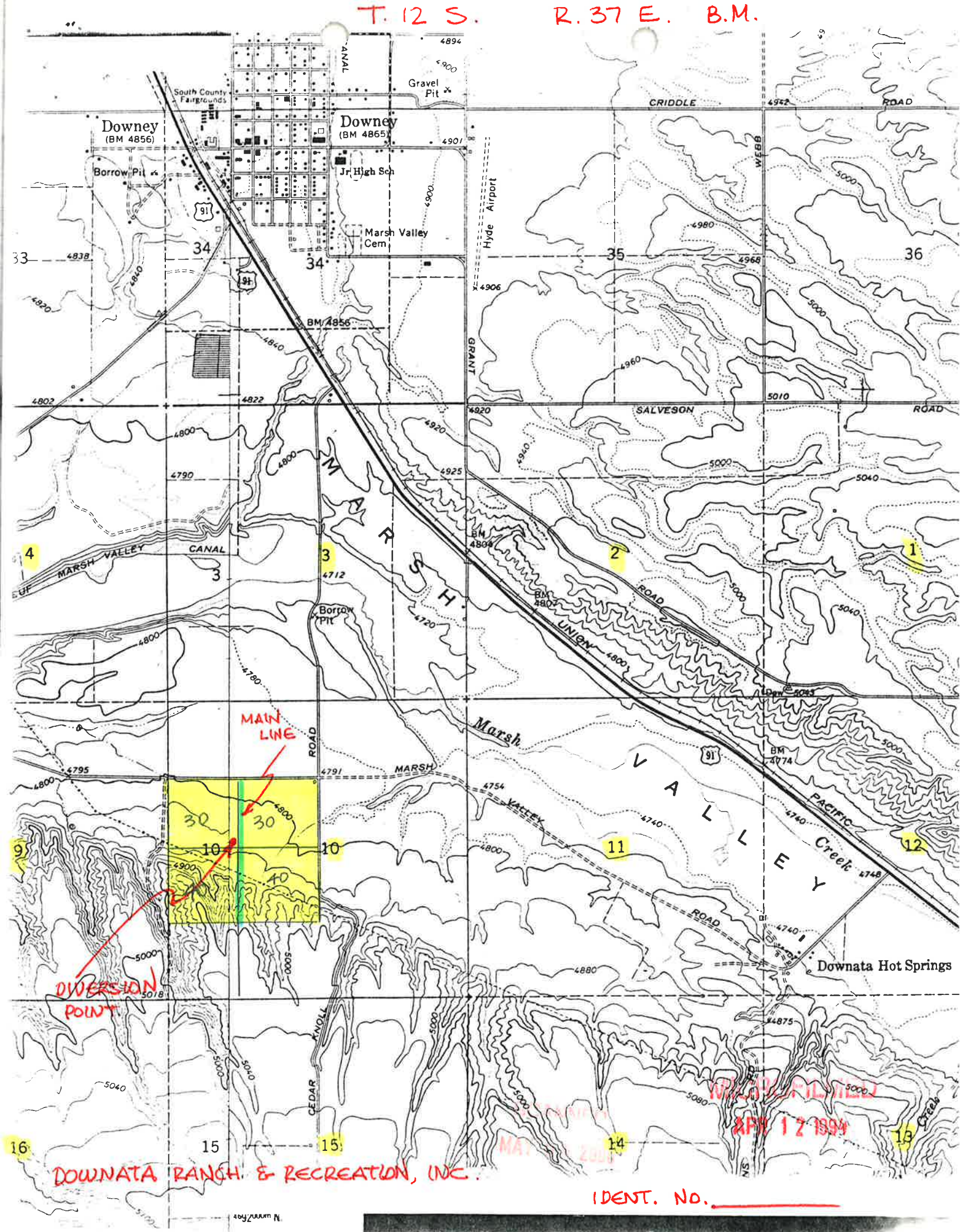
Last Name Downata Ranch Ident. Number _____
& Recreation, Inc.

Copies White-State, Yellow-Claimant

SCANNED
MAY 04 2006

MICROFILMED
APR 12 1994

T. 12 S. R. 37 E. B.M.



IDENT. NO. _____