

06/19/2003

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

RIGHT NUMBER: 29-7268
NAME AND ADDRESS: ROBERT L HURST
7869 W BUCKSKIN RD
POCATELLO ID 83201
SOURCE: SOUTH FORK POCATELLO CREEK TRIBUTARY: PORTNEUF RIVER
QUANTITY: 0.080 CFS
THIS RIGHT WHEN COMBINED WITH RIGHT NO(s). 29-07268, 29-07517,
29-13500, AND 29-13501 SHALL PROVIDE NO MORE THAN .02 CFS PER
ACRE.
PRIORITY DATE: 05/09/1975
POINT OF DIVERSION:
T06S R35E S28 SWNNW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	05/01 09/30	0.060 CFS
STOCKWATER	01/01 12/31	0.020 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE
USE OF WATER BEFORE MAY 1 AND AFTER SEPTEMBER 30 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.

Stockwater use is for 10 range cattle.

PLACE OF USE: IRRIGATION Within BANNOCK County
T06S R35E S28 NWNW 3.0

STOCKWATER same as IRRIGATION
3 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 6 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 29-07268, 29-07517, 29-13500, AND
29-13501.

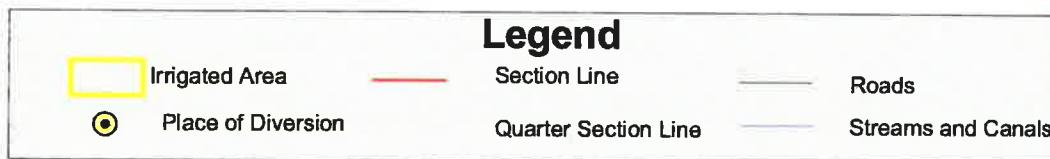
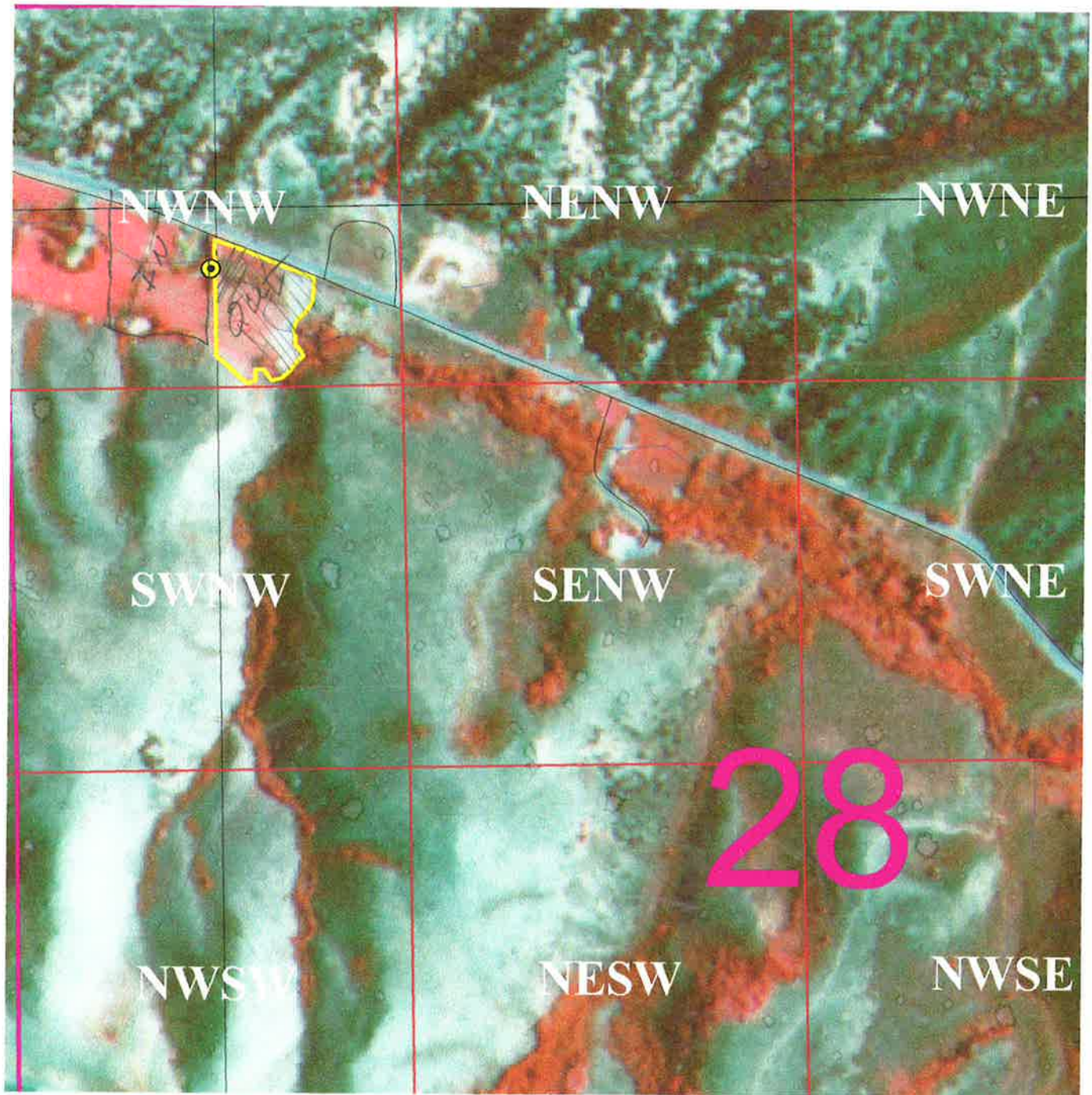
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

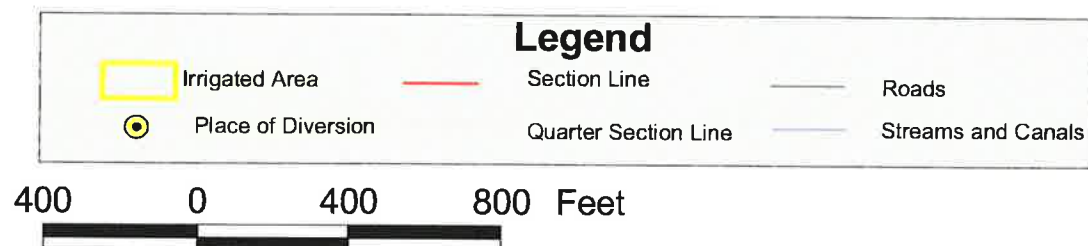
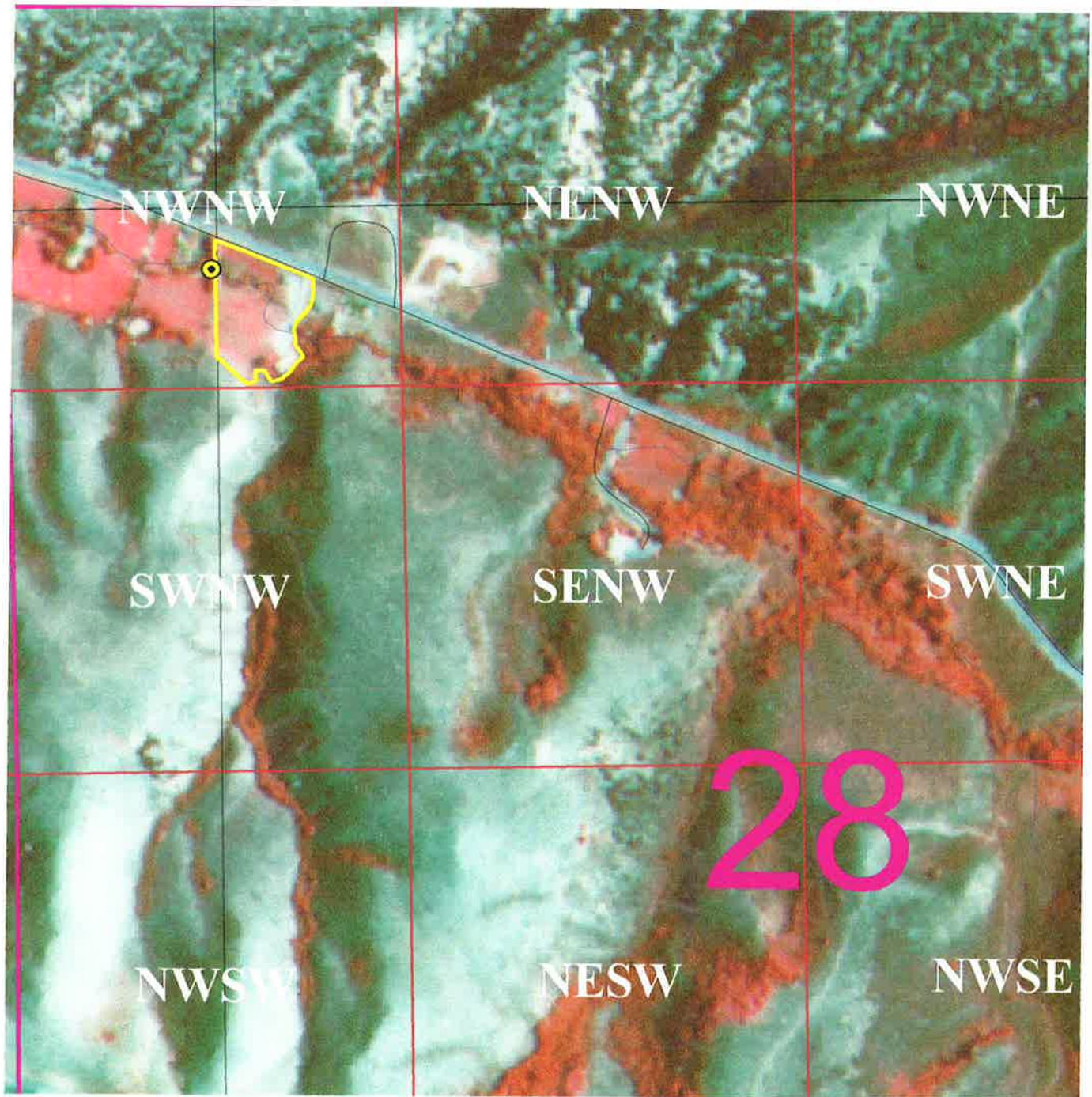
Water Right Claim Number A29-07517
Township , 6S35E

09/22/2000



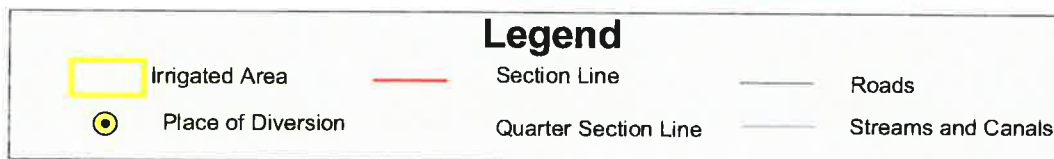
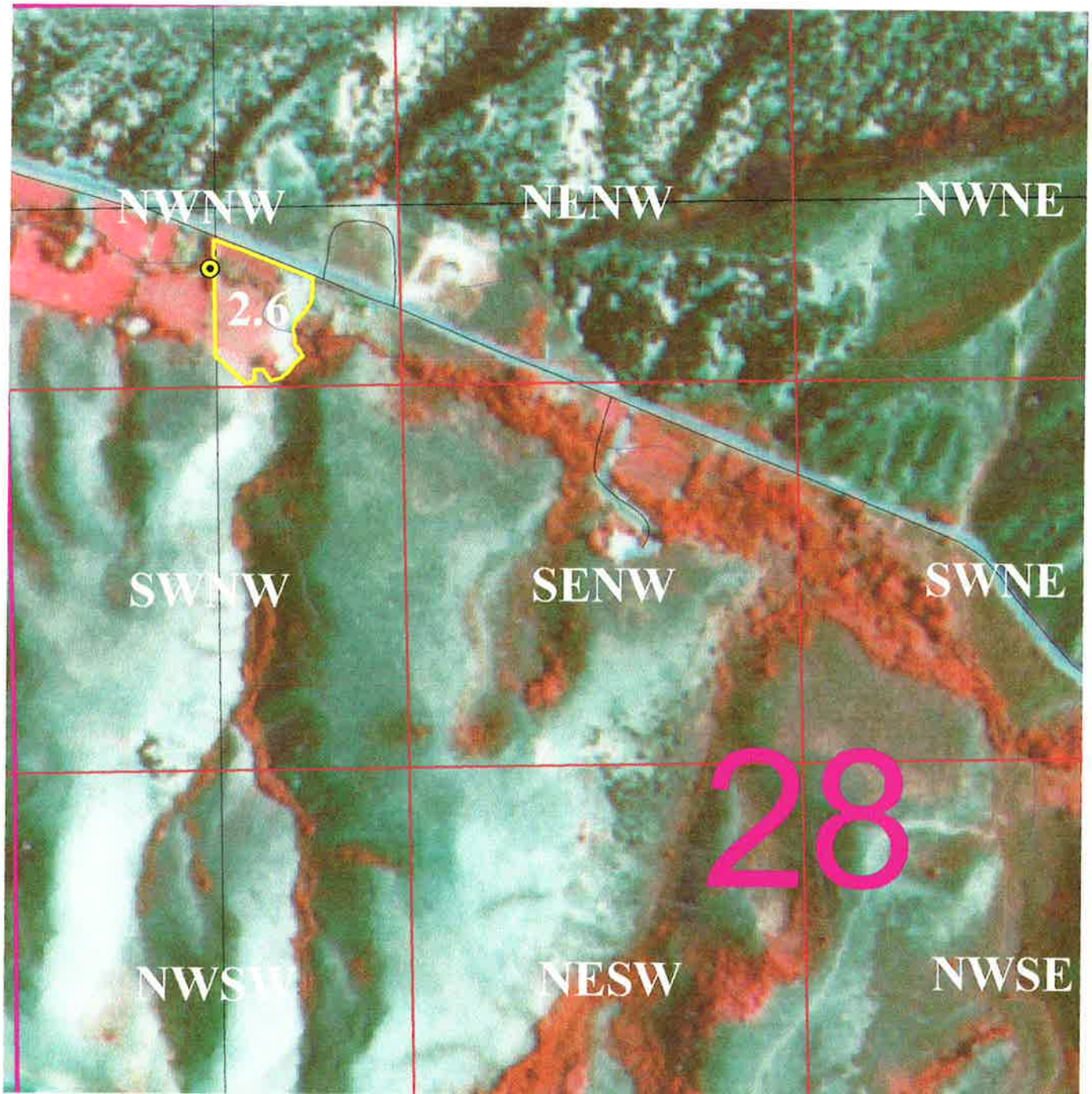
Water Right Claim Number A29-07517
Township , 6S35E

09/22/2000



Water Right Claim Number A29-07517
Township , 6S35E

09/22/2000



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-7268 V1

WATER RIGHT NUMBER: 29-7268 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROBERT L HURST 7869 W BUCKSKIN RD POCATELLO, ID 83201 (208)233-6707
Original Owner	LEO B HURST 7907 W BUCKSKIN RD POCATELLO, ID 83201 (208)232-3604

Priority Date: 05/09/1975

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
SOUTH FORK POCATELLO CREEK	PORTNEUF RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	05/01 to 09/30	0.060 CFS	
STOCKWATER	01/01 to 12/31	0.020 CFS	
<u>Total Diversion:</u>		0.080 CFS	

Location of Point(s) of Diversion

SOUTH FORK POCATELLO CREEK	SW1/4NW1/4NW1/4	Sec. 28, Twp 06S, Rge 35E, B.M.
BANNOCK County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	35E	28						3.0											3.0

Total Acres: 3

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.
2. X02 Stockwater use is for 10 range cattle.

Remarks:

1. Place of Use - Irrigation USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 6 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-07268, 29-07517, 29-13500, AND 29-13501.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-7268 V1

2. Quantity THIS RIGHT WHEN COMBINED WITH RIGHT NO(s). 29-07268, 29-07517, 29-13500, AND 29-13501 SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.
3. Purpose of Use THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MAY 1 AND AFTER SEPTEMBER 30 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 7/20/2001 Field Exam
Comment: Field Exam 5/21/01 -Recommend as licensed.
2. csaxton 7/20/2001 POD
Comment: POD ON THE SOUTH SIDE OF S. FK POCATELLO CREEK
3. csaxton 6/16/2003 Overlap
Comment: Overlap with 29-13500 and 29-13501

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:
 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>
Contacts	7/20/2001 11:45:43 AM	csaxton			Active
Priority Date	7/20/2001 11:45:56 AM	csaxton			Active
POD	7/20/2001 11:46:20 AM	csaxton			Active
Source	7/20/2001 11:48:08 AM	csaxton			Active
Use	7/20/2001 11:48:25 AM	csaxton			Active
POU	7/20/2001 11:48:43 AM	csaxton			Active
Season	7/20/2001 11:51:55 AM	csaxton			Active
Quantity	7/20/2001 11:53:22 AM	csaxton			Active
Summary			07/20/2001	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-7268 V1

Use	7/20/2001 11:48:23 AM	csaxton	1. (NO) The basis of claim is not beneficial use. 2. (YES) The parent right has a purpose of use. 3. (YES) The claimed purpose of Use can be verified using the water right file. 11. (NO) Purpose of Use remark was not required. 12. (NO) Purpose of Use condition was not required.
POU	7/20/2001 11:49:29 AM	csaxton	Edited shape boundary
Contacts	7/20/2001 11:45:42 AM	csaxton	1. Appointment has not been scheduled. Comment for 1: Field Exam 5/21/01.
POD	7/20/2001 11:46:18 AM	csaxton	1. (NO) The basis is not beneficial use. 2. (YES) Parent right has a Point of Diversion. 3. (YES) The claimed Point of Diversion can be verified using the water right file. 8. (NO) Point of Diversion remark was not required. 9. (NO) Point of Diversion condition was not required.
POD	7/20/2001 11:47:19 AM	csaxton	Edited point location
Source	7/20/2001 11:48:07 AM	csaxton	1. (NO) The basis is not beneficial use. 2. (YES) Parent right has a source. 3. (YES) The claimed source can be verified using the water right file. 8. (YES) The source is surface water. 9. (YES) The source is a standard source. 10. (NO) Source remark was not required. 11. (NO) Source condition was not required.
Quantity	7/20/2001 11:53:20 AM	csaxton	1. (NO) The basis of claim is not beneficial use. 2. (NO) The basis of claim is not a posted notice. 3. (YES) The parent right has a diversion rate and/or diversion volume. 4. (YES) The claimed diversion rate and/or volume can be verified using the water right file. 6. (NO) The source is not ground water and the purpose of use does not require a diversion volume limit. 7. (NO) The parent right does not have an annual diversion volume limit. 9. (NO) Quantity remark was not required. 10. (NO) Quantity condition was not required.
Summary	7/20/2001 11:56:50 AM	csaxton	1. (NO) The basis of the claim is not beneficial use. 3. (NO) There is no indication that there has been a five year period of continuous nonuse that could result in a recommendation of forfeiture or partial forfeiture. 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

Adjudication Recommendation Report 29-7268 V1

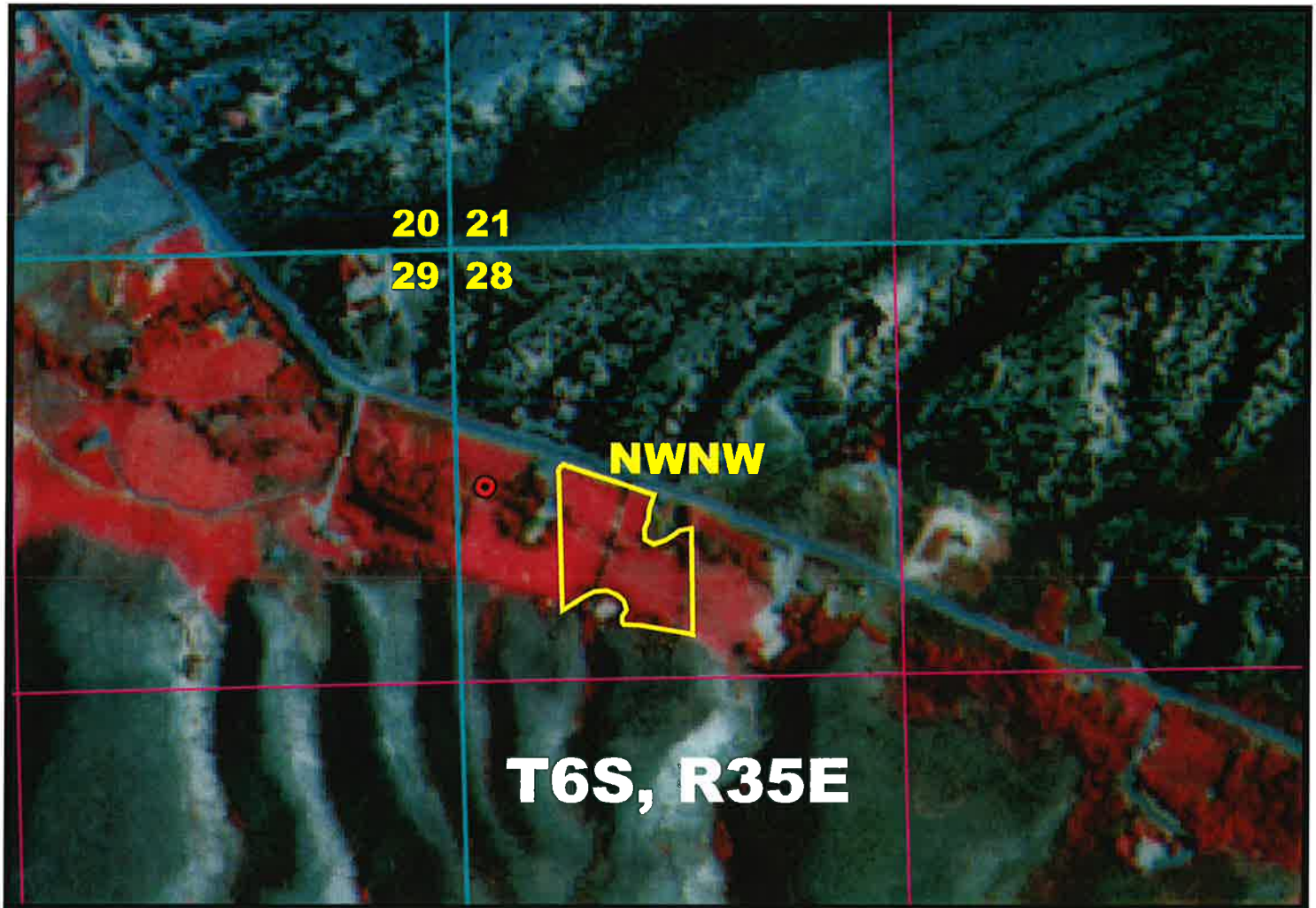
POU	7/20/2001 11:48:42 AM	csaxton	1. (YES) The POU is required. 2. (NO) The basis of claim is not beneficial use. 3. (YES) The Parent Right has a POU. 4. (YES) The claimed POU can be verified using the water right file. 12. (NO) POU remark was not required. 13. (NO) POU condition was not required.
Priority Date	7/20/2001 11:45:55 AM	csaxton	1. (NO) There has not been a later court decree of the water right(s) from the water source. 4. (NO) The basis of claim is not beneficial use. 5. (NO) The basis of claim is not a posted notice. 6. (YES) Parent right has a priority date. 7. (NO) The basis of claim is not an application or permit. 12. (YES) The claim is recommended. 14. (NO) Priority remark was not required. 15. (NO) Priority condition was not required.
Season	7/20/2001 11:51:54 AM	csaxton	1. (NO) The basis of claim is not beneficial use. 2. (YES) The parent right has a period of use. 3. (YES) The claimed Period of Use can be verified using the water right file. 12. (YES) Irrigation is the purposed use. 14. (YES) The period of use on the decree, license or transfer is shorter on either the start or end date than allowable under IDWR's current standard. 15. (YES) Period of Use remark was required. 16. (NO) Period of Use condition was not required.



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s): 29-07517



0 1320 Feet

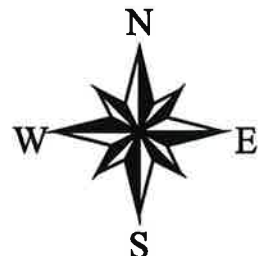
Total Irrigated Acres: 3.0

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

PROFILED

SCANNED

MAY 0 ~ 2006



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

02/08/2003

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: 29-7517

ROBERT L HURST
7869 W BUCKSKIN RD
POCATELLO ID 83201
Telephone Number: (208) 233-6707

RECEIVED

MAR 17 2003

WATER RESOURCES
WESTERN REGION

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Under Purpose it shows IRRIGATION .040 CFS
Under Quantity it shows .040 CFS Stockwater .020 CFS

2. Describe the changes you wish to make in the proposed recommendation:

Quantity should be .060 CFS (.040 + .020)

3. Give a brief explanation as to why you disagree with these portions:

IRRIGATION .040
stockwater .020
Total .060

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

DATE: 2/28/03 SIGNATURE: Robert L Hurst

Please print your name: Robert L. Hurst

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

PROFILED

SCANNED

MAY 10 2006

5-20-03: Field Exam Conducted for 29-07517 states "Same Source - different System". From this I conclude that at least as of 9-13-1985 both 29-07517 and 29-07268 were diverted from the main channel of the S. Fork of Pocatello Creek.

29-07517 was licensed for S. Fork of Pocatello Ck with no objection.

Now it appears that claimant diverts from pond mostly supplied by springs.

looks like change in source probably changed after 1987 but I don't know for sure

In order to recommend change in source for 29-07268 and 29-07517 claimant must show change in source prior to Nov 1981/1987 or site transfer.

6-19-03: sent claimant copy of Revised Rec

PROFILED

SCANNED

MAY 04 2008

JUN 15 2001

WR #: 29-07517

DATE: 5/21/01

GPS File: N/A (pinpointed on map)

OR

Northing: _____

Easting: _____



Pump Located on Leo's place but services irrigation for Mr. Hurst's original home. Looking South. Pocatello Creek in background.

WR #: 29-07517

DATE: 5/21/01

GPS File: N/A (pinpointed on Map)

Or

Northing: _____

Easting: _____



Pump Located on Leo's place but services irrigation for Mr. Hurst's original Land. Looking South. Pocatello Creek in background. I am taking picture from irrigated POD. POD for 29-07268 located on S. side of Pocatello creek to the left in the picture.

Log for claim A29-07517

Spatial Dynamics BTD

9/22/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06s35e	28	NWNW	3	2.6	
Totals:			3	2.6	

5/21/01 Send copy of AJ claim ASAP

Send Receipt for L/O on 29-07055

done, sent
5/22/01

5/22/01 SAD drawn - Recommended 3 acres

AJ5809NP
No. A29-07517

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/24/00
PAGE: 117

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROBERT L HURST 7869 W BUCKSKIN RD POCATELLO ID 83201 (208) 233-6707	10/19/1979	IRRIGATION STOCKWATER	03-15 11-15 01-01 12-31	0.040 CFS 0.020 CFS	
TOTAL DIVERSION:					0.040 CFS	
CONSUMPTIVE USE:						7.50 AFA

Water Source: POCATELLO CREEK, SOUTH FORK

Tributary to: PORTNEUF RIVER

Stage: LICENSE

Point(s) of Diversion:

T06S R35E S28

NWNW

BANNOCK 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		
06S	35E	28	:					:					:					:						
																							3.0	
																							3.0	

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE												
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
06S	35E	28	:					:					:					:						
																							S	

POU County: BANNOCK

Non-Irrigation Uses: S/10 MIXED LIVESTOCK.

Other Rights: A29-07058

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

29-07055 29-07058 A29-00448A A29-00448B A29-00454A A29-00454B A29-07002 A29-07055 A29-07058 A29-07268

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

A29-00448 A29-00448A A29-00449 A29-00454 A29-00454A A29-07002 A29-07268

Conditions of Approval:

- R30 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.
- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 29A.
- R02 - A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 29A

Field Inspection Flag:
Presumption Flag:

AJ5809NP
No. A29-07517

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/24/00
PAGE: 118

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Audit: 01/29/90 MEYER 07/28/94 THOMPSON 03/29/95 POST-STD

State of Idaho
Department of Water Resources
WATER RIGHT LICENSE

License of Water Right No. 29-7517 Priority October 19, 1979 Amount 0.04 cfs

THIS IS TO CERTIFY, that Robert L. Hurst
of Pocatello, Idaho, has complied with the terms and conditions of Permit
No. 29-7517 issued pursuant to Application for Permit dated October 19, 1979,
and has submitted proof to the Department of Water Resources on October 28, 1985,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.04 cfs of water from Pocatello Creek, S. 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
<u>Irrigation</u> from <u>March 15</u> to <u>November 15</u> at <u>0.04</u> cfs and			<u>10.5</u> acre feet
<u>Stockwater</u> from <u>January 1</u> to <u>December 31</u> at <u>0.02</u> cfs and			<u>0.2</u> acre feet
_____ from _____ to _____ at _____ cfs and			_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.04 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
10.7 acre feet per year, said waters to be diverted within the NW¹/₄ NW¹/₄ Section 28,
Twp 6S, Rge 35E 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	28					3												3

Total number of acres irrigated 3

MICROFILMED

SEP 06 1955

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

Permit No. 29-7517

Phone No. 233-6707

1. Owner: Robert L. Hurst Phone No. 233-6707
Current Address: Buckskin Rd. Pocatello, ID. 83201
2. Accompanied by: Leo Hurst EXAM. DATE: 10-10-84
Address: _____ Phone No. 233-3604
Relationship to Permit Holder: Father
3. Source: Pocatello Creek tributary to Portneuf River

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	NA.	2	NA	NA	

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)
From the creek a 2 hp ^{electric} pump lifts water to one sprinkler line (5 hds.) and a water trough. This particular pump is an Independent System from that of Lee Hurst's in the same general area. Generally 6 head of cattle kept on property.

6.	Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
	Pitot gauge						

7. Measurements $\overbrace{\hspace{1.5cm}}^{5 \text{ hrs}}$ ☐ Additional data/computation sheets attached
 12 psi $3/16'' \text{ NO}_{22} \text{ TS}$ 12 psi

- [illegible]

- [illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

RECEIVED
SEP 30 1985

29-7517
Permit No.

Department of Water Resources

1. Measurement Calculations

a) Field Measurement Calculations (Include theoretical capacities and system capacity)

3/16" N 2 12 psi not on ream chart

$$\begin{aligned} \text{use } Q &= A \sqrt{2gh} \\ &= 0.000195 \text{ g' } \sqrt{2(32.2 \times 27.69)} \\ &= 0.008 \text{ cfs or } 3.65 \text{ gpm / nozzle} \end{aligned}$$

$A = \text{Area in sq' c'}$
 Nozzle

$g = 32.2$

$h = \text{psi} \times 2.308$

$$5 \text{ nozzles} \times 3.65 \text{ gpm} = 18.25 \text{ gpm or } \underline{\underline{0.04 \text{ cfs}}} \checkmark \text{ capacity}$$

b) Volume Calculations for Irrigation: 245 day season

$$\begin{aligned} V_{IR} &= (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 3 \text{ acres} \times 3.5 \text{ cfs/g} = 10.5 \text{ acfg} \checkmark \\ V_{DR} &= [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.04 \text{ cfs} \times 245 \times 1.9835 = 16.9 \checkmark \\ V &= \text{Smaller of } V_{IR} \text{ and } V_{DR} = \underline{\underline{10.5 \text{ acfg}}} \checkmark \end{aligned}$$

c) Volume Calculations for Other Uses: $V = 0.04 \times 1.9835 \times 245 = 19.4 \text{ AF}$

2. Overlap Review

a) Other water rights with same place of use: 29-7058

b) Other water rights with same point of diversion: NA

per VAX: 29-7002, 29-7055, 29-7058, 29-7216, 29-7268
gw gw gw Domestic use only

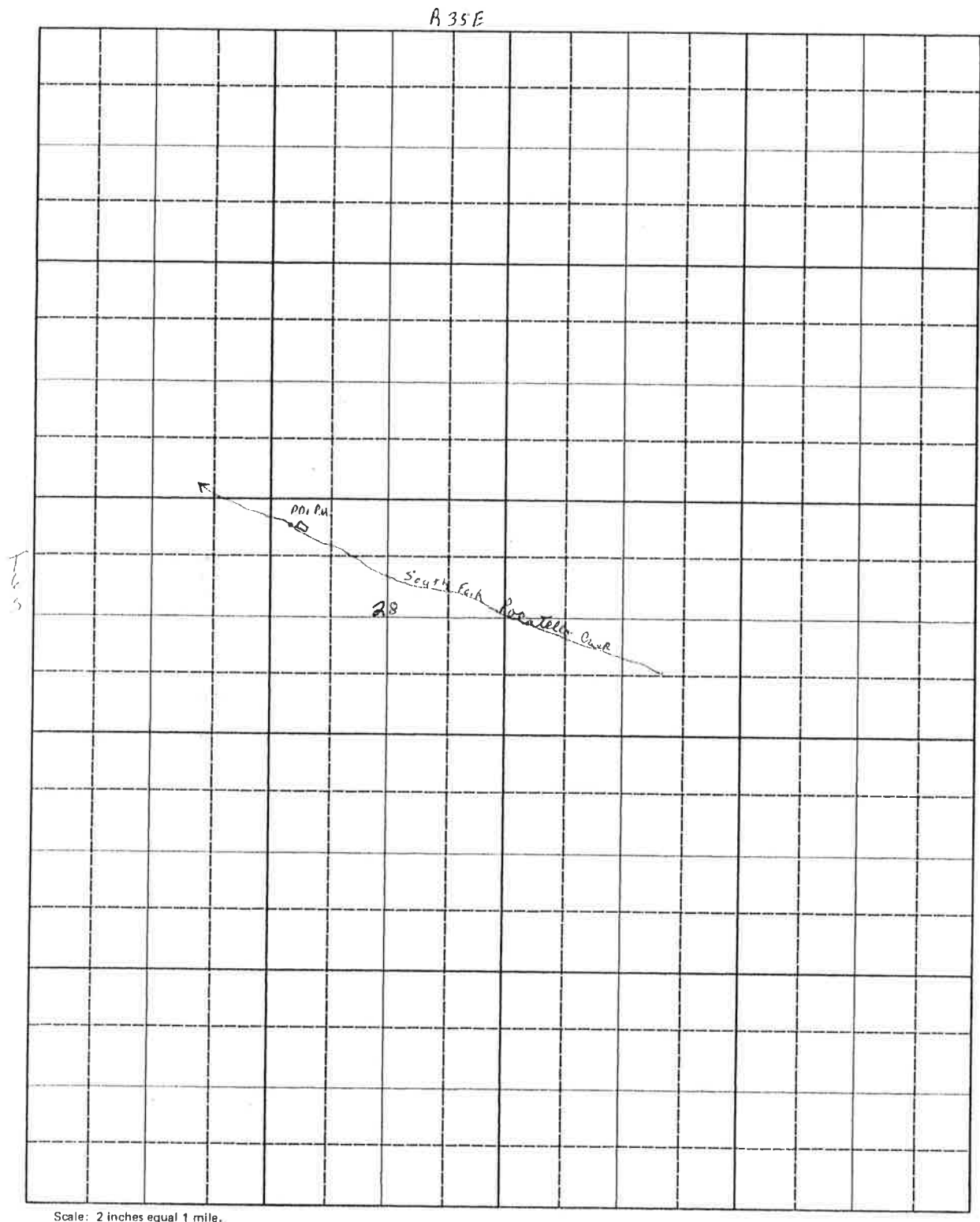
c) Analysis:

R16 (3.5) R30

29-7268 - same source - different system per exam 5

RECEIVED

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



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.

Robert L. Hunt
(Applicant)

RECEIVED
JUN 10 1964

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Robert L. Hurst Phone _____
Post office address Buckskin Road, Pocatello, Idaho 83201

2. Source of water supply Pocatello Creek, South Fork which is a tributary of Portneuf River

3. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 28 Township 6S
Range 35E B.M. Bannock County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.08 for Irrigation purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.02 for Stockwater purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 0.10 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. pump, 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 when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is five years (minimum 1 year — maximum 5 years).

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: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____ Max. of 25 Head _____

(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: _____

MICROFILMED

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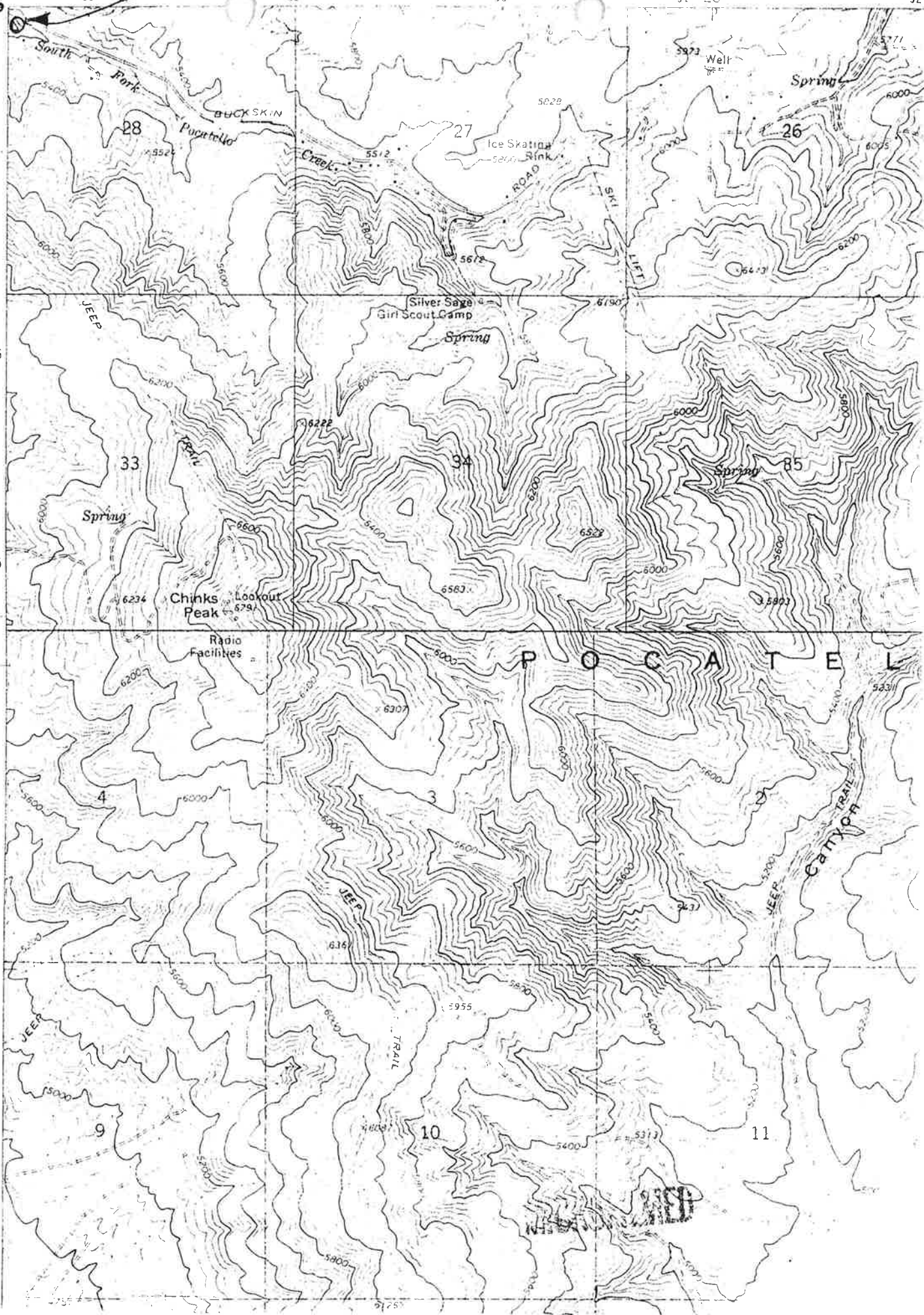
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79-7517



**State of Idaho
Department of Water Resources**

WATER RIGHT LICENSE

License of Water Right No. 29-7517 Priority October 19, 1979 Amount 0.04 cfs

THIS IS TO CERTIFY, that Robert L. Hurst
of Pocatello, Idaho, has complied with the terms and conditions of Permit
No. 29-7517 issued pursuant to Application for Permit dated October 19, 1979
and has submitted proof to the Department of Water Resources on October 28, 1985
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.04 cfs of water from Pocatello Creek, S. 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
<u>Irrigation</u> from <u>March 15</u> to <u>November 15</u> at <u>0.04</u> cfs and			<u>10.5 acre feet</u>
<u>Stockwater</u> from <u>January 1</u> to <u>December 31</u> at <u>0.02</u> cfs and			<u>0.2 acre feet</u>
from _____ to _____ at _____ cfs and _____			
(both dates inclusive)			

Subject, however, to the condition that no more than 0.04 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
10.7 acre feet per year, said waters to be diverted within the NW1/4 Section 28,
Twp 6S, Rge 35E in the County of Bannock

Description and location of place of use:

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Total
			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	28						3											3

Total number of acres irrigated 3

DO NOT FILM

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

RECEIVED

SEP 30 1985

29-7517
Permit No.

Department of Water Resources

1. Measurement Calculations

a) Field Measurement Calculations (Include theoretical capacities and system capacity)

3/16" N 2 12 psi not on rainfall chart

use $Q = A\sqrt{2gh}$

$$= 0.0001959' \sqrt{2(32.2 \times 27.69)}$$

$$= 0.008 \text{ cfs or } 3.6 \text{ gpm / nozzle}$$

$$A = \text{Area in sq' cft}$$

$$g = 32.2$$

$$h = \text{psi} \times 2.305$$

$$5 \text{ nozzles} \times 3.6 \text{ gpm} = 18 \text{ gpm or } \underline{\underline{0.04 \text{ cfs}}} \text{ capacity}$$

b) Volume Calculations for Irrigation:

245 day season
irrig.

$$V_{ia} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 3 \text{ acres} \times 3.5 \text{ cfs/acre} = 10.5 \text{ cfs}$$

$$V_{oa} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.04 \text{ cfs} \times 245 \times 1.9835 = 19.4 \text{ AF}$$

$$V = \text{Smaller of } V_{ia} \text{ and } V_{oa} = 10.5 \text{ cfs}$$

c) Volume Calculations for Other Uses:

$$V = 0.04 \times 1.9835 \times 245 = 19.4 \text{ AF}$$

DO NOT FILM

2. Overlap Review

a) Other water rights with same place of use: 29-7058b) Other water rights with same point of diversion: NAper VAX: 29-7002, 29-7055, 29-7058, 29-7216, 29-7268
gw gw gw Domestic use only

c) Analysis:

R16 (3.5) R3029-7268 - same source - different system per
exam 5

RECOMMENDED AMOUNTS

10 day

3.	Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity
	29-7517	10-19-1979	0.04 cfs	10-19-1979	10-28-1985	0.04 cfs

4. Permit Holder: Robert L. Hurst

Address: 7869 W. Buckskin Rd., Pocatello, ID 83201

5. Source: Pocatello Creek, South Fork tributary to Portneuf River

6. Beneficial Use	per rules & regs.	Period of Use From To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
Irrigation ✓		3/15 11/15	0.04 cfs ✓	10.5 ✓
Stock ✓		1-1 12-31 ✓	0.02 ✓	0.2 ✓

Allowable Maximums: 0.04 cfs ✓ 10.7 afa ✓

7. Point(s) of Diversion: ✓

No.	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County
			NW	NW	28	16S	35E	Bannock

8. Place(s) of Use ✓

Twp.	Rge.	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	28							3									3	

Total Acres 3

9. Recommended Conditions/Remarks: R30 R04 (29-A, Pocatello Creek)

DO NOT FILM

10. Recommended Amendments

- ☐ Change P.D. as reflected above
 ☐ Add P.D. as reflected above
 ☒ None
☐ Change P.U. as reflected above
 ☐ Add P.U. as reflected above
 ☐ Other _____

11. Examiner's Signature [Signature]

Date 9-13-85

Checked in Regional Office by [Signature]

Date 9-25-85

Approved in State Office by [Signature]

Date 7-7-86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

Permit No. 29-7517
Phone No. 233-6707

1. Owner: Robert L. Hurst Phone No. 233-6707
Current Address: Buckskin Rd Pocatello, ID. 83201
2. Accompanied by: Leo Hurst EXAM. DATE: 10-10-84
Address: _____ Phone No. 233-3604
Relationship to Permit Holder: Father
3. Source: Pocatello Creek tributary to Portneuf River

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	NA	2	NA	NA	

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)
From the creek a 2 hp pump lifts water to one sprinkler line (5 birds) and a cattle trough. This particular pump is an independent system from that of Leo Hunt's in the same general area. Generally 6 head of cattle kept on property.

6.	Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
	Pitot gauge						

7. Measurements $\times$ 5 birds $\times$ ☐ Additional data/computation sheets attached
 12 ps 1 3/16" No 22 / 12 12 ps 1

DO NOT FILM

8. Point(s) of Diversion: Indicate Method of Determination *ASCS & Photo*

[illegible]

9. Place(s) of Use: Irrigation - give acres served by system at time of exam.
Indicate Method of Determination ASCS Agr. Dist.

Twp.	Rge.	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	28						3										3	
							</												

10. Other water rights on these lands 29-7058
11. Other water right diverted from same p.d. N.A.
12. Diversion and Delivery System Diagram: Indicate all major components and distances between components. Indicate ditch size/pipe I.D. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☐ Photo of Diversion & System Attached

☒ Aerial Photo of Place of Use Attached
or Map of Irrigated Acreage Attached

14. Remarks Exam done as per request!

15. Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☒ None

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

16. Examiner's/Consultant's Signature John Jones

Date 9-17-85

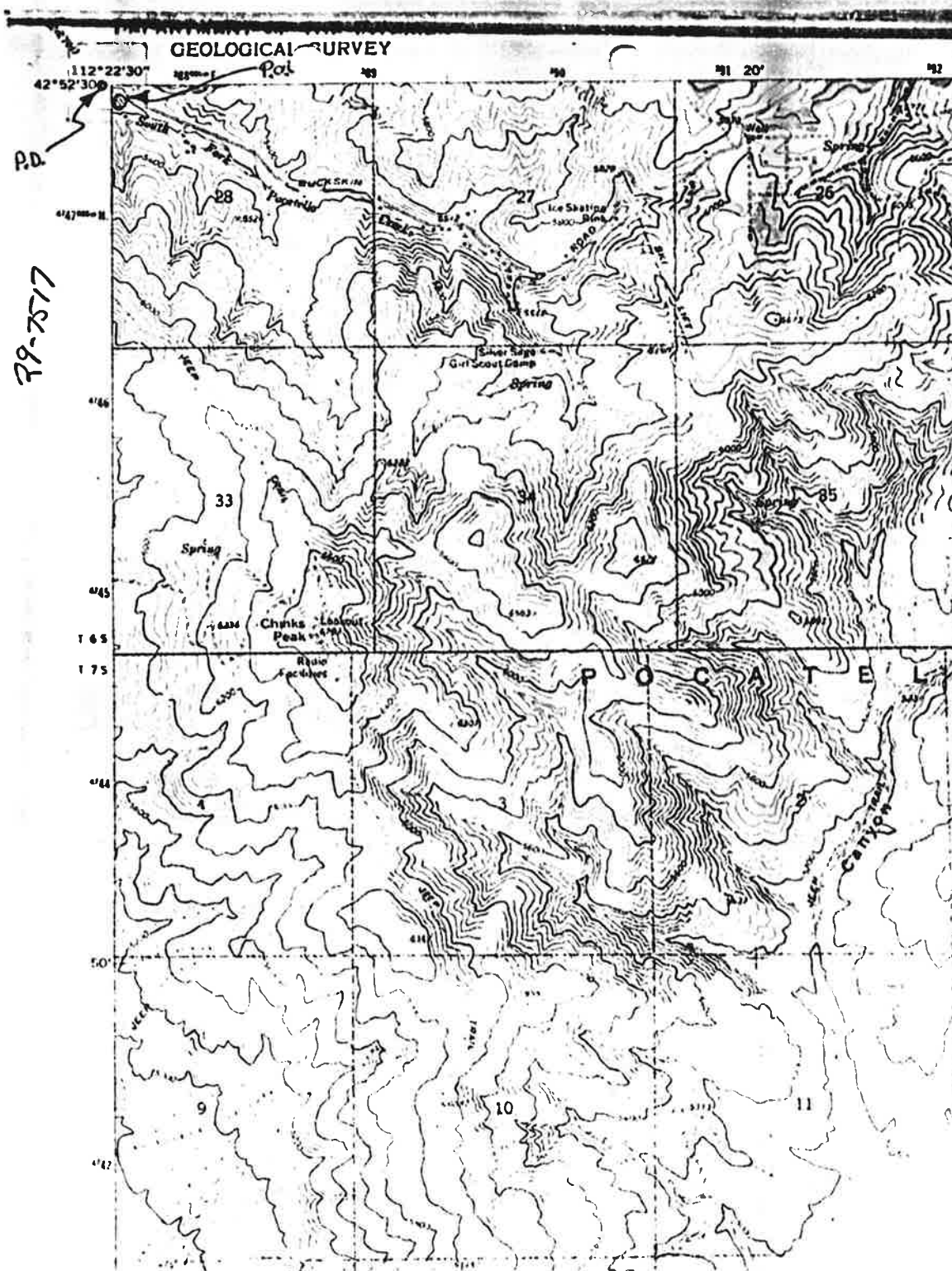
Consultant's License Number _____

IDWR Director's Authorization to Conduct

Beneficial Use Examination _____

Date _____

CONSULTANT SEAL



JUN 15 2001

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A29-07517
Date Received: 1/29/1990
Receipt No: E011957
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT L. HURST
Address: 7869 W. BUCKSKIN RD.
POCATELLO, ID 83201 208-233-6707

2. Date of Priority: OCT 19, 1979

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	28		NW	NW		BANNOCK

5. Description of diverting works:
PUMP, SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.040		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 7.5 Acre Feet Per Annum.

9. Non-irrigation uses:
S/10 MIXED LIVESTOCK.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	35E	28	NW	NW		IRR	3.0
			NW	NW		STOCK	

Section Acres 3.0

A29-07517

Page 1

Date: 01/29/90

MICROFILMED

NOV 13 1992



10. Place of Use: Continued

Total Acres 3.0

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:
A29-07058

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): Robert J. Hunt Date: 1/30/90
_____ Date: _____

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 30th day
of January 19 90 Arto D. Rotert
Notary Public

Seal

Residing at 2732 Grove, Pocatello
My Commission Expires 1-28-91