

08/20/2002

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

RIGHT NUMBER: 29-7539

NAME AND ADDRESS: JUSTIN LOWDER
14451 W CHUBBUCK RD
POCATELLO ID 83201

LUCILE LOWDER
14451 W CHUBBUCK RD
POCATELLO ID 83201

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.07 CFS
4.1 AFY

PRIORITY DATE: 04/04/1980

POINT OF DIVERSION:

T06S R34E S8 NWNWNE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
		0.60 AFY
IRRIGATION	03/15 11/15	0.030 CFS
		3.50 AFY

PLACE OF USE: DOMESTIC Within BANNOCK County

T06S R34E S08 NWNE

IRRIGATION Within BANNOCK County

T06S R34E S08 NWNE 2.0

2 ACRES TOTAL

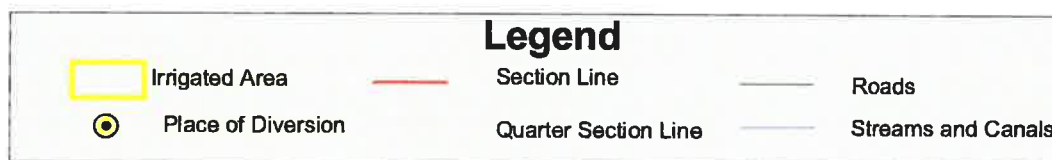
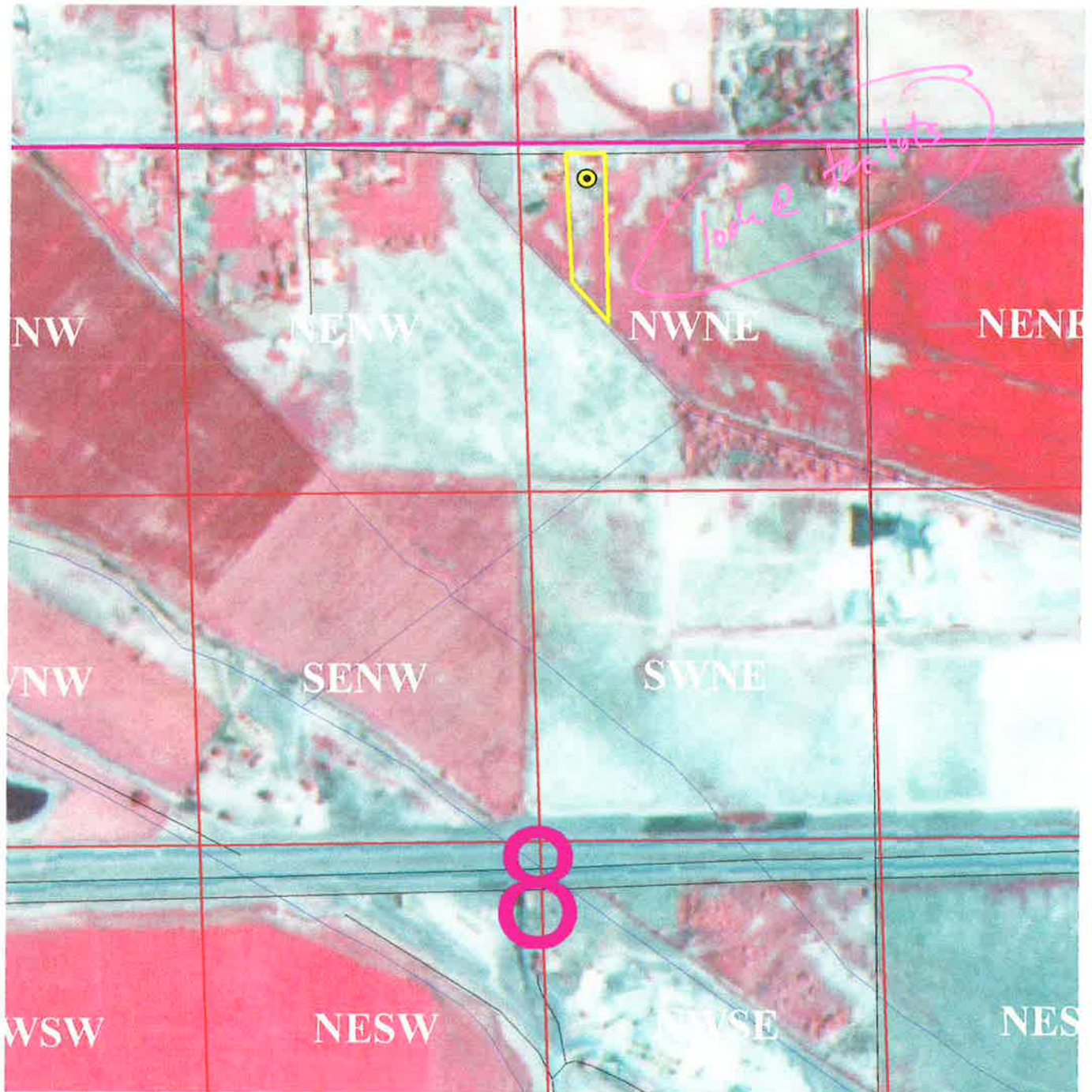
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

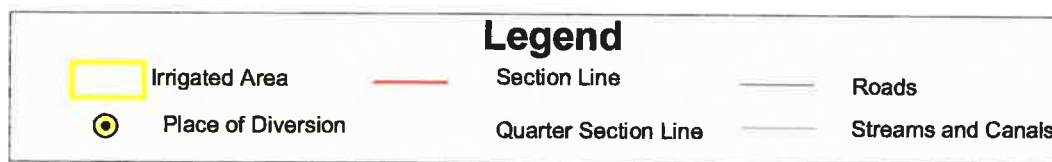
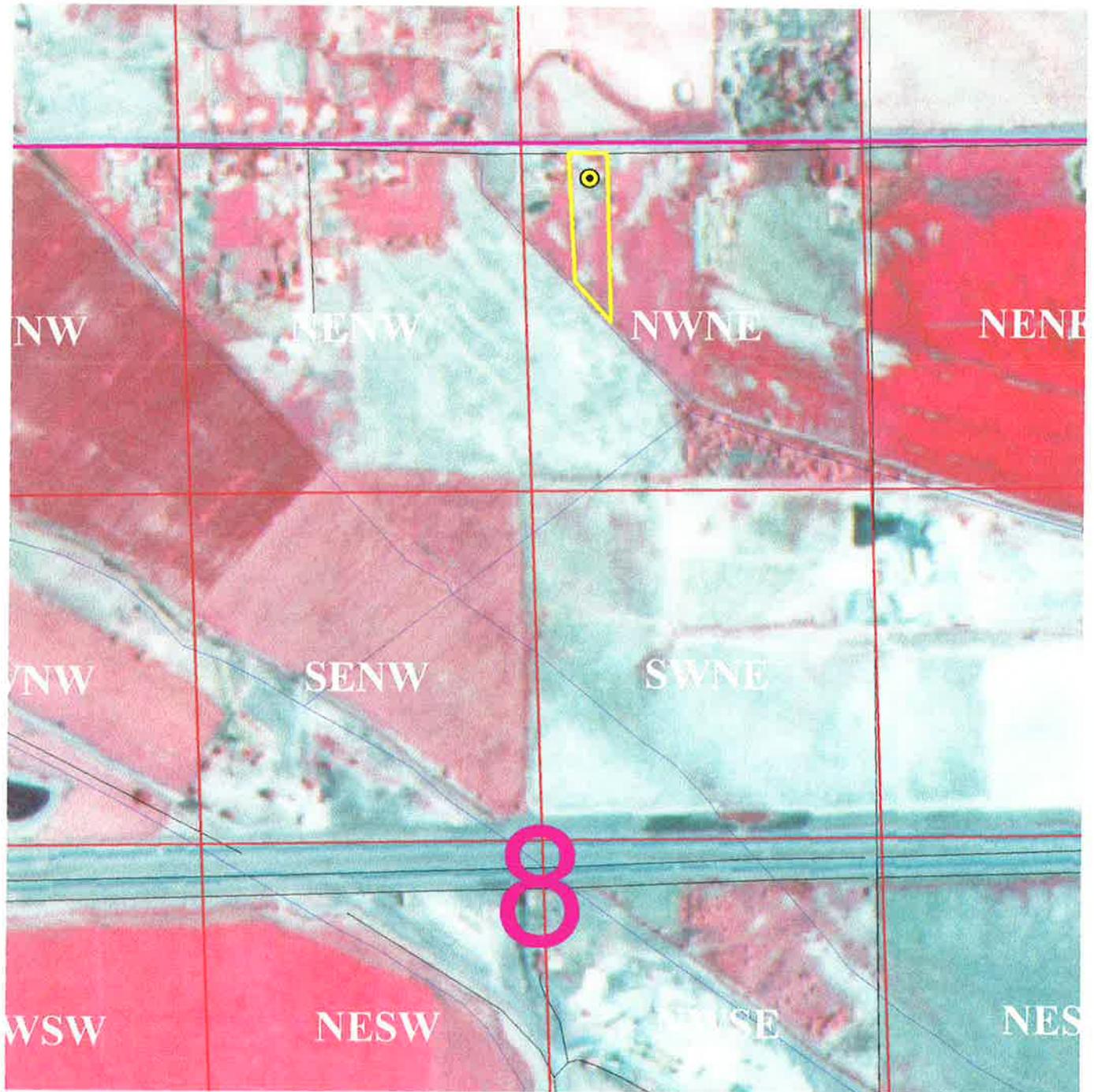
Water Right Claim Number A29-07539
Township , 6S34E

09/22/2000



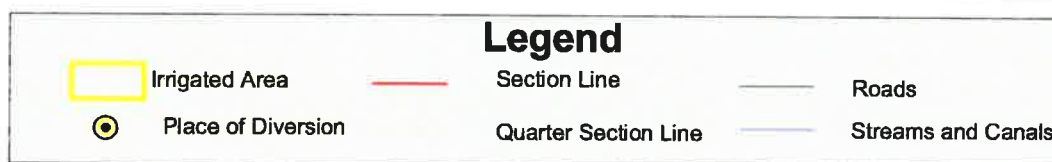
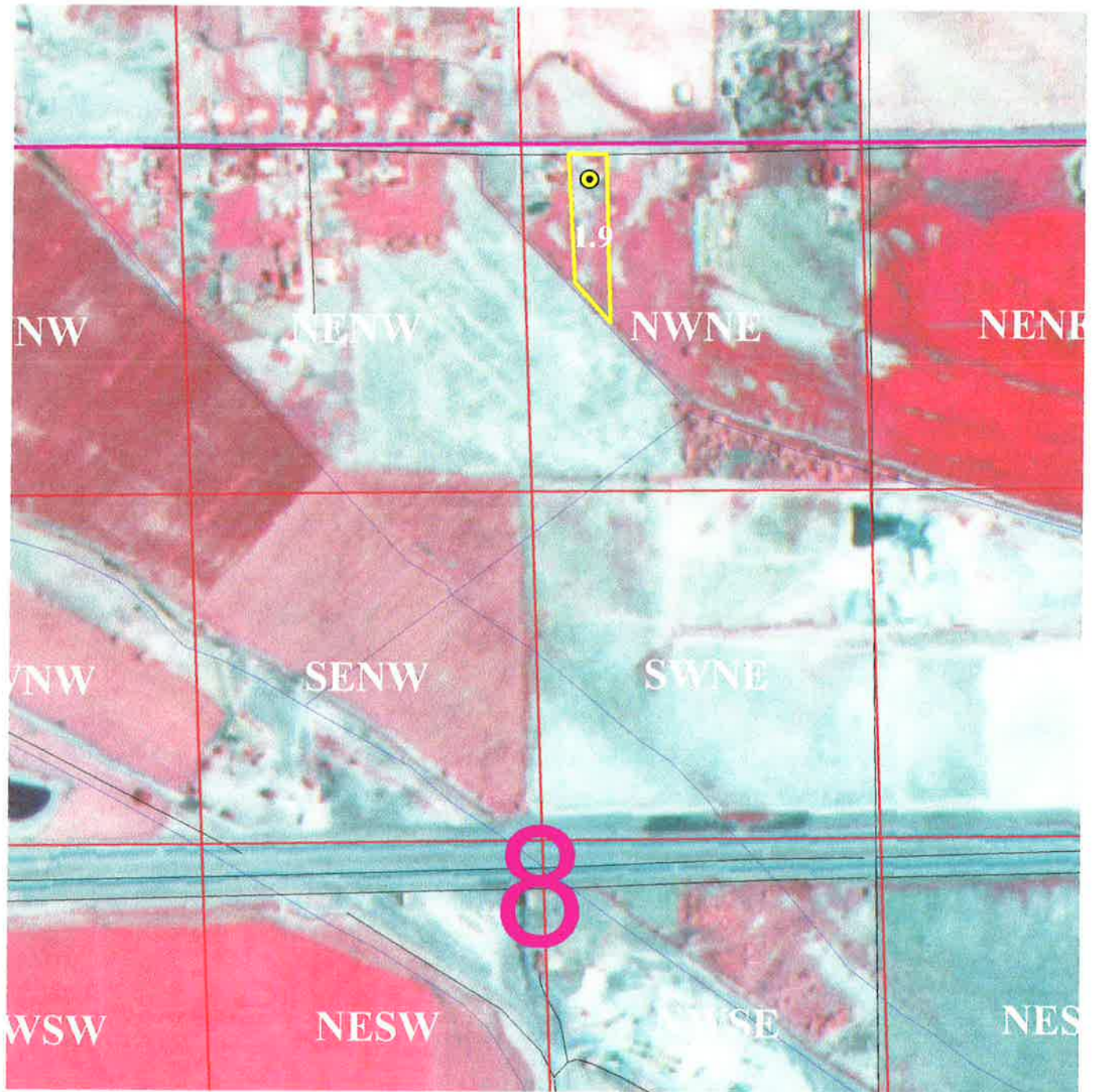
Water Right Claim Number A29-07539
Township , 6S34E

09/22/2000



Water Right Claim Number A29-07539
Township , 6S34E

09/22/2000



02/13/2003

Paul

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: 29-7539

JUSTIN LOWDER
14451 W CHUBBUCK RD
POCATELLO ID 83201
Telephone Number: (208)237-4865

LUCILE LOWDER
14451 W CHUBBUCK RD
POCATELLO ID 83201
Telephone Number: (208)237-4865

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

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

DATE: 3/3/03

SIGNATURE: *Justin Lowder*

Please print your name: _____

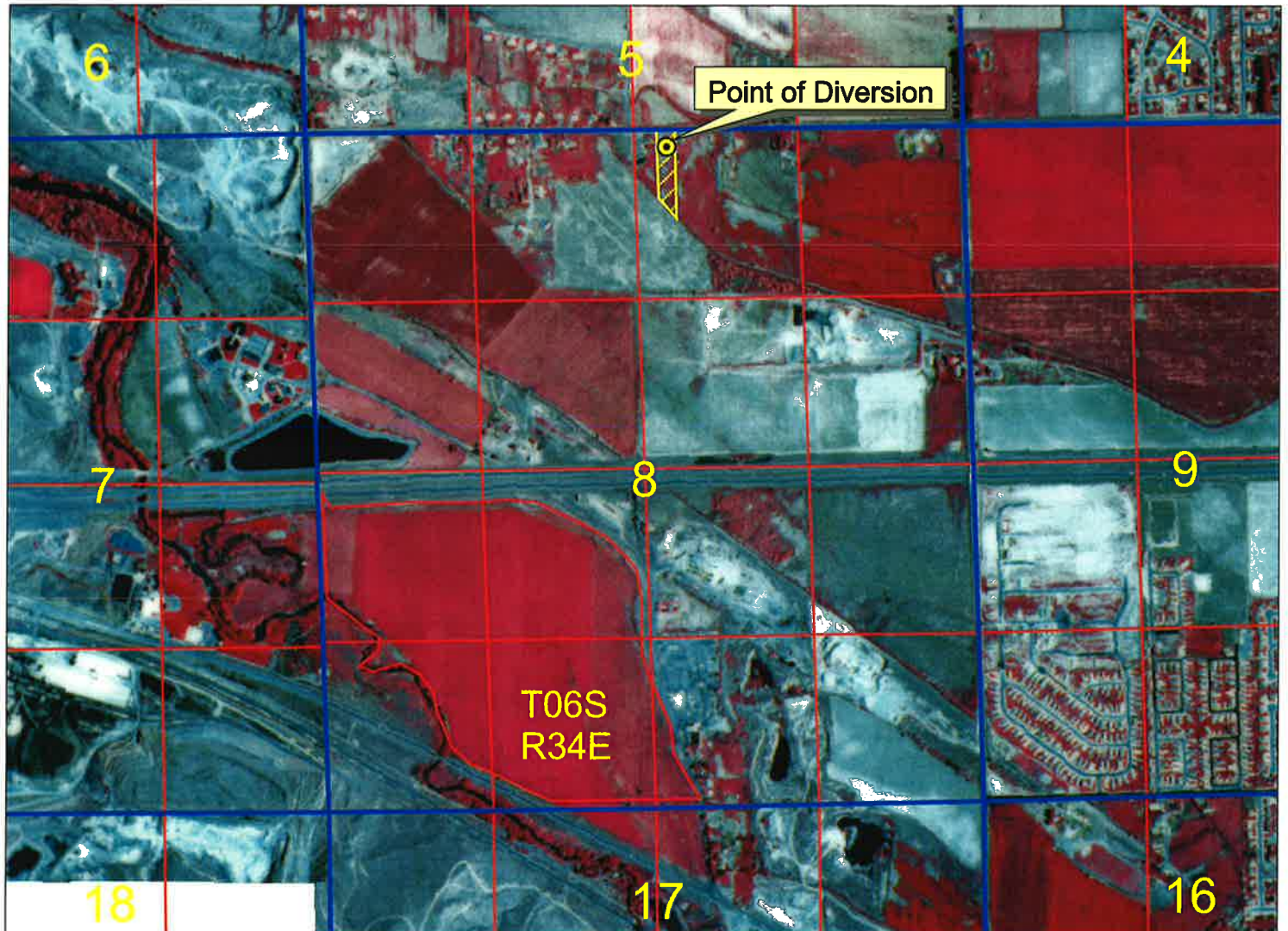
IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

PROFILED

SCANNED
MAY 05 2006

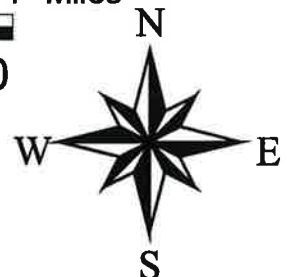


State of Idaho
Department of Water Resources
Eastern Region
Water Right: 29-7539



0.5 0 0.5 1 Miles

1:16000



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

PROFILED

SCANNED

MAY 05 2006

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: P. Meyer
Date: August 2002

MAY 14 2001

Log for claim A29-07539

Spatial Dynamics LTD

9/22/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06s34e	8	NWNE	2	1.9	
Totals:			2	1.9	

AJ5809NP
No. A29-07539

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/24/00
PAGE: 119

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JUSTIN LOWDER	04/04/1980	IRRIGATION	03-15 11-15	0.030 CFS	
C	LUCILE LOWDER		DOMESTIC	01-01 12-31	0.040 CFS	
	14451 W CHUBBUCK RD					
	POCATELLO ID 83201					
	(208) 237-4865					
				TOTAL DIVERSION:	0.070 CFS	
				CONSUMPTIVE USE:		5.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion:

T06S R34E S08

NWNE

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	34E	8	:			02		:					:					:					:	2.0
																							TOTAL ACRES	2.0

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

POU County: BANNOCK

Non-Irrigation Uses: D/ ONE HOME

Other Rights: NONE

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

29-10309 29-10479 29-11032 29-11991 29-12215 A29-10479 A29-11032 A29-11991 A29-12215

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 02/20/90 DCARLSON 07/28/94 THOMPSON 03/29/95 POST-STD

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 29-07539

Priority: April 4, 1980

Maximum Diversion Rate: 0.07 CFS
Maximum Diversion Volume: 4.1 AF

This is to certify, that JUSTIN LOWDER
LUCILE LOWDER

745 N. HAYES

POCATELLO, ID 83201

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 4, 1980; and has submitted Proof of Beneficial Use on April 16, 1985. An examination indicates that the works have a diversion capacity of .090 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	03/15 to 11/15	0.03 CFS	3.5 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	0.6 AF
	Totals	0.07 CFS	4.1 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 8, Township 06S, Range 34E
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>
06S	34E	8	NWNE	1		1

Total number of acres irrigated: 1

PLACE OF USE: DOMESTIC, same as IRRIGATION use

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 applicable Idaho law.

MICROFILMED

APR 17 1990

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 29-07539

CONDITIONS/REMARKS:

5. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 3.5 afa per acre for the lands above.
6. Domestic use is for 1 home.

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 APRIL, 1990.

Acting for R. Keith Higginson, Director

MICROFILMED

APR 17 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

NOV 7 1986

29-7539

Permit No.

Department of Water Resources

1. Measurement Calculations

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

$$\text{Theoretical } Q = \frac{3 \text{ hp} \times 8.814 \times .8}{150' \text{ ft} + (2.308 \times 35 \text{ psi})} = \frac{21.15}{230.78} = \frac{0.04 \text{ cfs}}{0.09 \text{ cfs}}$$

allow 0.04 cfs for Domestic
allow 0.03 cfs for one acre of irrig

Total 0.07 cfs

No Commercial use

- b) Volume Calculations for Irrigation:

$$\begin{aligned} V_{IR} &= (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 1 \text{ acre} \times 3.5 \text{ cfs} = 3.5 \text{ afa} \\ V_{DR} &= [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.03 \text{ cfs} \times 245 \text{ days} \times 1.9835 = 14.6 \\ V &= \text{Smaller of } V_{IR} \text{ and } V_{DR} = 3.5 \text{ afa} \end{aligned}$$

- c) Volume Calculations for Other Uses:

allow ~~0.6 afa~~ for Domestic use (Lawn included in irrig. Volume)

2. Overlap Review

- a) Other water rights with same place of use: Redman Ditch water
- b) Other water rights with same point of diversion: N.A.
- c) Analysis:

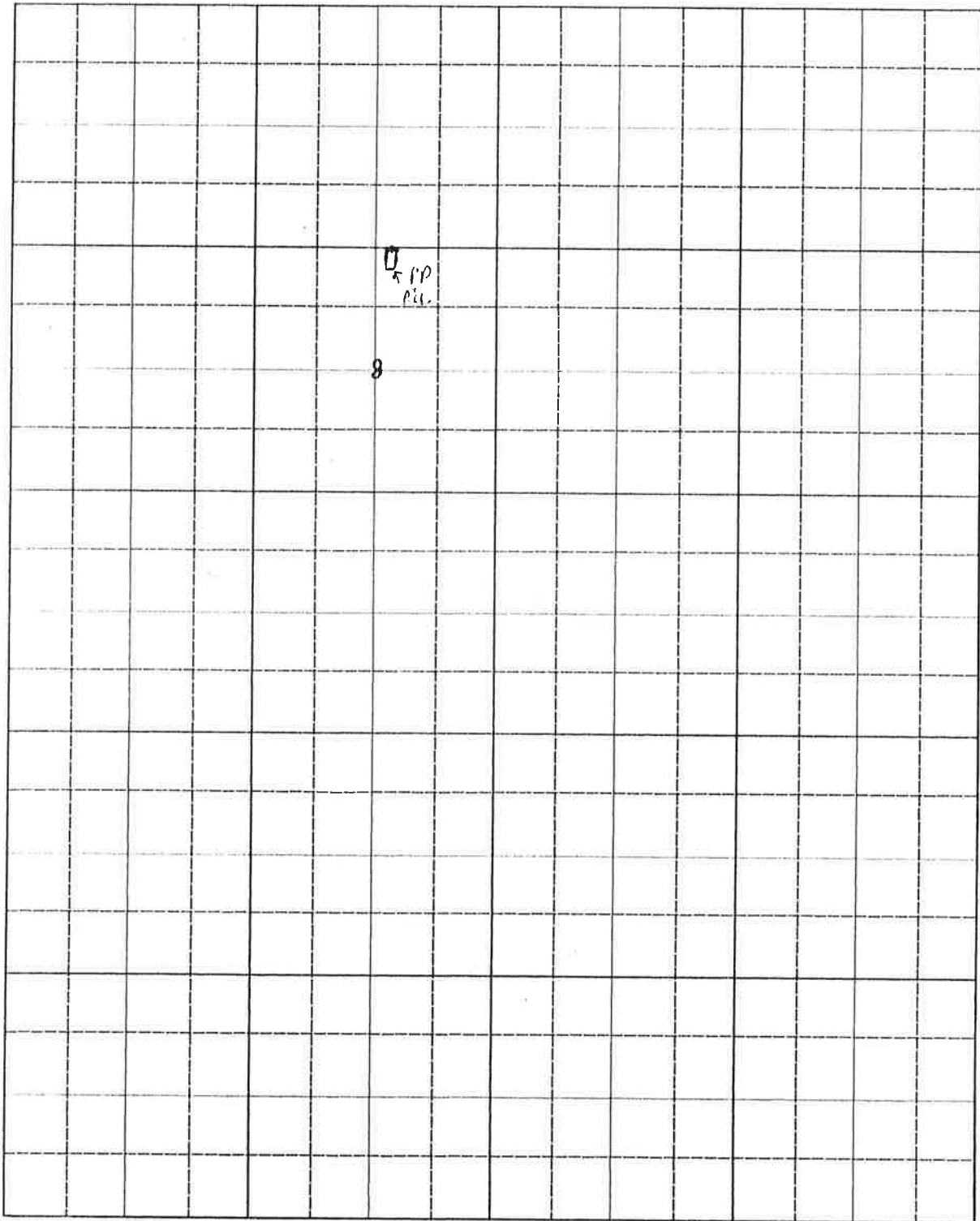
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APR 17 1990

Phone No. 232-7699

[illegible]

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.

Justin Linder
(Applicant)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Justin Lowder and/or Lucile Lowder Phone 237-1827

Post office address Rt. #4, Box 322A Pocatello, Idaho

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 8 Township 6S

Range 34E B.M. Bannock County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .04 for Irrigation purposes from March 15 to Nov. 15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .04 for Domestic purposes from Jan 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .04 for Commerical purposes from Jan 1 to Dec. 31 (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. .12 cfs cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 5 H.P. vertical jacuzzi, 179 ft.
of casing 199 ft. deep. 8"

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 8" inches; proposed depth of well is 199 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial
use is 5 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: NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 8 Township 6S
Range 34E B.M.

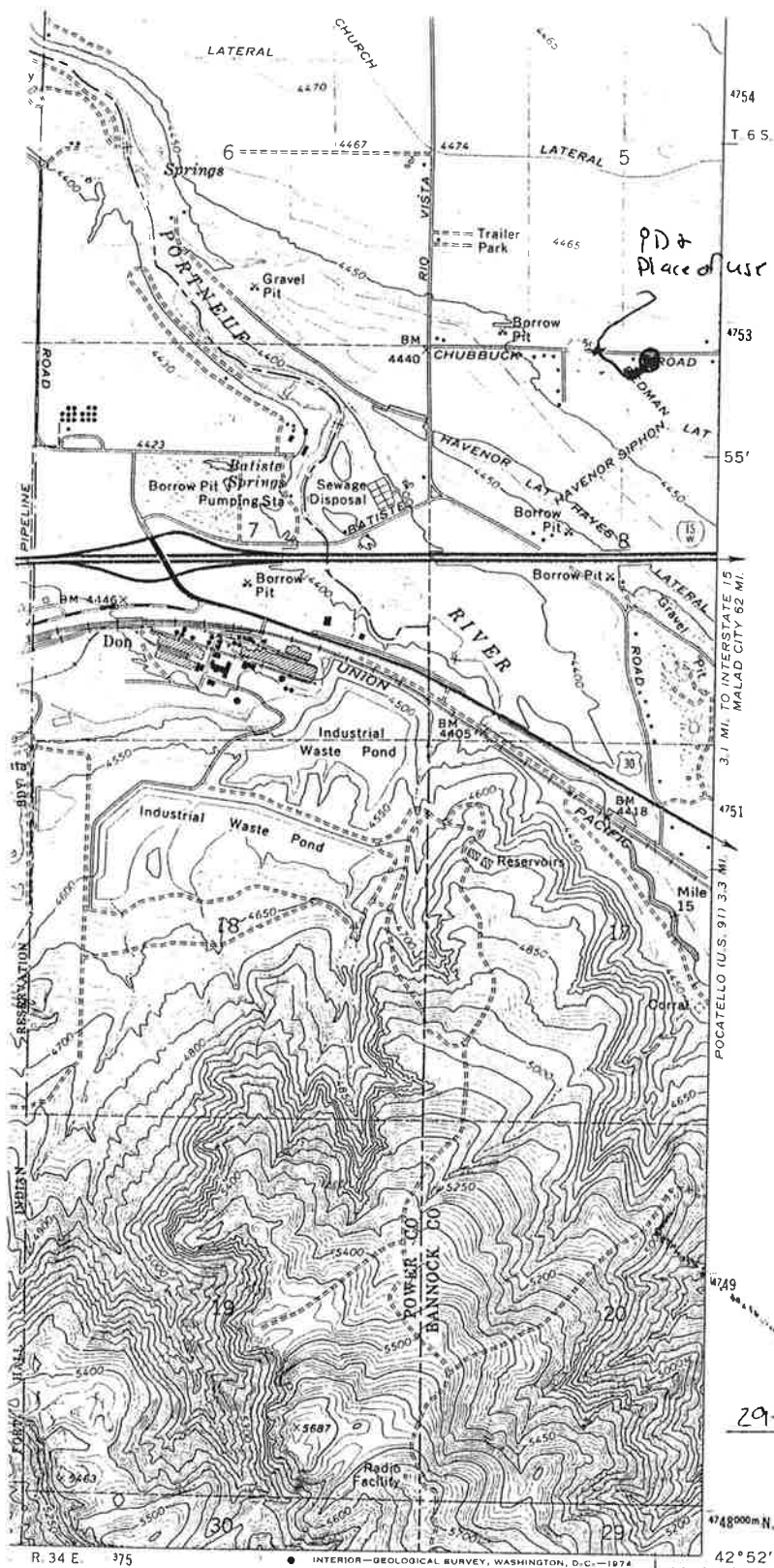
(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water 1

(5) If water is to be used for other purposes describe: Commercial use. steam cleaning
of machinery

APPROVED



29-7539

PD &
Place of use

APR 1 1990

29-7539

ROAD CLASSIFICATION

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: A29-07539
Date Received: 2/20/1990
Receipt No: E012102
Received By: RC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JUSTIN LOWDER 208-237-4865
Address: 14451 W. CHUBBUCK RD 83201
POCATELLO, ID
OR
Name: LUCILE LOWDER 208-237-4865
Address: 14451 W. CHUBBUCK RD 83201
POCATELLO, ID

A2907539



2. Date of Priority: APR 04, 1980

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	34E	8	NW	NE			BANNOCK

5. Description of diverting works:
WELL & PUMP/ SPRINKLER AND FLOOD IRRIGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.030		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is 5.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D/ ONE HOME

A29-07539

Page 1

Date: 02/20/90

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NOV 13 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	34E	8	NW	NE		IRR	2.0
Section Acres							2.0
Total Acres							2.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: PERMIT

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): *[Signature]* Date: 2/20/90
Date: _____

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 20th day

of February 19 90

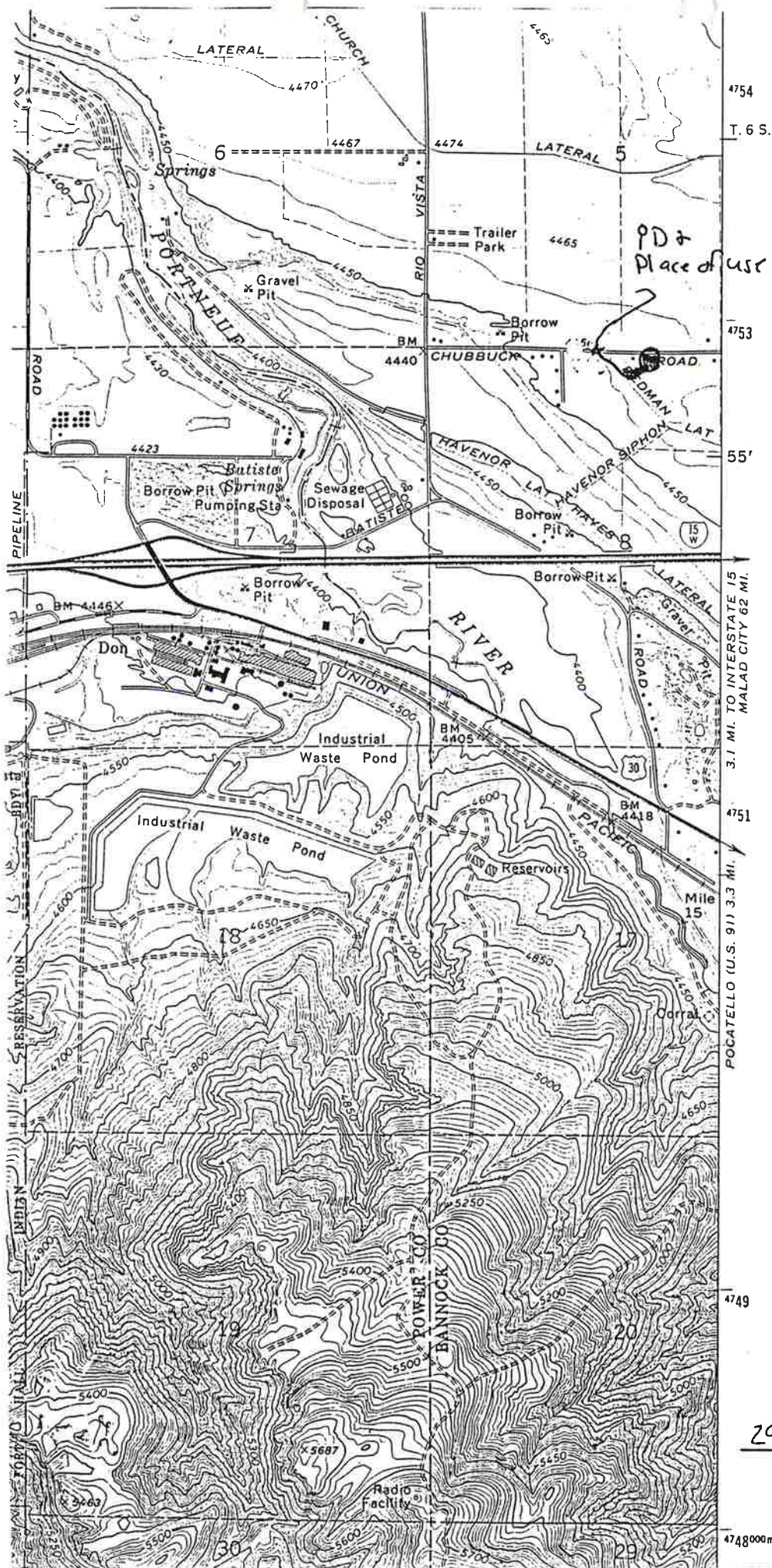
[Signature]
Notary Public

Seal

Residing at *[Signature]*

My Commission Expires 5/29/91

#29-7539



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NOV 13 1992

29-7539

4748000m.N.