

10/21/2002

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

RIGHT NUMBER: 29-7503

NAME AND ADDRESS: CATHERINE SPINNER-SCHUEREN
2641 E TWO MILE RD
MC CAMMON ID 83250

SOURCE: TWOMILE CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.650 CFS
245.000 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.69 CFS. COMBINED RIGHT NOS.: 29-02044C,
29-07503, 29-13386.

PRIORITY DATE: 07/09/1979

POINT OF DIVERSION:

T08S R37E S31 SWSWNE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.650 CFS 245.00 AFY

PLACE OF USE: IRRIGATION Within BANNOCK County

T08S R37E S31	NESW	5.0	T08S R37E S31 Lot 3 NWSW	13.0	
T08S R37E S31 Lot 4	SWSW	24.0	T08S R37E S31	SES	30.0
T08S R37E S31	SWSE	0.8			

72.8 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 72.8 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-02044C, 29-13386,
29-07503.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 70.0 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: License

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.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 29-02044C, 29-07503, 29-13386.

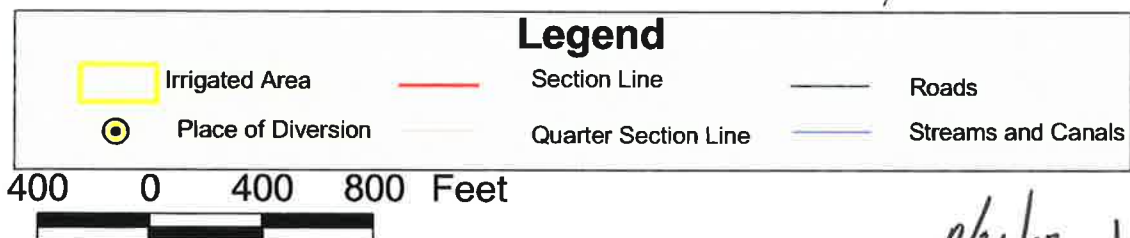
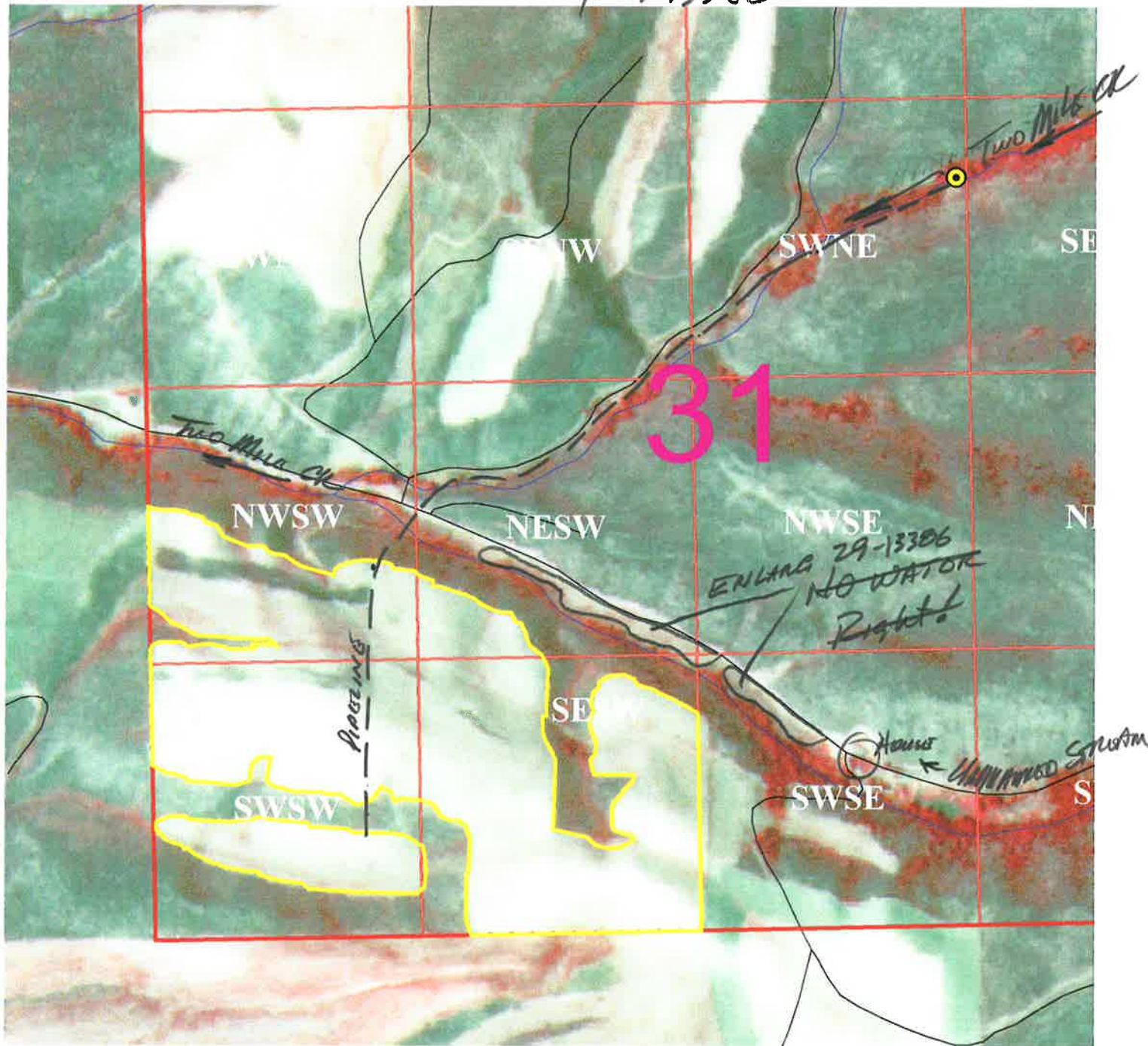
RIGHT NO. 29-13386 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO
SECTION 42-1426, IDAHO CODE.

Water Right Claim Number A29-07503

08/22/2000

Townships , 8S37E, 8S36E

w/ 29-13386



7/31/02 ABK

02/18/2003

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: 29-7503

CATHERINE SPINNER-SCHUEREN

2641 E TWO MILE RD

MC CAMMON ID 83250

Telephone Number: (208)254-3487

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: 3/11/03

SIGNATURE: Catherine Spinner Schueren

Please print your name: Catherine Spinner Schueren

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

PROFILED

SCANNED
MAY 10 2003

RECEIVED
10210203
Department of Water Resources
Idaho Falls, ID

allen



MAY 0 2003

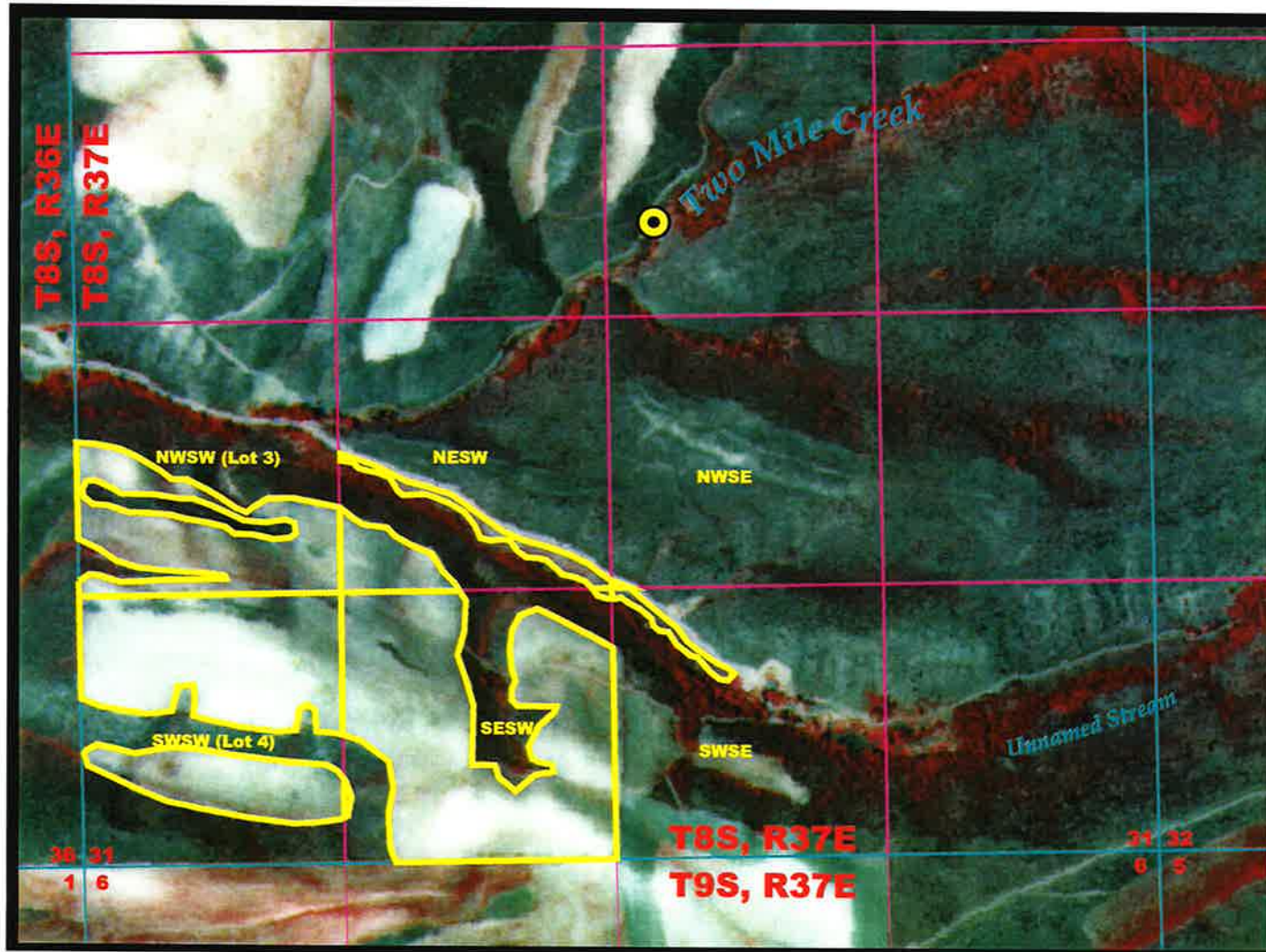
SCANNED

State of Idaho

Department of Water Resources

Eastern Region

PROTECTED



Water Right(s):

29-02044C

29-07503

29-13386

Place of Use: (parts of)

T8S, R37E Sec. 31 SW, W2SE,

Point(s) of Diversion: T8S, R37E

Sec. 31 SWSWNE



LEGEND



Point of Diversion

SESE

Place of Use



Section



Quarter-Quarter

500 0 500 1000 1500 2000 2500 3000 3500 4000 4500 Feet

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: October 2002

Contacts Data Entry Form

29-7503

Owner Type _____ Full Name _____ Address _____ City _____ State _____ Zip _____ Phone _____

Current Owner CATHERINE SPINNER-SCHUBERT

Name connector: and _____, or _____, and/or _____

Current Owner (SON) JOHN SPINNER Operator

Current Owner _____

Representing Attorney: Jim SPINNER (SON) Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

Directions to Property (if different from above) and/or update owner information:

REGORDED TO AS CHAL'S

* TWO SMALL FIELDS (HAY) BELOW HOUSE, BETWEEN ROAD AND TWO MILE CR DO NOT HAVE A WATER RIGHT. THESE ACRES (FIELDS) ARE NOT COVERED BY ANY OF THE FOUR LICENSES - NO KNOWN TRANSFERS. ⇒

8/20/02

FILED ENCLAR... CLAIM; 2.8AC, 4/1/1985, 0.06 cfs,
TWO MILE CR PIPELINE,
PPU w/ 2044C, 13386 (ENCLAR)

Check for later
Licenses or TX

SENT 8/20/02
Tump Stages
\$103.00

Reviewer: _____

Date: _____

PROFILED

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

Recommended Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: Portneut River☐ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
85	37E	31		SWSWNE	BANN	TWO MILE CRIBK
GPS Coordinates:				<u>5 649,740.80</u>	<u>3 177,480.28</u>	
GPS Coordinates:						
GPS Coordinates:						
GPS Coordinates:						
GPS Coordinates:						
GPS Coordinates:						
GPS Coordinates:						

Other rights from this POD? _____

Document how the POD and Source were verified and/or Pump and Motor data:

Check Source Stream Name => USGS Quad BB-41 => Two Mile CK
GPS TAG # A0012496 ON CONCRETE DAM

Transfers Changing POD _____

Reviewer: _____

Date: _____

SCAN

MAY 05 2006

Place Of Use Data Entry Form

Claim Number: _____

_____ Use Claimed POU as Recommended POU

Claimed Place of Use

Tw	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Recommended Place of Use

Tw	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

LANDS ADD IN CRP SINCE 2001. See Recomm
 POU w/ 13386 (ENRAG) & 2044 C ea. w/ limits

Transfers Changing POU _____

Reviewer: _____

Date: _____

COPIED
 MAY 05 2006

Period of Use and Quantity Data Entry Form

Claim Number: _____

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
<i>Trang</i>	<i>4/01</i>	<i>11/01</i>	<i>0.65</i>	<i>2450</i>

Overall Diversion Rate _____ Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

cts

PPR w/ 29-13386 0.00 ending,

7503 0.65

2044C 0.04

Comb. Limit 0.69 cfs

Reviewer: _____

Date: _____

SCANNED
MAY 05 2002

POD

Two Mile Creek

**C. Spinner-Schueren
Enlargement Claim**

29-13386

Place of use

**NESW
1.9**

**SESW
0.1**

**SWSE
0.8**

Unnamed Stream

T8S, R37E

T9S, R37E

**31 32
6 5**

Priority Date Data Entry Form

Claim Number: _____
Water Right Priority Date: 7/9/1979 Water Right Basis: Lic.
Claimed Priority Date: _____ Claimed Basis: _____
Recommended Priority Date: 7/9/1979 Recommended Basis: Lic

____ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

Matches Lic.



Reviewer: _____

Date: _____

PROFILED

SCANNED

MAY 05 2006

JUN 06 2001

29-02044C

① CLAIM MAP TENDS TO SHOW POD ON AN UNNAMED STREAM, TRIB. TO TWO MILE CR.

② CONDITIONS OF APPROVAL INDICATE THIS CLAIM (LICENSE) IS

Q: → TO BE REGULATED BY WM 29 - IS IT? ALSO, W/ MEASUREMENT DEVICE - IS THERE?

WR5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

02/28/01 11:10:12
Page 1

Water Right Number - 29-07503

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
SPINNER

CATHERINE

1 - 2641 E. TWO MILE RD.

2 -

3 -

City- MC CAMMON

State- ID Zip- 83250

Phone - 208-000-0000

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
07/09/1979 15 EASTERN L - LICENSE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
TWO MILE CREEK PORTNEUF RIVER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.

08S 37E 31 SW NE (5) BANNOCK

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 0.650 245.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.650 245.00 0.650 0.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
08S 37E 31 NE SW 2.0 01 IRRIGATION (5) BANNOCK
08S 37E 31 NW SW 14.0 01 IRRIGATION (5) BANNOCK
08S 37E 31 SW SW 25.0 01 IRRIGATION (5) BANNOCK
08S 37E 31 SE SW 29.0 01 IRRIGATION (5) BANNOCK

Total Acres: 70.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +

GEN Source locally known as Good Enough Creek.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

Log for claim A29-02044C

Spatial Dynamics PJM

9/6/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
08s37e	31	NESW	2	3.4	
08s37e	31	NWSW	14	15	
08s37e	31	SWSW	25	24	
08s37e	31	SESW	29	30	
Totals:			70	72.4	

Total Acres 70

Proposed Priority

7/9/79

Received by _____ dh _____ Date 7-09-79 Time 3:00 pm

Preliminary check by BR Fee \$ 45.00

Received by _____ dh _____ Date 7-09-79 #11994

Publication prepared by _____ dh _____ Date 7-13-79

Published in _____ Idaho State Journal

Publication dates July 19 & 26, 1979

Publication approved GF Date 8/2/79

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by EMC S.S.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 29-7503, and said application is hereby approved.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 19 84.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. Other: (1) Use of water under this permit is subject to control by the watermaster of State Water District # 29 Portneuf River (2) A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.

Witness my hand this 28th day of August, 19 79.

A. Glen Sayton
Chief, Operations Bureau

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 29-07503

Priority: July 9, 1979

Maximum Diversion Rate: 0.65 CFS
Maximum Diversion Volume:¹ 245.0 AF

This is to certify, that CATHERINE SPINNER
2641 E. TWO MILE RD.
MC CAMMON, ID 83250

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated July 9, 1979; and
has submitted Proof of Beneficial Use on July 14, 1984. An examination indicates
that the works have a diversion capacity of .650 cfs of water from:

TWO MILE CREEK

tributary to PORINEUF RIVER

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	0.65 CFS	245.0 AF

LOCATION OF POINT(S) OF DIVERSION: SWNE , Sec. 31, Township 08S, 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>
08S	37E	31	NESW 2	NWSW 14	SWSW 25	70
			SESW 29			
Total number of acres irrigated:						70

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 reflect cropping patterns or acceptable standards of water delivery 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.
5. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
6. Use of water under this water right is subject to control by the watermaster of State Water District No. 29

MICROFILMED

OCT 11 1989

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 29-07503

CONDITIONS/REMARKS:

7. Source locally known as Good Enough Creek.

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 2nd
day of October, 1989.

Acting for


R. Keith Higginson, Director

MICROFILMED

OCT 11 1989

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 Catherine Spinner Phone 254-3487
Post office address Route 1, Box 133, McCammon, Idaho 83250

2. Source of water supply Two Mile Creek which is a tributary of Portneuf River

3. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 31 Township 8S
Range 37E B.M. Bannock County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 1.40 for Irrigation purposes from 4/1 to 11/1 (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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 1.40 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Pump and pipeline

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 _____

(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: _____

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
8S	37E	31							15	15	5	10	15	10					70

Total number of acres to be irrigated 70

c. Describe any other water rights used for the same purposes as described above. None

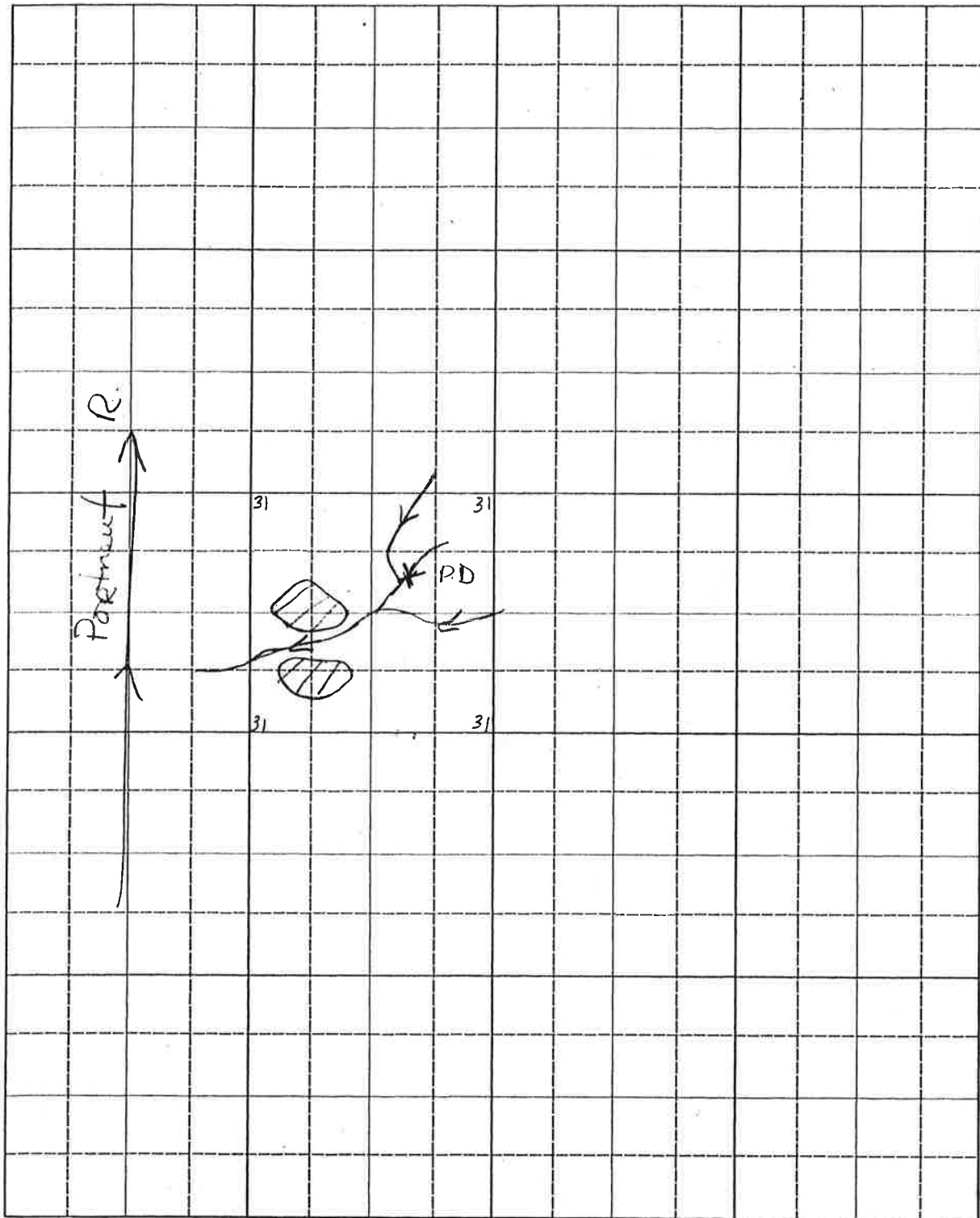
9. a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or place of use Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks Creek is often locally referred to as "Good Enough Creek"

11. Map of proposed proj. show clearly the proposed point of diversion, use 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.

Catherine Spinner
(Applicant)

JUN 06 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: A29-07503
Date Received: 6/07/1989
Receipt No: E008961
Received By: HWJ

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CATHERINE SPINNER-SCHUEREN
Address: 2641 E. TWO MILE RD.
MC CAMMON, ID 83250 208-254-3487

2. Date of Priority: JUL 09, 1979

3. Source: TWO MILE CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
08S	37E	31	NE SW NE		BANNOCK

5. Description of diverting works:
DAM TO GRAVITY FLOW LINE AND/OR PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.650		

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

8. Total consumptive use is 175.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08S	37E	31	NE SW		IRR	2.0
			NW SW		IRR	14.0
			SW SW		IRR	25.0

A29-07503

Page 1

Date: 06/07/89

A2907503



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NOV 13 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	37E	31	SE	SW		IRR	29.0

Section Acres 70.0

Total Acres 70.0

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:
TWO MILE CREEK IS LOCALLY REFERRED TO AS "GOOD ENOUGH CREEK".

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): X Catherine Spinner Schuaren Date: X 6/7/89

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 7th day

of June 19 89

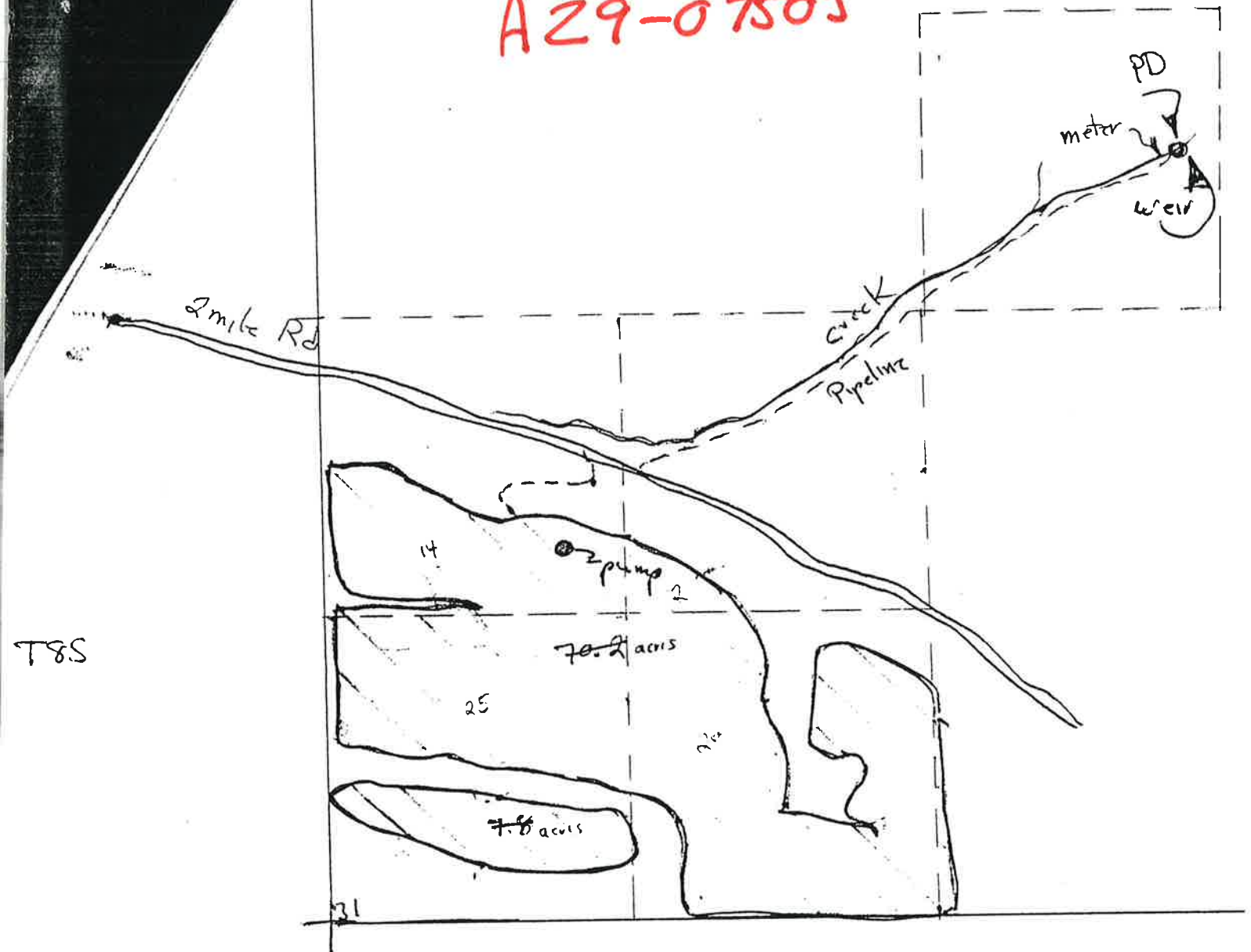
Betty J. Thompson
Notary Public

Seal

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

503

A29-07503



R37E

ASCS Air Photo Tracing

HWS

MICROFILMED

NOV 13 1992