

02/18/2003

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

RIGHT NUMBER: 29-7647

NAME AND ADDRESS: ROBERT M WARDLE
2652 S MARSH VALLEY CREEK RD
MC CAMMON ID 83250

SOURCE: WALKER CREEK

TRIBUTARY: MARSH CREEK

QUANTITY: 0.120 CFS
21.00 AFY

PRIORITY DATE: 06/15/1982

POINT OF DIVERSION:

T08S R36E S15 NESW Within BANNOCK County
T08S R36E S15 NESW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.120 CFS
21.00 AFY

+ .06 ?

PLACE OF USE:

IRRIGATION Within BANNOCK County

T08S R36E S15

NESW

3.0

T08S R36E S15

NWSE

3.0

6 ACRES TOTAL

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

ONLY ONE POINT OF DIVERSION CAN BE USED AT ANY ONE TIME.

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT 29H, MARSH CREEK.

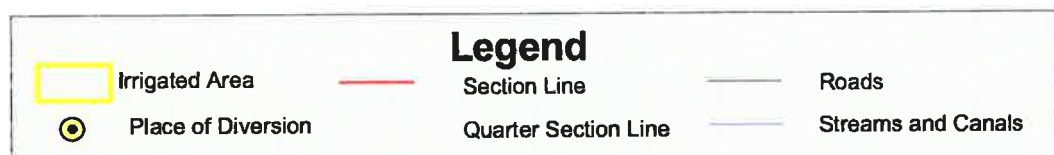
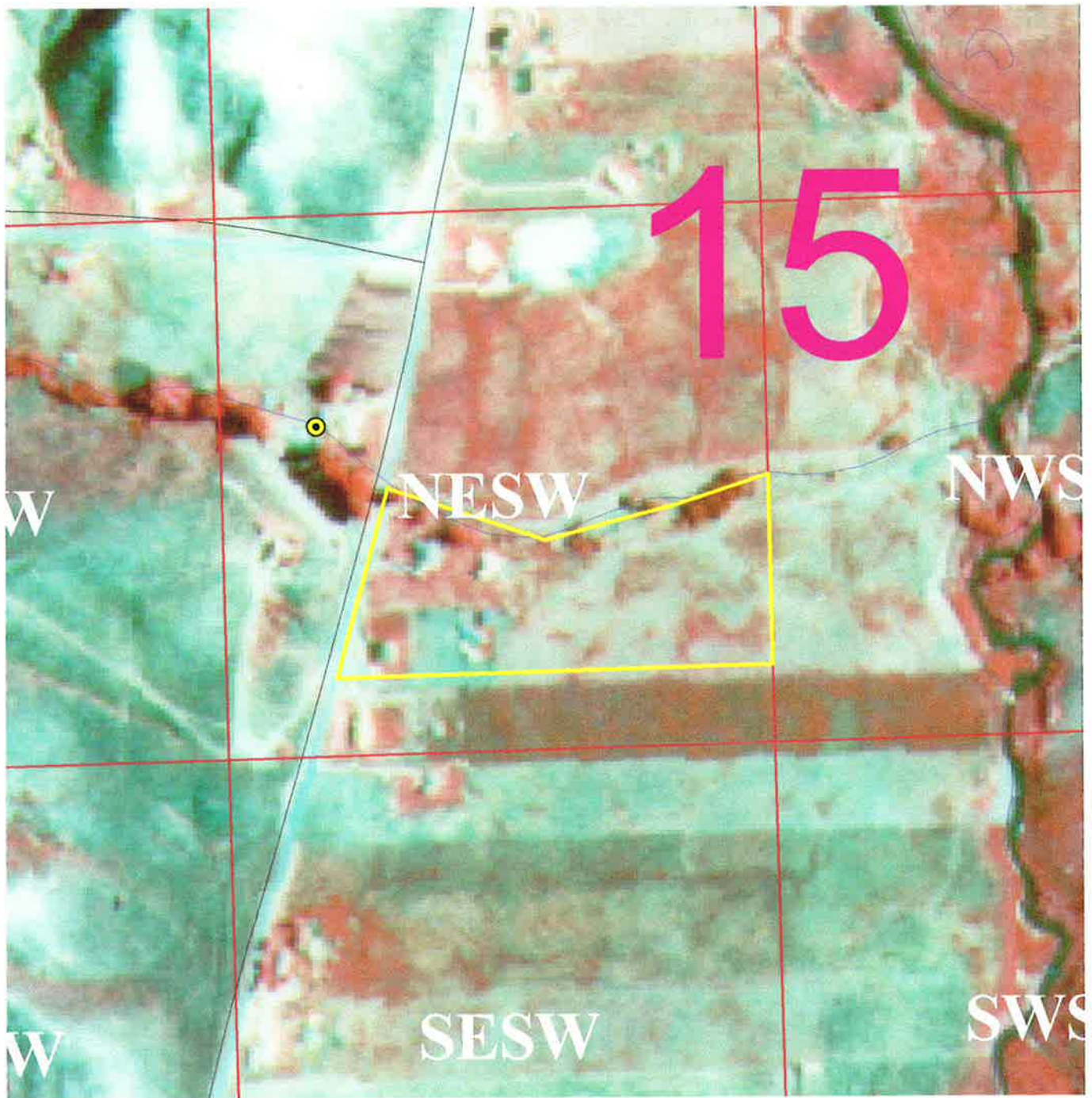
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

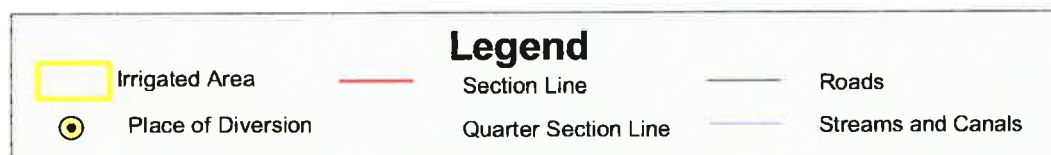
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

SCANNED
MAY 11 2006

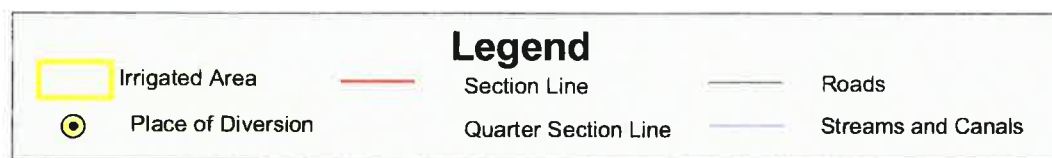
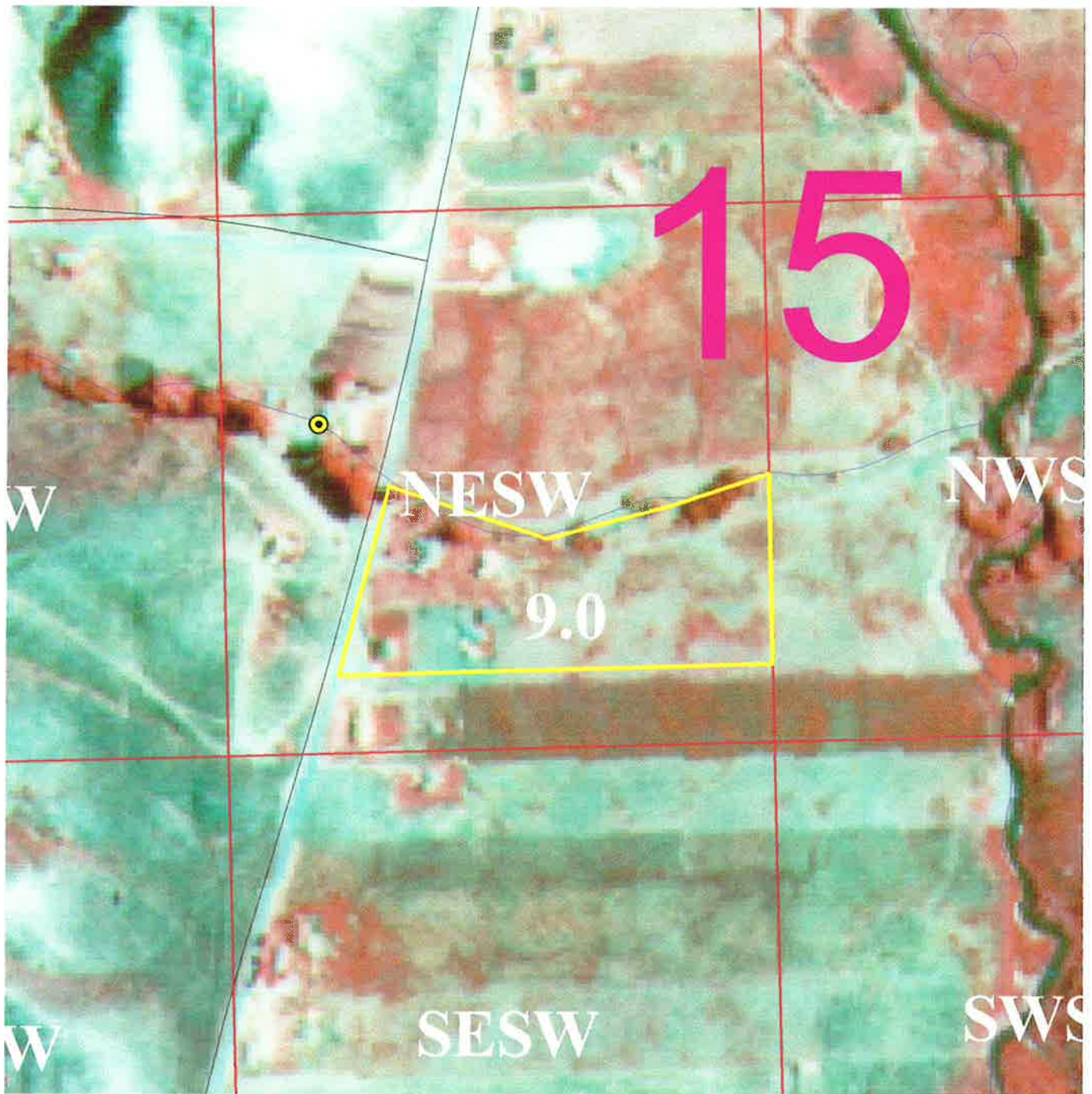
Township , 8S36E



Township , 8S36E



Township , 8S36E



200 0 200 400 Feet



Dave

02/18/2003

NOTICE OF ERROR
REPLY

RECEIVED
APR 17 2003
Department of Water Resources
Eastern Region

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: 29-7647

ROBERT M WARDLE
2652 S MARSH VALLEY CREEK RD
MC CAMMON ID 83250
Telephone Number: (208)254-9325

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source): .02 CFS PER ACRE NOT SUFFICIENT.

THIS PIECE OF PROPERTY HAS THE SAME SOIL TYPE AS THE PROPERTY OWNED BY CURTIS DUMH NOW LISTED UNDER RIGHT NUMBER: 29-4101A AND SHOULD ALSO BE ALLOWED .03 CFS PER ACRE AS THE DUMH ACREAGE.

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

ADD .01 CFS PER ACRE ~~THIS~~ ^{TO} THIS WATER RIGHT.

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

.02 CFS PER ACRE IS NOT ENOUGH WATER TO EFFECTUALLY WATER MY ACREAGE.

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

DATE: 4/15/03

SIGNATURE:

Please print your name:

ROBERT M. WARDLE

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

PLEASE SEE SUPPORTIVE INFORMATION ENCLOSED:

ENCLOSURE (1) D.L. CURTIS LTR OF MARCH 2, 1988.

ENCLOSURE (2) D.L. CURTIS LTR OF MARCH 14, 1988.

ENCLOSURE (3) IDWR PRELIMINARY RECOMMENDATION FOR RIGHT NUMBER 29-4101A

~~ENCLOSURE (4) PMW LTR OF 3/15/1988~~

ENCLOSURE (5) D. ELLISON NOTES OF MARCH 8, 1988 FROM SOIL CONSERVATION SERVICE SURVEY WITH MAP

PROFILES

MAY 11 2003

ENCLOSURE (1)



United States
Department of
Agriculture

Soil
Conservation
Service

250 South 4th--Suite 112
Pocatello, Idaho 83201

March 2, 1988

Keith Henrichs
2526 S. Marsh Creek Rd.
McCammon, Idaho 83250

Dear Keith:

The soil on your property is classified as Hondoho Arbone gravelly silt loam. This soil is formed in alluvium derived from mixed sources.

The Hondoho soil is the dominant soil present here and below the 15 inch depth it is a composite of very gravelly loam and very cobbly loam.

Due to the above nature of this soil, it is very droughty and porous. Its water holding capacity is quite low when compared to the average silt loam soil in Bannock county. Specifically, its water holding capacity for a 60 inch profile varies from 4.8 to 6.6 inches of water, while the average silt loam varies from 11.4 to 12.6 inches of water.

Thus, the only way to have adequate irrigation water is to increase the amount of water needed by 40 to 50 per cent.

One other way to insure adequate irrigation water is to put it in a measuring devise at your property line.

David L. Curtis

David L. Curtis
District Conservationist

jw
cc: file

SCANNED

MAY 11 2006

MICROFILMED

129-04601 3 1392



United States
Department of
Agriculture

Soil
Conservation
Service

250 South 4th--Suite 112
Pocatello, Idaho 83201

March 14, 1988

Keith Henrichs
2526 S. Marsh Creek Rd.
McCammon, Idaho 83250

Dear Keith:

As a follow-up to your question on the Hondoho gravelly silt loam, this soil has a lower water holding capacity than the average silt loam soil in Bannock County. As stated in our letter dated March 2, 1988, its water holding capacity is 4.8 to 6.6 inches, while the average silt loam is 11.4 to 12.6 inches of water.

Thus, if the State of Idaho, Department of Water Resources typical allocation per acre is .02 cfs per acre on average soils, then to have adequate water as stated above, an increase of 50% is needed.

The above information applies to all soils in your area labeled Honodaho gravelly silt loam.

Sincerely,

David L. Curtis
District Conservationist

jw
cc: file

10/28/2002

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW**RIGHT NUMBER: 29-4101A**NAME AND ADDRESS: CURTIS DUNN
PO BOX 101
INKOM ID 83245JODEANA DUNN
PO BOX 101
INKOM ID 83245

SOURCE: WALKER CREEK

TRIBUTARY: MARSH CREEK

QUANTITY: 0.420 CFS

PRIORITY DATE: 05/05/1916

POINT OF DIVERSION:

T08S R36E S15 NWNESE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
IRRIGATION	03/15 11/15	0.420 CFS

PLACE OF USE: STOCKWATER Within BANNOCK County

T08S R36E S15 NESW T08S R36E S15 NWSW

IRRIGATION Within BANNOCK County

T08S R36E S15 NESW 10.0 T08S R36E S15 NWSE 4.1

14.1 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: Beneficial Use

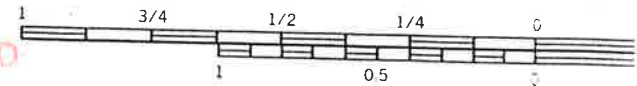
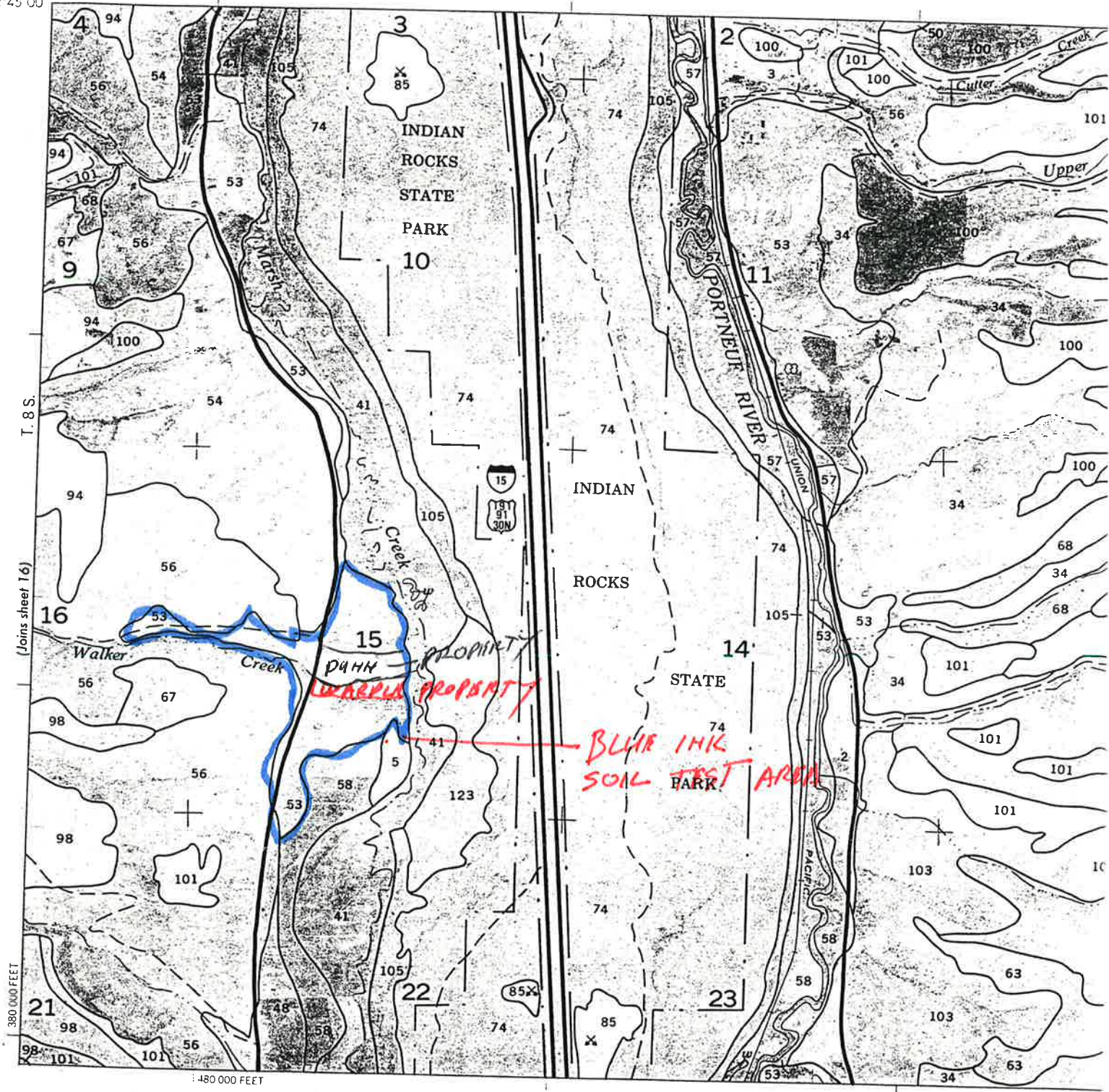
SCANNED

MAY 11 2006

FILE (4)

112°15'00"
42°45'00"

Base maps are orthophotographs prepared by the U.S. Department of the Interior, Geological Survey, from 1974, 1976, and 1977 aerial photography. Coordinate grid ticks and land division corners, if shown, are approximately positioned.



SCANNED

MAY 11 2006

ENCLOSURE (2)

D. ELLISON - NOTES

Idaho
D. Ellison

3-8-88

Walker Creek Irrigation Water

Given: 10 acres irrigated pasture
1.5 cfs water Available
Gravelly loam Soil 1.6"/ft WHC
Soil depth 1.5 ft
Irrigation System 60% efficient.

Find: time required to irrigate 10 ac with given
Stream

Solution: 1.5 ft soil will hold 2.4 in water
50% Available for plant use.

1.2" water needed for net irrigation.
EFF.

$1.2 \div .6 = 2"$ water needed per irrigation
4"

1.5 cfs for 1 hr = 1.5 ac in

1.5 cfs for 12 hrs = 18 ac in

$\frac{18 \text{ ac in}}{10} = 1.8$

1.5 cfs for 16 hrs = 24 ac in

$\frac{24 \text{ ac in}}{10 \text{ ac}} = 2.4 \text{ in applied}$

1.5 cfs should irrigate 10 ac in 16 hrs

SCANNED

JUN 04 2001

Log for claim A29-07647

Spatial Dynamics LTD

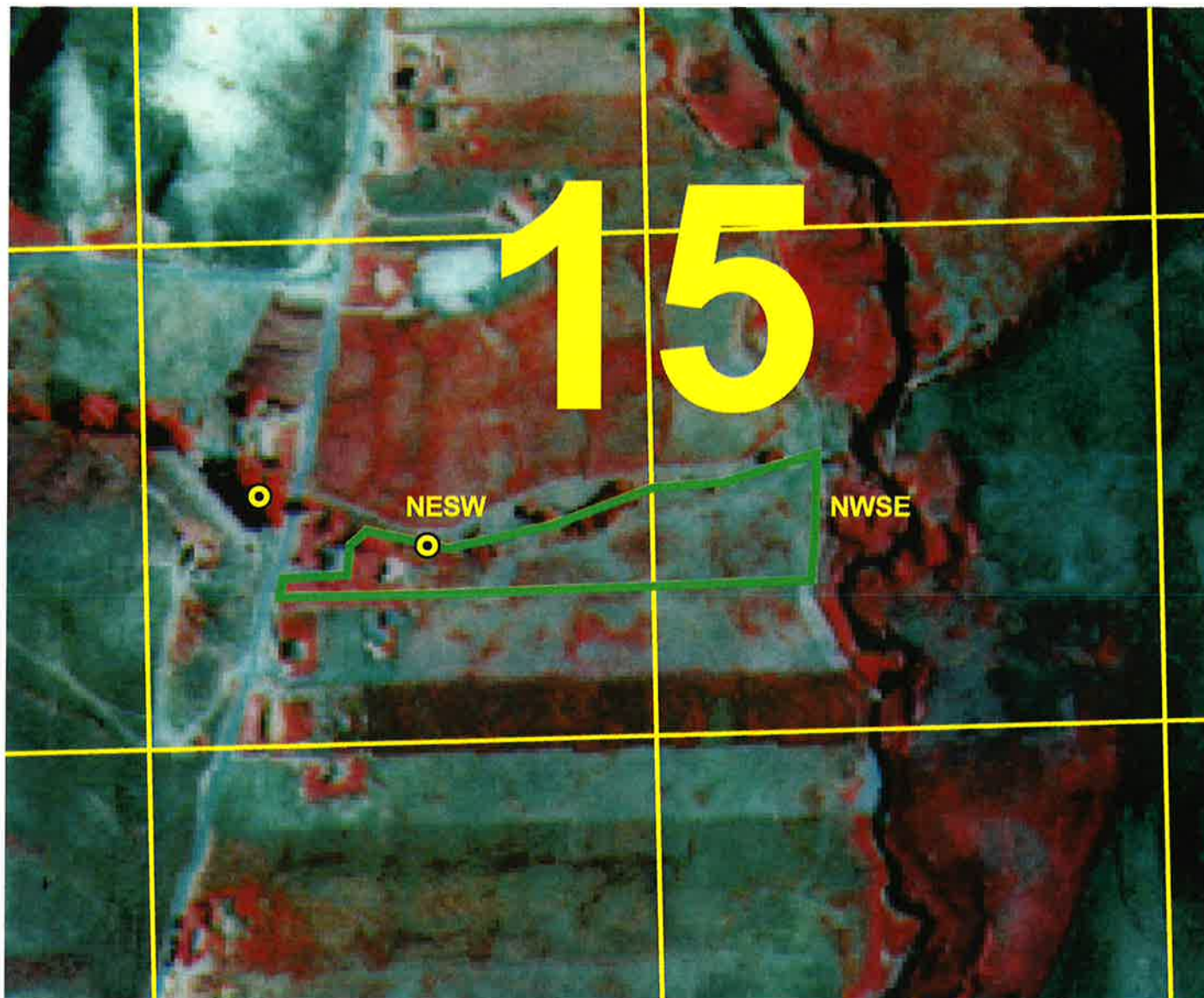
7/7/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
08s36e	15	NESW	6	9	
08s36e	15	NWSE	0	0	
Totals:			6	9	

IDAHO DEPARTMENT OF WATER RESOURCES

29-07647

T8S, R36E SEC 15



ACRES IRRIGATED- 6



POINT OF DIVERSION



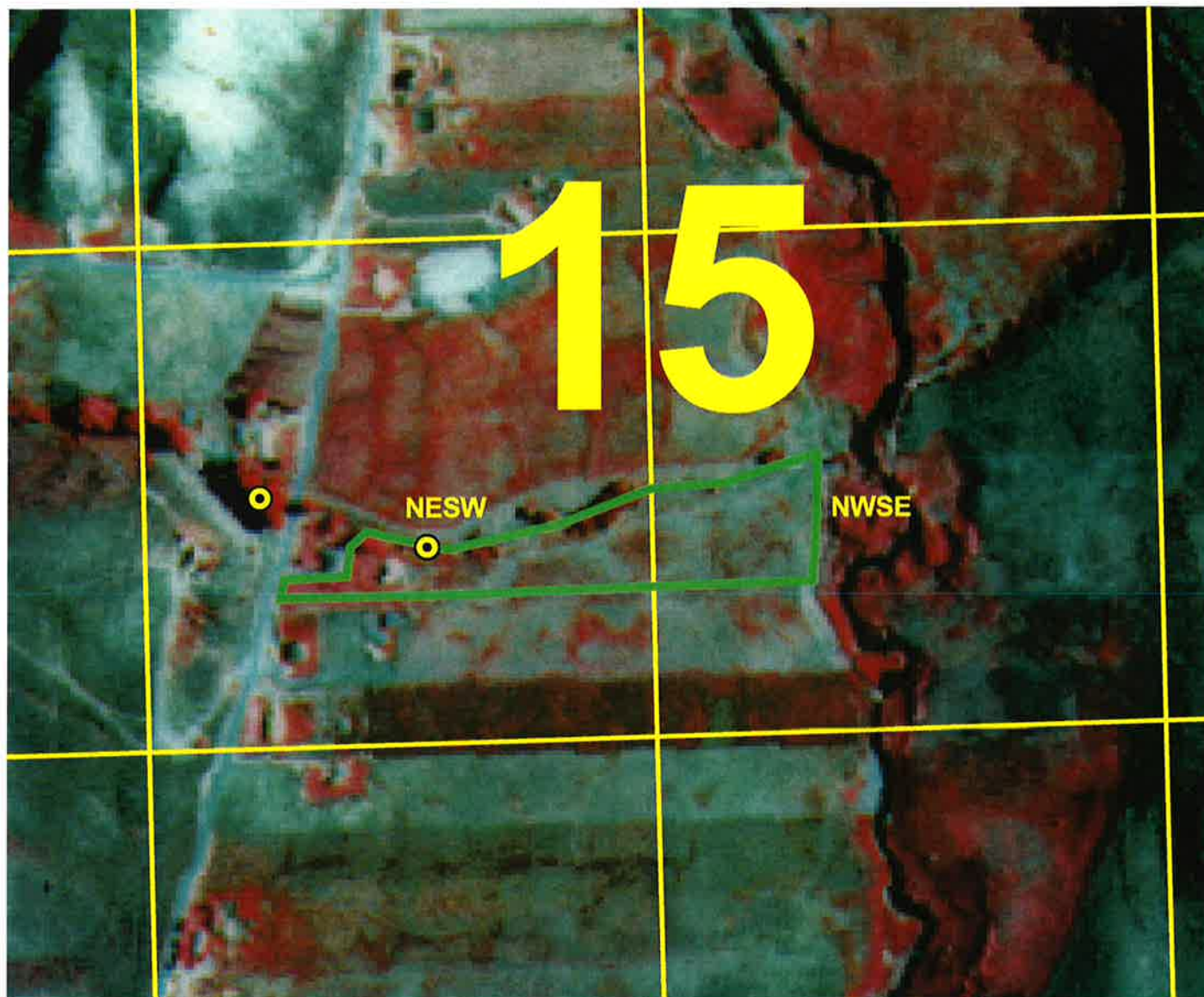
PLACE OF USE

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

IDAHO DEPARTMENT OF WATER RESOURCES

29-07647

T8S, R36E SEC 15



ACRES IRRIGATED- 6



POINT OF DIVERSION



PLACE OF USE

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

AJ5809NP
No. A29-07647

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/27/00
PAGE: 198

Point(s) of Diversion: T08S R36E S15 NWNESW BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
				-----				-----				-----				-----				-----	
08S 36E 15 :												06								6.0	
																TOTAL ACRES				6.0	

POU County: BANNOCK

Other Rights: 29-07560

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

29-10013 29-10952 29-11729 A29-04101A A29-04101B A29-07205 A29-07479 A29-10013 A29-10952 A29-11647
A29-11729 A29-12514

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

A29-04101 A29-04101A A29-04101B A29-07205 A29-07479 A29-10014 A29-11730

Conditions of Approval:

R04 - Use of water under this water right will be regulated by the
- watermaster of State Water District No. 29H.

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

Misc: Water District Number: 29H Field Inspection Flag:
Presumption Flag:

Audit: 03/28/90 MOBILE2 07/28/94 THOMPSON 03/29/95 POST-STD 08/26/97 HJONES

AJ5809NP
No. A29-07647

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/27/00
PAGE: 197

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROBERT M WARDLE 2652 S MARSH VALLEY CREEK RD MC CAMMON ID 83250 (208) 254-9325	06/15/1982	IRRIGATION	03-15 11-15	0.120 CFS	
				TOTAL DIVERSION: CONSUMPTIVE USE:	0.120 CFS	15.00 AFA
	Water Source: WALKER CREEK		Tributary to: MARSH CREEK		Stage: LICENSE	

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 29-7647 Priority June 15, 1982 Amount 0.12 cfs

THIS IS TO CERTIFY, that Charles Normann
of McCammon, Idaho, has complied with the terms and conditions of Permit
No. 29-7647 issued pursuant to Application for Permit dated June 15, 1982,
and has submitted proof to the Department of Water Resources on July 11, 1983,
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 0.16 cfs of water from Walker Creek,
tributary to Marsh Creek, 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>0.12</u> cfs and	<u>21.0</u> acre feet
_____	from _____ to _____	at _____ cfs and	_____
_____	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.12 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
21.0 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 15,
Twp 8S, Rge 36E in the County of Bannock

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
8S	36E	15									6								6

Total number of acres irrigated 6

MICROFILMED

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant Robert M. Wardle Phone 254-3884
Post Office address 2652 S. Marsh Cr. Rd. McCammon, ID 83250

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes To more effectively irrigate the lower portion of my acreage.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|-----------------|------------------|--------------------|-------------------|-----------------------------|
| <u>29-7647</u> | <u>6-15-1982</u> | <u>0.12 cfs</u> | <u>Irrigation</u> | <u>3-15</u> to <u>11-15</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
2. Total amount of water being transferred 0.12 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Walker Creek tributary to Marsh Creek
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SW	15	8S	36E	Bannock	P.D. #1 (old)
		NE	SW	15	8S	36E	Bannock	P.D. #2 (new)

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
8S	36E	15									6								6

Total acres 6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 29-7647 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

- X 2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Walker Creek tributary to Marsh Creek

4. Date or priority June 15, 1982

5. Water is used for the following purpose:

amount 0.12 cfs for Irrigation purposes from 3-15 to 11-15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.12 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SW	15	8S	36E	Bannock	

8. Lands irrigated or place of use:

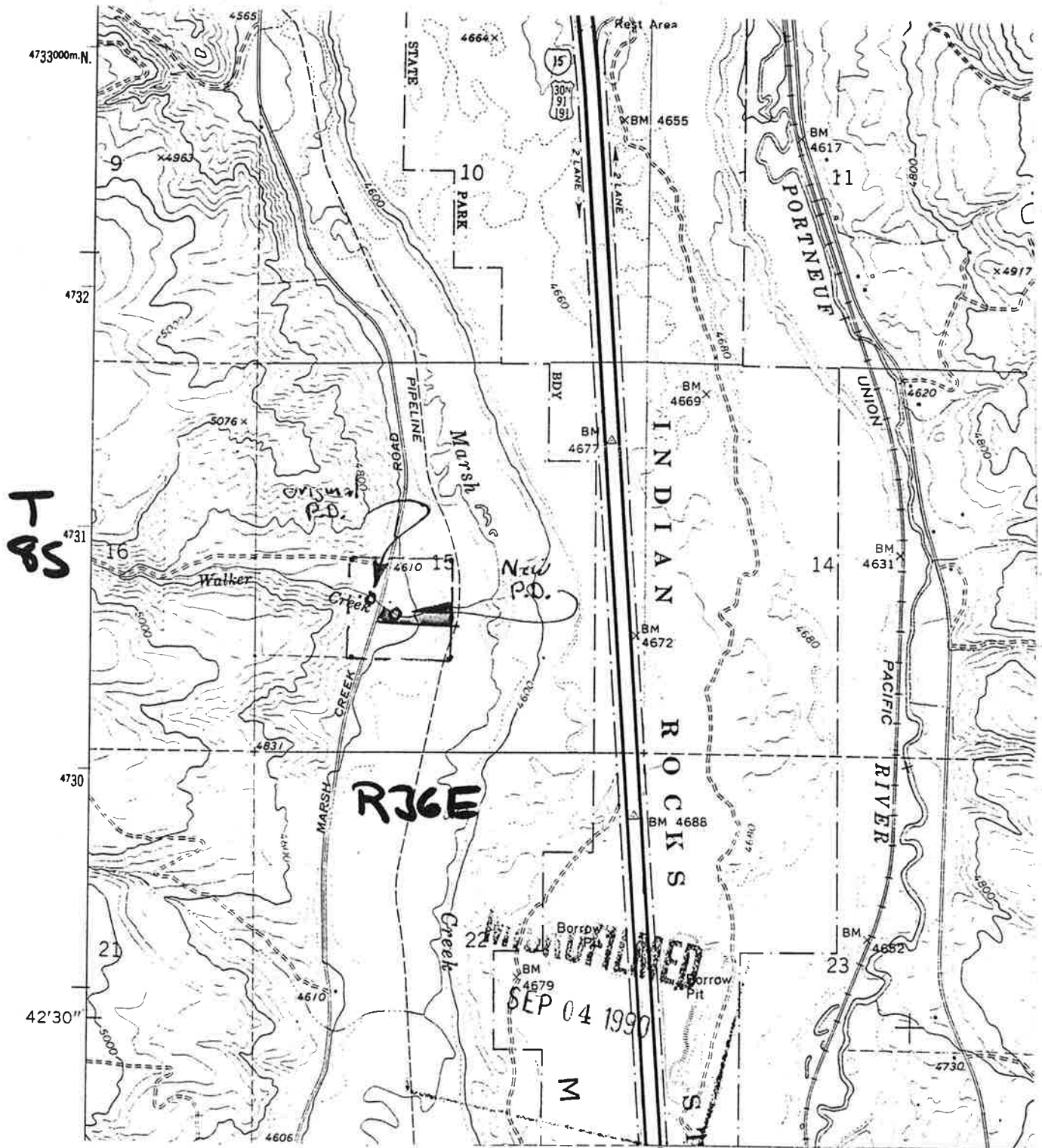
Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
8S	36E	15																	6

Total acres 6

9. Describe any other water rights used for the same purpose as described above None

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



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 CHARLES NORMANN Phone 254-3448
Post office address RT 1, Box 1180, Marsh Cr. Rd., McCammon, Idaho 83250
2. Source of water supply WALKER CREEK which is a tributary of Marsh Creek
3. Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 15 Township 8S
Range 36E B.M. Bannock County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .12 for IRRIGATION purposes from April 1 to Nov. 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. .12 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. 1,000 FT of 12" X 18" irrigation
ditches currently in place and previously used by
prior owners to irrigate this property from Walker Creek.
- b. Height of storage dam N/A 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 1 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.

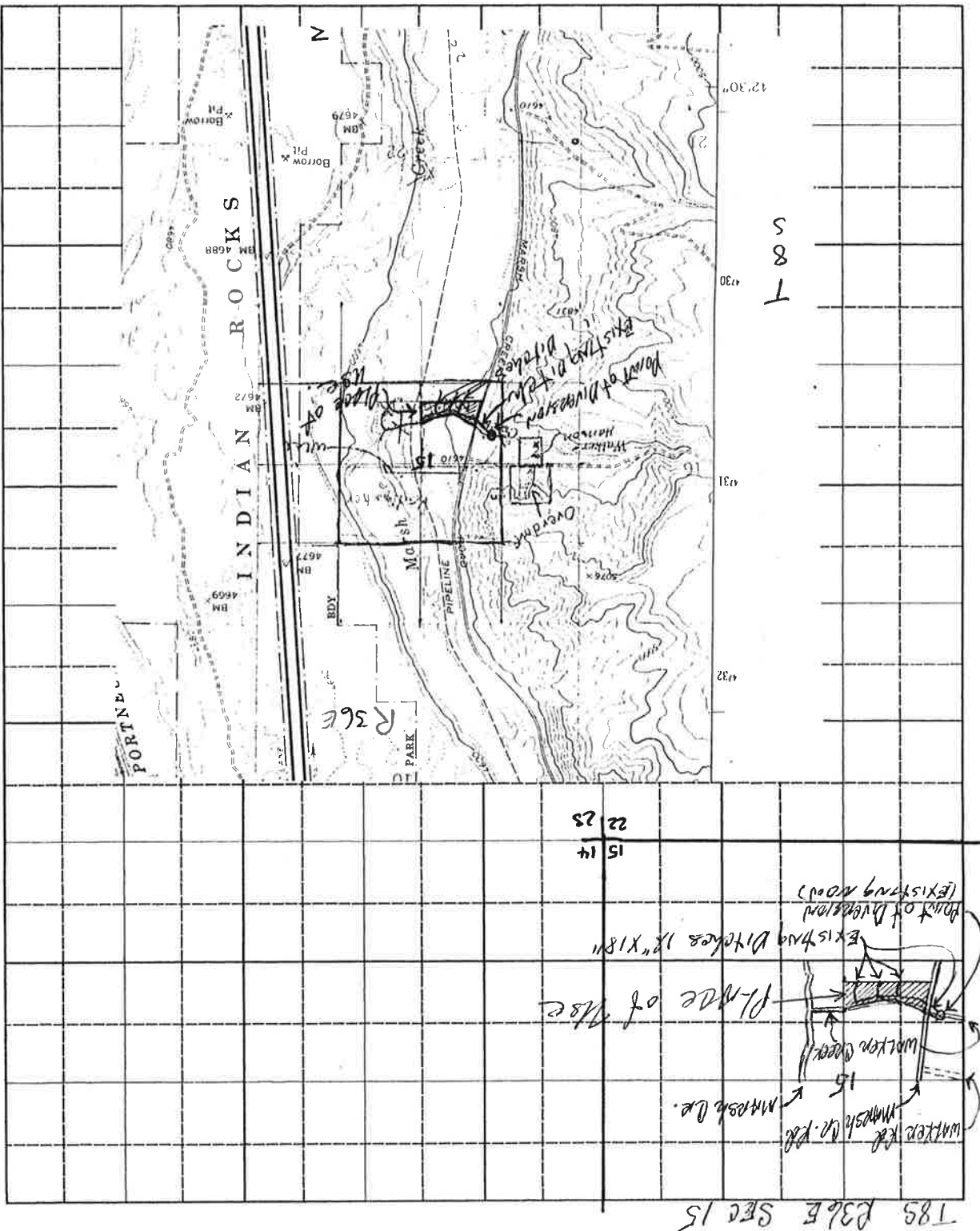
- (2) Amount of power to be generated: _____ horsepower under _____ feet of head.

- (3) List number of each kind of livestock to be watered ALL Livestock currently
have access to Walker Cr. which flows through this property.

- (4) Name of municipality to be served N/A, or number of families to be
supplied with domestic water _____.

- (5) If water is to be used for other purposes describe: _____
N/A

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.

Charles Thompson
(Applicant)

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORTRECEIVED
NOV 15 1984
Department of Water Resources
29-7647
Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:			
☐ Telephone call made: (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date 8-30-83 Accompanied by Mrs. Normann Total Q measured 0.17 cfs
If source is surface water, estimate total flow of source
Methods of measurement Pygmy meter #000668 Meets Permit requirements?

Measurement calculations: $V = 6 \text{ acres} \times 3.5 \text{ afa}$ $= 21 \text{ afa}$	60 rev. in 60 secs gives a velocity of 1.01 f/sec in ditch ✓	$0.165 \text{ g' } \times 1.01 \text{ f/sec} = 0.166 \text{ cfs}$ $\approx 0.17 \text{ cfs}$
$V = 0.12 \text{ cfs} \times 1.9835 \times 2140 \text{ ft}$ $= 50.9$ 58.3 AFA	width of Ditch - 1.0 feet } Depth of Ditch 0.16 feet }	0.17 cfs capacity ✓ $6 \text{ acres} \times 0.02 \text{ cfs} = 0.12 \text{ cfs}$

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS

System Description Diversion ditch off creek to north line of property thru laterals across property to south.

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

USE Irrigation ✓
Irrigation requirement = 3.5 ✓ AFA/Acre
Q (cfs) 0.12 ✓ V (afa) 21.0 ✓
FROM 4-1 TO 11-1
ALLOW 3/15 11/15
per W.U. handbook

Total 0.12 cfs 21.0 AFA
Remarks No overlaps of Rights (29-7205 + 29-7479 appear to be two properties to the south)
No further overlap review done - fw

MICROFILMED

29-7647

R36E

PO 1

PO 2

B14
Housing
Tracts

B448
(5782)
Donald C. Hall

82

B14
(5784)

Brownock
County

CONTINUED



MAP (Attach Aerial Photo)

PORTNEUF

INDIAN ROCKS

R36E

T8S

Walker

Port of Duquoin

Place of Use

Creek

Grass

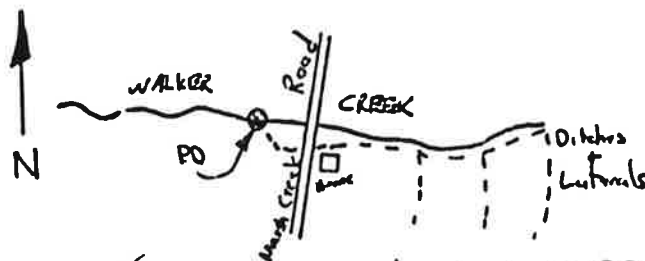
North

Cape

Barren

Vok

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



Place(s) of Use

[illegible]

☒ None
☐ Other

Date _____

-7-55

JUN 04 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: A29-07647
Date Received: 3/28/1990
Receipt No: 4006400
Received By: CA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT M. WARDLE 208-254-3884
Address: 2652 S. MARSH VALLEY CREEK RD.
MC CAMMON, ID 83250

2. Date of Priority: JUN 15, 1982

3. Source: WALKER CREEK Trib. to: MARSH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S	36E	15	NW	NE	SW		BANNOCK

5. Description of diverting works:
HEADGATE AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.120		

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

8. Total consumptive use is 15.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
08S	36E	15	NE	SW		IRR	6.0

Section Acres 6.0

Total Acres 6.0

A29-07647

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Date: 03/28/90

MICROFILMED

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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:
29-07560

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: March 28, 1990

Date: _____

State of Idaho

County of

Bannock

} SS.

Subscribed and sworn (or affirmed) before me this 28th day

of March 19 90


Notary Public

Seal

Carter Fritschle, Notary Public
Residing at _____ Residing at Eagle, Idaho
My commission Expires March 21, 1994
My Commission Expires _____

Memorandum

Date: May 7, 2001

From: Craig Saxton

Subject: Walker Creek Issue

Bob Wardle called today with questions regarding the public meeting in McCammon. In the conversation he said his neighbor Curtice Dunn (using water rights in the name of Keith Henricks) takes all of the water from Walker creek. He also says that Henricks claimed three acres below the marsh creek canal that shouldn't be recommended.

His request is that the agent reviewing this area be aware of this issue and look into it in as much detail as possible. Bob said he would like to see the agent do an onsite exam.

This memo is mostly to provide a "heads up" to a potential problem.

Put IW
29-07647

RIGHT NUMBER: 29-7647

NAME AND ADDRESS: ROBERT M WARDLE
2652 S MARSH VALLEY CREEK RD
MC CAMMON ID 83250

SOURCE: WALKER CREEK

TRIBUTARY: MARSH CREEK

QUANTITY: 0.12 CFS
21.0 AFY

PRIORITY DATE: 06/15/1982

POINT OF DIVERSION:

T08S R36E S15 NESW Within BANNOCK County

T08S R36E S15 NESW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.120 CFS 21.00 AFY

PLACE OF USE:

IRRIGATION Within BANNOCK County

T08S R36E S15	NESW	3.0	T08S R36E S15	NWSE	3.0
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6 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.
THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT 29H, MARSH CREEK.
ONLY ONE POINT OF DIVERSION CAN BE USED AT ANY ONE TIME.

EXPLANATORY MATERIAL: License

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

... the director of the department of water resources shall examine all the evidence and available information and shall approve the change in whole or in part, or upon conditions (emphasis added), provided water rights are not injured thereby, the change does not constitute an enlargement in use of the original right and the change is in the local public interest as defined in Section 42-203A, Idaho Code.

CONCLUSIONS OF LAW

1. The use proposed in this application for transfer does not necessarily represent a rotation agreement. The time of water use by the parties does not overlap.
2. The addition of a second point of diversion will not necessarily result in an enlargement in the use under the original right.
3. No other recorded water rights will be injured by the proposed transfer while the rotation agreement is in effect.
4. The change proposed is consistent with the local public interest.

ORDER

IT IS, THEREFORE, HEREBY ORDERED that Application for Transfer of Water Right No. 29-07647 is APPROVED subject to the following conditions:

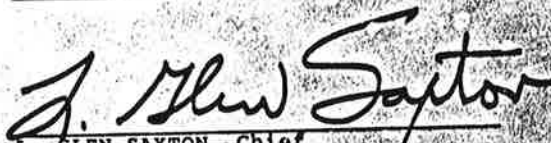
1. Only one point of diversion can be used at any one time.
2. A measuring device and headgate of a type approved by the Department of Water Resources shall be installed at the new point of diversion prior to use of the new point of diversion.
3. The use of the new point of diversion is contingent

upon continued compliance with the current rotation agreement.

4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

Dated this 18th day of July, 1990.


L. GLEN SAXTON, Chief
Water Allocation Bureau

CERTIFICATE OF MAILING

I HEREBY CERTIFY That on this the 18th day of July, 1990, a true and correct copy of the foregoing PROPOSED MEMORANDUM DECISION AND ORDER, was mailed, postage prepaid to:

Robert M. Wardle
2652 S. Marsch Creek Rd.
McCammon, ID 83250

Keith V. Henrichs
2526 S. March Creek Rd.
McCammon, ID 83250


RITA L. FLECK
Secretary/Records Manager

A. ROOT WATER RIGHT NUMBER: A29-07647

B. FOD LISTING

FWP	RMS	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDCAT DATA	FIELD EXAM.	REGDWN. ACRES
009	368	15	NE	SW		WARDLE, ROBERT R	A29-07647 / 5.0	29-07647 / 5.0		32.0	
			NE	SW		HENRICH, KEITH V	A29-10013 /	- /			
			NE	SW		THOMSON, CHARLES E	A29-11730 / 3.0	- /			
			NE	SW		HENRICH, KEITH V	A29-04101A / 14.8	- /			
			NE	SW		POESY, JOAN	A29-04101B /	- /			
			NE	SW		WARDLE, ROBERT M	A29-10817 /	- /			
			NE	SW		EVANS, RONALD	A29-11729 /	- /			
			NE	SW		PECK, NANCY	A29-11731 /	- /			
			NE	SW		GIRARD, RAYMOND W	A29-07205 / 3.0	29-07205 / 5.0			
			NE	SW		WISSE, GENE M	A29-07479 / 3.0	29-07479 / 3.0			
			NE	SW		HENRICH, JOSEPHINE V	A29-10014 / 14.8	- /			
			NE	SW		WARDLE, ROBERT M	A29-10817 /	- /			
			NE	SW		WISSE, GENE M	A29-11055 /	- /			
			NE	SW		PECK, NANCY	A29-11731 /	- /			
			NE	SW		POESY, JOAN M	A29-10952 /	- /			
			NE	SW		EVANS, RONALD	A29-11729 /	- /			
			NE	SW		WISSE, JENNIFER A	A29-11055 /	- /			
			NE	SW		KER, MARCIA	A29-11647 /	- /			
			NE	SW		HENRICH, KEITH V	A29-10013 /	- /			
			NE	SW		POESY, JOAN M	A29-10952 /	- /			
			NE	SW		HENRICH, KEITH V.		29-04101 / 21.0			

ADDITIONAL FOD FOUND

TOTAL ACRES A29-07647 6.00 6.00 32.00

FOD COUNTY: BANNECK

A. CLAIM RIGHT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
29-07647	09S 36E	15	NW	NE	SW			SANNOCK		

OTHER A3 CLAIMS WITH SAME A3 POD

WR RECORDS IN SAME 40 ACRE TRACT

A PREFIX	R PREFIX
29-04101A	R29-10013
29-04101B	R29-10817
29-07205	R29-10952
29-07479	R29-11055
29-10013	R29-11729
29-10817	
29-10952	
29-11055	
29-11647	
29-11729	
29-12514	

29-04101
29-07205
29-07479

SOURCE: WALKER CREEK

TRIB: MARSH CREEK

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
29-07647	09S 36E	15	NE		SW			SANNOCK		

OTHER WR RECORDS WITH SAME WR POD

A3 CLAIMS IN SAME 40 ACRE TRACT

A PREFIX	R PREFIX
29-04101	A29-04101A
29-07205	A29-04101B
29-07479	A29-07205
	A29-07479
	A29-10013
	A29-10817
	A29-10952
	A29-11055
	A29-11647
	A29-11729
	A29-12514

R29-10013
R29-10817
R29-10952
R29-11055
R29-11729

SOURCE: WALKER CREEK

TRIB: MARSH CREEK

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()

A. CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A20-07647 IRRIGATION	FROM 03-15 TO 11-15	0.120 CFS	
TOTAL DIVERSION RATE/VOLUME		0.120 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
29-07647 IRRIGATION	FROM 03-15 TO 11-15	0.120 CFS	21.00 AF/A
TOTAL DIVERSION RATE/VOLUME		0.120 CFS	21.00 AF/A

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y() N()

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INQUIRY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y() N()

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y() N()

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y() N()

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A() Y() N()

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A() Y() N()

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Case 7

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R 36E

D.
A.

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