

08/02/2001

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

RIGHT NUMBER: 29-7648
NAME AND ADDRESS: NANCY L. ANDERSON
3202 ZARING RD
AMERICAN FALLS, ID 83211

SOURCE: GROUND WATER

QUANTITY: 0.91 CFS
304 AFY

USE OF THIS RIGHT WITH RIGHT NO. 29-7648 IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 652 AF.

PRIORITY DATE: 06/30/1982

POINT OF DIVERSION: T08S R30E S15 SENESE Within POWER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 11-01	0.91 CFS 304.00 AFY

PLACE OF USE:

<u>IRRIGATION Within POWER County</u>					
T08S R30E S14	NESW	39	T08S R30E S14	NWSW	40
T08S R30E S14	SESW	11	T08S R30E S15	NESE	40
T08S R30E S15	NWSE	33			

163 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 29-2611 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 163 ACRES IN A SINGLE
IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 76 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON.

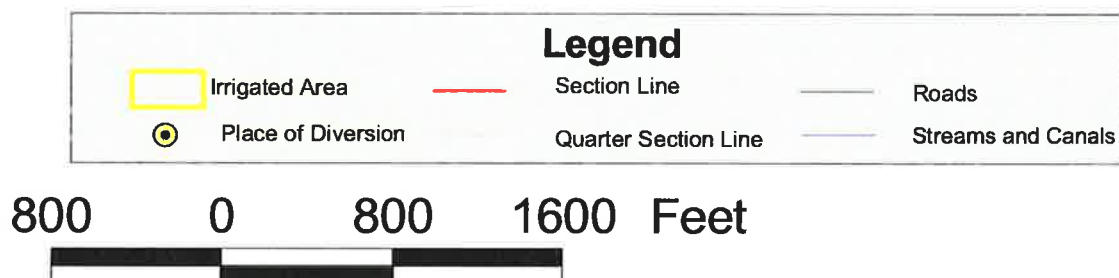
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

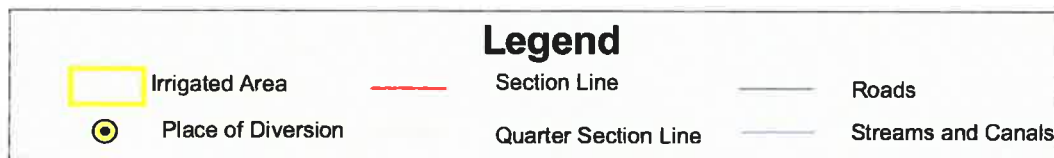
EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

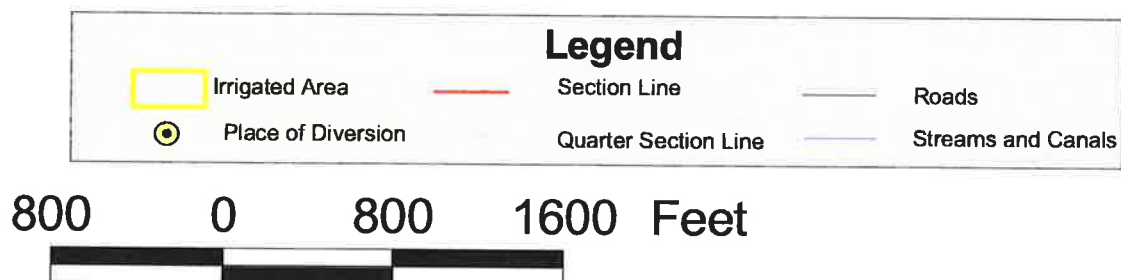
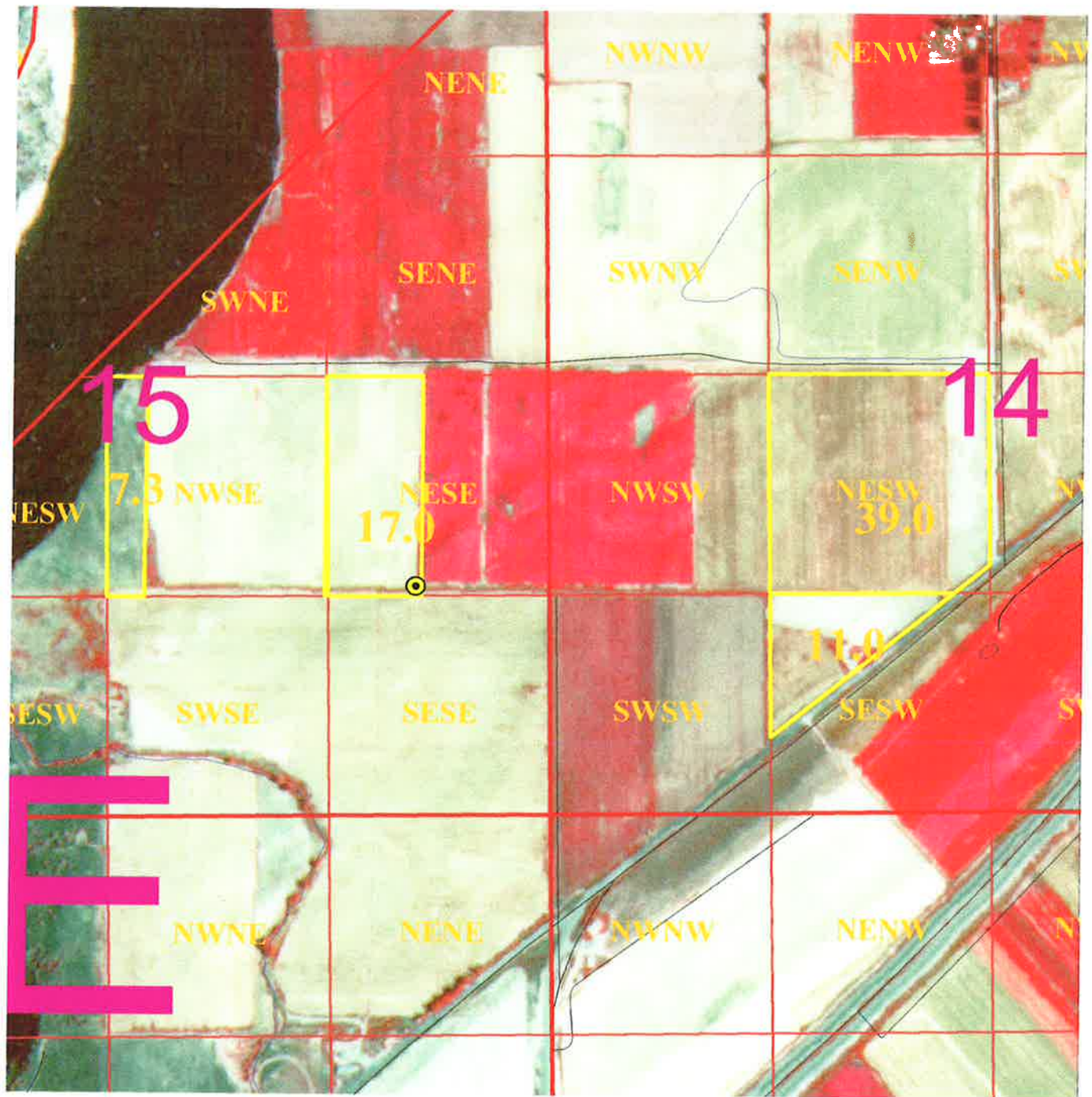
Township , 8S30E



Township , 8S30E



Township , 8S30E



Paul

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: 29-7648

NANCY L ANDERSON
3202 ZARING RD
AMERICAN FALLS ID 83211
Telephone Number: (208)226-2085

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:

APR 23 2003

Department of Water Resources
Eastern District Office

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

DATE:

4-14-03

SIGNATURE:

Nancy Anderson

Please print your name:

Nancy Anderson

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

Parcel has 3 water rights. - 29-7648, 29-2611, and 29-7769. Right # 29-7769 was issued later and as explained by Paul Myer of your office is already included in the adjudication process.

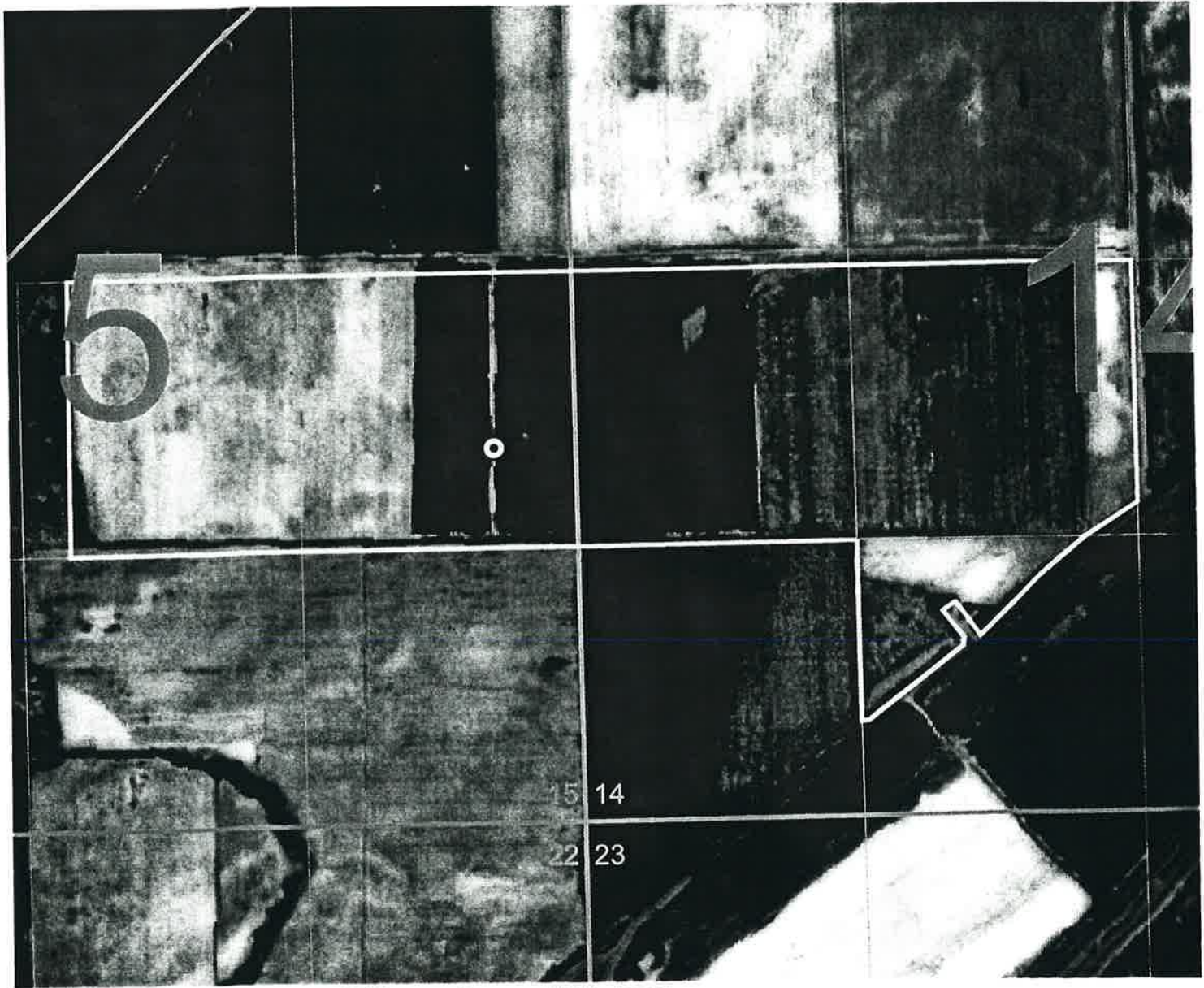
PROFILED

SCANNED

MAY 12 2006

Idaho Department of Water Resources

Water Right 29-7648, 29-2611



500 0 500 Feet

- ⊙ Point of Diversion - This Right
- Point of Diversion - Other Rights
- Place of Use - This Right
- Place of Use - Other Rights
- Township
- Section
- Quarter-quarter Section

PROFILED

Township 8S Range 30E
Section 14, 15

SCANNED

MAY 12 2008



Prepared from 1987/1988 NAPP photography by B. Contor, 8/2001.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-7648 V1

WATER RIGHT NUMBER: 29-7648 V1

Comments:

1. bcontor 8/2/2001 Recommendation

Comment: See paper file. Recommended as PPU with 29-2611 per letter from claimant, GIS, FSA photo.

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: C

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>
Summary	8/2/2001 5:09:46 PM		8/2/2001 5:09:46 PM	bcontor	Active
POU	8/2/2001 5:10:25 PM	bcontor	8/2/2001 5:09:46 PM	bcontor	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	8/2/2001 4:53:14 PM	bcontor	Edited point location
POD	8/2/2001 4:53:29 PM	bcontor	Edited PLS
POU	8/2/2001 4:55:56 PM	bcontor	Edited shape boundary
POU	8/2/2001 5:01:57 PM	bcontor	Edited PLS
Summary	8/2/2001 5:09:44 PM	bcontor	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 29-7648 V1

POU

8/2/2001 5:10:24 PM

bcontor

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. (NO) The claimed POU can not be verified using the water right file.
5. (YES) There is evidence that there has been a change in the POU.
6. (YES) The change can be verified as an accomplished transfer.

MEMORANDUM

TO: 29-2611

29-7648

FR: Bryce Contor

Bryce A. Contor

Date: 8/2/01

Re: Acres, diversion rate, combined limitation

- 1) 29-2611 licensed for 93 acres, claimed 93 acres
- 2) 29-7648 licensed for 76 acres, claimed 76 acres
- 3) Σ claims/licenses = 169 acres
- 4) 29-2611 licensed for 1.69 cfs
- 5) 29-7648 licensed for 0.91 cfs
- 6) Σ claims/licenses = 2.70 cfs $\approx$ 0.16 cfs/acre
- 7) POU per GIS $\approx$ 163 acres
- 8) $2.70/163 \approx 0.166$ cfs/acre
- 9) 29-2611 no volume on license
- 10) 29-7648 licensed for 266 gfa ≈ 3.5 gfa/acre
- 11) license exam 29-7648 was done in 1984, examiner found $39 + 40 + 40 + 38 + 12 = 169$ acres. Claims were filed in 1990.
- 12) FSA (2001) map indicates $51 + 48.8 + 53.1 + 4.8 + 4.9 = 162.6$ acres

Note that blue line on map was drawn either by claimant or by FSA.

PROFILE

SCANNED
MAY 12 2006

Memo p 2 8/2/2001

Conclusion

The difference appears to be the ship against the reservoir in NUSE of 15. This does not appear imaged in 1987 NAPP and can not included within the blue line drawn on the EST map submitted by the claimant. My letter to the claimant explicitly asked about that parcel.

Since more than 5 years elapsed between the 1984 license exam and the claim, and since current data supports the 1987 NAPP, I will recommend with a combined ore limitation of 163 acres, and a combined volume line

Volume will be adjusted to current st 4.0 opa/acre. For Center Fritsch instructions in B31, with combined limitation of $163 \times 4.0 \text{ opa} = 652$

No combined rate limitation is req. as rate < 0.02 cfs are less than 0.02 cfs/acre.

Joyce A. Carter

MEMO

To: 29-7648
Fr: Bryce Center
Date: 6/28/01

Re: Letter, layout

See 29-2611 for letter to Ms. Anderson
and layout of tentative form (ppu 62015).

Bryce

PROFILED

MAY 12 2005

SCANNED

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

06/26/2001

There is no recommended right ID for water right number 35-2487

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

06/26/2001

There is no claim right ID for water right number 35-2487

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

06/26/2001

WATER RIGHT NO. 35-2487

Owners: No owners found for this right

Priority Date:

Basis:

Status: See Remarks

Sources: No sources found for this right

Location of Point(s) of Diversion:

Place(s) of use: No POUs found for this right

Remarks:

1. General SEE RT. 29-2611.

Dates:

Licensed Date:

Decreed Date:

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Application Received Date:

Protest Deadline Date:

Number of Protests:0

Other Information:

Receipt Number(s):

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

SCANNED

MAY 14 2001

Log for claim A29-07648

Spatial Dynamics AMH

6/12/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
08s30e	14	NESW	38	39	
08s30e	14	SESW	12	11	
08s30e	15	NESE	20	17	
08s30e	15	NWSE	6	7.3	
Totals:			76	74.3	

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	NANCY L ANDERSON 3202 ZARING RD AMERICAN FALLS ID 83211 (208) 226-2085	06/30/1982	IRRIGATION	04-01 11-01	0.910 CFS	266.00 AFA
					TOTAL DIVERSION:	0.910 CFS
					CONSUMPTIVE USE:	266.00 AFA 228.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T08S R30E S15

SENESE

POWER 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		
08S	30E	14	:					:					:	38			12	:					:	50.0
08S	30E	15	:					:					:					:	20	06			:	26.0
																						TOTAL ACRES		76.0

POU County: POWER

Non-Irrigation Uses: NONE

Other Rights: A29-2611 HAS SAME PD.

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-02611Other Water Rights Listing Overlapping Place(s) of Use:
A29-02380A A29-02611

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.
- 016 - See remarks for additional conditions of approval.

Remarks: GEN THE MAX. COMBINED RATE OF DIV. UNDER THIS RT. & RT. 35-2487 SEE
SHALL NOT EXCEED 2.42 CFS. 29-2611

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

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

State of Idaho
Department of Water Resources
WATER RIGHT LICENSE

License of Water Right No. 29-7648 Priority June 30, 1982 Amount 0.91 cfs

THIS IS TO CERTIFY, that Lyle R. Anderson
of American Falls, Idaho, has complied with the terms and conditions of Permit
No. 29-7648 issued pursuant to Application for Permit dated June 30, 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 2.42 cfs of water from a groundwater source,
tributary to _____, 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>April 1</u> to <u>November 1</u>	at <u>0.91</u> cfs and	<u>266.0</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 0.91 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
266.0 acre feet per year, said waters to be diverted within the NE1/4, Section 15,
Twp 8S, Rge 30E in the County of Power

Description and location of place of use:

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				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	
8S	30E	14									38			12					50
		15													20	6			26

Total number of acres irrigated 76

MICROFILMED

$$76 \times 4 = 304 \text{ a/a}$$

$$91 \times 1.9835 \times 214 = 386 \text{ a/a}$$

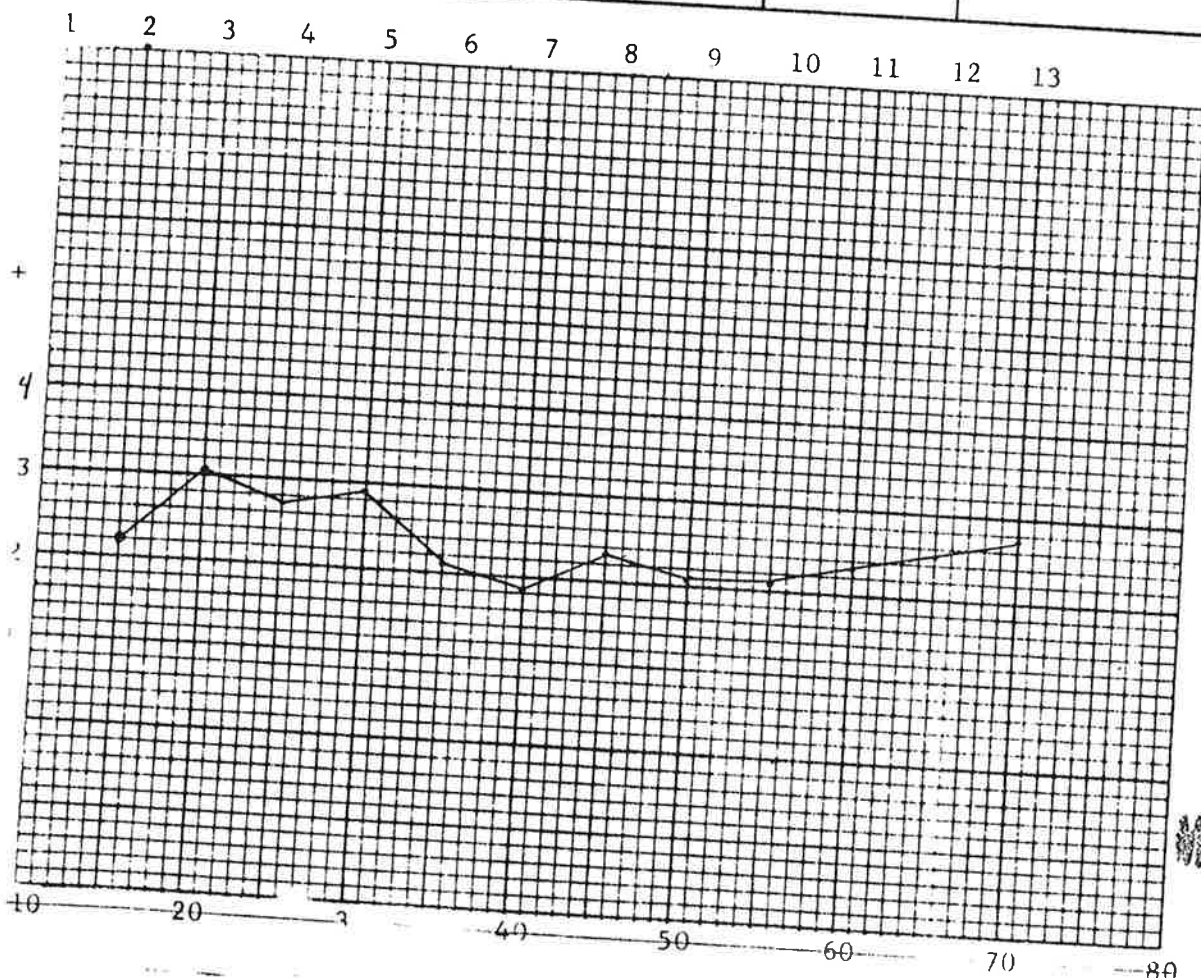
#29-7648

EASTERN

METER NO. 091461RANGE 2-13DATE TESTED 5/29/84

APPLIED PRESSURE

UPSCALE	DOWNSCALE	AVERAGE	METER READING	FLOW ERROR (%)	FLOW CORRECTION FACTOR
2.00	1.83	1.92	2	+2.20	.979
2.90	2.75	2.83	3	+3.05	.970
3.90	3.68	3.79	4	+2.73	.973
4.84	4.61	4.73	5	+2.87	.972
5.87	5.64	5.76	6	+2.11	.979
6.86	6.64	6.75	7	+1.84	.982
7.76	7.51	7.64	8	+2.36	.977
8.78	8.48	8.63	9	+2.12	.979
9.72	9.46	9.59	10	+2.12	.979
10.65	10.36	10.51	11	+2.33	.977
11.54	11.30	11.42	12	+2.51	.976
12.33	12.30	12.32	13	+2.74	.973



MICROFILMED

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 LYLE R. ANDERSON Phone 226-2085

Post office address Rt. #1, American Falls, Idaho 83211

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

3. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 15 Township 8S

Range 30E B.M. _____ Power _____ County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .91 for Irrigation purposes from 3/15 to 11/15 (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. .91 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well, pump, and sprinkler system

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 16 inches; proposed depth of well is 300 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 _____

(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: _____

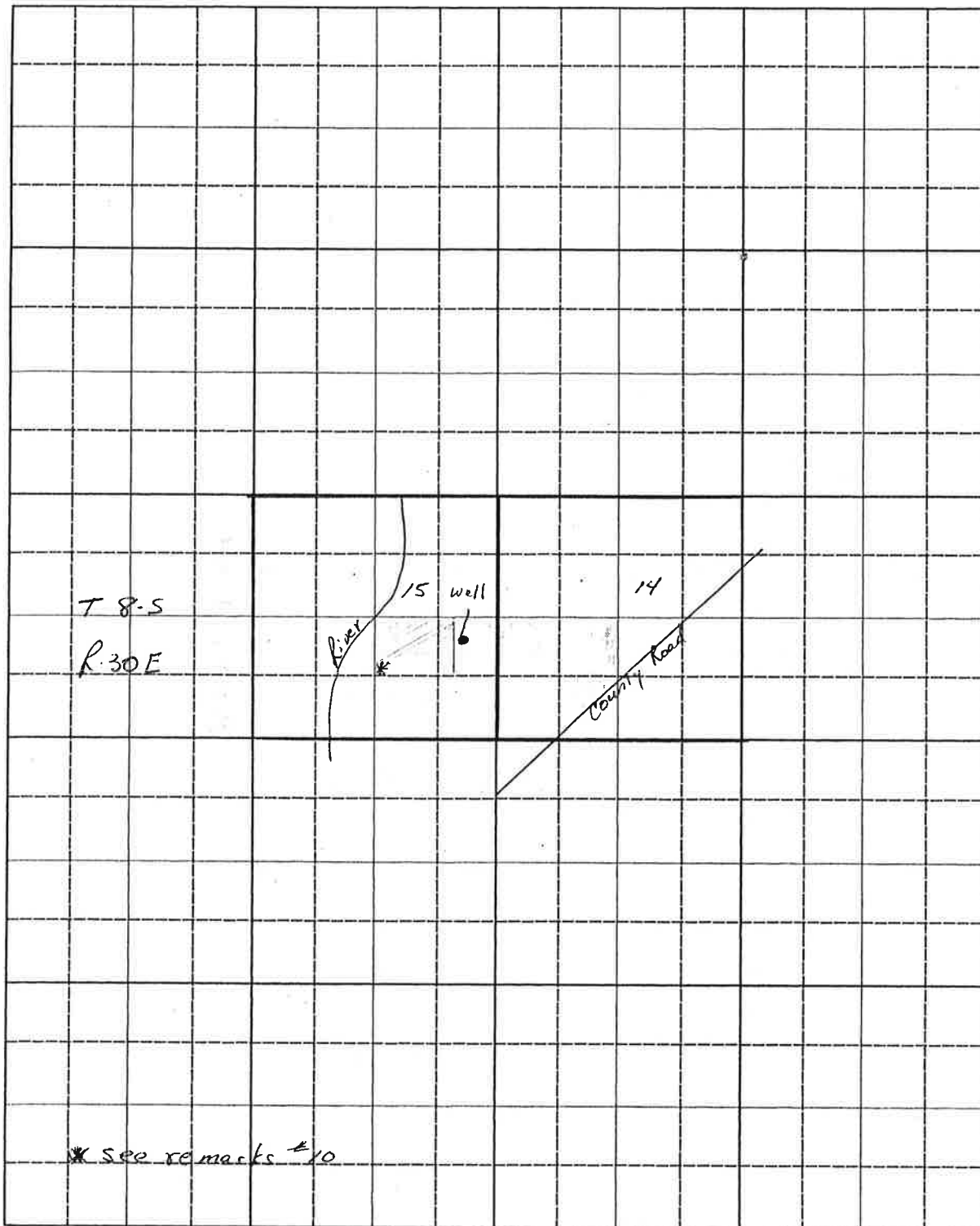
Department of Water Resources
Permit No. 29-76.48

- | Well/Diversion*
No. | Motor
Make | HP | Motor
Serial No. | Pump
Make | Pump Serial No. or
Discharge Size |
|------------------------|---------------|-----|---------------------|--------------|--------------------------------------|
| | Yaskawa | 100 | 0578511701 | Barkley | 9055X |
| | Baldor | 20 | 39E87417 | Paco | 21CWFP79282 |
| | | | | | |
| | | | | | |
| | | | | | |

well/pump with 7 wheel lines

- [illegible]

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

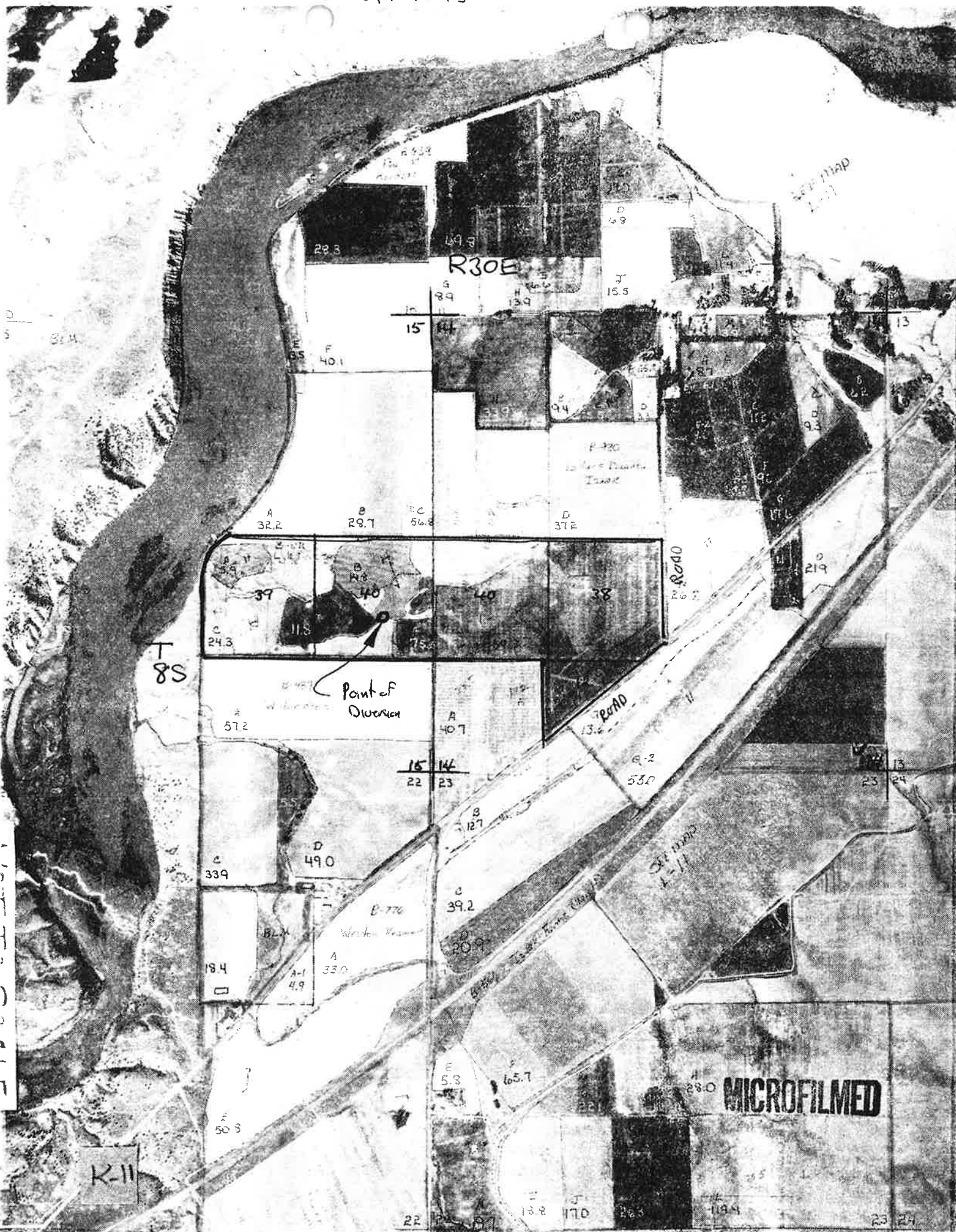


Scale: 2 inches equal 1 mile.

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.

Lyle R. Anderson
(Applicant)

八三



#29-7648

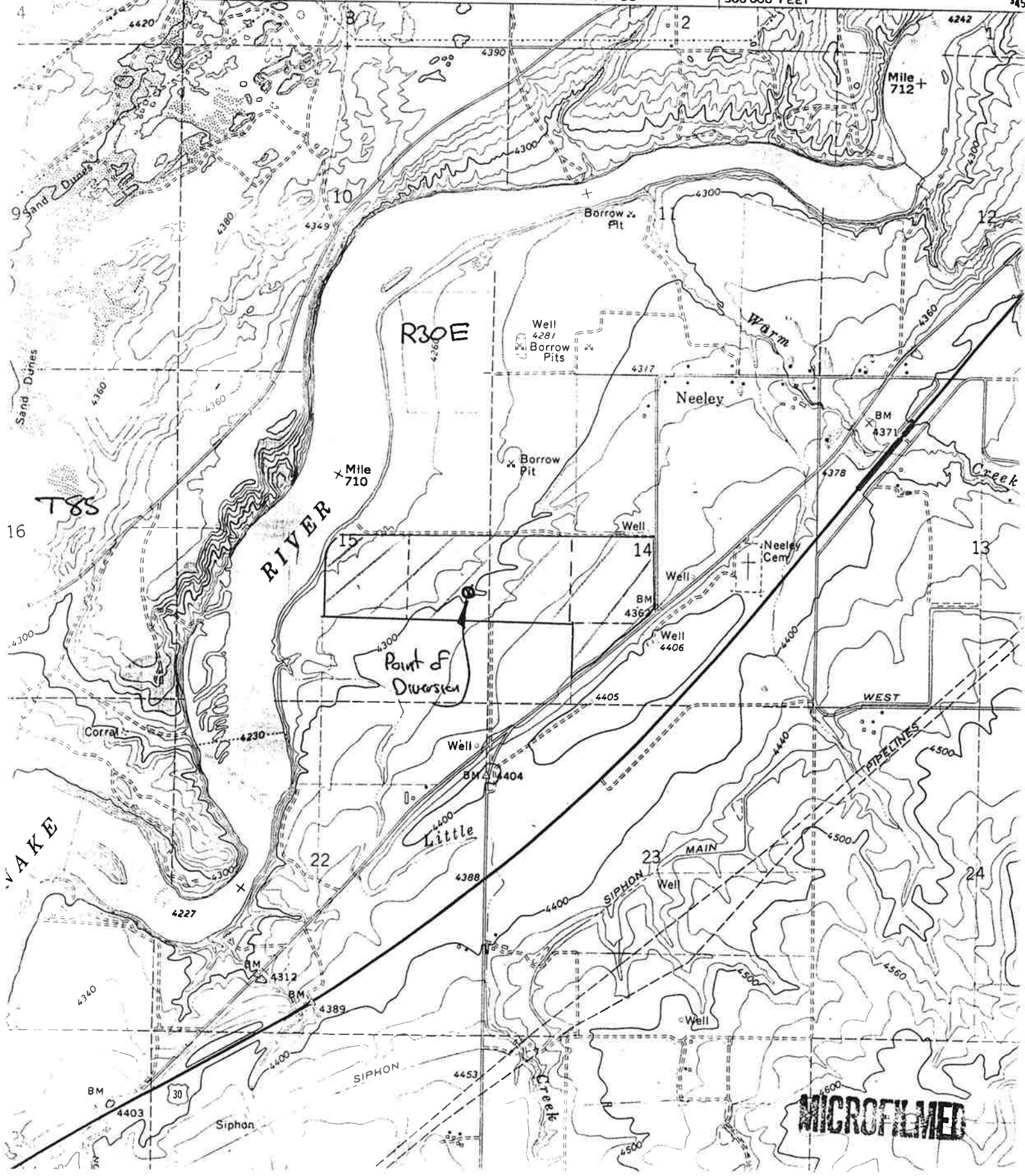
3469 IV SW
341 (AMERICAN FALLS SW)

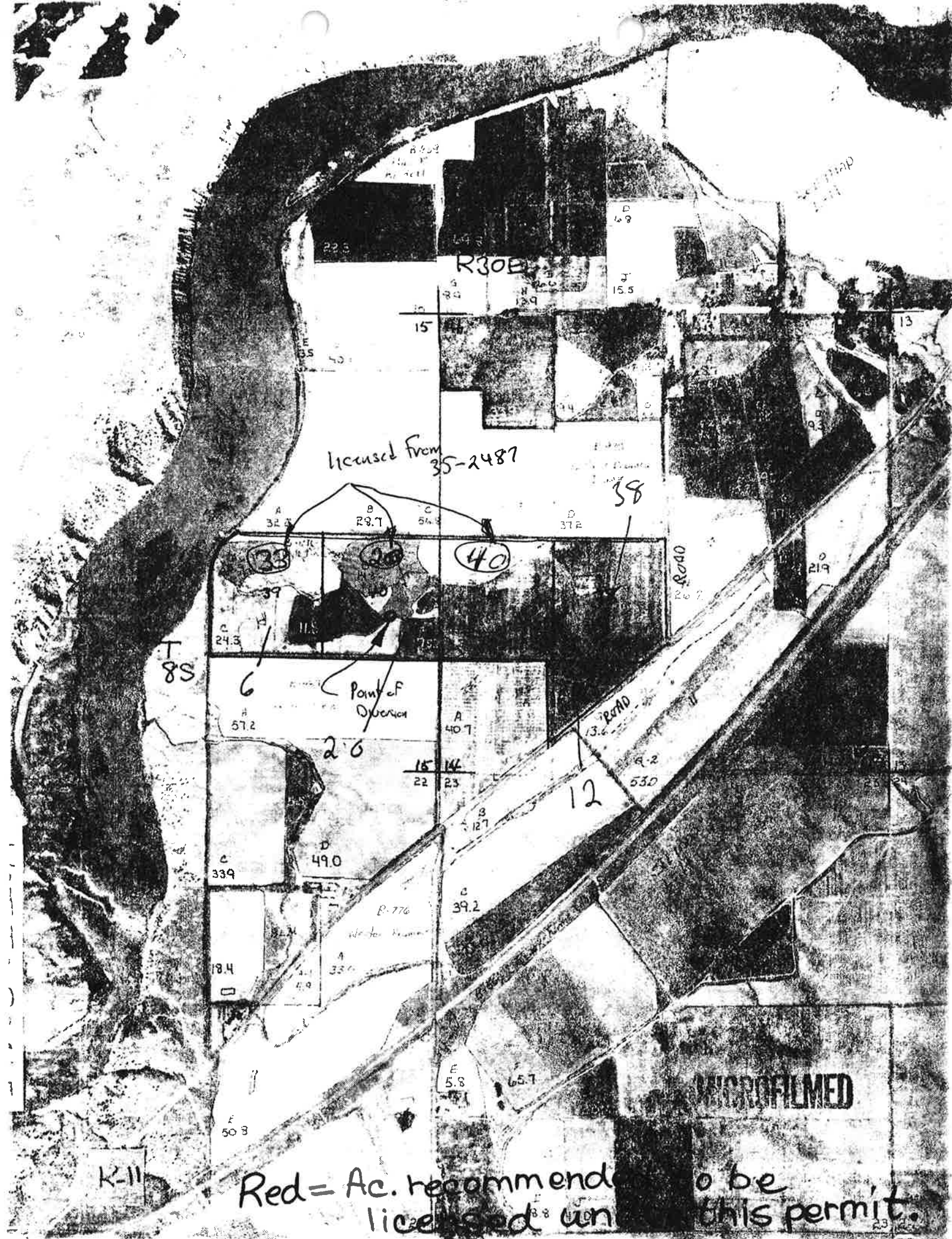
342

343 55'

300 000 FEET

345





Red = Ac. recommended to be licensed under this permit.

K-11

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: A29-07648
Date Received: 3/07/1990
Receipt No: 1400 6172
Received By: JAC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NANCY L. ANDERSON 208-226-2085
Address: 3202 ZARING RD.
AMERICAN FALLS, ID 83211

2. Date of Priority: JUN 30, 1982

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S	30E	15	SE	NE	SE		POWER

5. Description of diverting works:
125 HP. MOTOR ON WELL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.910		266.00

7. Total Quantity Appropriated is:
0.910 C.F.S. (and/or) 266.00 A.F.A.

8. Total consumptive use is 228.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
08S	30E	14	NE	SW		IRR	38.0
			SE	SW		IRR	12.0
Section Acres							50.0

A29-07648

Page 1

Date: 03/07/90

MICROFILMED

NOV 13 1992

A2907648



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	30E	15	NE	SE		IRR	20.0
			NW	SE		IRR	6.0
					Section Acres		26.0
					Total Acres		76.0

11. Place of use in counties: POWER

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

13. Other Water Rights Used:
A29-2611 HAS SAME PD.

14. Remarks:
THE MAX. COMBINED RATE OF DIV. UNDER THIS RT. & RT. 35-2487 SEE
SHALL NOT EXCEED 2.42 CFS. 29-2611

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): Nancy L. Anderson Date: 3/7/90

Date: _____

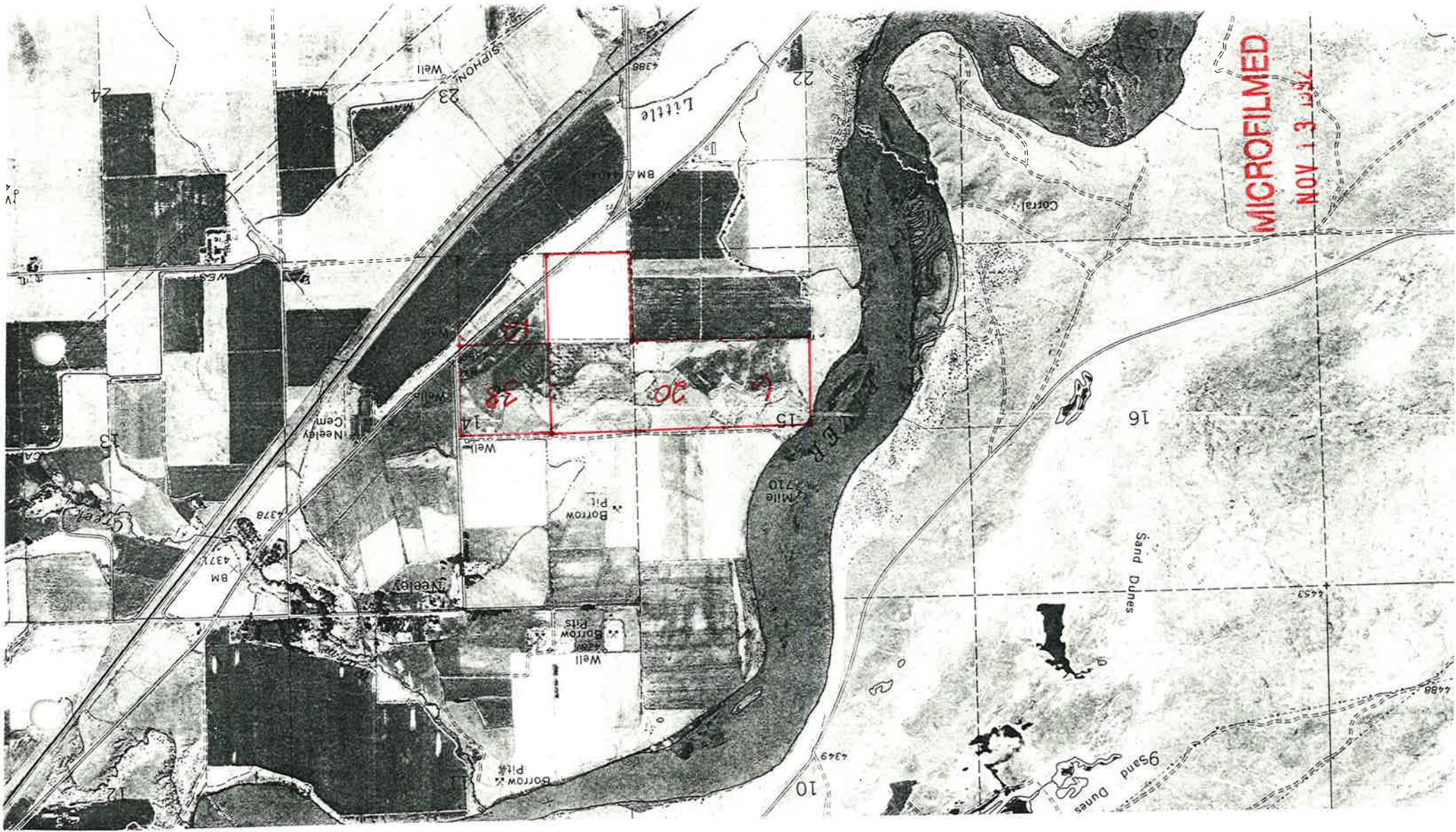
State of Idaho)
County of Power) SS.

Subscribed and sworn (or affirmed) before me this 7 day
of March 19 90

John Del Carlson
Notary Public

Seal

Residing at Porter Id
My Commission Expires 4/2/94



BB-35