

08/19/2002

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

RIGHT NUMBER: 29-7984

NAME AND ADDRESS: FERNANDO B GONZALES
2002 BIG SKY RD
POCATELLO ID 83204

IRENE H GONZALES
2002 BIG SKY RD
POCATELLO ID 83204

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.03 CFS

USE OF THIS RIGHT WITH RIGHT NO. 29-07238 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 0.14 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION
VOLUME OF 32 AF AND THE IRRIGATION OF 8 ACRES.

PRIORITY DATE: 04/23/1990

POINT OF DIVERSION:

T06S R33E S17 NWNWNE Within POWER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.030 CFS

PLACE OF USE:

IRRIGATION Within POWER County

T06S R33E S17 NWNE 8.0

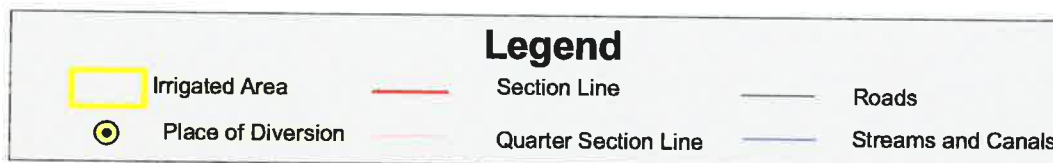
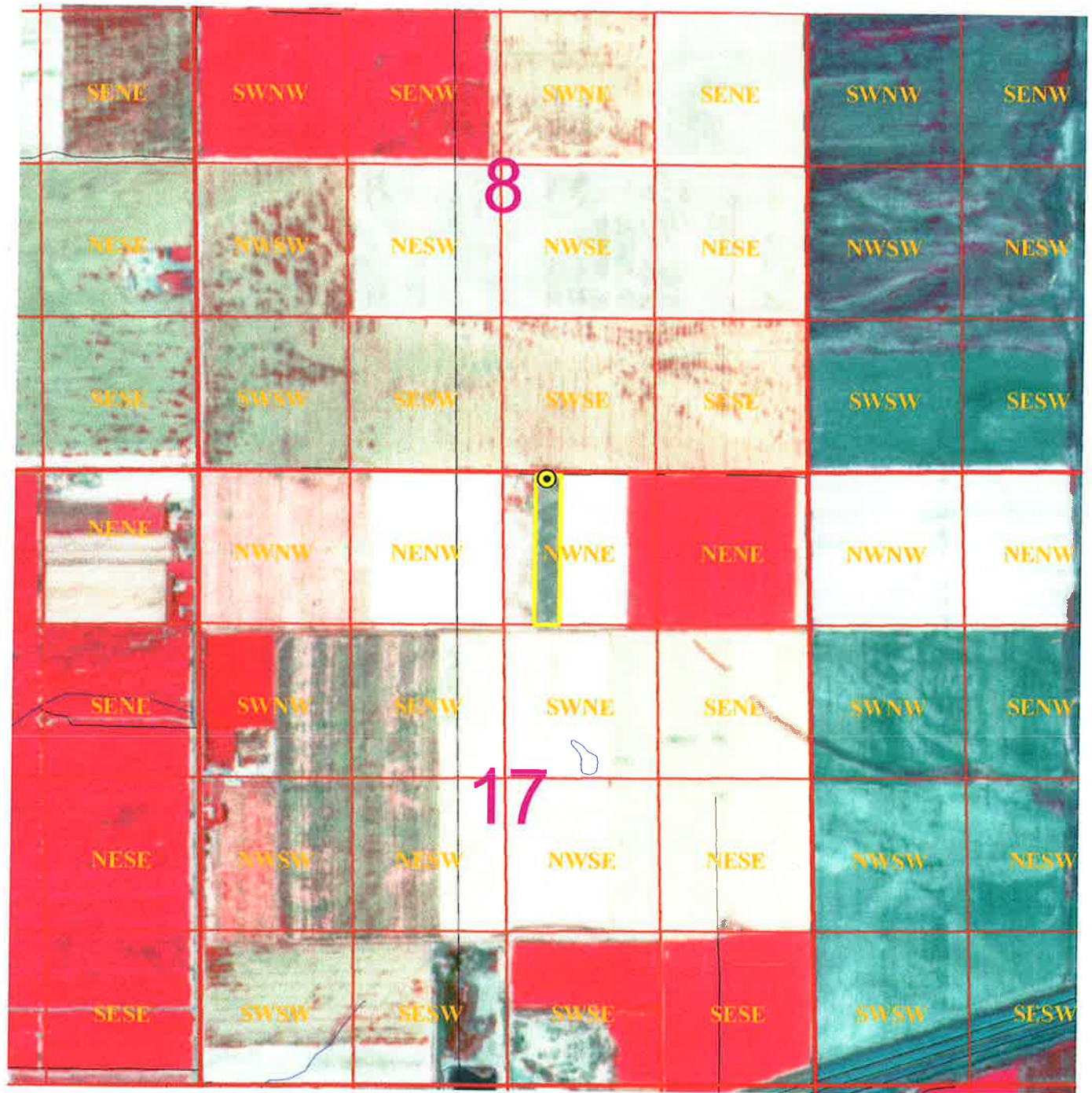
8 ACRES TOTAL

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

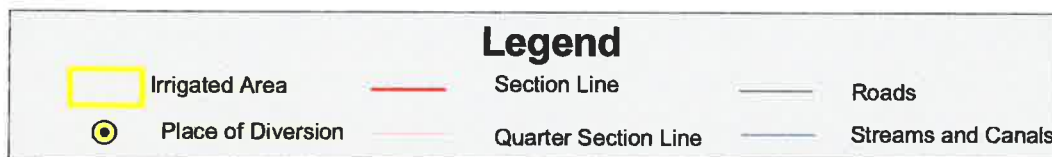
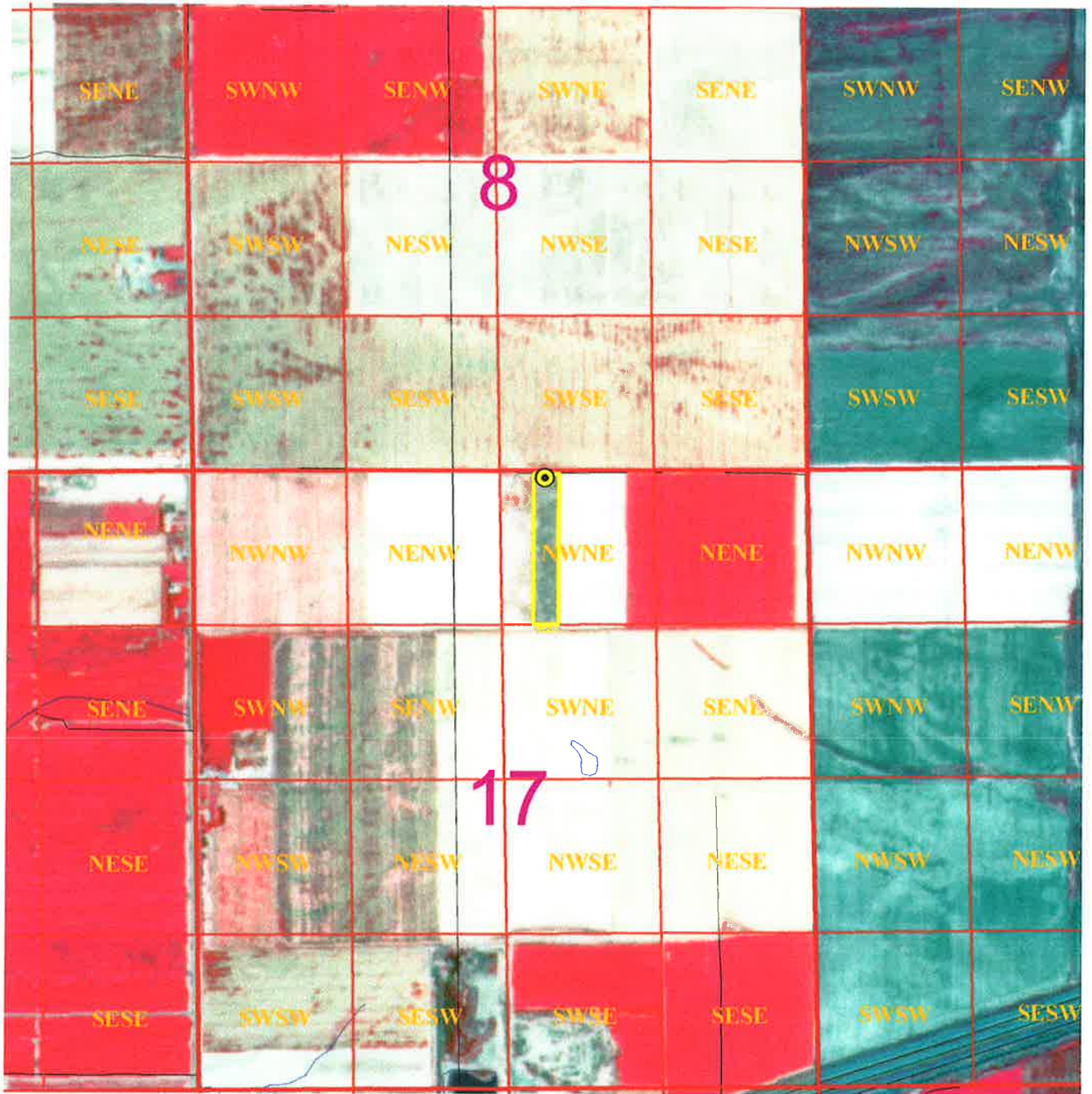
Township , 6S33E



900 0 900 1800 Feet



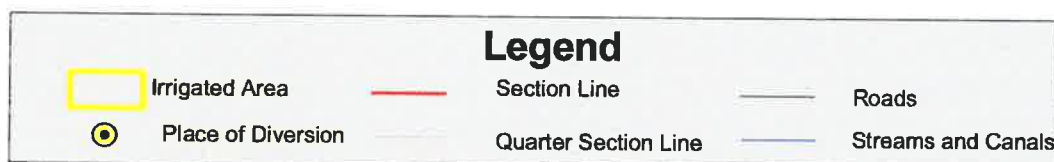
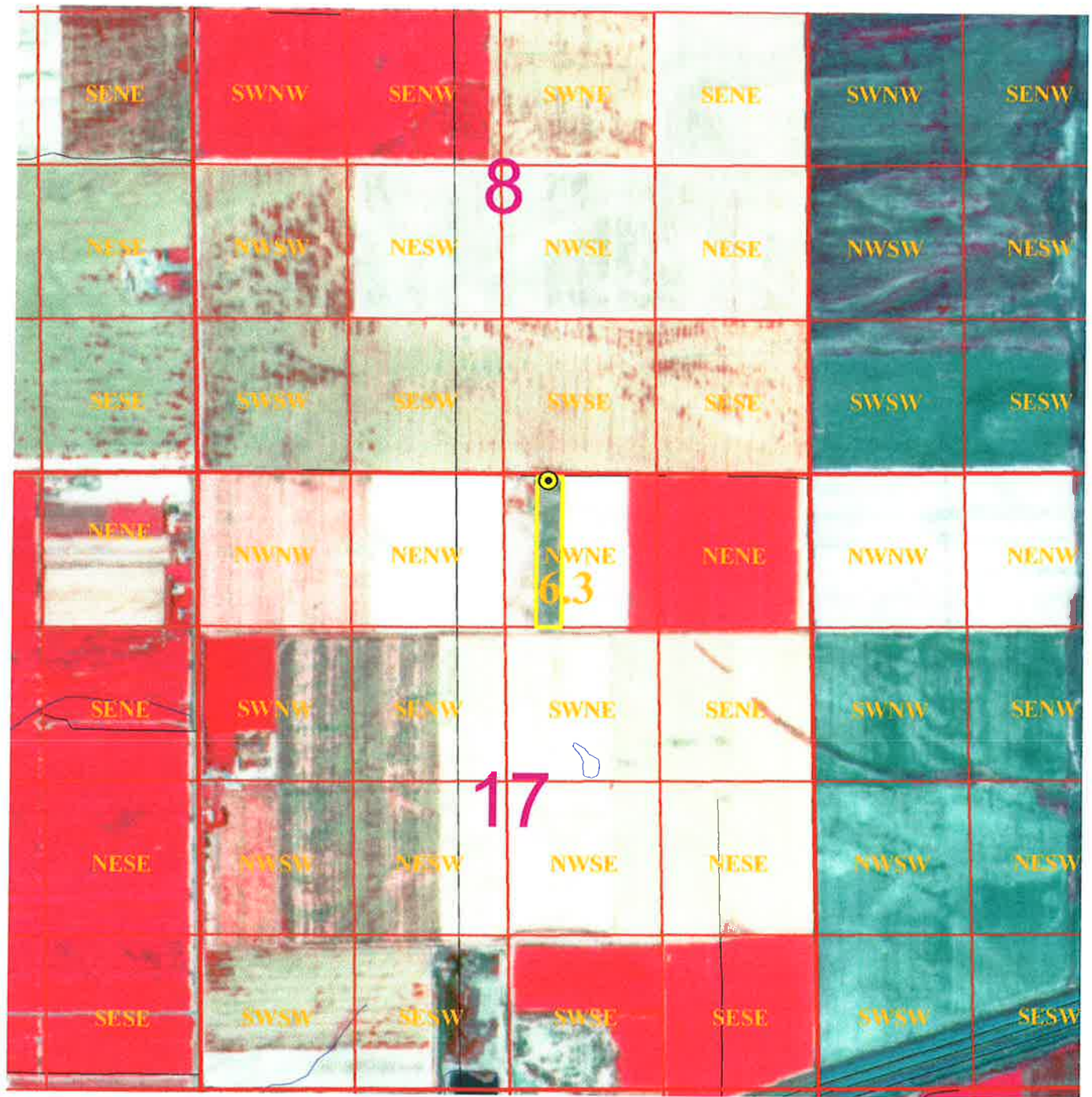
Township , 6S33E



900 0 900 1800 Feet



Township , 6S33E



900 0 900 1800 Feet



06/26/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 29-7984

Comments:

<u>Author</u>	<u>Date</u>	<u>Subject</u>	<u>Comment</u>
bcontor	6/26/2001	Recommendation	Recommended as permit.

Dates:

Licensed Date:
Claim Received Date: 04/06/1998
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Decreed Date:
Date Filed with Court:
Objection Filed Date:
SF5 Filed:
Special Master Recom Signed Date:

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Review Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary	6/26/2001 2:01:44 PM		6/26/2001 2:01:44 PM	bcontor	Complete

Other Information:

Receipt Number(s): E024028
State or Federal: S
Owner Name Connector: AND
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
PresumptionFlag:
Notice of Error Flag:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log Text</u>
POD	6/26/2001 1:57:41 PM	bcontor	Edited point location
POU	6/26/2001 1:58:30 PM	bcontor	Edited shape boundary
Summary	6/26/2001 2:01:41 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.

06/26/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Water Permit Report

WATER RIGHT NO. 29-7984

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FERNANDO B GONZALES
Current Owner	IRENE GONZALES
	STAR RT BOX 67A
	POCATELLO, ID 83202
	(208)234-2329

Priority Date: 04/23/1990
Status: Active

<u>Source</u>	<u>Tributary to</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	3/15	11/15	0.12 CFS		
Total Diversion			0.12 CFS		

Location of Point(s) of Diversion:

GROUND WATER	NWNE	Sec. 17	Township 06S	Range 33E	POWER County
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IRRIGATION Use:
Acre Limit: 8

Place(s) of use:

Place of Use Legal Description: IRRIGATION POWER County

<u>Townshi</u>	<u>Rang</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
06S	33E	17		NWNE	8									

Total Acres: 8

Conditions of Approval:

- 048 The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
- 049 The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
- 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- 03A The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

Dates:

Proof Due Date:	10/01/1991
Proof Made Date:	10/19/1990
Approved Date:	09/21/1990
Moratorium Expiration Date:	
Enlargement Use Priority Date:	
Enlargement Statute Priority Date:	

Application Received Date: 04/23/1990
Protest Deadline Date:
Number of Protests:0
Field Exam Date: 6/12/1998
Date Sent to State Off: 1/29/2001
Date Received at State Off: 2/1/2001
Field Exam Remark:

Other Information:

Receipt Number(s):
State or Federal:
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:
Cary Act Number:
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

06/26/2001

There is no water right ID for water right number 29-7984

RECEIVED

JUL 08 2003

Department of Water Resources
Eastern Region

GARY L. COOPER
REED W. LARSEN
RON KERL
JAMES P. PRICE
M. ANTHONY SASSER
E. W. "SKIP" CARTER
JAMES D. RUCHTI

COOPER & LARSEN

151 NORTH 3rd AVE. - STE. 210
P.O. BOX 4229
POCATELLO, ID 83205-4229

TELEPHONE (208) 235-1145
FAX (208) 235-1182

Attorneys at Law

July 7, 2003

Department of Water Resources
Attn: Ernest Carlsen, Water Rights Supervisor
900 North Skyline Drive, Suite A
Idaho Falls, Idaho 83402-1718

Re: Fernando and Irene Gonzales
Water Right Nos. 29-7984 and 29-7238

Dear Mr. Carlsen:

On April 20, 2003, I sent you a letter indicating that Fernando and Irene Gonzales were investigating the chain of title to their land to determine if they are the first non-Indians to own it. The Gonzaleses were interested in getting an earlier priority date for their rights.

You will find enclosed a copy of a patent deed, dated March 23, 1916, whereby the United States of America deeded the northeast quarter of Section 17, Township 6 South, Range 33 East to Jean L. Cutler, who is identified as "an Indian of the Fort Hall Indian Reservation." The Gonzaleses' property is located within the parcel deeded to Jean Cutler.

Also enclosed is a Certificate of Competency which was recorded in Bannock County on May 8, 1952 and in Power County on April 19, 1956. The description of the property in the opening paragraph includes the parcel now owned by the Gonzaleses. In the Certificate, Earl E. Cutler is named as one of several heirs of Jean Cutler. By virtue of the Certificate, Earl Cutler is given authority by the Bureau of Indian Affairs to sell and convey the land described in the Certificate. Earl Cutler's status as an Indian is shown on the enclosed Allotment Card, which shows his I.I.M. No. as C-68.

The Gonzaleses purchased their property from Earl Cutler. The conveyances are evidenced by Warranty Deeds, dated May 10, 1974 and May 10, 1976, copies of which are enclosed.

FILED

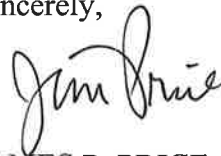
July 7, 2003

Page 2

Earl Cutler is deceased. According to the Gonzaleses, at the time they purchased the property, Mr. Cutler was using a small pump to get water from the well for culinary purposes and to irrigate a small parcel of land. Within a couple years after the Gonzaleses purchased the property, they installed a larger pump and expanded the use of the water to irrigate a number of acres, as claimed in their water rights. They were the first non-Indians to develop and use the water in the manner it is being used today.

Based upon the foregoing, the Gonzaleses request that the priority date of their water rights date back to the establishment of the Fort Hall Indian Reservation. If additional information is necessary, or if our office can be of further assistance, please call me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jim Price".

JAMES P. PRICE

JPP:mn

Enclosures

98-353

RECEIVED

JUL 08 2011

496326.
37106-13. I.O.

Department of Water Resources
Eastern Region

4-1067.

61½ A.

The United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS, a schedule of allotments approved by the Secretary of the Interior has been deposited in the General Land Office, whereby it appears that Jean L. Cutler,

an Indian of the Fort Hall Reservation, has been allotted the following-described land:

The east half of the southeast quarter of the southeast quarter of Section twenty-two in Township five south of Range thirty-four east and the northeast quarter of Section seventeen in Township six south of Range thirty-three east of the Boise Meridian, Idaho, containing one hundred eighty acres,

according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor General:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in accordance with the provisions of the Act of Congress of February 23, 1889 (25 Stat., 688), HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT, unto the said

Jean L. Cutler

and to her heirs, the lands above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said Jean L. Cutler

and to her heirs forever, with the provision that the title hereby acquired shall not be subject to alienation, lease, or incumbrance, either by voluntary conveyance of the grantee or her heirs, or by the judgment, order, or decree of any court, or subject to taxation of any character, but shall be and remain inalienable and not subject to taxation for the period of twenty-five years, and until such time thereafter as the President may see fit to remove the restriction. And there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I,

Woodrow Wilson

President of the United States of America, have caused these letters to be made

Patent, and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the TWENTY-THIRD

day of MARCH in the year of our Lord one thousand

nine hundred and SIXTEEN and of the Independence of the

United States the one hundred and FORTIETH.

By the President: *Woodrow Wilson*

By *W. D. Leary*, Secretary.

J. D. Samson
Recorder of the General Land Office.

RECORDED; Patent Number 520422

INDEXED

FILED

4478 # 407

Instrument No. _____

State of Idaho, } ss.
County of Power }

I hereby
certify that this instrument was filed
for record at the request of

Gene Crowley

Filed at _____ 5 minutes past

4 o'clock P. M., this 19th

day of April 1956 and record-

ed in book 107 of 107

at 401

C. W. Adams

Recorder

By _____

Deputy

Fee 1.50

AT REQUEST OF
FEE \$ 1.25
DEPUTY
RECORDER
STATE OF IDAHO
RECORDS OF BANNOCK COUNTY
Book 107 Page 593

113

RECEPTION
FEE BOOK
RECORDED
INDEXED

1952 MAY-8 PM 3:47
CLEAN, AMT & RECORDER
BANNOCK COUNTY, IDAHO

281882

RECORDED

CERTIFICATE OF COMPETENCY

Allotment No. 61-1/2A

DESCRIPTION: East Half Southeast Quarter SouthEast Quarter Section Twenty-Two, Township Five South, Range Thirty-Four East, B.M., (E/2 SE/4 SE/4 Sec. 22, T. 5 S., R. 34 E., B.M.) and North Half Northeast Quarter Section Seventeen, Township Six South, Range Thirty-Three East, B.M., (N/2 NE/4 Sec. 17, T. 6 S., R. 33 E., B.M.);

The total acreage in the above-described land is One Hundred (100) acres, being all of Allotment No. 61-1/2A except that portion sold to the War Department by condemnation proceedings, date filed March 12, 1943, described as the South Half Northeast Quarter Section Seventeen, Township Six South, Range Thirty-Three East, B.M. (S/2 NE/4 Sec. 17, T. 6 S., R. 33 E., B.M.) in Power County, Idaho, containing Eighty (80) acres, more or less.

WHEREAS, Andrew F. Cutler, Charles Girard Cutler, Earl E. Cutler, Homer Martin Cutler, Irene C. Crawley, John R. Cutler, Joseph S. Cutler, L. A. Cutler, Maggie Mae Cutler Cates, and Parley Elvin Cutler, heirs of Jean L. Cutler, deceased Fort Hall allottee No. 61-1/2A, have made application for the issuance of a Certificate of Competency under the provisions of Section 1 of the Act of Congress approved June 25, 1910 (36 Stat. L. 855) as Amended; and

WHEREAS, upon the investigation, consideration, and examination of the request, Andrew F. Cutler, Charles Girard Cutler, Earl E. Cutler, Homer Martin Cutler, Irene C. Crawley, John R. Cutler, Joseph S. Cutler, L. A. Cutler, Maggie Mae Cutler Cates, and Parley Elvin Cutler have been found to be fully competent and capable of transacting their own business and caring for their own individual affairs;

NOW, THEREFORE, pursuant to authority delegated to the Area Director by Order No. 551 of the Commissioner of Indian Affairs, dated March 29, 1951 (16 F.R. 2939), he does hereby issue to Andrew F. Cutler, Charles Girard Cutler, Earl E. Cutler, Homer Martin Cutler, Irene C. Crawley, John R. Cutler, Joseph S. Cutler, L. A. Cutler, Maggie Mae Cutler Cates, and Parley Elvin Cutler this Certificate of Competency, and does hereby invest them with full power and authority to sell and convey any or all lands above described.

This Certificate of Competency will become effective thirty days from the date hereof.

Done at the Bureau of Indian Affairs, Portland Area Office, Portland, Oregon, this 11th day of September 1951.

The Portland Area Office Recording
Volume 1 Page 2 Line 1
File No. FX

Area Director *JEK*

MAY 1 1952

INDEXED

COMPARED

RECORDED

287863

Instrument No _____

State of Idaho, } ss.
County of Power } I hereby
certify that this instrument was filed
for record at the request of

Gene Crawley

Filed at 9 minutes past
4 o'clock P M., this 19
day of April 19 56 and record-
ed in book 94 of Miss
at p. 656

Swadams

Recorder

By _____ Deputy

Fee 1.00

1952 MAY -8 PM 3:43

CLERK, AUDITOR & RECORDER
BANKERS BUILDING, IDAHO

RECEIVED
FEE BOOK
RECORDED
PRICE PAID
INDEXED

RECORDS OF SHAMOCK COUNTY
STATE OF IDAHO
Shamock
RECORDER

EE \$ 1
REQUEST OF

1204 # 84100

ALLOTMENT CARD

Allotment No. 61-1/2-A Original Allottee Jean L. Cutler

Legal Description E/2 SE/4 SE/4 Sec. 22, T 5 S, R 34 E; and NE/4 Sec. 17,
FREE WATER
YEARS: T 6 S, R 33 E B M

1939-1940

STATE OF OWNERSHIP

C-57

Original (☒)

Probate No. 17974-46

Heirship ()

Relinquished in lieu ()

Certificate of Competency 9-11-51

180 Acres

Unrestricted
200-100-1
100 ac. NW 7

Fractional Owners

I.I.M. No.	Al. No.	Name	ID or An. Number	Share
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Note - 5th NE 1/4 Sec 17 6S 33 sold to US War Department by Condemnation Proceedings.

C-78	41	Maggie Martin Cutler	mother	1/2
------	----	----------------------	--------	-----

C-75	Unal.-NE *	Andrew O. Cutler	father	5-18-47	1/2 *
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Heir of Andrew O. Cutler, Probate State Court-2-2-50
 Instrument No. 68290

C-78	41	*Maggie Martin Cutler	Wife	All of 1/2 or	1/2 *
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Heirs of Maggie Martin Cutler, Probate 23168-49 & State Probate 7/1

C-65	4	Andrew F. Cutler	Son	1/10
------	---	------------------	-----	------

C-60	574	Maggie May Cutler Cates	Daughter	1/10
------	-----	-------------------------	----------	------

C-55	61A	Homer Martin Cutler	Son	1/10
------	-----	---------------------	-----	------

C-53	59A	Charles Girard Cutler	Son	1/10
------	-----	-----------------------	-----	------

C-74	48	Joseph S. Cutler	Son	1/10
------	----	------------------	-----	------

C-68	55A	Earl E. Cutler	Son	1/10
------	-----	----------------	-----	------

C-66	56A	Leonard A. Cutler	Son	1/10
------	-----	-------------------	-----	------

C-71	58A	Mary Irene Cutler Crawley	Daughter	1/10
------	-----	---------------------------	----------	------

C-62	60A	Parley Elvin Cutler	Son	1/10
------	-----	---------------------	-----	------

C-58	Unal.	John Robert Cutler	Grandson	1/10
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Certificate of Competency issued 9-11-51 for that portion remaining in restricted status, described as E/2 SE/4 SE/4 Section 22, T. 5 S, R. 34 E., B.M. and N/2 NE/4 Section 17, T 6 S, R. 33 E., B.M., Idaho, containing 100 acres

WARRANTY DEED

For Value Received

EARL E. CUTLER and SARAH J. CUTLER, husband and wife
the grantors, do hereby grant, bargain, sell and convey unto

FERNANDO GONZALES and IRENE GONZALES, husband and wife
whose current address is 408 W. 1st, Pocatello, Idaho

the grantees, the following described premises, in Bannock County Idaho, to wit:

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 6 SOUTH, RANGE 33, E. B. M., POWER COUNTY, IDAHO, THENCE ALONG THE SECTION LINE IN AN EASTERLY DIRECTION 264 FEET; THENCE SOUTH 1320 FEET; THENCE WEST 264 FEET; THENCE NORTH 1320 FEET TO THE POINT OF BEGINNING. EXCEPT, BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 6 SOUTH, RANGE 33 E. B. M., THENCE ALONG THE SECTION LINE IN AN EASTERLY DIRECTION 264 FEET; THENCE SOUTH 1320 FEET; THENCE WEST 264 FEET; THENCE NORTH 1320 FEET TO THE POINT OF BEGINNING...

335.50

130

STATE OF IDAHO
COUNTY OF POWER

I hereby certify that the foregoing instrument is a full, true and correct copy of the original on file in the office of the undersigned Clerk of the District Court, of the Sixth Judicial District of Idaho, for Power County.

CHRISTINE STEINLICHT

By Margaret Scholte
DEPUTY CLERK

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatever.

Dated: May 10, 1974

Earl E. Cutler

Earl E. Cutler

Sarah J. Cutler

Sarah J. Cutler

STATE OF IDAHO, COUNTY OF Bannock
On this 10th day of May, 1974,
before me, a notary public in and for said State, personally appeared

Earl E. Cutler & Sarah J. Cutler, h&w

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Robert R. Black
Notary Public
Residing at Pocatello, Idaho
Comm. Expires 12-24-74

Instrument No. 103628
State of Idaho
County Power

I hereby certify that this instrument was filed for record at the request of Christine Steinlicht
Filed at 2:24
o'clock P. M., this 13th day of May 1974, and indexed instrument 103628 in Drawer 7

Helen Hall, Recorder
By Helen Hall
Deputy

MAY 13 1974

WARRANTY DEED

For Value Received

EARL E. CUTLER AND SARAH J. CUTLER, HUSBAND & WIFE

the grantors, do hereby grant, bargain, sell and convey unto

FERNANDO GONZALES AND IRENE GONZALES, HUSBAND & WIFE

408 North 7th, Pocatello, Idaho

the grantees, the following described premises, in Power County Idaho, to wit:

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER
OF SECTION 17, TOWNSHIP 6 SOUTH, RANGE 33 E.B.M., POWER COUNTY, IDAHO,
THENCE ALONG THE SECTION LINE IN AN EASTERLY DIRECTION 130 FEET, THENCE
SOUTH PARALLEL TO THE MERIDIONAL CENTERLINE OF SAID SECTION 335.5 FEET
THENCE WEST PARALLEL WITH THE NORTH SECTION LINE OF SAID SECTION 17,
130 FEET, THENCE NORTH ALONG THE MERIDIONAL CENTERLINE 335.5 FEET
TO THE POINT OF BEGINNING...

STATE OF IDAHO }
COUNTY OF POWER } ss.

I hereby certify that the foregoing instrument is a full, true
and correct copy of the original on file in the office of the under-
signed Clerk of the District Court, of the Sixth Judicial District of
Idaho, for Power County.

CHRISTINE STEINLICHT

By Margaret Schelske
DEPUTY CLERK

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees,
their heirs and assigns forever. And the said Grantors do hereby covenant to and
with the said Grantees, that they the owners in fee simple of said premises; that they are free
from all incumbrances, except taxes and easements that appear of record.

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: May 10, 1976

STATE OF IDAHO, COUNTY OF Bannock
On this 10th day of May 1976
before me, a notary public in and for said State, personally
appeared

EARL E. CUTLER & SARAH J. CUTLER
HUSBAND & WIFE

Known to me to be the persons whose names are
subscribed to the within instrument, and who are aware of
the contents thereof, and that they executed the same.

Notary Public
Residing at Pocatello, Idaho
Comm. Expires 12-31-77

RECORDED
108235
MAY 11 1976
MAY 12 1976
108235
#3

MAY 11 2008

02/08/2003

NOTICE OF ERROR
REPLY

Poul

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: 29-7984

FERNANDO B GONZALES
2002 BIG SKY RD
POCATELLO ID 83204
Telephone Number: (208)234-2329

IRENE H GONZALES
2002 BIG SKY RD
POCATELLO ID 83204
Telephone Number: (208)234-2329

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

We are investigating whether we might be entitled to an earlier priority date since our property is located on the Fort Hall Indian Reservation.

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: 4-18-03 SIGNATURE: *Fernando B Gonzales & Irene H. Gonzales*
Please print your name: Fernando B. Gonzales, Irene Gonzales.

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

PROFILED

SEARCHED
INDEXED

GARY L. COOPER
REED W. LARSEN
JAMES P. PRICE
M. ANTHONY SASSER
E. W. "SKIP" CARTER
JAMES D. RUCHTI

COOPER & LARSEN

151 NORTH 3rd AVE. - STE. 210
P.O. BOX 4229
POCATELLO, ID 83205-4229

TELEPHONE (208) 235-1145
FAX (208) 235-1182

Attorneys at Law

April 20, 2003

By facsimile (208) 525-7177
Original to follow by mail

Department of Water Resources
Attn: Ernest Carlsen, Water Rights Supervisor
900 North Skyline Drive, Suite A
Idaho Falls, Idaho 83402-1718

Re: Fernando and Irene Gonzales
Water Right Nos. 29-7984 and 29-7238

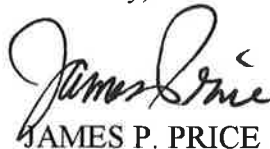
Dear Mr. Carlsen:

Please find enclosed Notice of Error Replies for the water rights identified above. The Gonzales are investigating the chain of title to their land to determine whether they may be entitled to an earlier priority date. The Gonzales believe that their land is Indian allotment land and that they are the first non-Indians to own it.

In your absence last week, I spoke with Candice McHugh in Boise who was very helpful in explaining the process and requirements to get an earlier priority date. She indicated that supporting documentation does not need to be submitted with the Notice of Error Reply. The Gonzales will, however, get that documentation to you as soon as possible.

Please accept this letter as notification that our office represents the Gonzales and would like to receive a copy of any notice or correspondence sent by IDWR to them.

Sincerely,



JAMES P. PRICE

JPP:mn

RECEIVED

APR 22 2003

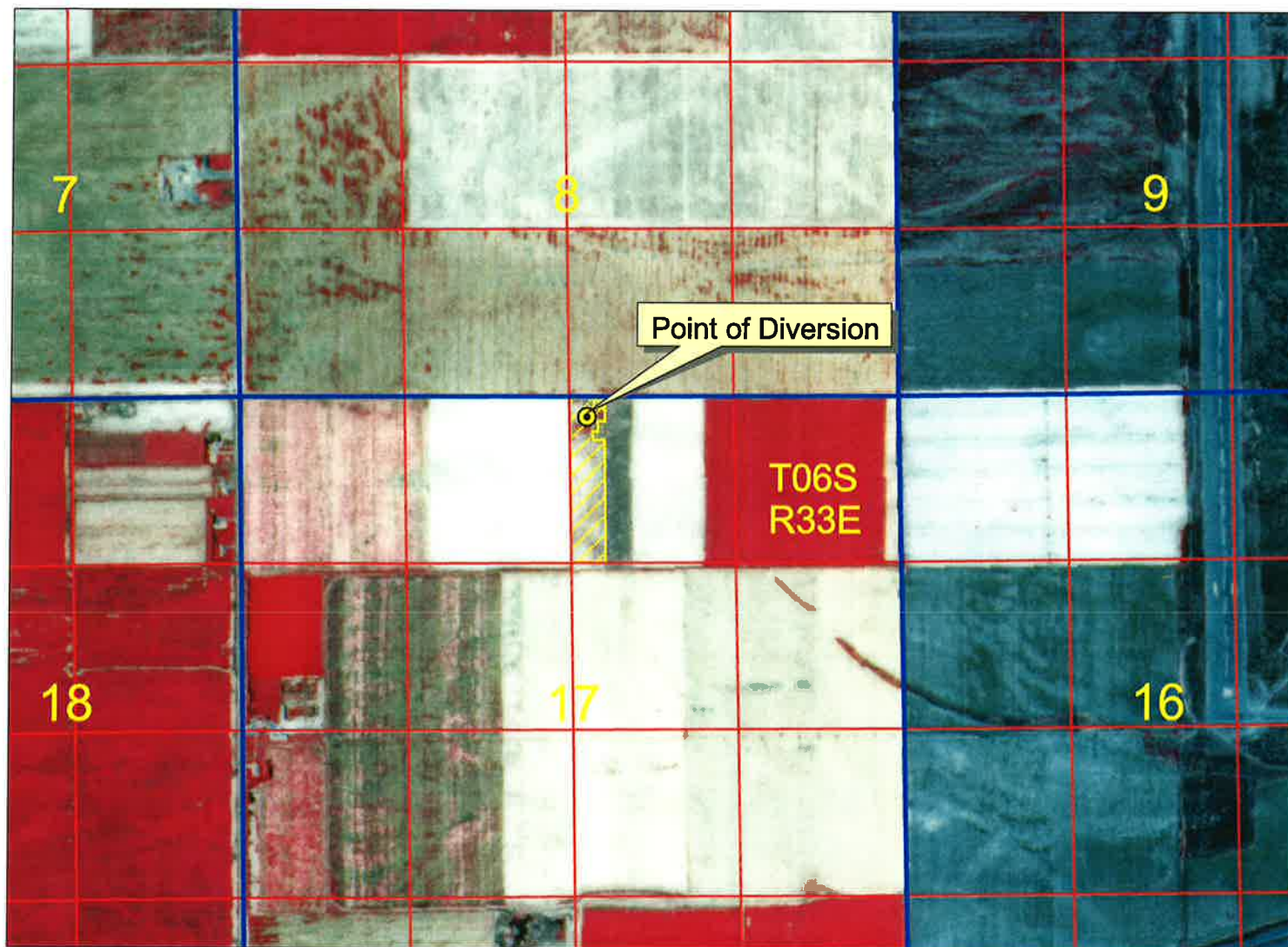
Department of Water Resources
Eastern Region

RECEIVED
MAY 1 1 2003



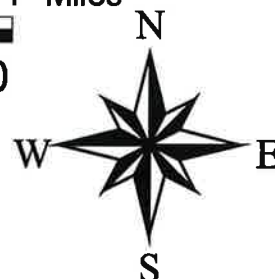
State of Idaho
Department of Water Resources
Eastern Region

Water Rights: 29-7238, 29-7984



0.5 0 0.5 1 Miles

1:16000



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

PROFILED

SCANNED

MAY 11 2003

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

Contor, Bryce

From: Contor, Bryce

Sent: Thursday, September 20, 2001 4:22 PM

To: Wilson, Keith; Curtis, Sharla

Cc: Meyer, Paul

Subject: 29-7984

From the AJ investigation it looks like this permit overlaps license 29-7238. The paper work I see doesn't seem to reference the overlap...

PROFILED

9/20/2001
10:11:12 AM

9/20/2001

Contor, Bryce

From: Contor, Bryce
Sent: Tuesday, September 18, 2001 3:43 PM
To: Wilson, Keith; Curtis, Sharla; Jones, Harold
Cc: Carlsen, Ernie
Subject: POU Permit 29-7984

The permitted place of use interferes with licensed and recommended POU for 29-7575. The POU sketched by the field examiner in exam 29-7984 does not interfere with the recommended POU for 29-7575. I was out there on a Water Measurement District visit in 1998 and I think the examiner got it 100% correct.

For now, per AJ instructions, the *recommended* POU for A29-7984 follows the permit and therefore does interfere with recommendation 29-7575. I trust that when you issue the license you'll follow the field exam and everything will be swell again?

Thanks.

9/18/2001

SC. 1000
MAY 1 1 2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-7984 V1

Comments:

1. bcontor 6/26/2001 Recommendation
Comment: Recommended as permit.

2. bcontor 9/18/2001 POU

Comment: POU as permitted and as recommended interfere with licensed and recommended POU 29-7575. Note that permit examiners sketch does NOT interfere and appears to be correct from what I saw in a Water Measurement District exam here in 1998.

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: AND
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

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MAY 11 2001

Byo-
Copy for you. Additional copies can be found in file cabinets beside Sharla Cox attached to permit.
Keith

MEMORANDUM

TO: FILE **29-07984**

January 26, 2001

FROM: Keith C. Wilson

RE: Field Examination

Original exam was completed on August 8, 1995. Review of the exam could not be determine if this permit was for additional acres, amount, or both.

Re-Exam on June 6, 1998, revealed no additional acres. A re-measurement of the diversion rate recorded $Q = 45.46 \text{ gpm} = 0.10 \text{ cfs}$ using a sonic meter.

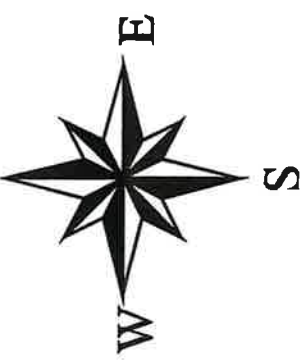
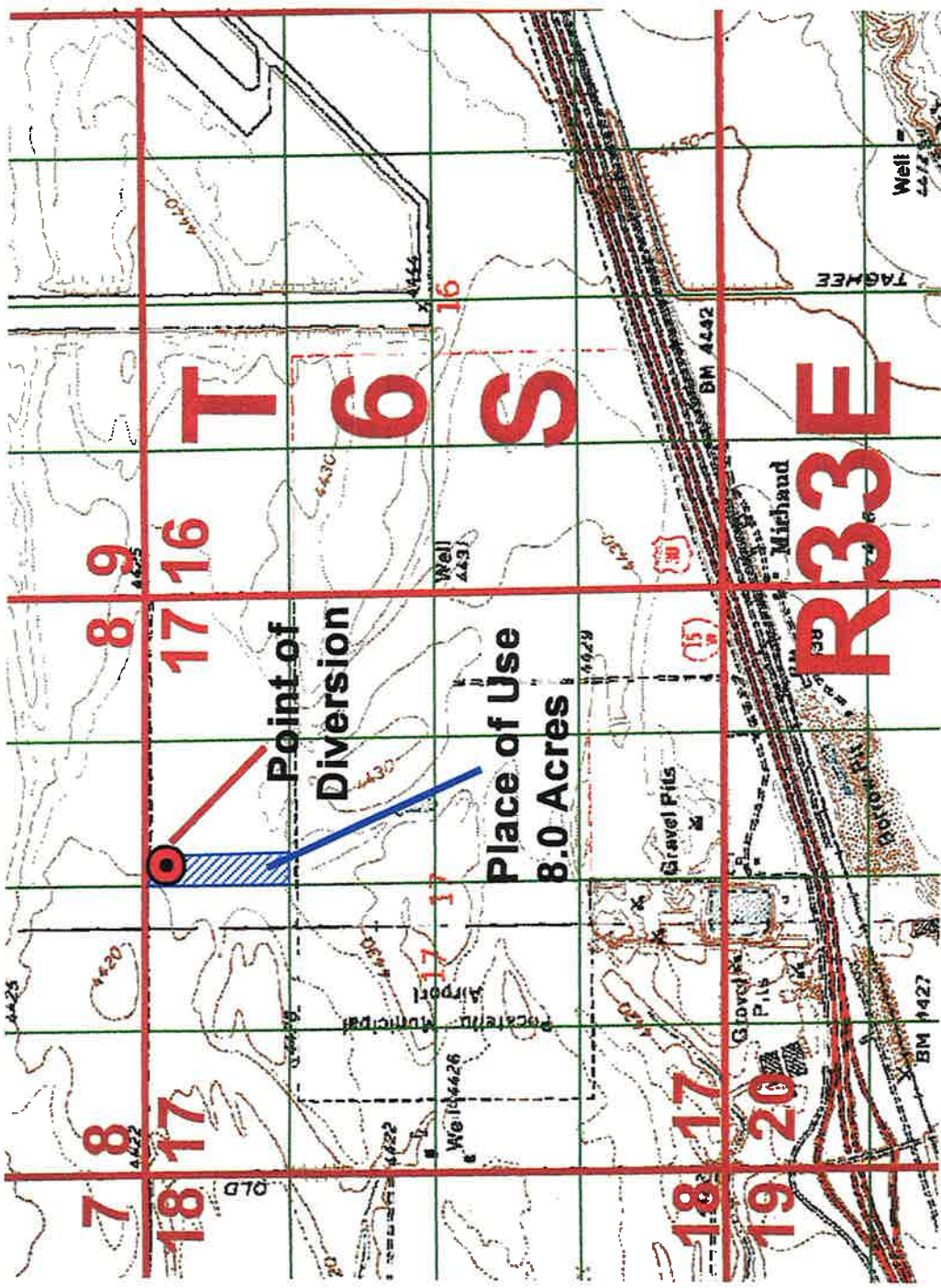
Recommend using original measurement of $Q = 64.2 \text{ gpm} = 0.14 \text{ cfs}$, and a total irrigated acres = 8.0 acres.



Keith C. Wilson
Senior Resource Agent

29-07984

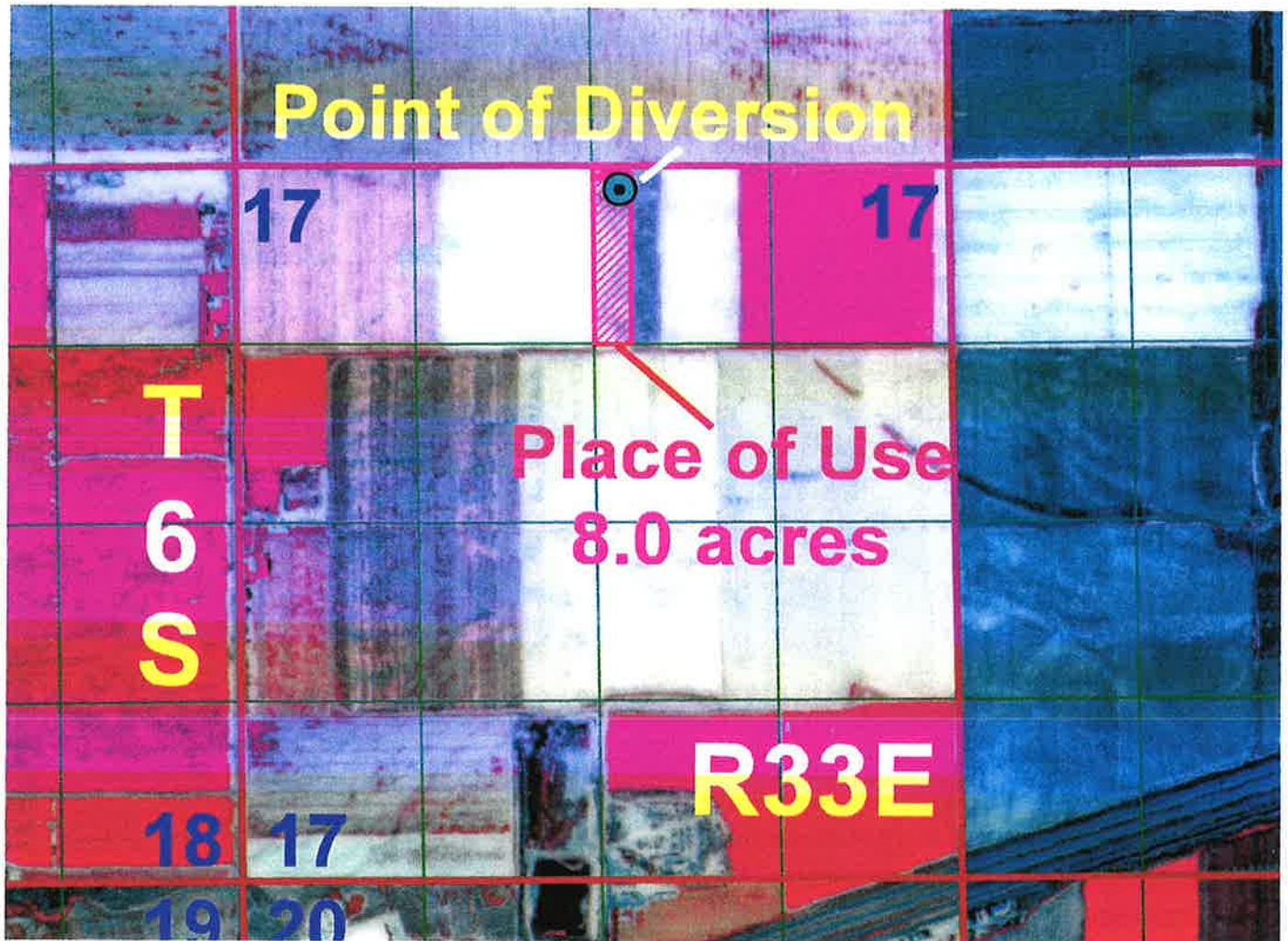
PROFILED



-  29-07984pod.shp
-  29-07984poumap.shp
-  S06s33e.shp
-  T06s33e.shp

Keith C. Wilson
 KEITH C. WILSON
 1/26/2001

29-07984



29-07984poda.shp



28-07984poua.shp

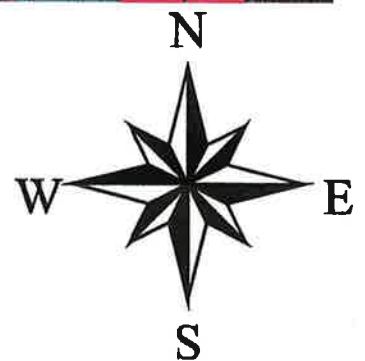


S06s33e.shp



T06s33e.shp

Keith C Wilson
 KEITH C WILSON
 1/26/2001



29-07984

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

USE 8/10/1995 EXAM

A. GENERAL INFORMATION

Permit No. 29-07984

1. Owner: FERNANDO P and IRMA GONZALES

Phone No. 208 234-2329

Current Address: 2002 BIG SKY Rd, PRATER ID 83204

2. Accompanied by: FERNANDO GONZALES

EXAM DATE: 6-12-1998

Address: SAME

Phone No. SAME

Relationship to Permit Holder: PERMIT HOLDER

3. Source: GROUNDWATER

tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 29-07238

2. Other water rights with the same point of diversion: 29-07238

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion: SAME AS 29-07238

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NW	NW	NE	17	6S	33E	Power	on site/USGS Quad

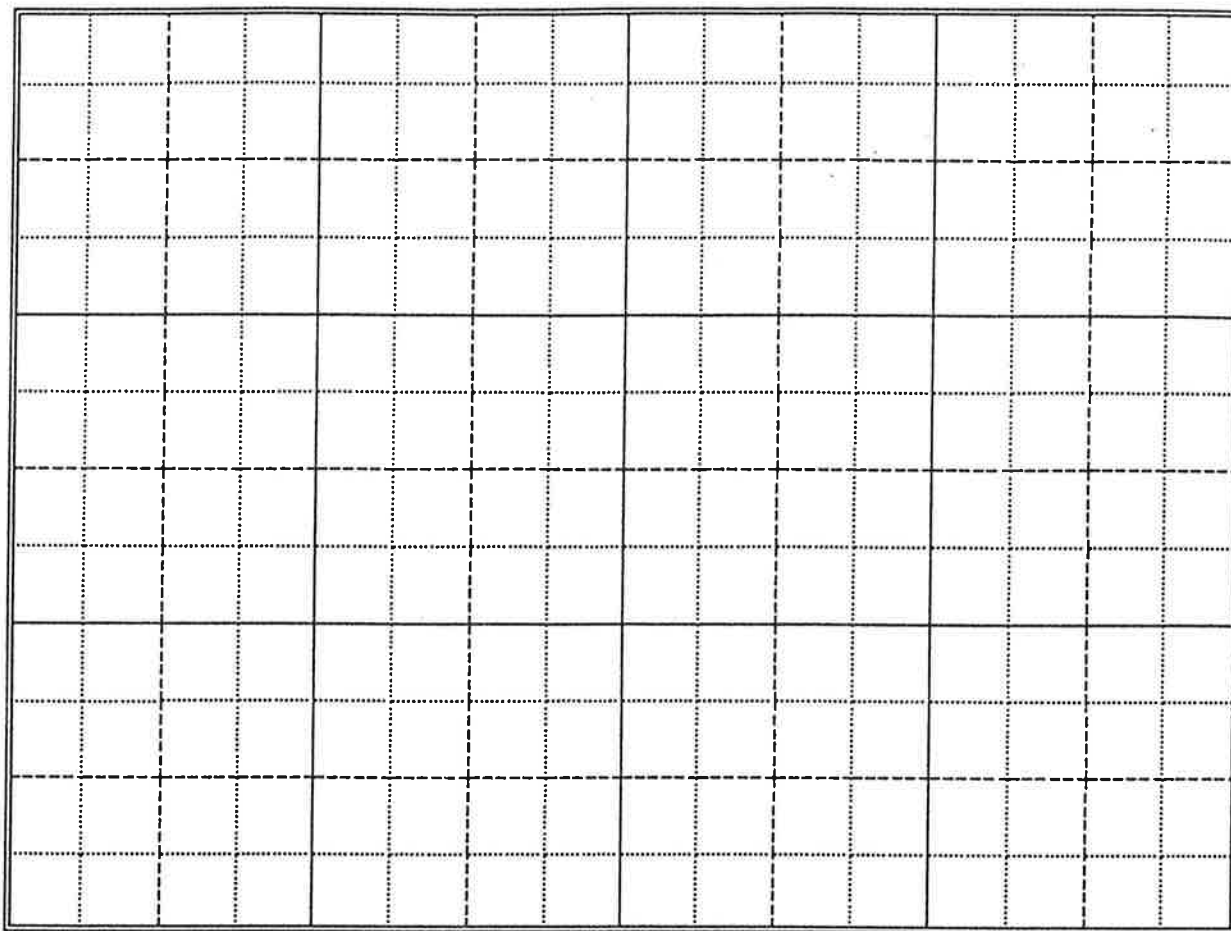
2. Place(s) of Use: Same as 29-07238

Indicate Method of Determination on site

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6S	33E	17		8														8	

521207
MAY 11 2003

3. **Delivery System Diagram:** Include all major components and distances between components. Indicate weir size/ditch size/pipe I.D. as applicable.



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Red Jacket	5hp	-	Red Jacket	2" -

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
PRESSURE GAGE		ASHCROFT	# 9810		0-60	
Polysonic	Sonic Meter		DCT 7082			

2. Measurements: 32 psi - 32 psi (12) sprinklers all 5/32"
5/32" 5/32"

MAY 11 2003

E. NARRATIVE/REMARKS/COMMENTS

Well pump to Single Domestic home and to 3" hand lines

No addition acres use 8/10/1995 EXAM

Have conditions of permit approval been met? ☒ yes ☐ no

CEA/MSD
MAY 11 2000

F. FLOW CALCULATIONS☒ Additional Computation Sheets Attached

Measured Method:

$$Q_{\text{sonic meter}} = 45.4 \text{ gpm} = 0.10 \text{ cfs}$$

$$Q_{\text{pressure gage}} = (4.13 \text{ gal/sprinkler})(12 \text{ sprinklers}) = 49.6 \text{ gpm} = 0.11 \text{ cfs}$$

RECOMMEND using Flow Measurement From 1995 Exam $Q = 64.2 \text{ gpm} = 0.14 \text{ cfs}$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

SEE 8/10/1995 Exam

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			_____	_____

2. 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

SEE 8/10/1995 EXAM

I. AUTHENTICATIONField Examiner's Name KEITH C WILSON Date 6-12-1998

Reviewer _____ Date _____

SEAL

Pipe
 Material = ALUMINU
 OD = 3.000 inches
 WT = 0.050 inches
 ID = 2.900 inches
 Sound Vel. = 10171 FPS
 Roughness = 0 Ft
 Liner
 Material = NONE
 Thickness = 0.000 inches
 Sound Vel. = 0 FPS
 Roughness = 0 Ft
 Fluid
 Type = WATER
 Sound Vel. = 4863 FPS
 Viscosity = 1.13
 Transducer
 Type = S
 Mounting = W
 Flow
 Scale Fact = 0.9700
 Offset = 0.00 GPM
 Damping = 30 secs
 Max Range = 658.80 GPM
 Min Range = -658.80 GPM
 Cutoff
 Low Flow = 0.00
 Low Signal = 0.00 %

Flow = 45.36 GPM
 Vel = 2.20 FPS
 Net 1902 x1Ft3
 Pos 1902 x1Ft3
 Neg 0 x1Ft3
 SigStr = 100.0%
 Cutoff = 0.0%
 Reynolds = 42716
 Factor = 0.912085
 SigStr = 100.0%
 Margin = 119%
 Delta = 87.81 ns
 SSpeed = 4735.97 FPS
 4-20mA = 4.73 mA

Flow = 45.34 GPM
 Flow = 45.27 GPM
 Flow = 45.15 GPM
 Flow = 45.28 GPM
 Flow = 45.35 GPM
 Flow = 45.46 GPM
 Flow = 45.31 GPM

Flow = 45.36 GPM
 Neg 0 x1Gal

Flow = 45.29 GPM
 SigStr = 100.0%
 Margin = 99%
 Flow = 45.25 GPM
 Flow = 45.42 GPM

SigStr = 100.0%
 Margin = 99%
 Flow = 45.29 GPM

Flow = 45.32 GPM
 Flow = 45.36 GPM
 Flow = 45.24 GPM
 Flow = 45.35 GPM
 Flow = 45.27 GPM

MEASUREMENT TAKEN 6/12/1998

For Licensing purposes use
 Flow measurement of 8/10/1995
 exam.

Keith C. Wilson
 Keith C. Wilson

29-07984

MAY 11 2006

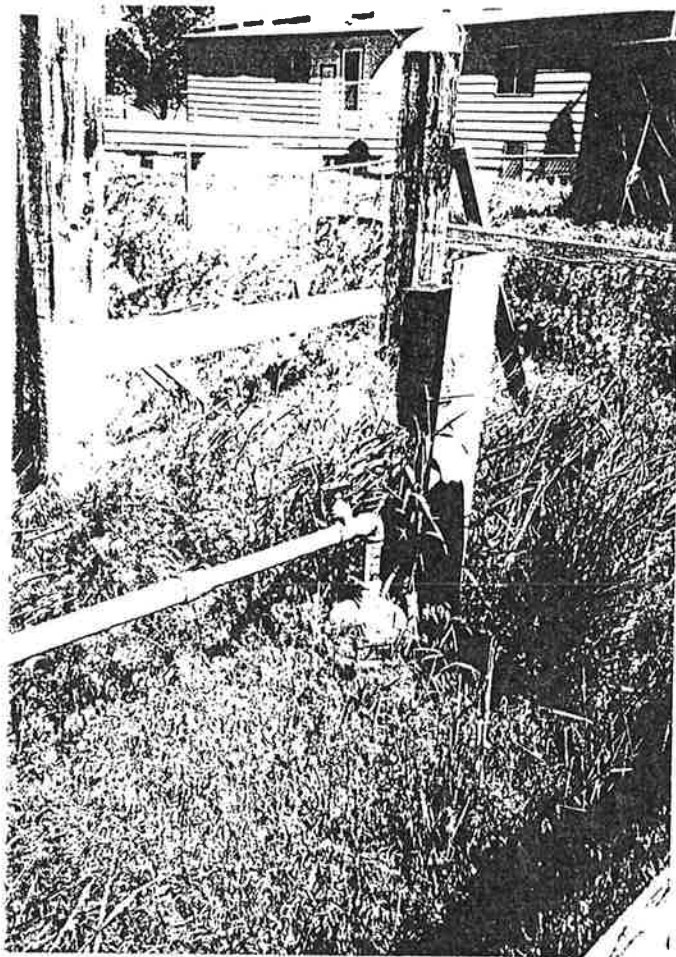


PHOTO TAKEN 6/12/1998

29-07984

SCANNED
MAY 11 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 29-7984

1. Owner: Fernando B. / Irene H. Gonzales Phone No. (208) 234-2329

Current Address: Star RT. Box 67A, Pocatello, ID 83202

2. Accompanied by: Fernando B. Gonzalez EXAM DATE: 8-10-95

Address: Same Phone No. (208) 234-2329

Relationship to Permit Holder: Same

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 29-07238

2. Other water rights with the same point of diversion: 29-07238

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
Well		NW	NW	NE	17	6S	33E	Power	USGS / ASCS Aerial photo.

2. Place(s) of Use:

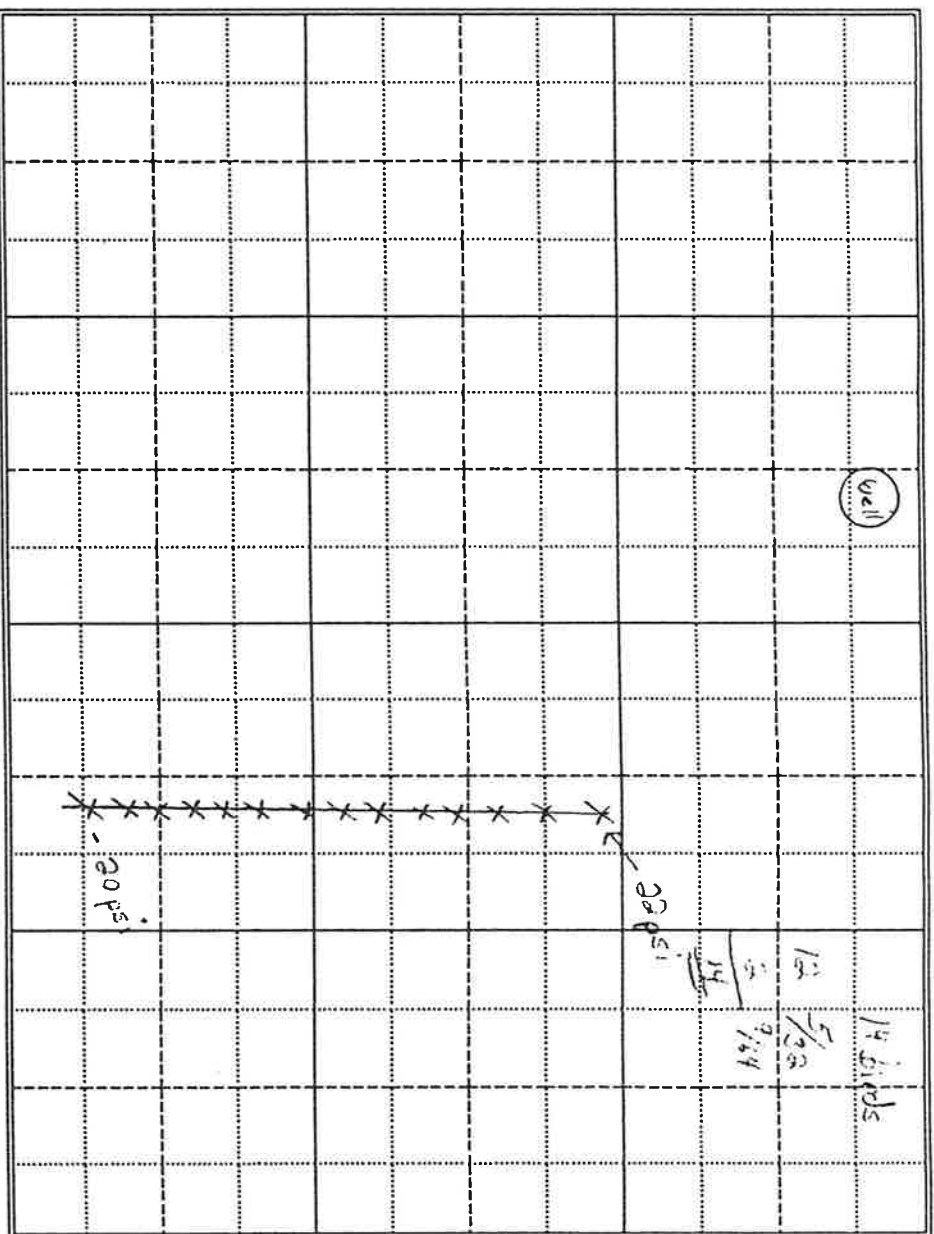
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6S	33E	17		8															8

RECEIVED

AUG 11 1995

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applica



Scale: 1" = _____
 _____ Copy of USGS Quadrangle Attached Showing location(s) of _____ Aerial Photo Attached
 point(s) of diversion and place(s) of use (required). (required for irrigation of 10+ acres) _____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No. *	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Submersible	Franklin Elec	5hp	2821132201		

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Ort + Tube						
PSI Gauge		Ashcroft			0-60	

2. Measurements:

E. NARRATIVE/REMARKS/COMMENTS

1. Tell, to portable main line, to hand lines

14 birds were on at the time of the flow measurement See diagram

Model 30LA Rainbird @ 20 PSI = 4.63 GPM $\frac{.098}{.47}$ @ 21 psi = 4.72

@ 25 PSI = 5.12 GPM

12 birds $\frac{5}{32}$ @ 21 psi = $(4.72 \times 12) = 56.74$ GPM

2 birds $\frac{9}{64}$ @ 21 psi = $(3.73 \times 2) = 7.46$ GPM

64.2 GPM $\frac{.076}{.38}$

Model 30LA Rainbird @ 20 PSI = 3.65 GPM $\frac{.076}{.38}$

@ 25 PSI = 4.03 GPM

@ 21 psi = 3.72

.38 difference

RECOMMEND that 29-07984 in combination with license 29-07238 shall not exceed 0.14 cfs

Have conditions of permit approval been met? ☒ yes ☐ no

SCANNED

MAY 11 2013

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

$$12 \text{ birds @ } 21 \text{ psi} = (12 \times 4.72 \text{ GPM}) = 56.74 \text{ GPM}$$

$$2 \text{ birds @ } 21 \text{ psi} = (2 \times 3.73 \text{ GPM}) = 7.46 \text{ GPM}$$

$$64.20 \text{ GPM}$$

$$8 \text{ ac @ } 0.02 \text{ cfs/ac} = 0.16 \text{ cfs} \quad \text{LIMITED By Capacity}$$

$$448.8 \text{ } 64.2 \text{ GPM}$$

143 CFS

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 8(4) = 32.0$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.03(1.9835)(214) = 12.7$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 12.7$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS IN COMBINATION WITH LICENSE 29-07238 shall not exceed 0.4 cfs

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4/1	10/31	0.03	12.7
Totals:			0.03 cfs	12.7

2. 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

I. AUTHENTICATION

Field Examiner's Name Steve Mueller Date 8-10-95

Reviewer _____ Date _____

SEAL

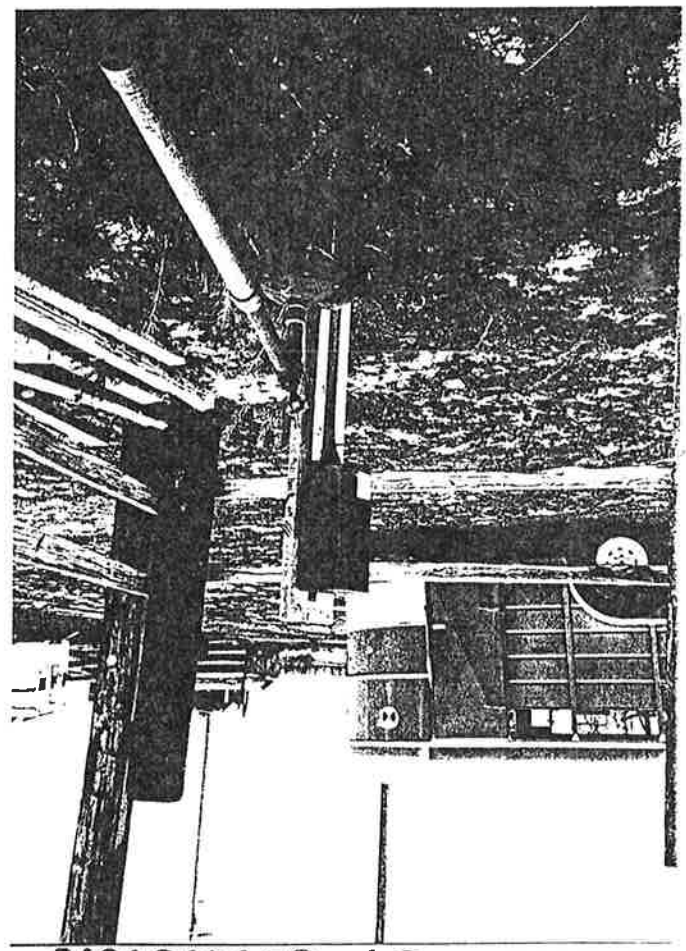
SCANNED

MAY 1 1996

SCARLETT
MAY 11 1995

Photo Taken 8/10/1995

29-7984



Point of diversion

17

29-07984

AERIAL FROM
1995 Field Exam

11-3.2

8-5.6

R33E
9-255.4

17

C & A Smith
flourish
(Cottonwood Bogus)

#1001

7-58

5-55

NE

POU

POD

17

T 65
R 33E

17

Fernando Gonzales

EWMD

HOUR METER WORKSHEET
(Attach to WMD Field Form)

SITE TAG: _____

DATE 6/15/98

EXAMINER (examiner) B. Contor

HOUR METER READING _____

FOLLOW-UP DATE 2001

STO-METER = Sonic EXAM-COMPLETE = "Y"

Measured Flow Rate and Discharge Pressure - Enter flow rate as determined by the "standard" water measurement meter in GPM, and discharge pressure measured in PSI. Attach documentation to support data such as notes, printout tapes etc.

GPM 45.3

PSI 32
district

Water Level Data

Does the well have access to measure water levels? Yes / No

Static Water Level _____ ft
Date _____

Pumping Water Level _____ ft (at condition # _____)
Date _____

Attach sketch of pumping plant layout or photograph of pumping plant and piping.

Comments: Data from Permit exam by K. Wilson 6/12/98.

Action Delete 29-07984 from WR d-base as permit for
extra cfs will not become licence. Be sure attached
licence 29-07238 is correct on d-base.

I certify that the above information is true and correct to the best of my knowledge and ability and the measurements taken and recorded are in accordance with the standards and specifications of the equipment used.

Signature Boya A. Contor
(person performing measurements)

Date 6/15/98

FROM WATER MEASUREMENT
DISTRICT RECORDS

EWMD record 200569

6/26/2001 JAC

PROFILED

SEARCHED
MAY 13 2003

29.07984

Pipe Material = ALUMINU
 OD = 3.000 inches
 WT = 0.050 inches
 ID = 2.900 inches
 Sound Vel. = 10171 FPS
 Roughness = 0 Ft
 Liner
 Material = NONE
 Thickness = 0.000 inches
 Sound Vel. = 0 FPS
 Roughness = 0 Ft
 Fluid
 Type = WATER
 Sound Vel. = 4863 FPS
 Viscosity = 1.13
 Transducer
 Type = S
 Mounting = U
 Flow
 Scale Fact = 0.9700
 Offset = 0.00 GPM
 Damping = 30 secs
 Max Range = 658.80 GPM
 Min Range = -658.80 GPM
 Cutoff
 Low Flow = 0.00
 Low Signal = 0.00 %

Flow = 45.36 GPM
 Vel = 2.20 FPS
 Net = 1902 x1ft3
 Pos = 1902 x1ft3
 Neg = 0 x1ft3
 SigStr = 100.0%
 Cutoff = 0.0%
 Reynolds = 42716
 Factor = 0.912085
 SigStr = 100.0%
 Margin = 119%
 Delta = 87.81 ns
 Speed = 4735.97 FPS
 4-20mA = 4.73 mA

Flow = 45.34 GPM
 Flow = 45.27 GPM
 Flow = 45.15 GPM
 Flow = 45.28 GPM
 Flow = 45.35 GPM
 Flow = 45.46 GPM
 Flow = 45.31 GPM

Flow = 45.36 GPM
 Neg = 0 x16al

Flow = 45.29 GPM
 SigStr = 100.0%
 Margin = 99%
 Flow = 45.25 GPM
 Flow = 45.42 GPM

SigStr = 100.0%
 Margin = 99%
 Flow = 45.29 GPM

Flow = 45.32 GPM
 Flow = 45.36 GPM
 Flow = 45.24 GPM
 Flow = 45.35 GPM
 Flow = 45.27 GPM

$$\bar{x} = 45.3$$

$$61M$$

 FROM WATER MEASUREMENT
 DISTRICT RECORDS

WATER MEASUREMENT DISTRICT
FIELD REPORT

DISTRICT EWMD RECORD NUMBER 200 569

SITE DATA:

EXAMINER (inv_name) B Contor
EXAM DATE 5/13/98 DIVERSION NAME _____
(site_visit) (div_name)
GPS FILE C051318A SITE TAG NUMBER AD00 7673
(gps_filnam) (site_tagno)
GPS OFFSET (offset) 4' above well
TAG LOCATION (tag_locat) power pole w/ transform by well
POD LEGAL (pod) T 6 N (S) R 33 E, Sec 17, NW NE

DISTRICT MEASUREMENT CAPABILITY (std_rcmd):

SONIC (s) SONIC/DIG (sd) SONIC @ PVT (sp)
COLLINS (c) PVT
MEASUREMENT RECOMMENDATION
PCC (2) HOU
ALTERNATE (3) OTH
AMEND CLAIM (A) OPEN

SUITABLE FOR PCC even if o

TRACKING will be required (

Well has ACCESS PORT for wat.

FLOWMETER installation poss.

FOLLOW-UP DATE (folup_date) 1999

METER (1)

YES NO

YES NO

YES NO

YES NO

OWNER/OPERATOR INFORMATION

OWNER (name) Fernando Gonzales #152 PHONE 234 2329
ADDRESS 2002 Big Sky Rd Bcatello CEL PHONE _____
OPERATOR (contact) _____ PHONE _____
ADDRESS _____ CEL PHONE _____

FROM WATER MEASUREMENT
DISTRICT RECORDS

✓ * Please update Dbase

PUMPING PLANT SKETCH

VALVE = 

CHECK VALVE = 

AIR VAC = 

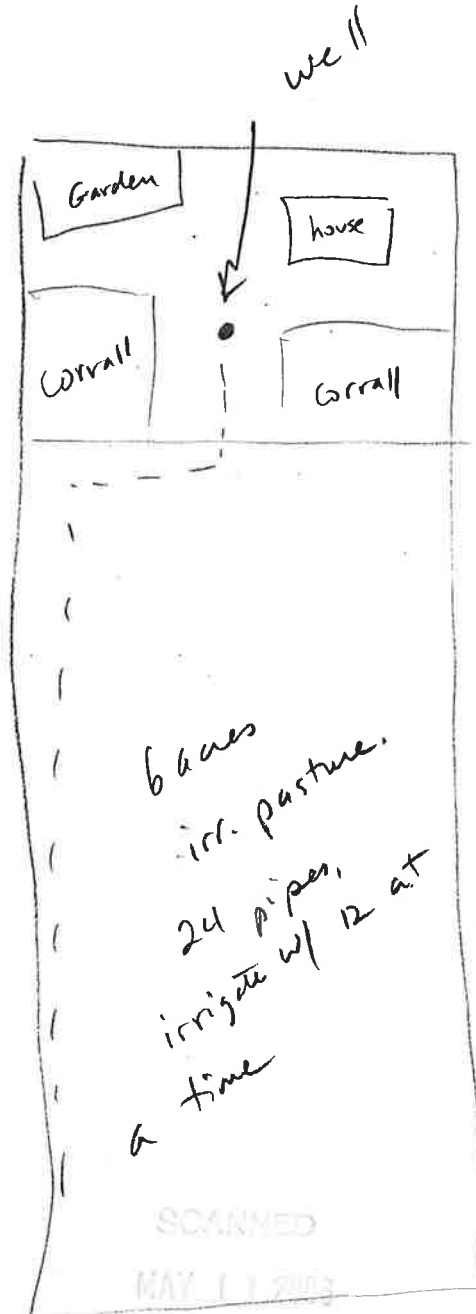
PRESS. RELIEF = 

INDIVE/UPDIVE = 

HOSE BIB = 

PRESS. GAGE = 

WELL ACCESS = 



 FROM WATER MEASUREMENT
 DISTRICT RECORDS

SCANNED

MAY 11 2003

WELL/PUMP INFORMATION:

DEPTH OF WELL: _____ DEPTH OF BOWLS: _____

WATER LEVELS:

PRE-SEASON STATIC: _____ DATE MEAS: _____
(swl_pre) (swlpredate)DURING-SEASON STATIC: _____ DATE MEAS: _____
(swl_mid) (swlmiddate)POST-SEASON STATIC: _____ DATE MEAS: _____
(swl_post) (swlpstdate)DYNAMIC WATER LEVEL: _____ DATE MEAS: _____
(pmpng_wl) (pwl_date)

DOES STATIC WATER LEVEL DROP OR RISE OVER SEASON? YES NO

DOES ANOTHER WELL SPECIFICALLY INTERFERE WITH THIS WELL? YES NO

PUMP AND MOTOR INFORMATION:

WELL MOTOR

MFG: _____

SERIAL: _____

HP: _____ 5 _____

BOOSTER 1 MOTOR

MFG: _____

SERIAL: _____

HP: _____

BOOSTER 2 MOTOR

MFG: _____

SERIAL: _____

HP: _____

WELL PUMP

MFG: _____

SERIAL: _____

TYPE: _____ VERT T CENT SUBMER
(pump_type) (v) (c) (s)

BOOSTER 1 PUMP

MFG: _____

SERIAL: _____

TYPE: _____ VERT T CENT SUBMER

BOOSTER 2 PUMP

MFG: _____

SERIAL: _____

TYPE: _____ VERT T CENT SUBMER

UTILITY KWH METER INFORMATION:

UTILITY: _____
(utility)POLE #: _____
(pole_no)

MAX KW DEMAND _____

KILOWATT HRS _____
(kwh_1)

(use date of exam for "kwh1_date")

UTILITY ACCOUNT NUMBER _____
(acct_no)KWH METER SERIAL: _____
(pwrmttr_sn)METER MFG: _____
(pwrmttr_mfg)Kh DISK CONSTANT _____
(kh)MULTIPLIER _____
(disk_mult)*****
FROM WATER MEASUREMENT
DISTRICT RECORDS

MAY 11 2006

SYSTEM DESCRIPTION/NARRATIVE COMMENTS:

SYSTEM TYPE handline
(system_type)

COMMENTS TO DATA-ENTER (exam_notes): 2 pumps in well, one for house, 1 for irr. Runs 12 pipes at a time, is willing to keep records. Recommend record keeping for irrigation, don't worry about meas. household use.

FILE-ONLY COMMENTS:

Action

- 1) Please send Mr. Gonzales a copy of this exam.
- ✓ 2) Please update address on database so Mr. Gonzales receives mailings.
- ✓ 3) Add to summertime pump card list. On sample card request tracking of # pipes running and operating hours.
- 4) Give exam back to Bryce to look up flow from permit exam done last summer.

FROM WATER MEASUREMENT
DISTRICT RECORDS

I certify that the above information is true and correct to the best of my knowledge and ability and the measurements taken and recorded are in accordance with the standards and specifications of the equipment used.

Signature

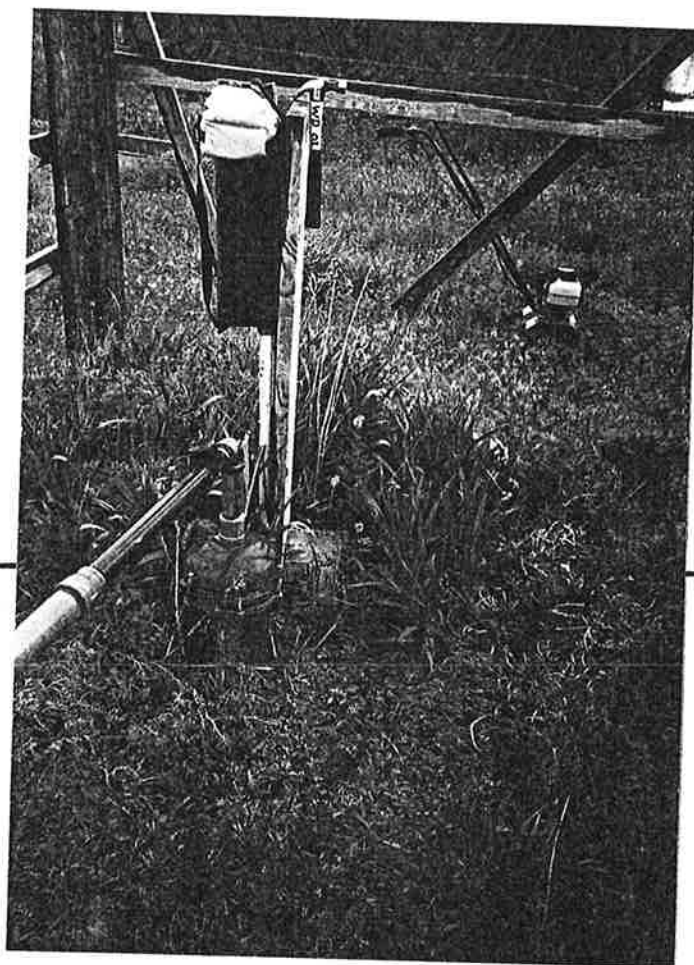
Bryce A. Contor

Date

5/13/98

SCANNED

MAY 11 2003



FROM WATER MEASUREMENT
DISTRICT RECORDS

SCANNED
MAY 11 2000

PERMIT
NUMBER

NAME_1	FERNANDO B & IRENE GONZALES	ADRES_ID	152
		POD	06S 33E 17 NWNE
NAME_2	STAR RT. BOX 67A	DIV_RATE	0.12
		UNITS	CFS
ADDRESS_1		SURF_FLG	
		CONTACT	
ADDRESS_2		COMMENTS	
CITY	POCATELLO		
ST	ID		
ZIP	83202	SITE_VISIT	
PHONE	2082342329	EXAMINER	
REGPOD98	1	SITE_TAGNO	
RECNO	200569		
WRNUMBER	29-07984		

5/8/98 2045 Mrs Gonzales

2002 Big Sky Rd From Syphon turn to Big Sky Rd →
go South - East side -

2002 on mail box 1 FB Gonzales -
across street from Green Quonset Cellar
little dirt road - double-wide -
line out in field wait to get dig

FROM WATER MEASUREMENT
DISTRICT RECORDS

SCANNED

MAY 11 2003

SCANNED

MAY 14 2001

Log for claim A29-07984

Spatial Dynamics AMH

7/18/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06s33e	17	NWNE	8	6.3	
Totals:			8	6.3	

AJ5809NP
No. A29-07984

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/23/00
PAGE: 79

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	IRENE H GONZALES	04/23/1990	IRRIGATION	03-15 11-15	0.120 CFS	
C	FERNANDO B GONZALES 2002 BIG SKY RD POCATELLO ID 83204 (208) 234-2329			TOTAL DIVERSION:	0.120 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion:

T06S R33E S17

NWNE

POWER County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE								
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
06S	33E	17	:	08	:				:					:					:	8.0
																			TOTAL ACRES	8.0

POU County: POWER

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-10911 A29-07238 A29-10911

Other Water Rights Listing Overlapping Place(s) of Use:
A29-07238 A29-07575

Conditions of Approval:

- 048 - The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
- 049 - The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
- 046 - Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- 03A - The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

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

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

Audit: 04/07/98 GTAYLOR

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 29-07984

Proposed Priority: April 23, 1990 Maximum Diversion Rate: 0.12 CFS

This is to certify, that **FERNANDO B. GONZALES**
IRENE GONZALES
STAR RT. BOX 67A
POCATELLO, ID 83202

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	0.12 CFS

LOCATION OF POINT(S) OF DIVERSION: NWNE Sec. 17, Township 06S, Range 33E
POWER County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06S 33E 17	NWNE 8			8

Total number of acres irrigated: 8

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **October 1, 1991**.
2. Subject to all prior water rights.
3. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
4. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

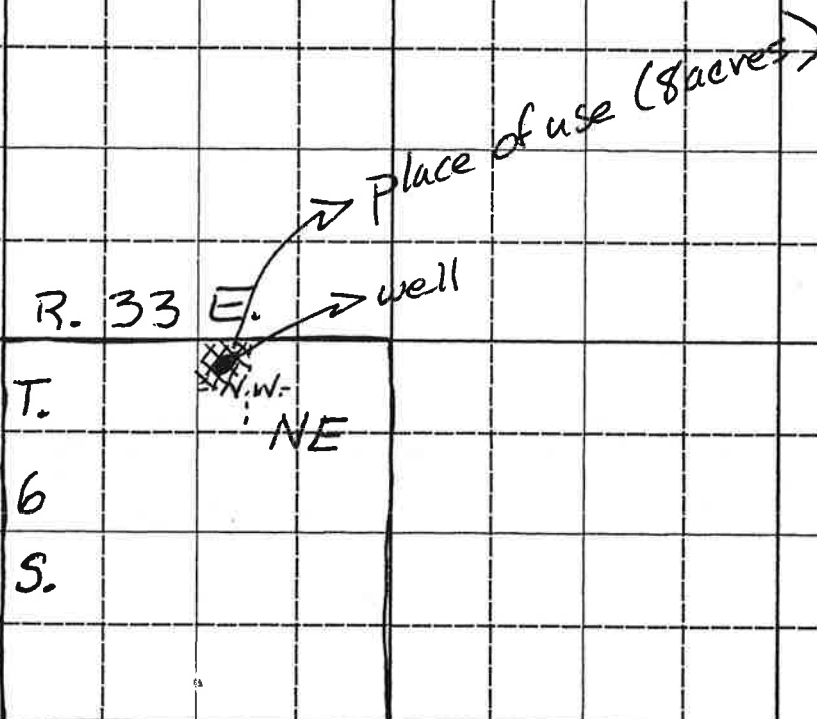
21st day of September, 1990

MICROFILMED

OCT 16 1990

R. Keith Higginson
R. Keith Higginson, Director

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



MICROFILMED

OCT 15 1990

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:

Fernando B. Gonzalez
(Applicant)
Ismael H. Gonzalez

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Fernando B. Gonzales & Irene Gonzales Phone (208) 234-2329
Post office address Star Route Box 67A Pocatello, Idaho 83202
2. Source of water supply Ground Water which is a tributary of N/A
3. Location of point of diversion is _____ $\frac{1}{4}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot _____
Sec. 17 Township 6 South Range 33 E B.M. Power County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .12 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 is (a) .12 and/or (b) 16 N/A
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. 80' deep, 8" wide well with
5 h.p. pump
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c. Proposed well diameter is 8 inches; proposed depth of well is 80 feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? NO
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
ALREADY COMPLETED years (minimum 1 year).
1

MICROFILMED

OCT 16 1990

SCANNED

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: A29-07984

Date Received: 4/ 6/1998

Receipt No: E024028

Received By: BY

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: IRENE H GONZALES 208-234-2329
Address: 2002 BIG SKY RD
POCATELLO ID 83204

AND/OR

Name: FERNANDO B GONZALES 208-234-2329
Address: 2002 BIG SKY RD
POCATELLO ID 83204

2. Date of Priority: APR 23, 1990

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	33E	17	NW	NE			POWER

5. Description of diverting works:

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 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	33E	17	NW	NE		IRR	8.0

A2907984

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	8.0
					Total Acres	8.0

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:

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): Fernando B. Gonzalez Date: 4-6-98

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 6th day
of April 19 98

Jennifer Hoagland
Notary Public



Residing at Idaho Falls Id
My Commission Expires 9/23/03