

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-10087 V1

WATER RIGHT NUMBER: 29-10087 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JAN MATKIN 744 S HAYES POCATELLO, ID 83204 (208)233-2758
Current Owner	ANDREW K MATKIN 744 S HAYES POCATELLO, ID 83204 (208)233-2758

Priority Date: 04/01/1959

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
CITY CREEK	PORTNEUF RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.030 CFS	
	<u>Total Diversion:</u>	0.030 CFS	

Location of Point(s) of Diversion

CITY CREEK	SE1/4SE1/4NW1/4	Sec. 35, Twp 06S, Rge 34E, B.M.
BANNOCK County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	34E	35								.2									.2

Total Acres: 0.2

Conditions of Approval:Remarks:

1. Explanatory PROPERTY IS ALSO KNOWN AS LOTS 13 AND 14, BLK 496 POCATELLO TOWNSITE.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-10087 V1

Comments:

1. ecarlsen 9/20/2002 POD, POU

Comment: Roger Warner and I visited the POD and POU on 9/19/2002. There is a concrete culvert with a metal slide gate at the POD. The ditch is approximately 6"X6" and goes thru a culvert under Hayes St. Historically several lots were likely irrigated with this water. Today only the lot owned by the claimant continues to be irrigated with this water. The other lots are irrigated with city water.

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: OR
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>
Priority Date	9/20/2002 9:35:58 AM	ecarlsen			Active
POD	9/20/2002 9:37:14 AM	ecarlsen			Active
Source	9/20/2002 10:07:26 AM	ecarlsen			Active
Use	9/20/2002 10:13:11 AM	ecarlsen			Active
Quantity	9/20/2002 11:13:22 AM	ecarlsen			Active
Summary			09/20/2002	ecarlsen	Active
POU	9/20/2002 11:20:19 AM	ecarlsen			Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	9/20/2002 9:37:15 AM	ecarlsen	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (No) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POD	9/20/2002 9:49:11 AM	ecarlsen	Edited point location
POU	9/20/2002 10:20:34 AM	ecarlsen	Edited shape boundary

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-10087 V1

Priority Date	9/20/2002 9:35:59 AM	ecarlson	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date claimed after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Affidavit from Doris Scott. Her parents purchased property in 1952 and City Creek was already being used to irrigate property. Doris lived on the property.
Source	9/20/2002 10:07:27 AM	ecarlson	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (No) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Field inspection conducted by Ernie Carlsen and Roger Warner on 9/19/2002.
Use	9/20/2002 10:13:12 AM	ecarlson	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (No) 8. Does the change include an enlargement of the Purpose of Use? (No) 12. Did the claimant file a transfer? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 8 - There was no evidence of stockwater use. Lot is only 0.2 acres in size. Description for Question 10,11,12 - Field inspection conducted by Ernie Carlsen and Roger Warner on 9/19/2002. Claimant not home spoke with neighbors.

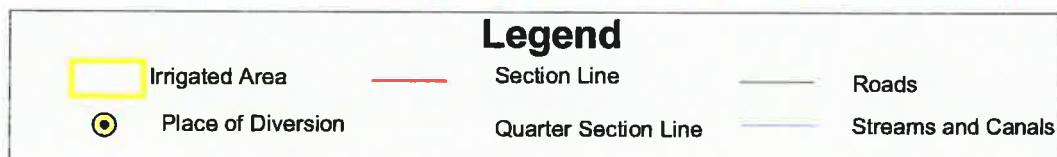
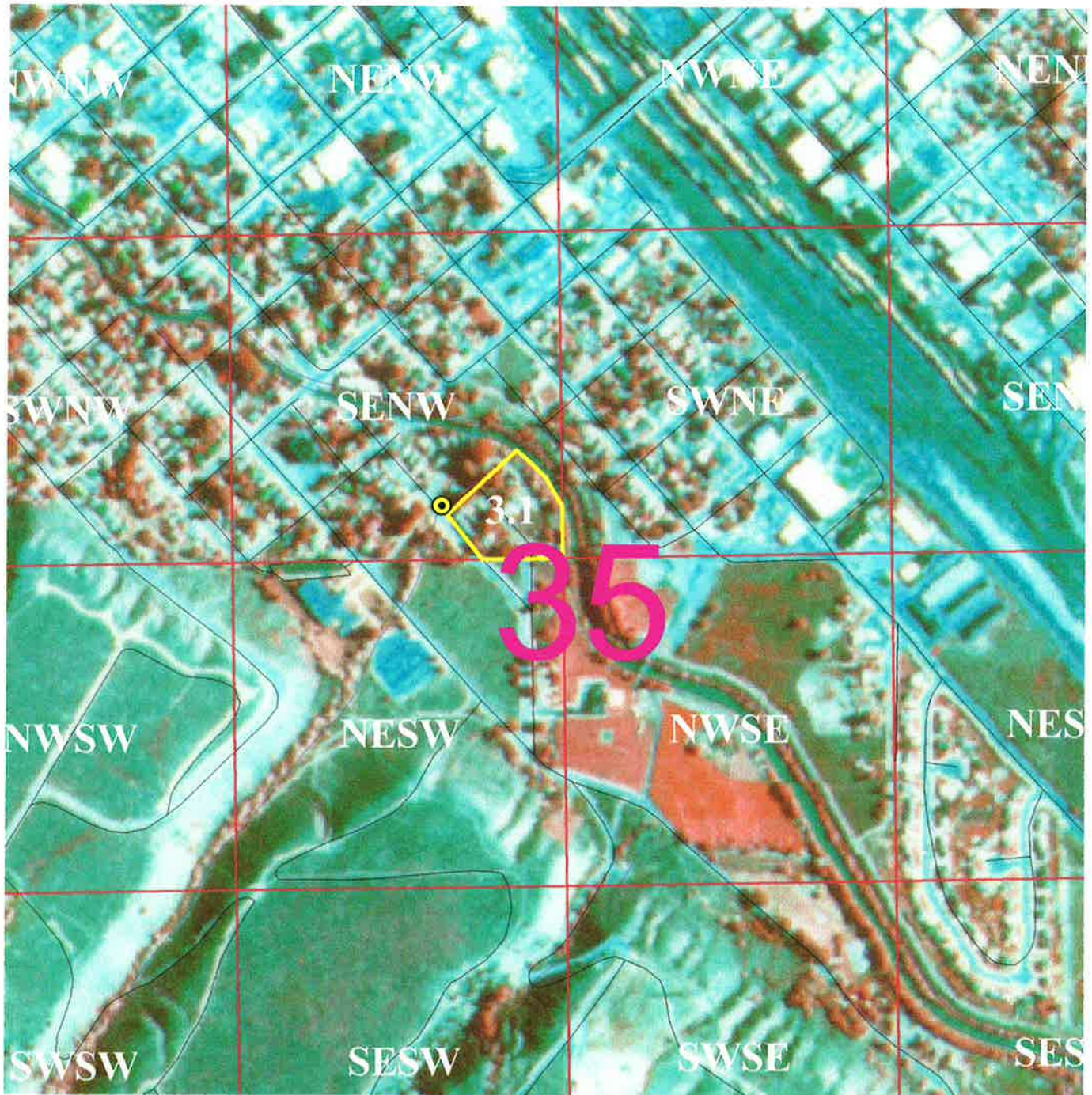
IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-10087 V1

Quantity	9/20/2002 11:13:23 AM	ecarlson	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required?
Summary	9/20/2002 11:18:11 AM	ecarlson	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (No) 7. Is this a split or combined right? (No) 8. Do you have documents you would like to attach or link to the file? (Yes) 9. Would you like to set the verification date?
POU	9/20/2002 11:20:20 AM	ecarlson	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (No) 13. Does the file contain all the necessary information to verify the POU? (Yes) 14. Is a POU remark and/or condition required? Description for Question 13 - FIELD INSPECTION CONDUCTED BY ERNIE CARLSEN AND ROGER WARNER ON 9/19/2002.

Water Right Claim Number A29-10087
Township , 6S34E

09/25/2000





Department of Water Resources

Claim No.: 29-10087

Twps 06S, Rge 34E, Section 35

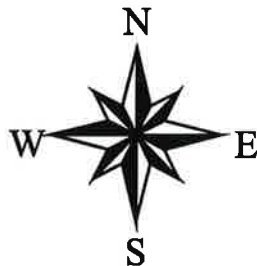


0 1320 2640 Feet

SCANNED

JUN 08 2006

Irrigated Acres = 0.2



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepare by: E. Carlsen
Date: September 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 13, 2002

MARKUS J LEER
744 S HAYES AVE
POCATELLO ID 83204

RE: CHANGE IN OWNERSHIP FOR 29-10087

Dear Mr. Leer:

It has come to our attention that you may have recently purchased a tract of land in Bannock County. According to our records, the property to which I am referring to was most recently owned by Andrew and Jan Matkin. The legal description is as follows:

T06S R34E S35 SE1/4 NW1/4

This property was filed on in the Snake River Basin Adjudication (SRBA). IDWR is currently in the processing of reviewing the Adjudication claims in basin 29. We recommend that if, in fact, you now own the property in question, and do use the water for the purposes claimed, you file a "Change in Ownership" with this department in order that we may send all further correspondence to the appropriate owner(s).

Enclosed is a Change in Ownership form. Please fill out the form completely, sign and date it and return it to my attention along with a "copy" of your Warranty Deed and legal description of the property you have purchased.

If you have any questions regarding this matter, please call 334-2190.

Respectfully submitted,

Craig L. Saxton
Water Resource Agent
Enclosure(s)

PROFILED

SCANNED

JUN 08 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 24, 2002

MARKUS LEER
744 S HAYES
POCATELLO ID 83204

RE: NOTICE(S) OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE(S) OF CLAIM TO A WATER RIGHT 29-10087

Dear Mr. Leer:

The request for Change of Water Right Ownership concerning the above-referenced Notice(s) of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with listing the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Respectfully yours,

Jennifer Crabtree
Technical Records Specialist

Enclosure

WARRANTY DEED

NO 20019905
 RECORDED AT REQUEST
 FIRST AMERICAN TITLE
 2000 DEC 11 PM 2 56

For Value Received FEDERAL NATIONAL MORTGAGE ASSOCIATION REO#L003437

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

MARKUS J. LEER, AN UNMARRIED PERSON

whose address is: , 744 SOUTH HAYES AVENUE - POCATELLO, IDAHO 83204

Hereinafter called the Grantee, the following described premises situated in Bannock County, Idaho, to-wit

LOTS 13 AND 14, AND THE SOUTH 2 FEET OF LOT 15, BLOCK 496, POCATELLO TOWNSITE, BANNOCK COUNTY, IDAHO, AS THE SAME APPEARS ON THE OFFICIAL PLAT THEREOF.



RECEIVED
 SEP 23 2002
 Department of Water Resources
 Eastern Region

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: December 7, 2000

FEDERAL NATIONAL MORTGAGE ASSOCIATION REO#L003437

BY: 

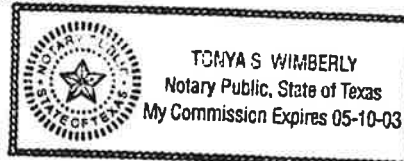
Tony Fortner
 Vice-President

STATE OF Texas

COUNTY OF Dallas ss.

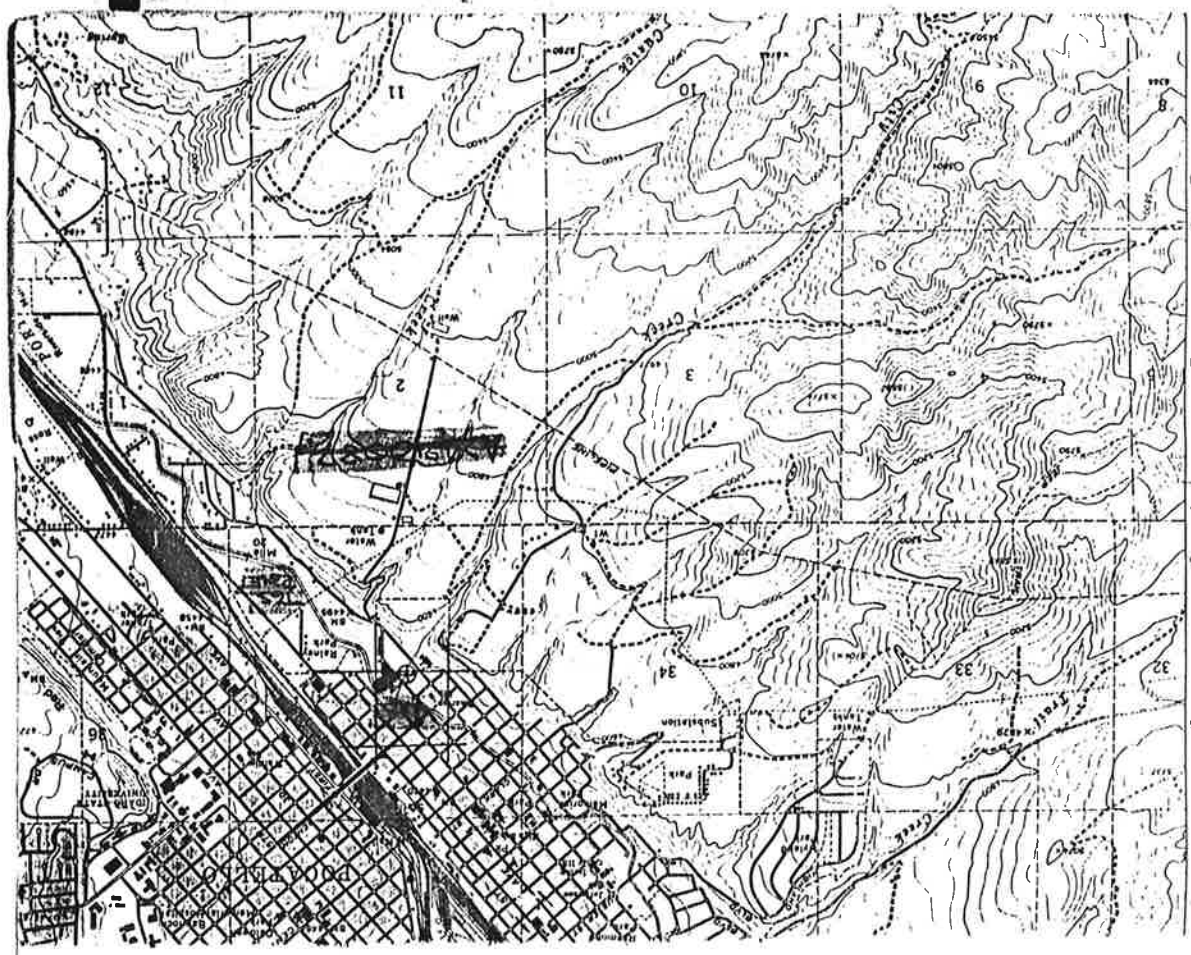
On this 8th day of December, 2000, before me, personally appeared Tony Fortner, known or identified to me (or proved to me on the oath of), to be the president, or vice president, or secretary or assistant secretary, of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

Notary Public
 Residing at
 Commission Expires:



32x10

25x10



1101 0000 0000

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT

(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation		
Stock		
Domestic		
Other		
Total		

DESCRIPTION OF YOUR PORTION OF WATER RIGHT

(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation		
Stock		
Domestic		
Other		
Total		

7. Signature of New Owner(s) or Claimant(s) Markus Leen
(include title if applicable)

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by

Date

Fee

Receipted by

Date

Receipt No.

Processed by

AJ

Date

WR

Date

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

29-10087

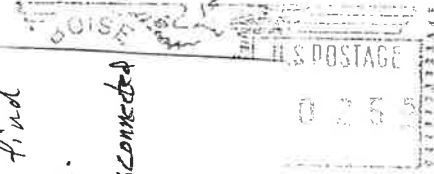
RECEIVED
AUG - 17

Department of Water

Jan Mathis
1412 E Alameda Rd
Pocatello ID 83204

232-4915

I called - no one home
I think this is a
Slim Chance.
Post office sticker says
"Temporary Away", maybe
Address is still good.
However, couldn't find
it in phone book.
- PH# on claim disconnected
too.



VED

2001

Resources
glon

04 07/30/01

AUMS 8/22/003E



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 29



RIGHT ID
POD ID
Quad
Claim Type
Easting
Northing
GPSID

Diversion Description

Water meter in front of house. No indication of well on property.
Claimant phone number is disconnected.

Assumptions

POD is abandoned.

Invoice

2000-037-01-0

Phase-0 (No Attention)
Phase-I (Ready to Go to Field)
Phase-II (Site Visit - Data Missin
Phase-III (Complete w/issues)
Phase-IV (Total Complete)

Linked

Photos

EPE (ft)

Date (M/D/Y)

Time

Flow Rate (CFS)

0

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

- ☐ Less than half full
☐ Half full
☐ More than half full
☐ Full

Diameter

Depth

☐ Rectangular Channel

Width

Depth

Flow Calculation

☐ Continuity

Velocity

☐ Orifice

(Use only for head over a pipe flowing full with free discharge)

Depth of Water above orifice centerline

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe

Width of weir

☐ Manning (If used, include photo of representative channel section)

Channel Slope

Channel Description

Concrete lined	.016
Smooth earth	.025
Earth	.033
Rough bed, weeds on sides	.04
Smooth natural stream	.033
Rough natural stream	.1

Pumped System

HP

Pressure Head (psi)

Elevation Head (ft)

Motor Mfg

Motor Serial #

Pump Type

Pump Mfg

Pump Serial#

New Contact Information

New Contact Comments

This Form and the associated query are the exclusive intellectual property of Intrepid Engineering Services, and may not be copied, modified, or distributed without the express written consent of Intrepid Engineering Servics, Inc.

9-13-02 : NCO - Markus J. Lee
744 S Hayes Ave
Pocahontas ID 83204
= Not in phone book

Phone 234-1691 (h)

: Phone Not in Guest Book.

N 1/2 0626794 point is 50' west of pod.
0196129.

P.O. concrete culvert with metal slide gate.
open ditch 6" wide x 6" deep to property.

prior if date ~~not~~ should be amended to 1952.

Resumed only 1 lot

Bruce Macbush
233-9360



AKA - lots 13 & 14 B/L 496
Pocahontas Townsite

- 6" x 6" D.I.D.





0000 0000 0687

Mr. Carlson, Evidence of Priority 2-1-95

As a boy I grew up and played in this neighborhood. I have personal knowledge of this water being used for over 30 years by Joe Palmer and his family at 744 So. Hayes in Pocatello. I also have been using this water since 1987 when I bought the property.

Jan Matkin

Andy K. Matkin
Jan Matkin

SUBSCRIBED AND SWORN TO BEFORE ME THIS 14TH DAY OF FEBRUARY 1995.

NOTARY: *Melanie Johnson*
RESIDING: *Pocatello*
MY COMMISSION EXPIRES: *10-20-99*

SUBSC
199

25x10

32x10

0000 0000 0688

Feb. 1, 1985

to whom it may concern:

When my parents Joseph H. Palmer and Lillian Palmer bought the property at 744 So. Hayes, Pocatello, Idaho in 1952 they had use of the water from City Creek to irrigate their yard and garden. My father continued to maintain City Creek until his death Sept. 12, 1971. My mother continued using the water until her death Dec. 16, 1986.

The property was sold Oct. 15, 1987 to Joanne Ann Sieble.

I have personal knowledge of the above statement.

SUBSCRIBED AND SWORN TO BEFORE ME THIS 14TH DAY OF FEBRUARY 14TH 1985

NOTARY: Melvin Johnson
RESIDING: Pocatello
MY COMMISSION EXPIRES: 10-20-99

Doris M. Scott

Doris M. Scott
345 N. Johnson
Pocatello, Idaho
83204

Evidence of Priority
Re: Jan + Andy Matkin
744 So. Hayes
Pocatello, Ida.
83204

Avelly K. Matkin
Jan Matkin

25x10

32x10

SCANNED

JUN 15 2001

Log for claim A29-10087

Spatial Dynamics LTD

9/25/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06s34e	35	SENW	1	3.1	Indiscernible
Totals:			1	3.1	

AJ5809NP
No. A29-10087

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/24/00
PAGE: 142

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JAN MATKIN	04/01/1959	IRRIGATION	03-15 11-15	0.030 CFS	
C	ANDREW K MATKIN		STOCKWATER	03-15 11-15	0.020 CFS	
	744 S HAYES					
	POCATELLO ID 83204					
	(208) 233-2758					
				TOTAL DIVERSION:	0.050 CFS	
				CONSUMPTIVE USE:		2.50 AFA

Water Source: CITY CREEK

Tributary to: PORTNEUF RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion:

T06S R34E S35

SESENW

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
06S	34E	35	:																	:	1.0
																				TOTAL ACRES	1.0

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
06S	34E	35	:																	:	

POU County: BANNOCK

Non-Irrigation Uses: S/FOUR HORSES.

Other Rights: N/A

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 11/14/89 MEYER 07/29/94 THOMPSON 03/29/95 POST-STD

Mr. Carlson, Evidence of Priority 2-1-95

As a boy I grew-up and played in this neighborhood. I have personal knowledge of this water being used for over 30 years by Joe Palmer and his family at 744 So. Hayes in Pocatello. I also have been using this water since 1987 when I bought the property.

Jan Matkin

Audrey K. Matkin
Jan Matkin

SUBSCRIBED AND SWORN TO BEFORE ME THIS 14TH DAY OF FEBRUARY 1995.

NOTARY: Melonie Johnson

RESIDING: Pocatello

MY COMMISSION EXPIRES: 10-20-99

MICROFILMED

NOV 13 1999

Feb. 1, 1995

to whom it may concern:

When my parents Joseph H. Palmer and Lillian Palmer bought the property at 744 So. Hayes, Pocatello, Idaho in 1952 they had use of the water from City Creek to irrigate their yard and garden. My father continued to maintain City Creek until his death Sept. 12, 1971. My mother continued using this water until her death Dec. 16, 1986.

The property was sold Oct. 15, 1987 to Joanne Van Sickle.

I have personal knowledge of the above statement.

SUBSCRIBED AND SWORN TO BEFORE ME THIS 14TH DAY OF FEBRUARY 14TH 1995.

NOTARY: *Melinda Johnson*
RESIDING: Pocatello
MY COMMISSION EXPIRES: 10-20-99

Doris M. Scott

Doris M. Scott
305 N. Johnson
Pocatello, Idaho
83204

Evidence of Priority
Re: Jan + Andy Matkin
744 So. Hayes
Pocatello, Ida.
83204

Andy K. Matkin
Jan Matkin
NOTARIALIZED
NOV 13 1999

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 29-10087
Date Received: 10/10/1989
Receipt No: E010986
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

MARKUS LEER Phone: (208)251-1246
744 S HAYES
POCATELLO ID USA 83204

2. Date of Priority: 04/01/1959

3. Source: CITY CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06S	34E	35	SE SE NW	BANNOCK	

5. Description of diverting works:

HAEDGATE TO DITCH TO PLACE OF USE FOR IRRIGATION AND STOCKWATER.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.03	
STOCKWATER	3/15	11/15	0.02	

7. Total Quantity Appropriated is:
0.05 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
06S	34E	35	SE NW SE NW	IRRIGATION STOCKWATER	1

Section Acres 1

Total Acres 1

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:

14. Remarks:

15. Basis of Claim: Beneficial Use

JUN 15 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: A29-10087

Date Received: 10/10/1989

Receipt No: E010986

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ANDREW K. MATKIN
Address: 744 SO. HAYES
POCATELLO, ID

83204

208-233-2758

OR

Name: JAN MATKIN
Address: 744 SO. HAYES
POCATELLO, ID

83204

208-233-2758

Disconnected

A2910087



2. Date of Priority: APR 01, 1959

3. Source: CITY CREEK

Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	34E	35	SE	SE	NW		BANNOCK

5. Description of diverting works:

HAEDGATE TO DITCH TO PLACE OF USE FOR IRRIGATION AND STOCKWATER.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.030		
STOCKWATER	03/15	11/15	0.020		

7. Total Quantity Appropriated is:

0.050 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

2.5 Acre Feet Per Annum.

9. Non-irrigation uses:

S/FOUR HORSES.

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Page

1

Date: 11/14/89

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	34E	35	SE	NW		IRR	1.0
			SE	NW		STOCK	

Section Acres 1.0

Total Acres 1.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
N/A

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

D. D. LINE APRIL 19, 1990 \$51.00

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number A29-10087

Date Received 10-10-89

Receipt Number E010986

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

OCT 10 1989

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) ANDREW K. OR JAN MARLIN Phone (208) 233-2758
Mailing Address 744 So. HAWES, TOSCALO ID Zip 832042. Date of Priority (Only one (1) per claim) 04/01/19593. Source of water supply (a) CITY CREEK
which is tributary to (b) PORTNEUF RIVER4. a. Location of existing point of diversion is: Township 6S Range 34E Section 35,
SE 1/4 of SE 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of BANNOCK

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.HEADGATE TO DITCH TO PLACE OF USE FOR IRRIGATION &STOCK WATER

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 03/15 to 11/15 amount 0.05 or _____

For STOCKWATER purposes from 03/15 to 11/15 amount 0.02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.05 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 2.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) S/ THREE HORSES

10. Description of place of use:

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

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				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	
06S	34E	35			A.M.	1.0/5				1.0/5									1.0

Total number of acres irrigated 1.0

11. In which county (ies) are lands listed above as place of use located? BAUNOCH

12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

or None (X)

14. Remarks: _____

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Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) ☒ Andy K. Matkin Date 8/23/89

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____

_____ Title _____ of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)

County of BONNEVILLE) SS.

Subscribed and sworn (or affirmed) before me this 23 day of AUG 19 89

SEAL

Notary Public [Signature]

Residing at IDAHO FALLS

My Commission Expires 9-12-94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

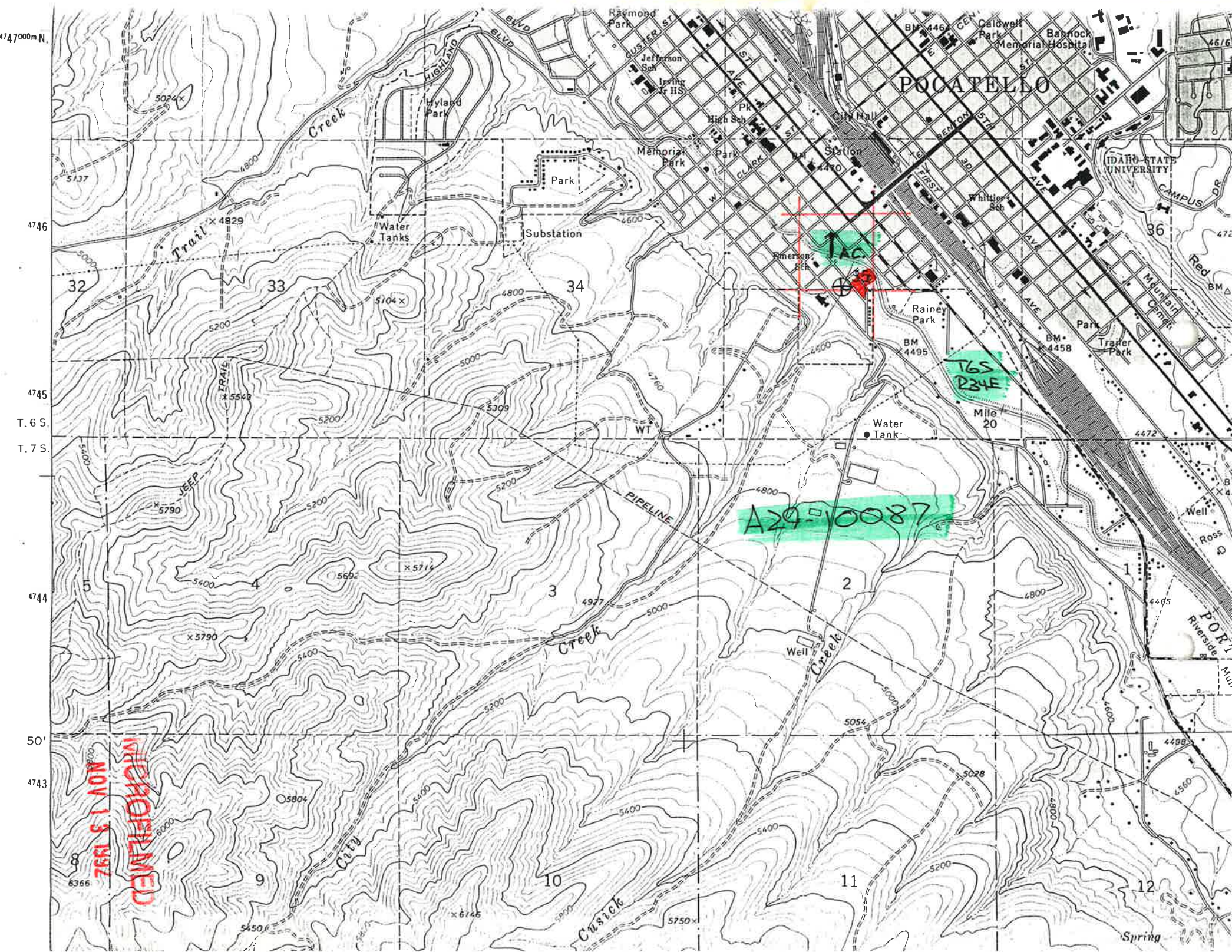
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Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

4747000m N.



POCATELLO

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T6S
P34E

TAC

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