

10/31/2002

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

RIGHT NUMBER: 29-10496

NAME AND ADDRESS: MARCIA PERMANN
2918 COLD CREEK RD
AMERICAN FALLS ID 83211

LANNY N PERMANN
2918 COLD CREEK RD
AMERICAN FALLS ID 83211

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS
1.400 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 08/15/1974

POINT OF DIVERSION:

T08S R31E S18 SESESE Within POWER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.010 CFS 0.20 AFY
DOMESTIC	01/01 12/31	0.040 CFS 1.20 AFY

PLACE OF USE: STOCKWATER Within POWER County

T08S R31E S18 SESE

DOMESTIC Within POWER County

T08S R31E S18 SESE

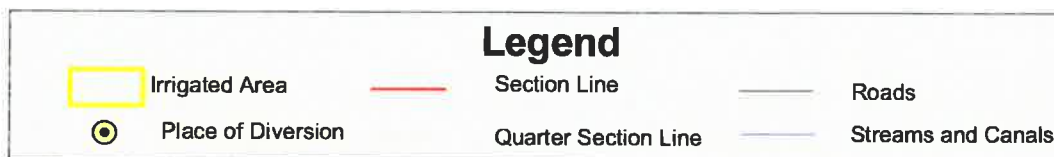
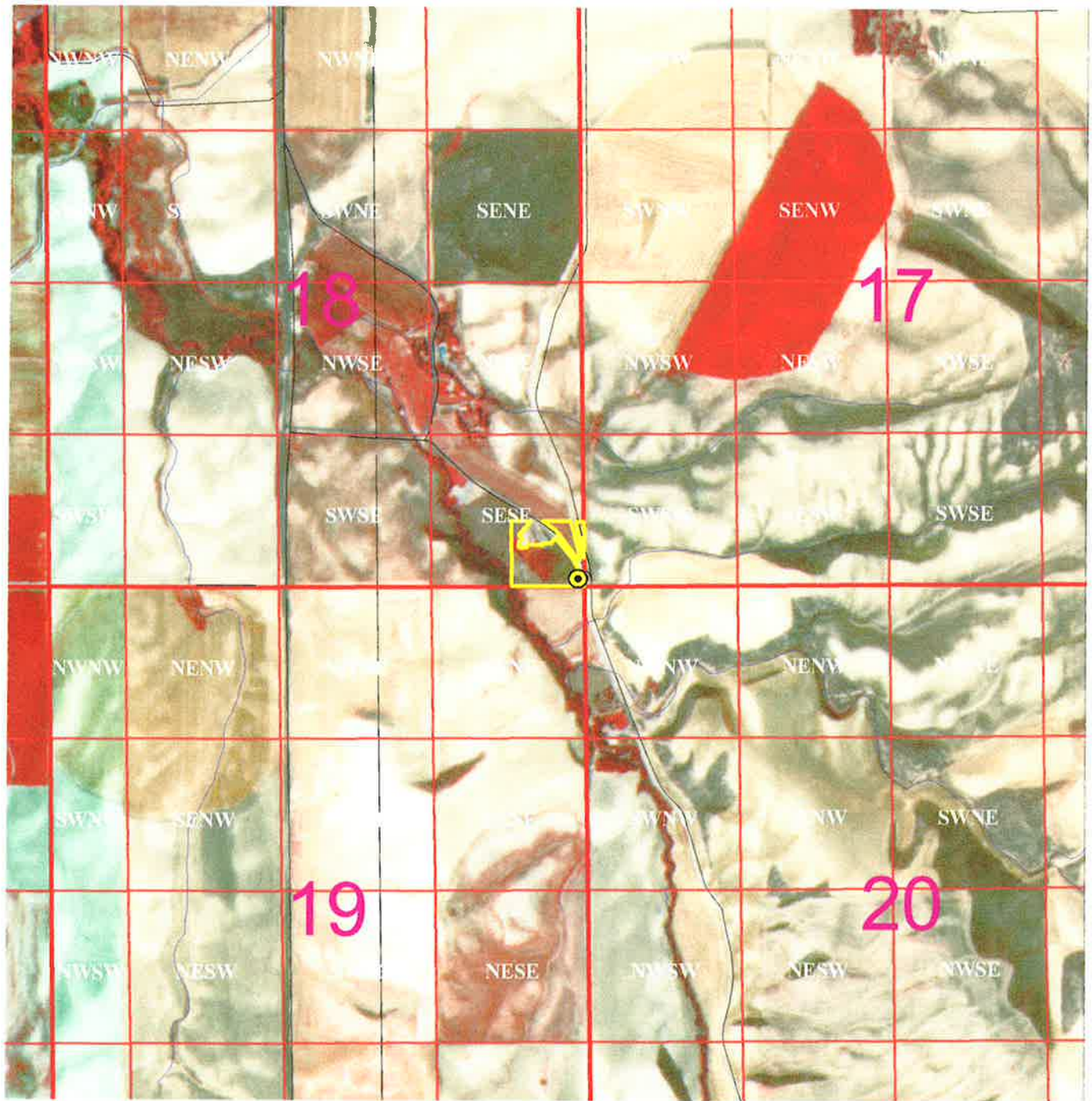
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

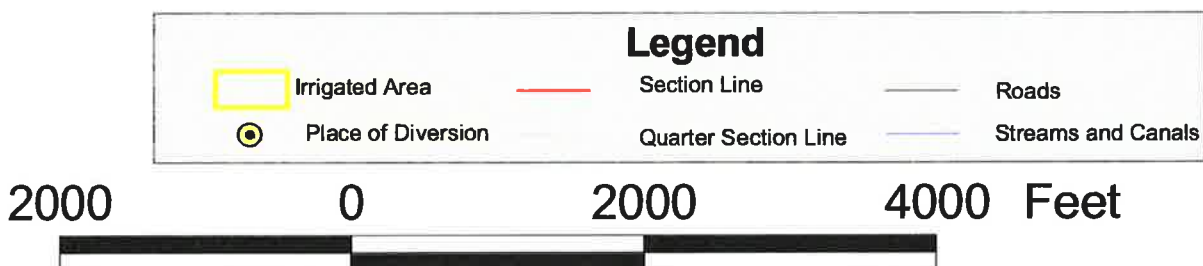
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

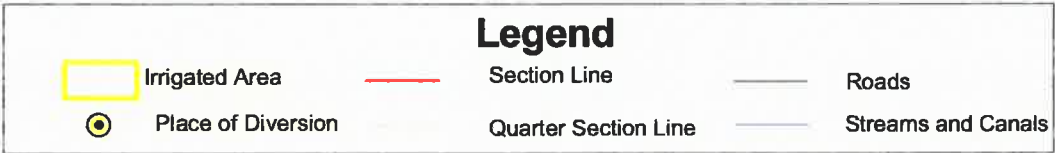
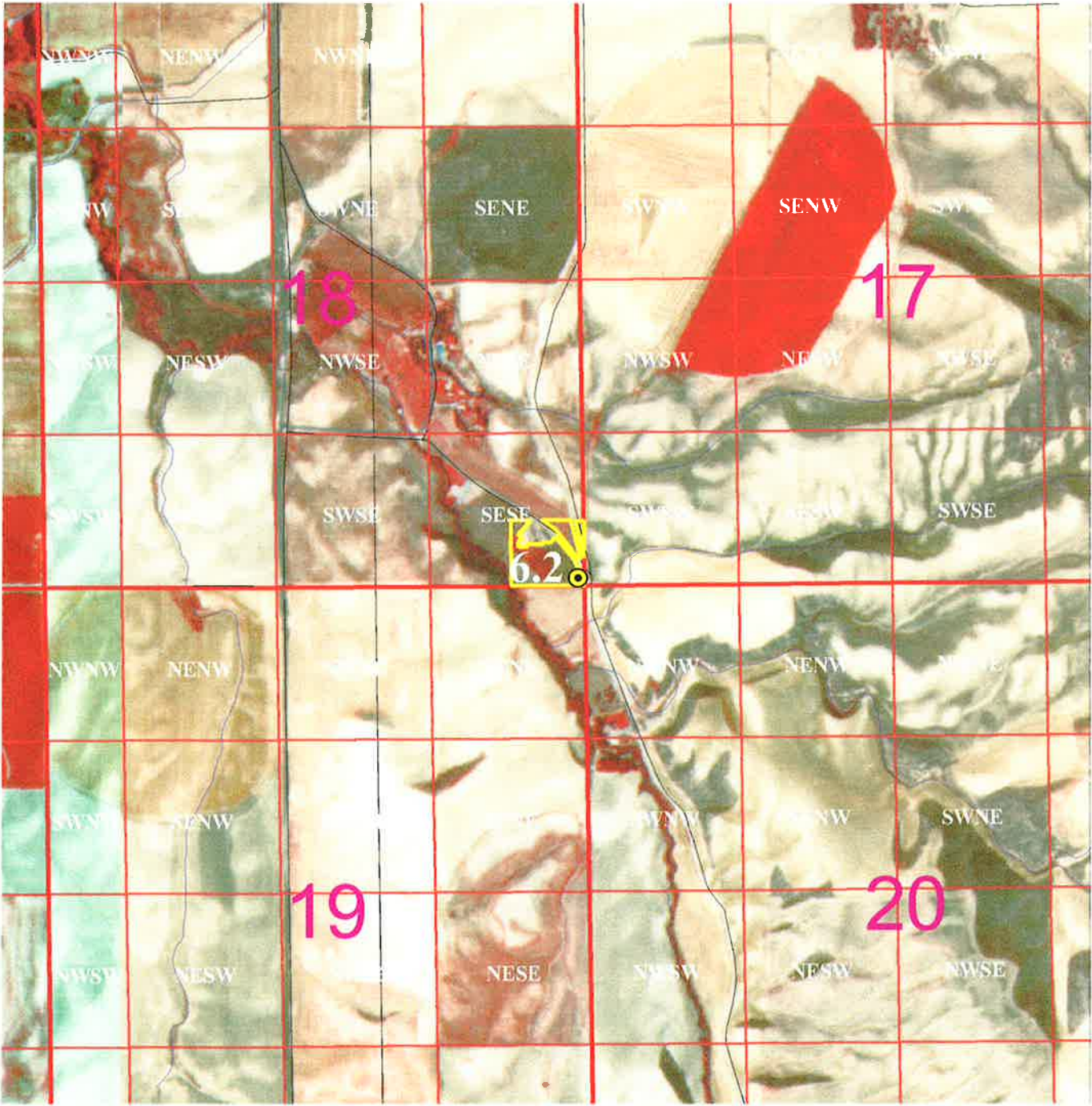
EXPLANATORY MATERIAL:

Township , 8S31E





Township , 8S31E

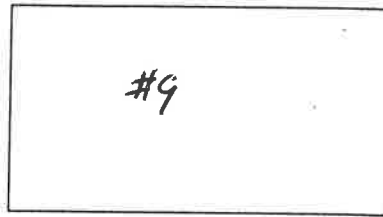


WR #: 29-10496

DATE: ~~7/20/01~~ 7/20/01

GPS File: _____ OR

Northing: _____
Easting: _____



OK CS
GPS Time
Stamp

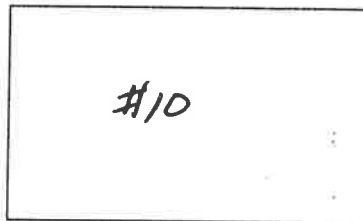
Notes: Pump Used to Irrigate Property. Green Hose Connected

WR #: 29-10496

DATE: _____

GPS File: _____ Or

Northing: _____
Easting: _____



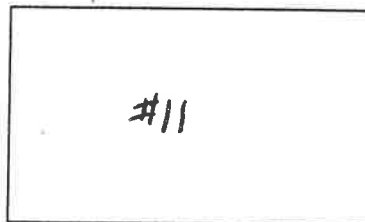
Notes: grass that is being Irrigated. Tramp and Small Pool in Picture.

WR #: 29-10496

DATE: _____

GPS File: _____ Or

Northing: _____
Easting: _____



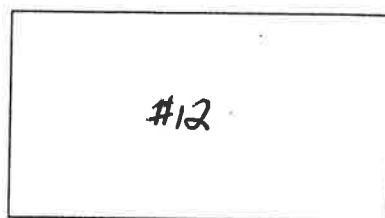
Notes: Garden being Irrigated. Gray building in background.

WR #: 29-10496

DATE: _____

GPS File: _____ OR

Northing: _____
Easting: _____



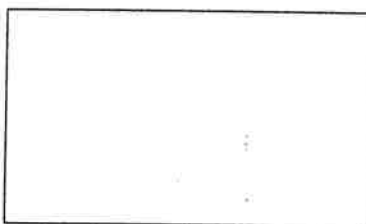
Notes: Above Property. Brother Living on property (House on Left of Picture)
Using Irrigation as well.

WR #: _____

DATE: _____

GPS File: _____ Or

Northing: _____
Easting: _____



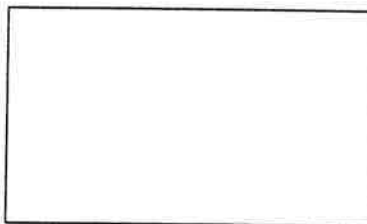
Notes: _____

WR #: _____

DATE: _____

GPS File: _____ Or

Northing: _____
Easting: _____



Notes: _____

CLAIM NO. 29 - 10494

IDWR SUPPLEMENTAL CLAIM VERIFICATION REPORT
FOR DOCUMENTING CHANGES TO CVR

1. ☒ NAME - No change
☐ NEW OWNER: _____
 (SUPPORTING DOCUMENTATION REQUIRED - ATTACH COPY)
☒ ADDRESS - No change
☐ NEW ADDRESS: _____

2. ☒ SOURCE - No change
☐ CHANGE - New source and/or tributary is: _____

3. ☐ QUANTITY - No change
☐ CHANGE - New amounts: _____ CFS and/or _____ AFY

4. ☐ PRIORITY DATE - No change
☐ CHANGE - Priority date to: _____
 (EVIDENCE OF PRIORITY REQUIRED - ATTACH COPY)

5. ☒ POINT OF DIVERSION - No Change
☐ CHANGE - New point of diversion is: T _____, R _____, S _____, _____ 1/4, _____ 1/4, _____ 1/4
When Del = _____ T _____, R _____, S _____, _____ 1/4, _____ 1/4, _____ 1/4
 (LOCATION OF POD(S) SHOULD BE SHOWN ON MAP)

6. ☐ PURPOSE AND PERIOD OF USE - No change
☐ CHANGE New purpose of use _____ New period of use _____ New amount(s) _____
 _____ from _____ to _____ cfs _____ af
 _____ from _____ to _____ cfs _____ af
 _____ from _____ to _____ cfs _____ af

7. ☒ PLACE OF USE - No change
☐ CHANGE New place(s) of use: (LOCATION(S) AND ACRES SHOULD ALSO BE SHOWN ON MAP)

T	R	S	N E				N W				S W				S E				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

REMARKS _____

CONDITIONS _____

Reviewer _____ Date 7/20/01

COMMUNICATION DOCUMENTATION

Claim No. 29-10494

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Dean Byington Date 7/20/01Contact Person(s) Lanny PermannNature of Contact Called Marcia Permann, set Appointment and met with Lanny.

Substance of Communication _____

* Irrigating Lawn, garden, and some stock.

* Brother moved in just ~~north~~ south of property. Both using same well

- Brother Irrigating Lawn only. (No stock)



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 29



RIGHT ID
POD ID
Quad
Claim Type
Easting
Northing
GPSID

Diversion Description

WELL, 460' DEEP, 8" CASING, 2 HP PUMP PIPED TO HOME, SPRINKLER, STOCK,

Assumptions

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

OD ID 200274 01.JPG

EPE (ft)

Date (M/D/Y)

Time

Flow Rate (CFS)

0.077732660781841

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

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State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

September 13, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Lanny N. Perman
Marcia Perman
2918 COLD CREEK ROAD
AMERICAN FALLS ID 83211

Re: Claim A29- 10496

Dear Water User:

Last spring I wrote you requesting additional information or documentation of the use of this water right. I need this information to make an accurate recommendation to the court in the Snake River Basin Adjudication. Because this right has never been confirmed by a court decree or a department investigation, I need documentation that the water uses were developed prior to March 25, 1963 (ground water source) or May 20, 1971 (surface water source).

Please refer to the letter and pamphlet sent last spring, and provide documentation. Remember that affidavits must clearly identify "first person" knowledge (I did..., I saw...) and clearly state when the use of water was first seen by the person.

Feel free to contact me or my supervisor Ernest Carlsen if you have questions.

Sincerely,

Bryce A. Contor
Senior Water Resource Agent

MAY 16 2001

**State of Idaho****DEPARTMENT OF WATER RESOURCES**

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNORKARL J. DREHER
DIRECTOR

April 4, 2001

Lanny N. Permann
Marcia Permann
2918 Cold Creek Road
American Falls, Idaho 83211

Re: Adjudication Claim 29-10496

Dear Water User:

Attached is a copy of an Adjudication Claim for a water right near American Falls or Pocatello, Idaho. This claim is based upon "beneficial use." This means that the underlying water right was perfected by the original user simply developing a diversion and using the right. Up until March 1963, this was a completely legal and appropriate method to perfect an irrigation right, but it did not result in a paper record of the water right with the department. Since 1963, only domestic and/or small stockwater uses could legally be developed from ground water without going through the formal permit and licensing procedures.

The file contains an affidavit from Myrle McLean verifying use back to 1974. This is adequate for the stockwater and domestic portions of the right. In order to recommend the irrigation portion of the right, I need you to supply "evidence of priority" and "evidence of beneficial use" for irrigation beginning prior to March 25, 1963. The enclosed pamphlet describes some typical sources that may be used. If an affidavit is used, it must clearly show that the person making the affidavit personally observed the water use. The more detail the affidavit gives, indicating dates, circumstances, amounts and details of water use, the better. As I review the documentation provided, my standard will be:

The documentation should tend to indicate that diversion works were in place and had adequate capacity for the claimed use. The documentation should also tend to indicate that water was applied to the claimed beneficial use on the claimed place of use.

If the use did not start until later than 1963, you may still apply for a permit for a new water right based on pre-moratorium development. You may call this office and speak to an "Allocations Agent" to explore this further.

Please review these documents, and provide documentation of the historical use of this right. Feel free to call me if you have questions. You should be able to reach me Thursday or Friday mornings.

Sincerely,

Bryce A. Contor
Senior Water Resource Agent

Log for claim A29-10496

Spatial Dynamics AMH

6/12/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
08s31e	18	SESE	6	6.2	
Totals:			6	6.2	

AJ5809NP
No. A29-10496

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/23/00
PAGE: 76

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LANNY N PERMANN	08/15/1974	IRRIGATION	03-15 11-15	0.220 CFS	
C	MARCIA PERMANN		STOCKWATER	01-01 12-31	0.020 CFS	
	2918 COLD CREEK RD		DOMESTIC	01-01 12-31	0.040 CFS	
	AMERICAN FALLS ID 83211					
	(208) 226-2097					
TOTAL DIVERSION:					0.220 CFS	
CONSUMPTIVE USE:						18.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T08S R31E S18

SESESE

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	31E	18	:					:					:					:					:		
																							06	:	6.0
																							TOTAL ACRES	:	6.0

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE													
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:		
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:		
08S	31E	18	:					:					:					:					:		
																							S	:	

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE													
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:		
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:		
08S	31E	18	:					:					:					:					:		
																							D	:	

POU County: POWER

Non-Irrigation Uses: D / 1 HOME , S / 12 BEEF CATTLE, 2 HORSES

Other Rights: NONE

Remarks: GEN NONE

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 03/12/90 HAUMANN 08/03/94 THOMPSON 03/29/95 POST-STD

Reference To:
AJ5809NP
No. A29-10496

RECEIVED

MAR 30 1995

Department of Water Resources
Eastern District Office

08S 31E 18:

Lanny N. Permann
Marcia Permann
2918 Cold Creek Rd
American Falls, ID 83211
(208) 226 - 2097

Evidence of Priority

I Myrle McLean verify as a neighbor that Lanny
and Marcia Permann use this water from priority date
of 8/15/1974 to present time of March 1995 for the
above total diversion consumptive use of 1800 A.F.A.

Signed: _____

DATED: _____

3-28-95

State of Idaho)
)ss
County of Power)

On this 28 day of March 1995, before me a Notoary
Public, personally appeared Myrle McLean known to me to
be the person whose name is subscribed to the within instrument
and acknowledged to me that he executed the same.

Rolla Ann Smith
Notary Public
My Comm. ends 12-16-2000
MICROFILMED
NOV 13 1996

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: A29-10496
Date Received: 3/12/1990
Receipt No: M006211
Received By: AWH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LANNY N. PERMANN
Address: 2918 COLD CREEK RD.
AMERICAN FALLS, ID

208-226-2097

OR

Name: MARCIA PERMANN
Address: 2918 COLD CREEK RD.
AMERICAN FALLS, ID

83211

208-226-2097

83211

2. Date of Priority: AUG 15, 1974

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S	31E	18	SE	SE	SE		POWER

5. Description of diverting works:
WELL, 460' DEEP, 8" CASING, 2HP. PUMP PIPED TO HOME, SPRINKLER, STOCK.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.020		
IRRIGATION	03/15	11/15	0.220		
			0.12		

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

A.F.A.

8. Total consumptive use is 18.0 Acre Feet Per Annum.

9. Non-irrigation uses:

D / 1 HOME, S / 12 BEEF CATTLE, 2 HORSES

A29-10496

Page

1

Date: 03/12/90

MICROFILMED

NOV 16 1992

A2910496



10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
08S	31E	18	SE		SE		IRR	6.0
			SE		SE		DOMEST	
			SE		SE		STOCK	

Section Acres 6.0

Total Acres 6.0

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:
NONE

14. Remarks:
NONE

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: 1

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): Lanny R. Purnan Date: 3-12-90
_____ Date: _____

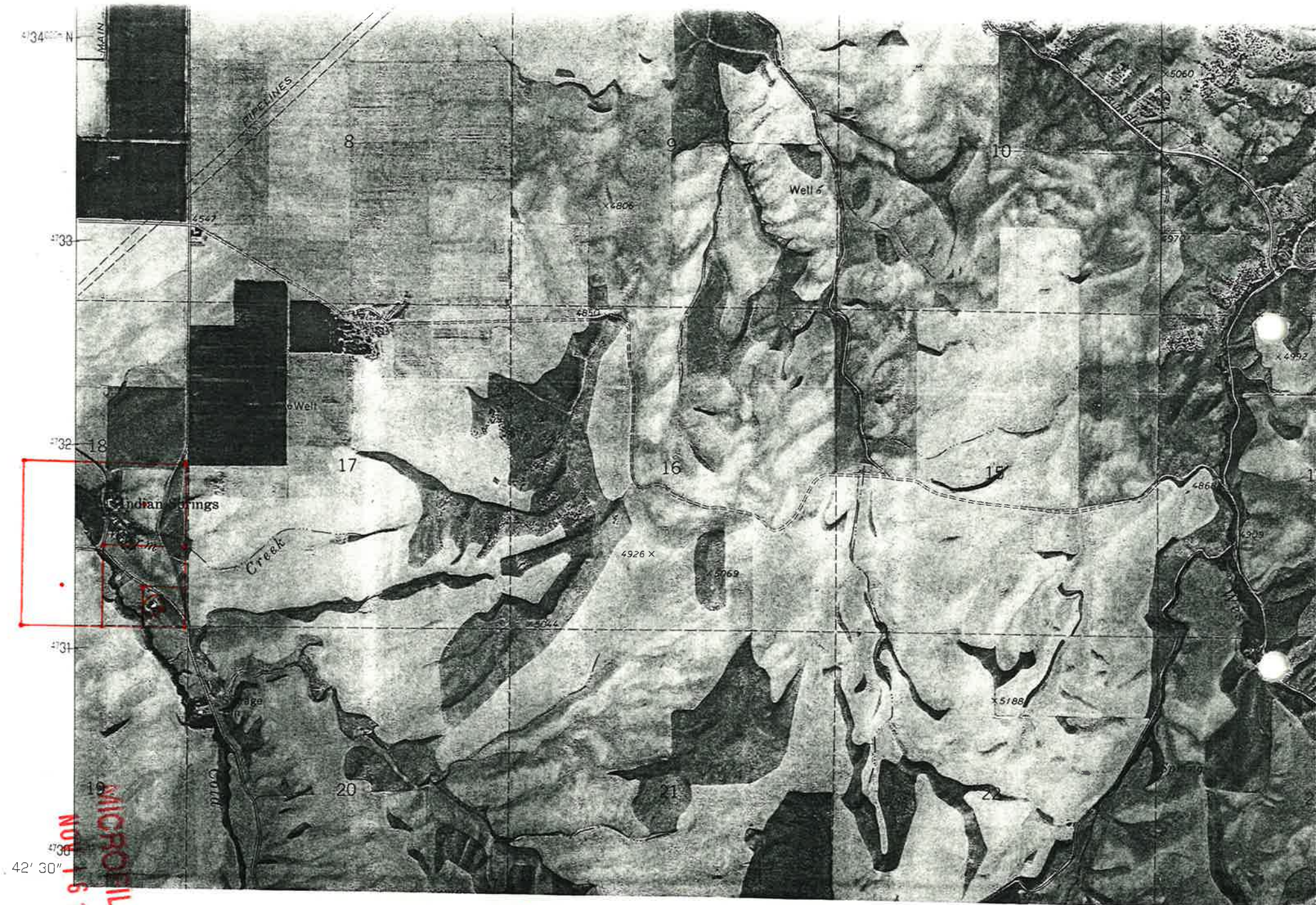
State of Idaho)
County of Power) SS.

Subscribed and sworn (or affirmed) before me this 12th day
of March 19 90

Anna Baerentzen
Notary Public

Seal

Residing at Anna Baerentzen, Notary Public
Residing at Boise, Idaho
My Commission Expires My Commission Expires December 7, 1994



T08S. R21E Sec 18
SE, SE, SE