

08/08/2001

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

RIGHT NUMBER: 29-10649

NAME AND ADDRESS: DONNA E AKERS
SHERMAN L AKERS
5898 S BANNOCK HWY
POCATELLO, ID 83204

SOURCE: GROUND WATER

QUANTITY: 0.13 CFS
25.6 AFY

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

PRIORITY DATE: 08/01/1961

POINT OF DIVERSION: T07S R35E S18 SWNE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 10-31	0.13 CFS
		25.60 AFY
STOCKWATER	01-01 12-31	0.02 CFS

PLACE OF USE:

<u>IRRIGATION Within BANNOCK County</u>			
T07S R35E S18	NENE	6.3	T07S R35E S18 SENE 0.1
<u>STOCKWATER Use same as IRRIGATION</u>			

6.4 ACRES TOTAL

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

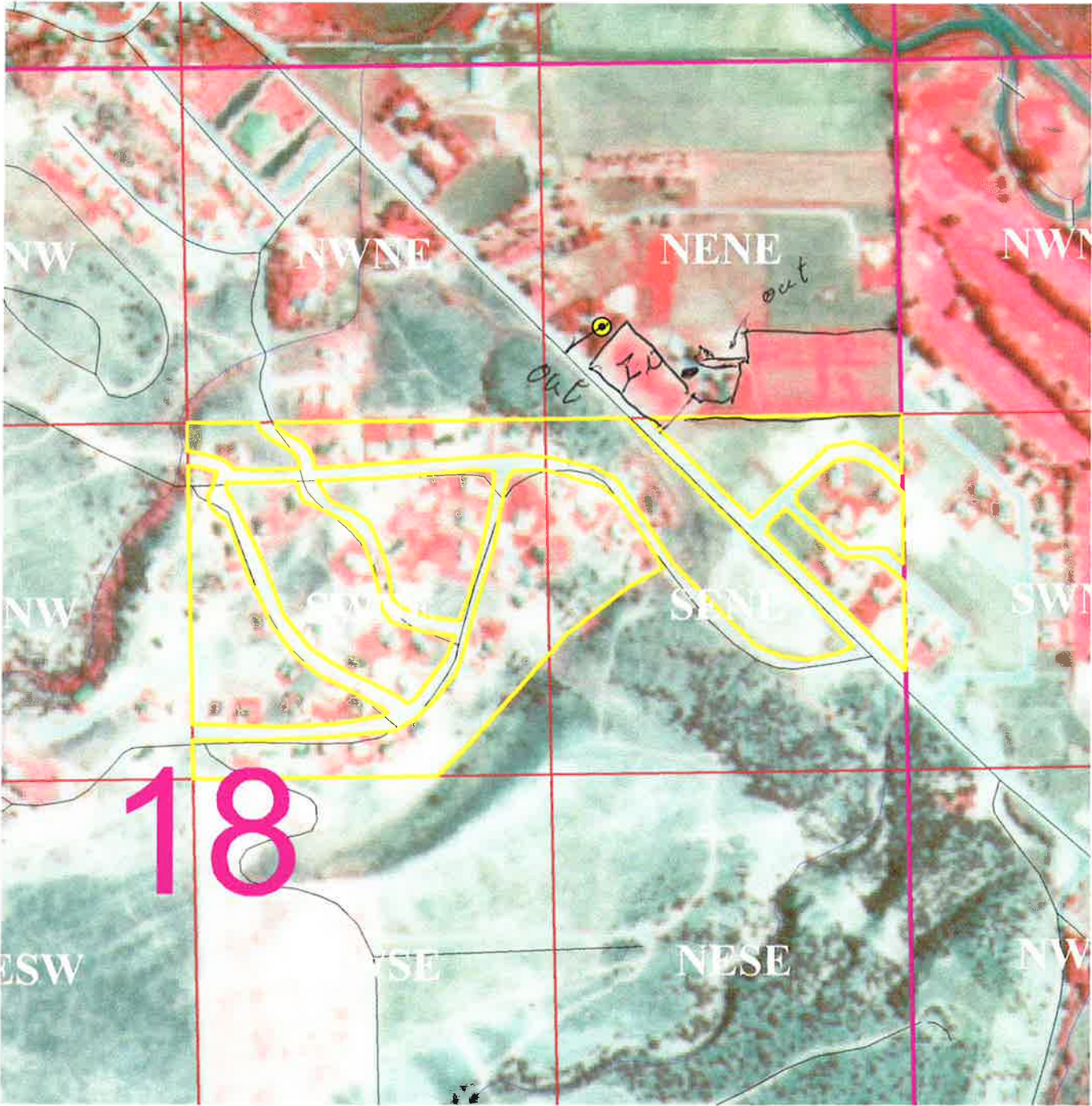
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO
CODE.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Water Right Claim Number A29-10649
Township , 7S35E

09/12/2000



 Irrigated Area

 Section Line

 Roads

 Place of Diversion

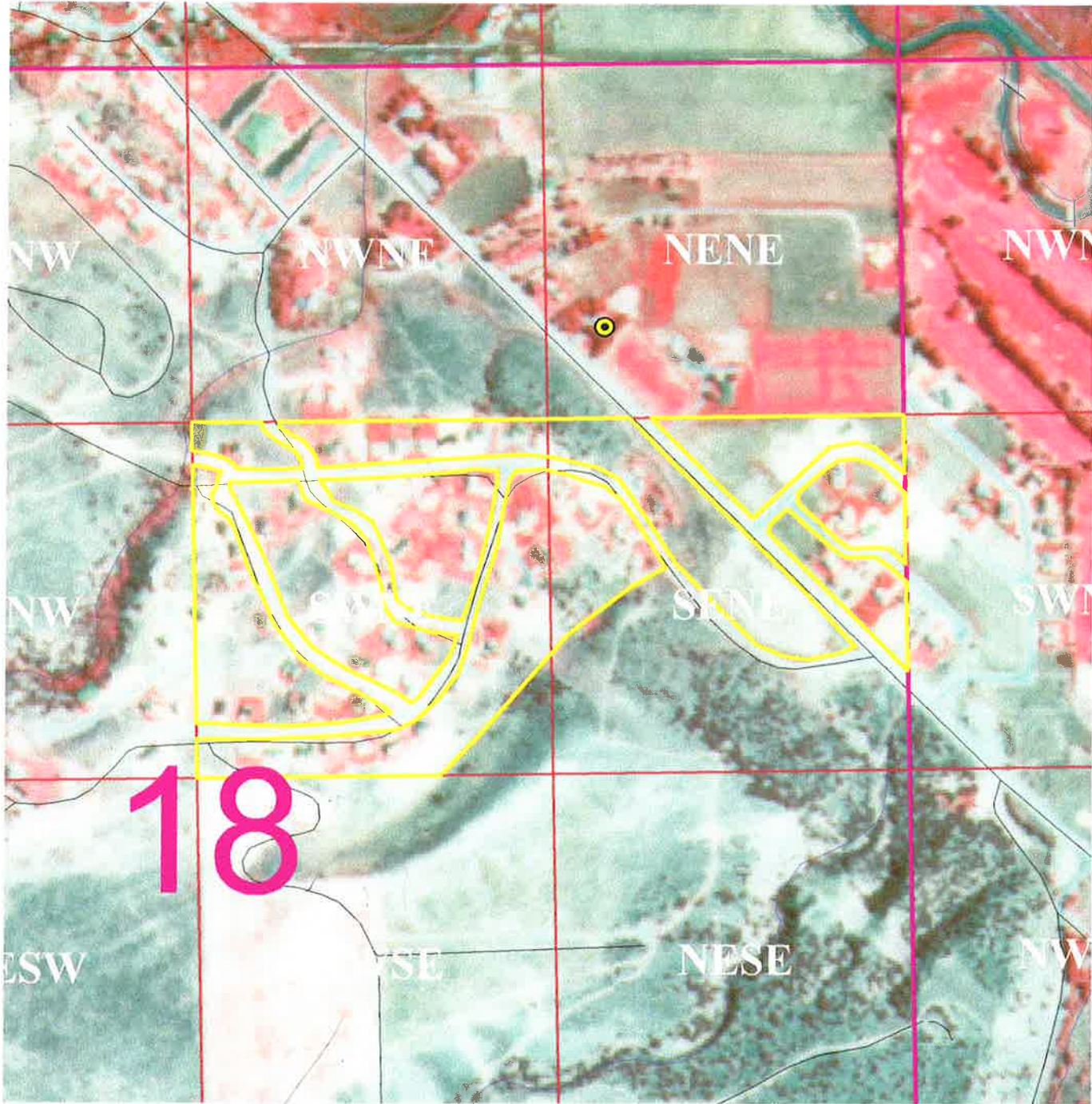
 Quarter Section Line

 Streams and Canals



Water Right Claim Number A29-10649
Township , 7S35E

09/12/2000



 Irrigated Area

 Place of Diversion

 Section Line

 Quarter Section Line

 Roads

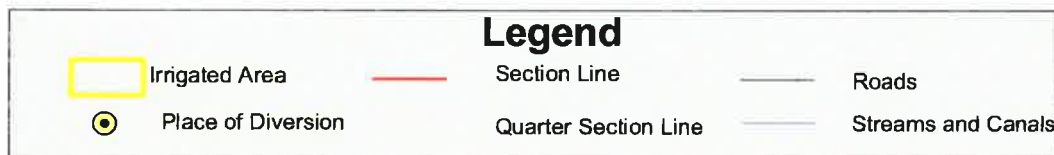
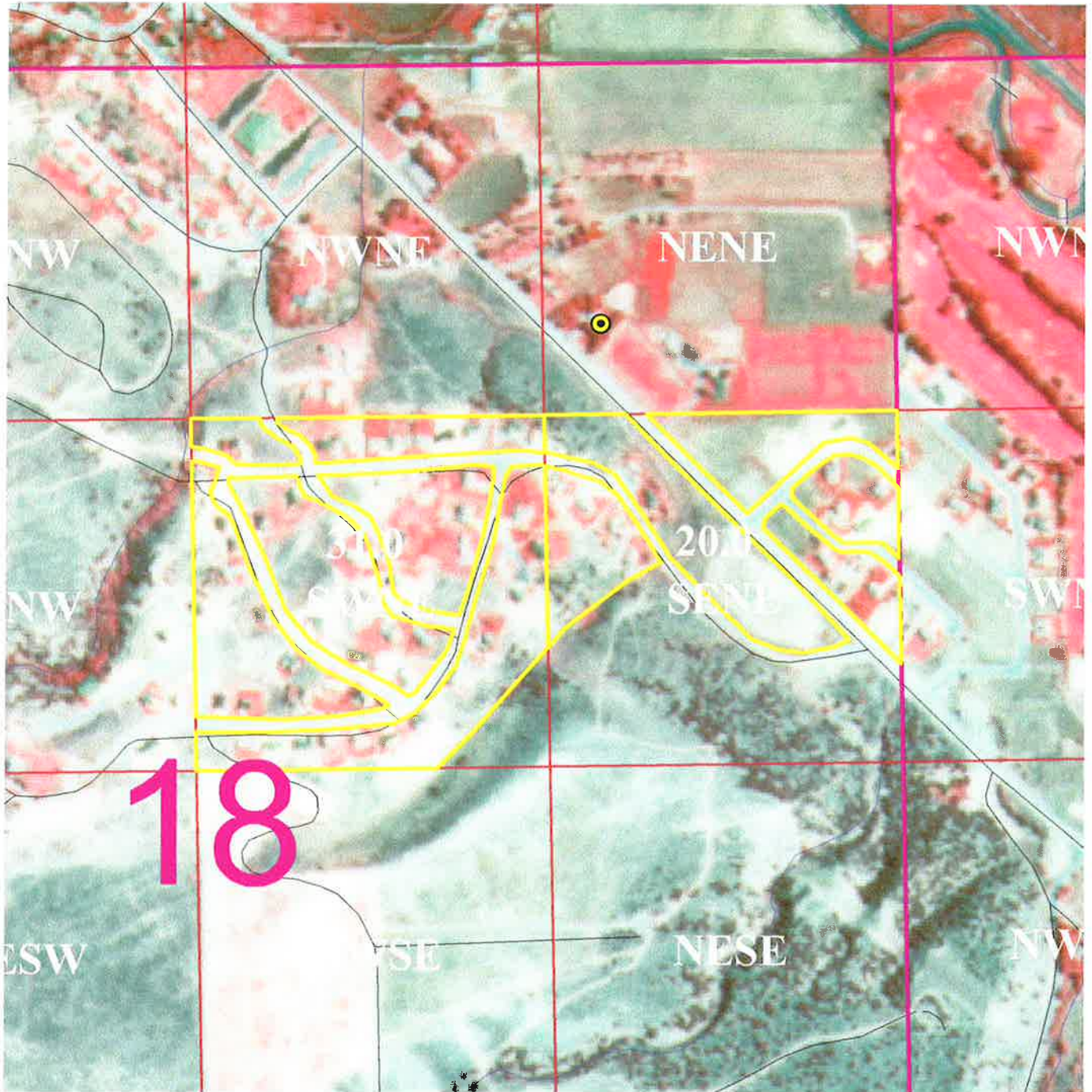
 Streams and Canals

Legend



Water Right Claim Number A29-10649
Township , 7S35E

09/12/2000



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-10649 V1

WATER RIGHT NUMBER: 29-10649 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DONNA E AKERS 5898 S BANNOCK HWY POCATELLO, ID 83204 (208)232-6883
Current Owner	SHERMAN L AKERS 5898 S BANNOCK HWY POCATELLO, ID 83204 (208)232-6883

Priority Date: 08/01/1961

Basis: Beneficial Use

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.130 CFS	25.60 AF
STOCKWATER	01/01 to 12/31	0.020 CFS	
	<u>Total Diversion:</u>	0.130 CFS	25.60 AF

Location of Point(s) of Diversion

GROUND WATER

SW1/4NE1/4NE1/4

Sec. 18, Twp 07S, Rge 35E, B.M.

BANNOCK County

Place of UseIRRIGATION Within BANNOCK County

T07S R35E S18 NENE 6.3 T07S R35E S18 SENE 0.1

Total Acres: 6.4

STOCKWATER same as IRRIGATIONConditions of Approval:

1. C18 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.
2. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-10649 V1

Comments:

1. csaxton 8/8/01 Field Exam
Comment: Field Exam on 8/7/01.
2. csaxton 8/8/01 Diversion Rate and Vol
Comment: Diversion Rate Based on 1 inch per acre and diversion volume based on IDWR standards.

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

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>
Contacts	8/8/01 9:07:16 AM	csaxton			Active
Priority Date	8/8/01 9:08:08 AM	csaxton			Active
POD	8/8/01 9:09:45 AM	csaxton			Active
Source	8/8/01 9:11:32 AM	csaxton			Active
POU	8/8/01 9:12:30 AM	csaxton			Active
Use	8/8/01 9:14:51 AM	csaxton			Active
Season	8/8/01 9:16:15 AM	csaxton			Active
Quantity	8/8/01 9:45:24 AM	csaxton			Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Season	8/8/01 9:16:13 AM	csaxton	1. (YES) The basis of claim is beneficial use. 4. (NO) There is not evidence that there has been a change to the period of use. 9. (YES) The file contains all the necessary information to verify the period of use. 11. (NO) The basis of is not a decree, license, or a transferred beneficial use right that has had the period of use administratively determined. 13. (YES) Irrigation is the purposed use. 15. (NO) Period of Use remark was not required. 16. (NO) Period of Use condition was not required.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-10649 V1

Contacts	8/8/01 9:07:12 AM	csaxton	1. Appointment has not been scheduled. Comment for 1: Field Exam 8/7/01
Priority Date	8/8/01 9:07:32 AM	csaxton	1. (NO) There has not been a later court decree of the water right(s) from the water source. 4. (YES) The basis of claim is beneficial use. 4b. (NO) The priority date was not claimed after the date a permit was required for the source and water use. 10. (YES) The claim file contains sufficient evidence of priority date. 12. (YES) The claim is recommended. 13. (YES) The claim is coded correctly. 14. (NO) Priority remark was not required. 15. (NO) Priority condition was not required.
POD	8/8/01 9:09:43 AM	csaxton	1. (YES) The basis is beneficial use. 4. (NO) There is not evidence that there has been a change in the Point of Diversion. 6. (YES) The file contains all the necessary information to verify the POD. Comment for 6: GPS - Well location is recommended for location of replacement well being drilled at time of field exam. 8. (NO) Point of Diversion remark was not required. 9. (NO) Point of Diversion condition was not required.
POD	8/8/01 9:10:31 AM	csaxton	Edited point location
POD	8/8/01 9:10:55 AM	csaxton	Edited PLS
Source	8/8/01 9:11:31 AM	csaxton	1. (YES) The basis is beneficial use. 4. (NO) There is not evidence that there has been a change in the Source. 7. (YES) The file contains all of the necessary information to verify the source. Comment for 7: Field Exam 8/7/01 8. (NO) The source is not surface water. 10. (NO) Source remark was not required. 11. (NO) Source condition was not required.
POU	8/8/01 9:12:28 AM	csaxton	1. (YES) The POU is required. 2. (YES) The basis of claim is beneficial use. 5. (NO) There is no evidence that there has been a change in the POU. 9. (YES) The file contains all the necessary information to verify the POU. Comment for 9: Napp Photography 12. (NO) POU remark was not required. 13. (NO) POU condition was not required.
POU	8/8/01 9:13:35 AM	csaxton	Edited shape boundary
POU	8/8/01 9:13:51 AM	csaxton	Edited PLS

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-10649 V1

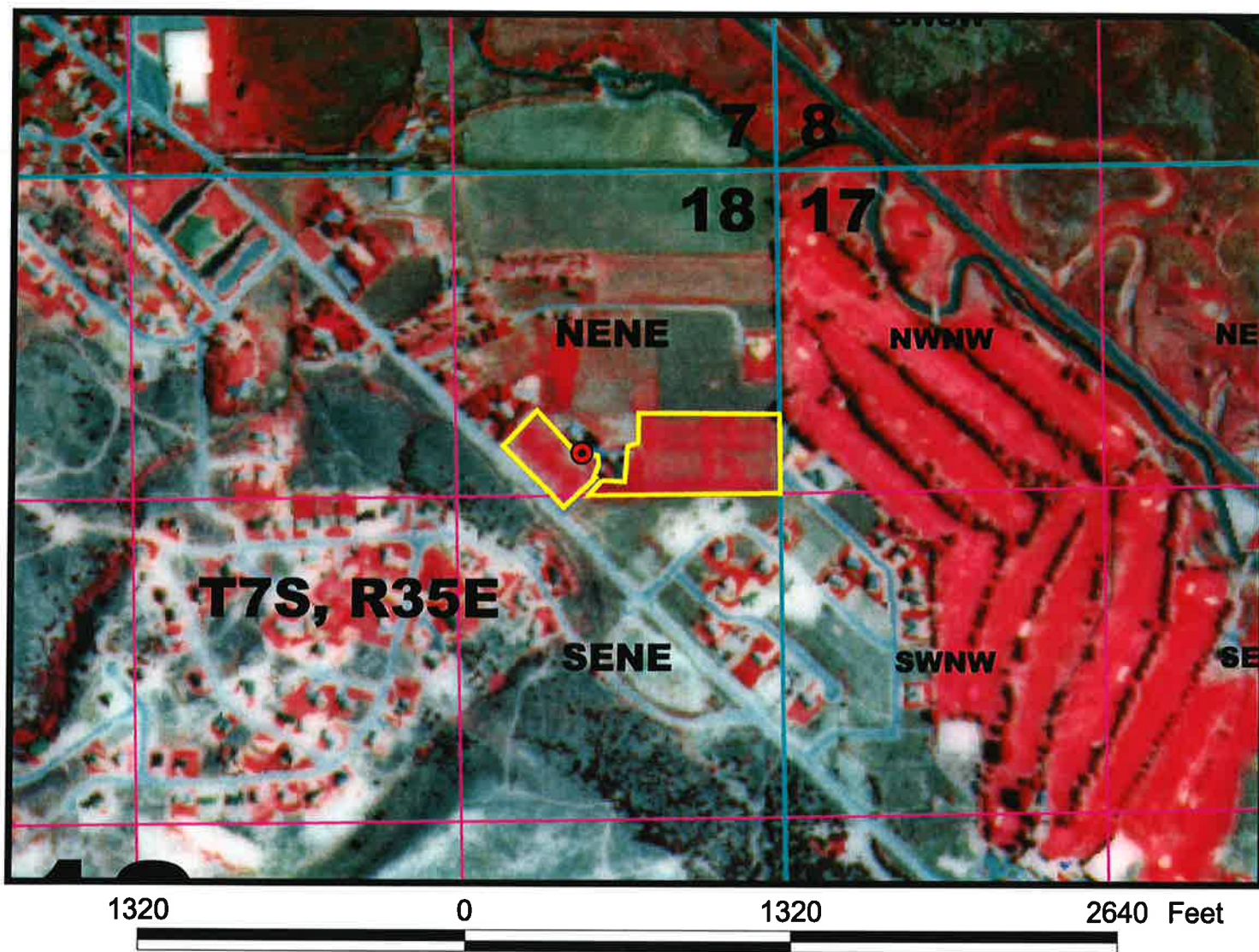
Use	8/8/01 9:14:49 AM	csaxton	1. (YES) The basis of claim is beneficial use. 4. (NO) There is not evidence that there has been a change to the purpose of use. 9. (YES) The file contains all the necessary information to verify the purpose of use. 11. (NO) Purpose of Use remark was not required. 12. (NO) Purpose of Use condition was not required.
Quantity	8/8/01 9:45:21 AM	csaxton	1. (YES) The basis of claim is beneficial use. 5. (NO) A flow measurement was not required. Comment for 5: Per Dave Tuthill, Claims under 0.20 don't need measurement. 6. (YES) The source is ground water and the purpose of use requires a diversion volume limit. 8. (YES) Irrigation is a purpose of use. 9. (NO) Quantity remark was not required. 10. (NO) Quantity condition was not required.



STATE OF IDAHO

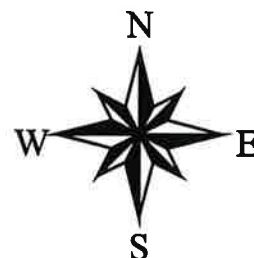
Department of Water Resources
Eastern Region

Water Right(s): 29-10649



Total Irrigated Acres: 6.4

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



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: August 2001

NOTICE OF ERROR
REPLY*Crif*

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: 29-10649

DONNA E AKERS
5898 S BANNOCK HWY
POCATELLO ID 83204
Telephone Number: (208)232-6883

SHERMAN L AKERS
5898 S BANNOCK HWY
POCATELLO ID 83204
Telephone Number: (208)232-6883

RECEIVED
APR 14 2003
Department of Water Resources
Eastern Region

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

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

DATE: 4-4-03 SIGNATURE: Sherman L. Akers
Please print your name: Sherman L. Akers

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

29-10649

POD

Field Exam 8/7/01



Looking North. Original well located in barn shown in picture. Picture taken while in the process of drilling a replacement well. POU to right and left of picture. (csaxton 8/8/01).

29-10649

POU

Field Exam 8/7/01



Looking East. POU straight ahead in picture. POD behind me in picture. Home to the left of me in picture. (csaxton 8/8/01).

29-10649

POU

Field Exam

8/7/01 CS

~~7/31/01~~



Looking East at main POU. Can See wheel lines in field and stock. POD behind me in picture. (csaxton 8/8/01).

237-8210

RECEIVED

JUN 14 2001

Department of Water Resources
Eastern Region

June 13, 2001

State of Idaho Department of Water Resources
Attn: Craig Saxton
900 N. Skyline Dr. Suite A
Idaho Falls, Idaho 83402-1718

Subject : Water Right Claim #29-10649

Dear Mr. Saxton,

Please find an affidavit from the daughter of the owner of the property when the first irrigation well was drilled. The original well driller was believed to be Jack Cushman Drilling and Pump Company of Blackfoot Idaho. However, they have no records for that period.

All neighbors who live in the area have since past away. I use the water for household and irrigation as well as for animal use.

Please advise if you need any additional information.

Sincerely,



Sherman Akers

Field Exam 8/7/01 - looks Good

To whome it might consigne, my name
is Susan Motheral Golden now
living at 535 Cochise St P.O. Box 10
I am the daughter of John E
Motheral who owned the property
that when the original well was
drilled. The well was drilled before
the house was built. Well was
drilled in 1958. This driller was
one who drilled most all the wells
in this area. I can't remember his
name. The water from this well was
for water stock and house hold use
plus irrigation.

Before the well was drilled we used
water right from Gibson Sack and Mink
Creek which we used for irrigation
and stock watering.

Water right claim 29-10649

Susan Motheral Loh
5-30-01

Angela A. Akers
Expires Jan. 30, 2002
Reside in Bannock County

RECEIVED

JUN 14 2001

Department of Water Resources
Eastern Region

05/22/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

WATER RIGHT NO. 29-10649

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DONNA E AKERS
Current Owner	SHERMAN L AKERS
	5898 S BANNOCK HWY
	POCATELLO, ID 83204
	(208)232-6883

Priority Date: 08/01/1961
 Basis: Beneficial Use
 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	0.16 CFS		
STOCKWATER	1/01	12/31	0.02 CFS		
Total Diversion			0.18 CFS		

Location of Point(s) of Diversion:

GROUND WATER	SWNENE	Sec. 18	Township 07S	Range 35E	BANNOCK County
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IRRIGATION Use:
 Acre Limit: 8

Place(s) of use:

Place of Use Legal Description: IRRIGATION	BANNOCK County
--	----------------

<u>Township</u>	<u>Range</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>
07S	35E	18		SWNE	3		SENE	5						

Place of Use Legal Description: STOCKWATER	BANNOCK County
--	----------------

<u>Township</u>	<u>Range</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>
07S	35E	18		SWNE			SENE							

Total Acres: 8

Dates:

Licensed Date:
 Claim Received Date:
 Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:

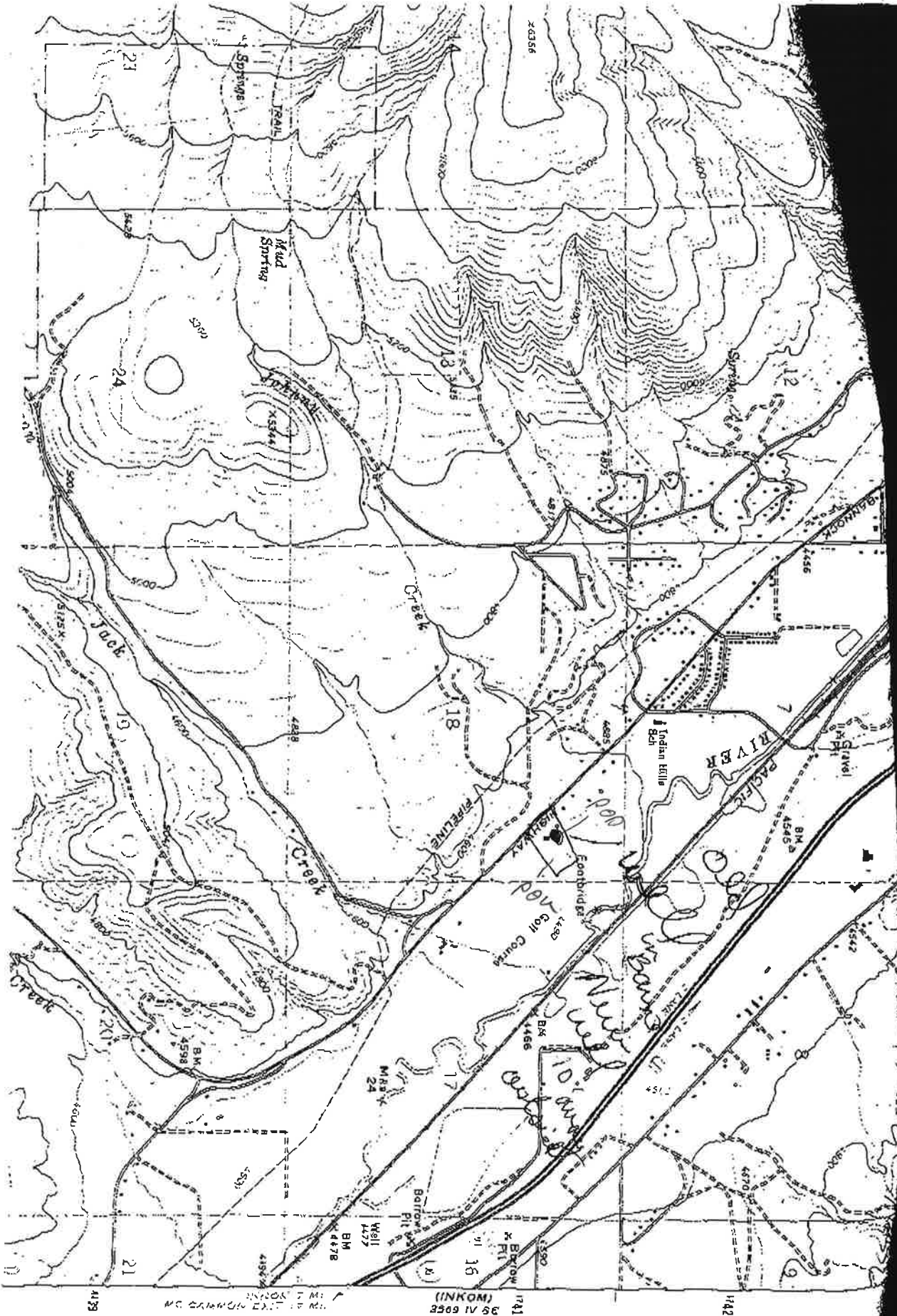
Water District Number:
 Generic Max Rate per Acre:
 Generic Max Volume per Acre:
 Civil Case Number:
 Old Case Number:
 Decree Plaintiff:
 Decree Defendant:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Cary Act Number:
 Mitigation Plan: False

Other Information:

Receipt Number(s): M006290
 State or Federal: S
 Owner Name Connector: AND

Water Right 29-10649

RECEIVED
 JUN 14 2001
 Department of Water Resources
 Eastern Region



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION
IDAHO FALLS, ID
ph. (208) 525-7161

FAX NO. (208) 525-7177

TRANSMITTAL COVER SHEET

OMNIFAX

TO: Sherman Akers

FROM: Craig Saxton

please send back

DOCUMENT DESCRIPTION: I am sending two maps. Whichever
one you think is most readable

TOTAL NUMBER OF PAGES (Including this page): _____

*
* BILLING ADDRESS: _____
*
* _____
*
* _____
*
* NO. OF PAGES 3 COST/PAGE _____ TOTAL CHARGE _____
*

237-8210

JUN 15 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

May 20, 2001

29-10649
SHERMAN L AKERS
DONNA F AKERS
5898 S BANNOCK HWY
POCATELLO ID 83204

RE: EVIDENCE OF PRIORITY

Dear Claimant (s):

The Idaho Department of Water Resources has recently begun its water right review in Basin 29. The Notice(s) of Claim identified with the number shown above in the "address" label and at the "end" of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a license, Decree, or Permit. For this reason, proof must be provided supporting the priority date. As the claimant, you are responsible for submitting the necessary proof to support the priority date.

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some examples of Documents Which May Be Evidence of the Priority Date".

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel.

.....
The Department can not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.
.....

Please submit the documentation supporting the priority date by **June 22, 2001, referencing all documents with the corresponding Notice number.** If you have any questions not covered by this letter or the enclosed pamphlet, please feel free to contact me at 525-7161.

Respectfully submitted,



Craig L. Saxton
Water Resource Agent
Adjudication Bureau

Enclosure: Brochure on "Evidence of Priority"
 Notice of Claim 29-10649

Log for claim A29-10649

Spatial Dynamics BTD

9/12/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s35e	18	SWNE	3	31	Indiscernible
07s35e	18	SENE	5	20	Indiscernible
Totals:			8	51	

AJ5809NP
No. A29-10649

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 290

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DONNA F AKERS	08/01/1961	IRRIGATION	03-15 11-15	0.160 CFS	
C	SHERMAN L AKERS		STOCKWATER	01-01 12-31	0.020 CFS	
	5898 S BANNOCK HWY					
	POCATELLO ID 83204					
	(208) 232-6883			TOTAL DIVERSION:	0.180 CFS	
				CONSUMPTIVE USE:		20.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T07S R35E S18 SWNE BANNOCK 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
07S	35E	18	:		03		05	:						:					:	8.0
																			TOTAL ACRES	8.0

Place of use Legal Description for: STOCKWATER

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	:	
07S	35E	18	:	S	S	:			:					:					:	

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: NONE

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

29-10652 A29-02459A A29-02459B A29-10652

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

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

Audit: 03/20/90 CARLSON 08/03/94 THOMPSON 03/29/95 POST-STD

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: A29-10649
Date Received: 3/20/1990
Receipt No: M006290
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SHERMAN L. AKERS 208-232-6883
Address: 5898 S. BANNOCK HWY.
POCATELLO, ID 83204
AND/OR
Name: DONNA F. AKERS 208-232-6883
Address: 5898 S. BANNOCK HWY.
POCATELLO, ID 83204

A2910649



2. Date of Priority: AUG 01, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	35E	18	SW	NE	NE		BANNOCK

5. Description of diverting works:
160' DEEP WITH 8" CASING AND 7.5 HP MOTOR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.160		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 20.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A29-10649

Page 1

Date: 03/23/90

MICROFILMED
NOV 16 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07S	35E	18	SW		NE		IRR	3.0
			SW		NE		STOCK	
			SE		NE		IRR	5.0
			SE		NE		STOCK	
							Section Acres	8.0
							Total Acres	8.0

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:
NONE

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 _____

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

129-10649

Date Received

3/20/90

Receipt Number

MOO 6290

RECEIVED
MAR 20 1990
Department of Water Resources

Department of Water Resources

NOTICE OF CLAIM

TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW

RECEIVED
MAR 20 1990
Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Sherman L. & Donna E. Akers Phone (208) 232 6883

Mailing Address 5898 So Bannock Hwy. Pocatello, ID Zip 83204

2. Date of Priority (Only one (1) per claim) 8/1/1961

3. Source of water supply (a) Groundwater
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 7S Range 35E Section 18,
SW 1/4 of NE 1/4 of NE 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. 160' deep 8" casing 7.5 hp. motor

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3/15 to 11/15 amount .16 or _____

For Stock water purposes from 3/15 to 11/15 amount .02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .18 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 20. acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) None

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	
75	35E	18			53	55													8

Total number of acres irrigated 8

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

12. Do you own the property listed above as place of use? Yes ☒ 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 (☒)

14. Remarks:

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Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use X 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) Sherman J. Akers

Date 3-21-90

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 ID)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 20 day of March 19 90

SEAL

Notary Public John Dab

Residing at Boise ID

My Commission Expires 6/2/94

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 _____

Last Name _____ Ident. Number _____

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