

02/05/2002

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

RIGHT NUMBER: 29-10754
NAME AND ADDRESS: DALE B KIRKHAM
PO BOX 4026
POCATELLO ID 83201

DALE B KIRKHAM JR
8503 BUCKSKIN RD
POCATELLO ID 83201

SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 0.13 CFS
16.8 AFY

USE OF THIS RIGHT FOR IRRIGATION PURPOSES WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.24 CFS. COMBINED RIGHT NOS.: 29-07939, 29-07942, 29-10750, 29-10754.

PRIORITY DATE: 10/31/1956

POINT OF DIVERSION:

T07S R35E S8 NENESW 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	0.130 CFS 16.80 AFY

PLACE OF USE: IRRIGATION Within BANNOCK County

T07S R35E S08	SENW	3.0	T07S R35E S08	NESW	8.0
T07S R35E S08	NWSE	1.0			

12 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 12 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-07939, 29-07942, 29-10750, 29-10754.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 4.2 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

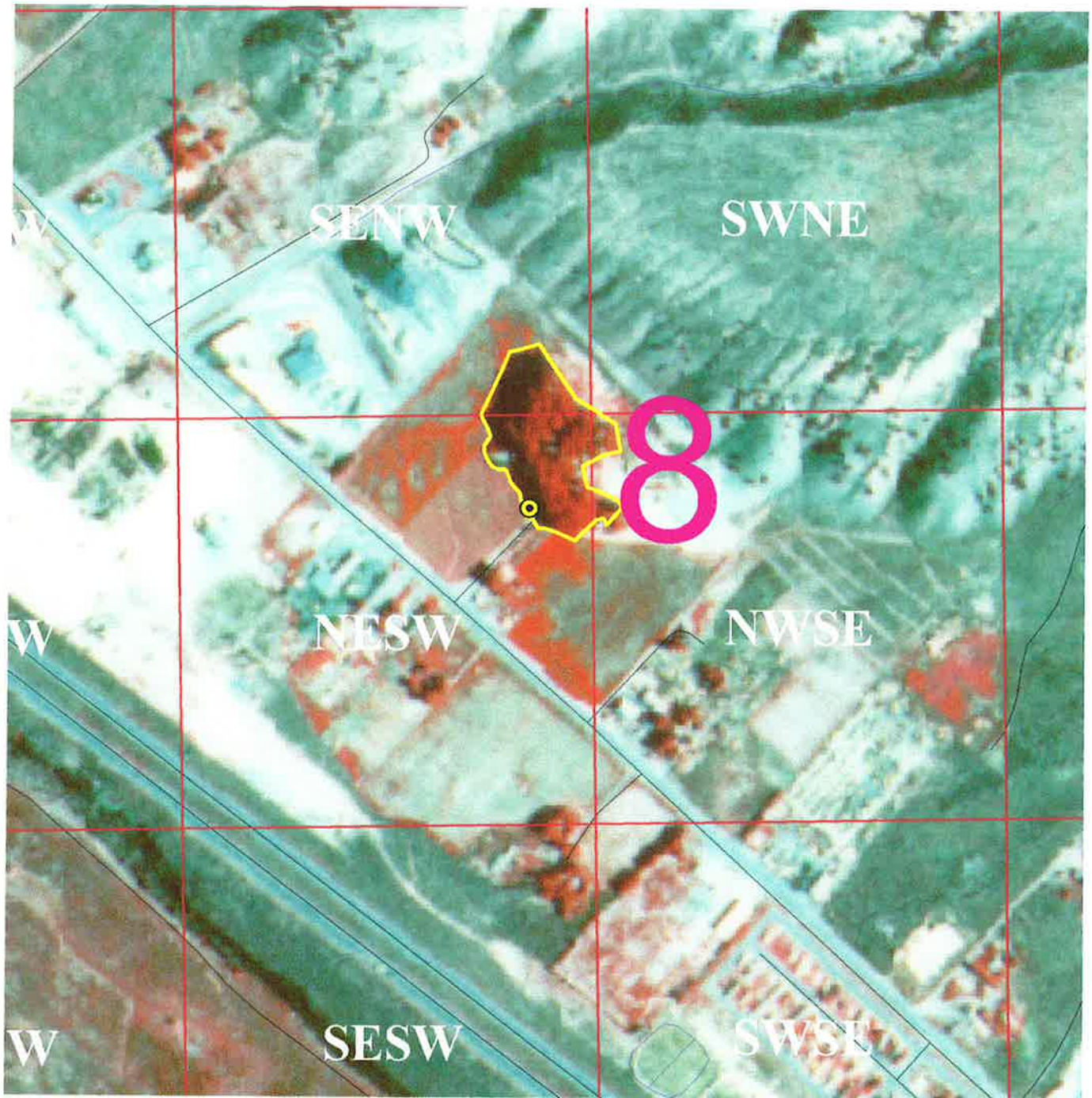
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

EXPLANATORY MATERIAL: Beneficial Use

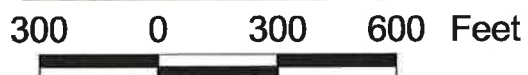
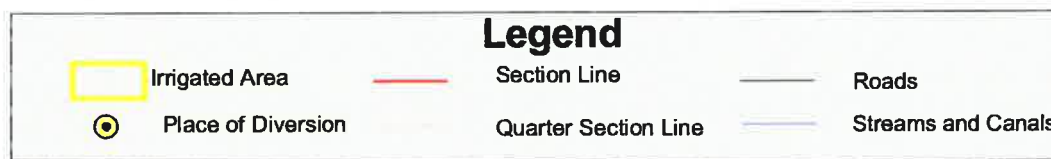
Water Right Claim Number A29-10754
Township , 7S35E

09/12/2000



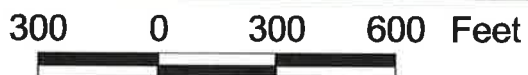
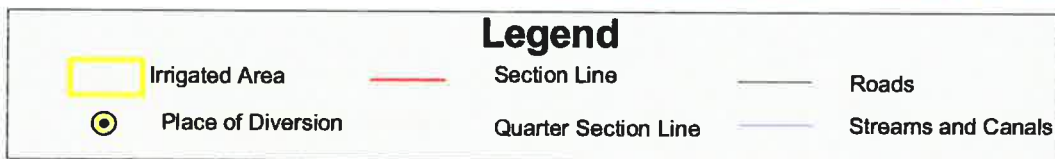
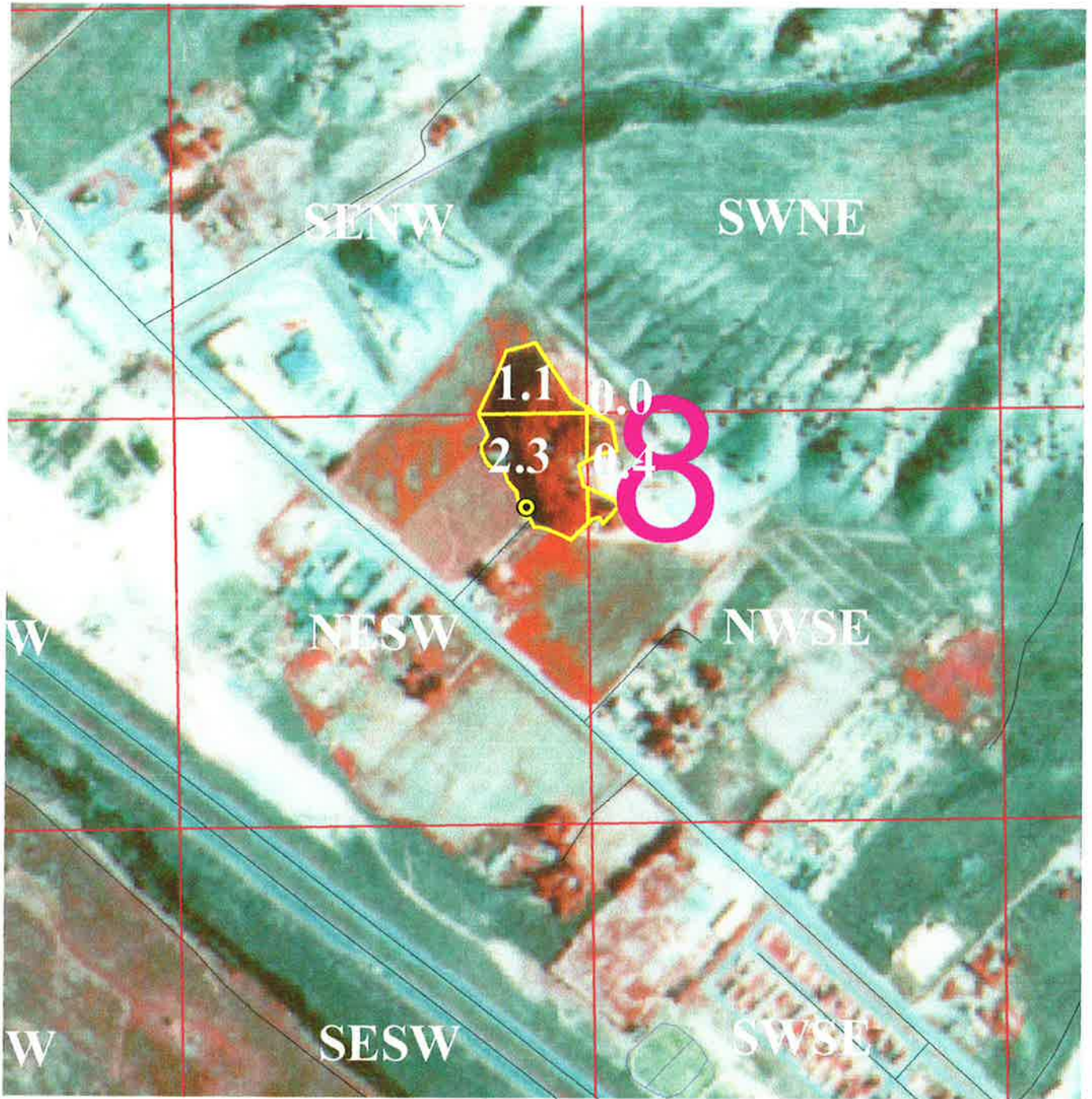
Water Right Claim Number A29-10754
Township , 7S35E

09/12/2000



Water Right Claim Number A29-10754
Township , 7S35E

09/12/2000



02/13/2003

Craig

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 21, 2003

Water right number: 29-10754

DALE B KIRKHAM
PO BOX 4026
POCATELLO ID 83201
Telephone Number: (208)232-6886

1 well in trees

DALE B KIRKHAM JR
8503 BUCKSKIN RD
POCATELLO ID 83201
Telephone Number: (208)233-1463

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:

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

DATE:

Feb. 24, 03

SIGNATURE:

Dale B. Kirkham

Please print your name:

Dale B. Kirkham

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

RECEIVED

FEB 28 2003

Department of Water Resources
Idaho Falls



22-141 50 SHEETS
22-142 100 SHEETS
22-144 200 SHEETS

2/5/02: Priority date - 10/31/1956

POD: old well in Trees NE NE SW

POB: 4.2 ac within 12 ac

1146 - 4.2

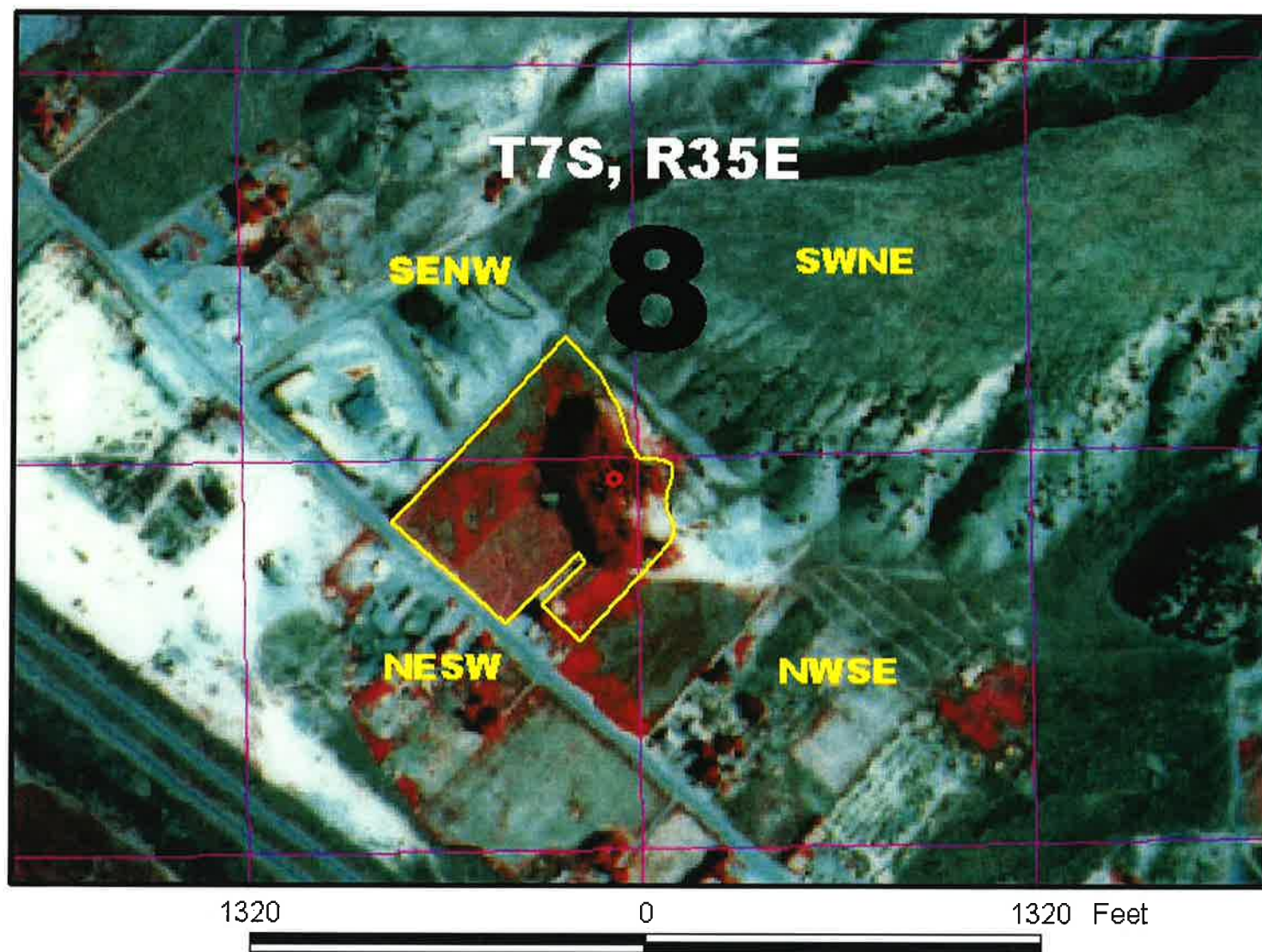
limit to 0.24 cfs in combination



STATE OF IDAHO

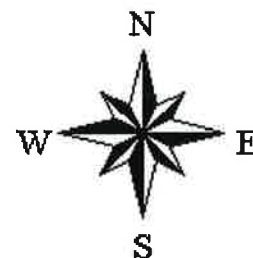
Department of Water Resources
Eastern Region

Water Right(s): 29-10754



Total Irrigated Acres: 4.2

-  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: February 2002

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-10754 V1

WATER RIGHT NUMBER: 29-10754 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DALE B KIRKHAM PO BOX 4026 POCATELLO, ID 83201 (208)232-6886
Current Owner	DALE B KIRKHAM JR 8503 BUCKSKIN RD POCATELLO, ID 83201 (208)233-1463

Priority Date: 10/31/1956

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
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	16.80 AF
	<u>Total Diversion:</u>	0.130 CFS	16.80 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NE1/4SW1/4	Sec. 8, Twp 07S, Rge 35E, B.M.
BANNOCK County		

Place of UseIRRIGATION Within BANNOCK County

T07S R35E S08 SENW 3.0	T07S R35E S08 NESW 8.0
T07S R35E S08 NWSE 1.0	
Total Acres: 12	

Conditions 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.

Remarks:

1. Quantity USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.24 CFS. COMBINED RIGHT NOS.: 29-07939, 29-07942, 29-10750, 29-10754.
2. Place of Use - Irrigation USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 12 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-07939, 29-07942, 29-10750, 29-10754.
3. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 4.2 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-10754 V1

Comments:

1. csaxton 2/5/2002 PPU

Comment: This right is part of a PPU with 29-07939, 29-07942, 29-10750, 29-10754.

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	2/5/2002 1:09:11 PM	csaxton			Active
POD	2/5/2002 1:09:46 PM	csaxton			Active
Source	2/5/2002 1:11:57 PM	csaxton			Active
POU	2/5/2002 1:13:58 PM	csaxton			Active
POU	2/5/2002 1:46:03 PM	csaxton			Active
Use	2/5/2002 1:46:48 PM	csaxton			Active
Season	2/5/2002 1:50:05 PM	csaxton			Active
Quantity	2/5/2002 1:51:08 PM	csaxton			Active
Summary	2/5/2002 2:01:19 PM	csaxton	2/5/2002 2:01:19 PM	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Use	2/5/2002 1:46:47 PM	csaxton	(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? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Field exam 8/15/01

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-10754 V1

Season	2/5/2002 1:50:04 PM	csaxton	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
POD	2/5/2002 1:51:07 PM	csaxton	(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? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (Yes) 12. Is a Quantity remark or condition required? Description for Question 7 - Per David Tuthill, claims for less than 0.20 cfs do not require measurement. Description for Question 10 - IDWR standard for the area of 4af/acre.
Summary	2/5/2002 2:01:18 PM	csaxton	(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? (Yes) 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?
Contacts	2/5/2002 1:08:02 PM	csaxton	(No) 1. Do you want to schedule an appointment?

Comment for 1: Field Exam 8/15/01

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-10754 V1

Priority Date	2/5/2002 1:09:11 PM	csaxton	(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 - Evidence in the form of a news paper article stating the well was put on the property in 1956.
POD	2/5/2002 1:09:45 PM	csaxton	(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? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POD	2/5/2002 1:10:38 PM	csaxton	Edited point location
POD	2/5/2002 1:11:09 PM	csaxton	Edited PLS
Source	2/5/2002 1:11:56 PM	csaxton	(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? (Yes) 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 exam 8/15/01
POU	2/5/2002 1:13:57 PM	csaxton	(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? (Yes) 7. Is there evidence that there has been a change in the POU? (Yes) 8. Can the claim be verified as an accomplished transfer? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 8 - Recommend as a PPU. Change made in 1975 when claimant purchased the property. Description for Question 13 - Field Exam 8/15/01

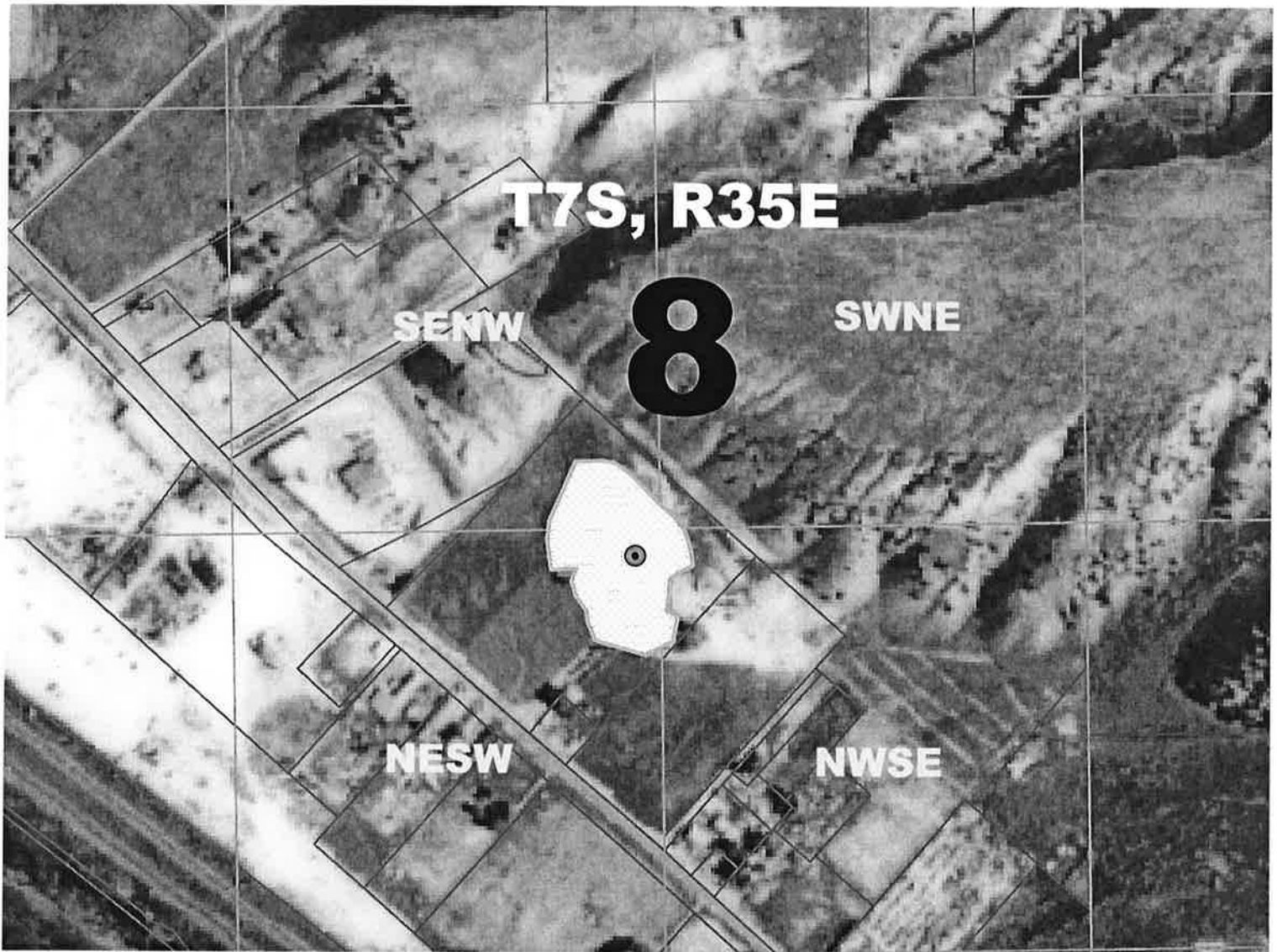
IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-10754 V1

POU	2/5/2002 1:17:09 PM	csaxton	Edited shape boundary
POU	2/5/2002 1:17:28 PM	csaxton	Edited PLS
POU	2/5/2002 1:46:02 PM	csaxton	(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? (Yes) 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 8 - Recommend as a PPU. Change made in 1975 when claimant purchased the property. Description for Question 13 - Field Exam 8/15/01

Kirkham - Historical POU Map

29-13165



Point of Diversion

Total Irrigated Acreage: 4.2



Irrigated Place of Use - N/A



Tax Lot Boundary



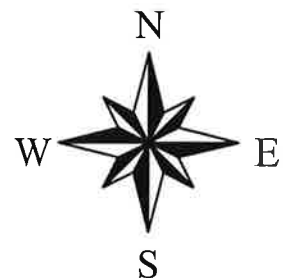
Irrigated Place of Use



Section Lines



Quarter Quarter Lines



Prepared By: Craig Saxton
February 2002

Dale B. Kirkham
Dale B. "Kirk" Kirkham Jr.
Box 4026
Pocatello, Idaho
83201

RECEIVED

JUN 14 2001

Department of Water Resources
Eastern Region

Craig L. Saxton
Water Resource Agent
Adjudication Bureau
Department of Water Resources
900 N. Skyline Dr., Suite A
Idaho Falls, Idaho
83402-1718

Dear Craig,

June 11, 2001

We are writing you concerning water right no. 29-10754, known to us as the well in the trees at Meridale park in Pocatello, Idaho.

In researching for priority dates on the Meridale diversions, we actually found a newspaper clipping that told us exactly about this well. It was drilled in 1956 by the owner at the time named Fred Dolbeer. The well is 82 feet deep and has an artesian flow.

We would like to modify our priority claim on this well based on this newspaper clipping to October 25, 1956 on water right no. 29-10754.

Sincerely,



Dale and Kirk Kirkham

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

WATER RIGHT NO. 29-10754

Owner Type Name and Address
Current Owner DALE B KIRKHAM JR
8503 BUCKSKIN RD
POCATELLO, ID 83201
(208)233-1463

Current Owner DALE B KIRKHAM
PO BOX 4026
POCATELLO, ID 83201
(208)232-6886

well in
trees MARIJALA

Priority Date: 06/01/1925
Basis: Beneficial Use
Status: Active

Source Tributary to
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	0.13 CFS		
Total Diversion			0.13 CFS		

Location of Point(s) of Diversion:

GROUND WATER NESW Sec. 08 Township 07S Range 35E BANNOCK County

IRRIGATION Use:
Acre Limit: 4.2

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	8		SWNE	0.2									
				SENE	1									
				NESW	2									
				NWSE	1									

Total Acres: 4.2

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): E012536
State or Federal: S
Owner Name Connector: OR

IDAHO in Retrospect

From the files of the IDAHO STATE JOURNAL



75 Years Ago (1906)

W.A. Jones is in receipt of a letter from his son, Harry, dated Long Beach, Calif., conveying the news that last Saturday, while sunbathing at Long Beach, Harry was caught in the undertow and narrowly escaped death by drowning. He was rescued by a companion, whose name he neglected to mention and was drowned in effecting the rescue. Harry Jones is employed as circulation manager on the Los Angeles Evening Express.

A force of men and teams began the work last Saturday of construct-

ing a canal for the purpose of draining Gray's Lake. The work is under the management of Barzilla W. Clark of McKay, and Jas. O. Morgan of Blackfoot. Clark is a brother of Worth Clark of Pocatello. Clark made the original filings and Saturday disposed of half interest to Morgan.

The plan is to drain Gray's Lake into Goose Lake, thence into the Blackfoot River, construct a canal about ten miles from Blackfoot City, where the water will be taken out for the purpose of reclaiming 25,000 acres, that have been filed on under the Carey Act.

60 Years Ago (1921)

Word came from a rifle team member that the Idaho National Guard Rifle Team, stationed at Camp Perry for the National Rifle Meet, had the misfortune of losing its team coach, Alfred M. Ley, American Falls, who was called home on business. First Lt. Arvid D. Rounds of Pocatello Service Troop was appointed team coach in his place, and the arduous work of making small arms instructors out of team members is progressing very well.

Former Pocatellan, Olga Printzlau is a famous scenario writer with her quota of successfully-produced scenarios running over the hundred mark. She is recognized as one of the most prolific artists in filmdom and is associated exclusively with William de Mille. She has written the continuity for each of Mr. De Mille's most notable productions, including "The Prince Chap" and "Conrad in Quest of His Youth." A niece of Ella Wrenstead, she lived here until ten years ago.

50 Years Ago (1931)

Gus E. Wallin of the Tribune yesterday concluded a deal whereby a half interest in his latest invention, a mailing machine, has been sold to M.D. Good of Kansas City, Mo. The machine is known as the Wallin Addressing Machine.

A working model is at present in operation in the Tribune office, having been built by the inventor. While the model is yet in the rough, it has proved a flattering success and its cheapness and simplicity at once appealed to Mr. Good, who is the traveling representative of one of the largest wholesale houses in Kansas City, and who heard of the machine through a press dispatch.

An alarm of fire by telephone called out Chief Joseph and his ladies last night. They made the run to the new cemetery at 6 o'clock. The sagebrush and bunchgrass, growing precisely on the ground adjoining the burial ground was reported on fire. In Liveryman Johnson's band-wagon, loaded with barrels of water and gunny sacks, six members of the volunteer department, Chief Joseph and his crew made the run. After an hour and a half's work, the blaze was extinguished, just as the creeping flames encroached on the Masonic burial ground.

25 Years Ago (1956)

The first large-flowing surface well to be developed at the Pocatello area is now operating at Meridell Park. Fred J. Dolbeer, owner and operator of Meridell Park, said the well was sunk to a depth of 82 feet when an artesian supply of water was encountered.

A bathing suit that didn't do justice to Miss Idaho's 36-24-36 figure caused her some anxious moments in Atlantic City, N.J., but a quick shopping trip solved her problem before her appearance last night in the Miss America pageant.

When Pocatello's Gail Rupp put on her custom-made black swimsuit to pose for photographers, she discovered they suit didn't fit.

Writing about the incident, Miss Idaho's mother, Mrs. Mahlon Rupp said: "Gail is exceptionally long-

The golden anniversary Eastern Idaho State Fair official opening parade Tuesday will see Gov. Robert E. Smylie leading paradeers through the downtown streets here.

Gov. Smylie will arrive on a special plane from Boise at the Blackfoot Airport shortly before parade time with State Commissioner of Agriculture Harold West accompanying him.

FROM 'BUZZ OF BURG' by ING: Thoughts while sitting: We have heard that plans have been made to burn down the old Dr. W. F. Howard home, which adjoins the Bannock County Historical Museum in the 100 block on South Garfield. The home hasn't been occupied in a good many years and stands between the museum (the old Public Library) and the Bannock Hotel.

Pocatello's fun spot in the good old



Merridell Park, 1920

By HELEN M. CARLSON
Special to the Journal

Recently when my husband and I were driving up from Pocatello, on South Fifth near the grove of trees and what remains of the red building that was once Merridell Park.

Built in 1920 by two men, Charlie McGilles and Thomas Peake who employed fifty men to complete the dance pavilion, it had a dance floor of 175 feet, the largest in the eastern Idaho. The Pocatello Tribune together with merchants in town conducted a contest to find a suitable name for the place. The name that was chosen was Merry-Dell or Merridell.

I thought how pathetic it now looked, this symbol of a by-gone era. I was sure if the old place could speak, it would tell me many interesting events that took place there in the early 1920s.

Not knowing too much about myself, I remembered a conversation I had at one time with the late Mr. Fred Dolbeer who lived at Merridell for 40 years. He said it began in 1899 as a freight station. Two passenger stage lines, went by Pocatello Creek and Eagle Creek (now Idaho Falls), and one freight line came by what was known as Mosquito Springs or Merridell Park.

The freight stages would stop and refresh both horses and drivers before going on as the place had both hot and cold water there. The stage lines operated at Corrine, Utah, and were bound for points in Montana. At one time, Mr. Peake told me, there had been a robbery on one of the stages carrying a shipment of gold between Onyx and McCammon.

Mr. Peake said the gold was never recovered and as far as he knew robbers were never caught. He learned from Mr. Dolbeer about 1910 the freight was moved to another route and Pocatello Springs was purchased by a man named George who was a nurseryman. He planted trees on the property, many of which are still standing. Dash bought the land with hopes of making a Gerber beer garden there, but he found out that the trees were too

abandoned the whole idea.

He decided then to make some kind of amusement park out of it, so he put up a merry-go-round, ferris wheel, and a roller-coaster which he purchased second-hand. He also had some concession stands around the place. Dolbeer told me that Dash owned altogether 200 acres of land there and the road leading to the park went right through the middle of it. About 1918, Dash and his wife broke up so they divided the land. She took the half on one side of the road and he took the other. Soon after, the Dashes sold the property to Dolbeer.

Later, a man from Salt Lake who had interests in a company called Corliss and Associated invested \$175,000 to make one of the finest amusement parks in the country there. It was he who let the contract for building to McGilles and Ramage. The amusement devices were all repaired and improved and the big dance pavilion built.

Finished March 4, 1920, Merridell Park was officially opened in June of 1920. It was a warm summer day and people from miles around were there for the grand opening. Transportation was a problem in those days so it was decided to run a bus out to the park. Buses were provided by Garrett Freight lines and these left from the downtown area. The evening buses usually returned at midnight.

To learn more about old Merridell Park when it was in its heyday, I called on Clifford Peake, who has lived around this region a good many years.

"It was quite a place," Peake remembered of Merridell Park. "The dance floor was always crowded with people doing the

fox-trot, one-two-three steps, and waltzes."

Peake said back in the 1920s when dance marathons were sweeping the country, many Pocatellans participated in dance contests at Merridell. "I recall that as many as 30 couples would be on the floor to begin with. The idea was to dance until they dropped." The last couple on the floor would win a cash prize, usually about \$100, Peake said.

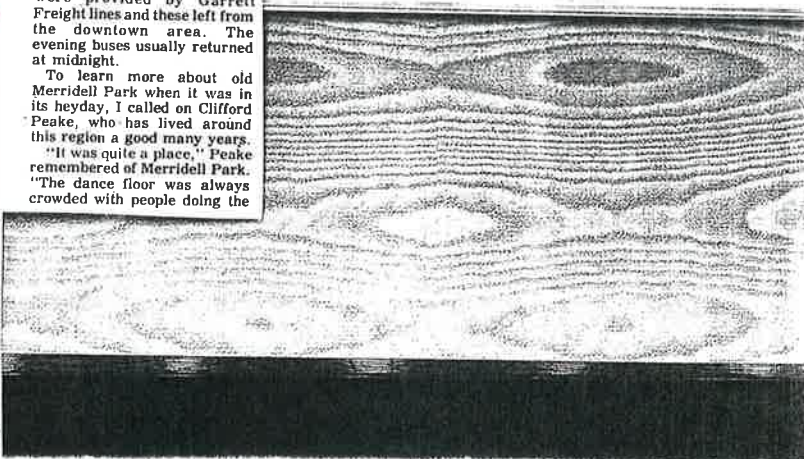
"Merridell Park's dance pavilion was always crowded, and after hours of dancing, some persons would still be going strong," Peake continued. "You'd see couples dragging their partners around to see who could stand up the longest." If any couple fell, they were eliminated from the contest.

"One by one they dropped out and in some cases had to be dragged from the floor," Peake remembered. "We had a great time out there."

Not much is left today of old Merridell, except for a few trees and the hulk of the dance pavilion. But there are still many people who can recall the good times they had there when it was in its heyday.



The dance hall



MERIDELL PARK

THE LAST VESTIGES OF A ONCE-THRIVING ENTERPRISE ARE THE WEATHER WORN ENTRY BUILDING OF THE HUGE DANCE HALL, THE TICKET BUILDING, THREE SMALL TOURIST CABINS, AND A GAZEBO. THESE TIRED OLD EDIFICES CONJURE UP MEMORIES OF FUN, EXCITEMENT, ACTION, AND THRILLS. AS ONE VIEWS THE REMNANTS AT THE SITE, HE CAN ALMOST HEAR THE SHOUTS OF JOY FROM DANCERS, PICNICKERS, AND REVELERS. THE DANCE FLOOR WAS BUILT IN 1920, BY CHARLIE MCGILLES AND THOMAS RAMAGE. FIFTY MEN WERE EMPLOYED TO COMPLETE THE PAVILION WHICH BOASTED A DANCE FLOOR OF 100 BY 175 FEET. THE FOURTH LARGEST IN THE UNITED STATES. TOWN MERCHANTS, THE OWNERS, AND THE POCATELLO TRIBUNE SPONSORED A CONTEST TO NAME THE PARK. MERRY-DELL OR MERIDELL PARK WAS THE WINNING NAME, AND THIS NAME STILL IS USED FOR THAT AREA.

HISTORY RECORDS THAT MERIDELL WAS STARTED AS A FREIGHTER STATION IN 1898. TWO PASSENGER STAGES SERVED POCATELLO CREEK AREA AND THE-THEN-NAMED EAGLE ROCK. ONE FREIGHTER LINE WAS IN OPERATION AND IT STOPPED AT MOSQUITO SPRINGS, LATER NAMED MERIDELL. SINCE THE PLACE BOASTED BOTH COLD AND HOT SPRINGS, FREIGHTERS COULD STOP TO REST AND QUENCH THE THIRST OF BOTH DRIVERS AND HORSES. THE STAGE LINES ORIGINATED IN CORRINE, UTAH, AND WERE DESTINED FOR MONTANA WITH ALL POINTS BETWEEN.

FRED DOLBEER, WHO OWNED AND LIVED AT MERIDELL OVER FORTY YEARS, RECOUNTED MANY STORIES OF THE HISTORY. ONE ROBBERY OF THE STAGE THAT WAS CARRYING A SHIPMENT OF GOLD BETWEEN MCCAMMON AND ONYX WAS REPORTED. THE GOLD WAS NEVER RECOVERED, NOR WERE THE ROBBERS EVER CAPTURED.

ABOUT 1910, THE FREIGHT ROUTE WAS ALTERED WHICH ELIMINATED THE STOP AT MOSQUITO SPRINGS. AT THIS POINT THE LAND WAS PURCHASED BY GEORGE DASH. EDITH PEARCE RECALLED THAT HE CALLED IT DASHER'S GROVE. HE WAS A NURSERYMAN AND PLANTED MANY TREES, SOME OF WHICH ARE STILL STANDING IN THE GROVE. HIS INTENTION HAD BEEN TO BUILD A GERMAN BEER GARDEN, BUT HE ABANDONED THIS IDEA AND SETTLED ON AN AMUSEMENT-PARK-TYPE ENTERPRISE. HE ERECTED A MERRY-GO-ROUND, A FERRIS WHEEL, AND A USED ROLLER-COASTER, HE HAD PURCHASED. ADDITIONALLY HE BUILT CONCESSION STANDS.

DASH OWNED ABOUT 200 ACRES OF LAND IN THAT LOCATION, WITH THE ROAD TO THE PARK BEING IMMEDIATELY IN THE CENTER. WHEN DASH AND HIS WIFE WERE DIVORCED IN 1918, AND SHE TOOK HALF THE PROPERTY AND HE RETAINED HALF. SOON AFTER THIS, THE DASHES SOLD THE PROPERTY TO DOLBEER WHO TOLD HELEN M. CARLSON OF THE INITIAL DEVELOPMENT OF THE PARK. A MAN FROM SALT LAKE, WHO HAD INTERESTS IN CORLISS AND ASSOCIATES, INVESTED \$175,000 TO MAKE ONE OF THE FINEST AMUSEMENT PARKS IN THE COUNTRY AT MERIDELL. HE LET THE CONTRACT FOR BUILDING TO MCGILLES AND RAMAGE. THE EXISTING RIDES WERE IMPROVED AND THE HUGE DANCE PAVILION WAS BUILT.

THE PROJECT WAS COMPLETED MARCH 4, 1920, AND MERIDELL PARK WAS OFFICIALLY OPENED IN JUNE, 1920. ON THE WARM SUMMER DAY, HUNDREDS OF PEOPLE FROM MILES AROUND WERE THERE FOR THE GRAND OPENING. SINCE INDIVIDUAL TRANSPORTATION WAS NOT EASILY AVAILABLE, BUSES WERE PROVIDED BY GARRETT FREIGHTLINES. CLIFFORD PEAKE REMEMBERED THAT FOR A TEN-CENT FEE, ONE COULD RIDE THE BUS FROM THE FARGO-WILSON-WELLS TO MERIDELL AND RETURN. THE LAST BUS RETURNED TO TOWN ABOUT MIDNIGHT.

DELLA WEST WEBSTER RECALLED, "THE DANCE HALL WAS AN ELEGANT PLACE, AND HUGE CROWDS ATTENDED. I ALSO REMEMBER THE ROLLER-COASTER WAS A VERY BIG ONE, THE FIRST DIP WAS ESPECIALLY A GREAT SHOCK TO OUR LUNGS AND NERVES. AS CHILDREN WE ANTICIPATED THE JULY 24 CELEBRATION AT MERIDELL. WE RODE OUT THERE IN WAGONS. RACES, GAMES, PROGRAMS FOR BOTH CHILDREN AND ADULTS WERE HELD ALL DAY. IN THE SHADE OF THOSE BEAUTIFUL, BIG TREES GREAT FOOD WAS SERVED--FRIED CHICKEN, HOMEMADE ICE CREAM, HOME-BAKED BREAD AND ALL OF THE TRIMMINGS.

THE POCATELLO TRIBUNE REPORTED AUGUST 17, 1921, "OLD FOLKS DAY AT MERIDELL PARK WILL FEATURE THE FOLLOWING RACES: FAT MEN'S RACES, SLIM MEN'S RACES, FAT WOMEN'S RACES, OLD MEN'S RACES, OLD WOMEN'S RACES, CRACKER RACES, BOYS' AND GIRLS' RACES, AND CRAWLING BARREL RACE. NOTE: EACH OLD PERSON IS TO BRING KNIFE, FORK, SPOON, AND CUP."

PERHAPS THE MOST VIVID MEMORIES OF MERIDELL ARE OF THE DANCE PAVILION. PEAKE SAID, "IT WAS QUITE A PLACE. THE DANCE FLOOR WAS ALWAYS CROWDED WITH PEOPLE DOING THE FOX-TROT, ONE-TWO-THREE STEPS,

AND WALTZES. DANCE MARATHONS WERE SWEEPING THE COUNTRY, AND MANY POCAPELLANS PARTICIPATED IN THESE CONTEST. I RECALL THAT AS MANY AS THIRTY COUPLES WOULD BE ON THE FLOOR AT THE BEGINNING OF THE MARATHON. THE IDEA WAS TO DANCE UNTIL ONLY ONE COUPLE REMAINED. THE LAST COUPLE STILL DANCING WOULD WIN A CASH PRIZE OF ABOUT ONE HUNDRED DOLLARS. AFTER HOURS, SOME PERSONS WOULD STILL BE GOING STRONG. YOU'D SEE COUPLES DRAGGING THEIR PARTNERS AROUND TO SEE WHO COULD STAND THE LONGEST. IF ANY COUPLE FELL, THEY WERE ELIMINATED. ONE BY ONE THEY WERE ELIMINATED AND IN SOME CASES THEY HAD TO BE CARRIED FROM THE FLOOR. WE HAD A GREAT TIME OUT THERE."

ORRIN WARDLE REPORTED, "FROM THE TIME I FIRST HEARD ABOUT IT, I WANTED TO GO TO MERIDELL PARK. I CAN RECALL WHEN OUR CHURCH TOOK A SMALL GROUP OF BOYS, INCLUDING ME, TO THE PARK. WE RODE THE MERRY-GO-ROUND AND, FILLED WITH FRIGHT, THE ROLLER COASTER. OUR SMALL RESOURCES DID NOT ALLOW FOR ANY OTHER RIDES, BUT A WALK PAST THE TANTALIZING GAMES OF CHANCE, EVEN THOUGH COSTING ONLY TEN CENTS, TAUGHT A BOY WITHOUT MONEY THAT SOME OF THE INTERESTING THINGS, AND, AS I WAS TO LEARN LATER, SOME OF THE NECESSARY AND IMPORTANT THINGS IN LIFE, DO NOT COME FREE. MERIDELL WAS POCATELLO'S FUN SPOT IN THOSE GOOD OLD DAYS." THOUGH THE AMUSEMENT PARK ENJOYED A PROSPEROUS TIME, HEAVY FINANCIAL STRAIN FORCED THE OPERATION INTO THE HANDS OF RECEIVERS. THE NEW GROUP OF OWNERS ARRANGED FOR WEDNESDAY AND SATURDAY NIGHT DANCES WITH SOFT DRINK CONCESSIONS.

THE POCATELLO TRIBUNE JULY 1, 1926, CARRIED A STORY THAT READ IN PART, "MERIDELL PARK, AFTER BEING RE-ESTABLISHED AS A TOURIST PARK, NOW ALSO HAS OPENED THE DANCE PAVILION AS A ROLLER SKATING RINK. MANAGER WARREN S. WILLIAMS PREDICTED SUCCESS FOR THIS LARGEST RINK IN THE STATE. MUSIC AND INSTRUCTORS IN THE ART OF SKATING WILL BE FURNISHED BY THE MANAGEMENT."

DOLBEER LIVED IN A TWO-STORY HOME AT MERIDELL FOR NEARLY FORTY YEARS, USING THIS SITE AS HIS HEADQUARTERS FOR VARIOUS ENTERPRISES, INCLUDING A TRAILER PARK. DURING THIS TIME TWO OTHER SMALLER HOUSES WERE BUILT ON THE PROPERTY. IN 1960, KENNETH AND LUCILLE HARTEN PURCHASED AND MOVED TO MERIDELL PARK. WHILE THEY LIVED AT MERIDELL THEY BUILT -- WITH MUCH EFFORT -- AN ICE-SKATING RINK. HARTEN RECALLS, "WE PUT IN A WOOD-BURNING STOVE FOR HEAT AND TO FRY HAMBURGERS,

AND BOUGHT SEVERAL DOZEN SKATES, SOME CANDY, AND TICKETS. WHEN THE SKATERS ARRIVED AT THANKSGIVING TIME, THEY FOUND THE SMOOTHEST ICE THEY HAD EVER SEEN. THEY CAME IN DROVES TO SKATE. 'WHAT A JOY TO SEE SO MANY CHILDREN AND ADULTS IN THEIR COLORFUL CLOTHES SKATING ON THE ICE I HAD BABIED SO TENDERLY. WE HAVE MANY OTHER LOVELY MEMORIES.'

IN 1975, DALE KIRKHAM NEGOTIATED TO PURCHASE THIS PROPERTY. ALL THAT REMAINED WAS THE ENTRANCE TO THE DANCE PAVILION--A FIRE DESTROYED THE HUGE DANCE FLOOR YEARS AGO--A FEW CONCESSION STANDS, A NUMBER OF TOURIST CABINS, A NATURAL SPRING STOCKED WITH TROUT, AND MANY MEMORIES FROM THE PAST, INCLUDING OLD NEWSPAPERS, FIRE EXTINGUISHERS, SEWING MACHINES, AND OTHER PARAPHERNALIA FROM THE EARLY PART OF THE CENTURY. ORIGINALLY KIRKHAM INTENDED TO RESTORE AT LEAST PART OF THE PAVILION BUILDING, BUT THIS PROJECT BECAME IMPRACTICAL. HE RAZED ALL OF THE HOUSES, LEAVING JUST THE ENTRY BUILDING, THE GAZEBO, TWO TOURIST CABINS, AND THE TICKET OFFICE. FOR THE PAST SEVENTEEN YEARS, HE HAS USED THE TRACT FOR RASING ALF ALFA AND A TRUCK GARDEN. CHICKENS, DUCKS, COWS, SHEEP, AND PIGS HAVE ALSO BEEN PROJECTS OF HIS DURING THIS TIME.

CURRENT PLANS FOR A PORTION OF THE REMAINING ACRES OF MERIDELL INCLUDE A FIVE-PLUS MILLION DOLLAR PRISON FOR BANNOCK COUNTY. THE KIRKHAM FAMILY IS DONATING THIS LAND TO THE COUNTY .

FROM FLAPPERS AND MARATHON DANCERS TO A PRISON SITE, MERIDELL PARK HAS RUN THE GAMUT OF USAGE. THE ONCE-THRIVING MERIDELL PARK WILL NOW BE THE SCENE OF LESS-INVITING ACTIVITY. THESE ACRES HAVE ENJOYED MUCH AND VARIED HISTORY.

JUN 15 2001

May 22, 2001

29-10745, 29-10750, 29-10754, 29-10756, 29-10758
DALE B KIRKHAM
PO BOX 4026
POCATELLO ID 83201

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 29-10745, 29-10750, 29-10754, 29-10756, 29-10758

May 22, 2001

29-10745, 29-10750, 29-10754, 29-10756, 29-10758
DALE B KIRKHAM JR
8503 BUCKSKIN RD
POCATELLO ID 83201

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Craig L. Saxton
Water Resource Agent
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Enclosure: Brochure on "Evidence of Priority"
Notice of Claim 29-10745, 29-10750, 29-10754, 29-10756, 29-10758

Log for claim A29-10754

Spatial Dynamics LTD

9/12/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s35e	8	SWNE	0.2	0	
07s35e	8	SENE	1	1.1	
07s35e	8	NESW	2	2.3	
07s35e	8	NWSE	1	0.4	
Totals:			4.2	3.8	

5/24/01 / Kirk called - He is going to make an
Appointment with me in two weeks
about Priority

AJ5809NP
No. A29-10754

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 296

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DALE B KIRKHAM JR 8503 BUCKSKIN RD POCATELLO ID 83201 (208) 233-1463	06/01/1925	IRRIGATION	03-15 11-15	0.130 CFS	
				TOTAL DIVERSION:	0.130 CFS	
				CONSUMPTIVE USE:		10.60 AFA

C DALE B KIRKHAM
PO BOX 4026
POCATELLO ID 83201
(208) 232-6886

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T07S R35E S08 NESW BANNOCK 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			
07S	35E	8	:			.2		:			01		:	02				:			01			:	4.2
																							TOTAL ACRES	4.2	

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: NONE

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

29-11287 A29-02367 A29-10744 A29-10750 A29-11287

Other Water Rights Listing Overlapping Place(s) of Use:

A29-02367 A29-10750

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

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

Audit: 03/26/90 WILSON 08/04/94 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: A29-10754
Date Received: 3/26/1990
Receipt No: E012536
Received By: Kew

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DALE B. KIRKHAM 208-232-6886
Address: P.O. BOX 4026
POCATELLO, ID 83201

OR

Name: DALE B. KIRKHAM, JR. 208-233-1463
Address: 8503 BUCKSKIN ROAD
POCATELLO, ID 83201

2. Date of Priority: JUN 01, 1925

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	35E	8	NE	SW			BANNOCK

5. Description of diverting works:
WELL PUMP MAINLINE FOR IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.130		

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

8. Total consumptive use is 10.6 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A29-10754

Page 1

Date: 03/26/90

A2910754



MICROFILMED
NOV 16 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	35E	8	SW	NE		IRR	0.2
			SE	NW		IRR	1.0
			NE	SW		IRR	2.0
			NW	SE		IRR	1.0
						Section Acres	4.2
						Total Acres	4.2

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): Dale B. Fulkerson Date: Mar. 26, 1990

Date: _____

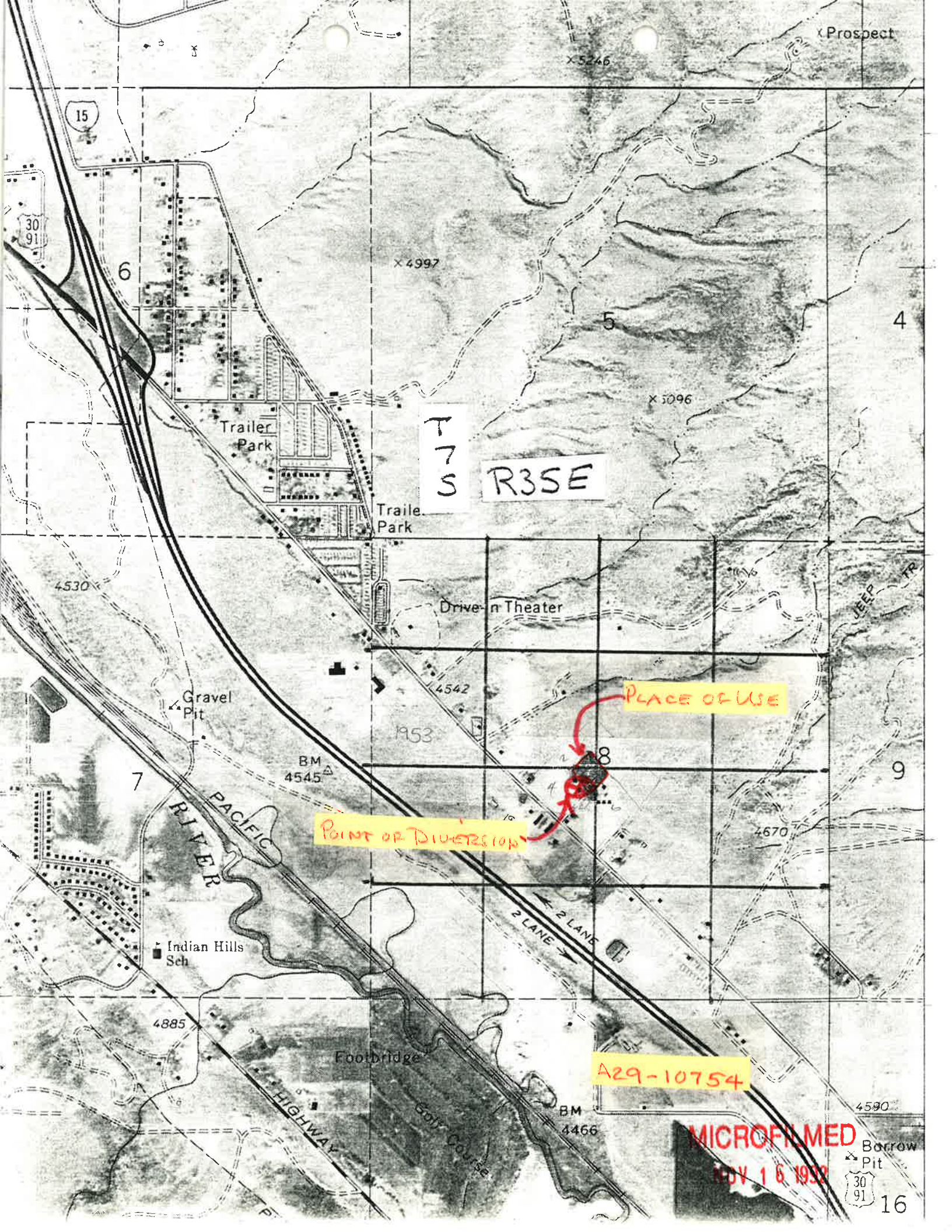
State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 26 day
of Mar 19 90

Betty J. Thompson
Notary Public

Seal

Residing at BETTY J. THOMPSON, NOTARY PUBLIC
My Commission Expires AT IDAHO FALLS, IDAHO
MY COMMISSION EXPIRES: 6-30-94



T
7
S R3SE

PLACE OF USE

POINT OF DIVERSION

A29-10754

MICROFILMED
NOV 16 1932
Borrow Pit
30 91 16