

02/04/2003

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

RIGHT NUMBER: 29-10791

NAME AND ADDRESS: LYNN W STEWART
8574 BOB SMITH RD
LAVA HOT SPRINGS ID 83246

MARGIE H STEWART
8574 BOB SMITH RD
LAVA HOT SPRINGS ID 83246

SOURCE: SPRING

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 04/01/1959

POINT OF DIVERSION:

T09S R38E S20 NWSWSW Lot 8 Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION		0.000 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T09S R38E S20 Lot 8 SWSW

STOCKWATER same as IRRIGATION

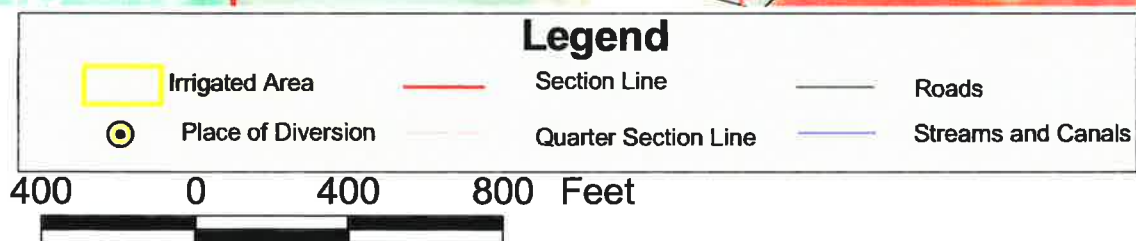
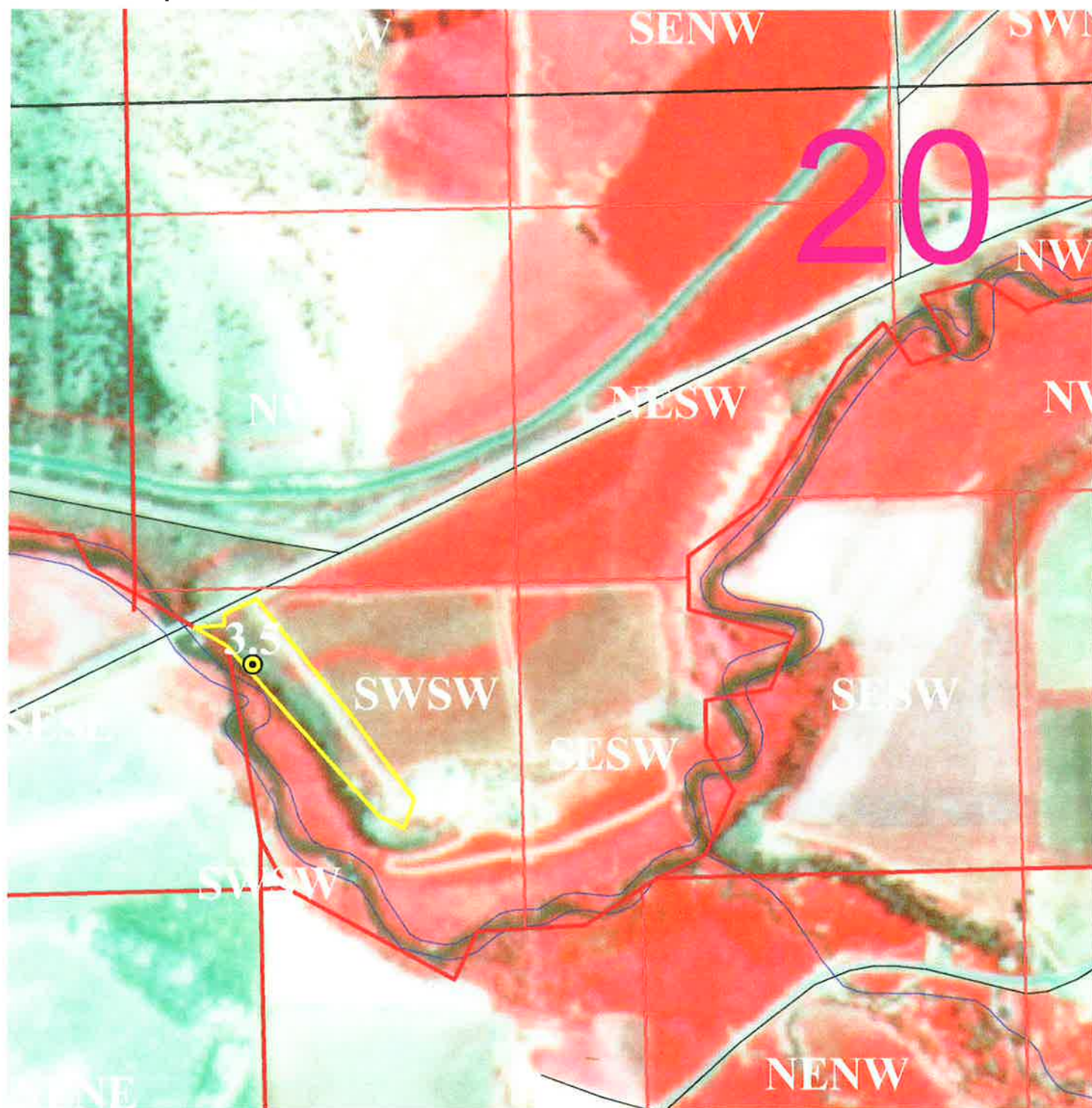
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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: Beneficial Use

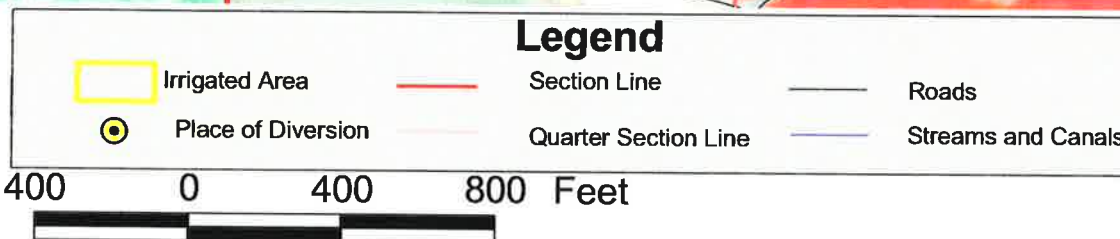
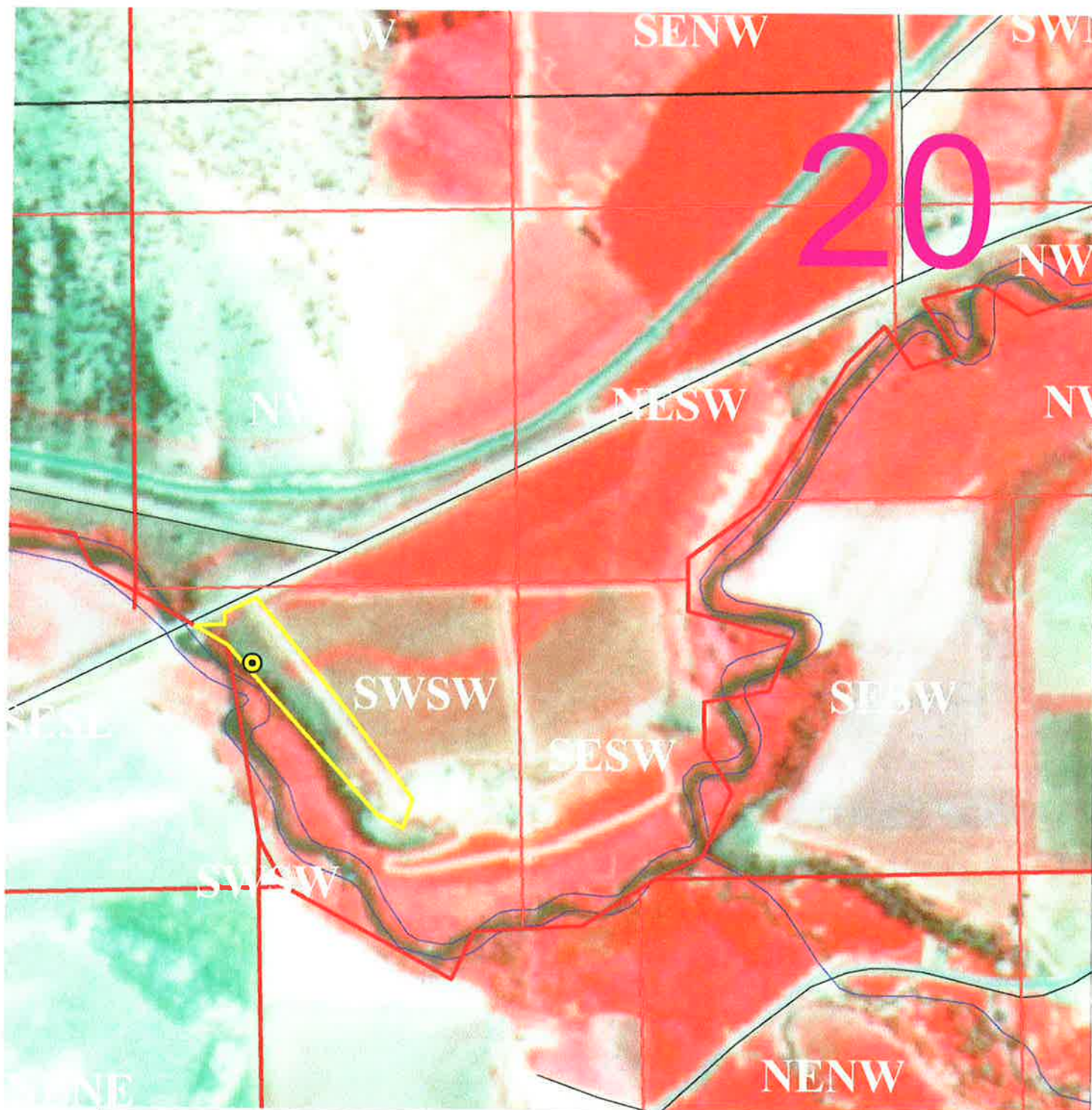
08/24/2000



Water Right Claim Number A29-10791

Township , 9S38E

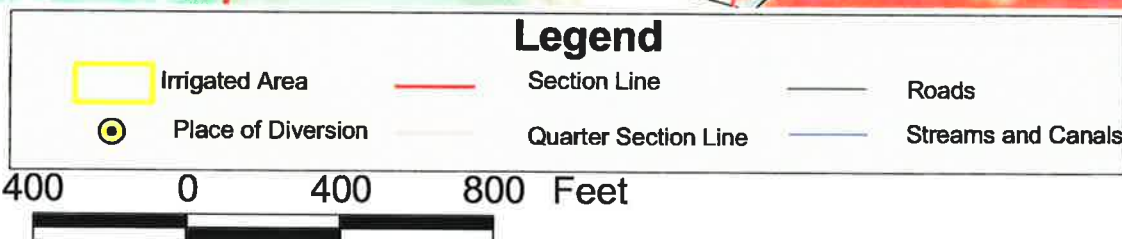
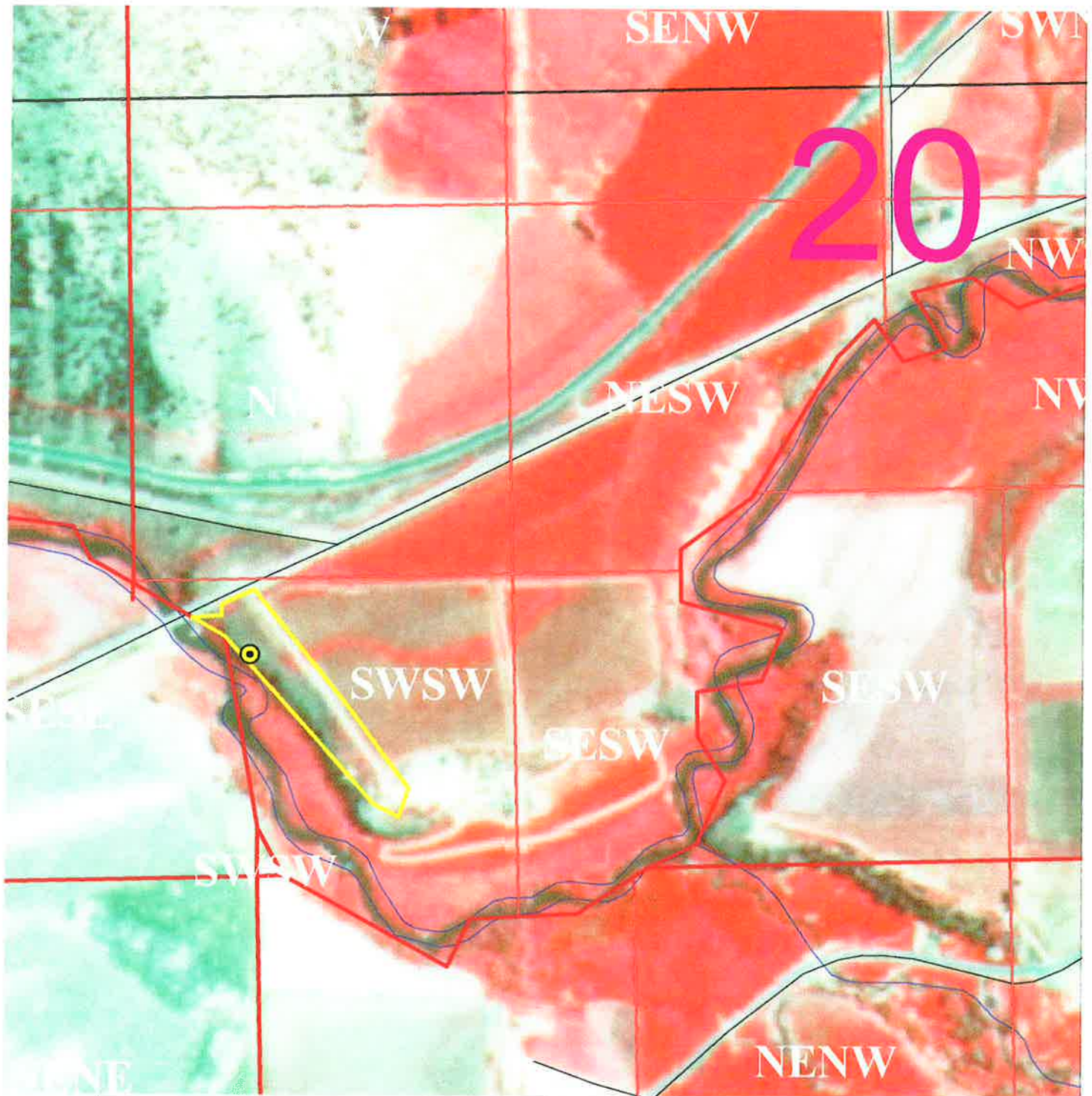
08/24/2000



Water Right Claim Number A29-10791

08/24/2000

Township , 9S38E





IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 29

RIGHT ID
POD ID
Quad
Claim Type
Easting
Northing
GPSID

Diversion Description

1 HP pump in shed (down hill).

Assumptions

Pressure head and elevation head.

Invoice #

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)

0.077732660781841

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, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

November 30, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

LYNN & MARGIE H STEWART
8574 S BOB SMITH RD
LAVA HOT SPRINGS ID 83246

RE: CHANGE OF ADDRESS FOR A29-207B, 29-214B, 29-215B,
29-10774B, 29-10776B AND 29-10791

Dear Mr. & Mrs. Stewart:

It has come to our attention that your address may have recently changed. The address currently recorded on the above referenced water right(s) is as follows:

Lynn W Mrgie H Stewart
204 W Fife St
Lava Hot Springs ID 83246

We recommend if, in fact, the address in question has been changed, you file a "Change in Address" with this department in order that we may send all further correspondence to the appropriate address.

Enclosed is a Change in Address form. Please fill out the form completely, sign and date it and return it to my attention.

If you have any questions regarding this matter, please call 525-7161.

Respectfully submitted,

Cheri Vandermeulen
Records Clerk

Enclosure(s)

29-10791 Bill Clark

I. Originally claimed #63 as priority. Unreliable letter requests change of priority to 1959. No further activity attached. Also, A claimant furnished photo is attached.
D. Either priority satisfies the mandatory benefit statute for Surface Water (1991) § 42-201 IC.

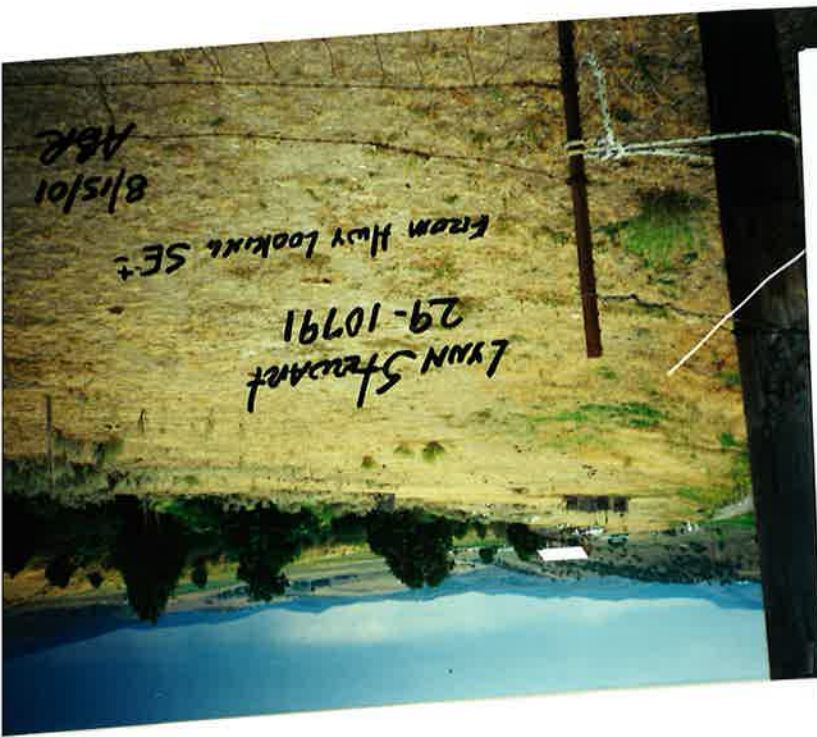
Monsieur: II, MURRAY ROAD.

8/15/01 Fred Dym. No Pump, No Conveyances, no irrigation
No Bill Road - Disallow
Mr. La Verne Johnson, previous owner, states there was been no irrig since the soil is
to shallow



Claimant Photo

DATE UNKNOWN



LYNN STEWART
29-10791

from Hwy looking SE

8/15/01
ABR

SEPTEMBER 4, 2001

DEAR MR. & MRS. STEWART:

WATER RIGHT NUMBERS A29-00207B, A29-00214B, A29-00215B,
A29-10774B, A29-10776B AND A29-10791 HAVE BEEN CHANGED TO
RELECT THE ADDRESS ON THE FRONT OF THIS CARD.

WATER RIGHT NUMBER A29-10792 WILL BE CHANGED AND SENT TO
YOU IN ANOTHER MAILING.

IF YOU HAVE ANY QUESTIONS FEEL FREE TO CONTACT THIS OFFICE
AT 208-525-7161.

RESPECTFULLY SUBMITTED,

Cheri Vandermeulen

CHERI VANDERMEULEN
RECORDS CLERK



LYNN W & MARGIE H STEWART
8574 BOB SMITH RD
LAVA HOT SPRINGS ID 83246

CHANGE IN ADDRESS

This form is solely for purposes of notifying IDWR of a change in address of an adjudication claim.

[] Water Right Number(s): 29-100207B, 29-00214B, 29-00215B
29-10774B, 29-10776B, 29-10791,
29-10792pd.

[] Old Mailing Address: 204 W. Fife Street
Lynn W or Margie H. Stewart Lava Hot Springs, ID 83246
W H.

[] New Mailing Address: 8574 Bob Smith Road
Lynn W or Margie H. Stewart Lava Hot Springs, ID 83246
12191 12202

LYNN & MARGIE STEWART
8574 Bob Smith Road
Lava Hot Springs, ID 83246

[] Telephone Number: (208) 776-9770

[] Signature of Claimant: Margie H. Stewart

[] Date: 8-30-01

Thank-you!

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

RECEIVED
AUG 31 2001
Department of Water Resources
Eastern Region



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
GOVERNOR

August 27, 2001

KARL J. DREHER
DIRECTOR

LYNN W & MARGIE H STEWART
8574 S BOB SMITH RD
LAVA HOT SPINGS ID 83246-1508

RE: CHANGE OF ADDRESS FOR A29-000207B, A29-00214B, A29-00215B, A29-10774B, A29-10776B, A29-10791 AND A29-10792

Dear Mr. & Mrs. Stewart:

It has come to our attention that your address may have recently changed. The address currently recorded on the above referenced water right(s) is as follows:

Lynn W & Margie H Stewart
204 W Fife St
Lava Hot Springs ID 83246

We recommend if, in fact, the address in question has been changed, you file a "Change in Address" with this department in order that we may send all further correspondence to the appropriate address.

Enclosed is a Change in Address form. Please fill out the form completely, sign and date it and return it to my attention.

If you have any questions regarding this matter, please call 525-7161.

Respectfully submitted,

Cheri Vandermeulen
Records Clerk

Enclosure(s)

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

Return Service Requested

29-207B
214 B
215 B
10774 B
10776 B
10791
10792

RECEIVED

AUG - 6 2001

Department of Water Resources

PRESTON
FIRST CLASS



STEW 245

MARGIE H STEWART & Lynn W.
204 W FIFE ST
LAVA HOT SPRINGS, ID 83246

STEW245 832462007 1A00 05 07/28/01
RETURN TO SENDER
STEWART
8574 S 808 SMITH RD
LAVA HOT SPRINGS ID 83246-1508
RETURN TO SENDER

83-423-4859



SCANNED

MAY 18 2001

Log for claim A29-10791

Spatial Dynamics PJM

8/24/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s38e	20	SWSW	3	3.5	
Totals:			3	3.5	

RECEIVED
APR 03 1995

Department of Water Resources
Eastern District Office

State Department of Water Resources
Eastern District Office
900 N. Skyline Drive
Idaho Falls, ID. 83402-1718

Dear Sirs:

In regards to the "Beneficial Use" of water on the 3.7 acres of land, Adjudication Case No. 39576.

In researching documentation of the "Priority Date" I found that the 1963 date is wrong. A previous owner, Mr. LaVerl Johnson, indicated he used the sprinkler irrigation on this small parcel of ground in 1959. A notarized letter to this effect is attached.

Please change the "Priority Date" on my application, and advise me of any further information that is needed.

Thank you,



Lynn Stewart
P.O. Box 245
Lava Hot Springs, ID. 83246
(208) 776-5308 - Home
(208) 776-5271 - Work

MICROFILMED

NOV 13 1995

State Department of Water Resources
Eastern District Office
900 N. Skyline Drive
Idaho Falls, Idaho 83402-1718

Dear Sirs:

I have used sprinkler type irrigation on the 3.7 acres of land located in lot 8 of section 20 township 9 South Range 38 E.B.M., Bannock County Idaho, owned by Lynn and Margie Stewart. Sprinkler irrigation was used by me starting in 1959 for the purpose of pasture.

Sincerely,

LaVerl A. Johnson

LaVerl A. Johnson
P.O. Box 606
Lava Hot Springs, ID. 83246

State of Idaho
County of Bannock

Subscribed and sworn to before me by *LaVerl A. Johnson*
This *30th* day of *March*, 19 *95*.



Gherard A. Peterson
Notary Public

My Commission expires *3-15-99*
Residing at Lava Hot Springs
MICROFILMED
NOV 13 1996

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Stewart

CLAIM

ENT. NO.

A29-10791

DATE RECEIVED

3/27/90

CK #

AMOUNT \$

YES

NO

Required
Info?

1. Is the name and address complete with zip code? YES
2. Is a priority date entered? NO
- Is the priority date acceptable in view of mandatory filing dates? *
- See Adjudication Memos #1 and #4 to determine if a Permit is required. *
3. (a) Is a source entered? *
- (b) Is a tributary to entered? (if required) N/A
4. Is the legal description of the p.d. sufficient? *
5. Is there a description of the diverting works?
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. *
- Is the period of use included?
- Is a quantity claimed for each use? *
7. Is a total quantity claimed entered?
8. If required is a consumptive use entered? N/A
- Is the consumptive use correct? N/A
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. *
10. Is (are) the place(s) of use and purpose(s) indicated? *
11. Is (are) the county(ies) entered?
12. Is the ownership of p.u. checked?
13. Are other water rights listed or "none" indicated?
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A
15. Is the basis of the claim indicated?
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. *
18. Has the claim been signed, sealed, and dated by a notary? *
19. Was this claim filed on time, or was an extension granted? *
20. Is the fee enclosed correct? Exempt *
21. If this claim is based on an existing water right, has the identification number been entered? N/A
22. Should this claim be data entered? X

Claim checked by:

DC

Date:

3/27/90

Claim must be returned to claimant:

(Yes) X (No)

Claimant must be notified of modifications:

(Yes) X (No)

Receipt Prepared by:

Claim data entered by:

Sent to claimant by:

DC

Date:

Date: 3/27/90

Checked by:

Date:

Comments:

MICROFILMED

NOV 16 1992

MAY 18 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: A29-10791
Date Received: 3/28/1990
Receipt No: E012554
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LYNN W. STEWART 208-776-5308
Address: 204 W. FIFE STR.
LAVA HOT SPRINGS, ID 83246
OR
Name: MARGIE H. STEWART 208-776-5308
Address: 204 W. FIFE STR.
LAVA HOT SPRINGS, ID 83246

A2910791



2. Date of Priority: JUL 01, 1963
3. Source: SPRING Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	38E	20	SW	SW		8	BANNOCK

5. Description of diverting works:
POND/ PUMP TO SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.120		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 7.5 Acre Feet Per Annum.

9. Non-irrigation uses:
S/ INSTREAM STOCK 20 SHEEP, CATTLE, HORSES

A29-10791

Page 1

Date: 03/28/90

MICROFILMED
NOV 16 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	38E	20	SW	SW	8	IRR	3.0
Section Acres							3.0
Total Acres							3.0

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

\$54
53IN 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 A29-10791Date Received 3-27-90Receipt Number E012554*RAA*NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

MAR 27 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) Lynn W. or Margie H. Stewart Phone (208) 776-5308Mailing Address 204 W. Fife St., Lava Hot Springs, ID Zip 832462. Date of Priority (Only one (1) per claim) July 1, 19633. Source of water supply (a) Spring
which is tributary to (b) Portneuf River4. a. Location of existing point of diversion is: Township 9S Range 38E Section 20,
1/4 of SW 1/4 of SW 1/4, Govt. Lot, 8 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.Portable pumps, plastic pipe,
sprinklers. The water naturally ponds.

MICROFILMED

NOV 16 1992

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 .12 or _____

For stock purposes from 1/1 to 12/31 amount .02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .12 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 10 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Instream stock use for 20 sheep, cattle, horses mixed

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	
9S	38E	20											Lot 4						43

Total number of acres irrigated 43

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 (4)

14. Remarks:

MICROFILMED

NOV 16 1992

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) X [Signature]

Date March 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 _____)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 21st day of March 19 90

SEAL

Notary Public [Signature]

Residing at Helen Harrington, Notary Public

Residing at Boise, Idaho

My Commission Expires My Commission Expires December 1, 1994

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 _____

MICROFILMED

NOV 16 1992

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

R37E R38E

LAVA HOT SPRINGS QUADRANGLE
IDAHO
7.5 MINUTE SERIES (ORTHOPHOTOQUAD)

