

04/15/2003

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

RIGHT NUMBER: 29-11232

NAME AND ADDRESS: CURTIS PECKHAM
5404 W BLACKROCK RD
POCATELLO ID 83204

SOURCE: PORTNEUF RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.054 CFS

PRIORITY DATE: 05/01/1918

POINT OF DIVERSION:

T07S R35E S23 NWSE Within BANNOCK County Source: PORTNEUF RIVER

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.054 CFS

PLACE OF USE:

IRRIGATION Within BANNOCK County

T07S R35E S23 NWSE 1.8

1.8 ACRES TOTAL

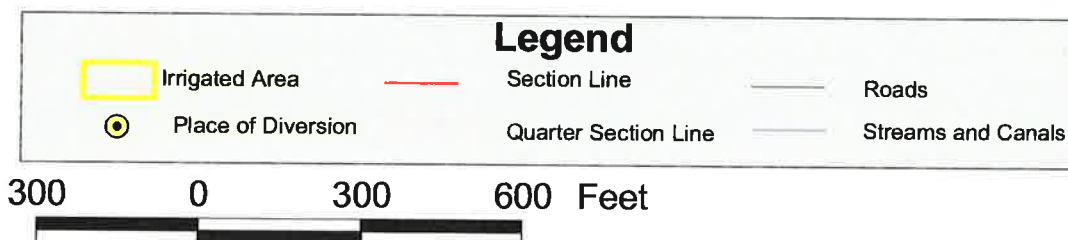
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: Beneficial Use

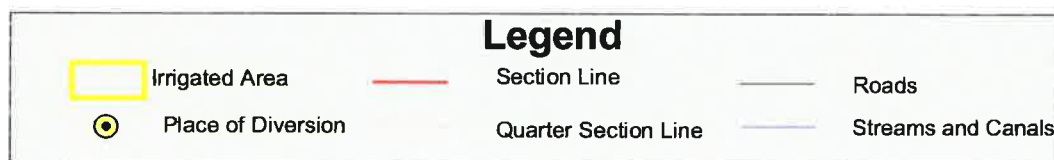
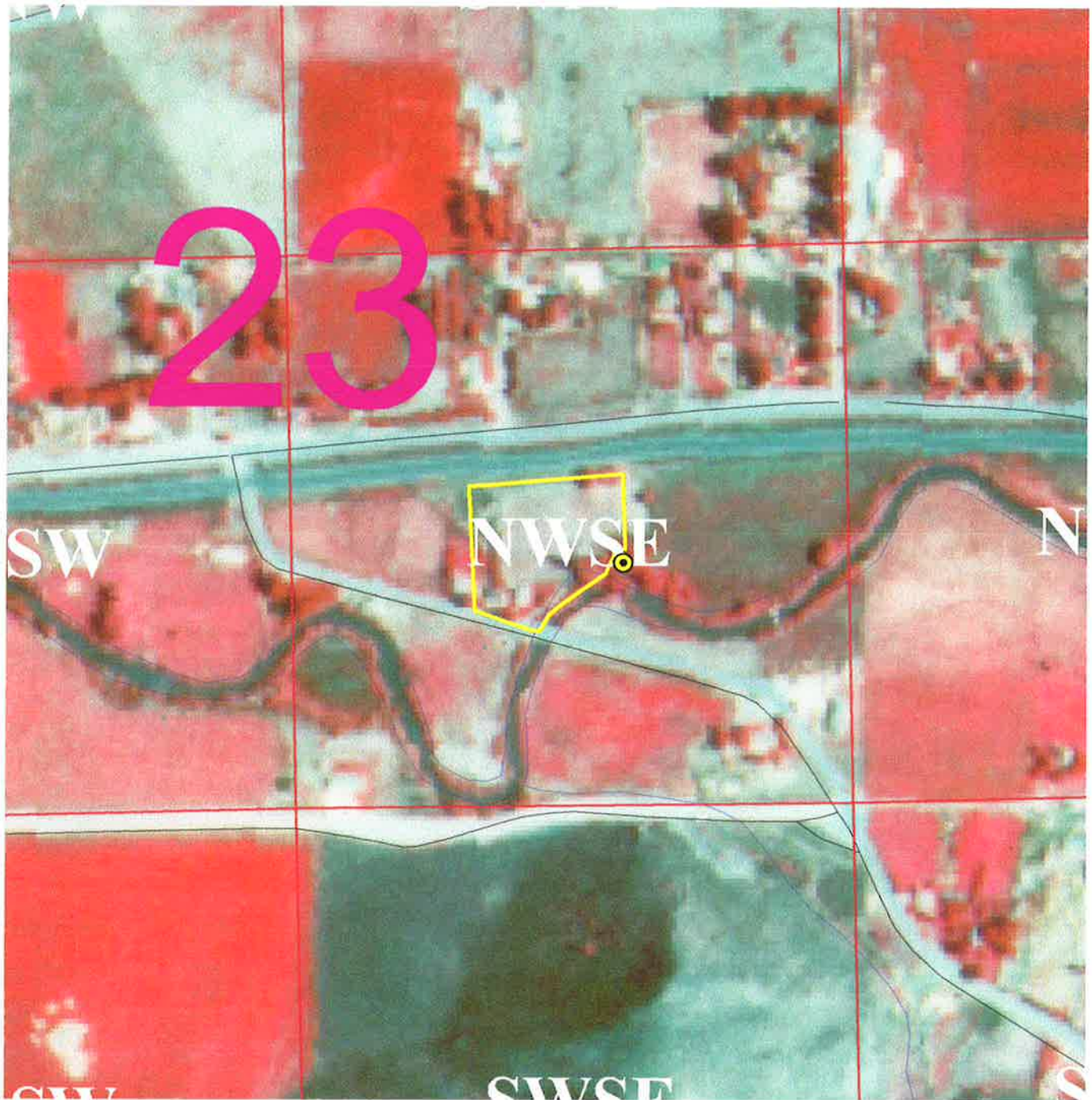
Water Right Claim Number A29-11232
Township , 7S35E

09/13/2000



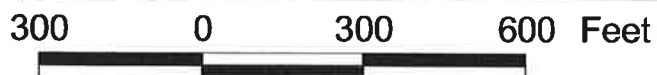
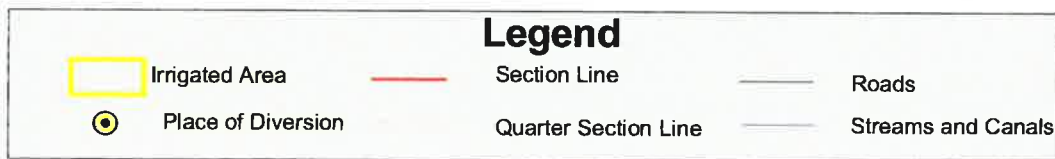
Water Right Claim Number A29-11232
Township , 7S35E

09/13/2000



Water Right Claim Number A29-11232
Township , 7S35E

09/13/2000



FOR ORIGINAL

S23-T75-R35E
2.00 ac.



MICROFILMED

RECEIVED
APR 21 2003
Department of Water Resources
Eastern Region

April 17, 2003

W. Roger Warner
Adjudication Specialist

State of Idaho
Department of Water Resources
900 N. Skyline Dr.
Suite A
Idaho Falls, ID 83402-1718

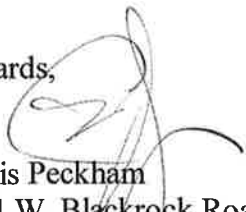
RE: Return Service Requested

Dear W. Roger Warner:

Thank you for your most succinct letter regarding my notice of error for water claim no. 29-11232. It is very satisfying to have a subject as important as this one dealt with in such an intelligible manner. I very much appreciate the terminology you have given me, such as, equivalencies, miners, and your specialty field of adjudication, though I will have to bow to your definitions of these things. By your approach to me, I am willing to do so. The breakdown of terms I am readily able to assimilate, ie. gallons per minute and distribution nozzles is very helpful. I thank you for going the extra mile with the five acres or less rule and I except your revised recommendation and layout.

In hopes that the court will see this as reasonable, I approve of your preliminary recommendation and ask that you present it before them at your convenience.

Regards,


Curtis Peckham
5404 W. Blackrock Road
Pocatello, Id 83204

April 15, 2003

CURTIS PECKHAM
5404 W BLACKROCK RD
POCATELLO ID 83204

RE: NOTICE OF ERROR FOR WATER RIGHT CLAIM NO. 29-11232

Dear Mr. Peckham:

Thank you for taking the opportunity of returning the "notice of error" reply for the above referenced water right. Upon it you indicated that you thought that it should have 2-½ cfs of irrigation water for 2.2 acres. You also indicated that the portions have been in effect since the priority date and why were they being changed now.

I have reviewed the file for this water right claim and associated information. In addition, I have also reconstructed a layout or map of the property showing property boundaries (green lines) overlaid on a 1990 black and white aerial photo. My comments in response to your concerns are the following:

1. The tax lot data for Bannock County shows your property being 2.6 acres in size. It is apparent when observed on the layout (green lines) that the 2.6 acres includes areas such as driveways, residence, outbuildings, improvements, and part of the Portneuf River. In re-drawing the areas for irrigation, I attempted to exclude most of these areas and came up with 1.8 acres of irrigable lands. I feel that we can revise the recommendation for a water right to show 1.8 acres and have included the revised acreage on the enclosed revised recommendation for a water right.
2. By Statute, Idaho law allows up to one (1) miners inch per acre, which is equivalent to 0.02 cfs. The quantity of 2.5 cfs would be appropriate for the irrigation of 125 acres. Our analysis of aerial photos and a site visit indicate that 1.8 acres of land is irrigable. Therefore, at 0.02 cfs per acre, your lands would require 0.036 cfs with one exception.

In adjudications performed in other basins in the State of Idaho, the court recognized that acreages of 5 acres or less had difficulties in diverting a sufficient amount of water at the 0.02 cfs per acre rate. Hence, the courts have allowed up to 0.03 cfs per acre up to a maximum of 0.10 cfs for acreages of 5 acres or less.

How this calculates out looks like this:

$$1.8 \text{ acres} \times 0.02 \text{ cfs} = 0.036 \text{ cfs}$$

If we applied one miners inch per acre (0.02 cfs), your maximum diversion rate would be 0.036 cfs. However, if we apply the courts idea of 0.03 cfs per acre, we calculate:

$$1.8 \text{ acres} \times 0.03 \text{ cfs} = 0.054 \text{ cfs.}$$

This value is in excess of the previous amount of 0.02 cfs per acre but less than the maximum amount of 0.10 cfs for 5 acres or less. Therefore, it is appropriate to recommend to the court the amount of 0.054 cfs. This amount is the equal to about 24 gallons per minute.

3. Your property is a portion of what was a much larger property and larger water right. A 2.5 cfs irrigation diversion rate would be appropriate for 125 acres but not for 1.8 acres. A sprinkler irrigation system with nozzles sized to distribute 6 gallons per minute would allow for 4 sprinkler heads to be used at the same time. The courts would likely find this reasonable and approve it.

If you have any questions regarding this matter, please feel free to call me at 525-7161.

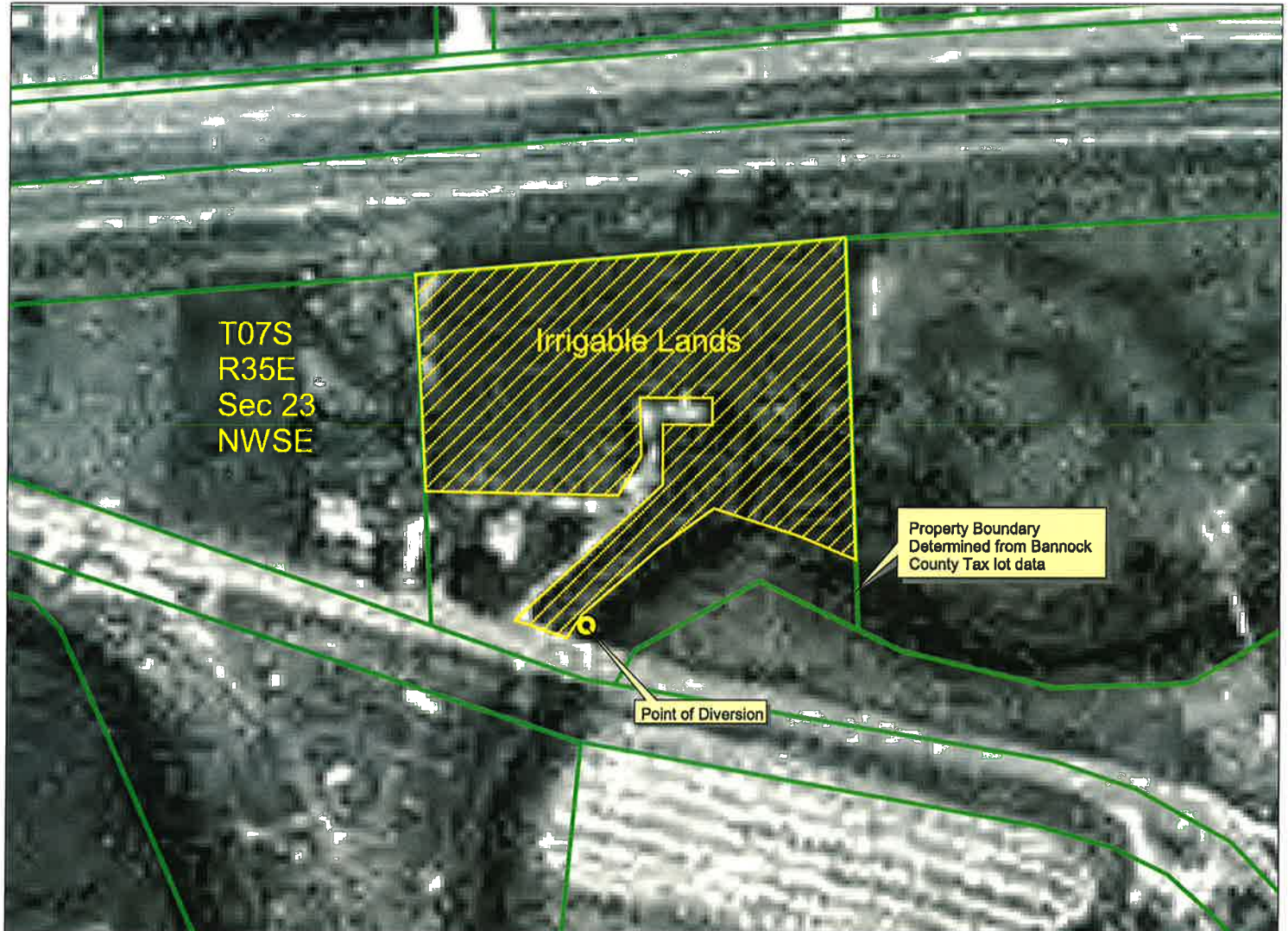
Respectfully submitted,

W. Roger Warner
Adjudication Specialist

Enclosure(s) Revised recommendation for a water right no. 29-11232.
Revised layout for water right no. 29-11232.

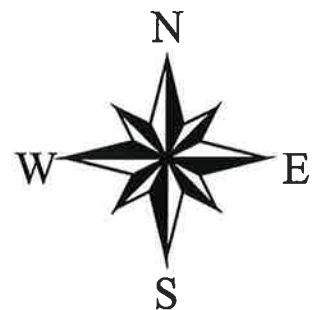


State of Idaho
Department of Water Resources
Eastern Region
Claim No.: 29-11232



0.03 0 0.03 0.06 Miles

Irrigated Acres = 1.8



29-11232shp.shp



Diversion.shp



Bann_co.shp

GIS Place of Use Illustration
1987/88 NAPP PHOTOGRAPHY
Prepared by R. Warner
Date: April, 2003

02/13/2003

NOTICE OF ERROR
REPLY

Paul
Roger
Curtis

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: 29-11232

CURTIS PECKHAM
5404 W BLACKROCK RD
POCATELLO ID 83204

Telephone Number: (208) 775-3725 4769
251-0711

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

QUANTITY

ACRES TOTAL

2. Describe the changes you wish to make in the proposed recommendation:

QUANTITY - 2.5 CFS

ACRES - 2.2

3. Give a brief explanation as to why you disagree with these portions:

THESE PORTIONS HAVE BEEN IN EFFECT SINCE THE PRIORITY DATE, WHY HAVE THEY BEEN CHANGED?

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

DATE: 2-21-03

SIGNATURE:

Please print your name:

Curtis Peckham

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

RECEIVED

FEB 28 2003

Department of Water Resources
Eastern Region

02/13/2003

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

RIGHT NUMBER: 29-11232

NAME AND ADDRESS: CURTIS PECKHAM
5404 W BLACKROCK RD
POCATELLO ID 83204

SOURCE: PORTNEUF RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.050 CFS

PRIORITY DATE: 05/01/1918

POINT OF DIVERSION:
T07S R35E S23 NWSE 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	0.050 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T07S R35E S23 NWSE 1.6

1.6 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

RECEIVED

FEB 28 2003

Department of Water Resources
Carlson

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

COPY

Ident. Number: A29-11232
Date Received: 4/19/1990
Receipt No: E013407
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: CURTIS PECKHAM
Address: 5404 W BLACKROCK ROAD
POCATELLO ID 83204 208-775-3725

2. Date of Priority: MAY 1, 1918

3. Source: PORTNEUF RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	35E	23	NW		SE		BANNOCK

5. Description of diverting works:
SP 205 MODEL PUMP, 2" SEC. AND 1 1/2 " DISCH HP2

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	01/15	09/30	2.500		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

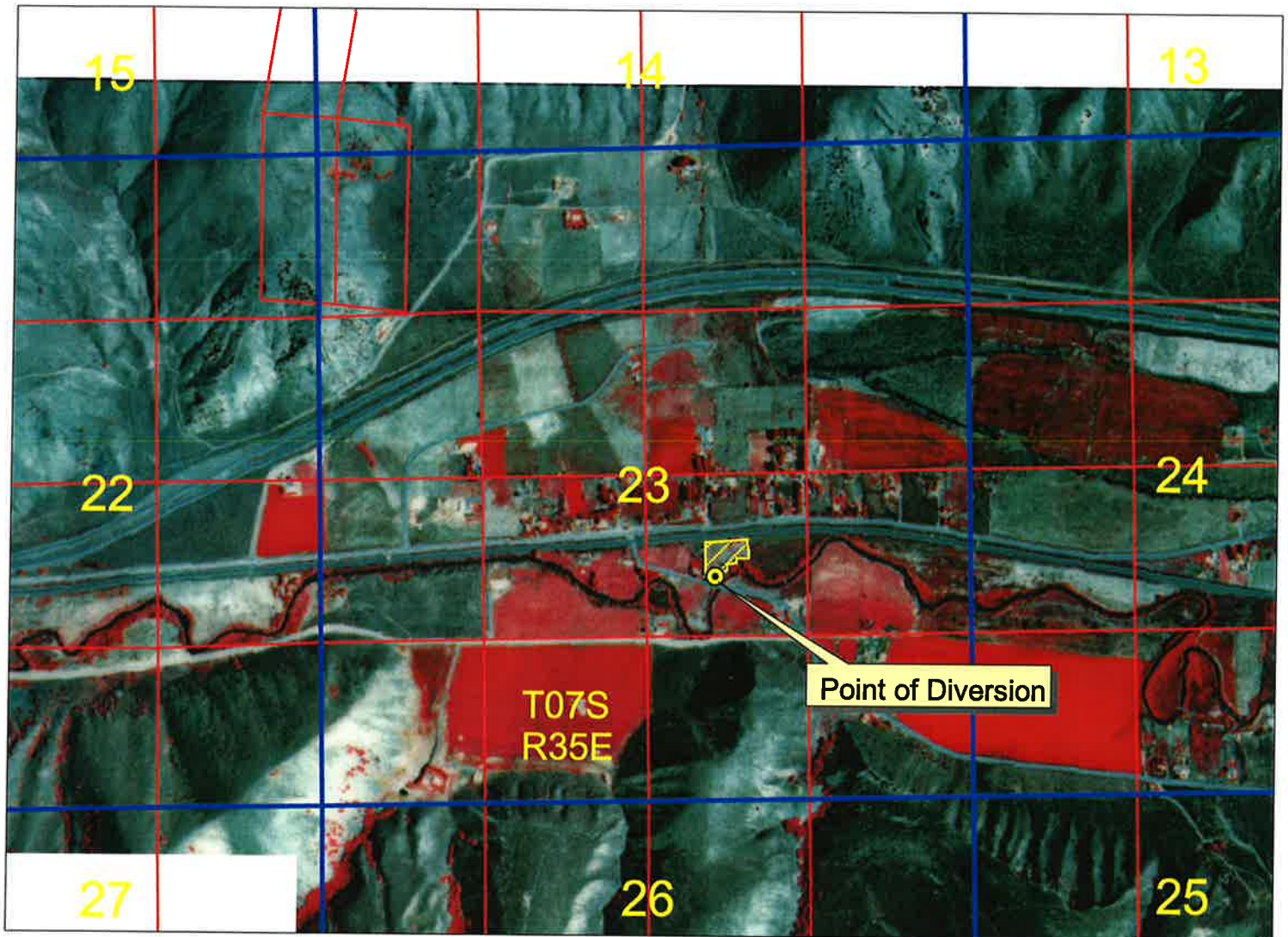
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	35E	23	NW	SE		IRR	2.2
Section Acres							2.2
Total Acres							2.2



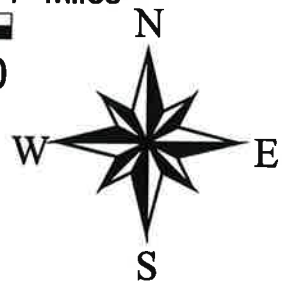
State of Idaho
Department of Water Resources
Eastern Region

Water Right: 29-11232



0.5 0 0.5 1 Miles

1:16000



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

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: P. Meyer
Date: December 2002

1-16-02 : O+S 29-11454 PD'A From Well

: Priority is OK

: Reduce diversion Rate

9-14-02 : 3 pics of POW
1) White house in back
2) White house - sprinkler in picture
3) Garden in pic

: Sprinklers Can be seen in pic.

12-3-02 : Average calculated Per GIS

: POW - Shape drawn to P.T 1987 NAPP photograph
But does not necessarily fit Tax lot or
USGS DOQQ data.

Adjudication Claim Report 29-11232

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 29-11232
9-11232

Name and Address

CURTIS PECKHAM
5404 W BLACKROCK RD
POCATELLO, ID 83204
(208)775-3725

Status: Active 0/4

Tributary

SNAKE RIVER o/c

Annual Volume

4/1 10/31

~~2.500 CFS~~ 0.05

SW NW1/4SE1/4

Sec. 23, Twp 07S, Rge 35E, B.M.

BANNOCK County

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	Totals
07S	35E	23																	2.2
																			1.6

Total Acres: ~~2.2~~ 1.6

C 18

Remarks:

Comments:

Dates and Other Information:

State or Federal: S

Mitigation Plan: False

29-11232 POU Field Exam: 9/19/02



Looking South East at claimed POU. Sprinkler can be seen in the field. Garden can be seen at the left of the picture (csaxton).



Looking South at claimed POU (csaxton).

[Send To Printer](#)

[Back To TerraServer](#)

USGS 14 km SE of Pocatello, Idaho, United States 15 Jul 1998



Image courtesy of the U.S. Geological Survey

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IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 29



RIGHT ID 29 11232
POD ID 275099
Quad Inkom
Claim Type L
Easting 636704
Northing 189674
GPSID A0011666

Diversion Description

2 hp Model SP 205 pump, 2" SEC., and 1 1/2 " Discharge (hostile dogs @ house).

Assumptions

Pressure head and elevation head.

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 275099 01.JPG

OD ID 275099 03.JPG

OD ID 275099 02.JPG

EPE (ft)

Date (M/D/Y)

Time

Flow Rate (CFS)

08-27-01

15:45

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 0

Depth

☐ Rectangular Channel

Width

Depth

Flow Calculation

☐ Continuity

Velocity

0

☐ 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 2

Pressure Head (psi) 60

Elevation Head (ft) 20

Motor Mfg

Motor Serial #

Pump Type Other

Pump Mfg

Pump Serial#

New Contact Information



New Contact Comments

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A0011666

8-27-01
3:45 pm

Alan Roth



AD01166 8-27-01
3/5/02
H. R. R.



Curtis Peckham

POU Sketch Map

WR # (s): 29-11232



0 1320 Feet

Claimed Irrigated Acres: 2.5



Acreage Distribution

Prepared By: Craig Saxton
May 2001

JUN 15 2001

Log for claim A29-11232

Spatial Dynamics LTD

9/13/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s35e	23	NWSE	2.2	2.4	
Totals:			2.2	2.4	

4/9/01 A's needs to be reduced - claimed enough water to irrigate 125 acres.

5/10/01 Contact for Appointment - Curtice wants to be notified for Apt if Field Exam

5/16/01 / Priority Evidence received

RECEIVED

MAY 15 2001

Department of Water Resources
Eastern Region

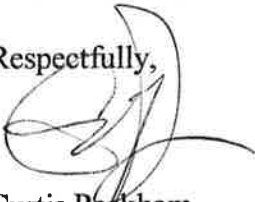
Craig L. Saxton
Water Resource Agent
Adjudication Bureau

Mr. Saxton,

As per your request I have enclosed a copy of the affidavit written by Henry Mathews on behalf of myself for the purpose of proving the priority date. As per our conversation, the original was sent to Dave Carlsen in 1993. Therefore, this copy does not show the seal of the notary. Tami Wilson continues to be current if she is needed to verify.

I believe this letter will be sufficient to show that Henry Mathews had personal knowledge of the beneficial use of the water right on this property all of his life and should set the priority date of 1918 as correct.

Respectfully,

A handwritten signature in black ink, appearing to read 'Curtis Peckham', with a large, stylized flourish extending from the end of the signature.

Curtis Peckham
5404 W. Blackrock Road
Pocatello, ID 83204

Dave Carlson
Water Right Agent, Adjudications
State of Idaho
Department of Water Resources

Mr. Carlson,

I am writing this letter of affidavit on behalf of Curtis N. Peckham for the purpose of proving the priority date given to the claim to a water right under state law. As I have personal knowledge and have observed the use of water in this area all my life, I can attest to its beneficial use.

My family originally farmed and raised stock in Arbon valley. In the fall the stock was brought into the Blackrock area for wintering. Eventually my father, William H. Mathews bought this property from S.J. Palmer in 1935. Mr. Palmer up until this time raised melons and irrigated this property off of the Portneuf River. Hence the priority dates of 1918 and 1920. My father then discontinued the raising of melons but began a field of raspberries which he continued to irrigate. I personally dug the first well on this property for domestic and stockwater use. And although I stopped the growing of raspberries, I continued to irrigate off the river for stock feed. My brother Howard Mathews then bought the property to the west and adjoining this property with full water rights for the purpose of domestic, stockwater, and irrigation as this property also claims.

Historically this water has been used for the purpose and dates for which it is claimed. To my knowledge no documents can be secured to prove this claim. Therefore, I submit my testimony to you that I have personally observed its use.

Change of ownership for these properties numbered A29-11454 and A29-11232 was processed and the Notice modified to reflect the new owner as Curtis N. Peckham on February 24, 1993.

Henry I. Mathews

Henry I. Mathews
4700 S. 5th #69
Pocatello, Idaho 8320

Tami Wilson
Jamie Wilson
Expires 4-18-97

May 2, 2001

29-11232
CURTICE PECKHAM
5404 W BLACKROCK ROAD
POCATELLO ID 83204-7309

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 4, 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 29-11232

AJ5809NP
No. A29-11232

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 320

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CURTIS PECKHAM 5404 W BLACKROCK RD POCATELLO ID 83204 (208) 775-3725	05/01/1918	IRRIGATION	01-15 09-30	2.500 CFS	
TOTAL DIVERSION:					2.500 CFS	

Water Source: PORTNEUF RIVER

Tributary to: SNAKE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T07S R35E S23 NWSE BANNOCK County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
NENE NENE SENE				NENW NWNW SWNW SENW				NESW NWSW SWSW SESW				NESE NWSE SWSE SESE				
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	SUM		
07S	35E	23	:	:	:	:	:	:	:	:	:	:	:			
TOTAL ACRES													2.2			

POU County: BANNOCK

Other Rights: NONE

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

29-10604	29-10673	29-11273	29-11280	29-11454	29-11619	29-11726	29-12068	29-12144	A29-04066
A29-04207C	A29-04425	A29-10094	A29-10604	A29-10673	A29-10802	A29-11273	A29-11280	A29-11387	A29-11454
A29-11619	A29-11726	A29-12067	A29-12068	A29-12144					

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

A29-02409 A29-02409A A29-04066 A29-04207 A29-04207C A29-04425 A29-10802

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

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

Audit: 12/23/92 THOMPSON 02/24/93 THOMPSON 08/04/94 THOMPSON 03/29/95 POST-STD

FEBRUARY 24, 1993

CURTIS PECKHAM
5404 W BLACKROCK ROAD
POCATELLO ID 83204

RE: CHANGE IN OWNERSHIP FOR A29-11454 AND A29-11232

Dear Mr. Peckham:

The request for Change in Ownership concerning your Notice of Claim in the above reference has been processed and the Notice modified to reflect you as the new owner.

Enclosed is a typed Notice with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,

Dave Carlson
Water Rights Agent, Adjudication

DC:jt

Enclosure: Copy of Notice

MICROFILMED

APR 14 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 1-4-93

RECEIVED

FEB 24 1993

LEGAL DESCRIPTION OF PROPERTY: Township 7 S. Range 35 E.

Section 23, NW 1/4 of SE 1/4 of 1/4 Govt. Lot BM.

Lot , Block , Subdivision/Townsite

If you have additional legal descriptions, please attach separate sheet.

Department of Water Resources
Eastern District Office

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR:

A29-11454 A29-11232

☐ Name and Address of Former
Owner/Claimant(s)(Seller):

HENRY I. MATTHEWS

5404 W. BLACKROCK RD.

☐ New Owner/Claimant
(Purchaser):

CURTIS PECKHAM

☐ New Mailing Address:

5404 W. BLACKROCK RD.

☐ New Telephone Number:

(208) 775-3725

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

ALL RIGHTS GO TO NEW OWNER

☐ Attach proof of
ownership, describe
proof attached:

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New
Owner/Claimant(s)

Date 1-4-93

Date

☐ Signature of Former
Owner/Claimant(s):

Henry I. Matthews

Date 2-18-93

Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

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:

Claim Numbers of Split, if any:

MICROFILMED

APR 14 1994

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

REVENUE STAMPS

For Value Received

Howard L. Mathews, Melvin Mathews, Mae Davis, all of Pocatello,
Bannock County, Idaho, and Thomas Green of Pocatello, Idaho,
do hereby convey, release, remise and forever quit claim unto

Henry I. Mathews, of Pocatello, Bannock County, Idaho.

the following described premises, to-wit:

Commencing at the East 1/16 corner of Section 23, Township 7 South,
Range 35, East of the Boise Meridian: Thence South 2°00' East along
the East 1/16 line of said Section 23, 506.6 feet, more or less to the
Southerly right of way line of the Oregon Short Line Railroad; thence
along the said right of way line on a curve to the left 468.3 feet; thence
continuing along said right of way line South 84°35' West 46 feet to the
point of beginning; Thence South 1° 17' East 253 feet, more or less, to
the Northerly bank of the Portneuf River; thence following along the said
Northerly bank down stream in a Westerly direction to its intersection
with the Northerly right of way line of the Portneuf Road; thence along
the said Northerly right of way line North 72° 24' West 110 feet; thence
North 288 feet more or less to an intersection with the Southerly right
of way line of the Oregon Short Line Railroad; then North 84° 35' East
along the said right of way line 357 feet more or less to the point of
beginning.

The above is a part of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 23, Township
7 South, Range 35, East of the Boise Meridian in Bannock County,
Idaho, and contains 2.2 acres more or less.

together with their appurtenances.

Dated: March 30, 1968.

Thomas Green
THOMAS GREEN

Mae Davis
MAE DAVIS

Howard L. Mathews
Howard L. Mathews

Melvin Mathews
Melvin Mathews,

STATE OF IDAHO, COUNTY OF Bannock
On this 30th day of March, 1968,
before me, a notary public in and for said State, personally
appeared

Howard L. Mathews, Melvin
Mathews and Mae Davis,

450060 MICROFILMED
NO. RECORDED AT REQUEST OF
F.M. Bietline APR 14 1968

MAY 10 11 06 AM '68

HENRY I. OR LUCILLE MATHEWS
5404 W. BLANCHROCK RD.
POCATELLO, ID 83204

574

POOR ORIGINAL

PAY TO THE ORDER OF Dept of Water Resources \$ 77.00
Seventy Seven Dollars & 00/100 DOLLARS



Key Bank of Idaho
Pocatello Westwood Office
P.O. Box 3019
Pocatello, Idaho 83206

CES
525-7161

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

MEMO
1124101555181 029833 11 0574

RE: Notice of Claim A29-11232 and Domestic Well

Dear Mr. Mathews:

The Idaho Department of Water Resources (IDWR) is returning your Notice of Claim to a Water Right because of insufficient information and/or fees. All items on the forms must be completed and fees submitted before the IDWR can process the notice.

Please correct the items identified below and return the notice and filing fee to the IDWR by May 10, 1990. If the corrected notices are not returned by then, each notice will be subject to an additional late fee.

The location of the point of diversion (well or headgate) and place of use must be defined to at least the Township, Range, Section, and 1/4 of 1/4 Section (40-acre tract). Using the description you enclosed with your claims we have determined the correct legal description to be Township 7S, Range 35E, Section 23 in the NW1/4 of the SE1/4. If you believe this is the proper legal description, please enter the information in #4 and #10 on both of your claims.

The cfs amount claimed for the domestic and/or stock purposes must be entered in Item #6 on the domestic claim. The typical amount for one house with up to 1/2-acre of lawn and garden irrigation is 0.04 cfs. Refer to the enclosed Table 1 for the stockwater diversion rates if you are claiming water for stock.

Your signature must be notarized in Item #16.

If you wish to make an appointment to discuss the corrections, please call the IDWR at (208) 525-7161.

Respectfully submitted,

Ernest Carlsen
Ernest Carlsen
Adjudication Supervisor

EC:jt

MICROFILMED

APR 14 1994

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: A29-11232
Date Received: 4/19/1990
Receipt No: E013407
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: CURTIS PECKHAM
Address: 5404 W BLACKROCK ROAD
POCATELLO ID 83204 208-775-3725

2. Date of Priority: MAY 1, 1918

3. Source: PORTNEUF RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	35E	23	NW	SE			BANNOCK

5. Description of diverting works:
SP 205 MODEL PUMP, 2" SEC. AND 1 1/2 " DISCH HP2

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	01/15	09/30	2.500		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
07S	35E	23	NW	SE		IRR	2.2
Section Acres							2.2
Total Acres							2.2

MICROFILMED

APR 14 1994

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

MICROFILMED

APR 14 1994

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: **A29-11232**
Date Received: 12/23/1992
Receipt No: E013407
Received By: _____

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

1. Name: HENRY I MATHEWS 208-775-3706
Address: 5404 W BLACKROCK ROAD
INKOM ID 83245

2. Date of Priority: MAY 1, 1918

3. Source: PORTNEUF RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	35E	23	NW	SE			BANNOCK

5. Description of diverting works:
SP 205 MODEL PUMP, 2" SEC. AND 1 1/2 " DISCH HP2

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	01/15	09/30	2.500		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
07S	35E	23	NW	SE		IRR	2.2

Section Acres 2.2

Total Acres 2.2

MICROFILMED

APR 14 1994

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 _____

MICROFILMED

APR 14 1994

NO LATE FEE IF RECEIVED
BY 5-10-90 ED

5250

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

CIVIL CASE NUMBER: 39576

Ident. Number

Date Received

Receipt Number

A29-112 32

4-10-90 / 4-18-90

FO13407

CK#578 \$52.50 \$77.50

RECEIVED

NOTICE OF CLAIM

TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW

APR 18 1990

Department of Water Resources
Eastern District Office

RECEIVED

APR 10 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) Henry I. Mathews Phone (208) 775-3706Mailing Address 5404 W. Blackrock Rd. Zip 832042. Date of Priority (Only one (1) per claim) May 1, 19283. Source of water supply (a) Portneuf River
which is tributary to (b) Snake River4. a. Location of existing point of diversion is: Township T7S Range R35E Section 23,
N.W. 1/4 of SE 1/4 of _____ 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 T7S Range R35E Section 23, N.W. 1/4 of SE 1/4 of _____

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.model SP205 2 inch section and 1 1/2 inch discharge
HP2-

MICROFILMED

APR 14 1994

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from April 15 to Sep 30 amount 2.5 or .04

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.5 (cfs) and/or (b) _____ (acre feet)

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

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

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	
7S	35E	23																	2.2 acres

Total number of acres irrigated

2.2

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

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.
For Domestic and stockwater or None ()

14. Remarks:

MICROFILMED

APR 14 1994

Last Name Matthews Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

A 16x16 grid of squares. Each square contains a crosshair pattern formed by two dashed lines intersecting at the center. The grid is composed of 16 columns and 16 rows of these squares.

APR 14 1994

Copies: White-State, Yellow-Claimant

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

If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

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

Signature of Claimant (s) Henry + Mathews Date 4-14-90

Date _____

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

of _____, Title _____, 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 _____

Janette Walter
Notary Public Commission Expires 12-95
Date _____

State of Idaho/or _____)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 9th day of April 19 90

SEAL

Notary Public Claudia M Hartman

Residing at Pocatello Idaho

My Commission Expires 6/23/92

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 Henry + Mathews

Address 5404 W. Blackfoot Rd. 83204

Date 4-9-90

MICROFILMED

APR 14 1994

Last Name Mathews Ident. Number _____

Copies White-State, Yellow-Claimant