

01/13/2003

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

RIGHT NUMBER: 29-11345

NAME AND ADDRESS: KAREN M FISHER
1724 N MINK CREEK RD
POCATELLO ID 83204

MICHAEL N FISHER
1724 N MINK CREEK RD
POCATELLO ID 83204

SOURCE: MINK CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.060 CFS

PRIORITY DATE: 06/17/1902

POINT OF DIVERSION:

T07S R35E S29 NWSNW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 09/15	0.060 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within BANNOCK County

T07S R35E S30 SENE 3.2

3.2 ACRES TOTAL

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

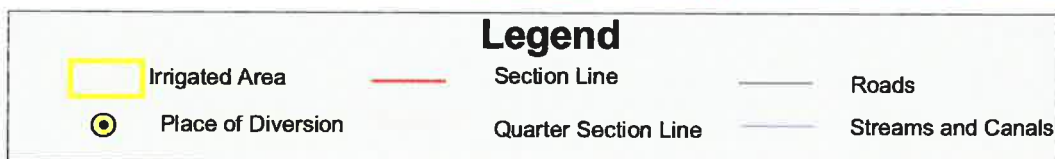
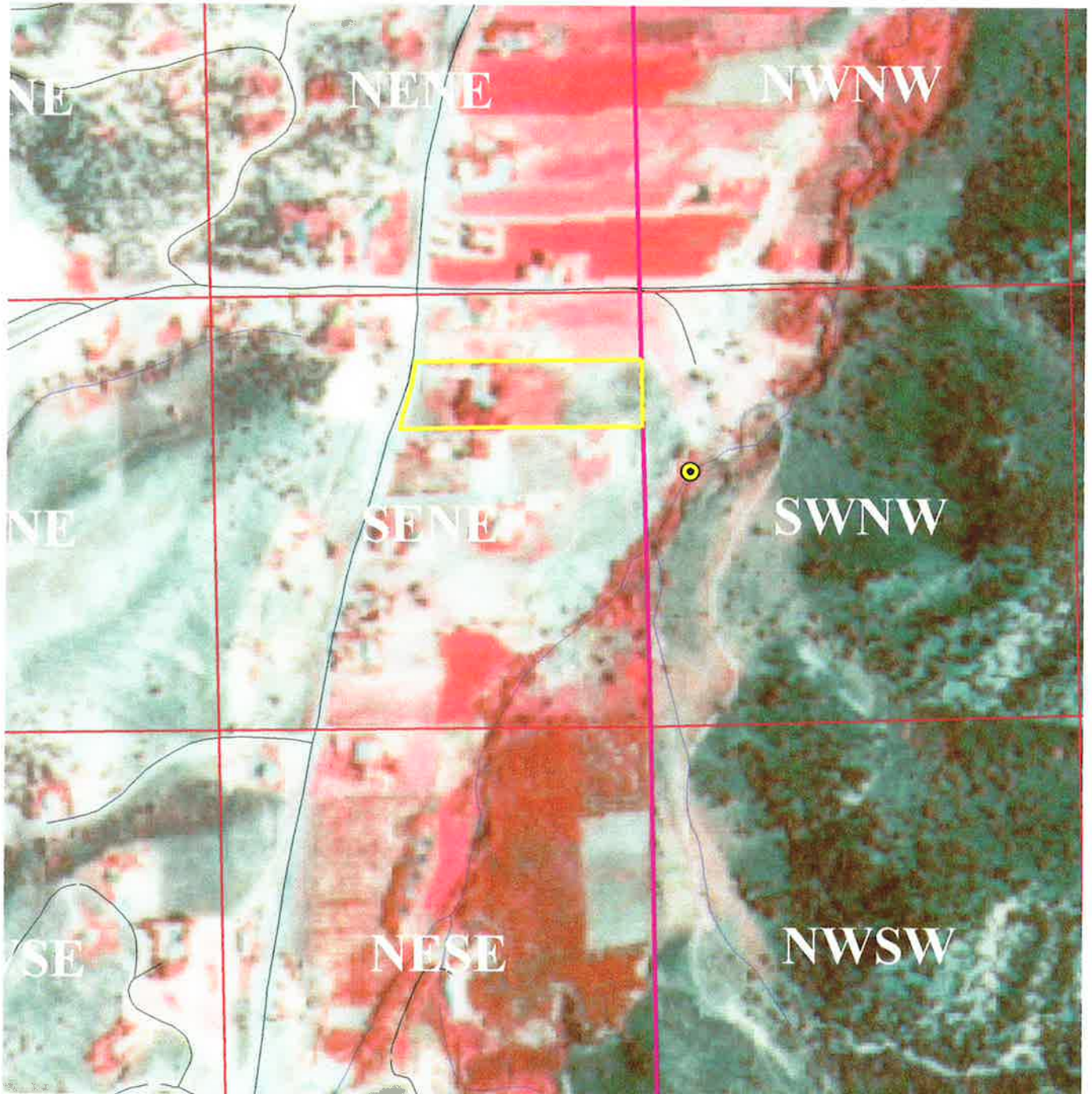
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

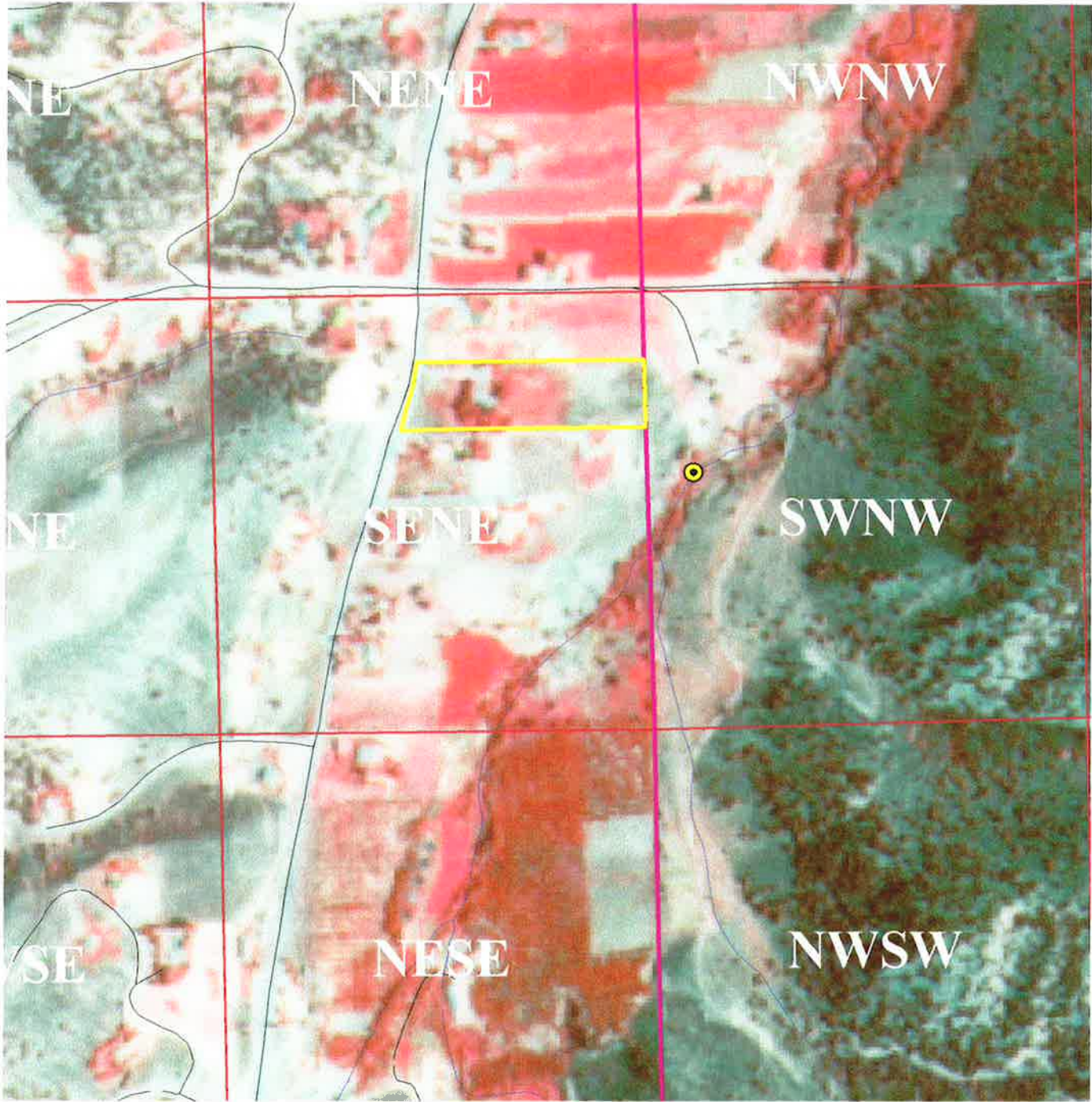
Water Right Claim Number A29-11345
Township , 7S35E

09/13/2000



Water Right Claim Number A29-11345
Township , 7S35E

09/13/2000



 Irrigated Area

 Place of Diversion

 Section Line

 Quarter Section Line

 Roads

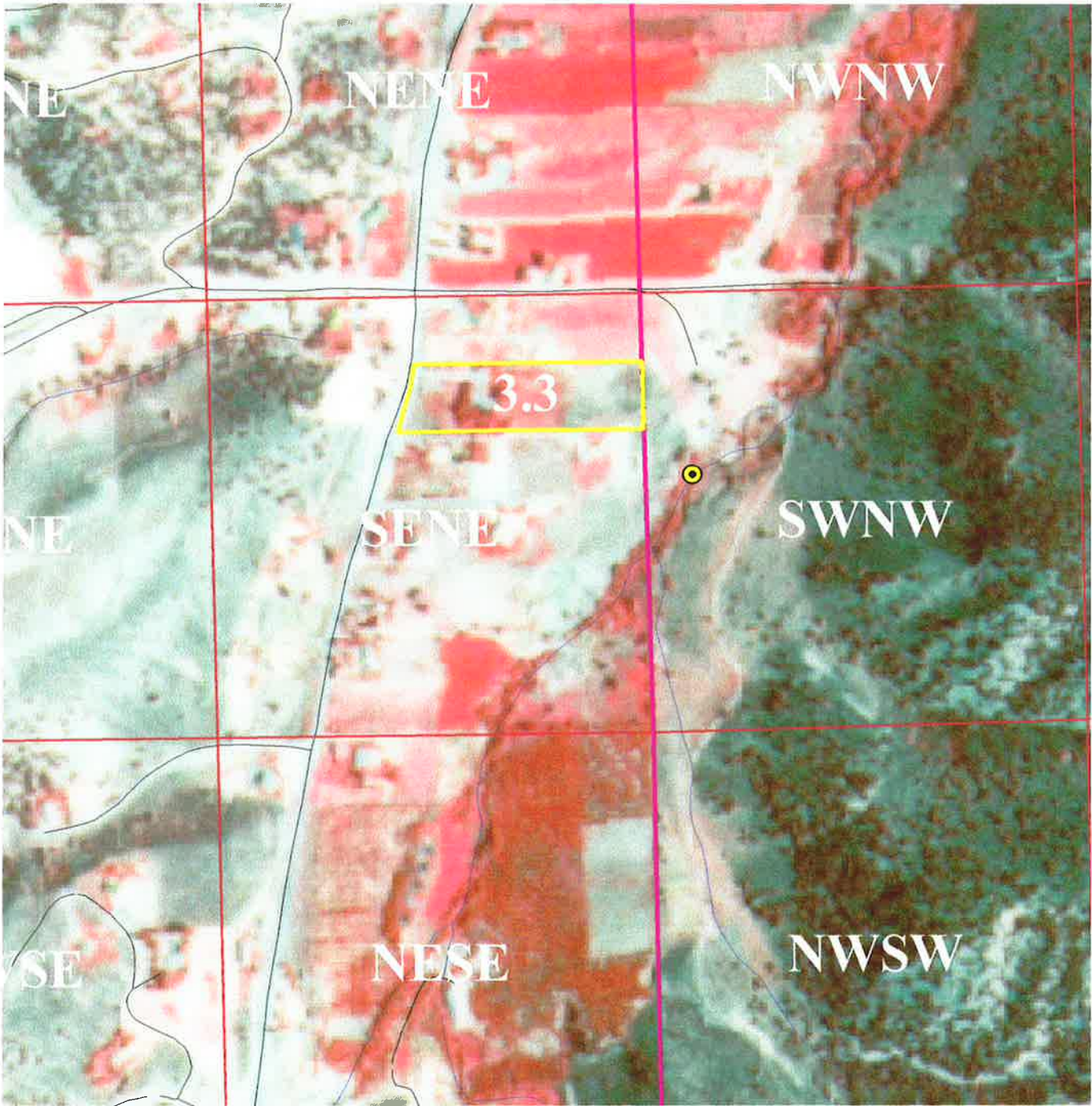
 Streams and Canals

Legend



Water Right Claim Number A29-11345
Township , 7S35E

09/13/2000



 Irrigated Area

 Place of Diversion

 Section Line

 Quarter Section Line

 Roads

 Streams and Canals

Legend

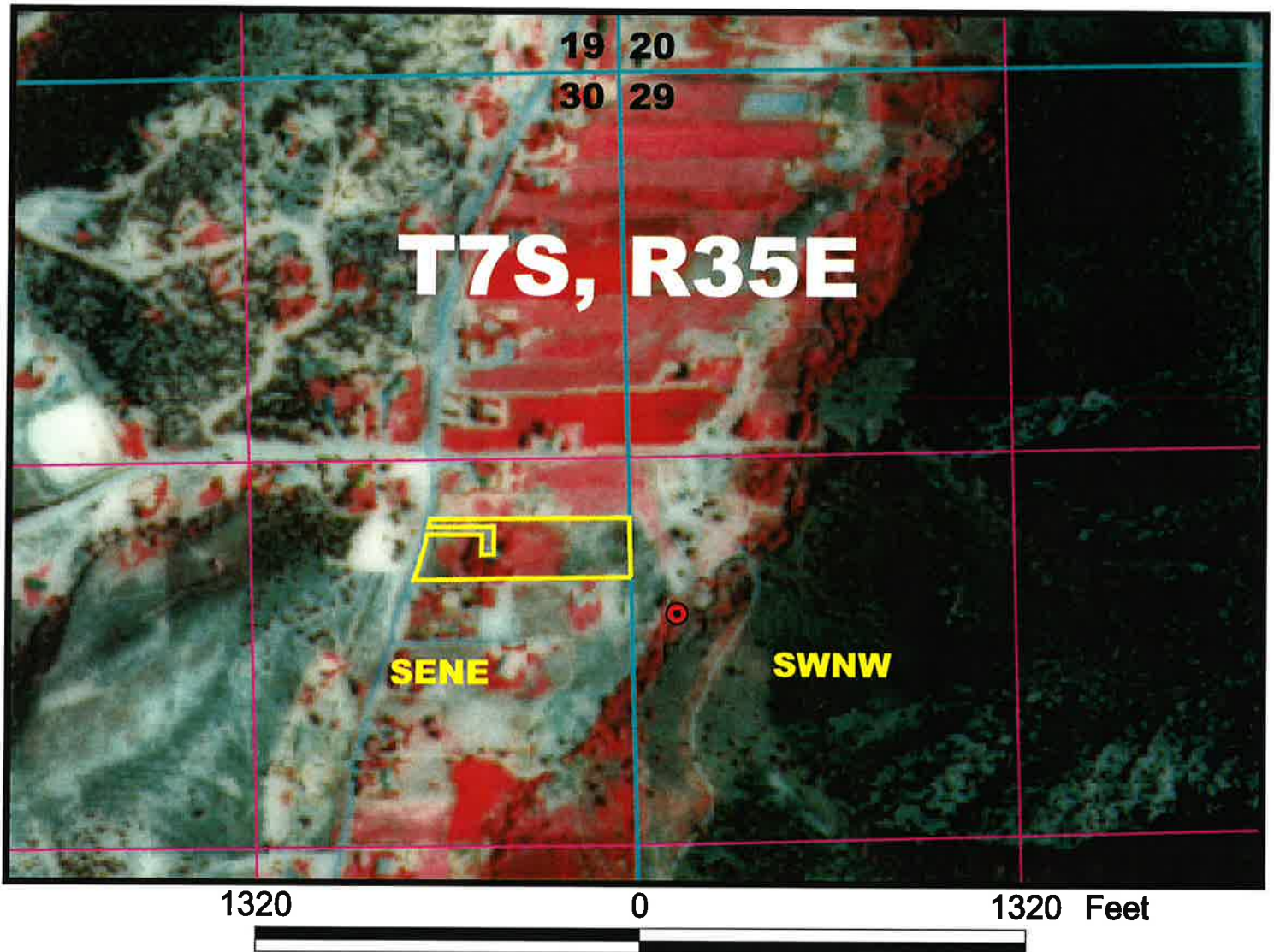




STATE OF IDAHO

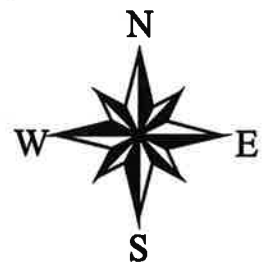
Department of Water Resources
Eastern Region

Water Right(s): 29-11345



Total Irrigated Acres: 3.2

- 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: January 2003

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-11345 V1

WATER RIGHT NUMBER: 29-11345 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KAREN M FISHER 1724 N MINK CREEK RD POCATELLO, ID 83204 (208)233-6705
Current Owner	MICHAEL N FISHER 1724 N MINK CREEK RD POCATELLO, ID 83204 (208)233-6705
Original Owner	JAMES S CAMPBELL , ID

Priority Date: 06/17/1902

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
MINK CREEK	PORTNEUF RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15	to 09/15	0.060 CFS	
	<u>Total Diversion:</u>		0.060 CFS	

Location of Point(s) of Diversion

MINK CREEK	NW1/4SW1/4NW1/4	Sec. 29, Twp 07S, Rge 35E, B.M.
BANNOCK County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07S	35E	30				3.2													3.2

Total Acres: 3.2

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. 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:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-11345 V1

1. Purpose of Use THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Comments:

1. csaxton 1/13/2003 Basis of Claim
Comment: This right is claimed based on a portion of 29-00274A from TR 252.
2. csaxton 1/13/2003 Source
Comment: Campbell creek no longer directly provides water to this POU.

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>
Contacts	1/13/2003 11:28:34 AM	csaxton			Active
Priority Date	1/13/2003 11:30:49 AM	csaxton			Active
POD	1/13/2003 11:31:30 AM	csaxton			Active
Source	1/13/2003 11:39:29 AM	csaxton			Active
POU	1/13/2003 11:39:46 AM	csaxton			Active
Use	1/13/2003 11:40:44 AM	csaxton			Active
Season	1/13/2003 11:42:03 AM	csaxton			Active
Quantity	1/13/2003 11:43:03 AM	csaxton			Active
Summary			01/13/2003	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	1/13/2003 11:28:34 AM	csaxton	(No) 1. Do you want to schedule an appointment?

Comment for 1: FE 8/14/02

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-11345 V1

Priority Date	1/13/2003 11:30:48 AM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	1/13/2003 11:31:30 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (No) 5. Can the claimed POD be verified using the water right file? (Yes) 6. Is there evidence that there has been a change in the POD? (Yes) 7. Can the change be verified as an accomplished transfer? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required? Description for Question 6 - No evidence that current POD was not in place prior to 1987.
POD	1/13/2003 11:32:35 AM	csaxton	Edited point location
POD	1/13/2003 11:32:53 AM	csaxton	Edited PLS
POD	1/13/2003 11:38:06 AM	csaxton	Edited point location
Source	1/13/2003 11:39:29 AM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	1/13/2003 11:39:46 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
POU	1/13/2003 11:40:10 AM	csaxton	Edited shape boundary
POU	1/13/2003 11:40:27 AM	csaxton	Edited PLS
Use	1/13/2003 11:40:44 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-11345 V1

Season	1/13/2003 11:42:03 AM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (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? (Yes) 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) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (Yes) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (Yes) 18. Is a Period of Use remark and/or condition required?
Quantity	1/13/2003 11:43:03 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required?
Summary	1/13/2003 11:49:23 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (Yes) 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?

8-12-02 : 29-11349 - Domestic Fur well P.O'd

8-14-02 : Claimants Not Home
FF

1) Lube to Rod
a) Rod - Blue - South
b) Rod - 3 Pos. Horses
c) Rod - 3 Sprinklers
d) Rod - front yard
Blue
HP = 5
Pump: GF
old Pump - probably in place since 1987

Is lawn around house irrigated? Yes - from creek

System = 5 hp pump fills 3-6" in brown steel line. Then
to 4" Al line that runs along S. property line. Then
clear to the road. laterals service front yard
as well. Ready to go.

1-13-03 : ASB Intrepid Data

: Found 3.2 acres.

Split history for Decreed Right 29-00274

		Claimed	Recommend
29-00274 1.4 Decree Silent	29-00274A Campbell	29-00274C Schubert	Disallow
	1.259	0.14	
	?	7	
		29-00274D Phillips	
		0.06	0.06
		3	3
	29-00274B McKee	29-00274E Worthington	
	0.141	0.024	0.02
	7	1.2	0.9
		29-00274F Schiebe	
		0.08	0.07
		4	3.6
		29-00274G Wood	
		0.08	0.01
		2	0.3
		29-00274H Grewing	
		0.17	0.03
		8.7	1.6
		29-00274I Matkin, GK	
		0.19	0.11
		10	5.3
		29-00274J Holte	
		0.04	0.04
		2	2
		29-11331 Matkin, Jeff	
		1.5	0.33
		27	16.5
		29-11334 Matkin, Jeff	Disallow
		0.1	Recommended under
		5	29-11331
		29-11345 Fisher, Michael	
		0.07	0.06
		3.5	3.2

Sum of claimed CFS = 2.454
Sum of claimed Acreage = 73.4

Sum CFS=	0.73
Sum Acre=	36.4

Un-accounted for CFS= 0.67
Un-accounted for Acres= N/A

Water Right Report 29-274A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JAMES S CAMPBELL
	, ID

<u>Source</u>	<u>Tributary</u>
MINK CREEK	PORTNEUF RIVER

Location of Point(s) of Diversion

Place of Use

IRRIGATION

[illegible]Remarks:

- Comments:

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-274A

Dates and Other Information:

Licensed Date:
Decreed Date: 6/5/1926
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

29-11345

POD

Field Exam: 8/14/02



Looking East. Pic shows POD. Mink Creek in Pic (csaxton).



Looking West at claimed POU. Pipe system can be seen in the Lower right side of pic (csaxton).

29-11345

POD

Field Exam: 8/14/02

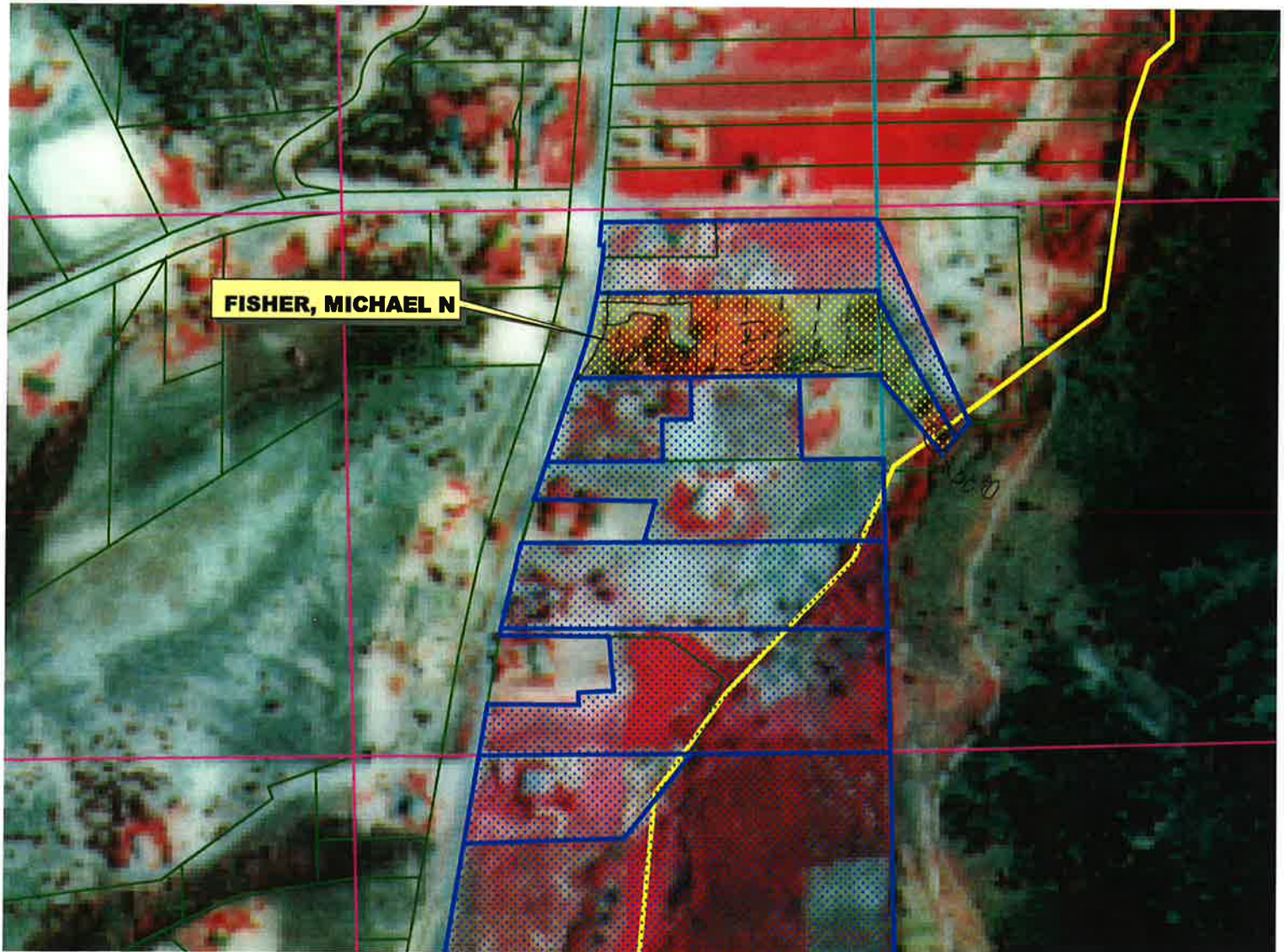


Looking West at claimed POU. Sprinkler system can be seen in Pic (csaxton).



Looking West. Pic shows that Mink Creek water is used to irrigate the front lawn too (csaxton).

29-11345



Point of Diversion

Total Property Acreage: 3.8



Roughly - Claimed Place of Use



Licensed POU - N/A



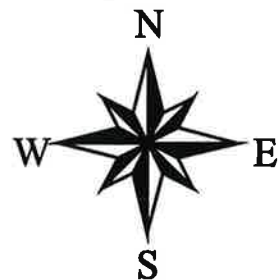
Bannock Co Tax Lot Data



Section Lines



Quarter Quarter Lines



Prepared By: Craig Saxton
August 2002

B

Form 20

Copy

RECEIVED

JUN 6 1961

Department of Reclamation

Application For Transfer of Water Right

STATE OF IDAHO

County of Bannock } ss.

Mrs. H.E. McKee, being first duly sworn, deposes and says:
That ^{her} ~~his~~ name is P; that ~~he~~ ^{she} is of lawful age, a citizen
of the United States and of the State of Idaho, and that his postoffice address is P

That he is the owner and using a certain water right, bearing date of priority of June 17 1902,
for 1 inch per Archaic foot per second of the waters of Mink Creek and Campbell Creek
County of Bannock, State of Idaho, decreed to James S. Campbell
by decree of Judge O.R. Baum of the 5th Judicial District of the State of
Idaho, in and for the county of Bannock, in the case of Sam P. Smith
vs. City of Pocatello et al, said decree bearing date of June 5th 1926
(or obtained by virtue of License No. —, issued by the State Department of Reclamation of
the State of Idaho, dated —, 19—, bearing date of —, 19—)
for the purpose of irrigating the following described lands situate, lying and being in Water District
No. 17-D in the County of Bannock and State of Idaho, to-wit: Portion of
SE⁴ NE⁴ Section 30, T. 7 S., R. 35 E. B.M.
(as per attached description)

— and is the person (or representative of
the corporation) to whom such right so issued, or has become the owner thereof in the following man-
ner, i.e. By purchase, shown by attached copy of Deed
as per abstract of title of said water right hereto attached and made a part of this statement;

That said waters are now diverted from said stream in the NW⁴ NW⁴ SW⁴ of
Section 32, Township 7 S., Range 35 E., B. M., and con-
ducted to the above described lands through Mink Creek Ditch
as per map herewith and of this affidavit made a part.

CHANGE IN PLACE OF USE

That affiant and petitioner desires to abandon the use of No change cubic feet per second
in place of use
of said water upon the above described land, and to convey and use same upon the following tract,
situate, lying and being in the County of — and State of Idaho, to-wit:

X X

That reasons for desiring to make such transfer are as follows: X X

MICROFILMED

That he intends to divert and convey said.....X.....X.....second feet of water to the tract of land last above described in the following manner and as per map accompanying this application:

Note—If this water right has heretofore been carried jointly in a ditch with other water, affiant should secure written consent of other owners or users to removal from its original carrier and file such consent with this affidavit.

See attached form of Consent.

CHANGE IN POINT OF DIVERSION

That affiant desires to change the point of diversion of said waters from the point above described to a point located in *SE 1/4* of *NE 1/4* of Section *30*, Township *7S*, Range *35E*, and thereafter conduct same to the above described land through the *To be pumped* ditch, *from Mink Creek* as per map appended.

That his reasons for desiring to make such change are as follows: *Proposed change will result in less water loss and greater overall efficiency of operation.*

Petitioner asserts that no one will be injured by such transfer, or change in point of diversion, and that the change will be made at petitioner's own risk.

WHEREFORE, Affiant and Petitioner prays that the State Reclamation Engineer of the State of Idaho issue to him the proper certificate authorizing such change in point of diversion and/or place of use, in accordance with the provisions of Sections 42-108 and 42-222 of the Idaho Code.

My H E Mc Kee

Applicant.

Subscribed and sworn to before me this *1st* day of *June*, 19*61*

George R. Phelps

Notary Public.

APPLICANT WILL ANSWER THE FOLLOWING QUESTIONS:

From what stream is the water diverted? *Mink Creek and Campbell Creek*

Where is the diversion point located? *NW 1/4 NW 1/4 Sec 32, T7S, R. 35E*

Through what ditch is it now conducted? *Mink Creek Ditch*

How much land is now irrigated by the water sought to be transferred? *7.06 acres*

Give the description: *See description on attached Deed*

MICROFILMED

RECEIVED

1961

Department of Reclamation

CONSENT TO CHANGE OF
POINT OF DIVERSION

We, the undersigned, being owners of a water right in the water of Mink Creek in Bannock County, State of Idaho, do hereby consent to the change of point of diversion of the water belonging to Mr H E McKee in Mink Creek in Bannock County, Idaho.

<u>Odell J. Maden</u>	<u>225 Mathen</u>
<u>Willard H. Ellison</u>	<u>John Anderson</u>
<u>Ken Chaney</u>	<u>E. R. Chaney</u>
<u>Naomi Stanger</u>	
<u>Wesley P. Fickett</u>	
<u>W. Wood</u>	
<u>O. G. Myler</u>	
<u>J. V. Frazier</u>	

1000

TITLE
OF
CASE

Sam R. Smith et al
vs.
City of Pocatello et al

SOURCE Mink Creek & Campbell Creek

WATER DIST 17-D
JUDICIAL DIST 5
DATE OF DECREE 6-5-26

COUNTY Bannock

JUDGE O. R. Dunn

RECORDED

IN BOOK NO 5 AT PAGE NO 78

PAGE

FILE NO 434

PN	DN	DECEED OWNER	NAME	PRESENT OWNER	AMT INCHES	PRIORITY	DIVERSION SUBDIV SEC TWP AG	REMARKS, LAND TO BE IRRIGATED, ETC	CT.
1		T. B. Smith Est.			10.	2-26-69	center 20 7 S. 35E	NW 1/4, N 1/2 SW 1/4, 17, SW 1/4 SE 1/4 8 T 7S-R35 E	10.
1		Elkhorn Dairy & Livestock Co.			15.	"	" " " "	SE 1/4 NW 1/4, E 1/2 SW 1/4 17	25.
1		Joseph Munn			5.	"	" " " "	SE 1/4 NW 1/4 16, N 18 A. of SW 1/4 NW 1/4 17	30.
1		Wm. H. Edwards			20.	"	" " " "	N 1/2 NE 1/4 18	50.
1		City of Pocatello			161.1	"	At a point 30383 W. 728.348 from E. corner S. 13-35-26 E.	Municipal purposes	211. 1
1		Big Elk Indian Allotment			58.71	"		Plus one additional inch of water for each additional acre added to the present irrigated area ----- which is 97.17 acres.	269. 8
1		Toams			37.46	"			307. 26
2		City of Pocatello			28.	10-1-01	See Above.	See Above.	335. 26
3		James S. Campbell			70.	6-17-02	Mink Creek and Campbell Cr. (P.D. 1a)	SE 1/4 NE 1/4, E 1/2 SE 1/4 30, NE 1/4 Sec. 31, T. 7S. - R. 35 E. NW 1/4 NE 1/4, S. 31-7S. - 35E.)	415. 26
4		T. B. Smith Est.			44.65	7-21-02	Center 20 7 S. 35E.	See above.	459. 91
4		Elkhorn Dairy and Livestock Co.			47.22	"	" " " "	" "	507. 13
4		Joseph Munn			26.98	"	" " " "	See above.	534. 11
4		Wm H. Edwards			31.53	"	" " " "	" "	565. 64
5		Arthur Say (SAY)			75.	9-7-04	SE 1/4 SE 1/4 19	SE 1/4 SE 1/4 19, NE 1/4 NE 1/4 30, NW 1/4 NW 1/4 29, SW 1/4 SW 1/4 20.	640. 64
6		H. F. Calloway			20.	8-7-07	SW 1/4 20	NE 1/4 SE 1/4, NE 1/4 SE 1/4, 20	660. 64
7		J. H. McKinnon			12.	7-10-10	SW 1/4 31	S 1/2 NE 1/4, SE 1/4 NW 1/4, NE 1/4 SE 1/4, 31	672. 64
8		City of Pocatello			60.9	10-1-17	See Above.	See above.	733. 54

LEGEND P.N. - PRIORITY NUMBER

DN. - DECREE NUMBER

B

What is the total amount of water in inches, or second feet, dedicated to said land? linch per acre

What kind of crops are being raised? Hay and pasture

How much water per acre is now required to irrigate said land? linch per acre

What will be the effect on the land now irrigated, if the use of water on it is discontinued?.....

Not to be discontinued (change in point of diversion only)

Give location of new point of diversion, if change is to be made. Approximately 300 ft West and 30 ft North of SE Cor. of SE 1/4 NE 1/4 Sec. 30, T. 7S, R. 35E

Through what ditch will it be conducted after transfer? To be pumped from Mink Creek

How much water will be required per acre to irrigate the land to which this water is transferred?.....

Not to be transferred

Do you claim any other water right for the land from which you seek to abandon the use of this water?

If so, give amount, date and source None

Is there any other water right for the land to which you seek to make this transfer? If so, give amount, date and source None

Signed Mrs. H.E. McKee
Applicant.

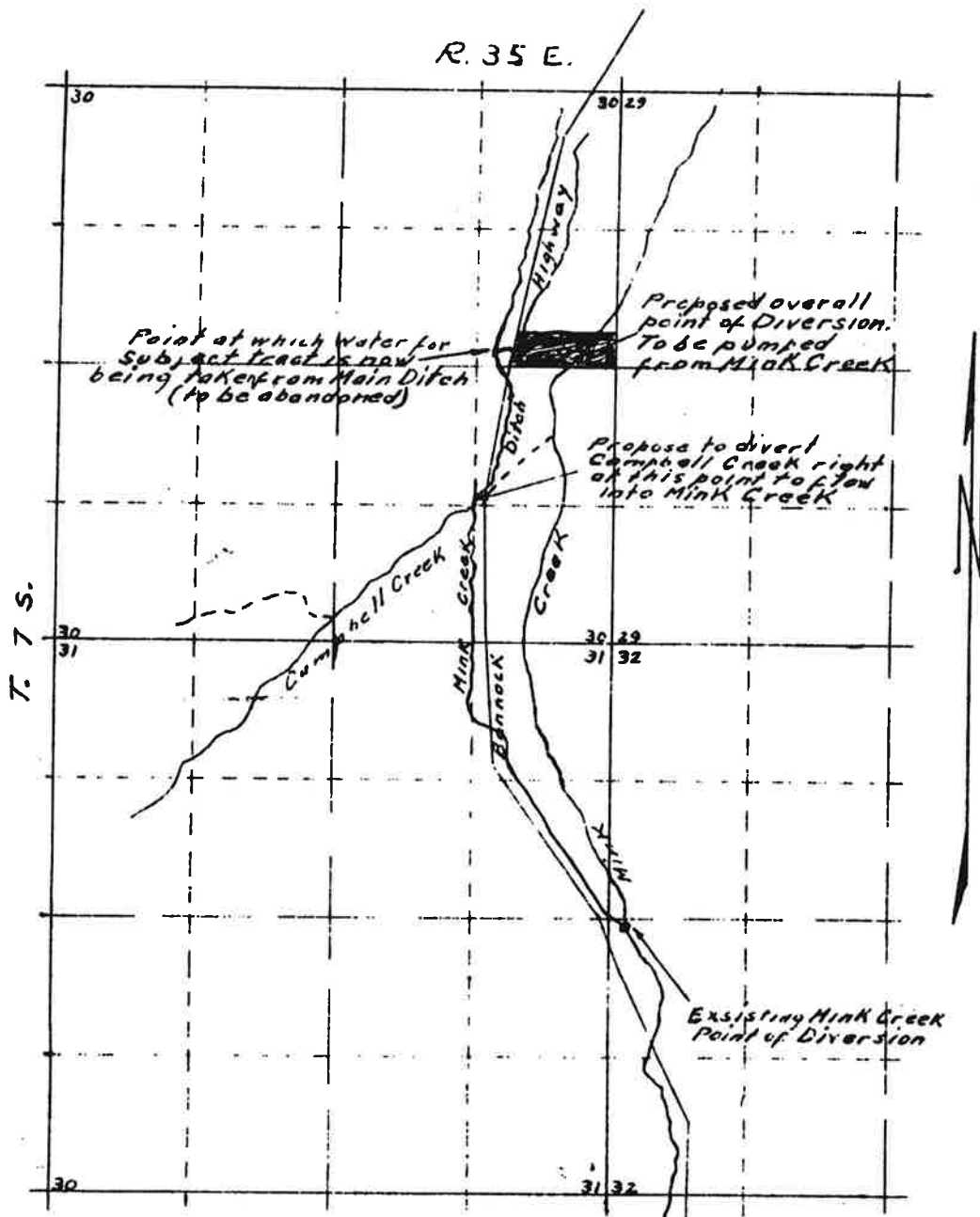
STATE OF IDAHO,

County of Bannock ss.

I, Alma J. Tolman, Watermaster of Mink Creek
Water District No. 17-D, County of Bannock, State of Idaho, whose postoffice address is Pocatello, Idaho, have read or heard read the foregoing affidavit and petition of Mrs. H.E. McKee, and, of my own knowledge, believe the same to be true as to all matters therein alleged, and that no one will be injured by the transfer prayed to be authorized; and I hereby endorse my approval of said petition, and request that the State Reclamation Engineer issue the certificate of transfer as petitioned; or (do not approve of the issuance of the certificate of transfer prayed for) for the following reasons:.....

Watermaster, District No. 17-D
Alma J. Tolman
Dated at Pocatello, Idaho, this 1st day of June, 1961.

RECORDED



Scale: 4" = 1 mile
Subject Tract in Red

McDONNELL

SCANNED

JUN 11 2001

Log for claim A29-11345

Spatial Dynamics LTD

9/13/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s35e	30	SENE	3.5	3.3	
Totals:			3.5	3.3	

AJ5809NP
No. A29-11345

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 324

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MICHAEL N FISHER	06/17/1902	IRRIGATION	03-15 11-15	0.070 CFS	
C	KAREN M FISHER					
	1724 N MINK CREEK RD					
	POCATELLO ID 83204			TOTAL DIVERSION:	0.070 CFS	
	(208) 233-6705			CONSUMPTIVE USE:		8.80 AFA

Water Source: MINK CREEK

Tributary to: PORTNEUF RIVER

Stage: DECREED

Point(s) of Diversion: T07S R35E S29 SWNW 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	30	:				03	:					:					:						3.5
																							TOTAL ACRES	3.5

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: NONE

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

29-10362 29-10368 A29-00274G A29-10362 A29-10368

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

A29-00274A A29-00274B A29-00274C A29-00274D A29-00274F A29-00274G A29-00274I A29-02402

Conditions of Approval:

R04 - Use of water under this water right will be regulated by the
- watermaster of State Water District No. .

Remarks: GEN AS PER TRANS. #252.

THIS RIGHT REPRESENTS A PORTION OF 29-00274A

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

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

Audit: 04/17/90 WILSON 08/04/94 THOMPSON 03/29/95 POST-STD

JUN 11 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: A29-11345
Date Received: 4/16/1990
Receipt No: E013191
Received By: Kew

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MICHAEL N. FISHER 208-233-6705
Address: 1724 NORTH MINK CREEK ROAD
POCATELLO, ID 83204

OR
Name: KAREN M. FISHER 208-233-6705
Address: 1724 NORTH MINK CREEK ROAD
POCATELLO, ID 83204

2. Date of Priority: JUN 17, 1902

3. Source: MINK CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	35E	29	SW	NW			BANNOCK

5. Description of diverting works:
PUMP MAINLINE TO LATERALS WITH SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.070		

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

8. Total consumptive use is 8.8 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A2911345



10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	35E	30	SE NE		IRR	3.5
Section Acres						3.5
Total Acres						3.5

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:
AS PER TRANS. #252.
THIS RIGHT REPRESENTS A PORTION OF 29-00274A

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

SMITH ADMIN., ET. AL.
Decree Plaintiff

vs

CITY OF POCA TELLO, ET. AL.
Decree 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/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Michael N. Fisher Date: April 16, 1990

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 16 day
of April 19 90

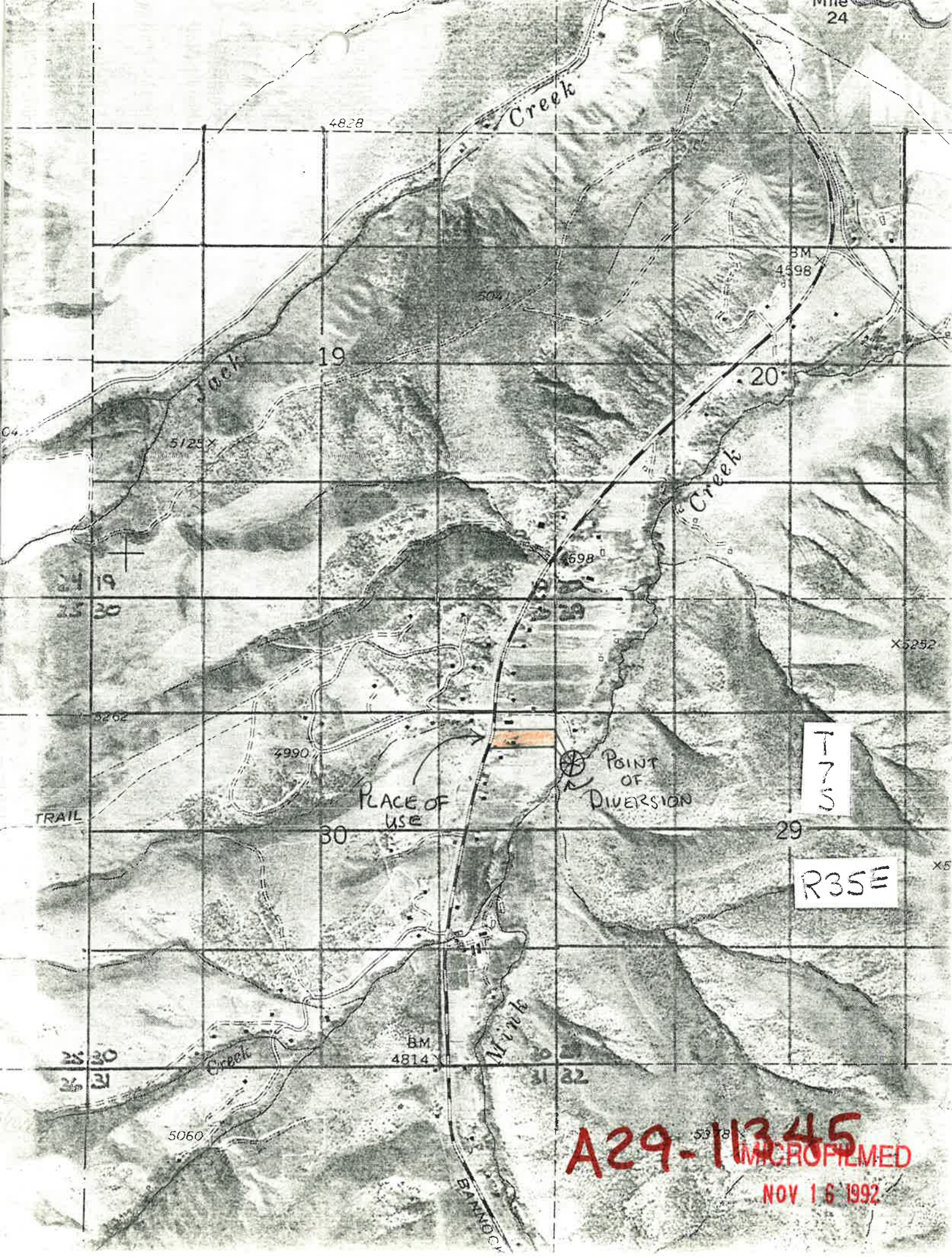
Betty J. Thompson
Notary Public

Seal

Residing at BETTY J. THOMPSON, NOTARY PUBLIC

My Commission RESIDING AT IDAHO FALLS, IDAHO
Expires MY COMMISSION EXPIRES 6-30-94





24

4828

Creek

BM
4598

19

20

5125X

24 19
25 30

4698

X5252

5262

4990

TRAIL

PLACE OF
USE

POINT
OF
DIVERSION

T
7
S

30

29

R35E

X5

25 30
26 31

BM
4814

Minch

30 31
31 32

5060

Creek

BANNOCK

A29-11345
MICROFILMED
NOV 16 1992