

04/15/2003

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

RIGHT NUMBER: 29-11413

NAME AND ADDRESS: GARY L PURKEY
2334 N FORT HALL MINE RD
POCATELLO ID 83204

SOURCE: PORTNEUF RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.100 CFS

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

PRIORITY DATE: 06/20/1902

POINT OF DIVERSION:

T07S R35E S21 SWNESE Within BANNOCK County Source: PORTNEUF RIVER

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.100 CFS
STOCKWATER	03/15 11/15	0.010 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County
T07S R35E S21 NESE 3.9
STOCKWATER Within BANNOCK County
T07S R35E S21 NESE

3.9 ACRES TOTAL

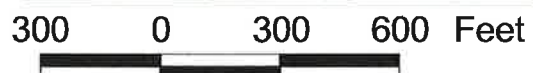
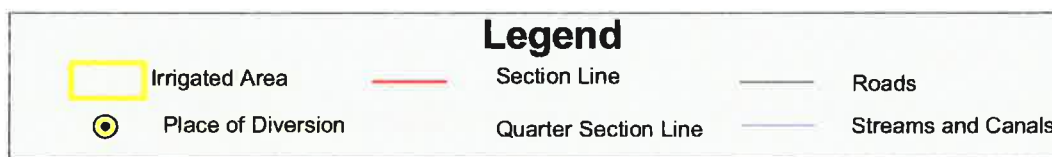
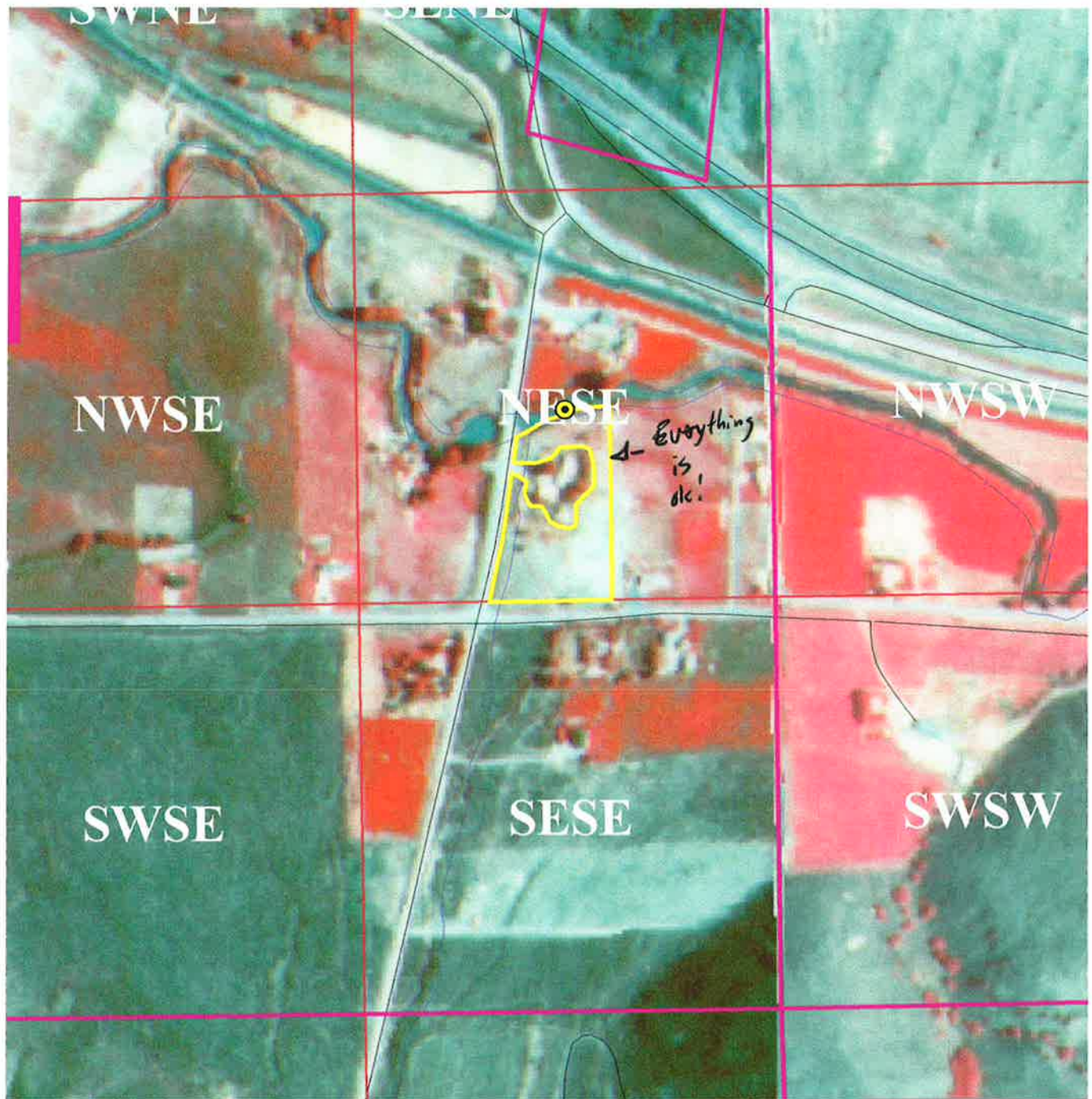
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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: Posted Notice

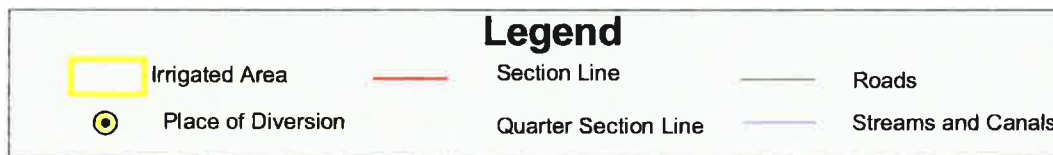
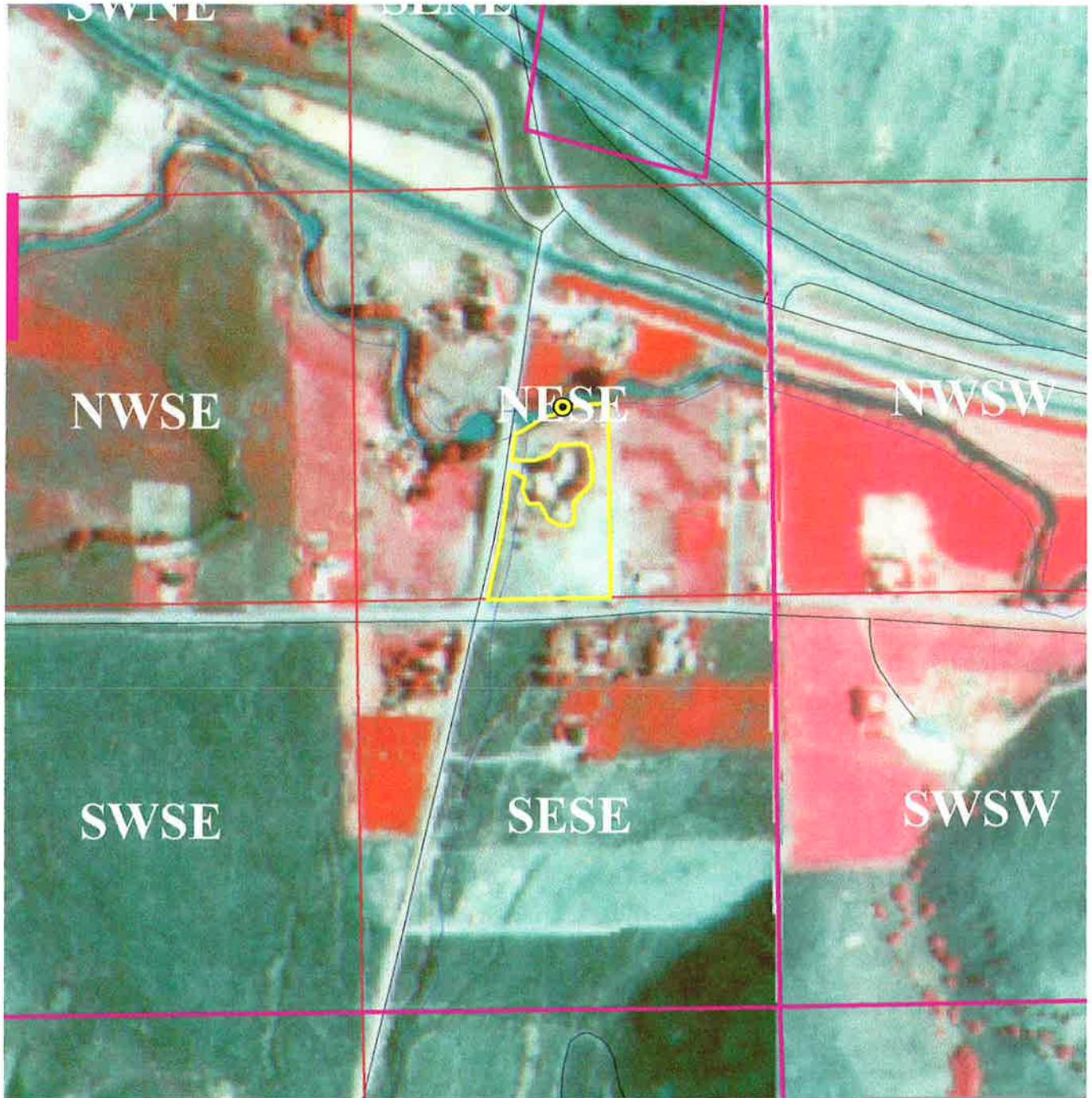
Water Right Claim Number A29-11413
Township , 7S35E

09/13/2000



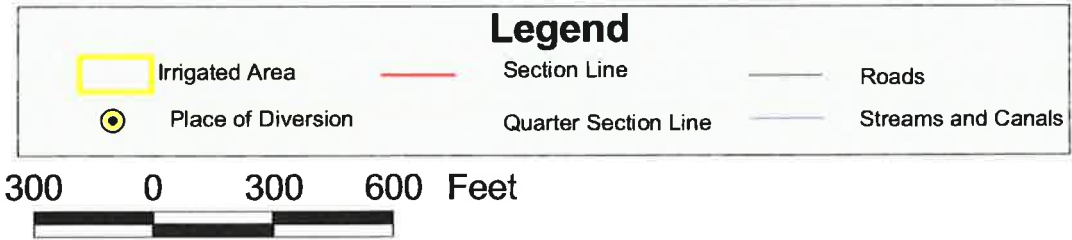
Water Right Claim Number A29-11413
Township , 7S35E

09/13/2000



Water Right Claim Number A29-11413
Township , 7S35E

09/13/2000



IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-11413
NAME AND ADDRESS: ~~GARY~~ GARRY L PURKEY
2334 N FORT HALL MINE RD
POCATELLO ID 83204

Enc

SOURCE: PORTNEUF RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.100 CFS
The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 06/20/1902

POINT OF
DIVERSION: T07S R35E S21 SWNESE 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	0.100 CFS
STOCKWATER	03/15 11/15	0.010 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County
T07S R35E S21 NESE 3.9
STOCKWATER Within BANNOCK County
T07S R35E S21 NESE

3.9 ACRES TOTAL

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Posted Notice



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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 6, 2003

GARRY PURKEY
2334 N FORT HALL MINE RD
POCATELLO ID 83204

RE: FILING AN OBJECTION TO WATER RIGHT RECOMMENDATION 29-11413

Dear Mr. Purkey:

I understand you disagree with our department's recommendation of your water right. Please fill out the enclosed "Standard Form 1—Objection" and follow the mailing instructions on page 4. Your objection must be **received** by the SRBA Court on or **before November 14, 2003**.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosures



GARRY L. PURKEY

2534 South Fort Hall Mine Road
Pocatello Idaho 83204
Phone (208) 237-8008

RECEIVED

OCT 30 2003

Department of Water Resources

October 25, 2003

Dear Karl J.Dreher:

I disagree with your decision on my water rights of 0.100 CFS. My water rights should be 2 ½ CFS.

My house is part of the original home built on June 20, 1902. I have property on the original Point of Diversion for the original water rights. From the information I obtained from Anna Vreeland the owner of my home in the 1940's and Orin Bell the neighbor across the street, from my home when I filed on the Water Rights.

My water rights should remain the same as original 2 ½ CFS. I will obtain an Attorney if nessary. My water rights should be deemed to me to do with as I please. (If a neighbor needs water I should be able to do with my water rights as I please.)

Please let me know if I need to take further action.

Cordially,

Garry L. Purkey

07/10/2003

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-11413

NAME AND ADDRESS: GARY L PURKEY
2334 N FORT HALL MINE RD
POCATELLO ID 83204

SOURCE: PORTNEUF RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.100 CFS

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

PRIORITY DATE: 06/20/1902

POINT OF
DIVERSION: T07S R35E S21 SWNESE 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	0.100 CFS
STOCKWATER	03/15 11/15	0.010 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T07S R35E S21 NESE 3.9

STOCKWATER Within BANNOCK County

T07S R35E S21 NESE

3.9 ACRES TOTAL

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

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Posted Notice

April 15, 2003

GARY L PURKEY
2334 N FORT HALL MINE RD
POCATELLO ID 83204

RE: NOTICE OF ERROR FOR WATER RIGHT CLAIM NO. 29-11413

Dear Mr. Purkey:

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 own 5.08 acres of land and that you thought that it should have 2-½ cfs of irrigation water. Included with your "notice of error" response was a copy of a "notice to appropriate water" dated June 20, 1902 and a "taxpayer's valuation assessment notice" for your property.

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. While the tax valuation shows 5.08 acres, it is apparent when observed on the layout (green lines) that the 5.08 acres includes areas such as the roadway of Fort Hall Mine Road, driveways, residence, outbuildings, improvements, and part of the Portneuf River. In re-drawing the areas for irrigation, I excluded most of these areas and came up with 3.9 acres of irrigable lands. I feel that we can revise the recommendation for a water right to 3.9 acres and have included the new acreage on the enclosed revised recommendation.
2. The "notice to appropriate water" dated June 20, 1902 for 2 ½ cfs of water was for the purpose of irrigation, manufacturing (commercial) and domestic purposes. The irrigated lands spelled out in the "notice" included two quarter-quarter sections in Section 21 (E ½ of the SE) and the NWSW quarter section of section 22 of Township 7 south, Range 35E, B.M. Each of the three quarter sections represents 40 acres for a total of 120 acres.

By Statute, Idaho law allows up to one (1) miners inch per acre, which is equivalent to 0.02 cfs. Therefore, 120 acres of land would require 2.4 cfs or nearly the 2-½ cfs as was spelled out in the "notice of appropriation;" a reasonable figure. Your property represents a fraction of those lands that were described in the notice. Therefore, it is appropriate to recommend a fraction of the 2-½ cfs that was appropriated for those lands 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:

$$3.9 \text{ acres} \times 0.02 \text{ cfs} = 0.078 \text{ cfs}$$

If we applied one miners inch per acre (0.02 cfs), your maximum diversion rate would be 0.078 cfs. However, if we apply the courts idea of 0.03 cfs per acre, we calculate:

$$3.9 \text{ acres} \times 0.03 \text{ cfs} = 0.117 \text{ cfs.}$$

This value is in excess of the maximum of 0.10 cfs for acreages less than 5 acres. Therefore, our recommendation is the maximum amount or 0.10 cfs; a net increase over the previous amount of 0.02 cfs per acre.

I have also revised the basis of the claim to the water right. It was previously shown as beneficial use when in fact the evidence you submitted show it as a posted notice.

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. 29-11413.
 Revised layout for water right no. 29-11413.

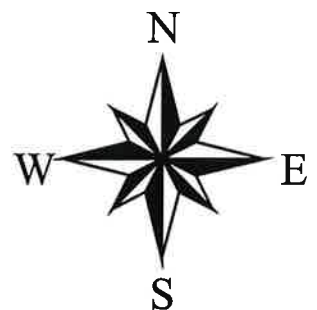


State of Idaho
Department of Water Resources
Eastern Region
Claim No.: 29-11413



0.03 0 0.03 0.06 Miles

Irrigated Acres = 3.9



-  **Diversion.shp**
-  **Place of use.shp**
-  **Bann_co.shp**

GIS Place of Use Illustration
1990 NAPP PHOTOGRAPHY
Prepared by R. Warner
Date: April, 2003

02/13/2003

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: 29-11413

GARY L PURKEY
2334 N FORT HALL MINE RD
POCATELLO ID 83204
Telephone Number: (208)233-8008

RECEIVED

MAR 10 2003

WATER RESOURCES
WESTERN REGION

RECEIVED
APR 14 2003
Department of Water Resources
Eastern Region

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

0.100 CFS Water Rights

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

5.08 acres total not 3.5 acres

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

Water Rights issued June 20, 1902 call for
2 1/2 CFS of water not 0.100 CFS

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

DATE: _____

SIGNATURE: _____

Please print your name: GARRY LEE PURKEY

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

at 1.10 o'clock P.M., the 17th day of June 1902.

Subscribed and Sworn to before me this 20th day of June 1902.
(SEAL)

H.H. Matthews,
J.S. Campbell, Clerk.
By E.G. Gallet, Deputy.

Recorded at request of H.H. Matthews, at 2.10 o'clock P.M. June 20th, 1902.
By E.G. Gallet, Deputy. J.S. Campbell, Recorder.

Fee 80¢

Notice of Water Right Location.

To Whom it May Concern:

Notice is hereby Given, That Robert S. Manassa of Pocatello, County of Bannock, State of Idaho, has this 19th day of June 1902, appropriated and hereby claims the use of the waters of the Portneuf river to the extent of two and one-half cubic feet per second, flowing at the point of intended diversion, which said point of intended diversion is particularly described as follows, to-wit: the southeast corner of the northeast quarter of section twenty-two, township seven, south range thirty-five east, Bannock County, State of Idaho.

That the special purpose or purposes for which said water is claimed is for irrigation, manufacturing and domestic purposes.

The place of its intended use is on the east half of the southeast quarter of section twenty-one and the northwest quarter of the southwest quarter of section twenty-two, township seven, south of range thirty-five, east, Bannock County, Idaho.

That the general course of the proposed canal or conduit is a westerly direction.

The length of said proposed canal or conduit is a mile, and the land proposed to be irrigated is agricultural lands.

That it is intended to complete the works for the diversion and use of said water as aforesaid within five years.

A copy of this notice was duly posted at or near the point of intended diversion on the 19th day of June 1902.

Witness my hand at Pocatello, County of Bannock State of Idaho, this 19th day of June 1902.

Appropriator and Claimant.

(Robert S. Manassa,

State of Idaho,)

) SS.

County of Bannock.)

I, Robert S. Manassa being first duly sworn, deposes and says that he is of lawful age and the appropriator and claimant of the Water Right described in the within and foregoing notice and whose name is subscribed thereto. That the statements in said notice are true, and that the original notice of which the foregoing is a true copy was posted in a conspicuous place at or near the point of intended diversion at 7.10 o'clock P.M. the 19th day of June 1902.

Robert S. Manassa,

Subscribed and Sworn to before me this 20th day of June 1902.

(SEAL)

J.S. Campbell, Clerk.

DIANE BILYEU
BANNOCK COUNTY ASSESSOR
P.O. BOX 4969
POCATELLO, ID 83205-4969

IMPORTANT NOTICE - PLEASE READ

1994

PARCEL NO. **R4013032200**

FORWARD & ADDRESS CORRECTION

CATEGORY DESCRIPTION

**18 OTHER RURAL LAND
40 IMP ON CAT 18**

TAX CODE **003600**

LOTS / ACRES

3.080

MARKET VALUE

**11,731
60,340**

TAXPAYERS
VALUATION

ASSESSMENT NOTICE

Taxes are based on the valuation
listed on this statement

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUNE 22, 1994

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

**** LEGAL DESCRIPTION ****

**TR ME4SE4 TAX 129 5.08 AC
S21-T7S-R35E**

PROPERTY ADDRESS
PREVIOUS NUMBER

2334 N FORT HALL NINE

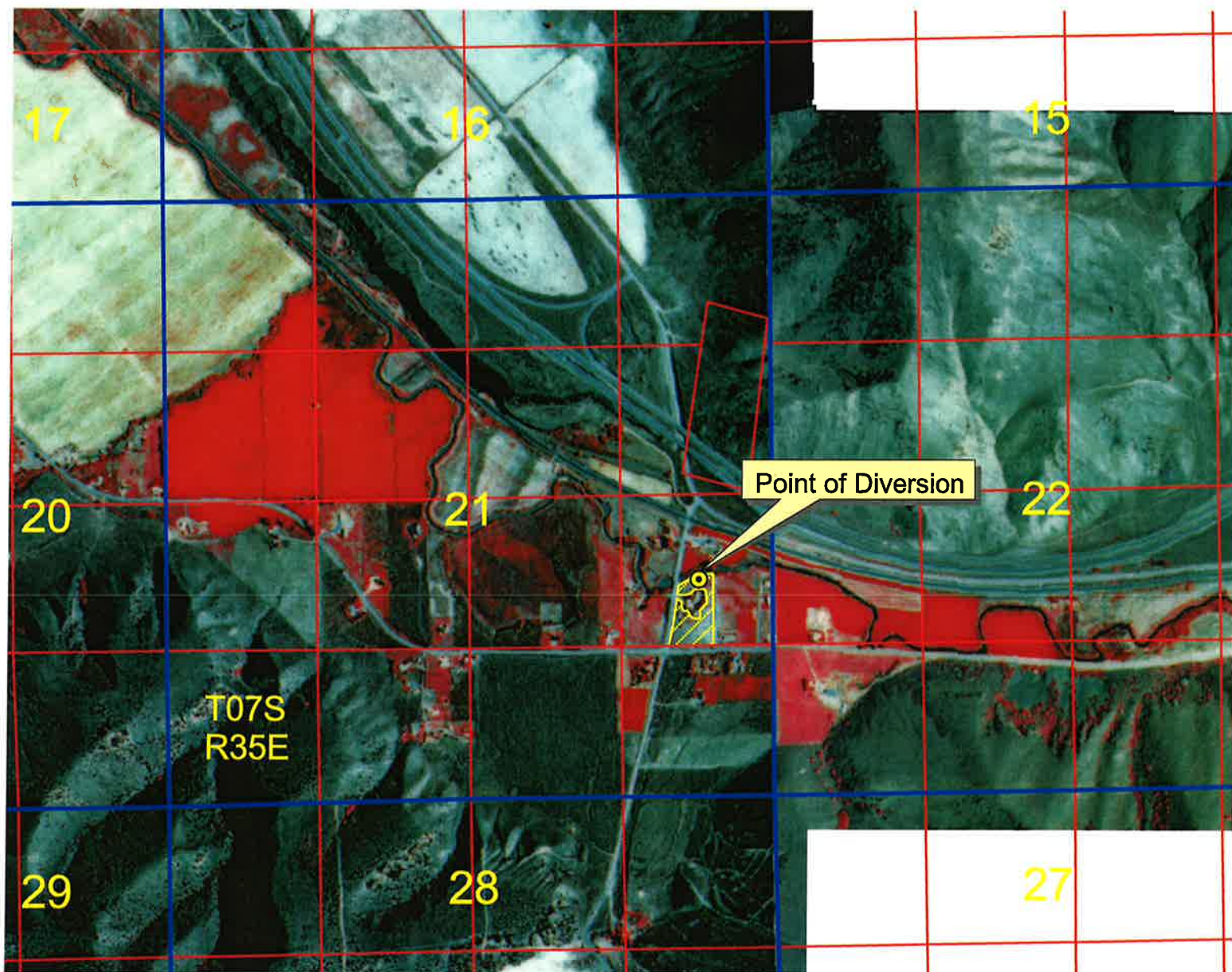
Mail To:

HOMEOWNERS EXEMPTION (V)

**GARRY L. PURKEY
2334 N FORT HALL NINE RD
POCATELLO, ID 83204-7308**



State of Idaho
Department of Water Resources
Eastern Region
Water Right 29-11413



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: January 2003

WR# 29-11413

Date: 6-18/22-01



Notes: Facing south, pump with field just over embankment. (Power source on right)

WR# 29-11413

Date: 6-18/22-01



Notes: Facing North, pipe that is used to get water out of the river. (filter at end of pipe)

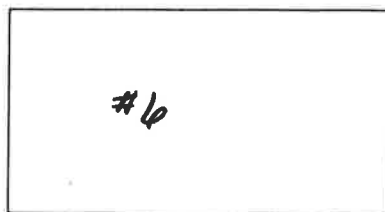
WR #: 29-11413

DATE: _____

GPS File: 11413 OR

Northing: _____

Easting: _____



Notes: Facing South, Pump with field just over embankment.

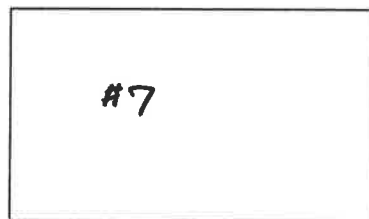
WR #: 29-11413

DATE: _____

GPS File: 11413 Or

Northing: _____

Easting: _____



Notes: Facing North, Pipe that gets water out of River.

WR #: _____

DATE: _____

GPS File: _____ Or

Northing: _____

Easting: _____



Notes: _____

CLAIM NO. 29 - 11413

**IDWR SUPPLEMENTAL CLAIM VERIFICATION REPORT
FOR DOCUMENTING CHANGES TO CVR**

1. ☒ NAME - No change
☐ NEW OWNER: _____
(SUPPORTING DOCUMENTATION REQUIRED - ATTACH COPY)
☒ ADDRESS - No change
☐ NEW ADDRESS: _____

2. ☒ SOURCE - No change
☐ CHANGE - New source and/or tributary is: _____

3. ☐ QUANTITY - No change
☐ CHANGE - New amounts: _____ CFS and/or _____ AFY

4. ☐ PRIORITY DATE - No change
☐ CHANGE - Priority date to: _____
(EVIDENCE OF PRIORITY REQUIRED - ATTACH COPY)

5. ☒ POINT OF DIVERSION - No Change
☐ CHANGE - New point of diversion is: T _____, R _____, S _____, _____ 1/4, _____ 1/4, _____ 1/4
When 1st = T _____, R _____, S _____, _____ 1/4, _____ 1/4, _____ 1/4
(LOCATION OF POD(S) SHOULD BE SHOWN ON MAP)

6. ☐ PURPOSE AND PERIOD OF USE - No change
☐ CHANGE New purpose of use _____ New period of use _____ New amount(s) _____
_____ from _____ to _____ cfs _____ af
_____ from _____ to _____ cfs _____ af
_____ from _____ to _____ cfs _____ af

7. ☒ PLACE OF USE - No change
☐ CHANGE New place(s) of use: (LOCATION(S) AND ACRES SHOULD ALSO BE SHOWN ON MAP)

T	R	S	N E				N W				S W				S E				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

REMARKS _____

CONDITIONS _____

Reviewer _____ Date _____

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. 29-11413

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Dean Byington Date _____

Contact Person(s) Gary Purkey's wife.

Nature of Contact Went to door.

Substance of Communication _____

* wife told me that pump is used to Irrigate Pasture & Lawn.

* upgraded Pump a few years ago.

SCANNED

JUN 15 2001

Log for claim A29-11413

Spatial Dynamics LTD

9/13/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s35e	21	NESE	5	3.5	
Totals:			5	3.5	

* Talked to gary's wife, said that they Pump out of River to Irrigate Pasture and Lawn with hand Lines.

* Up graded pump a few years ago.

* Irrigated field has horses in it.

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GARY L PURKEY 2334 N FORT HALL MINE RD POCATELLO ID 83204 (208) 233-8008	06/20/1902	IRRIGATION STOCKWATER	03-15 11-15 03-15 11-15	0.100 CFS 0.020 CFS	
TOTAL DIVERSION:					0.100 CFS	

Water Source: PORTNEUF RIVER

Tributary to: SNAKE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T07S R35E S21 SWNESE BANNOCK County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
07S	35E	21	:														5.0
																TOTAL ACRES	5.0

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
07S	35E	21	:														

POU County: BANNOCK

Non-Irrigation Uses: STOCKWATER, 5 HEAD CATTLE, HORSES

Other Rights: NONE

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

29-10115 29-12253 A29-04199 A29-04487 A29-10115 A29-11659 A29-12253

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

A29-02080 A29-04184 A29-04199 A29-04487

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

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

Audit: 07/23/90 THOMPSON 09/07/94 JTHOMPSON 01/03/95 DCARLSON 02/14/95 DCARLSON
03/29/95 POST-STD 04/12/00 CVANDERM

RECEIVED

FEB 14 1995

Department of Water Resources
Eastern District Office

2334 North Fort Hall Mine Road
Pocatello, Idaho 83204
February 13, 1995

Mr. Dave Carlson
State of Idaho
Department Of Water Resources
900 North Skyline Drive
Idaho Falls, Idaho 83402-1718

Dear Dave:

This is in regards to you letter to me dated January 3, 1995. When I originally filed this " **Notice Of Claim To A Water Rights**" I had no idea a water right existed. I had talked with a Mrs. Anna Vreeland who said that her and her husband used the water ever since they had land, so based on her statement to me I put the date as my priority as the date she bought the land. She is deceased now so I could not get any more information.

Since January I have researched the court house and turned there records upside down. I believe I have found the water rights to my property. I have talked with an attorney and will retain him if necessary.

The **Notice Of Water Right Location** dated June 20, 1902 was found in book #2 of water location on page 145. I am sending you a copy of this water right.

Please let me know as soon as possible if I need to file a new " **Notice Of Claim To A Water Right**" or if you can change the form I already submitted and send me a copy of this with my **Priority** date changed. If you need anything else please let me know.

Thank you,



Garry L. Purkey

A29-11413

MICROFILMED
NOV 14 1996

RECEIVED

FEB 14 1995

Department of Water Resources

Eastern District Office

at 1.10 o'clock P.M., the 17th day of June 1902.

Subscribed and Sworn to before me this 201
(SEAL)

Recorded at request of H.H. Matthews,
By E.G. Gallet,
Deputy.

Fee 80¢

Notice of Water 1

To Whom it May Concern:

Notice is hereby Given, That Rob
State of Idaho, has this 19th day of June 1902,
waters of the Portneuf river to the extent of
at the point of intended diversion, which said
described as follows, to-wit: the southeast cor
two, township seven, south range thirty-five eas

That the special purpose or purposes for
manufacturing and domestic purposes.

The place of its intended use is on the e
twenty-one and the northwest quarter of the s
seven, south of range thirty-five, east, Bannock

That the general course of the proposed c

The length of said proposed canal or con
gated is agricultural lands.

That it is intended to complete the works
aforesaid within five years.

A copy of this notice was duly posted at
19th day of June 1902.

Witness my hand at Pocatello, County of B

Appropriator and Claimant

State of Idaho,)

) SS.

County of Bannock.)

I, Robert S. Manassa being
lawful age and the appropriator and claimant
foregoing notice and whose name is subscribed
true, and that the original notice of which th
picious place at or near the point of intende
June 1902.

Subscribed and Sworn to before me 1
(SEAL)

Recorded at request of R.S. Manassa,
By E.G. Gallet,
Deputy.

Fe

NOTICE OF

STATE OF IDAHO,)

) SS.

Bannock County)

MICROFILMED

NOV 14 1950

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Purkey

CLAIM IDENT. NO.

A29-11413

DATE RECEIVED

4/16/90

CK #

AMOUNT \$

YES

NO

Required
Info?

1. Is the name and address complete with zip code?
2. Is a priority date entered?
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 owner-
ship must be stated. If not under single ownership, see
Adjudication Memo # 4. N/A
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?

Claim checked by:

DC

Date:

5/18/90

Claim must be returned to claimant:

(Yes) X (No)

Claimant must be notified of modifications:

(Yes) X (No)

Receipt Prepared by:

Date:

Claim data entered by:

Date:

Sent to claimant by:

Date:

Checked by:

Date:

Comments:

MICROFILMED

NOV 16 1992

THIS INDENTURE, Made and entered into this 16th day of June, A. D. 1926, by and between the County of Bannock, State of Idaho, party of the first part, and Harry M. Palmer of Pocatello, Idaho, party of the second part,

WITNESSETH, THAT whereas, by an order duly given, made and entered by the Board of County Commissioners, of said County, in meeting assembled on the 17th day of April 1926, it was found and determined that the certain tract or parcel of land belonging to said County and hereinafter particularly described, was not necessary for the use of said County, and that the same should therefore, pursuant to the provisions of Section 3423, Compiled Statutes of Idaho, be sold at public auction on the 22nd day of May, 1926; and

WHEREAS, Pursuant to said order and the statute in such case made and provided the sale was advertised by thirty days' notice given by publication in the Pocatello Tribune, a newspaper published in said county (or posted in five public places of the said county), affidavit of the giving of which notice has been duly filed with the Clerk of the Board of County Commissioners of said county; and

WHEREAS, At the time advertised for said sale the said land was, by the Clerk of said Board, sold at public auction to the party of the second part herein, who was the highest bidder therefor, for the sum of \$143.00, cash, lawful money of the United States of America, which said sum the said party of the second part has paid to the Treasurer of the said Bannock County;

NOW THEREFORE, For and in consideration of the said sum hereinbefore mentioned thus paid, and pursuant to the law in such cases made and provided, the party of the first

part herein does hereby grant, bargain, sell, convey and confirm unto the said party of the second part, his heirs and assigns forever, all that certain tract or parcel of land situated in the County of Bannock, State of Idaho, and more particularly described as follows:

SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 21, T. 7, S., R. 35 E., B. 4., 40 acres, and also Tract NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Tax No 4, 19.0 acres, Sec. 21, T. 7, S., R. 35, E., B. 4., more particularly described as follows:

That portion of the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 21 T. 7, S. R., 35, E. B. 4., lying south of the Portneuf river, excepting two (2) acres, more particularly described as follows: Commencing at the SW corner of the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 21, T. 7 S., R. 35 E., B. 4., thence east 20 rods thence north 16 rods thence west 20 rods, thence south 16 rods to place of commencement.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining; to have and to hold the same unto the party of the second part, his heirs and assigns forever.

IN WITNESS WHEREOF, The Board of County Commissioners of said County has caused the name of said County to be hereunto subscribed by the chairman of said board, and the seal of said Board of Commissioners to be hereunto affixed.

Done at Pocatello, Idaho, the day and year first above written.

(Seal)

BANNOCK COUNTY.
BY C. H. Bassett.
Chairman, Board of County Commissioners.

ATTEST:

R. C. Earley
County Auditor and ex-officio
Clerk of the Board of County Commissioners.

STATE OF IDAHO,
COUNTY OF Bannock.

} SS.

On this 16th day of June, 1926, before me W. A. Hyde, a Probate Judge in and for said County, personally appeared C. H. Bassett known to me to be the chairman of the Board of County Commissioners of said Bannock County, who executed the foregoing instrument, and acknowledged to me that he executed the same as such officer.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(Seal)

W. A. Hyde,
Probate Judge, Bannock County, Idaho.

I hereby certify that his instrument was filed for record at the request of H. M. Palmer at 7 minutes past 2 o'clock P. M. this 1 day of July, A. D. 1926, at my office, and duly recorded in book 85 of Deeds at page 131.
R. C. Earley-Recorder.

Fee \$1.00

By L. Spongberg-Deputy.

SCANNED

RECEIVED

JUN 15 2001

FEB 21 1995

Department of Water Resources
Eastern District Office

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: A29-11413
Date Received: 4/18/1990
Receipt No: E013247
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: GARY L PURKEY
Address: 2334 N FORT HALL MINE RD
POCATELLO ID 83204 208-233-8008

2. Date of Priority: JUN 20, 1902

3. Source: PORTNEUF RIVER Trib. to: SNAKE

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	35E	21	SW	NE	SE		BANNOCK

5. Description of diverting works:
8 HP CENT. PUMP IN RIVER; 8" MAINLINE TO PROTABLE HANDLINKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S. (or)	A.F.A.
IRRIGATION	03/15	11/15	0.100	4.27
STOCKWATER	03/15	11/15	0.020	

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 5 HEAD CATTLE, HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
07S	35E	21	NE	SE		IRR	5.0
			NE	SE		STOCK	

NOV 14 1996

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
----------	-------	---------	------------	-----	-----	-------

						Section Acres	5.08 H.L.R.
--	--	--	--	--	--	---------------	-------------

						Total Acres	5.08 H.L.R.
--	--	--	--	--	--	-------------	-------------

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: 1

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): Harry L. Runkley Date: 2-17-95

Date: _____

MICROFILMED
NOV 14 1996

State of Idaho)
County of Caribou) SS.

Subscribed and sworn (or affirmed) before me this 17 day
of February 19 95

Edith Ann Pratt
Notary Public

Seal

Residing at Soda Spring, Idaho

My Commission Expires 06-18-99

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: A29-11413
Date Received: 7/23/1990
Receipt No: E013247
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GARY L. PURKEY 208-233-8008
Address: 2334 N. FOR HALL MINE ROAD
POCATELLO, ID 83204

2. Date of Priority: JUN 16, 1926

3. Source: PORTNEUF RIVER Trib. to: SNAKE

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	35E	21	SW	NE	SE		BANNOCK

5. Description of diverting works:
8 HP CENT. PUMP IN RIVER; 8" MAINLINE TO PROTABLE HANDLINKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.100		
STOCKWATER	03/15	11/15	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 5 HEAD CATTLE, HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	35E	21	NE	SE	5.0	IRR	
			NE	SE		STOCK	

A29-11413

Page 1

Date: 07/23/90

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NOV 16 1992

A2911413



11. Place of use in counties: BANNOCK

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576
Ident. Number A29-11413/90
Date Received 4-16-90.
Receipt Number E013247
C.V.

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

APR 16 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) GARY L. PURKEY Phone (208) 233-8008
Mailing Address 2334 N. FORT HALL MINE RD. POCAHELLO, ID. Zip 83204

2. Date of Priority (Only one (1) per claim) JUNE 16, 1926

3. Source of water supply (a) PORTNEUF RIVER
which is tributary to (b) SNAKE RIVER

4. a. Location of existing point of diversion is: Township 7S Range 35E Section 21,
SW 1/4 of NE 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of BANNOCK

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. 8 HP CENT. PUMP IN RIVER.

3" MAINLINE TO PORTABLE HANDLINKS.

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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 0.10 or _____

For STOCK purposes from 3/15 to 11/15 amount 0.02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.10 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 12.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 5 HEAD HORSES OR CATTLE

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	21													5				5

Total number of acres irrigated 5

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

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

14. Remarks:

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NOV 16 1992

Last Name _____ Ident No. _____

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) _____

Date 12-12-89

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 12th day of Dec. 19 89

SEAL

Notary Public Patricia J. Guerber

Residing at Local 1000

My Commission Expires 3/12/95

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

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Copies White State, Yellow Claimant

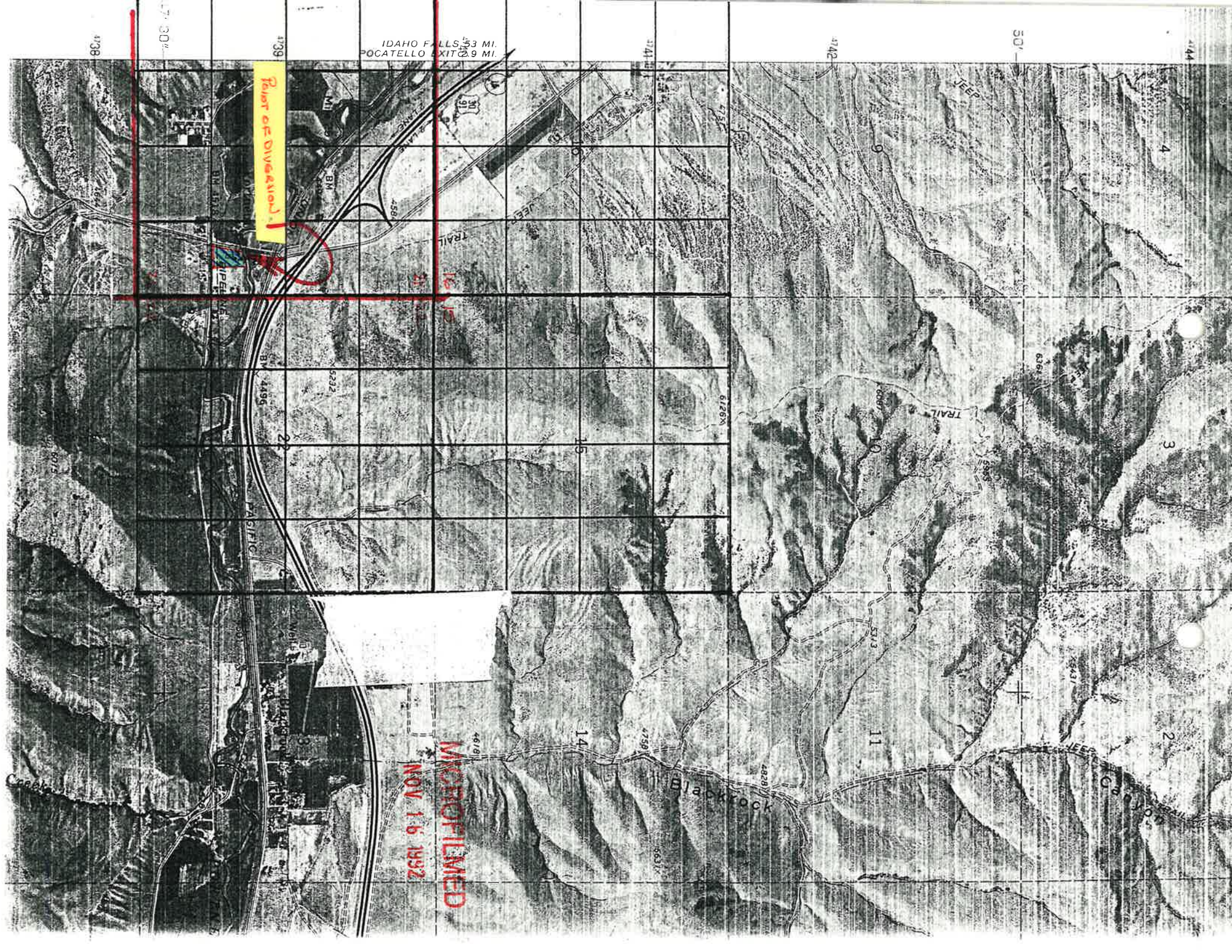
NOV 18 1992

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FOSTER
DIVISION

13B

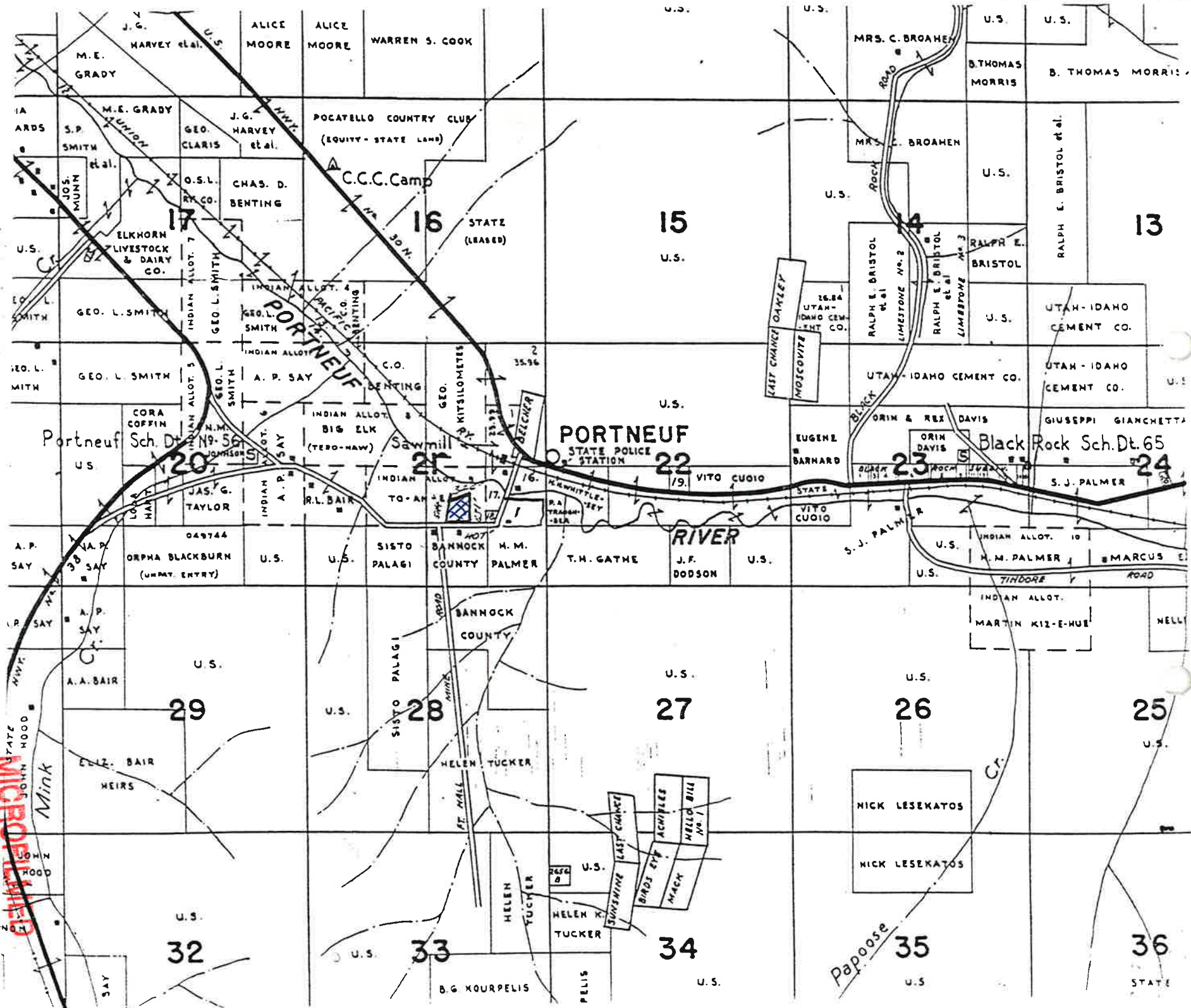
24



IDAHO FALLS 53 MI.
POCATELLO EXIT 9 MI.

Point of diversion

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NOV 16 1992



NOV 16 1992