

IDAHO DEPARTMENT OF WATER RESOURCES 11/16/2001
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

NAME AND ADDRESS: SANDRA EVANS
1566 W ARIMO RD
ARIMO ID 83214

JOHN EVANS
1566 W ARIMO RD
ARIMO ID 83214

SOURCE: GARDEN CREEK TRIBUTARY: MARSH CREEK

QUANTITY: 0.02 CFS

PRIORITY DATE: 05/01/1886

POINT OF DIVERSION:

T10S R36E S4 SWSW Within BANNOCK County

T10S R36E S5 SESE 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	0.020 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T10S R36E S04 SWSW 2.2

2.2 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 2.2 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 29-11442, 29-11462

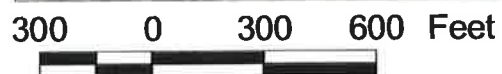
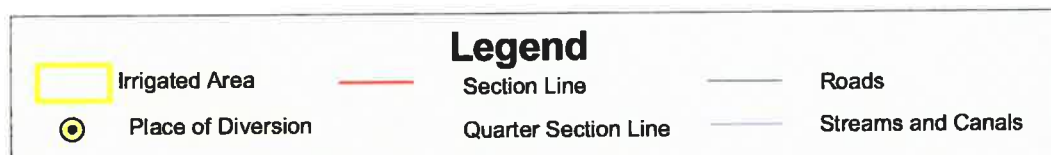
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

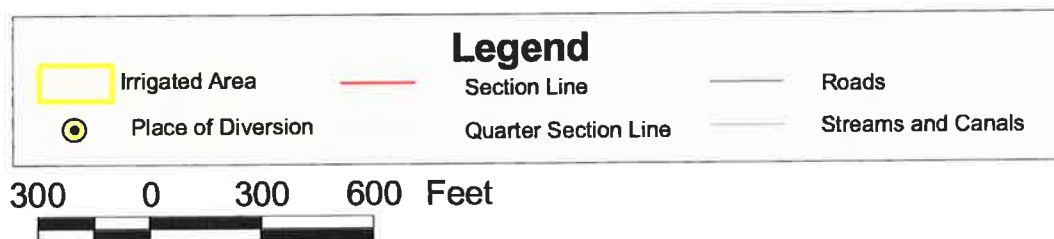
EXPLANATORY MATERIAL: Decreed

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 29-00363.

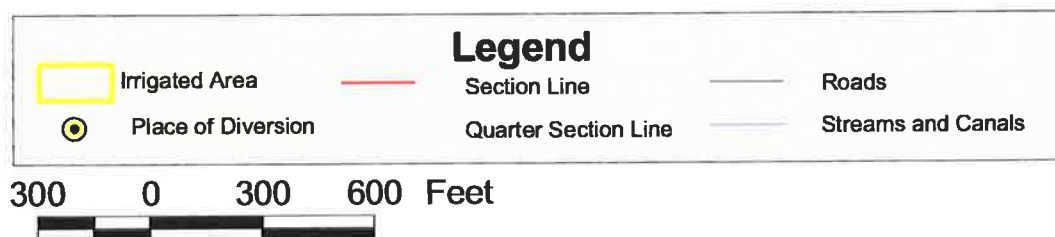
Township , 10S36E



Township , 10S36E



Township , 10S36E



Dave

02/08/2003

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: 29-11442

SANDRA EVANS
1566 W ARIMO RD
ARIMO ID 83214
Telephone Number: (208)254-3834

JOHN DEAN EVANS
1566 W ARIMO RD
ARIMO ID 83214
Telephone Number: (208)254-3834

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

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

The above named, no longer own the property.
Please make the changes to the current owners.
(See below)

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

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

DATE:

4/18/03

SIGNATURE:

Leslie Armstrong

Please print your name:

Leslie Armstrong

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

Douglas S. Armstrong
1717 W. Arimo Rd.
Arimo, ID 83214
(208) 254-9317

Leslie A. Armstrong
1717 W. Arimo Rd.
Arimo, ID 83214
(208) 254-9317

RECEIVED

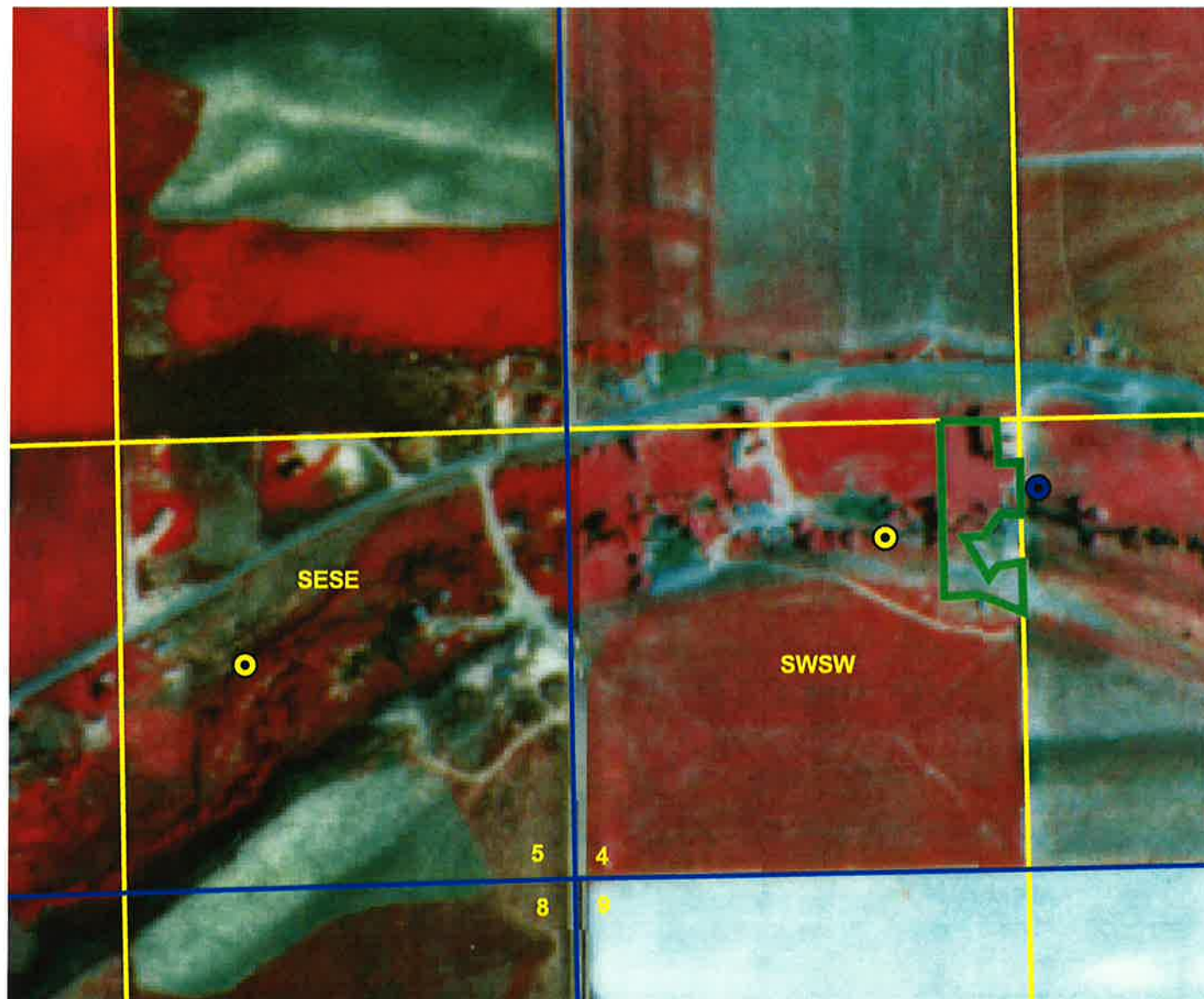
APR 24 2003

Department of Water Resources
Eastern Region

IDAHO DEPARTMENT OF WATER RESOURCES

29-11442, 29-11462

T10S, R36E SEC. 4



ACRES IRRIGATED- 2.2



POINT OF DIVERSION



PLACE OF USE

**GIS: PLACE OF USE
POINT OF DIVERSION
1987/1988 NAPP PHOTOS
DAVE CARLSON**

MAY 22 2001

through said two canal systems does not exceed the said four cubic feet per second of time, said right to date from the month of June, 1877, and is prior in time and superior in right to the rights of all of the defendants in this action, and to the rights of all and every of the persons signing said stipulations, or any of them, the same being the first right to the use of the waters of said stream to the amount of four cubic feet per second of time.

And the remaining waters of said stream are decreed as follows, to-wit:

- 29 0363 To Thomas E. Wolverton, three-fourths second foot of water to date from the 1st day of May, 1886 and one second foot of water to date from the 1st day of May 1904, said water to be used upon the S.W. 1/4 of the S.W. 1/4 of Sec. 4, and the N. Half of the S.E. 1/4 of Sec. 9 in Township 10, South of Range 36 E.B.M.
- 29 0364 To John Morley, three-fourths second foot of water to date from the 1st day of May, 1886, and one second foot of water to date from the 1st day of May, 1904, to be used on the E. half of the N.E. 1/4, Sec. 8, the S.E. 1/4 of the S.E. 1/4 of Sec. 5, and the S.W. 1/4 of the N.W. 1/4 of Sec. 9, in Township 10 South of Range 36 E. B. M.:-
- 29 0365 To Thomas C. Smith, three-fourths second foot of water to date from the 1st day of May, 1890 and one second foot of water to date from the 1st day of May, 1904, to be used on the N.W. 1/4 of Sec. 10, Township 10 South of Range 36 E.B.M.:-
- 29 0366 To William J. Millard, three-fourths second foot of water to date from the 1st day of May, 1893, and one second foot of water to date from the 1st day of May, 1904, to be used on the S.E. 1/4 of Sec. 3, Township 10 South of Range 36 E.B.M.:-
- 29 0367 To Albert Evans, three-eighths second foot of water to date from the 1st day of May, 1893, and three-eighths second foot of water to date from the 1st day of May, 1898; also one second foot of water to date from the 1st day of May, 1904, to be used on the East half of the N.W. 1/4 of Sec. 8, Township 10 South of Range 36 E.B.M.:-
- 29 0368 To L. S. Whitney three-eighths second foot of water to date from the 1st day of May, 1893, and three-eighths second foot of water to date from the 1st day of May, 1904, to be used on the West half of the E.W. 1/4 of Sec. 8, Township 10, South of Range 36 E.B.M.
- 29 0369 To J. S. Wheeler, three-fourths second foot of water to date from the 1st day of May, 1887 and one second foot of water to date from the 1st day of May, 1904, to be used on the East half of the S. W. 1/4, and the N.W. 1/4 of the S.E. 1/4 and S.W. 1/4 of the N.E. 1/4 in Sec. 2, Township 10, South of Range 36 E. B. M.:- Also the S.W. 1/4 of the N. W. 1/4 and the West half of the S. W. 1/4 of Sec. 2, Township 10 South of Range 36 E.B.M.:-
- 29 0370 To David Armstrong, three-fourths second foot of water to date from the 1st day of May, 1895, and one second foot of water to date from the 1st day of May, 1904, to be used on the S.W. 1/4 of Sec. 10; also three-sixteenths second foot of water to date from the 1st day of May, 1895, and one-fourth of second foot of water to date from the 1st day of May, 1904, to be used on the S. W. 1/4 of the S.E. 1/4 of Sec. 9, all in Township 10, South of Range 36 E.B.M.:-
- 29 0371 To Andrew N. Thacker, three-fourths second foot of water to date from the 1st day of May, 1895 and one second foot of water to date from the 1st day of May, 1904, to be used upon the S. W. 1/4 of Sec. 9; also three-fourths second foot of water to date from the 1st day of May 1895; and one second foot of water to date from the 1st day of May, 1904, to be used on the West half of the N.W. 1/4 and the N.W. 1/4 of the S.W. 1/4 of Sec. 8, Township 10, South, of Range 36 E. B. M.
- 29 0372 To Thomas Exeter, three-fourths second foot of water to date from the 1st day of May, 1895, and one second foot of water to date from the 1st day of May, 1904, to be used on the South half of the S. E. 1/4 Sec. 8, and the North half of the N.E. 1/4 Sec. 17, Township 10 South of Range 36 E. B. M.
- 29 0373 To William Jenkins, Jr., three-fourths second foot of water to date from the 1st day of May, 1895, and one second foot of water to date from the 1st day of May, 1904, to be used on the East half of the N. E. 1/4 and the East half of the S. E. 1/4 Sec. 10, Township 10, South of Range 36 E. B. M.:-
- 29 0374 To P. M. Larson, three-fourths second foot of water to date from the 1st day of May, 1896, and one second of water to date from the 1st day of May, 1904, and to be used on the S.W. 1/4 of Sec. 11 and the East half of the S. W. 1/4 Sec. 11

Log for claim A29-11442

Spatial Dynamics LTD

7/12/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
10s36e	4	SWSW	3.4	3.2	
Totals:			3.4	3.2	

$$\begin{array}{l} 363 \sim .75 = 0.02 \\ 364 - 1.00 \quad 0.03 \end{array}$$

$$\frac{3.4}{120}$$

120 Acres total

uses
1993

1980s

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/27/00
PAGE: 230

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SANDRA EVANS	05/01/1886	IRRIGATION	03-15 11-15	0.045 CFS	
C	JOHN EVANS					
	1566 W ARIMO RD					
	ARIMO ID 83214			TOTAL DIVERSION:	0.045 CFS	
	(208) 254-3834			CONSUMPTIVE USE:		8.50 AFA

Water Source: GARDEN CREEK

Tributary to: MARSH CREEK

Stage: DECREED

Point(s) of Diversion:

T10S R36E S05

SWSESE

BANNOCK County

Place of use Legal Description for: IRRIGATION

[illegible]

POU County: BANNOCK

Other Rights: A29-11462

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

29-10621 29-12233 A29-00365 A29-00366 A29-04402 A29-10621 A29-11462 A29-12233

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

A29-00365 A29-00366 A29-02450 A29-04402 A29-11462

Remarks: GEN THIS NOTICE REPRESENTS A PORTION OF DECREED RIGHT 29-0363.
DOCUMENTS OF RECORD IN THE COURT HOUSE STATE WE ARE ENTITLED TO
10 HOURS OF WATER EACH WEEK. CURRENTLY WE ARE SHARING THE
RIGHT WITH JOHN MARLEY AND MEADOW BROOK RANCH (WAYNE WHEATLEY).

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

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

Audit: 04/18/90 CARLSEN 09/07/94 JTHOMPSO 03/29/95 POST-STD 01/10/96 ENORQUES

MAY 22 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: A29-11442
Date Received: 4/18/1990
Receipt No: 2013321
Received By: EAC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SANDRA EVANS 208-254-3834
Address: 1566 W. ARIMO RD.
ARIMO, ID 83214

OR
Name: JOHN EVANS 208-254-3834
Address: 1566 W. ARIMO RD.
ARIMO, ID 83214

2. Date of Priority: MAY 01, 1886

3. Source: GARDEN CREEK Trib. to: MARSH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	36E	5	SW	SE	SE		BANNOCK

5. Description of diverting works:
HEADGATE AND OPEN DITCH FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.045		

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

8. Total consumptive use is 8.5 Acre Feet Per Annum.

9. Non-irrigation uses:

A29-11442

Page 1

Date: 04/18/90

MICROFILMED
NOV 16 1992

A2911442



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	36E	4	SW	SW		IRR	3.4
Section Acres							3.4
Total Acres							3.4

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:
A29-11462

14. Remarks:

THIS NOTICE REPRESENTS A PORTION OF DECREED RIGHT 29-0363.
DOCUMENTS OF RECORD IN THE COURT HOUSE STATE WE ARE ENTITLED TO
10 HOURS OF WATER EACH WEEK. CURRENTLY WE ARE SHARING THE
RIGHT WITH JOHN MARLEY AND MEADOW BROOK RANCH (WAYNE WHEATLEY).

15. Basis of Claim: DECREED

Case Number:
Court :
Decree date:

GARDEN CREEK IRRIGATION CO.
Decree Plaintiff

vs

THOMAS E. WOLVERTON, 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 x 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): Sandra Evans Date: 4-18-90

Date: _____

State of Idaho)
County of Bonanza) SS.

Subscribed and sworn (or affirmed) before me this 18 day
of April 19 90

Ernest Carlson
Notary Public



Residing at 1410 Falls, M.
My Commission Expires 6-14-1994

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A29-11462	10S 36E	5	SW	SE	SE			BANNOCK		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
A29-00365	29-10621
A29-00366	29-12045
A29-04402	29-12233
A29-10621	
A29-11442	
A29-12045	
A29-12233	

WR RECORDS IN SAME 40 ACRE TRACT

29-04402
29-04403

SOURCE: GARDEN CREEK

TRIB: MARSH CREEK

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM NAME OF EXAMINER) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: _____

=====

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
10S	36E	5	SW	SE	SE			BANNOCK		
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: _____ TRIB: _____

REVIEWED BY: _____ DATE: _____

=====

SYSTEM DESCRIPTION: DESCRIBED BELOW (___), SEE LICENSE FILE (___), OR SEE ATTACHMENT (___)

A. ROOT WATER RIGHT NUMBERS: A29-11462
A29-11431

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
10S	36E	4	SW	SW		EVANS, JOHN	A29-11462 / 3.4	- /			40.0
			SW	SW		MEADOWBROOK RANCH	A29-04402 / 7.0	29-04402 / 7.0			
			SW	SW		MARLEY, J WENDELL	A29-00365 / 3.0	- /			
			SW	SW		MARLEY, J WENDELL	A29-00366 / 3.0	- /			
			SW	SW		EVANS, JOHN	A29-11464 /	- /			
			SW	SW		EVANS, SANDRA	A29-11442 / 3.4	- /			
			SW	SW		MEADOWBROOK RANCH	A29-02450 / 22.0	29-02450 / 22.0			
			SW	SW		EVANS, JOHN	29-11464 /	- /			
			SW	SW		WOLVERTON, THOMAS E.		29-00363 /			
			SW	SW		WOLVERTON, THOMAS E.		29-00364 /			

ADDITIONAL POU FOUND

TOTAL ACRES	A29-11462	3.40	40.00
-------------	-----------	------	-------

POU COUNTY: BANNOCK

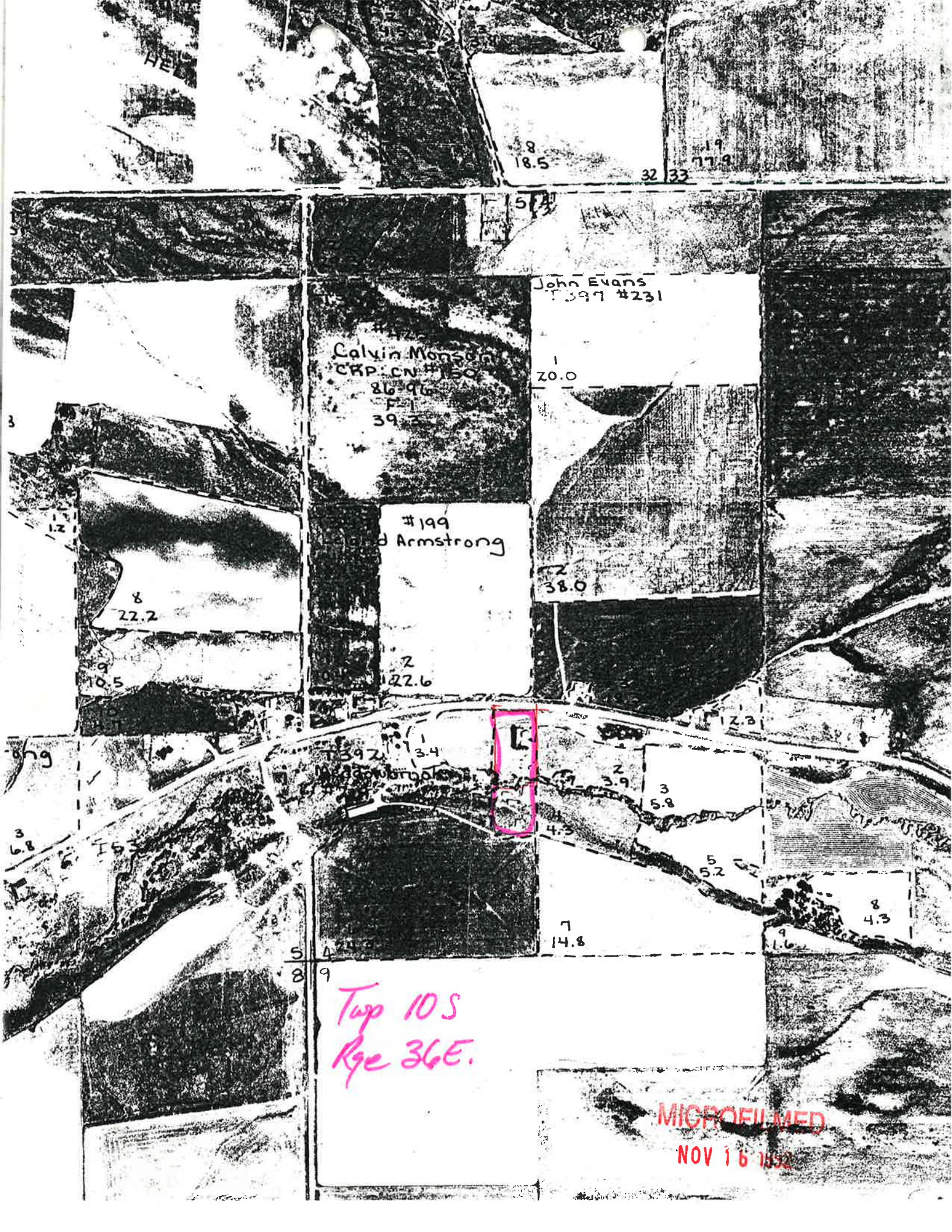
C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A29-11462	GARDEN CREEK	EVANS, JOHN	0.060	0.017		
A29-00365	GARDEN CREEK	MARLEY, J WENDELL	0.750	0.004		
A29-00366	GARDEN CREEK	MARLEY, J WENDELL	1.000	0.006		
A29-02450	GROUNDWATER	MEADOWBROOK RANCH	1.000	0.019	178.50	3.50
A29-04402	GARDEN CREEK	MEADOWBROOK RANCH	0.240	0.020		
A29-11442	GARDEN CREEK	EVANS, SANDRA	0.045	0.013		



HE

8
18.5

19
77.9

32 33

5.4

John Evans
T 397 #231

Calvin Monson
CRP CN #150
86.96
39.3

1
20.0

#199
d Armstrong

2
38.0

8
22.2

2
22.6

T 397 #134
M. J. Monson



2
3.9

3
5.8

5
5.2

7
14.8

8
4.3

Top 10S
Rge 36E.

MICROFILMED

NOV 16 1992