

03/25/2003

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

RIGHT NUMBER: 29-11452

NAME AND ADDRESS: MEADOWBROOK RANCH
C/O RALPH WHEATLEY
10053 S MARSH CREEK RD
MC CAMMON ID 83250

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.070 CFS

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

PRIORITY DATE: 04/01/1890

POINT OF DIVERSION:

T10S R36E S36 NESW Within BANNOCK County Source: GROUND WATER

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

01/01 12/31

0.070 CFS

PLACE OF USE: STOCKWATER Within BANNOCK County

T10S R36E S36 NESW

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

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Beneficial Use

11/06/2002

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

RIGHT NUMBER: 29-11452

DISALLOWED

NAME AND ADDRESS: MEADOWBROOK RANCH
C/O RALPH WHEATLEY
10053 S MARSH CREEK RD
MC CAMMON ID 83250

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.000 CFS

PRIORITY DATE: 04/01/1890

9/15/1986

POINT OF DIVERSION:

T10S R36E S36 NESW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

~~IRRIGATION~~

03/15 11/15

STOCKWATER

01/01 12/31

0.07

PLACE OF USE: IRRIGATION Within BANNOCK County

T10S R36E S36 SESW

STOCKWATER Within BANNOCK County

T10S R36E S36 NESW

10 ACRES TOTAL

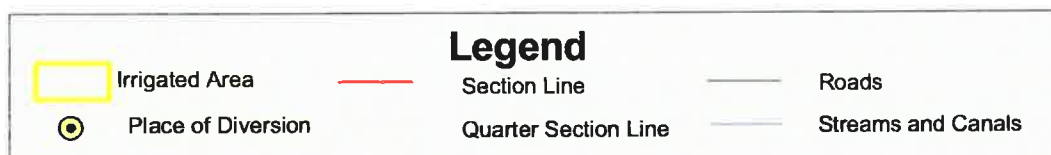
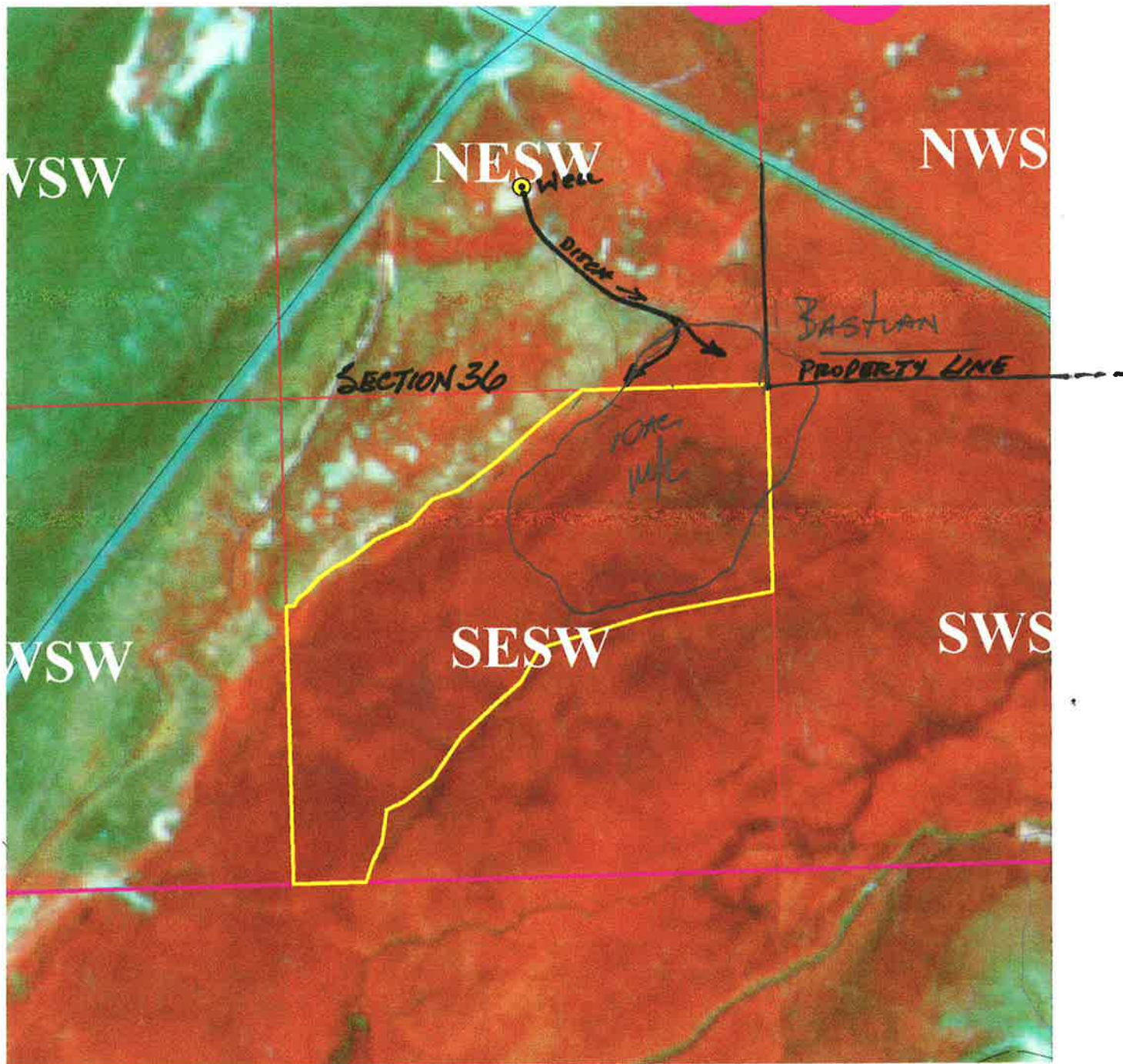
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

NO BENEFICIAL USE FOUND: This is included for a claim based on beneficial use that is PROPOSED to be disallowed because beneficial use of water was not confirmed by IDWRs field examination or by other evidence submitted by the claimant.

NO BENEFICIAL USE FOUND.

EXPLANATORY MATERIAL: Beneficial Use

Townships , 10S36E, 11S36E

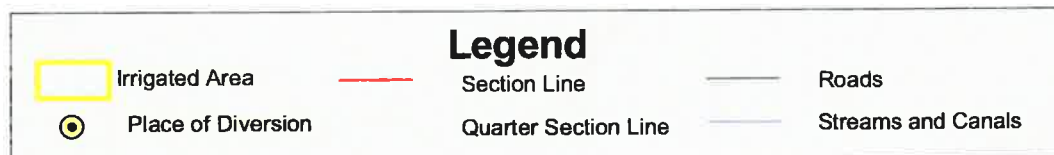
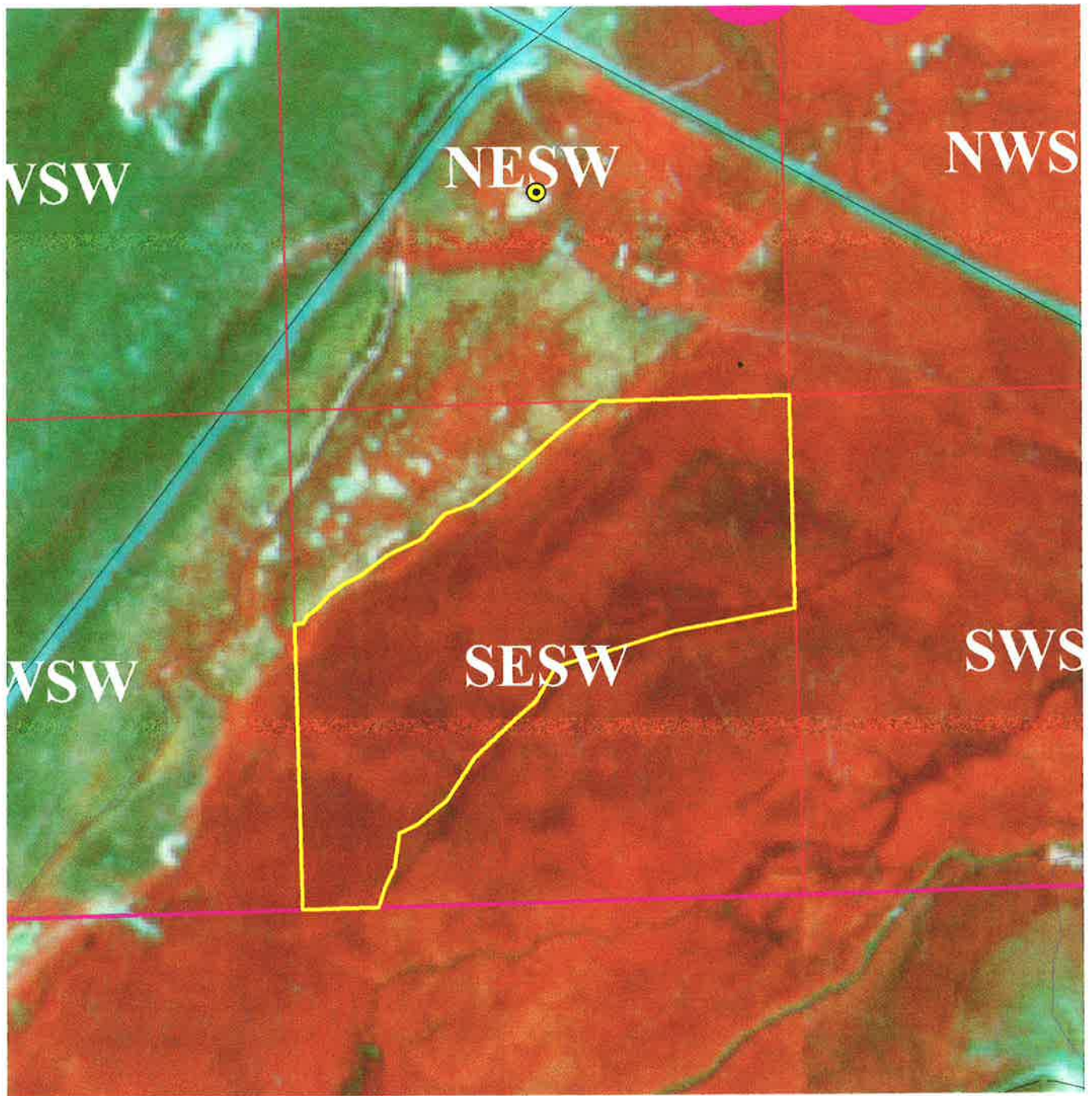


300 0 300 600 Feet

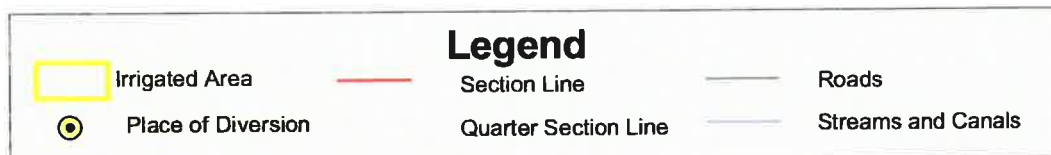
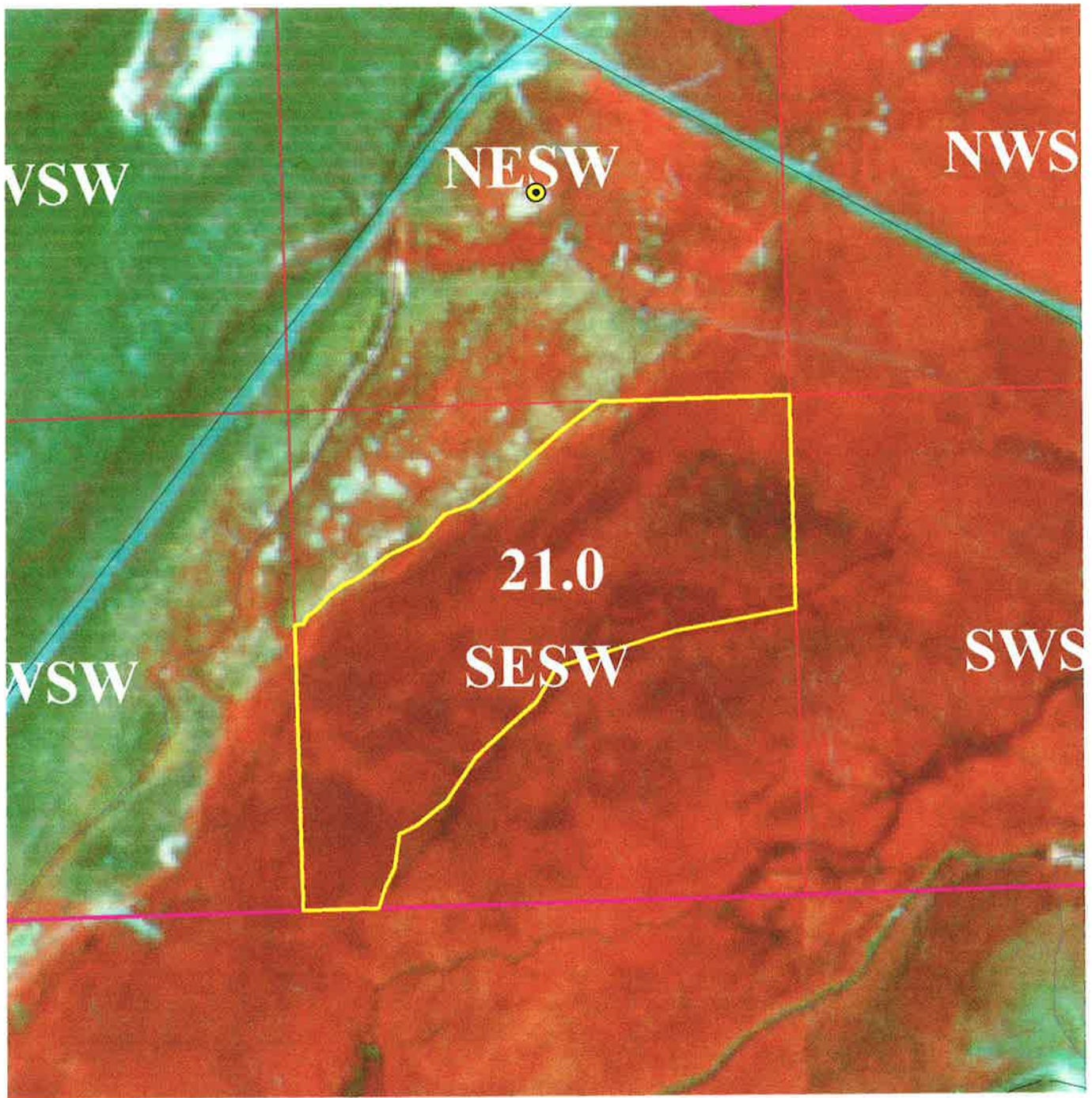


9/26/02
ABR

Townships , 10S36E, 11S36E



Townships , 10S36E, 11S36E



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: 29-11452

MEADOWBROOK RANCH
C/O RALPH WHEATLEY
10053 S MARSH CREEK RD
MC CAMMON ID 83250
Telephone Number: (208)254-3186

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

*Recommend stock water only @ 0.07 cfs
Priority DATE is 9/15/1986.*

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

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: 3-25-03

SIGNATURE: *Ralph Wheatley*

Please print your name: _____

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

Priority Date Data Entry Form

Claim Number: 29-11452

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: 04/01/1890 Claimed Basis: BURecommended Priority Date: 9/15/1986 Recommended Basis: BU☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

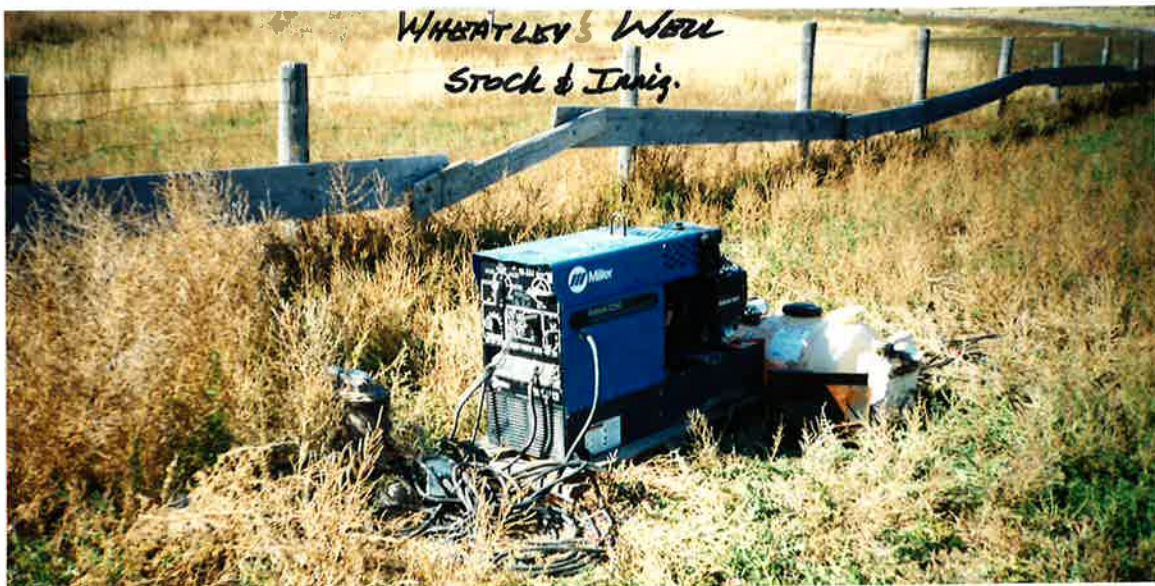
Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

PRIORITY DATE (SOMEHOW) BASED ON J.M. WOODLAND'S
AFFIDAVIT. U.S. PATENT ISSUED 1899 - 5 YRS 'PROVING UP'
WOULD PUT PRIORITY AT 1895 (NOT 1890) - RECOMMEND

AFFIDAVIT DOES NOT SUPPORT THE CLAIMED
SOURCE AS GROUNDWATER - AT ALL NOR A WELL
IN 1890 OR 1899.

* 6/27/02 EVIDENCE OF PRIORITY LETTER SENT TO CONFIRM
CLAIMED PRIORITY OF WELL. 9/26/02 NO RESPONSE.

9/26/02 FE: POD photo, POU



Point of Diversion and Source Data Entry Form

Claim Number: 29-11452

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T 10S, R 36E, Sec. 36, _____, NE, SW, County: BROWNSource: GW Tributary: _____

Recommended Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary: _____

☐ Use Claimed POD and Source as Recommended POD and SourceNO GPS TAG FOUND!

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						

Other rights from this POD? _____

Document how the POD and Source were verified and/or Pump and Motor data:

RE-POD - APPARENTLY FROM A DAM (WHICH WAS MOVED)SOURCE IS G.W. (INTERPID SHOWS - FLOWING) STOCK USE.

→ SOURCE AS G.W. IS NOT REBUTED BY J.M. NODLAND
AFFIDAVIT - WHICH STATES "WATER DIVERTED FROM MARSH CR."

Transfers Changing POD _____

Reviewer: _____

Date: _____

Place Of Use Data Entry Form

Claim Number: _____

_____ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
10S	36E	36	NBSW					stock
			SBSW				10	irrig

Total Acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
								Stock only
								No irrig.

Total Acres _____

Document how the POU was verified:

FIE POU (Supported by Affidavit)

Small CASON well 6" casing - Powered by portable welder
 Submersible Pump, Fills stock tank thru overflows
 to meadow for irrig

9/26/02 System not running during FIE,

Transfers Changing POU _____

Reviewer: _____

Date: _____

Period of Use and Quantity Data Entry Form

Claim Number: _____

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
irrig	3/15	11/15	0.20	
stock	1/1	12/31	0.07	

Overall Diversion Rate 0.27

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
~~irrig~~	~~4/1~~	~~10/31~~	~~0.20~~	
stock	1/1	12/31	0.07	

Overall Diversion Rate 0.20

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

Soll is Dorr Std as Recomm.
Lot of stock for 80 ac (stock claims on 40 ac)

Q = IS NOT ADDITIVE
IN/PROP MEASURES show on 0098 $\Rightarrow$ 0.10 cfs
DURING 'FIRE' ROW - w/ pump running it
SAFE to assume output would double 2 0.20 $\Rightarrow$ NO MEASURES.

Reviewer: _____

Date: _____

Contacts Data Entry Form

29-11452

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	MEADOW BROOK RANCH % RALPH WHEATLEY					

Name connector: and ____, or ____, and/or ____

Current Owner: _____

Current Owner: _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

Directions to Property (if different from above) and/or update owner information:

BU claim from GW - in 1890 - DON'T THINK So.

Priority EVIDENCE Letter sent 6/27/02

Reviewer: _____

Date: _____

June 27, 2002

MEADOWBROOK RANCH
10053 S MARSH CREEK RD
MC CAMMON ID 83250

RE: EVIDENCE OF PRIORITY FOR 29-11452

Dear Claimant (s):

The Idaho Department of Water Resources is nearing the end of water rights review in Basin 29. The Notice(s) of Claim identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). The Notice of Claim 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 Claim. The date the water was first put to beneficial use, known as the priority date, has not been confirmed by 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.**

Evidence of the priority date submitted with this claim discusses only Marsh Creek as a source, circa 1890's. Your claim is for a groundwater source (well) with a priority date of 1890. Please provide supporting documentation supporting the well from 1890.

It is important that each element of the Notice of Claim be verified. 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 of Claim 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 elements of the Notice of Claim have been or soon will be conducted by Department personnel.

.....
The Department will not recommend the Notice of Claim be decreed by the court if evidence of a priority date is not submitted. The Notice of Claim will be disallowed.
.....

Please submit the documentation supporting the priority date within 30 days of the date of this letter, referencing all documents with the corresponding Claim number. If you have any questions not covered by this letter or the enclosed pamphlet, please feel free to contact this office.

Respectfully submitted,

Allen B. Ruberry
Sr. Water Resource Agent
Adjudication Bureau

cc: File

Enclosure: Brochure on "Evidence of Priority"
Notice of Claim 29- 11452



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 29



RIGHT ID 29 11452
POD ID 207141
Quad Arimo
Claim Type L
Easting 647748
Northing 158001
GPSID A0012606

Diversion Description

FLOWING WELL WITH OUTLET PIPE TO PLACE OF USE FOR IRRIGATION. Usage appears to be stockwater with evidence of historical ditches. Currently behaving as seep.

*Pump NOT Running
EXPECT 2x Flow = 0.20*

Assumptions

Slope.

Invoice #

Phase-0 (No Attention)
Phase-I (Ready to Go to Field)
Phase-II (Site Visit - Data Missin
Phase-III (Complete w/issues)
Phase-IV (Total Complete)

Linked

POD ID 207141 01.JPG POD ID 207141 03.JPG

Photos

POD ID 207141 02.JPG

EPE (ft)

Date (M/D/Y)

Time

Flow Rate (CFS)

0.098186777332704

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 0.1

☒ Rectangular Channel

Width 4

Depth 0.1

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 0.001

Channel Description	Concrete lined	.016
	Smooth earth	.025
	Earth	.033
	Rough bed, weeds on sides	.04
	Smooth natural stream	.033
	Rough natural stream	.1

Pumped System

HP

Pressure Head (psi)

Elevation Head (ft)

Motor Mfg

Motor Serial #

Pump Type

Pump Mfg

Pump Serial#

New Contact Information

New Contact Comments

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SCANNED

MAY 31 2001

Log for claim A29-11452

Spatial Dynamics LTD

7/12/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
10s36e	36	SESW	10	21	Indiscernible
Totals:			10	21	

Affidavit

RECEIVED

JUN 05 1995

State of Idaho,)
) ss.
 County of Bannock.)

Department of Water Resources
 Eastern District Office

James M. Woodland, 635 East Halliday, Pocatello, Idaho, being first

duly sworn, deposes and says: That he was born July 4, 1886, and that he is the son of John T. Woodland and Emma A. Woodland, and that his Father received U. S. Patent on June 22, 1899, to the South half of the Southeast quarter and the East half of the Southwest quarter, Section 36, Township ten S., R. 36 E., B. M. He further states that his Uncle Joseph T. Woodland received U. S. Patent June 22, 1899 to the East half of the Southeast quarter, and the Southeast quarter of the Northeast quarter, Section two and the Northwest quarter of the Southwest quarter, Section 1, Township 11 S., R. 36 E., B. M. He further states that Joseph Truman Cole was his cousin and that the said Joseph Truman Cole received U. S. Patent, December 30, 1901, to the South half of the Northwest quarter and Lots 3 and 4, Section one, Township 11 S., Range 36 E., B. M. He further deposes and says that he knows water was diverted from the Marsh Creek to irrigate all the meadow land on the above described tracts and that the point of diversion was at first on the Northwest/quarter of the Southwest quarter of Section 1, Township 11 South, Range 36 E., B. M. He knows this water was diverted before 1900 as he used to help the above named men put in the dam. The water was used to irrigate all of the meadow lands above described. He says his Brother, Orville was baptized at the Ford about June 1, 1901. He states he used to swim from the Ford to the Dam. Later the Dam was moved down stream in the Marsh Creek to near where the present dam is located and it was used to irrigate the meadow lands formerly owned by his Father, John T. Woodland until he sold these lands to George Morrison and Henry J. Nelson.

Witness

Walter C. Cress
Elmer Ellsworth

Signed

James M. Woodland

Subscribed and sworn to before me this 24 day of September 1956

~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~

J. B. Blackhurst

Notary Public,

Residence: Pocatello, Idaho

MAY 31 2001

\$600

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: A29-11452

Date Received: 4/18/1990

Receipt No: _____

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MEADOWBROOK RANCH 208-254-3186
Address: 10053 S. MARSH CREEK RD.
MC CAMMON, ID 83250

2. Date of Priority: APR 01, 1890

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
FLOWING WELL WITH OUTLET PIPE TO PLACE OF USE FOR IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.200		
STOCKWATER	01/01	12/31	0.070		

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

8. Total consumptive use is 25.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/300 CATTLE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	36E	36		NE	SW	STOCK	
				SE	SW	IRR	10.0

Section Acres 10.0

A29-11452

Page 1

Date: 04/18/90

A2911452



MICROFILMED

NOV 16 1992

10. Place of Use: Continued

Total Acres 10.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
N/A

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

(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.

MICROFILMED
NOV 16 1992

