

08/29/2002

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

RIGHT NUMBER: 29-11620A
NAME AND ADDRESS: ALICE K STALEY
PO BOX 23
INKOM ID 83245

LESLIE M WALKER
2539 S FAIRWAY DR
POCATELLO ID 83201

GRADYN D STALEY
PO BOX 13
INKOM ID 83245

DEMAR W GILBERT
PO BOX 6
INKOM ID 83245

SOURCE: MARSH CREEK TRIBUTARY: PORTNEUF RIVER
QUANTITY: 3.96 CFS
PRIORITY DATE: 04/01/1924
POINT OF DIVERSION:

T07S R36E S34 NWSE Within BANNOCK County
T08S R36E S3 NENW Within BANNOCK County
T08S R36E S3 SENW Within BANNOCK County
T08S R36E S3 SWSW Within BANNOCK County
T08S R36E S3 SWSW Within BANNOCK County
T08S R36E S10 NWNW Within BANNOCK County
T08S R36E S10 SWNW Within BANNOCK County
T08S R36E S10 NESW Within BANNOCK County
T08S R36E S10 NWSW Within BANNOCK County
T08S R36E S15 NWSE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	3.960 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T07S R36E S34	SWNE	8.0	T07S R36E S34	SENE	4.0
T07S R36E S34	NESW	1.0	T07S R36E S34	SESW	28.0
T07S R36E S34	NWSE	12.0	T07S R36E S34	SWSE	11.0
T08S R36E S03 Lot 2	NWNE	6.0	T08S R36E S03 Lot 3	NENW	27.0
T08S R36E S03	SWNW	12.0	T08S R36E S03	SENE	13.0
T08S R36E S03	NESW	2.0	T08S R36E S03	NWSW	24.0
T08S R36E S03	SWSW	21.0	T08S R36E S10	NWNW	23.0
T08S R36E S10	SWNW	22.0	T08S R36E S10	NESW	10.0
T08S R36E S10	NWSW	18.0			

242 ACRES TOTAL

08/29/2002

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

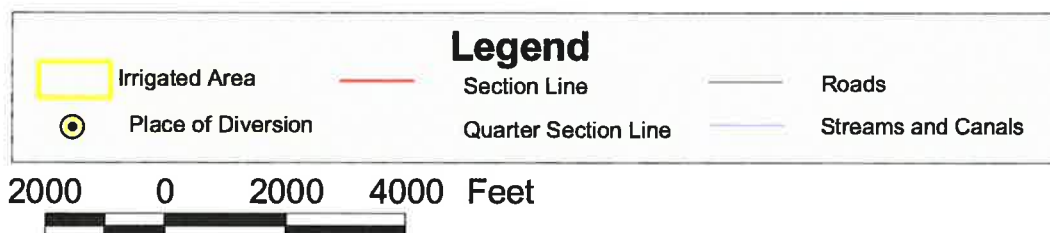
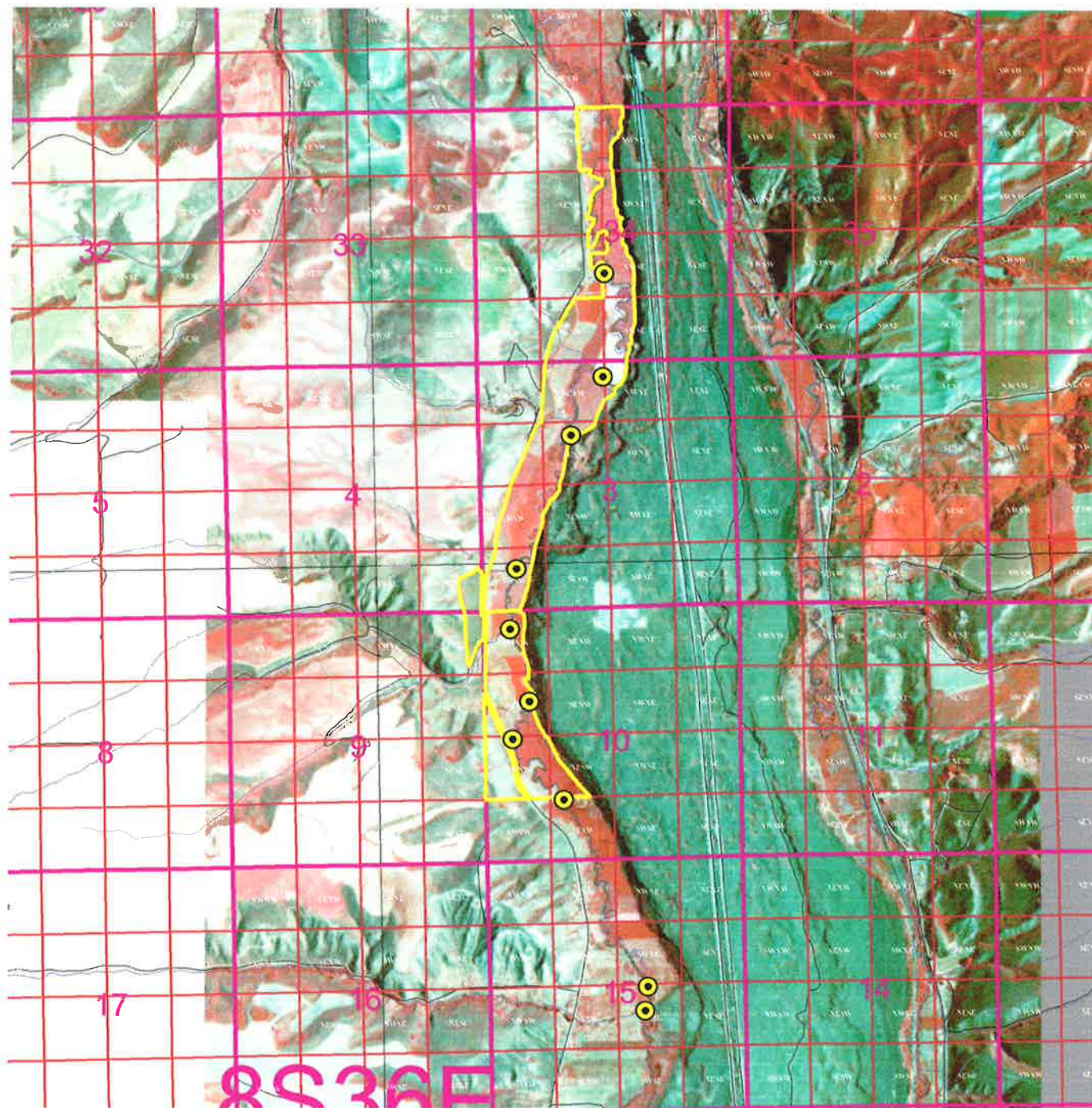
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 242 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 29-02016A, 29-11620A

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

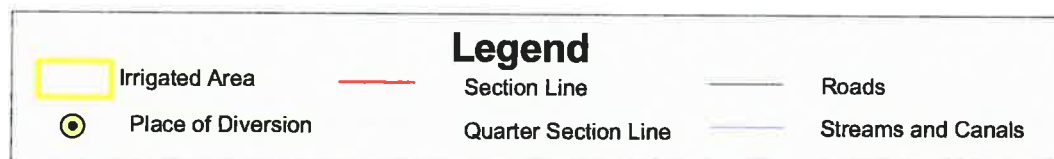
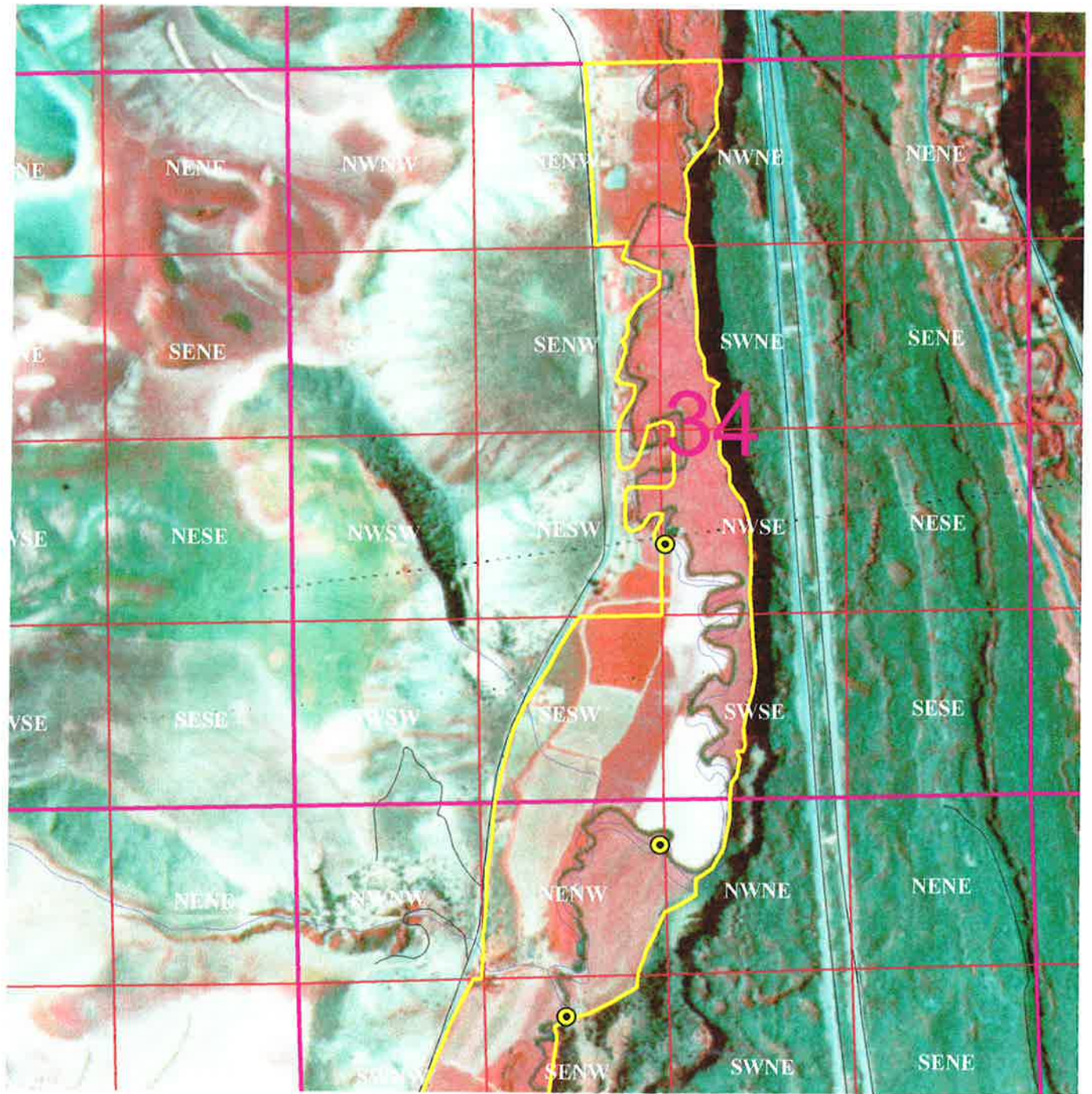
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: Beneficial Use

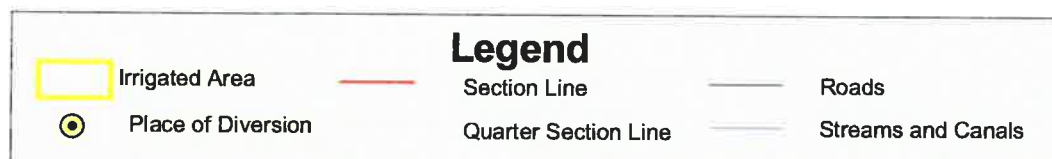
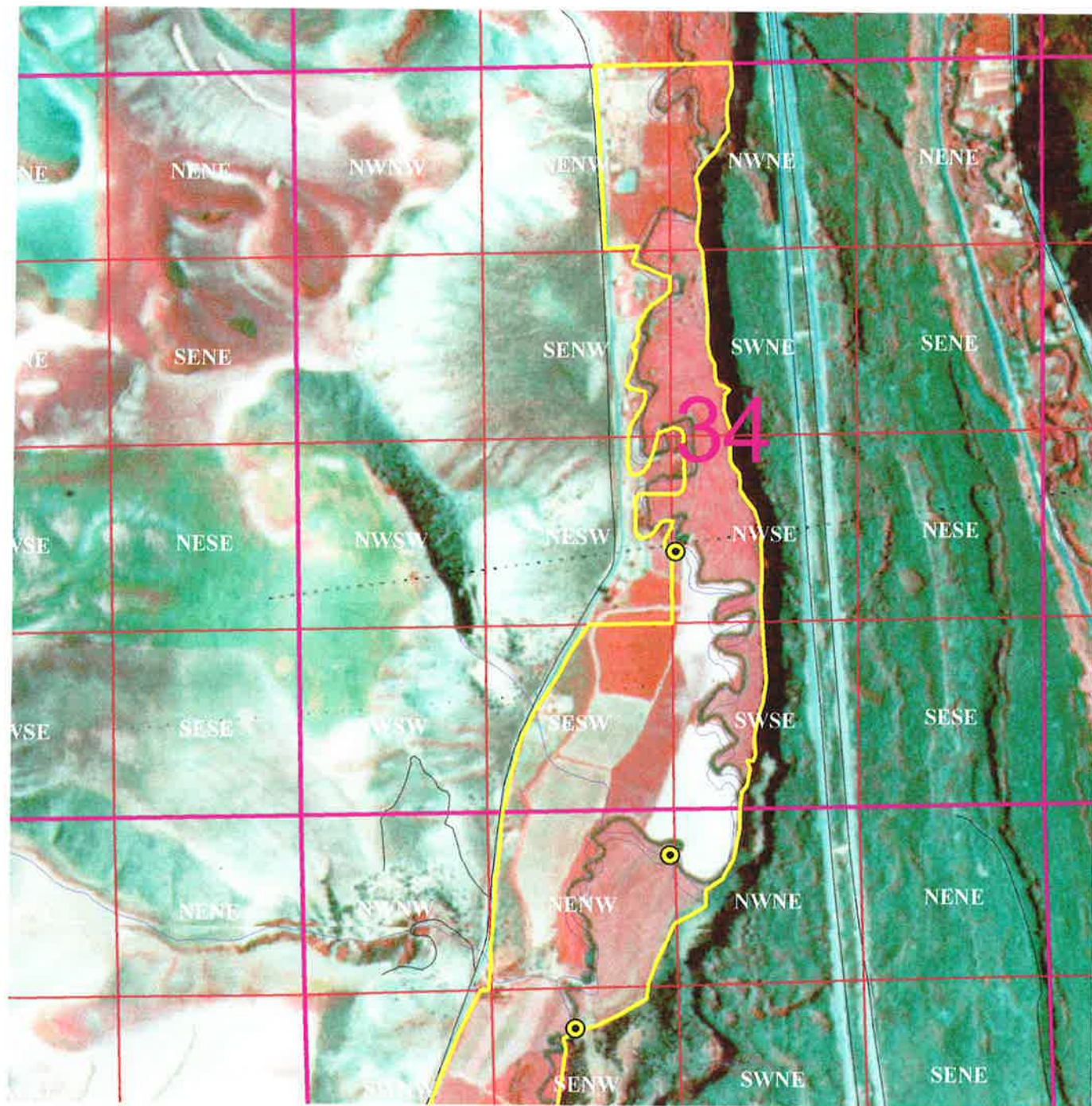
Townships , 7S36E, 8S36E



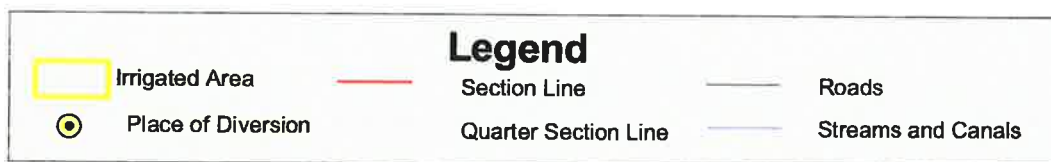
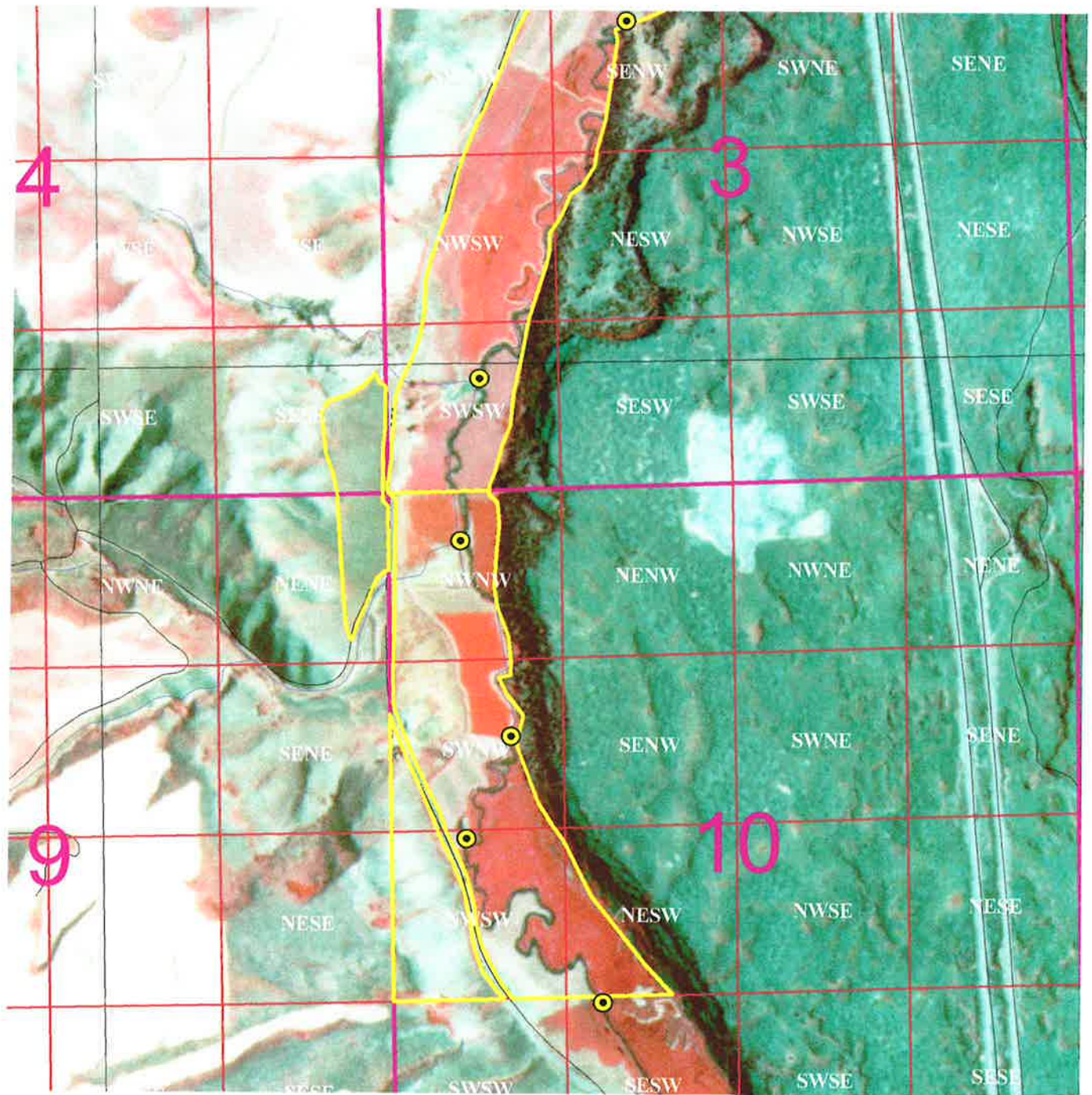
Townships , 7S36E, 8S36E



Townships , 7S36E, 8S36E



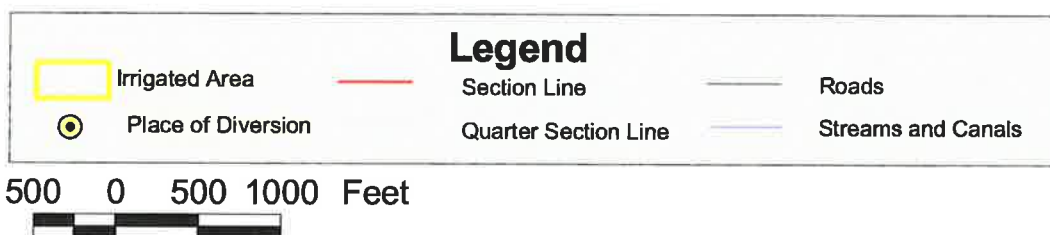
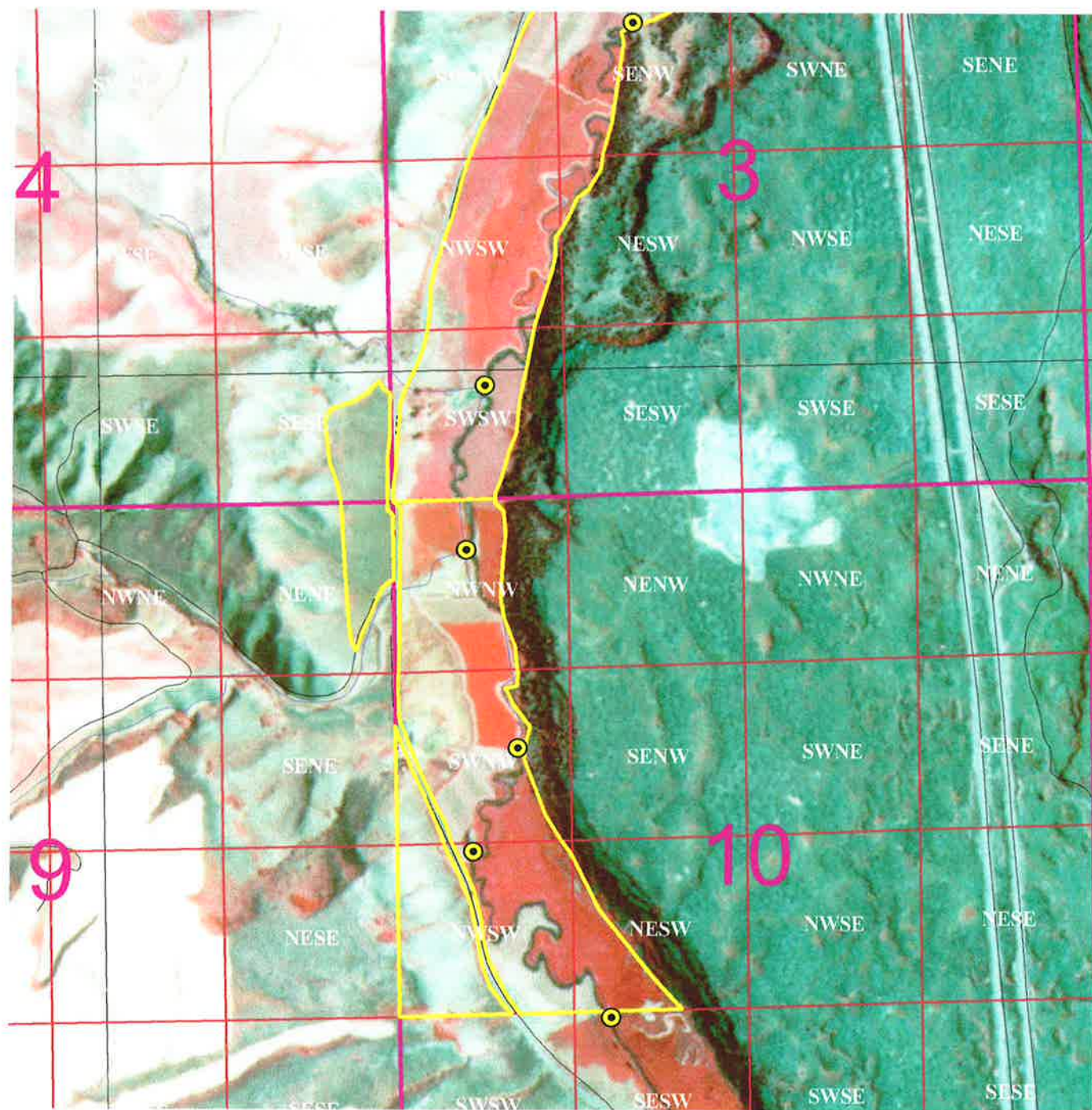
Townships , 7S36E, 8S36E



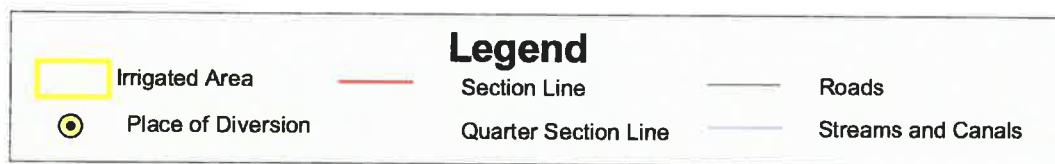
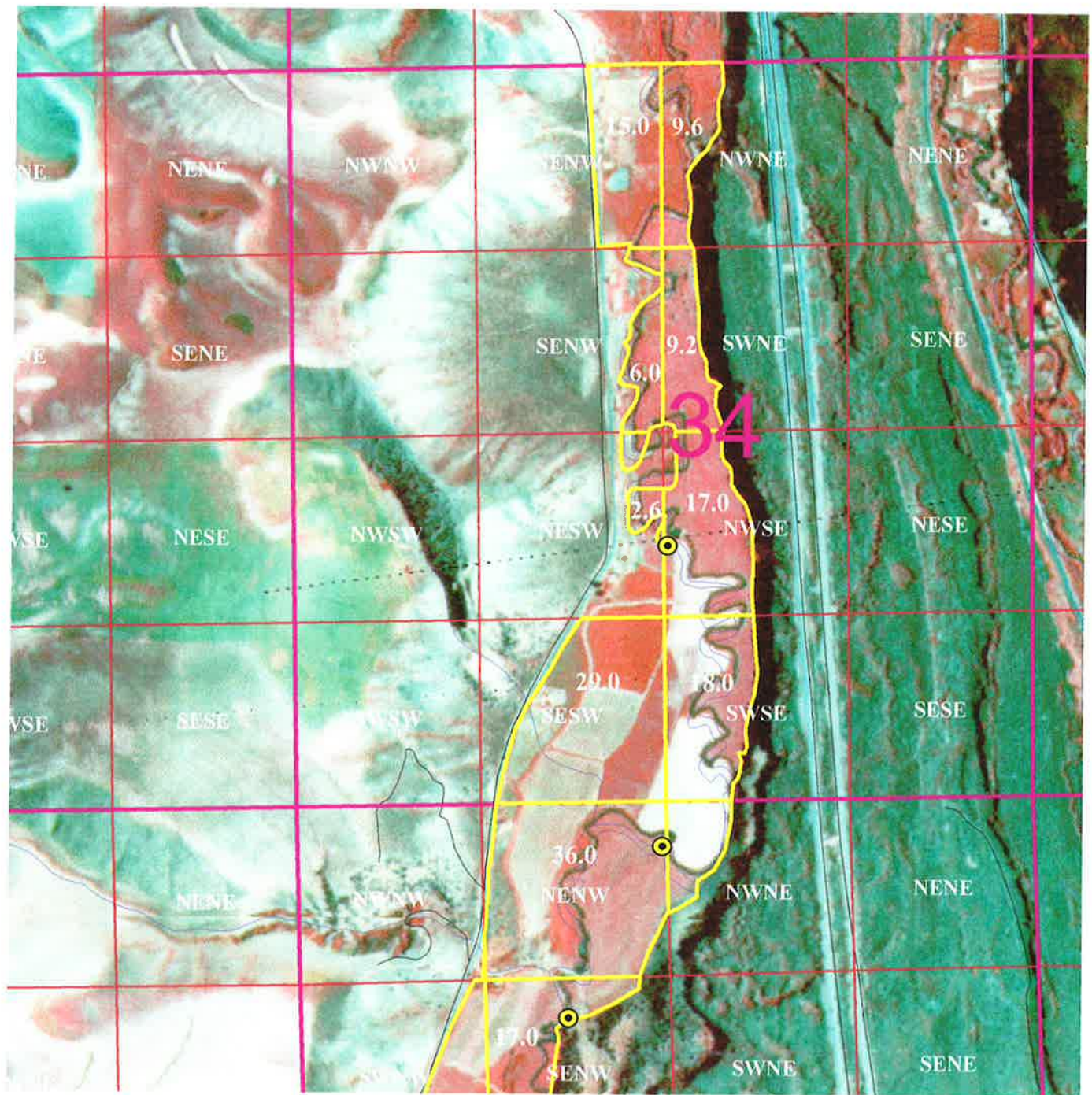
500 0 500 1000 Feet



Townships , 7S36E, 8S36E



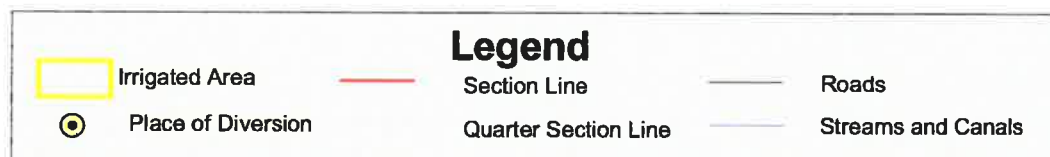
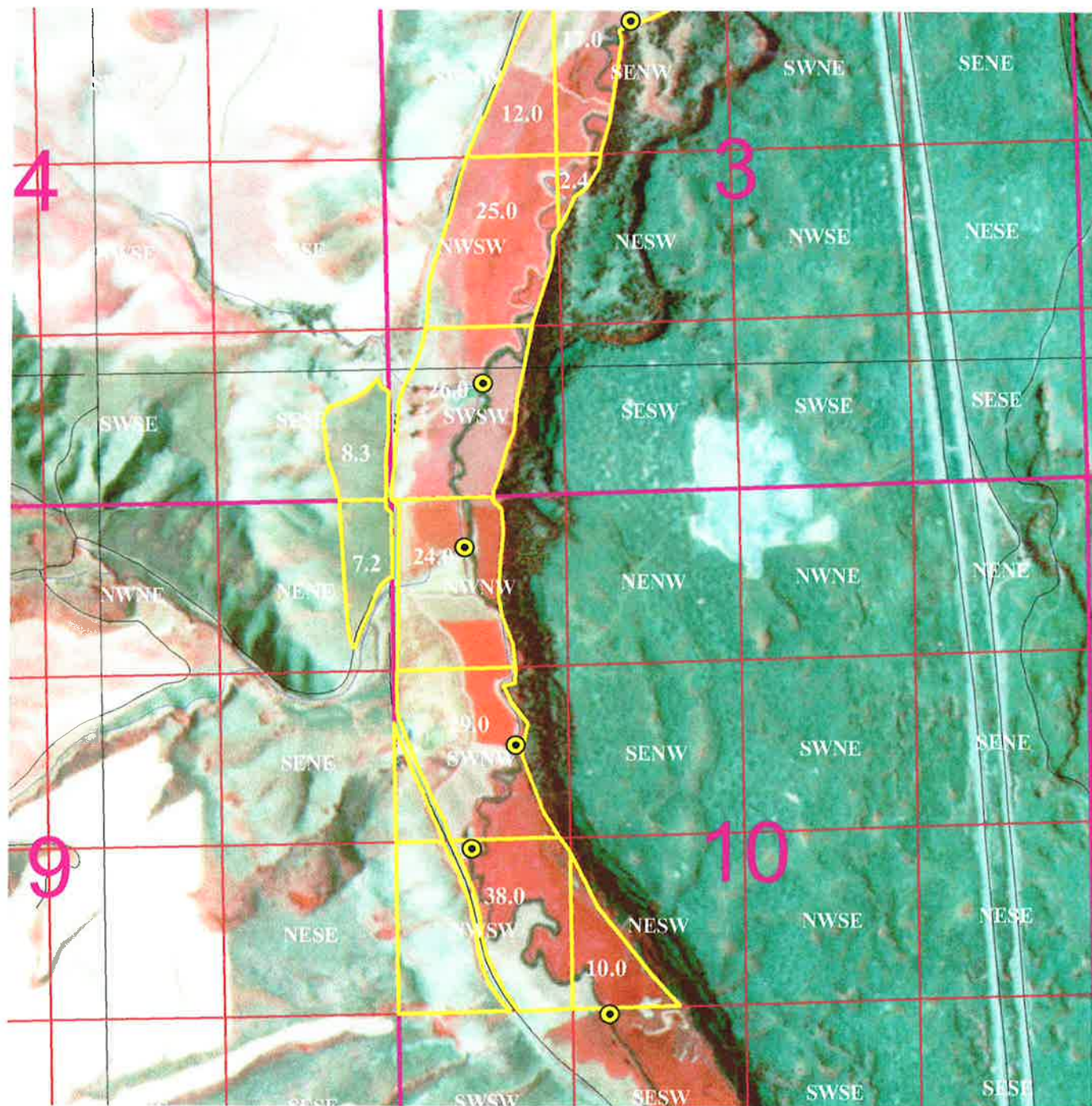
Townships , 7S36E, 8S36E



500 0 500 1000 Feet



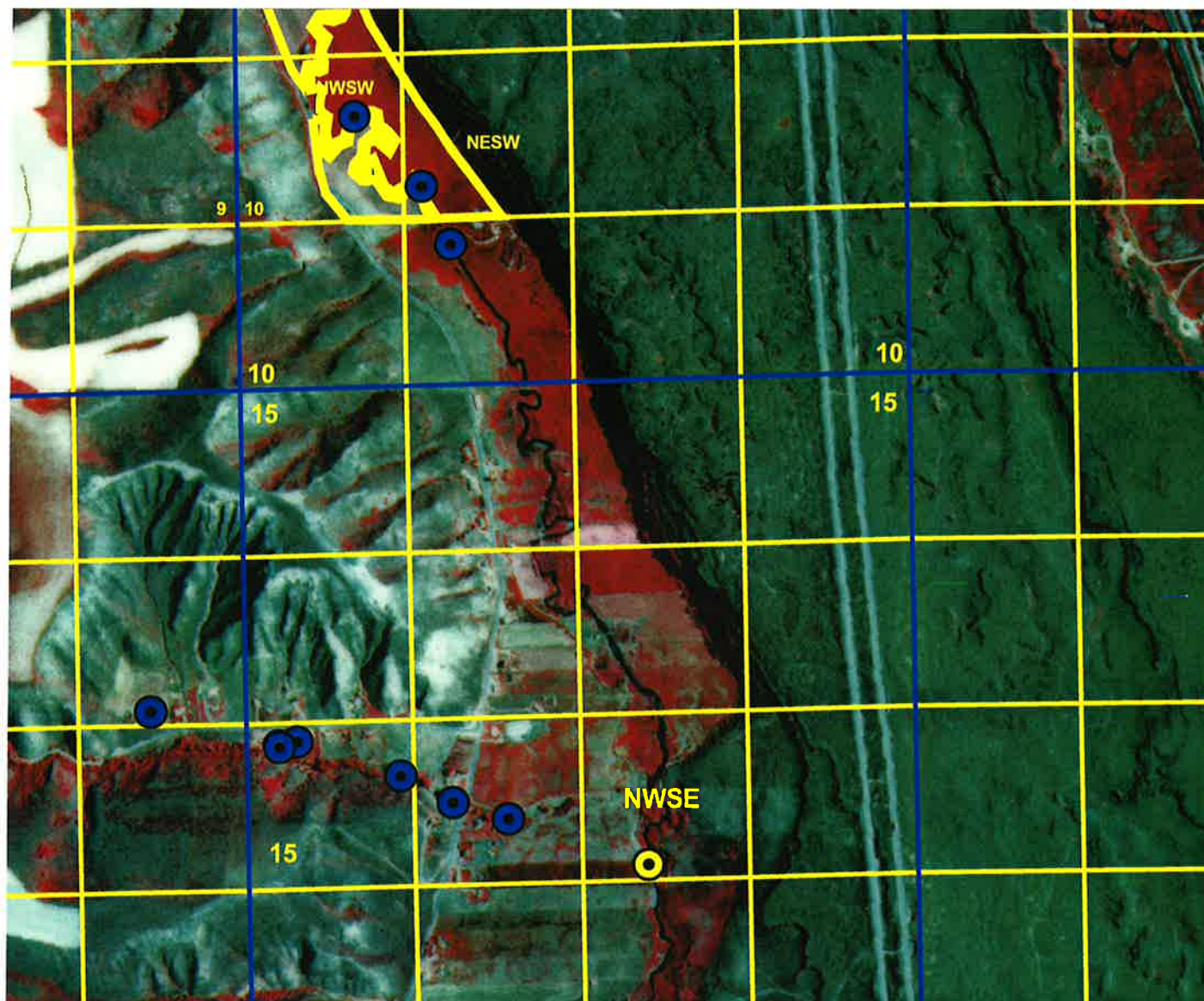
Townships , 7S36E, 8S36E



IDAHO DEPARTMENT OF WATER RESOURCES

29-02016A, 29-11620A

T07S, R36E SEC. 34
T08S, R36E, SEC. 3, 10



ACRES IRRIGATED- 242



POINT OF DIVERSION



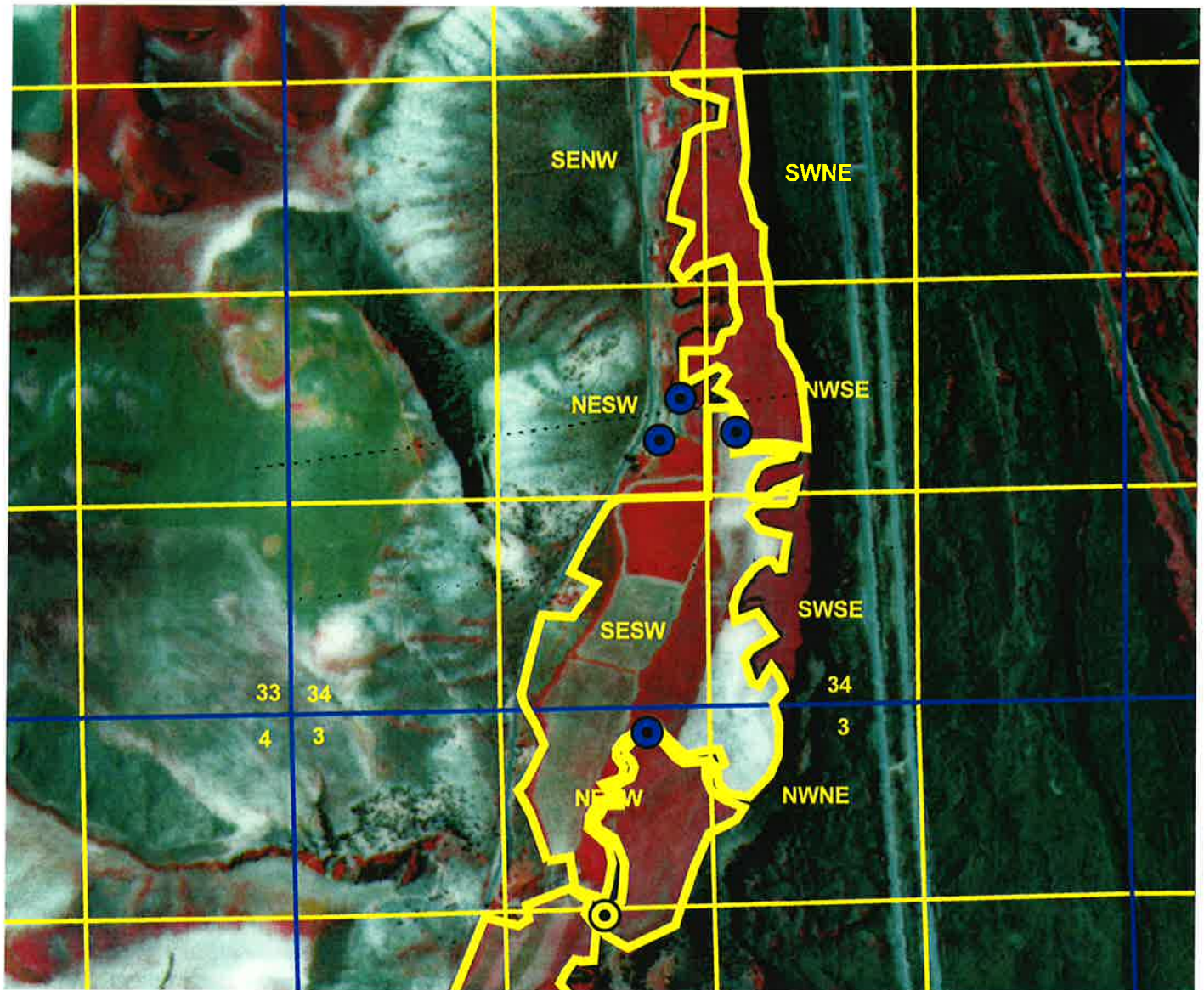
PLACE OF USE

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

IDAHO DEPARTMENT OF WATER RESOURCES

29-02016A, 29-11620A

T07S, R36E SEC. 34
T08S, R36E, SEC. 3, 10



ACRES IRRIGATED- 242



POINT OF DIVERSION



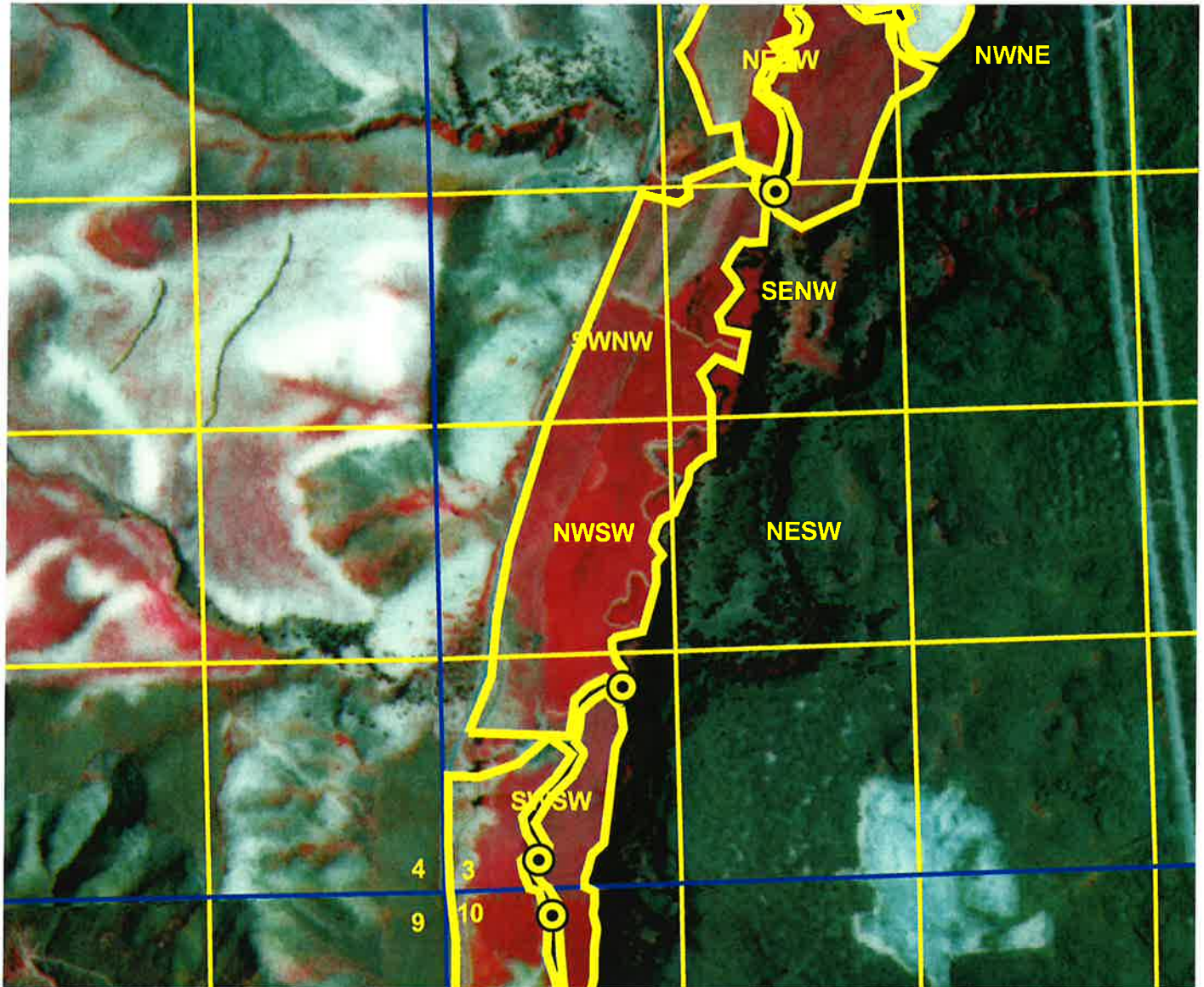
PLACE OF USE

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

IDAHO DEPARTMENT OF WATER RESOURCES

29-02016A, 29-11620A

T07S, R36E SEC. 34
T08S, R36E, SEC. 3, 10



ACRES IRRIGATED- 242



POINT OF DIVERSION



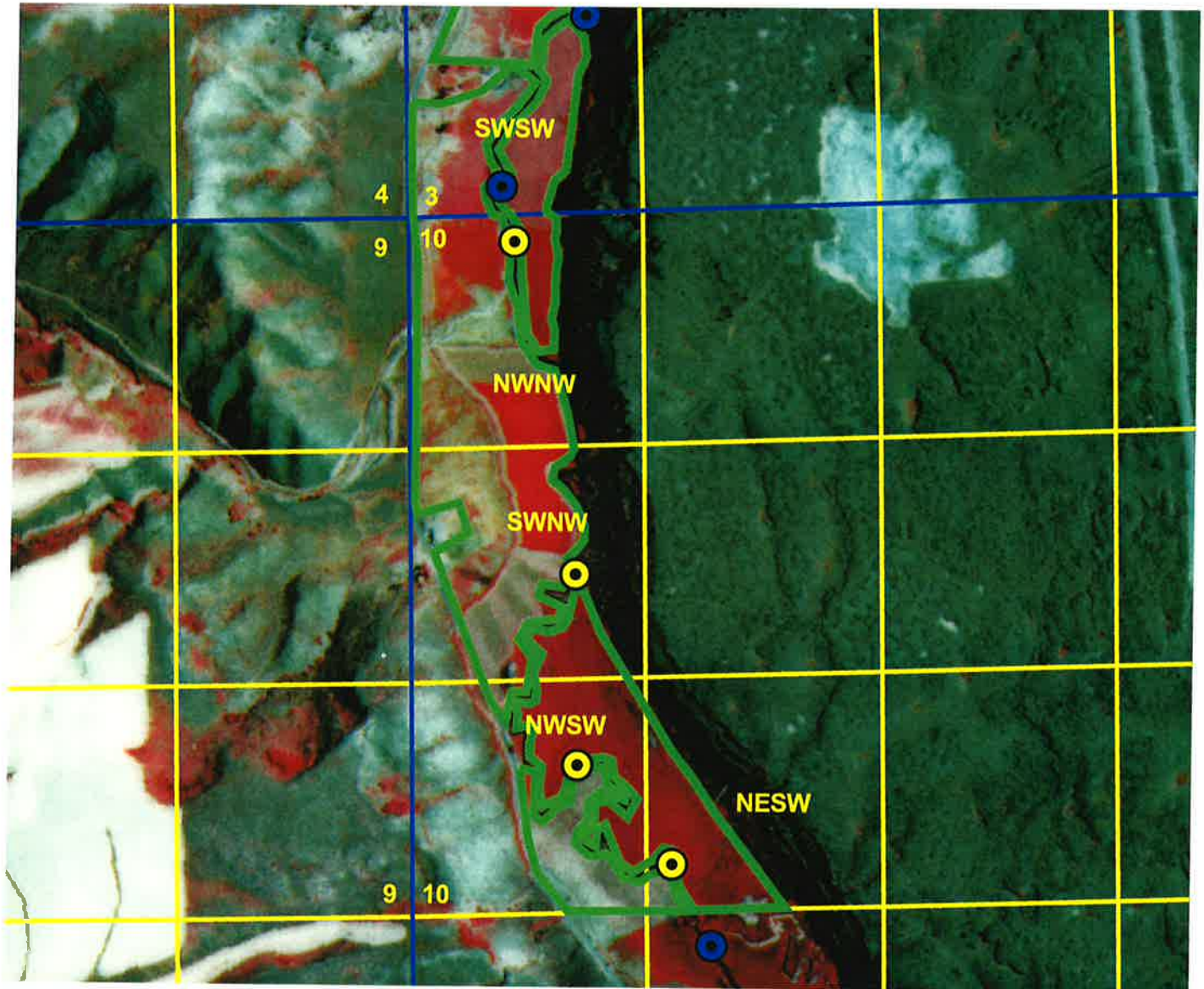
PLACE OF USE

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

IDAHO DEPARTMENT OF WATER RESOURCES

29-02016A, 29-11620A

T07S, R36E SEC. 34
T08S, R36E, SEC. 3, 10



ACRES IRRIGATED- 242



POINT OF DIVERSION



PLACE OF USE

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

MAY 31 2001

Log for claim A29-11620A

Spatial Dynamics LTD

7/14/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s36e	34	NWNE	2	9.6	Indiscernible
07s36e	34	SWNE	12	9.2	
07s36e	34	NENW	1	15	Indiscernible
07s36e	34	SENE	4	6	
07s36e	34	NESW	2	2.6	
07s36e	34	SESW	29	29	
07s36e	34	NWSE	12	17	
07s36e	34	SWSE	12	18	Indiscernible
08s36e	3	NWNE	5	6.4	
08s36e	3	NENW	29	36	Indiscernible
08s36e	3	NWNW	0	0.1	
08s36e	3	SWNW	10	12	
08s36e	3	SENE	18	17	
08s36e	3	NESW	1	2.4	
08s36e	3	NWSW	26	25	
08s36e	3	SWSW	24	26	
08s36e	4	SESE	6	8.3	
08s36e	9	NENE	7	7.2	
08s36e	10	NWNW	22	24	
08s36e	10	SWNW	22	29	Indiscernible
08s36e	10	NESW	8	10	
08s36e	10	NWSW	21	38	Indiscernible
Totals:			273	347.8	

March 22, 1995

State of Idaho
Dept. of Water Resources
900 Skyline Dr.
Idaho Falls, ID 83402-1718

Dear Mr. Carlson:

This letter is intended to establish the priority date for the additional water requested under claim number A29-11620.

During the period from 1924 to the date I sold the ranch, it was necessary to divert the additional 6 CFS, making a total of approximately 12 CFS.

We had to divert the additional water in order to maintain the 6 CFS flow to the end of the 3 mile ditch.

This practice has been utilized for beneficial use from my recollection back to 1924 and to my knowledge was practiced back to 1904, the original license date.

Chester C. Shappart

Chester C. Shappart
737 W Whitman
Pocatello, Idaho 83204

phone 232-2004

NOV 14 1995

Lorna C. Bartlett
Notary Public

My commission expires: 11-16-2000

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ALICE K STALEY PO BOX 23 INKOM ID 83245 (208) 775-3551	12/04/1904	IRRIGATION	03-15 11-15	10.920 CFS	
				TOTAL DIVERSION: CONSUMPTIVE USE:	10.920 CFS	682.50 AFA

C GRADYN D STALEY
PO BOX 13
INKOM ID 83245
(208) 775-3560

C DEMAR W GILBERT
PO BOX 6
INKOM ID 83245
(208) 775-3692

C LESLIE M WALKER
2539 S FAIRWAY DR
POCATELLO ID 83201
(208) 237-2048

Water Source: MARSH CREEK

Tributary to: PORTNEUF RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion:	T07S R36E S34	NWSE				BANNOCK County
	T08S R36E S03	NENW	SE	SW		BANNOCK County
	S10	NWNW	SW	SW	NWSW	BANNOCK County
	S10	SESW				BANNOCK County
	S15	NWSE				BANNOCK County

Place of use Legal Description for: IRRIGATION

T	R	S	NE				NW				SW				SE				SUM			
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE				
			Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac		
07S	36E	34	:			02	12	:	01				04	:	02			29	:	12	12	74.0
08S	36E	3	:			02-05		:	03-29			10	18	:	01	26	24		:			113.0
08S	36E	4	:					:						:					:		06	6.0
08S	36E	9	:	07				:						:					:			7.0
08S	36E	10	:					:			22	22		:	08	21			:			73.0
																				TOTAL ACRES	273.0	

POU County: BANNOCK

Other Rights: 29-02016A

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

29-10669	29-11904	29-11987	29-11989	29-12003	29-12004	29-12005	A29-02016A	A29-02016B	A29-04103
A29-10014	A29-10669	A29-11620B	A29-11740	A29-11904	A29-11987	A29-11989	A29-12003	A29-12004	A29-12005

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

AJ5809NP
No. A29-11620A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/27/00
PAGE: 248

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

A29-02016 A29-02016A A29-04418 A29-07571 A29-10718 A29-10727 A29-11620 A29-11732 A29-11873 A29-12182
A29-12265

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the
- watermaster of State Water District No. 29H.

Remarks: GEN P/D DITCH HEADGATE NWSE SEC 15, T08S, R36E.
P/D DIVERSION DAMS NWSE SEC 34, T07S, R36E
SESW SEC 03, T08S, R36E
NWNW SEC 10, T08S, R36E
P/D PORTABLE PTO PUMPS:
NENW SEC 03, T08S, R36E
SWSW SEC 03, T08S, R36E (2 PUMPS)
NWNW SEC 10, T08S, R36E
SWNW SEC 10, T08S, R36E
NESW SEC 10, T08S, R36E
NWSW SEC 10, T08S, R36E
SESW SEC 10, T08S, R36E
THIS RIGHT REPRESENTS AN EXPANSION OF LIICENSE 29-02016
*CHANGE IN OWNERSHIP 8-23-96 GJT.

Dates: Exam Made Date: Verified Date: Objection Filed Date:
Misc: Water District Number: 29H Field Inspection Flag:
Presumption Flag:
Audit: 08/23/96 GTAYLOR



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

AUGUST 23, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ROBERT K TRIPLETT
PO BOX 1295
POCATELLO ID 83204-1295

RE: CHANGE IN OWNERSHIP FOR A29-10669, A29-10670 (ALL)
A29-02016, A29-11620 (SPLIT RIGHTS)

The request for Change in Ownership for a portion of the above referenced Notice(s) of Claim has been processed with new Notice(s) being generated to reflect you as one of the claimants.

Change in Ownership was processed for water rights A29-10669, and -10670 in their entirety (copies enclosed) to your name.

Since the Change in Ownership involved just a portion of the other two Notice(s) of Claim, the rights were split as follows:

A29-02016A, WALKER ET AL, 5.46 CFS; 273 ACRES
A29-02016B, TRIPLETT, 0.54 CFS; 27 ACRES

A29-11620A, WALKER ET AL, 10.92 CFS; 273 ACRES
A29-11620B, TRIPLETT, 1.08 CFS; 27 ACRES

Enclosed for your records are typed Notice(s) reflecting your portion of the rights, along with copies of the others mentioned above. Review the Notice(s) and if there are other corrections or questions, feel free to contact this office.

Respectfully submitted,

Jo Thompson
Adjudications Secretary

Enclosure:

cc: Walker/copy letter/copies claims

MICROFILMED
NOV 14 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

DATE OF CLOSING: 6/10/96

A29-11620

A29-02016 300 Ac.

27 Ac. part of Deed.

LEGAL DESCRIPTION OF PROPERTY: Township 8 South Range 36E B¹
 Section 10, SW 1/4 of 1/4 of 1/4 Govt. Lot , BM.
 Lot , Block , Subdivision/Townsite .

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

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis) OK
- ☐ Water Right Number(s) A29-02016, A29-11620, R29-10670, A29-10670
 Assigned by IDWR: A-29-10669, R-29-10669 ALL TRACTS OF these #'s
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): LESLIE M. + VERNA A. WALKER
2539 S. FAIRWAY DR. POCA, ID. 83201
- ☐ New Owner/Claimant (Purchaser): ROBERT K. + D. CAROLE TRIPLETT
- ☐ New Mailing Address: P.O. Box 1295 POCA ID. 83204-1295
- ☐ New Telephone Number: (208) 235-1891
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

RECEIVED

JUL 26 1996

Department of Water Resources
Eastern Region

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

- ☐ Signature of New Owner/Claimant(s) Robert K. Triplett Date 7-15-96
Carole Triplett Date 7-15-96
- ☒ Signature of Former Owner/Claimant(s): Leslie M. Walker Date 7/19/96
Verna A. Walker Date 7-19-96

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date:

By:

Further Action Needed:

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date:

By:

Claim Numbers of Split, if any:

RECEIVED

JUL 22 1996

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

REPORT OF ENGINEER

1. State name of applicant and number of permit: Wm. A. Walker, Margaret A. Neeser & J.D. Lockyear - Permit 545
2. State source of water supply: Marsh creek-Trib. Portneuf river.
3. Location of point of diversion: NE4 SW4 Sec. 13, Tp. 8 S., R. 36 E.B.M.
4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: They are fully completed and in accordance with terms of permit
5. Describe works as they exist, giving dimensions of same as follows:
 - (a) Width of conduit at bottom: 4 Ft.
 - (b) Width at water line: 6 Ft.
 - (c) Depth of water: varying from 1.75 to 2 Ft., but the canal was somewhat filled up and needed cleaning out after the past irrigation season.
 - (d) Grade per mile: 2.50 Ft.
 - (e) Capacity of ditch: Vol. = .75 a.f., Area = 10 Ft. gives 7.5 second feet.

6. State whether or not water has been turned into works of diversion and if so, to what extent: The water has been turned into the works for the last seven years, and in very dry seasons has been used to the extent of seven sec. ft.

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each

forty acre tract: In the claim of J.D. Lockyear the lands to be irrigated are located along both sides of Marsh creek in the following forties: W. 1/2 S.W. 1/4 sec. 3 and N.W. 1/4 N.W. 1/4 sec. 10 T. 8S., R. 36 E., and the irrigable tract contains 70 acres. Under cultivation are the following tracts: 34a. in the N.W. 1/4 N.W. 1/4 of sec. 10--34 acres in S.W. 1/4 S.W. 1/4 sec. 3--and 32a. in N.W. 1/4 S.W. 1/4 sec. 3 of T. 8S., R. 36 E.---In the claim of Margaret A. Neeser 120 lands to be irrigated are located along both sides of Marsh creek in the following forties: S.E. 1/4 S.W. 1/4 and S.W. 1/4 S.E. 1/4 sec. 34, T. 7S., R. 36 E. Irrigable lands contain 120 acres; Cultivated are the following tracts: 38a., S.E. 1/4 S.W. 1/4 sec. 34--37a., S.W. 1/4 S.E. 1/4 sec. 34--40a. N.E. 1/4 N.W. 1/4 sec. 3 and 35 acres in S.E. 1/4 N.W. 1/4 sec. 3. cross hatch lands to be irrigated.

Remarks: The undersigned was not able to make any arrangements with Mr. Wm. A. Walker or Mr. Hoffins, who purchased the claim from Walker, for an examination of the water use on such claim, and therefore only submits the above reports for the claims of Margaret A. Neeser and J.D. Lockyear. From personal acquaintance with the character of the claim of Wm. A. Walker I can estimate very closely the amount of irrigable land at 70 acres, but am not able without special examination to report the amount of the cultivated lands on the claim

Oscar Soumerai Kelly

STATE OF IDAHO,

County of Bannock

Oscar Soumerai Kelly, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this 11th day of November 1912

My Commission Expires April 3rd 1913

Charles R. Durr
Notary Public.

SCANNED

MAY 31 2001

IN THE DISTRICT COURT OF THE
IN AND FOR

FIFTH JUDICIAL DISTRICT OF THE STATE OF
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: 395

Ident. Number: A29-11620
Date Received: 4/23/1990
Receipt No: X777777
Received By:

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

208-775-3551

208-775-3560

208-775-3692

208-237-2048

A2911620A

1. Name: ALICE K STALEY
Address: PO BOX 23
INKOM ID
- OR
- Name: GRADYN D STALEY
Address: PO BOX 13
INKOM ID
- OR
- Name: DEMAR W GILBERT
Address: PO BOX 6
INKOM ID
- OR
- Name: LESLIE M WALKER
Address: 2539 S FAIRWAY DR
POCATELLO ID

83245

83245

83245

83201

2. Date of Priority: DEC 4, 1904

3. Source: MARSH CREEK

4. Point of Diversion:

Trib. to: PORTNEUF RIVER

Township	Range	Section	1/4 of 1/4 of 1/4	Lot
07S	36E	34	NW	SE
08S	36E	3	NE	NW
			SE	NW
		10	SW	SW
			NW	NW
			SW	NW
			NE	SW
			NW	SW
		15	SE	SW
			NW	SE

County
BANNOCK
BANNOCK
BANNOCK
BANNOCK
BANNOCK
BANNOCK
BANNOCK
BANNOCK
BANNOCK

5. Description of diverting works:

4 DIVERSION DAMS, DIV.#1 HEADGATE TO DITCH, PTO PUMPS FROM CREEK

A29-11620A

Page

1

Date: 08/23/96

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	10.920		

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

8. Total consumptive use is 682.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	36E	34	NW	NE		IRR	2.0
			SW	NE		IRR	12.0
			NE	NW		IRR	1.0
			SE	NW		IRR	4.0
			NE	SW		IRR	2.0
			SE	SW		IRR	29.0
			NW	SE		IRR	12.0
			SW	SE		IRR	12.0
						Section Acres	74.0
08S	36E	3	NW	NE	2	IRR	5.0
			NE	NW	3	IRR	29.0
			SW	NW		IRR	10.0
			SE	NW		IRR	18.0
			NE	SW		IRR	1.0
			NW	SW		IRR	26.0
			SW	SW		IRR	24.0
		4	SE	SE		IRR	6.0
						Section Acres	6.0
		9	NE	NE		IRR	7.0
						Section Acres	7.0
		10	NW	NW		IRR	22.0
			SW	NW		IRR	22.0
			NE	SW		IRR	8.0
			NW	SW		IRR	21.0
						Section Acres	73.0

10. Place of Use: Continued

Total Acres 273.0

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:
 29-02016A

14. Remarks:

 P/D DITCH HEADGATE NWSE SEC 15, T08S, R36E.

 P/D DIVERSION DAMS NWSE SEC 34, T07S, R36E

 SENE SEC 03, T08S, R36E

 NWNW SEC 10, T08S, R36E

 P/D PORTABLE PTO PUMPS:

 NENW SEC 03, T08S, R36E

 SWSW SEC 03, T08S, R36E (2 PUMPS)

 NWNW SEC 10, T08S, R36E

 SWNW SEC 10, T08S, R36E

 NESW SEC 10, T08S, R36E

 NWSW SEC 10, T08S, R36E

 SESW SEC 10, T08S, R36E

THIS RIGHT REPRESENTS AN EXPANSION OF LIICENSE 29-02016

*CHANGE IN OWNERSHIP 8-23-96 GJT.

15. Basis of Claim: BENEFICIAL USE

MICROFILMED

NOV 14 1996