

08/07/2002

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

RIGHT NUMBER: 29-11953

NAME AND ADDRESS: JOY MCNABB
6377 N RAPID CREEK RD
POCATELLO ID 83245

JOHN B MCNABB
6377 N RAPID CREEK RD
POCATELLO ID 83245

SOURCE: NORTH FORK RAPID CREEK

TRIBUTARY: RAPID CREEK

QUANTITY: 0.06 CFS

PRIORITY DATE: 04/01/1956

POINT OF DIVERSION:

T06S R36E S34 SENWSW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.060 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T06S R36E S34

NESW

1.1

T06S R36E S34

NWSW

0.9

2 ACRES TOTAL

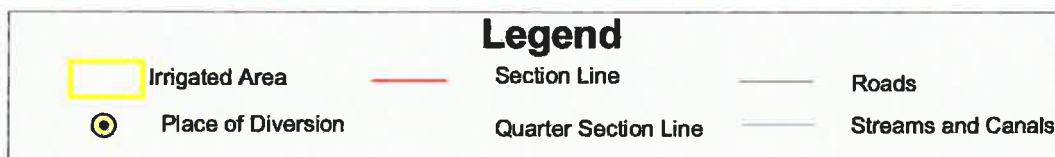
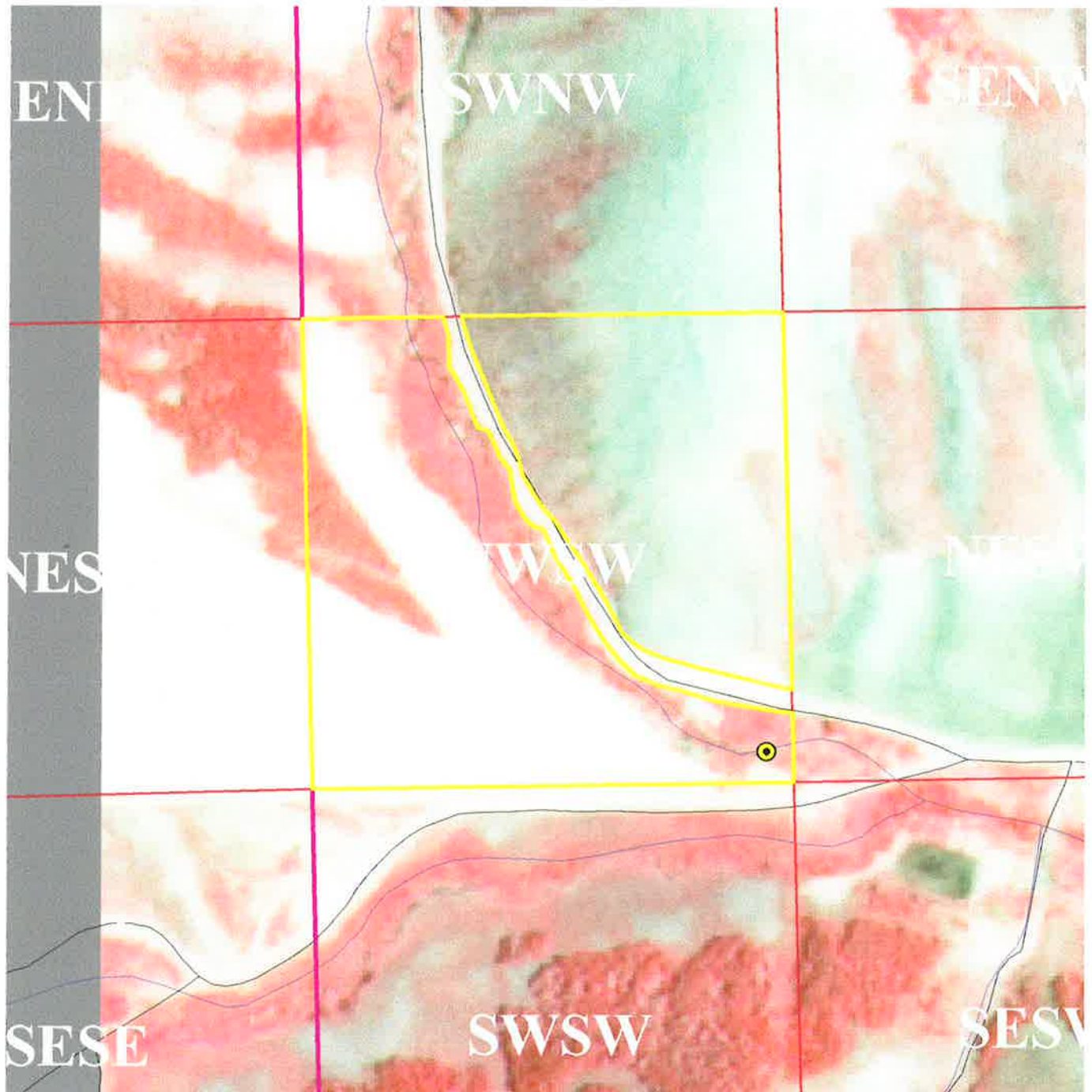
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

EXPLANATORY MATERIAL: Beneficial Use

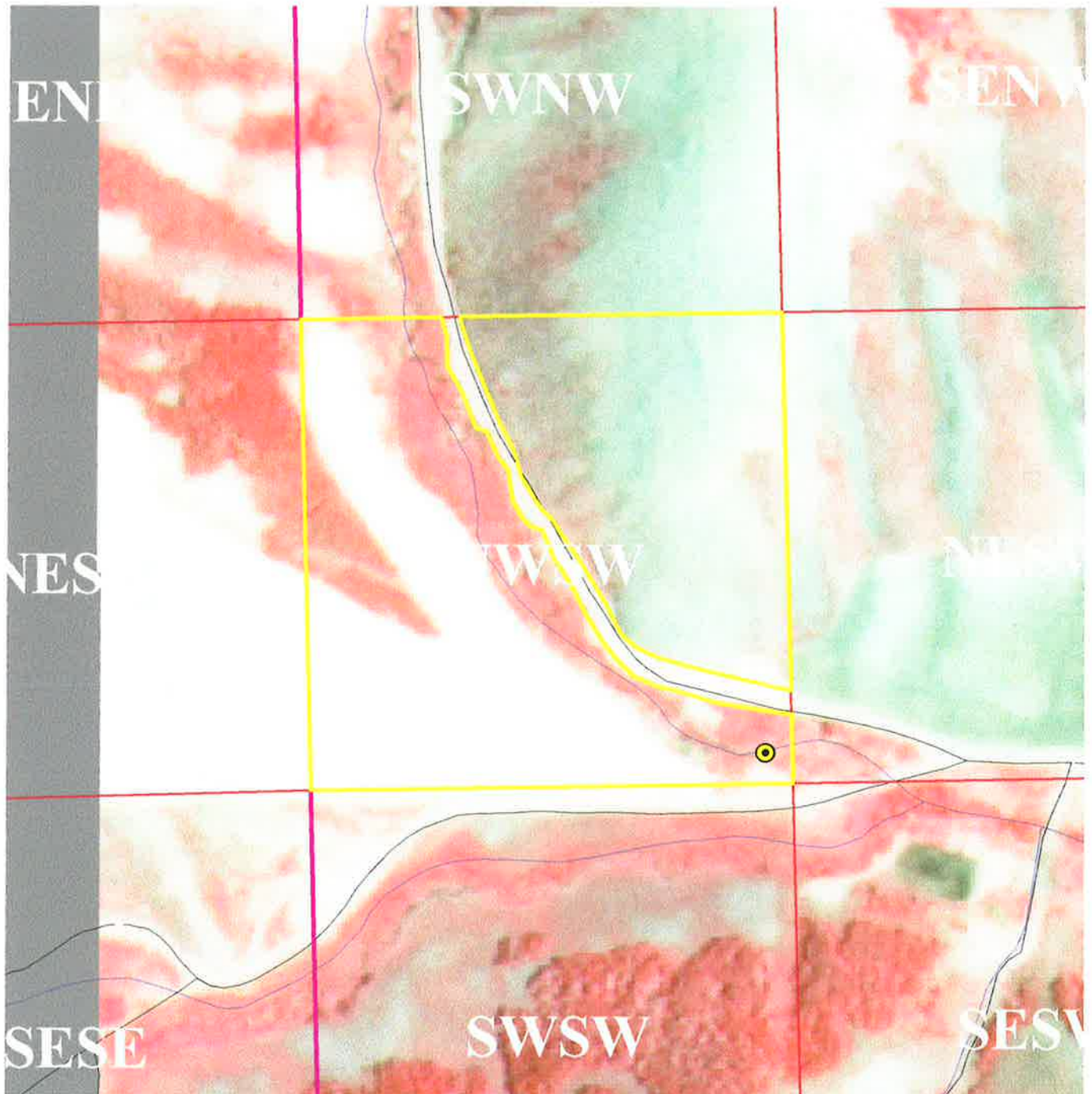
Water Right Claim Number A29-11953
Township , 6S36E

09/14/2000



Water Right Claim Number A29-11953
Township , 6S36E

09/14/2000



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-11953 V1

WATER RIGHT NUMBER: 29-11953 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOY MCNABB 6377 N RAPID CREEK RD POCATELLO, ID 83245 (208)775-3681
Current Owner	JOHN B MCNABB 6377 N RAPID CREEK RD POCATELLO, ID 83245 (208)775-3681

Priority Date: 04/01/1956

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
NORTH FORK RAPID CREEK	RAPID CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.060 CFS	
<u>Total Diversion:</u>		0.060 CFS	

Location of Point(s) of Diversion

NORTH FORK RAPID CREEK	SE1/4NW1/4SW1/4	Sec. 34, Twp 06S, Rge 36E, B.M.
BANNOCK County		

Place of UseIRRIGATION Within BANNOCK County

T06S R36E S34	NESW	1.1	T06S R36E S34	NWSW	0.9
Total Acres: 2					

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks:Comments:

1. csaxton 8/7/2002 Source
Comment: Claimed Rapid Creek, but is actually the N. Fork of Rapid Creek. Field exam 7/18/02.

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-11953 V1

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: AND
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	8/7/2002 8:43:40 AM	csaxton			Active
POD	8/7/2002 8:43:57 AM	csaxton			Active
Source	8/7/2002 8:47:07 AM	csaxton			Active
POU	8/7/2002 8:48:37 AM	csaxton			Active
Use	8/7/2002 8:51:14 AM	csaxton			Active
Season	8/7/2002 8:52:09 AM	csaxton			Active
Quantity	8/7/2002 8:53:14 AM	csaxton			Active
Summary			08/07/2002	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	8/7/2002 8:43:02 AM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Field Exam 7/18/02
Priority Date	8/7/2002 8:43:40 AM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date claimed after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Conversation with claimant.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-11953 V1

POD	8/7/2002 8:43:57 AM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POD	8/7/2002 8:44:38 AM	csaxton	Edited point location
POD	8/7/2002 8:45:00 AM	csaxton	Edited PLS
Source	8/7/2002 8:47:07 AM	csaxton	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Claimed Rapid Creek, but is actually the N. Fork of Rapid Creek. Field exam 7/18/02.
POU	8/7/2002 8:48:37 AM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Field exam 7/18/02
POU	8/7/2002 8:49:19 AM	csaxton	Edited shape boundary
POU	8/7/2002 8:49:49 AM	csaxton	Edited PLS
Use	8/7/2002 8:51:14 AM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Field Exam 7/18/02

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-11953 V1

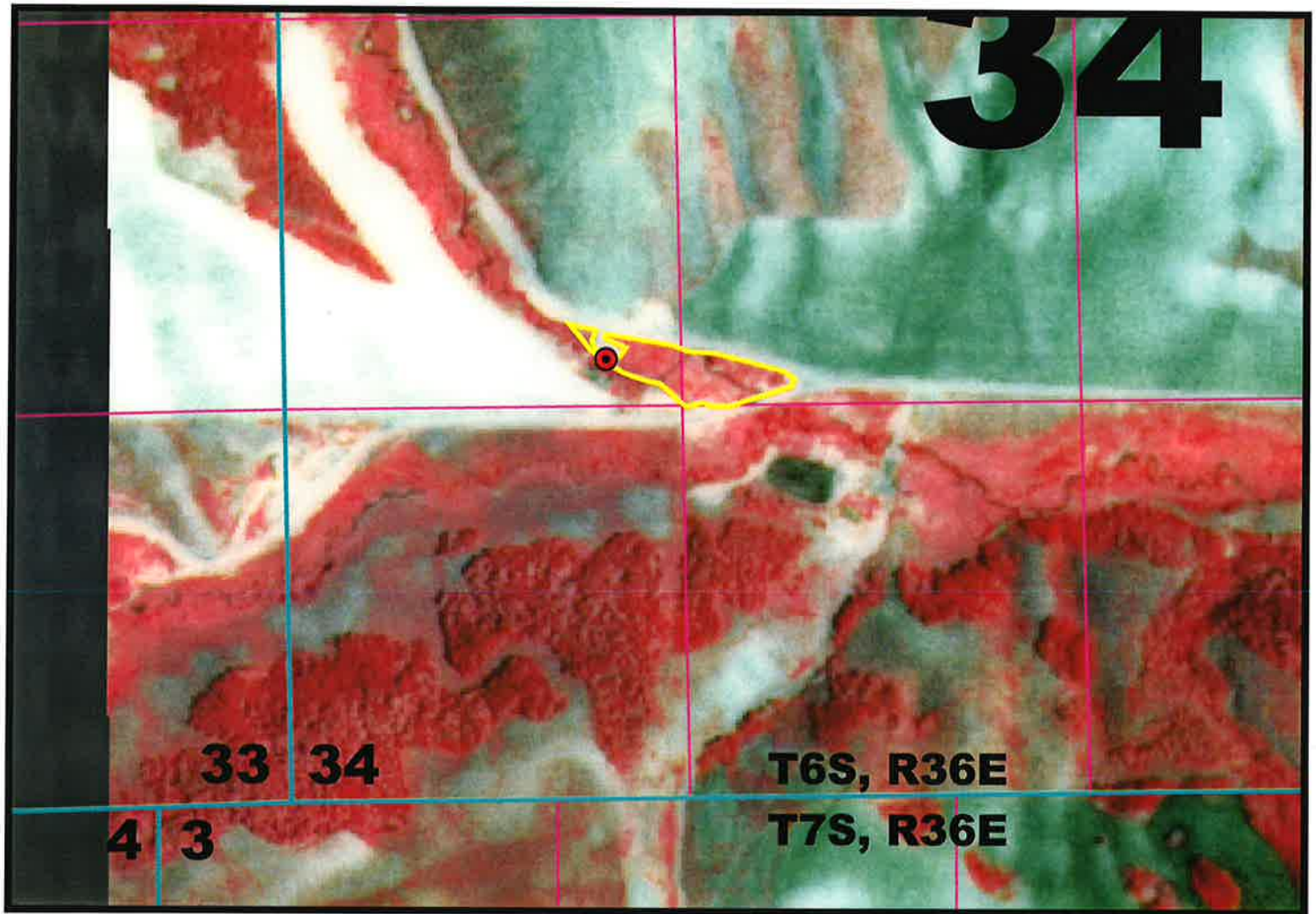
Season	8/7/2002 8:52:09 AM	csaxton	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
POD	8/7/2002 8:53:14 AM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - Per David Tuthill, claims for 0.20 cfs or less do not require measurement.
Summary	8/7/2002 8:54:37 AM	csaxton	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (Yes) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (No) 7. Is this a split or combined right? (No) 8. Do you have documents you would like to attach or link to the file? (Yes) 9. Would you like to set the verification date?



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s): 29-11953



1320

0

1320 Feet

Total Irrigated Acres: 2.0



Point(s) of Diversion



Place of Use



Quarter Quarter Lines



Section Lines



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: August 2002



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 29



RIGHT ID
POD ID
Quad
Claim Type
Easting
Northing
GPSID

Diversion Description

8" submersible, domestic. Coordinates taken in driveway about 50' from well.

Assumptions

Horse power, pressure head, and elevation head.

Invoice

2000-037-01-0

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

Linked

OD ID 239192 01.JPG

Photos

EPE (ft)

Date (M/D/Y)

Time

Flow Rate (CFS)

0.129863764044944

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

Depth

☐ Rectangular Channel

Width

Depth

Flow Calculation

☐ Continuity

Velocity

☐ 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

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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RECEIVED
JAN 23 2003



INTREPID
Engineering Services, Inc. (IES)
Enabling People and Solutions

Department of Water Resources
Eastern Region

500 SHEETS, FILLER	5 SQUARE
50 SHEETS EYE-EASE	5 SQUARE
100 SHEETS EYE-EASE	5 SQUARE
200 SHEETS EYE-EASE	5 SQUARE
100 RECYCLED WHITE	5 SQUARE
200 RECYCLED WHITE	5 SQUARE

Made in U.S.A.



Made in U.S.A.

Serial code = 45

John McLabbe called last week regarding the letter I sent him. I think he called on 8/2/02. He stated over the phone that he built the house in 1956 and that is when he started pumping from the Creek.

Cell: 251-3681
Off: 232-0000 Ext 108



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 7, 2002

JOHN B MCNABB
6377 N RAPID CK RD
INKOM ID 83245

RE: Notice of Change in Water Right Ownership for Snake River Basin Adjudication
(SRBA) claim 29-11952 and 29-11953

Dear John,

On August 2, 2002 I spoke with you on the phone concerning evidence of priority for SRBA claim 29-11953. We determined in that conversation that you started pumping from Rapid creek in 1956 when you built your house. I do not see any further issues that need to be addressed regarding this claim and plan to make a favorable recommendation to the SRBA court.

During this conversation, you mentioned that Joy is now your Ex-wife. In order to remove Joy from both your Rapid Creek claim 29-11953 and your Domestic well right 29-11952, a change of ownership form needs to be completed. Enclosed is a Notice of Change in Water Right Ownership form. Please complete the form and return it to this office with your warranty deed showing that you are sole owner of the property. Or, if Joy is still on the deed, please included the deed along with a copy of the Divorce decree. In addition, since 29-11952 has already been decreed by the SRBA court, there is a \$25 dollar filing fee to remove Joy from that water right.

Please feel free to contact me if you have any questions.

Respectfully submitted,

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

29-11953
FE: 7-18-02

C. Saxton



Pump located on Back or West Side of House.



Looking west. Picture shows Rapid Ck

Scout as above - Taken from back yard



Looking S. @ Church Pk.



C. Saxton

23-11953
FE: 7-18-02



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 29, 2002

JOHN B MCNABB
JOY MCNABB
6377 N RAPID CK RD
INKOM ID 83245

RE: Evidence of Priority for Snake River Basin Adjudication (SRBA) claim 29-11953

Dear John and Joy,

On May 20, 2001 I sent a letter requesting Evidence of Priority for SRBA claim 29-11953 (enclosed). At this time this office has not received any correspondence. I would like to emphasize that in order for this department to make a favorable recommendation on this claim to the SRBA court, evidence of priority must be received. Please submit the requested information by **August 16, 2002**. *This is the second and final notice.*

Please feel free to contact me if you have any questions.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Craig L. Saxton', is written over a horizontal line.

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau



State of Idaho

SCANNED

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 20, 2001

29-11953
JOHN B MCNABB
JOY MCNABB
6377 N RAPID CREEK RD
INKOM ID 83245

RE: EVIDENCE OF PRIORITY

Dear Claimant (s):

The Idaho Department of Water Resources has recently begun its water right review in Basin 29. The Notice(s) of Claim identified with the number shown above in the "address" label and at the "end" of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice 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 Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a 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.

It is important that each element of the Notice be substantiated. 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.

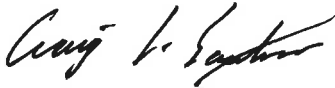
For your reference, I have provided a printout of your Notice and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention 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 items of the Notice have been or soon will be conducted by Department personnel.

.....
The Department can not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.
.....

Please submit the documentation supporting the priority date by **June 22, 2001, referencing all documents with the corresponding Notice number.** If you have any questions not covered by this letter or the enclosed pamphlet, please feel free to contact me at 525-7161.

Respectfully submitted,



Craig L. Saxton
Water Resource Agent
Adjudication Bureau

Enclosure: * Brochure on "Evidence of Priority"
Notice of Claim 29-11953

Log for claim A29-11953

Spatial Dynamics LTD

9/14/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06s36e	34	NWSW	2	38	Indiscernible
Totals:			2	38	

AJ5809NP
No. A29-11953

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 340

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOY MCNABB	04/01/1956	IRRIGATION	04-01 11-01	0.060 CFS	
C	JOHN B MCNABB 6377 N RAPID CREEK RD POCATELLO ID 83245 (208) 775-3681					
TOTAL DIVERSION:					0.060 CFS	
CONSUMPTIVE USE:						5.00 AFA

Water Source: RAPID CREEK

Tributary to: PORTNEUF RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T06S R36E S34 SENWSW BANNOCK County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE												
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
06S	36E	34	:					:					:		02			:					:	2.0
TOTAL ACRES																							2.0	

POU County: BANNOCK

Non-Irrigation Uses: INCIDENTAL STOCKWATER

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-11952 A29-11952

Remarks: GEN WE USE WELL FOR HOUSE AND CREEK FOR YARD AND LIVESTOCK.

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

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

Audit: 11/06/91 THOMPSON 04/14/92 THOMPSON 09/15/94 JTHOMPSO 03/29/95 POST-STD

APRIL 14, 1992

JOHN B MC NABB
6377 N RAPID CREEK ROAD
POCATELLO ID 83245

RE: NOTICES OF CLAIM A29-11952 AND A29-11953

Dear Mr. Mc Nabb:

Enclosed are two Notices of Claim prepared with information provided by Joy during our telephone conversation on November 4, 1991.

Notice of Claim A29-11953 is for irrigation of 2 acres and Notice of claim A29-11952 is for Domestic and Stockwater.

Since the Department has data entered these two Notices based on information received during our phone conversation, I ask you to please review the Notices for accuracy. When you are satisfied both Notices reflect the uses of water on your property, sign them in the presence of a Notary and return them within 15 days (May 5, 1992).

The Department has been directed to return the filing fees on incomplete Notices, so if the Notices are not returned by May 5, 1992, the refund process will be initiated.

If you have any questions regarding this matter, please call 525-7161.

Respectfully submitted,

Gregory J. Taylor
Water Right Agent, Adjudications

GT:jt

Enclosure

File:

MICROFILMED

NOV 16 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

NOVEMBER 6, 1991

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

JOHN B MC NABB
6377 N RAPID CREEK ROAD
POCATELLO ID 83245

RE: NOTICES OF CLAIM A29-11952 AND A29-11953 AND
REFUND ON A29-11990

Dear Mr. Mc Nabb:

Enclosed are two Notices of Claim prepared with information provided by Joy during our telephone conversation on November 4, 1991.

Notice of Claim A29-11953 is for irrigation of 2 acres, and Notice of Claim A29-11952 is for domestic and stockwater.

Since the Department has data entered these two Notices based on information received during our phone conversation, I ask you to please review the Notices for accuracy. When you are satisfied both Notices reflect the uses of water on your property, sign them in the presence of a Notary and return them within 15 days (November 27, 1991).

The Department has been directed to return the filing fees on incomplete Notices, so if the Notices are not returned by November 27, 1991, the refund process will be initiated.

In regard to Notice of Claim A29-11990 that was filed on by mistake, the Department is sending a "request for refund" to the State Office in Boise. Due to a heavy backlog, it may be a couple of months before you receive a refund of \$25.00 on this Notice.

MICROFILMED

NOV 16 1992

John Mc Nabb
Page - 2 -

If you have any questions regarding this matter, please
do not hesitate to call 525-7161.

Respectfully submitted,

Ernest Carlsen

Ernest Carlsen
Adjudication Supervisor

EC:jt

Enclosure

FILE:

MICROFILMED
NOV 10 1992

SCANNED

JUN 15 2001

RECEIVED

MAY 04 1992

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: A29-11953
Date Received: 5/ 2/1990
Receipt No: E014021
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: JOHN B MCNABB 208-775-3681
Address: 6377 N RAPID CREEK ROAD
INCOM ~~POCATELLO~~ ID 83245
AND/OR
Name: JOY MCNABB 208-775-3681
Address: 6377 N RAPID CREEK ROAD
INCOM ~~POCATELLO~~ ID 83245

2. Date of Priority: APR 1, 1956

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	36E	34	SE	NW	SW		BANNOCK

5. Description of diverting works:
PUMP FROM CREEK TO APPROX. 2 ACRES LAWN, GARDEN AREA

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.060		

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

8. Total consumptive use is 5.0 Acre Feet Per Annum.

9. Non-irrigation uses:
INCIDENTAL STOCKWATER

MICROFILMED

NOV 16 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	36E	34	NW	SW		IRR	2.0
Section Acres							2.0
Total Acres							2.0

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:
NONE

14. Remarks:
WE USE WELL FOR HOUSE AND CREEK FOR YARD AND LIVESTOCK.

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):

John B. McRae
Joy M. Ralch

Date: 30 Apr 92

Date: 4/30/92

MICROFILMED

State of Idaho

County of Bannock

) SS.

Subscribed and sworn (or affirmed) before me this 30 day

of April 19 92

Seal

Daniel H. Kahan
Notary Public

Residing at Boise, Idaho

My Commission Expires 3-14-93

MICROFILMED

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 A29-11953Date Received 5/1/96Receipt Number E014021

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

MAY - 1 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) John B. McNabbPhone (208) 775-3681
233-6750Mailing Address 6377 N Rapid Creek Rd.
Bx 4366 Poca IdaZip 832052. Date of Priority (Only one (1) per claim) 1957 April 1 19563. Source of water supply (a) Rapid Creek
which is tributary to (b) Portneuf River4. a. Location of existing point of diversion is: Township 6S Range 36E Section 34,SE 1/4 of NW 1/4 of SW 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 6S Range 36E Section 34, SE 1/4 of NW 1/4 of SW 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.pump-increase from creek
to approx 2 acres lawn - garden area

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NOV 16 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For yard + garden purposes from May to Dec amount _____ or _____
For livestock purposes from annually amount _____ or _____
For Irrigation purposes from 4-1 to 11-1 amount 0.06 or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.06 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 5.0 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) incidental stockwater.

10. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
b. 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	
<u>6S</u>	<u>36E</u>	<u>34</u>										<u>2</u>							<u>2</u>

Total number of acres irrigated 2 acres

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

12. Do you own the property listed above as place of use? Yes ☒ 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.
well or None ()

14. Remarks: we use well for house + creek for yard + livestock

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Last Name McWabb 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) ☒ John B. McNabb Date 30 Apr 90

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 IDAHO)
County of BANNOCK) SS.

Subscribed and sworn (or affirmed) before me this 30 day of April 19 90

SEAL

Notary Public

Residing at

My Commission Expires October 23 1993

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 McNabb Ident. Number _____

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NOV 10 1992
Copies White-State, Yellow-Claimant

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

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to approx 2 acres lawn - garden area

A2911953



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NOV 16 1992

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(both dates are inclusive)

(cfs)

(acre feet)

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For livestock purposes from annually amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

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Total number of acres irrigated 2 acres

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

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well or None ()

14. Remarks: we use well for house + creek for
yard + livestock

Last Name McNabb Ident No. _____

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Scale: 2 inches equals 1 mile

Sec 34

A 20x20 grid of graph paper. A blue square is drawn, centered on the 8th column and 8th row, with a side length of 4 grid units. The text "Rapid Crack" is written in blue ink above the square, with "Rapid" on the top line and "Crack" on the line below it. The text is slightly tilted and appears to be a label for the square.

Last Name

McLabb

Ident No.

NOV 16 1992

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 _____
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Plaintiff vs Defendant _____

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(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) John B. McNabb

Date 30 Apr 90

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 _____

Title

of _____

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 IDAHO)

) SS.

County of BANNOCK)

Subscribed and sworn (or affirmed) before me this 30 day of April 19 90

SEAL

Notary Public Sherry Helmandollar

Residing at Anson, Idaho 83245

My Commission Expires October 23 1993

Please Print Name

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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 _____

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Date _____

Last Name McNabb Ident. Number _____

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