

11/19/2002

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

RIGHT NUMBER: 29-12078

NAME AND ADDRESS: INDIAN FALLS WATER USERS ASSC
PHIL HUDGENS PRES
PO BOX 134
LAVA HOT SPRINGS ID 83246

INDIAN FALLS PROPERTY ASSN
C/O EARL MAPES
1061 SAGEWOOD PL
POCATELLO ID 83201

SOURCE: PORTNEUF RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 1.200 CFS

THIS RIGHT WHEN COMBINED WITH RIGHT NO. 29-00046, 29-12078, 29-12079, AND 29-13363 SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.

PRIORITY DATE: 05/01/1889

POINT OF DIVERSION:

T09S R38E S4 SWSNW Lot 4 Within BANNOCK County
T09S R38E S4 SESESW Lot 6 Within BANNOCK County
T09S R38E S4 SESESW Lot 10 Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 09/15	1.200 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T09S R38E S04 Lot 5 NESW	35.0	T09S R38E S04 Lot 10 SESW	28.0
T09S R38E S04 NWSE	1.0	T09S R38E S04 SWSE	7.6
T09S R38E S09 NENE	0.1	T09S R38E S09 Lot 1 NWNE	25.0
T09S R38E S09 Lot 4 NWNE	11.0	T09S R38E S09 Lot 5 SWNE	5.3
T09S R38E S09 NENW	28.0	T09S R38E S09 SENW	3.0

144 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 144.0 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-00046, 29-12078, 29-12079, AND 29-13363.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 60.0 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

11/19/2002

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

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINTS OF DIVERSION
DESCRIBED ABOVE: 29-00046, 29-12078, 29-12079, 29-13363.

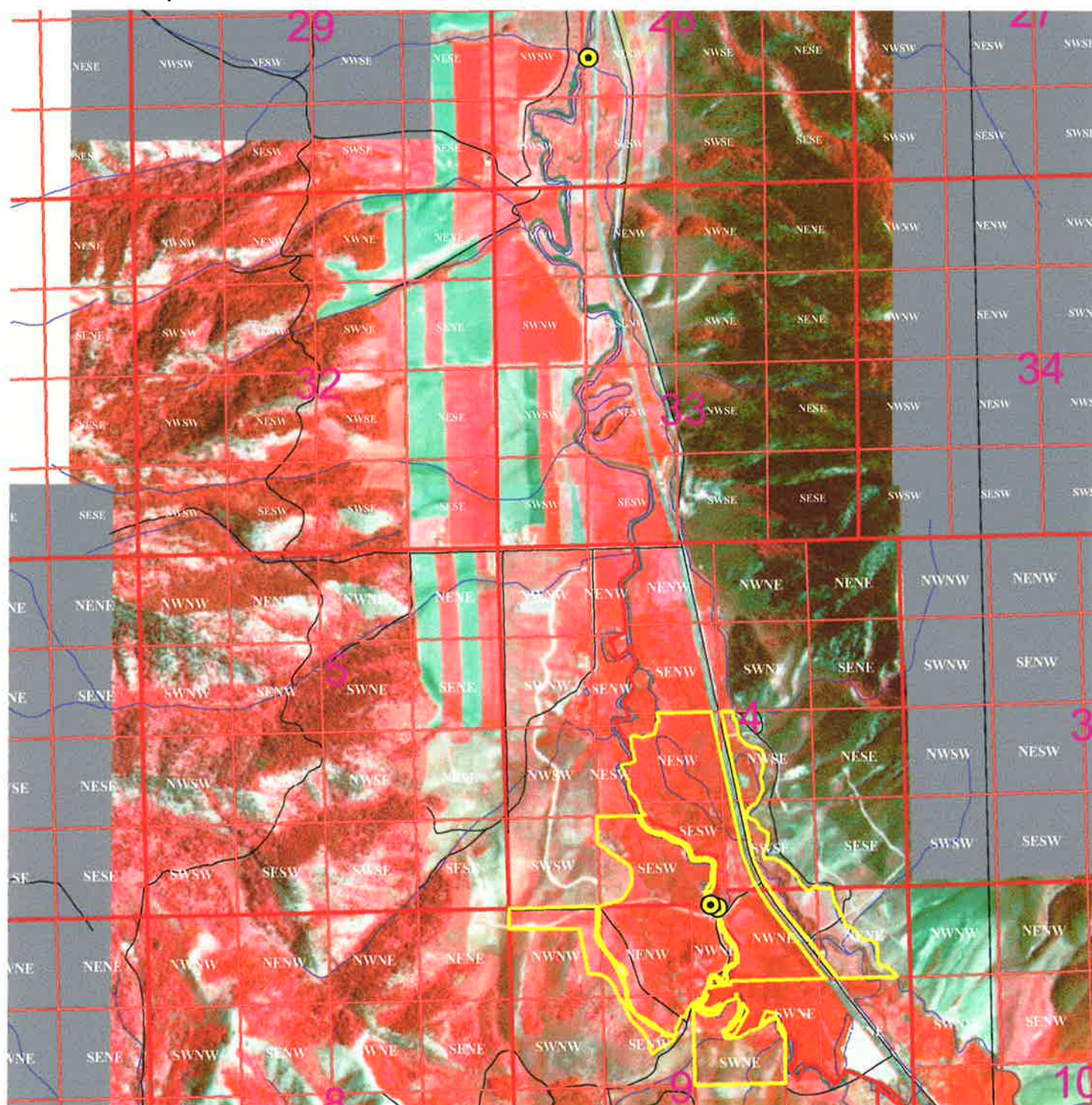
PROPERTY IS ALSO KNOWN AS INDIAN FALLS PROPERTY OWNERS
ASSOCIATION.

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 29-00034, 29-00042.

Water Right Claim Number A29-12078

09/05/2000

Township , 9S38E



Legend

 Irrigated Area

 Place of Diversion

 Section Line

 Quarter Section Line

 Roads

 Streams and Canals

1000 0 1000 2000 Feet

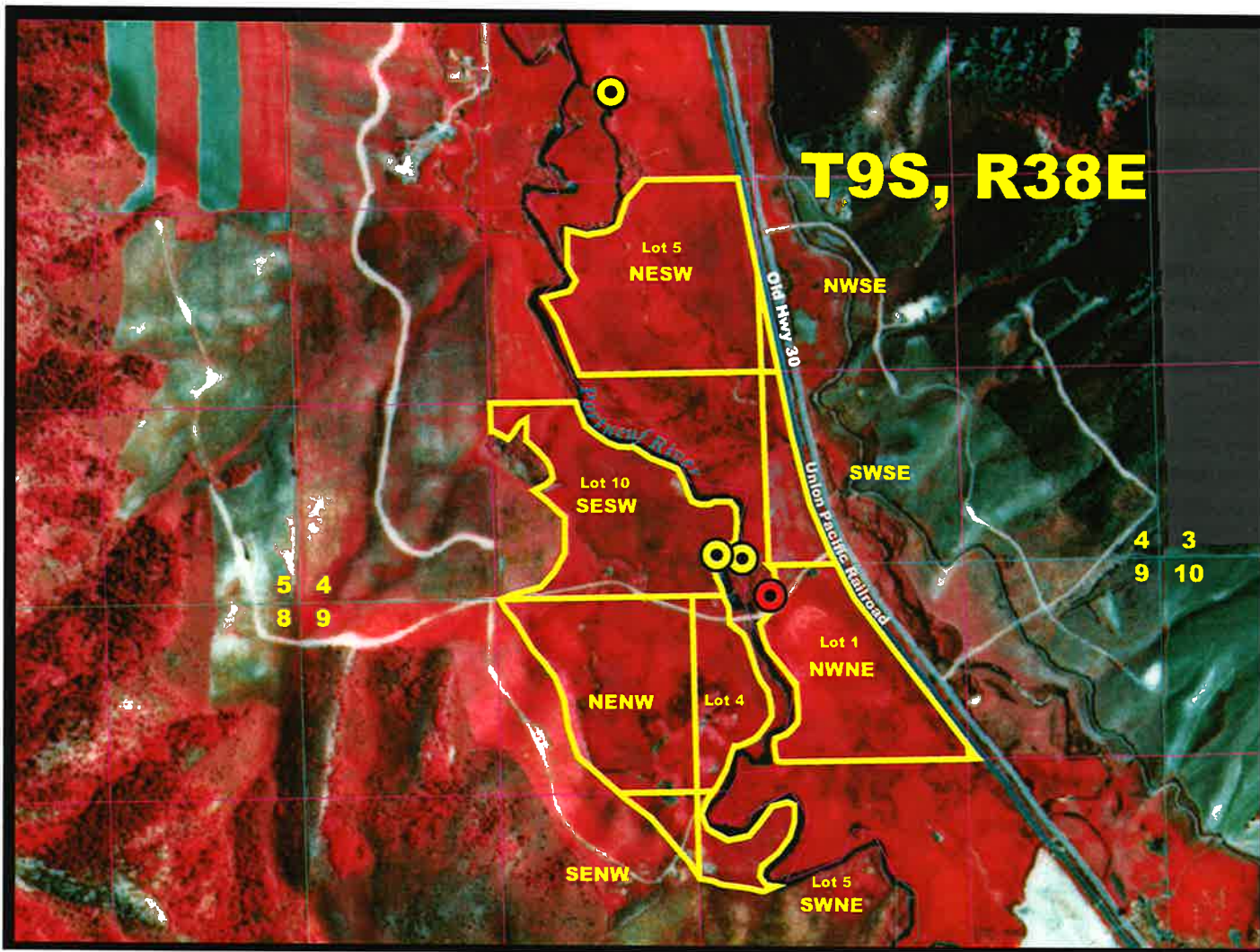




State of Idaho

Department of Water Resources

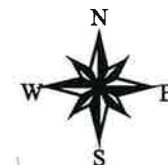
Eastern Region



Water Right(s):
29-00046, 29-12078,
29-12079, 29-13363.

Place of Use: (parts of) T9S, R38E
 Sec. 4 NESW (L5), SESW (L10),
 W2SE,
 Sec. 9 NWNE (L1 and L4), SWNE (L5),
 E2NW

Point(s) of Diversion: T9S, R38E
 Sec. 4 SENW (L4), SESW (L6),
 SESW (L10)



LEGEND

- Point of Diversion
- SESE Place of Use
- Section
- Quarter-Quarter

02/18/2003

NOTICE OF ERROR
REPLY

allen

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: 29-12078

INDIAN FALLS WATER USERS ASSOC
PHIL HUDGENS PRES
PO BOX 134

LAVA HOT SPRINGS ID 83246
Telephone Number: (208) 254-3062

INDIAN FALLS PROPERTY ASSN
C/O EARL MAPES
1061 SAGEWOOD PL

POCATELLO ID 83201
Telephone Number: (208) 233-1713

RECEIVED
APR 03 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):

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:

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

DATE: 3/28/03 SIGNATURE: *Earl C. Mapes*
Please print your name: Earl C. Mapes

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

02/18/2003

Allen

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.

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INDIAN FALLS WATER USERS ASSOC
PHIL HUDGENS PRES
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RECEIVED
APR 07 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):

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: 3-29-03

SIGNATURE: *Henry P. Hudgens*

Please print your name: HENRY P. HUDGENS

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

T9S, R38E

**Lot 5
NESW
35.0**

NWSE

0.9

**Lot 10
SESW
28.2**

SWSE

7.6

**Lot 1
NWNE
25.6**

**NENW
28.4**

**Lot 4
10.5**

3.0

SENW

5.3

**Lot 5
SWNE**

Old Hwy 30

Union Pacific Railroad

Portneuf River

**5 4
8 9**

**4 3
9 10**

Lot 8

Lot 4

INITIAL FE
1 JUNE 01
ABR

Lot 9

Lot 5

INDIAN FALLS PROPERTY ASSN.
29-12087,
29-12079, SUBFLOOD IRRIG.
29-00046.

Lot 6

Lot 10

4 3
9 10

Lot 1

Lot 4

Lot 2

Lot 3

Lot 5

Lot 3

Lot 6

HLLV

HILLSIDE
DISTRICT

Common
Area

Common Area

Common

25. JOHN, George
1-0034 1889 May 1

.70 c.f.s.

Said water to be diverted through the said Dempsey and Topaz Canals, last above described, for the irrigation of that portion of land of Lot 2, and the Northeast quarter of the Northeast quarter, Section 9, Township 9 South, Range 38 East, lying East of the O.S.L.R.R. right of way.

31. JOHN, George
19-0042 1889 May 1

.50 c.f.s.

Said water to be diverted by means of the Durfee Ditch having its intake near the Northwest corner of Lot 1, Section 9, Township 9 South, Range 38 East, for the irrigation of approximately 25 acres in said Lot 1, lying West of the O.S.L.R.R. Com-

State of Idaho
Department of Water Resources
REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Indian Falls Property Association
c/o Jay Anthony
Name of Claimant

(208) 237- 5000
Phone Number

P.O. Box 2125
Mailing Address

Pocatello
City

Idaho
State

83206
Zip

Bannock
County(s) where place of use is located

May 1, 1990
Date claim originally due

29- 000 33 / 000 34 / 000 40 / 000 41 / 000 42 / 000 45 / 000 46
Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

Forming association, collecting fees & water rights
research is taking longer than anticipated.

HELP by Keith Wilson - Idaho Falls
WATER Resources Board

Claimant requests an extension to _____

July 1

19 90

Signature _____

4-24
Date of request

19 90

Title _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [☒ granted] [☐ denied] for the following reasons:

and if granted the filing deadline is extended to _____

June 1

19 90

Signed this 28 day of _____

April

19 90

Director or his designated agent

DAVID B. SHAW

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

MICROFILMED
ATTN: Adjudication
NOV 15 1992
CLAIMS
Dept.

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 29-12078
Date Received: 5/24/1990
Receipt No: E014671
Received By:

AMENDED

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
NOV 18 2002
Department of Water Resources
Eastern Region

1. Name of Claimant(s)

INDIAN FALLS WATER USERS ASSC Phone: (208) 254-3062

PHIL HUDGENS PRES
PO BOX 134

LAVA HOT SPRINGS ID USA 83246

INDIAN FALLS PROPERTY ASSN Phone: (208) 233-1713

C/O EARL MAPES
1061 SAGEWOOD PL

POCATELLO ID USA 83201

2. Date of Priority: 05/01/1889

3. Source: PORTNEUF RIVER , PORTNEUF RIVER , PORTNEUF RIVER Trib. to: SNAKE RIVER
, SNAKE RIVER , SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
09S	38E	4	SE SE SW 10	BANNOCK	
09S	38E	4	SE SE SW 6	BANNOCK	
09S	38E	4	SW SE NW 4	BANNOCK	

5. Description of diverting works:

HEADGATES TO DITCHES FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	09/15	1.2	

7. Total Quantity Appropriated is:
1.2 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	
09S	38E	4	NE	SW	5	IRRIGATION	35
			NW	SE		IRRIGATION	0.9
			SW	SE		IRRIGATION	7.6
			SE	SW	1	IRRIGATION	28.2
			Section Acres				
09S	38E	9	NW	NE	1	IRRIGATION	25.6
			NW	NE	4	IRRIGATION	10.5
			NE	NW		IRRIGATION	28.4
			SE	NW		IRRIGATION	3
			SW	NE	5	IRRIGATION	5.3
Section Acres						72.8	
Total Acres						144.5	

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:

14. Remarks:

CLAIM AMENDED TO REFLECT ACTUAL SOU POD LOCATIONS AND CORRECT POU.

15. Basis of Claim: Decreed

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 Organizations:

I do solemnly swear or affirm that I am President of
Title
Indian Falls Property Owners Association, that I have signed the foregoing
Organization
document in the space below as President of
Title
Indian Falls Property Owners Association and that the statements contained in the
Organization
foregoing document are true and correct. Carl C. Mayes

Signature of Authorized Agent

President, Indian Falls Property Owners Association
Title and Organization

Nov. 15, 2002

Date

State of Idaho)

County of Bannock)

SS.

Subscribed and sworn (or affirmed) before me this

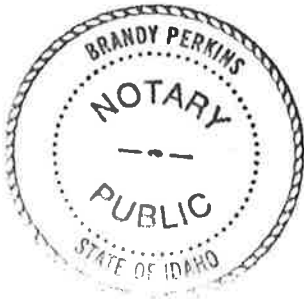
of 15, Nov. 2002

Brandy Perkins

Notary Public

Residing at Bozartello, ID

My commission Expires 7-12-07



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: **A29-12078**

Date Received: 5/24/1990

Receipt No: E014671

Received By: Kaw

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: INDIAN FALLS PROPERTY ASSN 208-775-3754
Address: C/O JAY ANTHONY
PO BOX 201
INKOM ID 83245

2. Date of Priority: MAY 1, 1889

3. Source: PORTNEUF RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	38E	28		NE	SW		BANNOCK
09S	38E	9		NW	NE	1	BANNOCK
				NW	NE	4	BANNOCK

5. Description of diverting works:
HEADGATE TO DITCHES FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.200		

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

8. Total consumptive use is 501.7 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	38E	4	NE	SW	5	IRR	36.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
09S	38E	4	SE		SW	6	IRR	17.0
			SE		SW	10	IRR	30.0
			NW		SE		IRR	13.0
			SW		SE		IRR	20.0
							Section Acres	116.0
		9	NE		NE		IRR	18.0
			NW		NE	1	IRR	35.0
			NW		NE	4	IRR	10.0
			SW		NE	5	IRR	30.0
			NE		NW		IRR	38.0
			NW		NW		IRR	4.0
			SE		NW		IRR	14.0
							Section Acres	149.0
							Total Acres	265.0

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:
A29-12079/00046

14. Remarks:
THIS RIGHT REPRESENTS THE COMBINATION OF THE FOLLOWING RIGHTS:
29-00034 0.70 CFS GEORGE JOHN
29-00042 0.50 CFS GEORGE JOHN

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

UNION GRAIN & ELEVATOR CO.
Decree Plaintiff

MCCAMMON DITCH CO. ET. AL.
vs 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 wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments:

For Organizations:

I do solemnly swear or affirm that I am Part Owner & Board of Directors of
Title
INDIAN FALLS PROPERTY OWN ASSOC. that I have signed the foregoing
Organization
document in the space below as Board of Directors of
Title
INDIAN FALLS PROPERTY OWN ASSOC. and that the statements contained in the
Organization
foregoing document are true and correct.

Jay M. Anthony
Signature of Authorized Agent
Indian Falls Prop Owners.
Title and Organization
11-23-98
Date

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 23rd day
of November 19 98

Ken Hall
Notary Public

Seal

Residing at Pocatello, ID.
My Commission Expires 4/28/99

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: A29-12078
Date Received: 5/24/1990
Receipt No: E014671
Received By: Kew

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER FEDERAL LAW

1. Name: INDIAN FALLS PROPERTY ASSOCIATION 208-775-3754
Address: C/O JAY ANTHONY
P.O. BOX 201
INKOM, ID 83245

2. Date of Priority: MAY 01, 1889

3. Source: PORTNEUF RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S	38E	28	NE	SW			BANNOCK
09S	38E	9	NW	NE	1		BANNOCK
			NW	NE	4		BANNOCK

5. Description of diverting works:
HEADGATE TO DITCHES FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.200		

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

8. Total consumptive use is 501.7 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
09S	38E	4	NE	SW	5	IRR	36.0

A29-12078

Page 1

Date: 05/24/90

MICROFILMED

NOV 16 1992

A2912078



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	38E	4	SE	SW	6	IRR	17.0
			NW	SE		IRR	13.0
			SW	SE		IRR	20.0
			Section Acres				86.0
		9	NE	NE		IRR	18.0
			NW	NE	1	IRR	35.0
			NW	NE	4	IRR	10.0
			SW	NE	5	IRR	30.0
			NE	NW		IRR	38.0
			NW	NW		IRR	4.0
			SE	NW		IRR	14.0
			Section Acres				149.0
			Total Acres				235.0

11. Place of use in counties: BANNOCK

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
A29-12079/00046

14. Remarks:

THIS RIGHT REPRESENTS THE COMBINATION OF THE FOLLOWING RIGHTS:
29-00034 0.70 CFS GEORGE JOHN
29-00042 0.50 CFS GEORGE JOHN

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

UNION GRAIN & ELEVATOR CO.
Decree Plaintiff

vs

MCCAMMON DITCH CO. 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 / wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments:

For Organizations:

I do solemnly swear or affirm that I am Treasure/Owner of
Indian Falls Prop Assoc. that I have signed the foregoing
Federal Agency document in the space below as Treasure/Owner of
Indian Falls Prop Assoc and that the statements contained in the
Federal Agency foregoing document are true and correct.

Jay Anthony
Signature of Authorized Agent

Indian Falls Prop. Association
Title and Federal Agency

5/24/90
Date

State of Idaho)
County of Bonneville) ss.

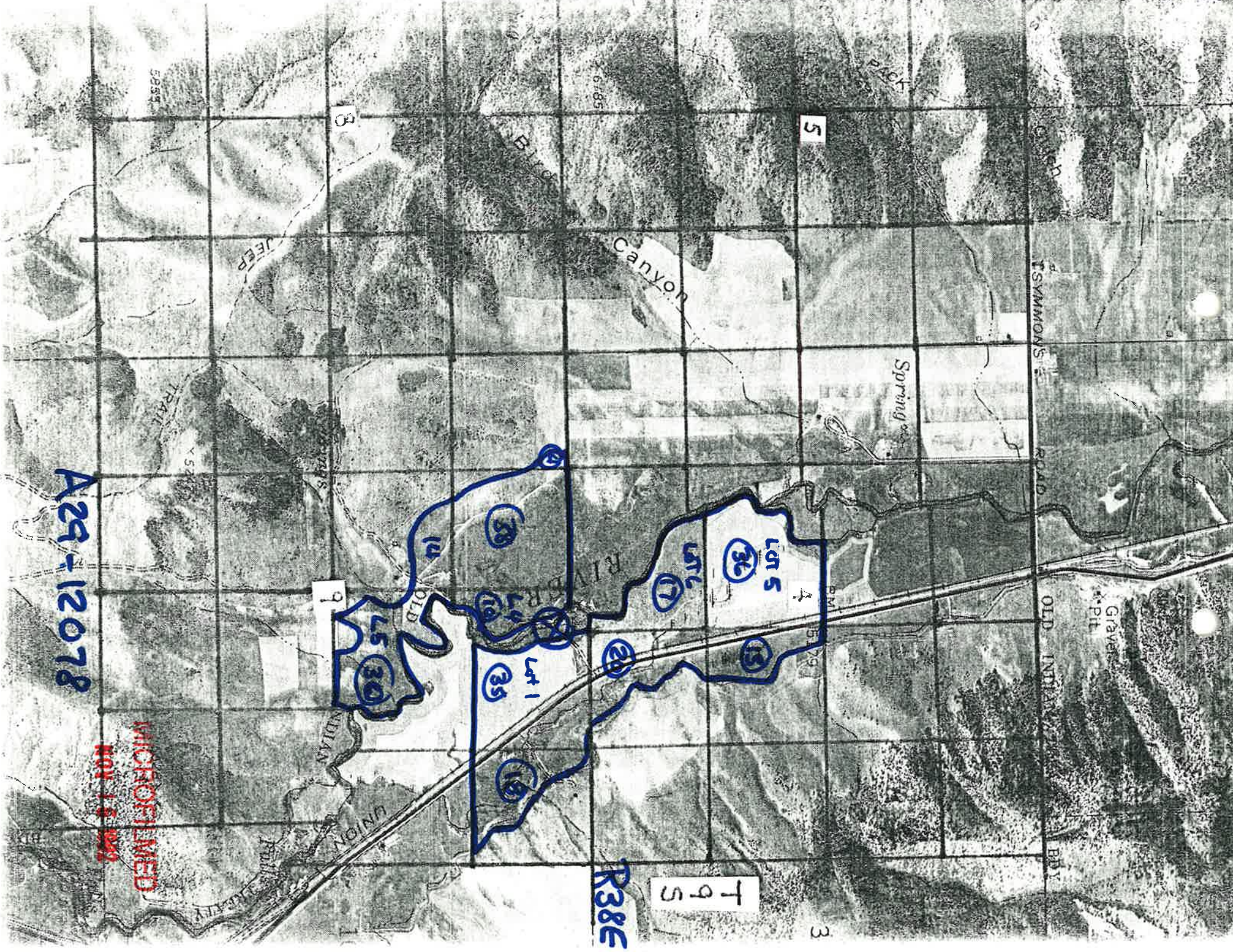
Subscribed and sworn (or affirmed) before me this 24 day
of May 19 90

Betty J. Thompson
Notary Public

Seal

Residing at BETTY J. THOMPSON, NOTARY PUBLIC
RESIDING AT IDAHO FALLS, IDAHO

My Commission Expires MY COMMISSION EXPIRES: 6-30-94



A29-12078

UNCLASSIFIED
NOV 15 1990

R38c

T 9 5

3

5

9

4

3

Canyon

Spring

TSYMONS

ROAD

OLD INDIAN RD

Graves
Pt

JEEP

TRAIL

Bluff

INDIAN

NOVA

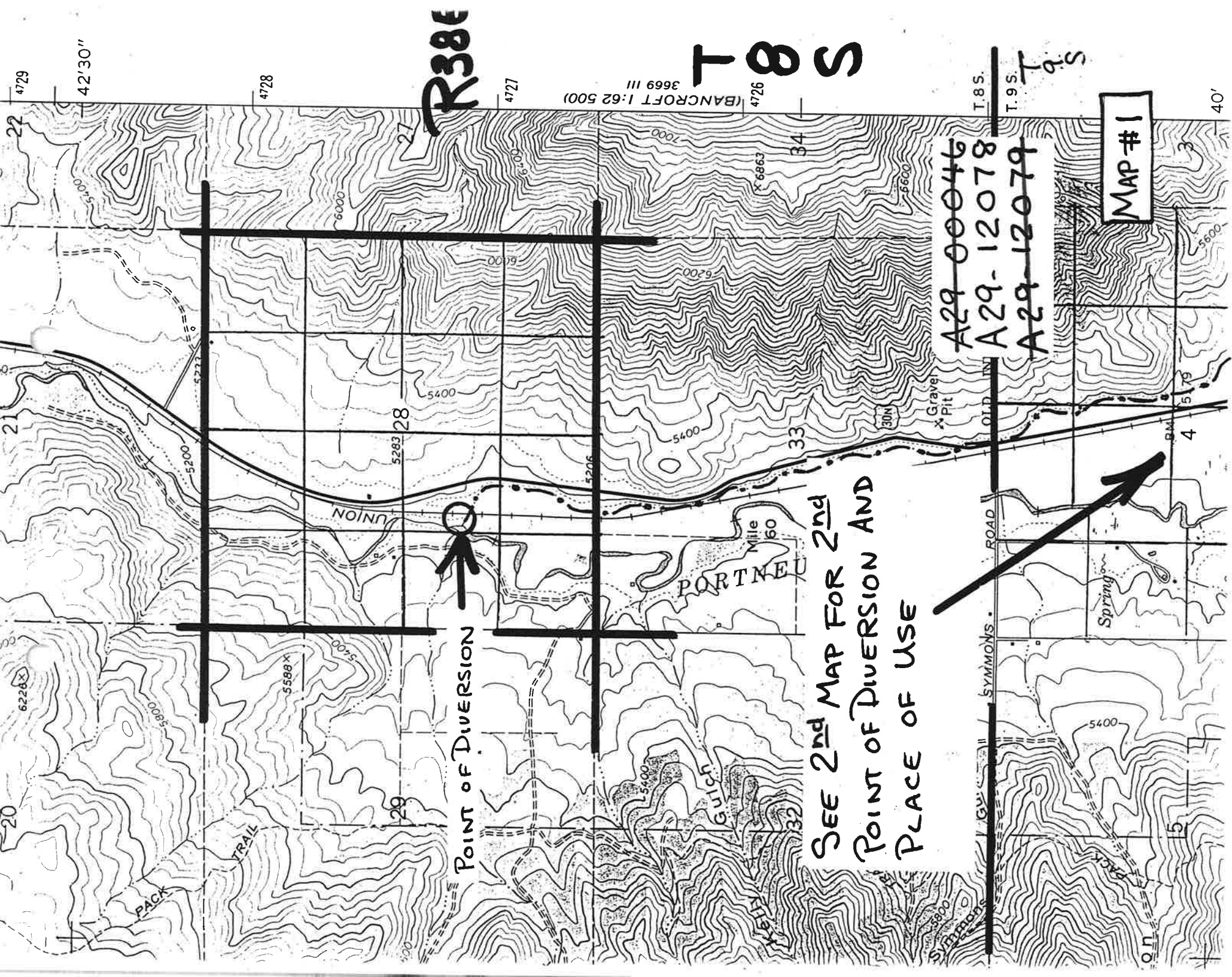
OLD

Lan 5
(36)
(17)
(15)
(20)

Lan 1
(35)
(18)

(14)

Lan 5
(30)



POINT OF DIVERSION

SEE 2ND MAP FOR 2ND
POINT OF DIVERSION AND
PLACE OF USE

MAP #1

T. 9 S.

T
q
S

40'

4724

POINT OF DIVERSION #2

4723

4722

~~A29-00046~~

A29-12078

~~A29-12079.~~

MAP #2

RIN