

IDAHO DEPARTMENT OF WATER RESOURCES 11/02/2001
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

NAME AND ADDRESS: CAROL GUTHRIE
PO BOX 12
INKOM ID 83245

JAMES GUTHRIE
PO BOX 12
INKOM ID 83245

SOURCE: MARSH CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 1.20 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 3.31 CFS. COMBINED RIGHT NOS.: 29-11732,
29-12265

PRIORITY DATE: 05/26/1884

POINT OF DIVERSION:

T07S R36E S27 NESW 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	1.200 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T07S R36E S27	SWNE	1.0	T07S R36E S27	NENW	2.0
T07S R36E S27	NWNW	15.0	T07S R36E S27	SWNW	26.0
T07S R36E S27	SENE	32.0	T07S R36E S27	NESW	33.0
T07S R36E S27	NWSW	3.0	T07S R36E S27	SESW	10.0
T07S R36E S27	NWSE	11.0	T07S R36E S27	SWSE	12.0
T07S R36E S28	NENE	14.0	T07S R36E S28	SENE	2.0
T07S R36E S34	NWNE	1.0			

162 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 162 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 29-11732, 29-12265

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 60 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: Beneficial Use

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

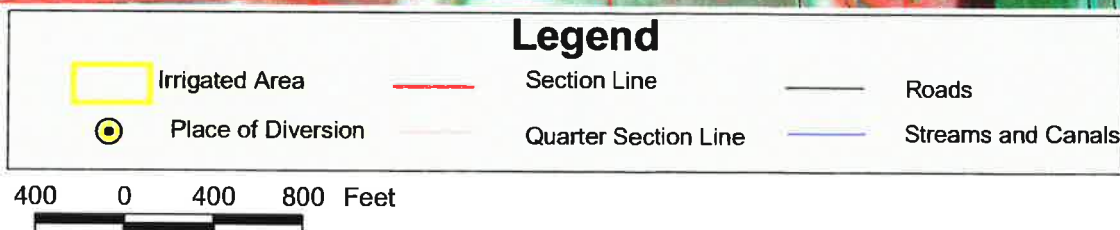
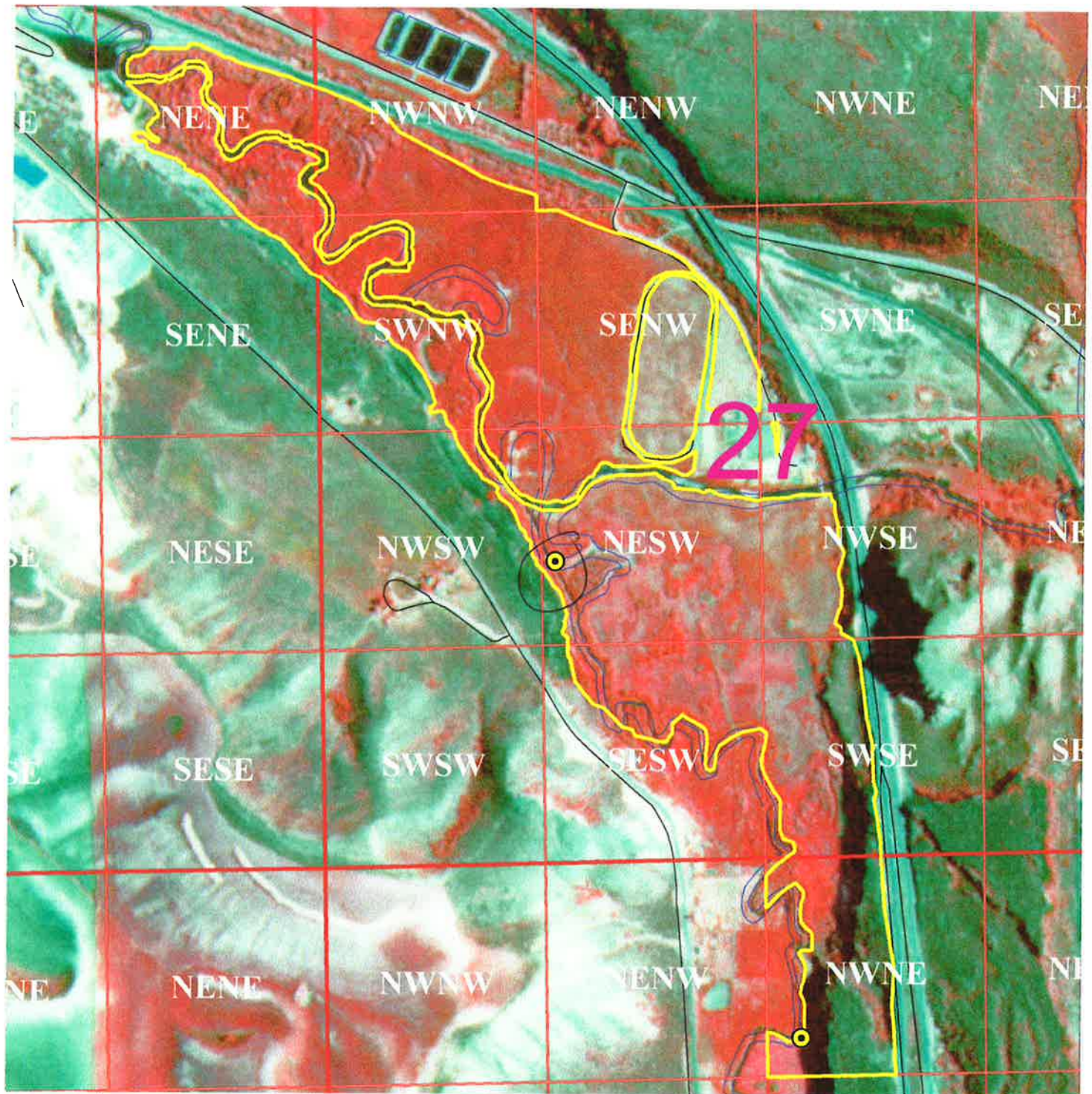
Area
South of

Portneuf
River.

now the mainline allows water
to be pumped North of Portneuf
River.

Water Right Claim Number A29-12265
Township , 7S36E

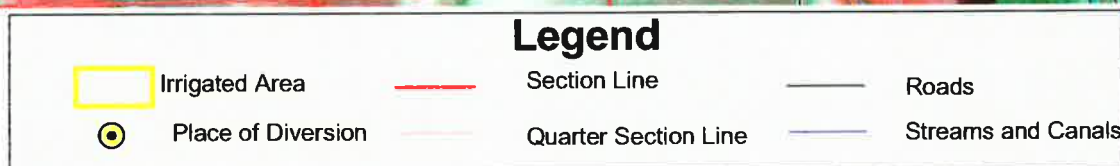
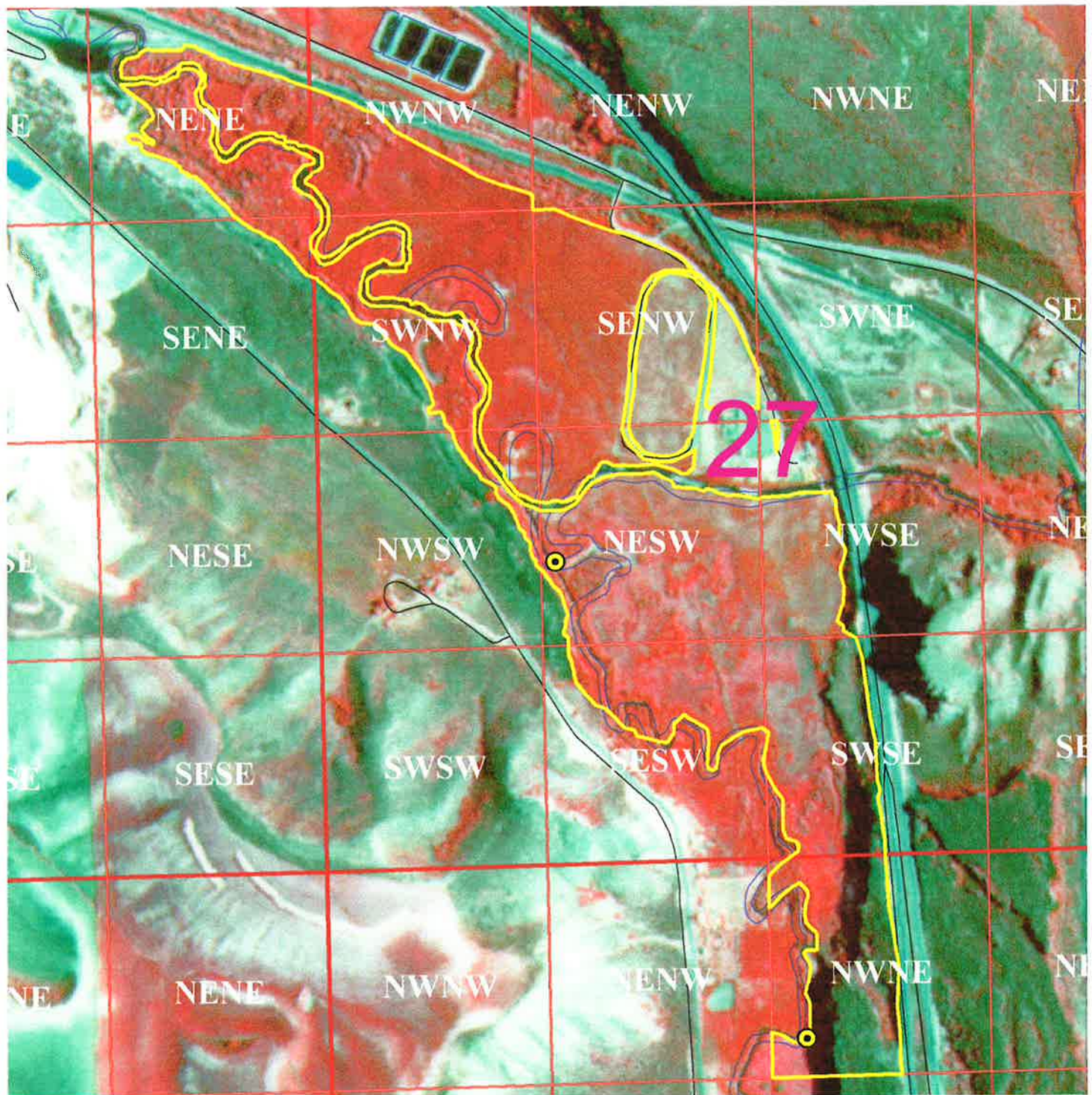
09/05/2000



Water Right Claim Number A29-12265

09/05/2000

Township , 7S36E



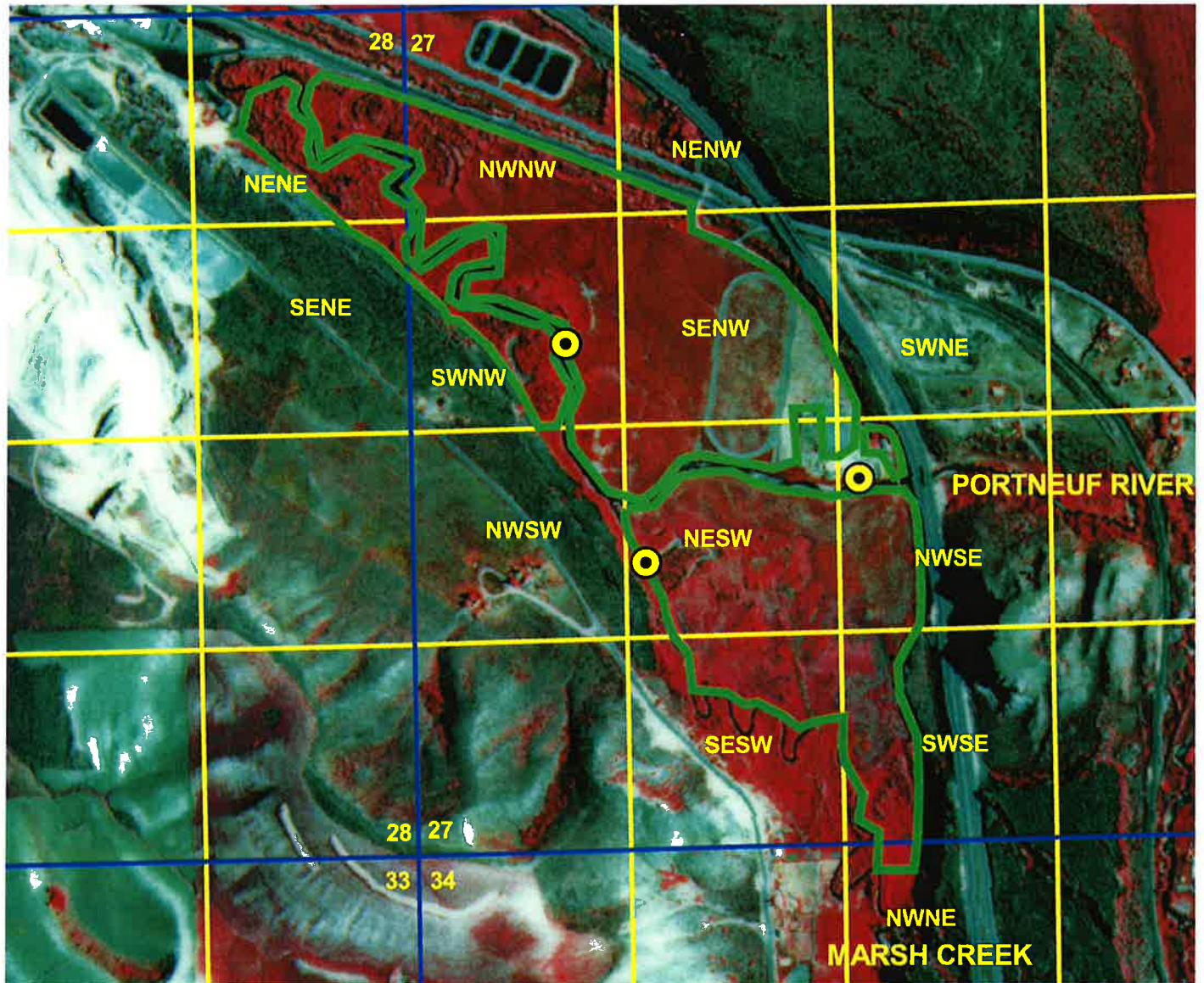
400 0 400 800 Feet



IDAHO DEPARTMENT OF WATER RESOURCES

29-11732, 29-12265

T07S, R36E SEC. 27,28,34



ACRES IRRIGATED- 162



POINT OF DIVERSION



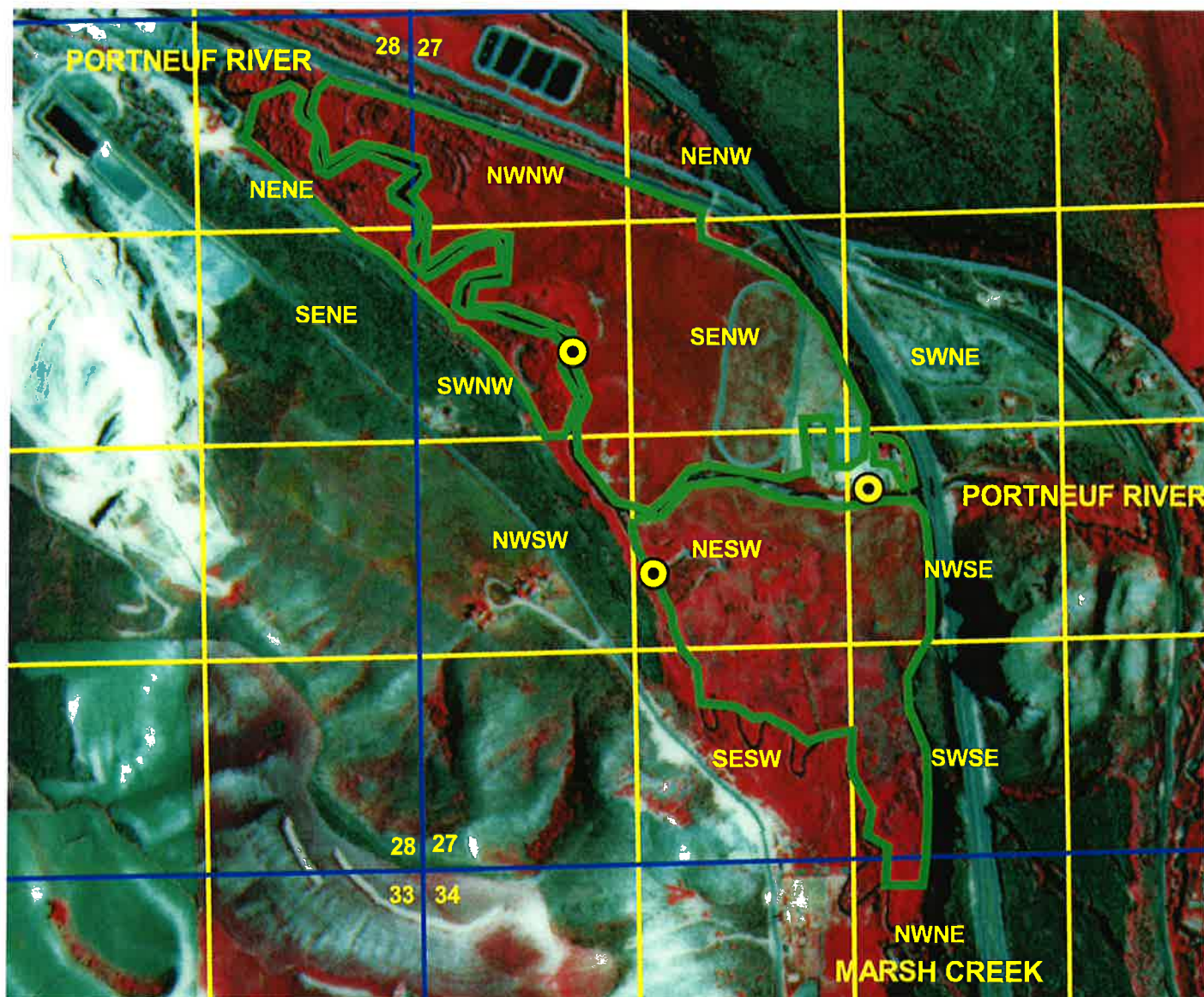
PLACE OF USE

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

IDAHO DEPARTMENT OF WATER RESOURCES

29-11732, 29-12265

T07S, R36E SEC. 27,28,34



ACRES IRRIGATED- 162



POINT OF DIVERSION



PLACE OF USE

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



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 29



RIGHT ID
POD ID
Quad
Claim Type
Easting
Northing
GPSID

Diversion Description

TWO PUMPS TO MAINLINE TO LATERALS W/SPRINKLERS
Claimant estimates 875 gpm pumped out of river to pivot

Portneuf River Diversion

Assumptions

Pressure head.

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

OD ID 219121 01.JPG

OD ID 219121 03.JPG

Photos

OD ID 219121 02.JPG

EPE (ft)

Date (M/D/Y)

Time

Flow Rate (CFS)

1.98652916532388

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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This is a Portneuf River diversion



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 29



RIGHT ID 29 12265
POD ID 219122
Quad Bonneville Peak
Claim Type L
Easting 644315
Northing 188110
GPSID A0009286

Diversion Description

Deisel motor on pump to pivot from Marsh Creek. Claimant estimates 650-700 gpm.

Marsh Crk diversion

Assumptions

Horse power, and pressure head.

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

OD ID 219122 01.JPG

Photos

OD ID 219122 02.JPG

EPE (ft)

18

Date (M/D/Y)

Time

Flow Rate (CFS)

1.5129523141655

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

☐ Rectangular Channel

Width

Depth

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

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 35

Pressure Head (psi) 60

Elevation Head (ft) 4

Motor Mfg

Motor Serial #

Pump Type

Pump Mfg

Pump Serial#

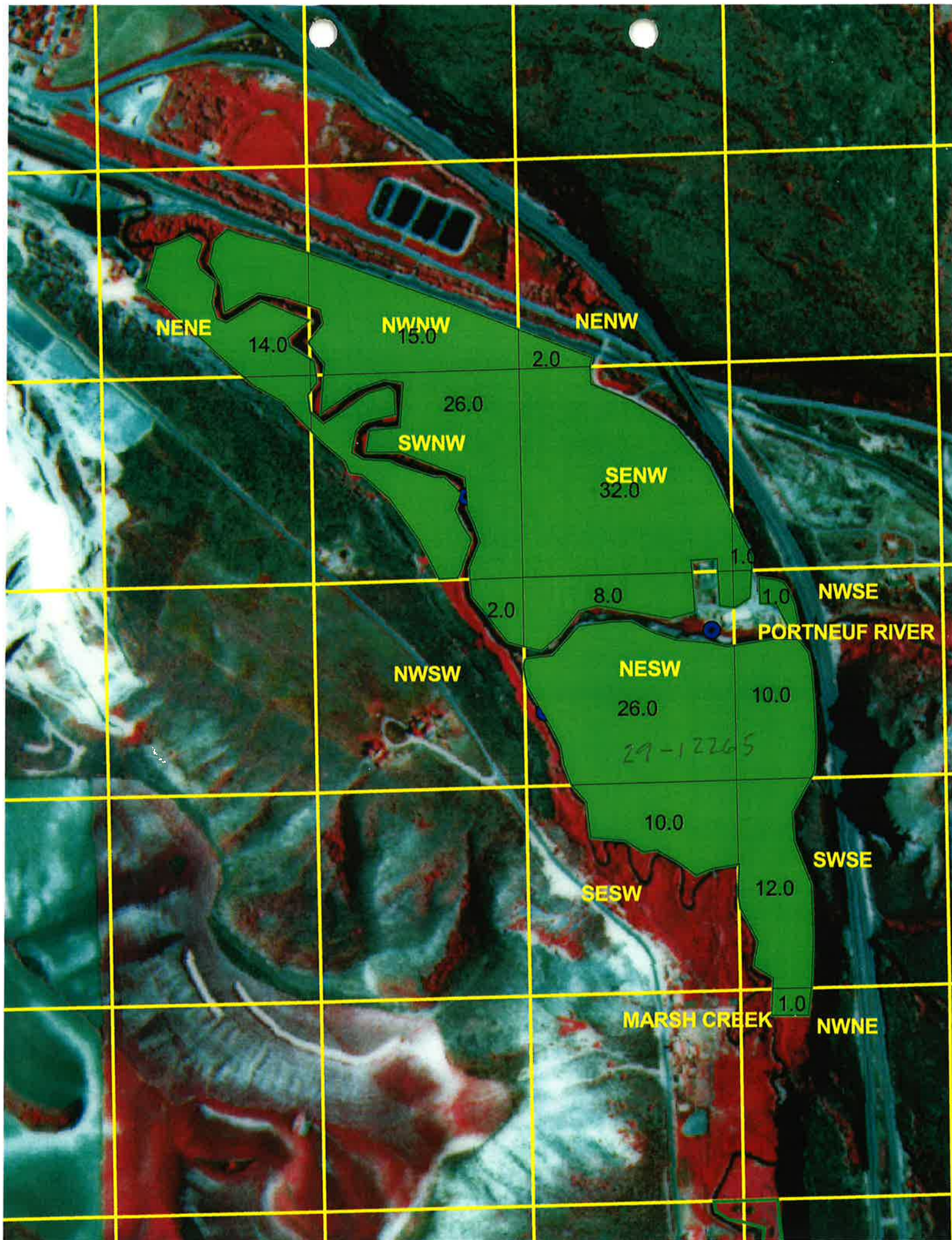
New Contact Information ☐

New Contact Comments

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Marsh Crk diversion



A. ROOT WATER RIGHT NUMBERS: A29-12265

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07S	36E	27	NW	NW		GUTHRIE, CAROL	A29-12265 / 12.0	- /			34.0
			NW	NW		GUTHRIE, CAROL	A29-11732 / 12.0	- /			
			NW	NW		CITY OF INKOM		29-07836 /			
07S	36E	27	SW	NW		GUTHRIE, CAROL	A29-12265 / 30.0	- /			30.0
			SW	NW		GUTHRIE, CAROL	A29-11732 / 30.0	- /			
			SW	NW		WANNER, CLARK	A29-11903 /	- /			
			SW	NW		WANNER, CLARK	29-11903 /	- /			
07S	36E	27	SE	NW		GUTHRIE, CAROL	A29-12265 / 30.0	- /			35.0
			SE	NW		GUTHRIE, CAROL	A29-11732 / 30.0	- /			
07S	36E	27	NE	SW		GUTHRIE, CAROL	A29-12265 / 38.0	- /			41.0
			NE	SW		GUTHRIE, CAROL	A29-11732 / 38.0	- /			
07S	36E	27	NW	SW		GUTHRIE, CAROL	A29-12265 / 5.0	- /			3.0
			NW	SW		KISSEL, EDWIN V	29-10678 /	- /			
			NW	SW		KISSEL, EDWIN V	A29-10678 /	- /			
			NW	SW		GUTHRIE, CAROL	A29-11732 / 5.0	- /			
			NW	SW		BROADBENT, DELPHA HURD	A29-12152 /	- /			
			NW	SW		BROADBENT, DELPHA HURD	29-12152 /	- /			
07S	36E	27	SE	SW		GUTHRIE, CAROL	A29-12265 / 16.0	- /			30.0
			SE	SW		GUTHRIE, CAROL	A29-11732 / 16.0	- /			
07S	36E	27	NW	SE		GUTHRIE, CAROL	A29-12265 / 18.0	- /			15.0
			NW	SE		GUTHRIE, CAROL	A29-11732 / 18.0	- /			
			NW	SE		GUTHRIE, JAMES	A29-11733 /	- /			
			NW	SE		GUTHRIE, JAMES	A29-11734 /	- /			
			NW	SE		GUTHRIE, JAMES	A29-11735 /	- /			
			NW	SE		GUTHRIE, JAMES	29-11733 /	- /			
			NW	SE		GUTHRIE, CAROL	29-11735 /	- /			
			NW	SE		MAYR, LAMBERT A.		29-04383 / 3.0			
			NW	SE		MAYR, LAMBERT A.		29-04387 / 3.0			
			NW	SE		MAYR, LAMONT A.		29-07733 /			
07S	36E	27	SW	SE		GUTHRIE, CAROL	A29-12265 / 18.0	- /			13.0
			SW	SE		GUTHRIE, CAROL	A29-11732 / 18.0	- /			
07S	36E	28	NE	NE		GUTHRIE, CAROL	A29-12265 / 23.0	- /			25.0
			NE	NE		GUTHRIE, CAROL	A29-11732 / 23.0	- /			
			NE	NE		STEWART, CHARLES E.		29-00290A /			
07S	36E	28	SE	NE		GUTHRIE, CAROL	A29-12265 / 5.0	- /			

1998

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			SE	NE		GUTHRIE, CAROL	A29-11732 / 5.0	- /			
07S	36E	34	NW	NE		GUTHRIE, CAROL	A29-12265 / 18.0	- /	6.0		
			NW	NE		GUTHRIE, CAROL	A29-11732 / 18.0	- /			
			NW	NE		STALEY, GRADYN D	A29-02016A / 2.0	- /			
			NW	NE		STALEY, ALICE K	A29-11620A / 2.0	- /			

ADDITIONAL POU FOUND

TOTAL ACRES	A29-12265	213.00	232.00
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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
A29-12265	MARSH CREEK	GUTHRIE, CAROL	3.200	0.015		
A29-02016A	MARSH CREEK	STALEY, GRADYN D	5.460	0.020		
A29-11620A	MARSH CREEK	STALEY, ALICE K	10.920	0.040		
A29-11732	PORTNEUF RIVER	GUTHRIE, CAROL	4.070	0.019		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A29-11903	DOMESTIC	WANNER, CLARK	FROM 01-01 TO 12-31	0.040 CFS	
29-11903	DOMESTIC	WANNER, CLARK	FROM 01-01 TO 12-31	0.040 CFS	
29-10678	DOMESTIC	KISSEL, EDWIN V	FROM 01-01 TO 12-31	0.040 CFS	
29-10678	STOCKWATER	KISSEL, EDWIN V	FROM 01-01 TO 12-31	0.020 CFS	
A29-10678	DOMESTIC	KISSEL, EDWIN V	FROM 01-01 TO 12-31	0.040 CFS	
A29-10678	STOCKWATER	KISSEL, EDWIN V	FROM 01-01 TO 12-31	0.020 CFS	
A29-12152	DOMESTIC	BROADBENT, DELPHA HURD	FROM 01-01 TO 12-31	0.040 CFS	

MAY 18 2001

Log for claim A29-12265

Spatial Dynamics PJM

9/5/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s36e	27	NWNW	12	13	
07s36e	27	SWNW	30	27	
07s36e	27	SENW	30	29	
07s36e	27	NESW	38	34	
07s36e	27	NWSW	5	4.3	
07s36e	27	SESW	16	14	
07s36e	27	NWSE	18	9.7	
07s36e	27	SWSE	18	19	
07s36e	28	NENE	23	18	
07s36e	28	SENE	5	1.7	
07s36e	34	NWNE	18	18	
Totals:			213	187.7	

this right could only
be used on the 60ac
south of the Portneut River
when it was developed. (1884)
things have changed
since

Pump to sprinklers
All over

Marsh^{crk} had a pump to
mainline to both sides
of the portneut River

AJ5809NP
No. A29-12265

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/22/00
PAGE: 249

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CAROL GUTHRIE	05/16/1884	IRRIGATION	04-01 11-01	3.200 CFS	
C	JAMES GUTHRIE					
	PO BOX 12					
	INKOM ID 83245			TOTAL DIVERSION:	3.200 CFS	
	(208) 775-3416			CONSUMPTIVE USE:		532.50 AFA

Water Source: MARSH CREEK

Tributary to: PORTNEUF RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion:

T07S R36E S27
S34 NESW
NWNE

BANNOCK County
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	Lt	Ac	Lt	Ac	:	
07S	36E	27	:					:			12	30	30	:	38	05		16	:			18	18	:	167.0	
07S	36E	28	:		23		05	:						:					:					:	28.0	
07S	36E	34	:			18		:						:					:					:	18.0	
																							TOTAL ACRES	213.0		

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: 6/19/1902-PORTNEUF RIVER(RUTH W. HANGES)

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-11732

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00290A A29-02016 A29-02016A A29-11620 A29-11620A A29-11732

Remarks: GEN THIS RIGHT IS FOR INDIAN WATER RIGHTS AS LISTED ON ABSTRACT THAT
IS ATTACHED.

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

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

Audit: 11/15/90 BLOOM 09/16/94 JTHOMPSO 03/29/95 POST-STD

FROM KEITH C. WILSON

DATE 8 Nov 1990

TO File A29-12265

SUBJECT Filmy Fee

Filmy Fee	acreage	Late fee	
50 ⁰⁰	+ 213 ⁰⁰	+ 50 ⁰⁰	= 313 ⁰⁰

Paid check # 2981 dtd 8 Nov 1990

\$ 313⁰⁰ Adjudication fee\$ 200⁰⁰ Drilling Permit

\$ 513⁰⁰ Total

MICROFILMED

NOV 16 1990

SIGNATURE

Sheet No. 6.

Instrument No. 6.

GRANTORS:

Robert T. Jackson and
Hulda Jackson, his wife.

GRANTEES:

Henry A. Wittnort and Theodore H.
Gathe, co-partners doing business
under the firm name and style of
the Idaho Packing Company.

Kind of Instrument, - - - - - Warranty Deed.

Date of Instrument, - - - - - Nov. 2, 1904.

Consideration, - - - - - Five (\$5.00) Dollars.

Recorded, - - - - - Nov. 4, 1904, at 2:51 P.M. in

Book "15" of Deeds at Page 179 Records of

Bannock County, State of Idaho.

Acknowledged by Robert T. Jackson before Fred G. Caldwell, Notary Public in and for Bannock County, Idaho, Nov. 2, 1904. Sealed.

Acknowledged by Hulda Jackson before Lorenzo D. Brown, Notary Public in and for Bannock County, Idaho, Nov. 4, 1904. Sealed.

DESCRIPTION AND REMARKS:

The South Half of the Northwest quarter, the Northeast quarter of the Southwest quarter, and the Northwest quarter of the Southeast quarter of Section twenty-seven (27), Township seven (7) South of Range thirty-six (36), East of the Boise Meridian in Idaho containing one hundred sixty (160) acres, according to the official plat of the survey of said lands returned to the General Land Office by the Surveyor General. Together with any and all water, and water rights thereto belonging or in any wise appertaining had, used or enjoyed in connection with the said lands, and particularly those three certain water rights described as follows: 260 inches only of that certain water right described in location of Robert T. Jackson dated June 17, 1902, filed June 27, 1902, at 2:22 P.M. and recorded in Book "2" of Water Locations at page 165 Records of Bannock County, State of Idaho, of the waters of Portneuf River.

Also 210 inches only of that certain water right located by said Robert T. Jackson dated June 19, 1902, recorded June 30, 1902, at 1:51 P.M. in Book "2" of Water Locations at page 146 Records of Bannock County, Idaho, of the waters of Portneuf River. And also that certain other water right established by usage of ~~Eighteen~~ **MICROFILMED**

by one Batise and other Indians, who were owners and in possession of said land and water up to the time of the opening of the same to settlement under the homestead laws of the United States, and which said water right and water was purchased by grantor at the sale of improvements of Indian lands on May 26, 1902, and which said land was thereafter entered by Grantor Robert T. Jackson as a homestead and said water and water right has been used continuously by him since, said water right an Indian water right with said land and unrecorded amounting to full 160 inches.

May 26, 1884 160" = 3.2 cfs

MICROFILMED

NOV 16 1992

ELB 10

MAY 18 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: A29-12265
Date Received: 11/08/1990
Receipt No: (43646) E015432
Received By: KW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES GUTHRIE 208-775-3416
Address: P.O.BOX 12
INKOM, ID 83245
OR
Name: CAROL GUTHRIE 208-775-3416
Address: P.O.BOX 12
INKOM, ID 83245

A2912265



2. Date of Priority: MAY 16, 1884
3. Source: MARSH CREEK Trib. to: PORTNEUF RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	36E	27	NE	SW			BANNOCK
		34	NW	NE			BANNOCK

5. Description of diverting works:
TWO PUMPS TO MAINLINE TO LATERALS W/SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.200		

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

8. Total consumptive use is 532.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	36E	27	NW	NW		IRR	12.0
			SW	NW		IRR	30.0
			SE	NW		IRR	30.0
			NE	SW		IRR	38.0
			NW	SW		IRR	5.0
			SE	SW		IRR	16.0
			NW	SE		IRR	18.0
			SW	SE		IRR	18.0
					Section Acres	167.0	
		28	NE	NE		IRR	23.0
			SE	NE		IRR	5.0
					Section Acres	28.0	
		34	NW	NE		IRR	18.0
						Section Acres	18.0
			Total Acres	213.0			

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:

6/19/1902-PORTNEUF RIVER(RUTH W. HANGES)

14. Remarks:

THIS RIGHT IS FOR INDIAN WATER RIGHTS AS LISTED ON ABSTRACT THAT IS ATTACHED.

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): Carol Guthrie Date: 11-8-90

Date: _____

State of Idaho)
County of Bonneville) SS.

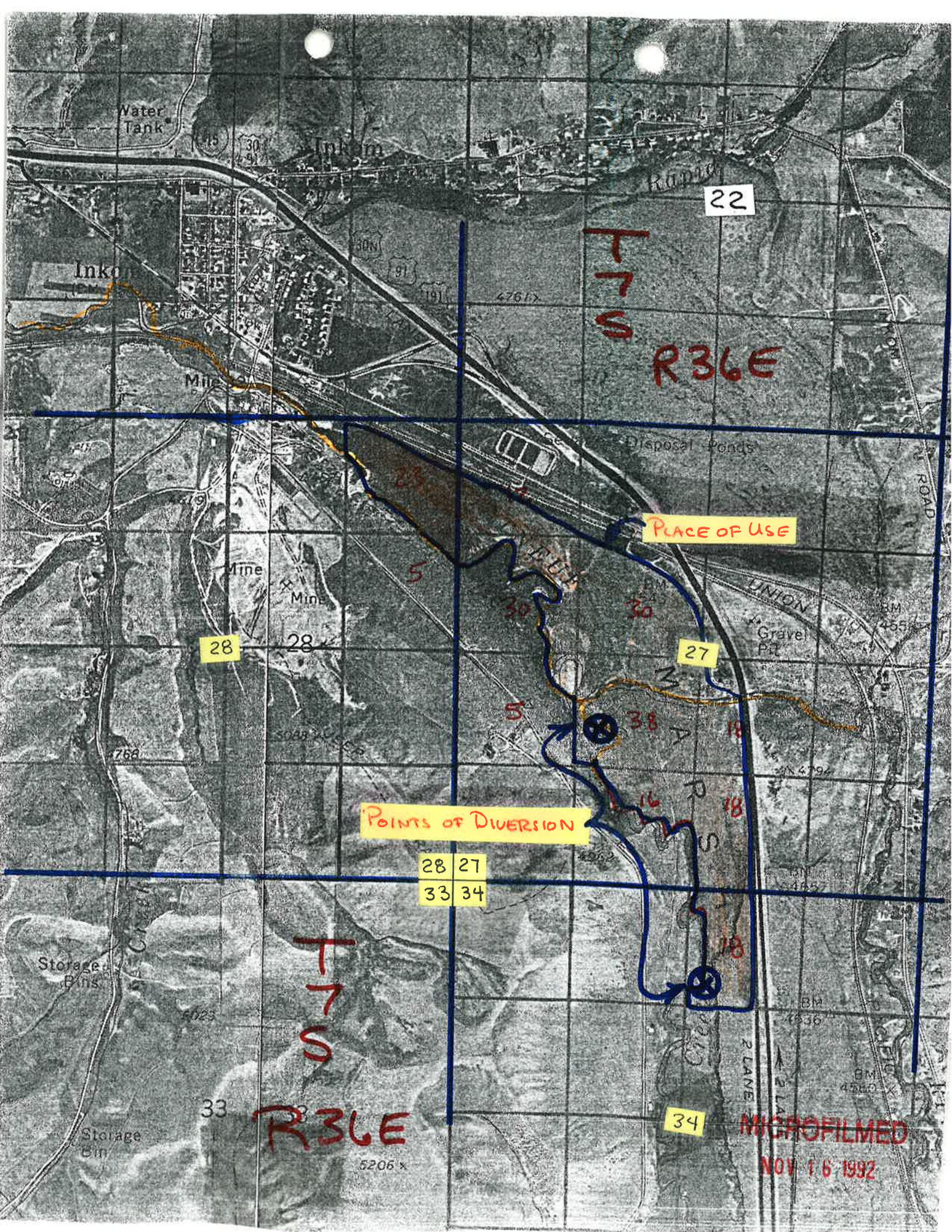
Subscribed and sworn (or affirmed) before me this 8th day
of Nov 19 90

Betty J. Thompson
Notary Public

Seal



Residing at BETTY J. THOMPSON, NOTARY PUBLIC
RESIDING AT IRVING FALLS, IDAHO
My Commission Expires MY COMMISSION EXPIRES: 6-30-94



Water Tank

Inko

22

T
7
S

R36E

Inko

Mill

Disposal Ponds

PLACE OF USE

Mine

Mine

28

28

27

POINTS OF DIVERSION

28 27

33 34

T
7
S

R36E

5206 x

MICROFILMED
NOV 16 1992

Storage Bins

Storage Bin

PLANE

34