

IDAHO DEPARTMENT OF WATER RESOURCES 12/11/2001
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

Water Right 29-12267

NAME AND ADDRESS: JERRY JOHNSON
PO BOX 822
LAVA HOT SPRINGS ID 83246

MARIE JOHNSON
PO BOX 822
LAVA HOT SPRINGS ID 83246

SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 0.20 CFS
PRIORITY DATE: 06/01/1959
POINT OF DIVERSION:

T09S R38E S20 NWSE Lot 6 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	0.060 CFS
COMMERCIAL	01/01 12/31	0.200 CFS

PLACE OF USE:

IRRIGATION Within BANNOCK County

T09S R38E S20 SWNE 0.1 T09S R38E S20 Lot 6 NWSE 2.9

COMMERCIAL Within BANNOCK County

T09S R38E S20 SWNE T09S R38E S20 Lot 6 NWSE

3.0 ACRES TOTAL

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

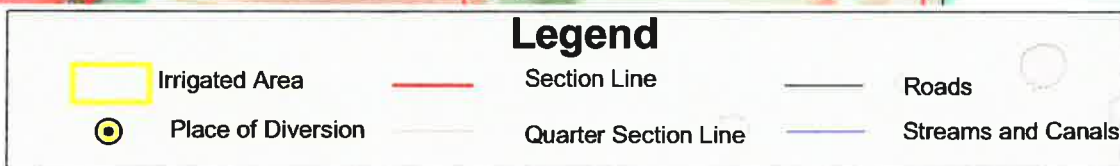
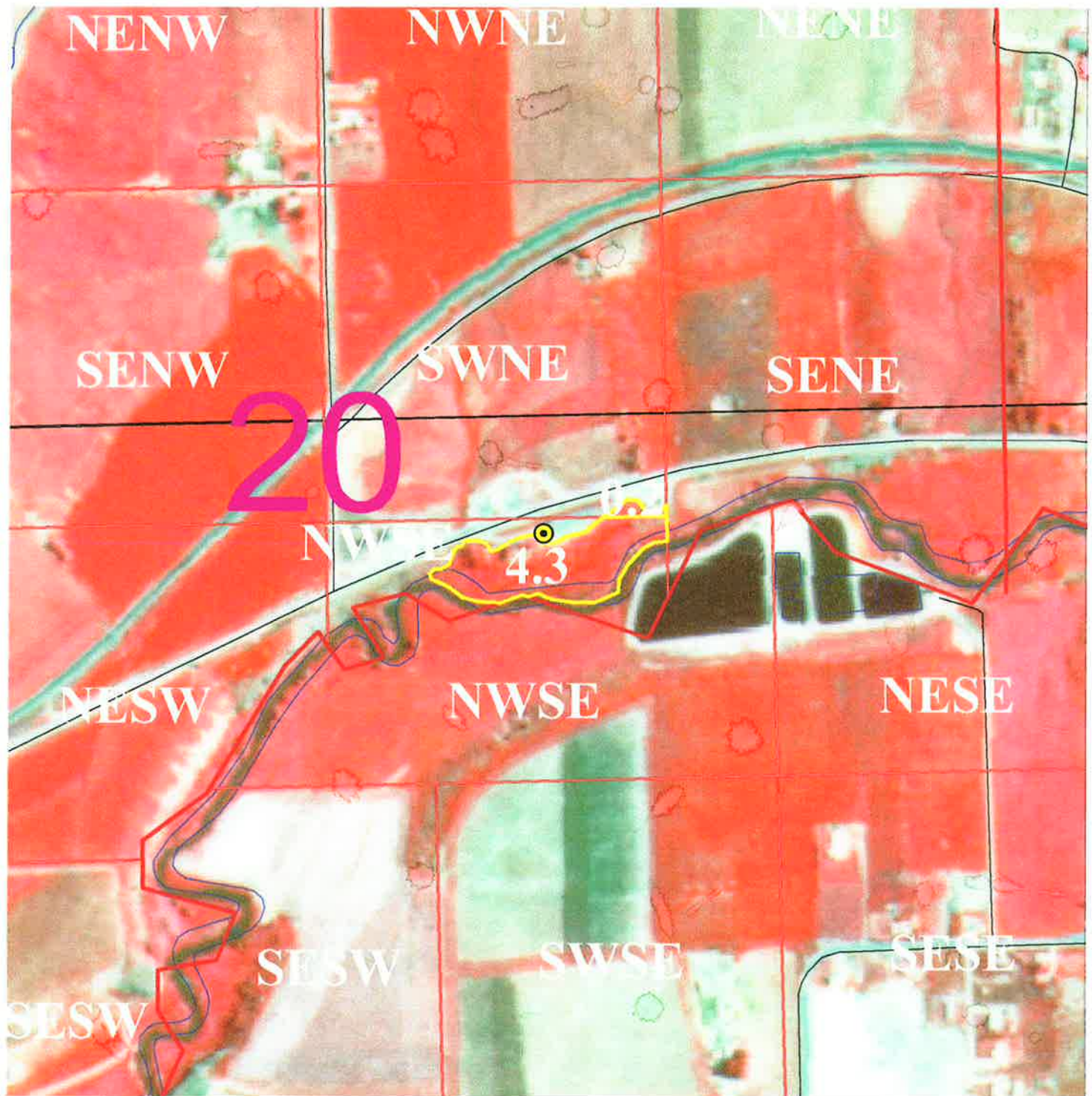
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: Beneficial Use

Water Right Claim Number A29-12267

09/05/2000

Township , 9S38E



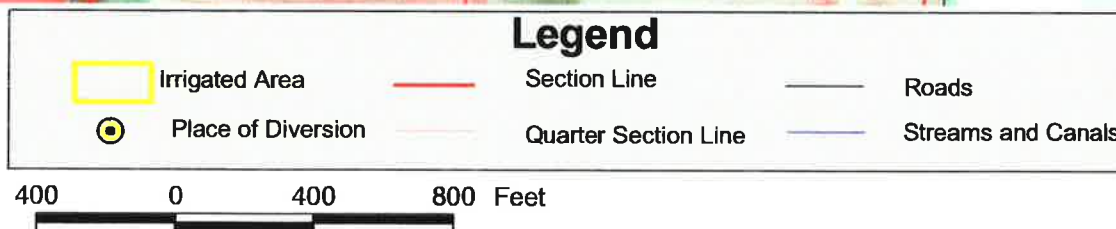
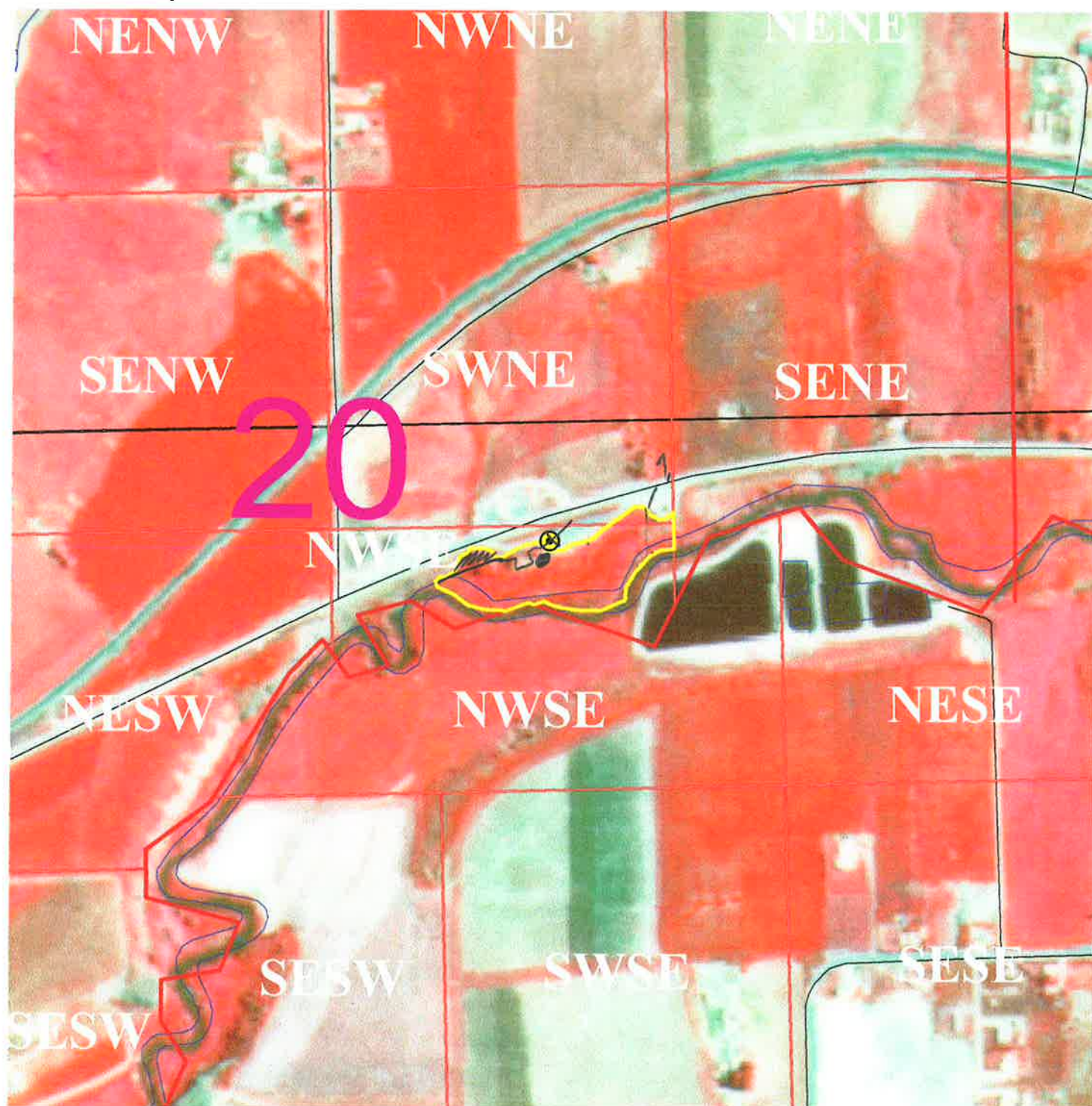
400 0 400 800 Feet



Water Right Claim Number A29-12267

09/05/2000

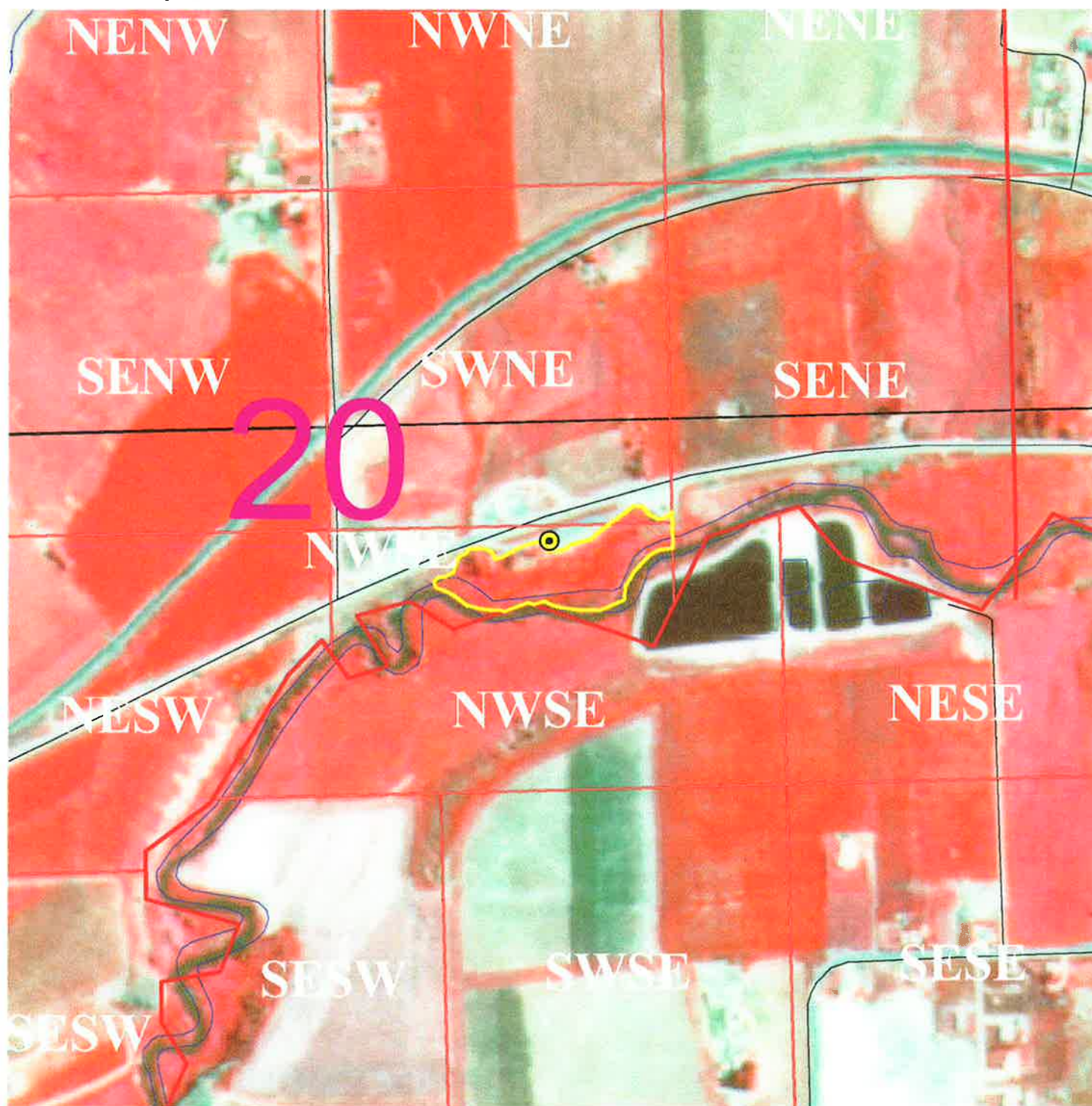
Township , 9S38E



Water Right Claim Number A29-12267

09/05/2000

Township , 9S38E



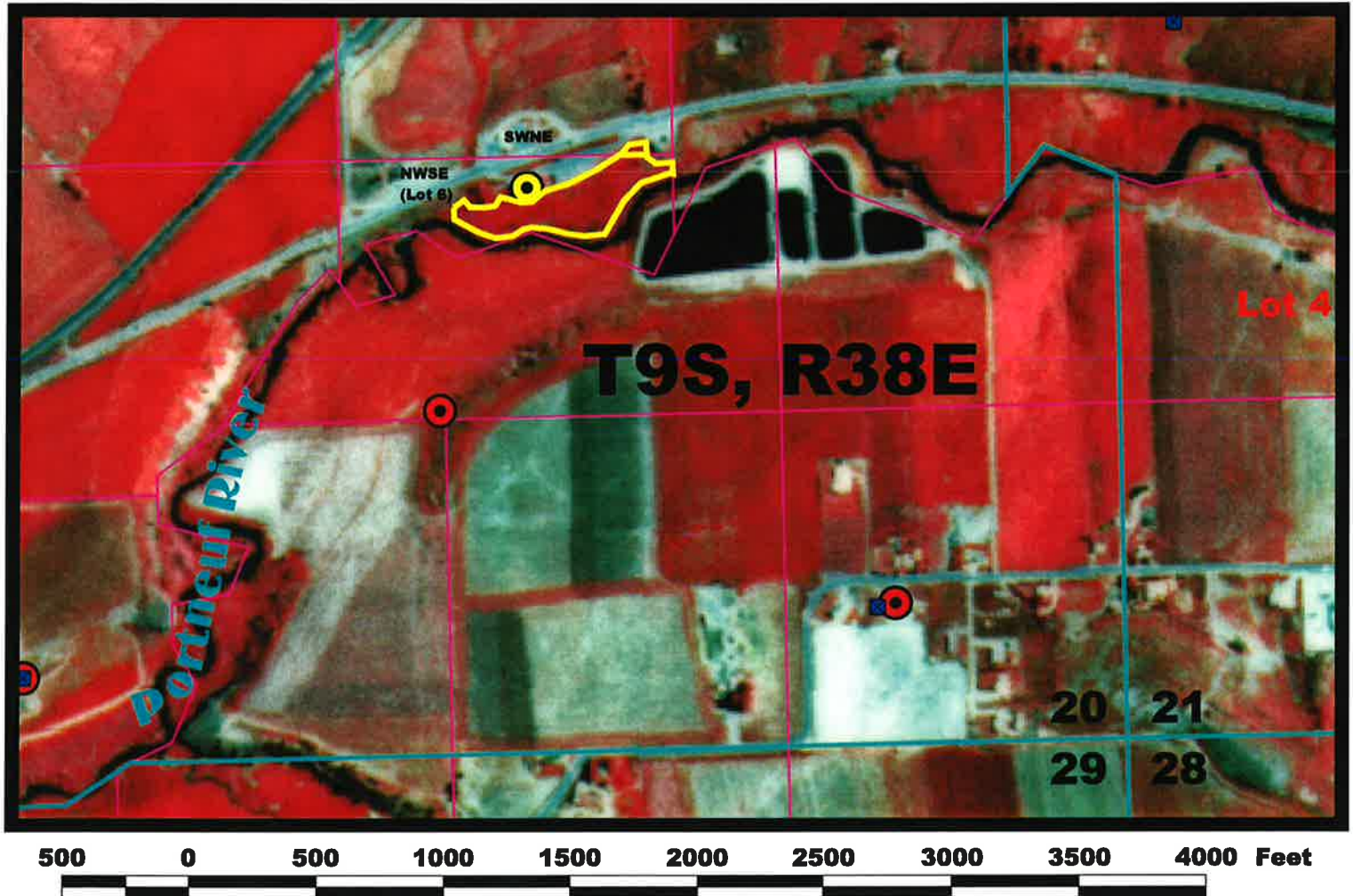


STATE OF IDAHO

Department of Water Resources

Eastern Region

Water Right(s): 29-12267

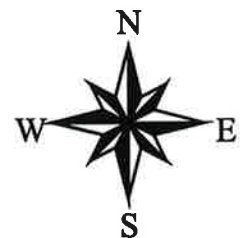


LEGEND

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

Place of Use: T9S, R38E
(parts of) Sec. 20 SWNE,
NWSE (Lot 6)

Point(s) of Diversion: T9S, R38E
Sec. 20 NWSE (Lot 6)



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: December 2001



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 29

RIGHT ID
POD ID
Quad
Claim Type
Easting
Northing
GPSID

Diversion Description

WELL, PUMP, AND PIPELINES TO MOTEL AND IRRIGATED LAWN.

Assumptions

Pressure head and elevation 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

Photos

EPE (ft)

Date (M/D/Y)

Time

Flow Rate (CFS)

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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29-12267

BW

I. Priority DATE CLAIMED IS SUPPORTED BY AFFIDAVIT.
PREDATES 1963 MANDATORY Permit statute for GW.
(§ 42-229 IC.)

MEASURE:

II. MEASURE RECD.

A. Claims 0.02 cts/ac irrig = 0.06 cts
0.20 Commercial = 0.20 cts NON ADDITIVE

0.20 cts

1. RECEIPTS SHOW PAYMENT OF \$70⁰⁰ AND \$3⁰⁰ = \$73⁰⁰
TOTAL

a.) CALCS AS: \$50⁰⁰ irrig
20⁰⁰ Commercial (\$100/cts) claims .20
3⁰⁰ \$1/ac

\$73⁰⁰

III. Remarks/CONDITIONS:

- A. No Limiting LANGUAGE SUCH AS 'N' Remarks.
B. CIB COND

Qi ⇒ IV. Plot Pile from Dood Camp -

A. MET Mrs. JOHANSON (9/12/01). DISCUSSED W/CLAIM
AD SUNDATION, etc. FILED A C/O w/DODD.

RECOMMENDATION V. Qi confirmed by contractor @ 0.255... ⇒ 0.26
Claims 0.20 cts - so RECOMMENDED w/ 3⁰⁰ irrig
August 500 to 4/1 - 10/31 (Dept. Std.)

29-12267



IDAHO DEPARTMENT OF WATER RESOURCES

Snake River Basin Adjudication - Basin 29



POD ID
 Quad
 Claim Type
 Easting
 Northing
 GPSID

Diversion Description

WELL, PUMP, AND PIPELINES TO MOTEL AND IRRIGATED LAWN.
Commercial Motel & Campground

Assumptions

Pressure head and elevation head.

Linked Photos

Invoice

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)

EPE (ft)

Date (M/D/Y)

Time

Flow Rate (CFS)

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

See p/ 9/12/01 Attached

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SWNE

0.1 ac

NWSE

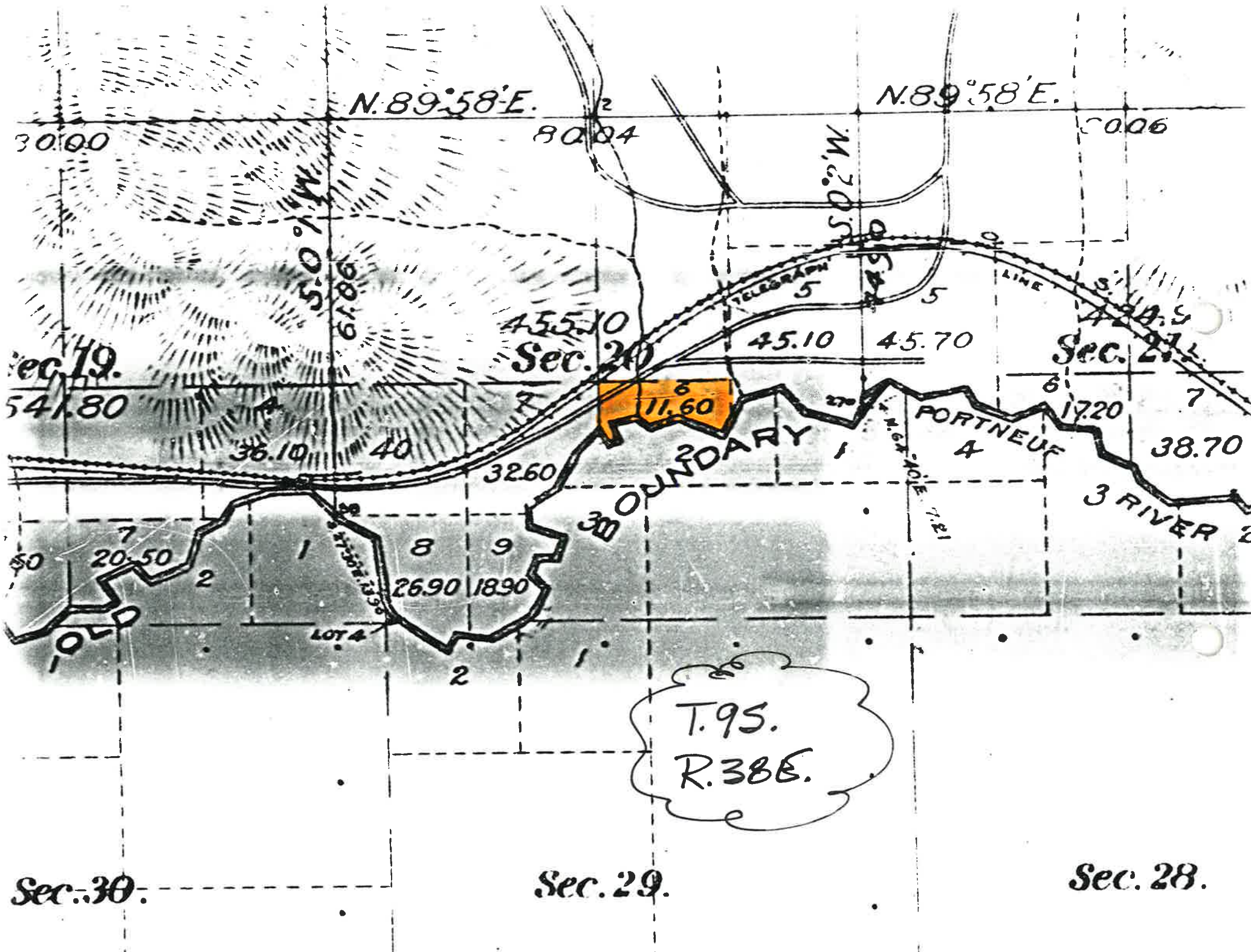
2.90 ac

T9S, R38E

Portneuf River

20 21

29 28



N. 89° 58' E.

N. 89° 58' E.

N. 1° 05' W.

S. 02° 2' W.

Sec. 19.

Sec. 20.

Sec. 21.

541.80

455.10

45.10

45.70

420.5

36.10

32.60

BOUNDARY

PORTNEUF

3 RIVER

T. 95.
R. 38 E.

Sec. 30.

Sec. 29.

Sec. 28.

w/Docs
9/12/01
ABR

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s): _____
Adjudication Claim No(s): A29-12267

2. The following **REQUIRED** information must be submitted with this form:

- ☒ A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
AND
☒ B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)
OR
☒ C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant

BRIAN BURGER P.O. Box 545
LAKE HOT SPRINGS ID 83246-0545

4. New Owner/Claimant(s)

JERRY F. AND MARIE B. JOHNSON

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

PO Box 822

City, State and ZIP Code

LAKE HOT SPRINGS, ID 83246

New Telephone Number

(208) 776-9914

5. Date you acquired the property

August 12, 1999

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes you acquired _____ Other uses _____

7. Signature of New Owner(s) or Claimant(s)

Marie B. Johnson

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

IN THE MATTER OF:

AFFIDAVIT

State of Idaho

County of _____

Forest Cagle

being first duly sworn,

deposes and says:

that I caused a water well
to be drilled & perfected on or about
June 1st 1959.

Said well located at 9611 Hiway 30
Lava Hot Springs, Id. - A.K.A. Lava Ranch Inn
motel.

F. W. Cagle
(signature)

Subscribed and sworn to before me this 19 day of February 19 91.

Barbara A. Byrum
(notary public)

Residing at Douglas, ID

My commission expires 12-22-93

2.2
99016043

- (16) THENCE NORTH 49°54'50" WEST 34.71 FEET;
(17) THENCE NORTH 31°16'40" WEST 50.06 FEET;
(18) THENCE NORTH 34°34'56" WEST 65.75 FEET;
(19) THENCE NORTH 48°16'19" WEST 34.63 FEET;
(20) THENCE NORTH 67°01'09" WEST 21.34 FEET;
(21) THENCE SOUTH 70°19'14" WEST 21.74 FEET;
(22) THENCE SOUTH 44°36'57" WEST 45.19 FEET;

THENCE NORTH 03°52'42" WEST 95.07 FEET TO THE TRUE POINT OF BEGINNING.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees their, heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that they will warrant and defend the same from all lawful claims whatsoever.

Dated: August 12, 1999

Helen Blackett

Helen Blackett

Jay D. Runnels

Jay D. Runnels

Bunita H. Runnels

Bunita H. Runnels

State of Idaho

County of Bannock

}
}ss.
}

On this 12th day of August, in the year 1999, before me, a Notary Public in and for said state, personally appeared Helen Blackett, Jay D. Runnels, Bunita H. Runnels

known or identified to me to be the persons whose names subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.



Melissa M. Drolling
Notary Public for the State of Idaho
Residing at: Inkom
Commission Expires: 12-10-99

99016043

RECORDS & DEEDS OF
ALLIANCE TITLE & ESCROW

99 AUG 13 AM 9 32

OFFICE BOOK NO 274

CITY IDAHO

LP RECORDER

FEE 6.00

2-1
WARRANTY DEED

99016043

Order No.:3019910053

FOR VALUE RECEIVED

HELEN BLACKETT, A SINGLE PERSON, AS TO AN UNDIVIDED 1/2 INTEREST AND JAY D. RUNNELS AND BUNITA H. RUNNELS, HUSBAND AND WIFE, AS TO AN UNDIVIDED 1/2 INTEREST

the grantors, do hereby grant, bargain, sell and convey unto

Jerry F. Johnson and Marie B. Johnson, Husband and Wife

whose current address is

P.O. BOX 822
LAVA HOT SPRINGS, ID 83246

the grantees, the following described premises, in Bannock County, Idaho, TO WIT:

A PART OF THE EAST HALF OF SECTION 20, TOWNSHIP 9 SOUTH, RANGE 38 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO DESCRIBED AS:

BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 20 THENCE SOUTH 89°59'03" WEST 2640.44 FEET ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION; THENCE SOUTH 00°00'58" WEST 323.77 FEET; THENCE EAST 9.52 FEET TO A 5/8" REBAR WITH CAP LABELLED "A.A. HUDSON, PLS 4735", TRUE POINT OF BEGINNING, A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY 30; FOLLOWING SAID RIGHT-OF-WAY LINE THE NEXT 2 COURSES:

(1) THENCE NORTH 64°49'54" EAST 23.14 FEET TO THE BEGINNING OF A 5680.00 FOOT RADIUS CURVE TO THE SOUTHEAST;

(2) THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 11°45'57" A DISTANCE OF 1166.40 FEET TO THE POINT OF TANGENCY (CHORD = NORTH 70°49'53" EAST 1164.37 FEET); FOLLOWING ALONG A FENCE THE NEXT 2 COURSES:

(1) THENCE SOUTH 09°47'35" EAST 150.03 FEET;

(2) THENCE SOUTH 13°53'33" EAST 20.01 FEET;

THENCE SOUTH 03°19'21" EAST 12.69 FEET; FOLLOWING THE CENTER OF THE PORTNEUF RIVER THE NEXT 22 COURSES:

(1) THENCE SOUTH 09°47'34" EAST 34.87 FEET;

(2) THENCE SOUTH 42°02'33" WEST 51.41 FEET;

(3) THENCE SOUTH 21°24'32" WEST 137.12 FEET;

(4) THENCE SOUTH 72°18'06" WEST 141.73 FEET;

(5) THENCE NORTH 72°09'22" WEST 163.77 FEET;

(6) THENCE SOUTH 79°51'03" WEST 157.69 FEET;

(7) THENCE SOUTH 87°48'26" WEST 102.10 FEET;

(8) THENCE NORTH 72°15'44" WEST 59.95 FEET;

(9) THENCE NORTH 51°04'19" WEST 125.51 FEET;

(10) THENCE SOUTH 73°15'08" WEST 89.04 FEET;

(11) THENCE SOUTH 57°11'42" WEST 78.54 FEET;

(12) THENCE SOUTH 20°22'26" WEST 39.98 FEET;

(13) THENCE SOUTH 14°51'49" EAST 127.56 FEET;

(14) THENCE SOUTH 23°45'02" WEST 51.99 FEET;

(15) THENCE SOUTH 58°36'37" WEST 26.90 FEET;

SCANNED

MAY 18 2001

Log for claim A29-12267

Spatial Dynamics PJM

9/5/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s38e	20	SWNE	1	0.2	
09s38e	20	NWSE	2	4.3	
Totals:			3	4.5	



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 13, 1991

Brian Berger
P.O. Box 545
Lava Hot Springs, ID 83246-0545

RE: Snake River Basin Adjudication (SRBA)
Bannock County - #A29-12267

Dear Mr. Berger:

Thank you for remitting an additional \$3.00 as requested in our August 21, 1991 letter. I have enclosed your receipt and a computer generated copy of the Notice of Claim referenced above for your records.

Please contact us if you have any questions.

Sincerely,

Sally Frazee
Secretary, Adjudication Section

SF:east
Enclosure:
#A29-12267
Receipt #C021617

MICROFILMED

NOV 16 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

August 21, 1991

Brian Berger
P.O. Box 545
Lava Hot Springs, ID 83246-0545

RE: Snake River Basin Adjudication (SRBA)
Bannock County - #A29-12267

Dear Mr. Berger:

While doing further research on your water right referenced above, we discovered a problem which requires your attention.

At the time of assisting you, the water rights agent presumed three acres had irrigation company water rights also, and thereby figured your filing fees at \$70.00. Upon further investigation, it was noted our presumption was not true. Therefore, an additional \$3.00 (for three acres) is needed from you in order to complete the filing.

We will suspend processing of your water right for 30 days until the additional \$3.00 is received. If you have any questions, please contact us. We apologize for this miscalculation of your fees.

Sincerely,

Donald V. Shaff
Manager, Adjudication Section

DVS:sf:state:tf

MICROFILMED

NOV 16 1992

C021617

8/29/1991

LAVA MOTEL, INC.

ADJUDICATION FEE_(SEE REC # C021343) 410162 9337 6490 3.00

CHECK 1447 \$3.00

A29-12267 - Water Right Numbers - - -

Region: STATE

Signature: _____

MICROFILMED
NOV 16 1992

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Berger

CLAIM IDENT. NO. A29-12267

DATE RECEIVED 7-29-91

CK # 0021343

AMOUNT \$ 70

- | | YES | NO | Required Info? |
|--|-------------------------------------|-------------------------------------|----------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered? | ☒ | ☐ | * |
| Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. | | | |
| 3. (a) Is a source entered? | ☒ | ☐ | * |
| (b) Is a tributary to entered? (if required) | ☐ N/A | ☐ | |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ | * |
| 5. Is there a description of the diverting works? | ☒ | ☐ | |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | ☒ | ☐ | * |
| Is the period of use included? | ☒ | ☐ | |
| Is a quantity claimed for each use? | ☒ | ☐ | * |
| 7. Is a total quantity claimed entered? | ☒ | ☐ | |
| 8. If required is a consumptive use entered? | ☐ N/A | ☐ | |
| Is the consumptive use correct? | ☐ N/A | ☐ | |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | ☐ N/A | ☐ | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☒ | ☐ | * |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ | |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ | |
| 13. Are other water rights listed or "none" indicated? | ☒ | ☐ | |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) | ☐ N/A | ☐ | |
| 15. Is the basis of the claim indicated? | ☒ | ☐ | |
| 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) | ☐ N/A | ☐ | |
| 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | ☒ | ☐ | * |
| 18. Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ | * |
| 19. Was this claim filed on time, or was an extension granted? | ☒ | ☐ | * |
| 20. Is the fee enclosed correct? | ☐ Exempt | ☒ | * |
| 21. If this claim is based on an existing water right, has the identification number been entered? | ☐ N/A | ☐ | |
| 22. Should this claim be data entered? | ☐ | ☐ | |

Claim checked by: [Signature]

Date: 8-05-91

Claim must be returned to claimant:

(Yes) ☐ (No) ☒

Claimant must be notified of modifications:

(Yes) ☐ (No) ☐

Receipt Prepared by: _____
Claim data entered by: _____
Sent to claimant by: _____

Date: _____
Date: _____
Date: _____

Checked by: _____

Date: _____

MICROFILMED

NOV 16 1992

Comments: Need (\$3) irrigation Total Fees = \$73. At the time of assisting you, agent presumed 3 acres was covered by irrigation co. WR(s), too.

ent of Water Resources

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.

Name of Claimant

(208) 776-9917
Phone Number

Mailing Address

City

State

Zip

County(s) where place of use is located

Date claim originally due

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:

ON 6 FEB 1990 CLAIMANT FILED APPLICATION FOR PERMIT 29-07907
 IN RESPONSE TO SPRA COMMENCEMENT. FURTHER RESEARCH BY CLAIM-
 ANT INDICATED USE STARTED PRIOR TO 1963. CLAIMANT CONTACTED
 BOISE S.O. AFTER RECEIVING APPROVED PERMIT AND WAS TOLD THAT
 HE SHOULD HAVE FILED SPRA NOTICE OF CLAIM

Claimant requests an extension to FEB 28, 1990, 19__

Signature

Date of request, 19__

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 July 29, 19 91

Signed this 3 day of August, 19 91

Director or his designated agent

DAVID B. SHAW

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

MICROFILMED

NOV 16 1992

C021343

7/30/1991

LAVA MOTEL, INC.

ADJUDICATION FEE_ (SEE REC # C021617)	410162 9337 6490	70.00
---------------------------------------	------------------	-------

CHECK	1404	\$70.00
-------	------	---------

Region: STATE

Signature: _____

MICROFILMED

NOV 16 1992

SCANNED

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: A29-12267

Date Received: 12/14/1990

Receipt No: C021343

Received By: [Signature]

RECEIVED
JUL 29 1991

Department of Water Resources

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BRIAN BERGER 208-776-9917
Address: P.O. BOX 545
LAVA HOT SPRINGS, ID 83246-0545

2. Date of Priority: JUN 01, 1959

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	38E	20		NW	SE	6	BANNOCK

5. Description of diverting works:
WELL, PUMP AND PIPELINES TO MOTEL AND IRRIGATED LAWN

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		
COMMERCIAL	01/01	12/31	0.200		

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

8. Total consumptive use is 15.0 Acre Feet Per Annum.

9. Non-irrigation uses:
COMMERCIAL USE IN MOTEL

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	38E	20	SW	NE		IRR	1.0
			SW	NE		COMMER	
			NW	SE	6	IRR	2.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	38E	20	NW	SE	6	COMMER	

Section Acres 3.0

Total Acres 3.0

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:

Place of use is split by a line between SWNE and Government Lot 6, Section 20, T9S, R38E.
Commercial use is for a motel and trailer park.

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): Brian Berger Date: 7/25/91

Date: _____

State of Idaho)
County of BANNOCK) SS.

Subscribed and sworn (or affirmed) before me this 25th day

of July 19 91

Seal

Patricia Kuster
Notary Public

Residing at Lava Hot Spring, Idaho

My Commission Expires 04-06-94

R38E

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LAVA HOT SP

T9S
R38E MINUTE SER

10 540 000 FEET

AD & P/O

