

10/04/2002

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

RIGHT NUMBER: 29-12902

NAME AND ADDRESS: FUHRIMAN RANCH INC
RICK FUHRIMAN PRES
997 E RICHARDS RD
DOWNEY ID 83234

SOURCE: MARSH CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.74 CFS

PRIORITY DATE: 08/30/1954

POINT OF DIVERSION:

T11S R36E S1 SWSWNW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.740 CFS

PLACE OF USE:	T11S R36E S01	NWNW	0.5	T11S R36E S01	SWNW	32.7
	T11S R36E S01	SENW	1.2	T11S R36E S02	SENE	2.6

37 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.

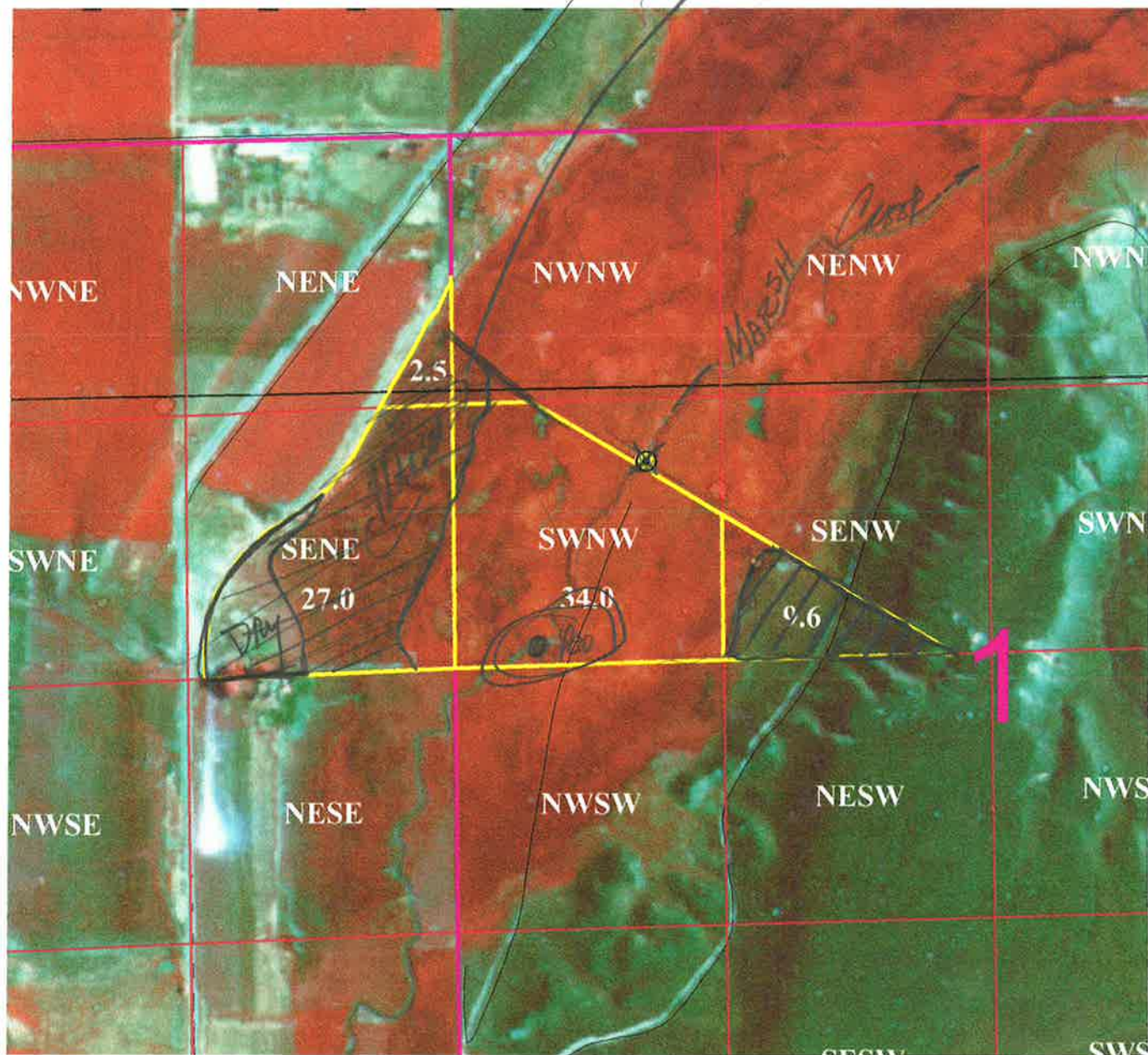
EXPLANATORY MATERIAL: Beneficial Use

Water Right Claim Number A29-12902

06/05/2000

Township, 11S36E

ownership *R*

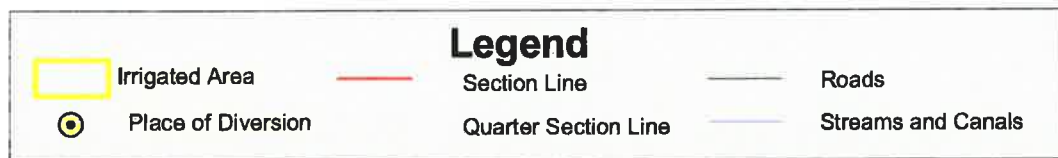
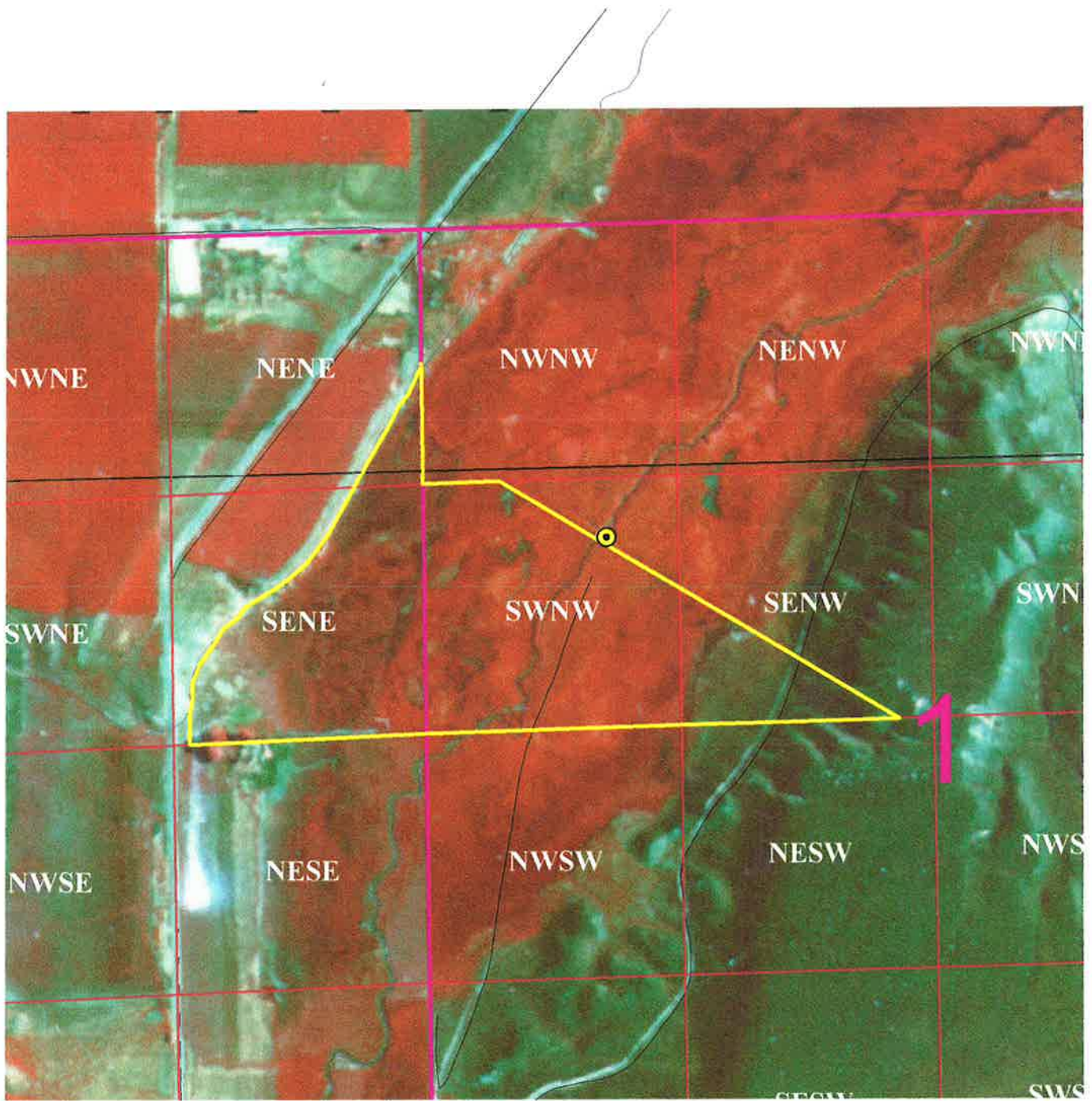


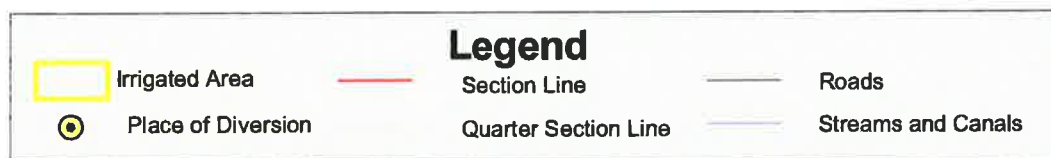
9/30/02 *ABR*
10/3/02

Legend					
	Irrigated Area		Section Line		Roads
	Place of Diversion		Quarter Section Line		Streams and Canals



Township , 11S36E



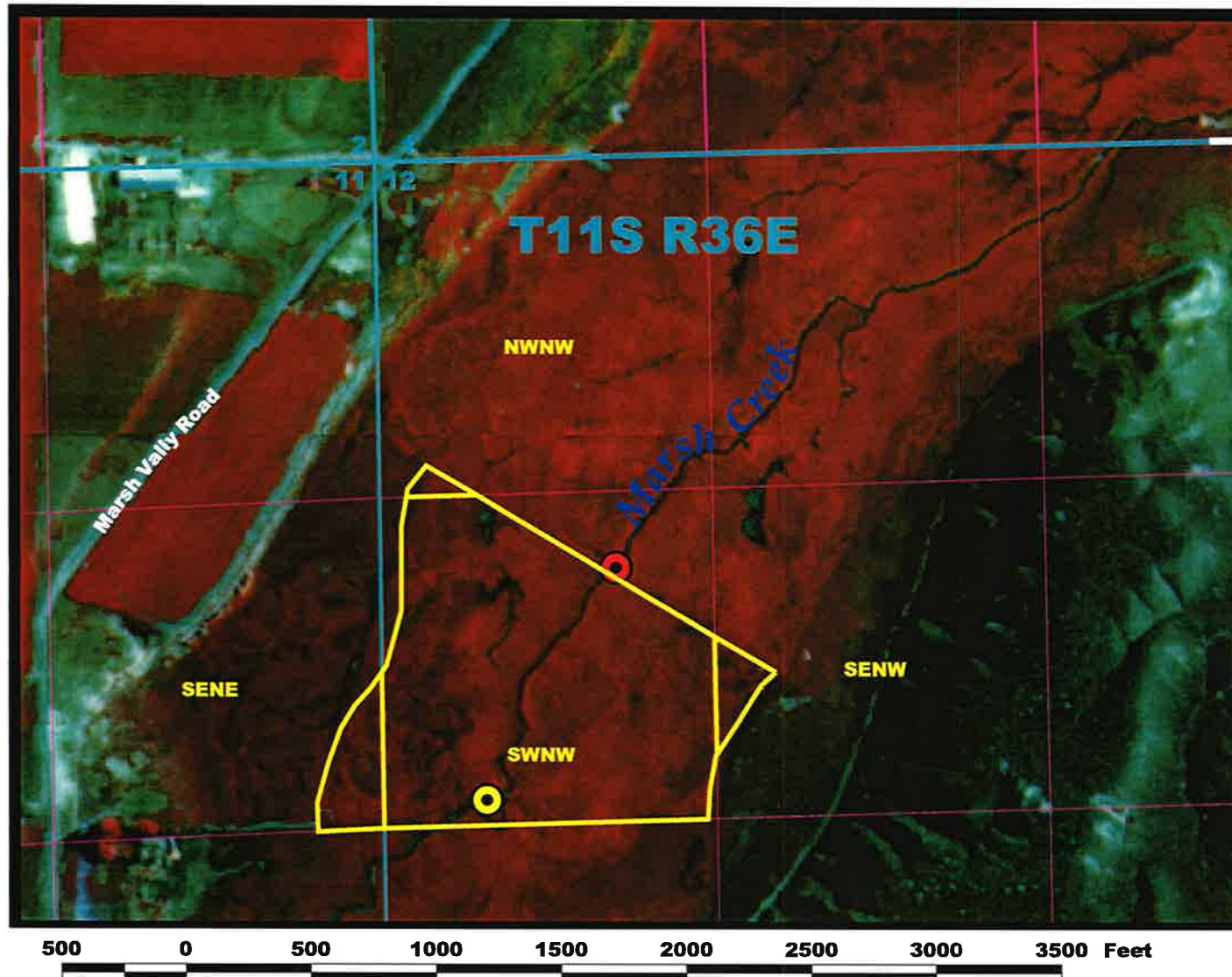




State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):
29-12902

Place of Use: (parts of)
T11S, R36E Sec. 11 SENE,
Sec. 12 W2NW, SENW

Point(s) of Diversion: T11S, R36E
Sec. 12 SWSWNW



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: 29-12902

FUHRIMAN RANCH INC
RICK FUHRIMAN PRES
997 E RICHARDS RD
DOWNEY ID 83234
Telephone Number: (208) 897-5568

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:

2/24/03

SIGNATURE:

Rick Fuhrman

Please print your name:

Rick Fuhrman

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

RECEIVED

FEB 28 2003

Department of Water Resources
Eastern Region

Contacts Data Entry Form

29-12902

Owner Type Full Name Address City State Zip Phone

Current Owner Fuhrman Ranch

Name connector: and _____, or _____, and/or _____

Current Owner Rick Fuhrman - Pres

Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

Directions to Property (if different from above) and/or update owner information:

BU claim based on old Permit # 25036(?)

Q: What happened to Permit? Lapsed Cancelled

FE: INDICATED, RDD & POU

Reviewer: _____

Date: _____

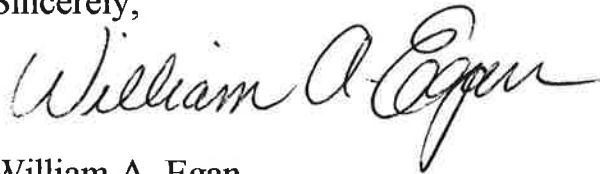
430 61 037
1/10/02
JW

December 1, 2002

To Whom It May Concern:

Rick Fuhriman requested that I convey to you my knowledge concerning the dam he has in Marsh Creek. I purchased the meadow next to his in 1971. The dam was in place at that time, was being used to flood his property then, and is still being used for that purpose. I do not have personal knowledge of the use of that dam prior 1971, but I am sure that Marsh Creek in that particular area has been diverted since pre-1900, because that would be the easiest way to utilize the water in that area. The Fuhriman dam also benefits the meadows below his property (Egan and Meadowbrook). Being further upstream, the Fuhriman dam has a tendency to force the water to the west, thus watering areas the lower dam (Egan's) is not capable of. The water from Marsh Creek is very essential for the production of hay and pasture on the meadows.

Sincerely,

A handwritten signature in cursive script that reads "William A. Egan". The signature is fluid and written in dark ink.

William A. Egan
1451 West Hawkins Rd.
Arimo, Idaho 83214

Priority Date Data Entry Form

Claim Number: _____

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: 8/30/1954 Claimed Basis: BURecommended Priority Date: _____ Recommended Basis: BU☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

NEEDS EVIDENCE OF PRIORITY -
What is Permit # 25036 All ABOUT?

Reviewer: _____

Date: _____

Claim Number: _____

Water Right Point of Diversion: T____, R____, Sec. _____, _____, _____, _____. County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T 11S, R 36E, Sec. 1, SW, SW, NW. County: BANN.

Source: Marsh Cr Tributary: Kootenai River

Recommended Point of Diversion: T____, R____, Sec. _____, _____, _____, _____. County: _____

Source: _____ Tributary: _____

GPS TAG # A0012575

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
-----	-----	-----	---------	----------------	--------	--------

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

Other rights from this POD? _____

Document how the POD and Source were verified and/or Pump and Motor data:

Fe: POP

Transfers Changing POD _____

Reviewer: _____

Date: _____

2
11 12

T11S R36E

NWNW

Marsh Creek

Marsh Valley Road

Fuhriman Ranch

29-12902

SENW

1.2

SWNW

32.7

2.6

SENE

0.5



Place Of Use Data Entry Form

Claim Number: _____

_____ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
11S	36E	1	SWNW		BANN		30	
			SENW				5	
		2	NENE				2	
			SENE				24	

Total Acres 61²

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
11S	36E	1	SWNW		BANN		32 ¹	
			SENW				13	
		2	NENE				0 ²	
			SENE				20	
		1	NWNW				05	

Total Acres 37

Document how the POU was verified:

FBI POU (across irrig) FLOOD FROM MARSH CR.
 WESTERN PART OF CLAIMED POU IS A MARSH - NO IRRIG.
 EASTERN PART POINT IS SIDENEIL AND DRY -

Transfers Changing POU _____

Reviewer: _____

Date: _____

Period of Use and Quantity Data Entry Form

Claim Number: _____

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
<i>Perzig</i>	<i>3/15</i>	<i>11/15</i>	<i>1.28</i>	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
<i>Perzig</i>	<i>4/1</i>	<i>10/31</i>	<i>1.28</i>	_____
_____	<i>DEPT</i>	<i>STD.</i>	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____ Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

DEPT STD SOU for ANON 4/1 TO 10/31 - So RECOMMENDED
Claims only irrig.

INTERPID MEASURES MARSH CK @ 17.24 cfs.

Claims 1.28 on 6/ac

PBZ 942-220/202 IC MAX IS @ 0.02 cfs/ac (15) = _____ cfs

Reviewer: _____

Date: _____

29-12902 BU Claim

I. BASED ON OLD Permit #25036

A. WHAT HAPPENED TO Permit?

1. LAPSED, when _____
2. LICENCED, # _____

II. Priority DATE BASED ON Permit - ?

A. REQUIRES EVIDENCE OF Priority. NEED

III. INTROPID ENG. MEASURES - MEASURES FULL FLOW OF MARSH CK
@ 1724 cfs -



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 29

RIGHT ID
POD ID
Quad
Claim Type
Easting
Northing
GPSID

Diversion Description

CULVERT WITH DAM IN STREAM, FLOOD IRRIGATION. Can divert full flow of Marsh Creek. 6 ft. diameter culvert runs 3 ft. deep. GPSID on main culvert, 647290E 156687N, about 30 yards north of diversion.

Assumptions

Slope.

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)

Invoice #

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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SCANNED

JUN 06 2000

Log for claim A29-12902

Spatial Dynamics TWB

6/5/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
11s36e	1	SWNW	30	34	
11s36e	1	SENW	5	9.6	
11s36e	2	NENE	2	2.5	
11s36e	2	SENE	24	27	
Totals:			61	73.1	

75036

AJ5809NP
No. A29-12902

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/24/00
PAGE: 197

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FUHRIMAN RANCH INC RICK FUHRIMAN PRES 997 E RICHARDS RD DOWNEY ID 83234 (208) 897-5568	08/30/1954	IRRIGATION	03-15 11-15	1.280 CFS	
TOTAL DIVERSION:					1.280 CFS	

Water Source: MARSH CREEK

Tributary to: PORTNEUF RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T11S R36E S01 SWSWNW

BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
11S	36E	1	:									30	05							:	35.0
11S	36E	2	:	02				24												:	26.0
TOTAL ACRES																				:	61.0

POU County: BANNOCK

Other Water Rights Listing Overlapping Place(s) of Use:
A29-02560 A29-02560A A29-07141 A29-11911

Remarks: GEN CLAIM IS BASED ON OLD PERMIT #25036, AND SO THE PRIORITY DATE.

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

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

Audit: 03/07/97 ARUBERRY

JUN 04 2001

LATE FEB 50⁰⁰
CLAIM FEB 50⁰⁰
Ac Feb 61⁰⁰
5/16/99

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: A29-12902
Date Received: 3/ 6/1997
Receipt No: EQ22998
Received By: ASR

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FUHRIMAN RANCH INC
Address: RICK FUHRIMAN PRES
997 E RICHARDS RD
DOWNEY ID

208-897-5568

Call 221-2710

83234



2. Date of Priority: AUG 30, 1954

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11S	36E	1	SW	SW	NW		BANNOCK

5. Description of diverting works:
CULVERT WITH DAM IN STREAM, FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.280		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
11S	36E	1	SW	NW		IRR	30.0
			SE	NW		IRR	5.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	35.0
		2	NE	NE	IRR	2.0
			SE	NE	IRR	24.0
					Section Acres	26.0
					Total Acres	61.0

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:

14. Remarks:

CLAIM IS BASED ON OLD PERMIT #25036, AND SO THE PRIORITY DATE.

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Organizations:

I do solemnly swear or affirm that I am President of
Fuhrman Ranch Inc., that I have signed the foregoing
Organization document in the space below as President of
Fuhrman Ranch Inc. and that the statements contained in the
Organization foregoing document are true and correct.

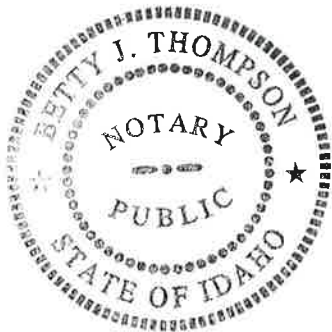
Rick Fuhrman
Signature of Authorized Agent
President Fuhrman Ranch Inc
Title and Organization
3/6/97
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 6th day
of March 19 97

Betty J. Thompson
Notary Public

Seal



Residing at BETTY J. THOMPSON, NOTARY PUBLIC
RESIDING AT IDAHO FALLS, IDAHO
My Commission ~~Expires~~ EXPIRES 7-05-2000



A29-12902

T10S
T11S

R36E
R37E

A. ROOT WATER RIGHT NUMBERS: A29-12902

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
11S	36E	1	SW	NW		FUHRIMAN RANCH INC	A29-12902 / 30.0	- /			
			SW	NW		MORRISON, PHILIP	A29-11911 / 25.0	- /			33.0
			SW	NW		EGAN, WILLIAM A.		29-04463 / 20.0			
11S	36E	1	SE	NW		FUHRIMAN RANCH INC	A29-12902 / 5.0	- /			
			SE	NW		EGAN, WILLIAM A.		29-04463 / 30.0			9.0
11S	36E	2	NE	NE		FUHRIMAN RANCH INC	A29-12902 / 2.0	- /			
			NE	NE	1	MAYNARD LAND & LIVESTOCK LLC	A29-07043 / 27.0	29-07043 / 27.0			
			NE	NE	1	FUHRIMAN RANCH INC	A29-07141 / 28.0	29-07141 / 19.0			
			NE	NE		MAYNARD LAND & LIVESTOCK LLC		29-07731 / 35.0			
11S	36E	2	SE	NE		FUHRIMAN RANCH INC	A29-12902 / 24.0	- /			
			SE	NE		BENNETT, REID E	A29-12056 /	- /			39.0
			SE	NE		MARSH CENTER IRRIGATION CO	A29-02560A / 4.0	- /			
			SE	NE		FUHRIMAN RANCH INC	A29-07141 / 8.0	29-07141 / 2.0			
			SE	NE		FUHRIMAN RANCH INC	A29-13105 /	- /			
			SE	NE		MARSH CENTER IRRIGATION CO.		29-02560 / 4.0			
			SE	NE		MAYNARD LAND & LIVESTOCK LLC		29-07731 / 13.0			

ADDITIONAL POU FOUND

TOTAL ACRES	A29-12902	61.00	81.00
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POU COUNTY: BANNOCK

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A29-12902	11S 36E	1	SW	SW	NW			BANNOCK		
OTHER AJ CLAIMS WITH SAME AJ POD			WR RECORDS IN SAME 40 ACRE TRACT							
A PREFIX			R PREFIX							
A29-04463A			NONE							
A29-11495			NONE							

SOURCE: MARSH CREEK

TRIB: PORTNEUF RIVER

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM _____ NAME OF EXAMINER _____) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

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
A29-12902	MARSH CREEK	FUHRIMAN RANCH INC	1.280	0.020		
A29-02560A	WIREGRASS SPRINGS	MARSH CENTER IRRIGATION CO			24.00	0.11
A29-07043	GROUNDWATER	MAYNARD LAND & LIVESTOCK LLC	1.190	0.007	361.00	2.25
A29-07141	GROUNDWATER	FUHRIMAN RANCH INC	0.810	0.019		
A29-11911	MARSH CREEK	MORRISON, PHILIP	0.500	0.020		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A29-12056	DOMESTIC	BENNETT, REID E	FROM 01-01 TO 12-31	0.040 CFS	
A29-13105	DOMESTIC	FUHRIMAN RANCH INC	FROM 01-01 TO 12-31	0.040 CFS	
A29-13105	STOCKWATER	FUHRIMAN RANCH INC	FROM 01-01 TO 12-31	0.020 CFS	

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM:

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y() N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N()

[illegible]

TOTAL ACRES: _____ N/A(____)

REVIEWED BY: _____ DATE: _____