

IDAHO DEPARTMENT OF WATER RESOURCES 11/15/2001  
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

NAME AND ADDRESS: JODI L GOING  
4394 W PORTNEUF RD  
PO BOX 2326  
POCATELLO ID 83206

SOURCE: PORTNEUF RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.05 CFS

PRIORITY DATE: 12/31/1954

POINT OF DIVERSION:

T07S R35E S24 NWSWSE 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          | 0.050 CFS       |

PLACE OF USE: IRRIGATION Within BANNOCK County

T07S R35E S24 SWSE 1.5

1.5 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.

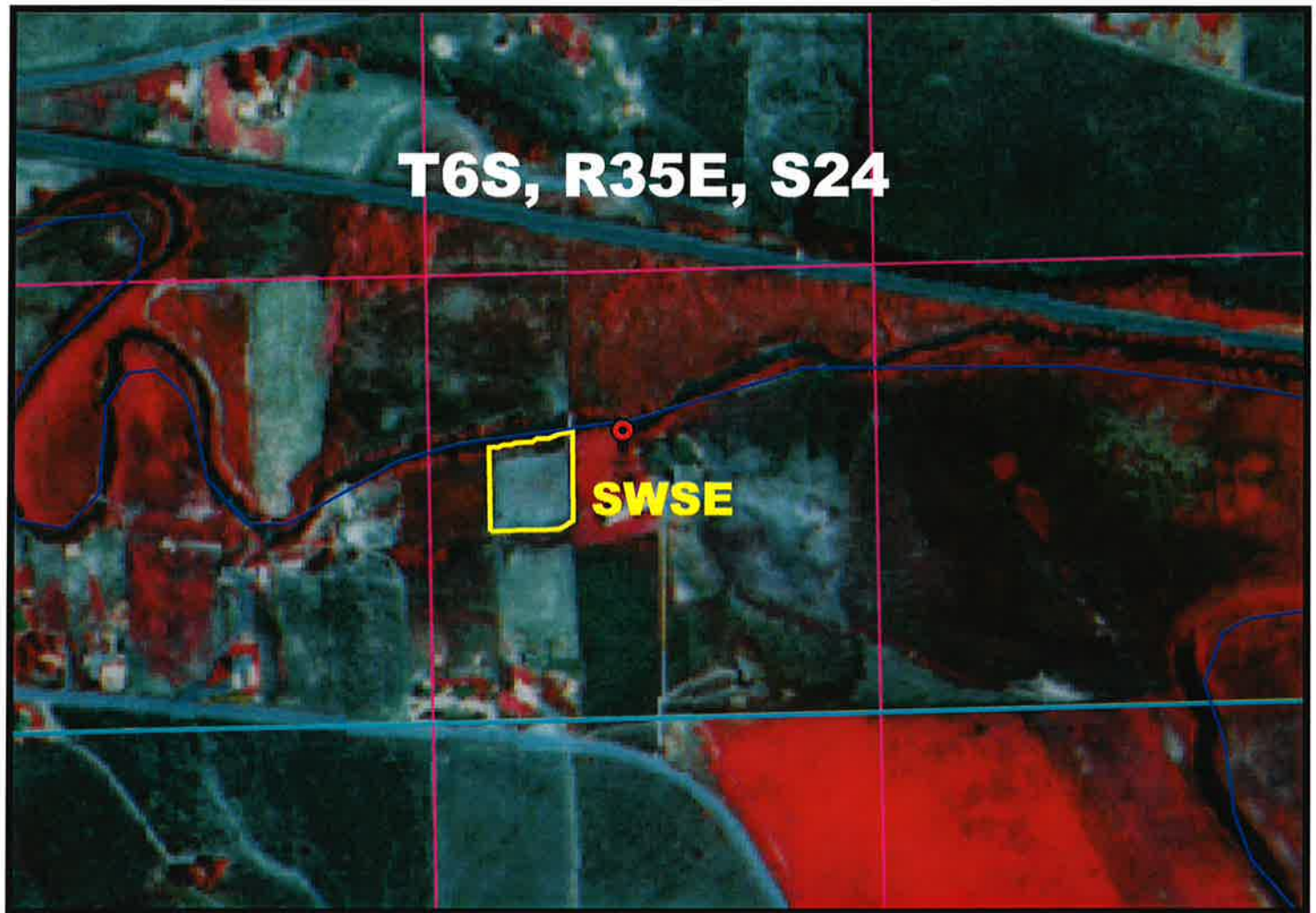
EXPLANATORY MATERIAL: Beneficial Use



# STATE OF IDAHO

Department of Water Resources  
Eastern Region

Water Right(s): 29-13135



0 1320 Feet

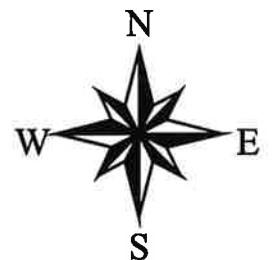
**Total Irrigated Acres: 1.5**

● 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: November 2001

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 29-13135 V1

WATER RIGHT NUMBER: 29-13135 V1

| <u>Owner Type</u> | <u>Name and Address</u>                                                                    |
|-------------------|--------------------------------------------------------------------------------------------|
| Original Owner    | GERALD L NEWTON<br>PO BOX 489<br>INKOM, ID 83245<br>(208)775-3163                          |
| Original Owner    | MARY R NEWTON<br>PO BOX 489<br>INKOM, ID 83245<br>(208)775-3163                            |
| Original Owner    | GERALD L NEWTON<br>71 RIVERSIDE DR<br>POCATELLO, ID 83204<br>(208)233-7724                 |
| Original Owner    | CAROL L BAGLEY<br>RT 2 BOX 4170<br>INKOM, ID 83245                                         |
| Original Owner    | MARY R NEWTON<br>71 RIVERSIDE DR<br>POCATELLO, ID 83204<br>(208)233-7724                   |
| Current Owner     | JODI L GOING<br>4394 W PORTNEUF RD<br>PO BOX 2326<br>POCATELLO, ID 83206<br>(208) 775-3116 |

Priority Date: 12/31/1954

Basis: Beneficial Use

Status: Active

| <u>Source</u>  | <u>Tributary</u> |
|----------------|------------------|
| PORTNEUF RIVER | SNAKE RIVER      |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION            | 04/01 to 10/31          | 0.050 CFS             |                      |
|                       | <u>Total Diversion:</u> | 0.050 CFS             |                      |

Location of Point(s) of Diversion

|                |                 |                                 |
|----------------|-----------------|---------------------------------|
| PORTNEUF RIVER | NW1/4SW1/4SE1/4 | Sec. 24, Twp 07S, Rge 35E, B.M. |
| BANNOCK County |                 |                                 |

Place of UseIRRIGATION Within BANNOCK County

T07S R35E S24 SWSE 1.5

Total Acres: 1.5

Conditions of Approval:

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 29-13135 V1

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 11/15/2001 POD

Comment: This claim is a split portion of 29-04336. Property under claim was split off on September 6, 1994. Some time after that their pump was put in the river. Recommend at 1987 POD. Need to file a Transfer for new POD.

2. csaxton 11/15/2001 Priority Date

Comment: Priority date based on an affidavit provided by Jark Barron stating that he knows that the hillside previously owned by Gerald Newton was irrigated from sprinklers since 1954.

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: OR

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  | 11/15/2001 2:29:17 PM     | csaxton         |                           |                 | Active        |
| POD            | 11/15/2001 2:31:45 PM     | csaxton         |                           |                 | Active        |
| Source         | 11/15/2001 4:11:33 PM     | csaxton         |                           |                 | Active        |
| POU            | 11/15/2001 4:12:13 PM     | csaxton         |                           |                 | Active        |
| Use            | 11/15/2001 4:13:53 PM     | csaxton         |                           |                 | Active        |
| Season         | 11/15/2001 4:14:36 PM     | csaxton         |                           |                 | Active        |
| Quantity       | 11/15/2001 4:15:56 PM     | csaxton         |                           |                 | Active        |
| Summary        | 11/15/2001 4:18:45 PM     | csaxton         | 11/15/2001 4:18:45 PM     | csaxton         | Active        |

Verification Log:

| <u>Element</u> | <u>Date Time Stamp</u> | <u>Reviewer</u> | <u>Log text</u> |
|----------------|------------------------|-----------------|-----------------|
|----------------|------------------------|-----------------|-----------------|

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 29-13135 V1

|               |                       |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|---------------|-----------------------|---------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Contacts      | 11/15/2001 1:56:00 PM | csaxton | (No) 1. Do you want to schedule an appointment?<br><br>Comment for 1: Field exam 9/13/01.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Priority Date | 11/15/2001 2:29:20 PM | csaxton | (No) 1. Should this water use have been included in a later court decree of the water rights from this source?<br>(No) 4. Is the basis of claim decree or license?<br>(No) 7. Is the basis of claim a Application or Permit?<br>(No) 8. Is the basis of claim a posted notice?<br>(No) 9. Is the Priority Date claimed after the date a permit is required for the source and the water use?<br>(Yes) 12. Does the claim file contain sufficient evidence of Priority Date?<br>(Yes) 15. Is the basis of claim coded correctly?<br>(No) 16. Is a Priority Date remark and/or condition required?<br>Description for Question 12/13 - Priority date based on an affidavit provided by Jark Barron stating that he knows that the hillside previously owned by Gerald Newton was irrigated from sprinklers since 1954. |
| POD           | 11/15/2001 4:10:24 PM | csaxton | Edited point location                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| POD           | 11/15/2001 2:31:48 PM | csaxton | (No) 1. Is the basis of this claim a Decree or License?<br>(No) 2. Is the basis of this claim a Application or Permit?<br>(Yes) 6. Is there evidence that there has been a change in the POD?<br>(No) 7. Can the change be verified as an accomplished transfer?<br>(Yes) 8. Does the file contain all the necessary information to verify the POD?<br>(No) 10. Is a POD remark and/or condition required?<br>Description for Question 6 - Priority date based on an affidavit provided by Jark Barron stating that he knows that the hillside previously owned by Gerald Newton was irrigated from sprinklers since 1954.                                                                                                                                                                                           |
| POD           | 11/15/2001 4:10:52 PM | csaxton | Edited PLS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Source        | 11/15/2001 4:11:37 PM | csaxton | (No) 1. Is the basis of claim decree or license?<br>(No) 2. Is the basis of claim an Application or Permit?<br>(No) 6. Is the basis of claim a Posted Notice?<br>(No) 7. Is there evidence that there has been a change in the source?<br>(Yes) 10. Does the file contain all the necessary information to verify the source?<br>(No) 11. Is a Source remark and/or condition required?<br>Description for Question 10 - Field Exam 9/13/01                                                                                                                                                                                                                                                                                                                                                                          |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 29-13135 V1

|        |                       |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|--------|-----------------------|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| POU    | 11/15/2001 4:12:16 PM | csaxton | <p>(No) 1. Is the basis of this claim a Decree or License?</p> <p>(Yes) 2b. Is the POU required?</p> <p>(No) 3. Is the basis of claim a Application or Permit?</p> <p>(No) 7. Is there evidence that there has been a change in the POU?</p> <p>(Yes) 13. Does the file contain all the necessary information to verify the POU?</p> <p>(No) 14. Is a POU remark and/or condition required?</p> <p>Description for Question 13 - Field Exam 9/13/01</p>                                                                                                                                                                                   |
| POU    | 11/15/2001 4:12:50 PM | csaxton | Edited shape boundary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| POU    | 11/15/2001 4:13:07 PM | csaxton | Edited PLS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Use    | 11/15/2001 4:13:56 PM | csaxton | <p>(No) 1. Is the basis of this claim a Decree or License?</p> <p>(No) 2. Is the basis of this claim a Application or Permit?</p> <p>(No) 6. Is there evidence that there has been a change in the Purpose of Use?</p> <p>(Yes) 11. Does the file contain all the necessary information to verify the Water Use?</p> <p>(No) 13. Is a Purpose of Use remark and/or condition required?</p> <p>Description for Question 10,11,12 - Field Exam 9/13/01</p>                                                                                                                                                                                  |
| Season | 11/15/2001 4:14:39 PM | csaxton | <p>(No) 1. Is the basis of claim decree or license?</p> <p>(No) 2. Is the basis of claim a Application or Permit?</p> <p>(No) 6. Is there evidence that there has been a change in the Period of Use?</p> <p>(Yes) 12. Does the file contain all the necessary information to verify the Period of Use?</p> <p>(No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administrativly determined?</p> <p>(Yes) 15. Is irrigation claimed as a Purpose of Use?</p> <p>(No) 18. Is a Period of Use remark and/or condition required?</p>                                    |
| POD    | 11/15/2001 4:16:00 PM | csaxton | <p>(No) 1. Is the basis of this claim a Decree or License?</p> <p>(No) 2. Is the basis of this claim a Application or Permit?</p> <p>(No) 6. Is the basis of claim a posted notice?</p> <p>(No) 7. Is a flow measurement required?</p> <p>(No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit?</p> <p>(No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use?</p> <p>(No) 12. Is a Quantity remark or condition required?</p> <p>Description for Question 7 - Per David Tuthill, claims less than 0.20 cfs do not require measurement.</p> |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 29-13135 V1

Summary 11/15/2001 4:18:48 PM 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?  
(Yes) 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?



# IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 29



RIGHT ID     
POD ID   
Quad   
Claim Type   
Easting   
Northing   
GPSID

## Diversion Description

## Assumptions

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)

0

## 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

*This Form and the associated query are the exclusive intellectual property of Intrepid Engineering Services, and may not be copied, modified, or distributed without the express written consent of Intrepid Engineering Serviv, Inc.*

SCANNED

JUN 15 2001

4/10/01

Parent Right 28-04336

- Priority Evidence is lapsel Permit
- Follow up Priority Evidence probably needs
- see 28-13134



22-141 50 SHEETS  
22-142 100 SHEETS  
22-144 200 SHEETS

Marc J. Barron  
3440 W. Portneuf Road  
Inkom Idaho 83245  
208-775-3562

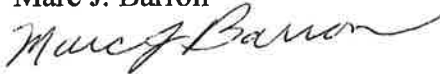
To whom it may concern:

I have witnessed the use of water for irrigation on the ground now owned by Gerold Newton at 4386 W. Portneuf Road, Inkom Idaho out of the Portneuf River since 1954.

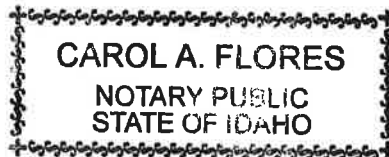
The ground east of his house was flood irrigated for many years until the sprinklers were used. The ground south of the house on the hill has been sprinkled as long as I can remember.

I am enclosing a letter from Risdon W. Barron that I received from him in 1995 as to the water rights we applied for. In talking to him he stated the water we use was diverted from the Portneuf River on ground now owned by Elmer Stanger and the ditch ran through our farm when we used water and continued to the ground now owned by Mr. Newton. The ground east of Mr. Newton's house was irrigated out of that ditch since at least 1912.

Marc J. Barron



  
Notary Public



Residing Pocatello, Id.

My Commission Expires 7-17-2004

**29-13135**

**POD**

**Field Exam 9/13/01**



Looking South with Portneuf river in picture. Portable pump used to divert water to POU located behind me in picture (csaxton)

**29-13135**

**POD**

**Field Exam 9/13/01**



Looking South with Portneuf river in picture. Portable pump used to divert water to POU located behind me in picture (csaxton).

**29-13135**

**POD**

**Field Exam 9/13/01**



Looking South. Irrigate POU in picture. POD and Portneuf river behind me in Picture (csaxton).

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Idaho.

CANCELLED pursuant to Sec. 1594,  
Compiled Statutes of Idaho, by  
order of Commissioner of Reclamation  
dated MAY 24 1922

1. Name of applicant - JOHN McMAHON

Postoffice address: P. O. - Pocatello, Bannock,  
Idaho.

2. The quantity of water claimed is one cubic foot per second.

3. Source of water supply - Portneuf River.

County of Bannock.

4. Location of point of diversion on the line between the SE4 of the SE4 and SW4 of  
the SE4 Sec. 24, Tp. 7 S., R. 35 E.

5. To be used for:

I. Irrigation and domestic use:

(a) Number of acres to be irrigated 50 acres.

(b) In the following legal subdivisions - S2 SE4 and SE4 SW4 Sec.  
24, Tp. 7 S., R. 35 E.

6. Estimated cost of works - Two Hundred and twenty-five dollars.

7. Description of Works for Diversion:

I. Kinds of works - Dam and ditch.

II. Dimensions of Works:

(a) Height of dam 3 feet, length of dam at top 25 feet, length of dam  
at bottom 25 feet, material used in construction stone and earth.

(c) Size of headgate, width 12 feet, height 4 feet.

(d) Ditch (flume or pipe) width at bottom 6", width at water line 1  
foot, depth of water 1 foot. Average grade per mile is 4 feet.  
Length of ditch is  $\frac{1}{4}$  mile, and it crosses the following quarter sec-  
tions - S2 SE4 and SE4 SW4 Sec. 24, Twp. 7 S., R. 35 E., to  
these 3 forties, which are the points of intended use.

8. Time required for the completion of the construction of such work is one year.

9. Time required for the complete application of the water to the proposed use is 3  
additional years.

Approval of State Engineer

The number of this permit is 2255.

Date of first receipt of application 9 a. m. September 1, 1906.

Returned to applicant for correction September 1, 1906.

Corrected application received September 6, 1906.

- the 3 forties, which are the per... in work is one year.
8. Time required for the completion of the construction of
  9. Time required for the complete application of the water to the proposed use is 3 additional years.

Approval of State Engineer

The number of this permit is 2255.

Date of first receipt of application 9 a. m. September 1, 1906.

Returned to applicant for correction September 1, 1906.

Corrected application received September 6, 1906.

Recorded in Book 7, page 2255. Approved September 8, 1906.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho and hereby grant the same, subject to the following limitations and conditions:

Work to begin on or before November 7, 1906, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over

which permit holder has no control.

One-fifth of the work above specified to be completed on or before March 8, 1907.

The whole of said work to be completed on or before September 8, 1907.

The time for the proof of beneficial use of water appropriated in accordance

herewith, to extend to September 8, 1910.

Witness my hand this 8 day of September, 1906.

Jas. Stephenson, Jr

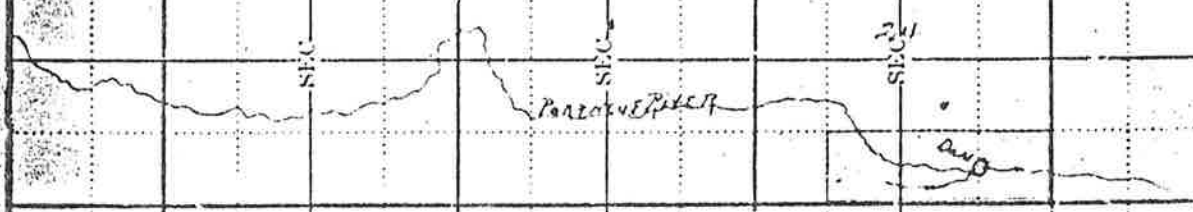
State Engineer.

TOWN 34 7 SOUTH - RANGE 35 E RM

Application No. 3160  
PERMIT NO. 3255

John McMahon  
One Sec. ft. of Fortna's River  
Bannock County  
Approved September 8, 1906.

Jas. Stephenson Jr.  
State Engineer



P 2255

3255

Boise, Idaho, September 20, 1906.

Bannock Abstract Deposit & Trust Co.,

Bozcatello, Idaho.

Gentlemen:-

I enclose herewith the following permits:

No. 2253 in favor of Huber K. Peirce, Inkon, Idaho.  
No. 2254 in favor of Jessie H. Byington, et al  
No. 2255 in favor of John McManen.

Yours truly,

State engineer.

2255

State of Idaho  
ENGINEERING DEPARTMENT  
BOISE

JAS. STEPHENSON, JR.,  
ENGINEER

INSTRUCTIONS

Proof of Completion of Works.

Boise, Idaho,

June 1, 1907.

John McMahon  
Pocatello, Idaho.

Dear Sir:

I enclose herewith blank form upon which to give notice that you are prepared and desire to submit proof of completion of works under your Permit No.

This form should be filled out and mailed to the State Engineer at least 60 days before the date upon which proof is to be submitted, which proof MUST be on or before . . . . . Upon receipt of the blank, properly filled out, notice for publication will be sent to the paper direct from this office, which notice must be published a period of four weeks prior to the date of proof.

The proof may be submitted at any place, convenient to you and two witnesses, where there is a notary public or other officer authorized to administer oaths.

One of the requirements of the law is that an examination of the works constructed shall be made under the authority of the State Engineer. In order to make the expense as light as possible you are requested to furnish the name of a competent engineer, or surveyor, who can do this work for you at a reasonable cost. Upon receipt of name of such engineer or surveyor I will authorize him to make the examination and send me a report on or before the date set for the proof.

The certificate that shall be issued under this proof does not give you a perpetual right to the use of the water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

JAS. STEPHENSON, Jr.,

State Engineer.

2255

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

April 14, 1922

Re: Permit No. 2255

To: John McInnis,  
Pocatello, Idaho.

It appearing to the Commissioner of Reclamation that the terms and conditions of Permit No. 2255 to appropriate the Public Waters of the State of Idaho, have not been complied with as to proof of completion of work on September 8, 1907

you are hereby notified, in compliance with Sec. 5594, Compiled Statutes of Idaho, that said Permit No. 2255 is hereby held for cancellation.

You are hereby required to show cause before the Commissioner of Reclamation on or before forty days from date of this notice why said Permit should not be cancelled.

Said Permit No. 2255 claims the use of 1 cubic foot per second of the waters of Portneuf River with point of diversion located on Sec. 24, T. 7 S. 35 E. and was approved September 8, 1906 1922

In Witness Whereof, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, this 14th day of April 1922

J. C. McInnis

Commissioner of Reclamation.

By

Deputy

2255

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

IN THE MATTER OF CANCELLATION  
OF PERMIT TO APPROPRIATE THE  
PUBLIC WATERS OF THE STATE OF } ORDER OF CANCELLATION  
IDAHO, No. 2255

WHEREAS, Permit No. 2255 lapsed through failure of the holder to  
make proof of completion of works within the time specified in the Permit, to-wit: \_\_\_\_\_  
September 8, 1907 and,

WHEREAS, due notice was given the holder of said Permit that such proof would be due  
on the date above mentioned, and,

WHEREAS, on April 14, 1922, notice was sent to the holder of said  
Permit to appear before the Commissioner of Reclamation on or before 40 days to show cause why  
such Permit should not be cancelled, and,

WHEREAS, the holder of said Permit has failed to comply with the said requirements, and  
that no showing has been made as to completion of the works under said Permit:

IT IS, THEREFORE, hereby ordered that Permit No. 2255 be and  
the same is hereby cancelled and held for naught.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of  
this Department, at Boise, Idaho, this 25th day of May, 1922.

  
Commissioner of Reclamation.

2255



POCATELLO TITLE & TRUST CO.  
280 WEST CENTER STREET

PACIFIC DEPARTMENT

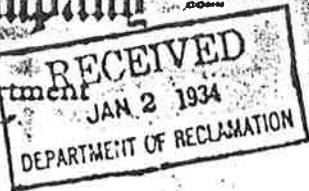
**Aetna Insurance Company**

INCORPORATED 1890

Aetna Fire Underwriters Department

234 BUSH STREET, SAN FRANCISCO, CALIF.

POCATELLO, IDAHO



December 30, 1933

Hon. R. W. Farris,  
Commissioner of Reclamation,  
Boise, Idaho.

Dear Sir:-

Will you kindly advise us at your earliest convenience whether or not you have a record of water license under Permit No. 2255, issued September 8, 1906, by the State Engineer of the State of Idaho. This water right pertains to, among other lands, the Southeast quarter of the Southwest quarter and the South half of the Southeast quarter of Section 24, Township 7 South, Range 35 East of the Boise Meridian, being the property belonging to Mr. Marcus E. Hooker and sold under contract to Arthur J. Barron of Inkom, Idaho.

Should you have a record in your office, we should like to be advised as to just what it consists of. It is just possible that we may want certified copies of these water rights, but will advise you at a later date.

Thanking you for your courtesy herein,  
we are

Very truly yours,

BANNOCK TITLE-ABSTRACT COMPANY,

Secretary.

TJT:V

2255

January 5, 1934

Re: Permit No. 2255  
John McMahon

BANKOCK TITLE-ABSTRACT COMPANY  
Mr. Theo. J. Turner, Secretary  
Postello, Idaho

Dear Sir:

In reply to your letter dated December 30, 1933, we wish to advise you that the above permit, issued to John McMahon on September 8, 1906, for one cubic foot per second of the waters of the PORTNEUY RIVER, was cancelled on May 24, 1922. The order of cancellation was drawn in accordance with the provisions of Section 5594, Idaho Compiled Statutes for the reason that the holder failed to offer proof of completion of works in accordance with the terms of the permit.

Very truly yours,

R. W. FARIS  
Commissioner of Reclamation

By \_\_\_\_\_  
Chief Clerk & Office Engr.

PLH:RC

2255



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

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

EASTERN REGION

November 27, 2000

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

JODI L GOING  
4394 W PORTNEUF RD  
PO BOX 2326  
POCATELLO ID 83206

RE: CHANGE IN OWNERSHIP FOR 29-4336

Dear Ms. Going:

The request for Change in Ownership for a portion of the above-referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

29-13134, 45.5 acres, 0.91 cfs, Newton  
29-13135, 2.5 acres, 0.05 cfs, Going

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

Jennifer Crabtree  
Technical Records Specialist

Enclosure

DELOG  
JC 8/21/00

RECEIVED

AUG 21 2000

STATE OF IDAHO  
IDAHO DEPARTMENT OF WATER RESOURCES  
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIPDepartment of Water Resources  
Eastern RegionPlease 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): A29-04336  
Adjudication Claim No(s): \_\_\_\_\_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/ClaimantGERALD L. NEWTON  
4386 W. PORTNEUF Rd. (PO Box 2326) INKOM, ID 83245

4. New Owner/Claimant(s)

Jodi L. Going  
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or  
4394 W. Portneuf Rd (P.O. Box 2326) POC, Id. 83204

New Mailing Address

City, State and ZIP Code

INKOM, ID 83245

New Telephone Number

(208) 775-3116

5. Date you acquired the property

April 28, 00

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 2.5 Number and type of stockHorses & Cows

Diversion rate in CFS \_\_\_\_\_

Number of homes you acquired 1

Other uses \_\_\_\_\_

7.

Signature of New Owner(s)  
or Claimant(s)Jodi L. Going

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.

Chain of title conveyed Property from Shirley Knifer no interest

JUN 15 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 29-13135  
Date Received: 11/27/00  
Receipt No:  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JODI L GOING Phone: (208) 775-3116

4394 W PORTNEUF RD  
PO BOX 2326  
POCATELLO ID USA 83206

2. Date of Priority: 09/08/1906

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  |
| 07S      | 35E   | 24      | SW SE                 | BANNOCK |

5. Description of diverting works:

PUMP & PIPELINE

6. Water is used for the following purposes:

|            |       |       |        |            |
|------------|-------|-------|--------|------------|
| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
| IRRIGATION | 04/01 | 11/01 | 0.05   |            |

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

8. Total consumptive use:

9. Non-irrigation uses:

A2913135



10. Place of use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
| 07S      | 35E   | 24      | SW         | SE  | IRRIGATION    | 2.5   |
|          |       |         |            |     | Section Acres | 2.5   |
|          |       |         |            |     | Total Acres   | 2.5   |

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:

15. Basis of Claim: Statutory Claim