

01/06/2003

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

RIGHT NUMBER: 29-13173

NAME AND ADDRESS: KIRK JACKSON
1290 E UPPER ROCK CR
INKOM ID 83245

SUSAN JACKSON
1290 E UPPER ROCK CR RD
INKOM ID 83245

SOURCE: RAPID CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.010 CFS

PRIORITY DATE: 06/19/1902

POINT OF DIVERSION:

T07S R36E S14 NWNWNW 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	0.010 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T07S R36E S14 NWNW 0.3

0.3 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.

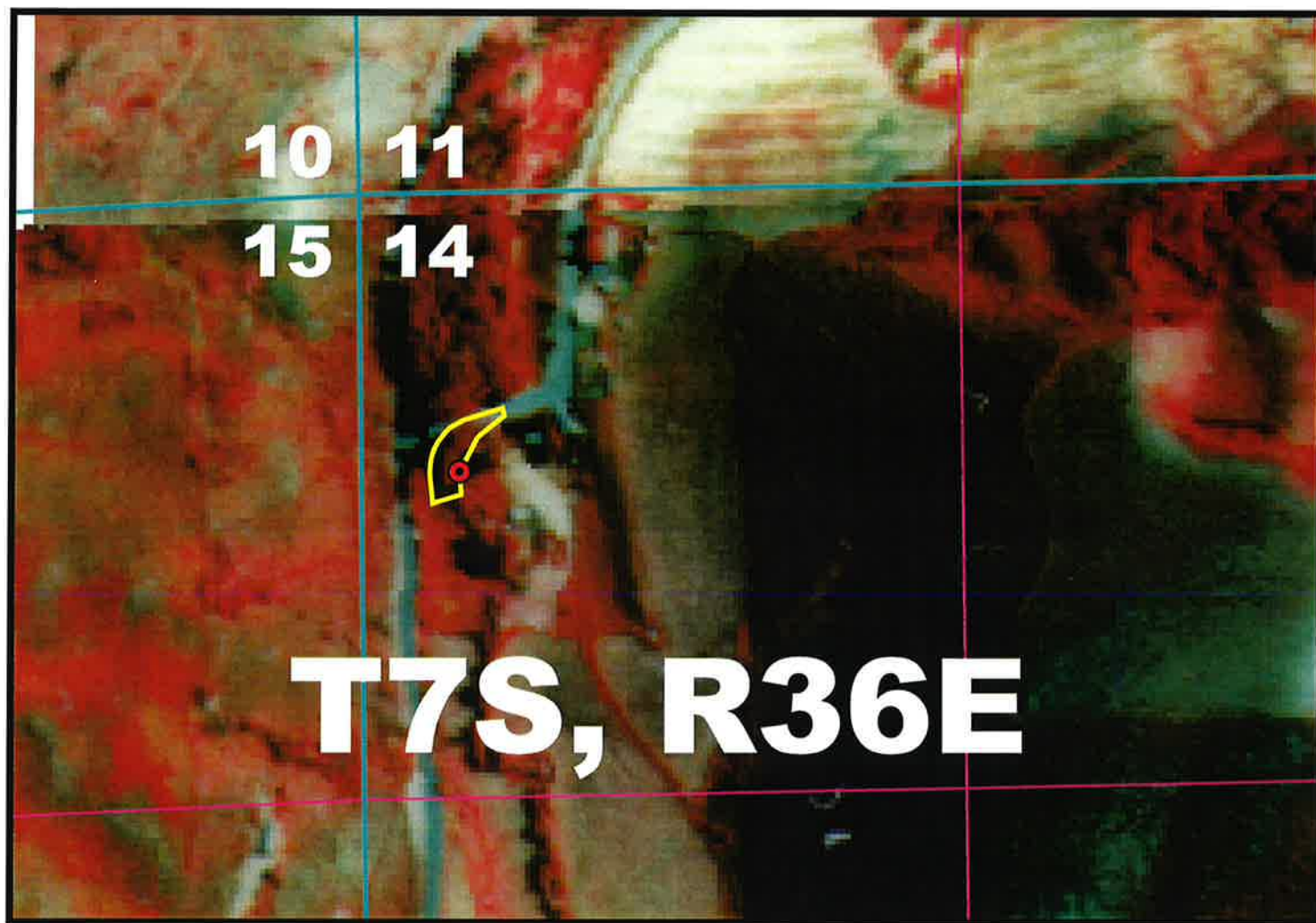
EXPLANATORY MATERIAL: Decreed



STATE OF IDAHO

Department of Water Resources
Eastern Region

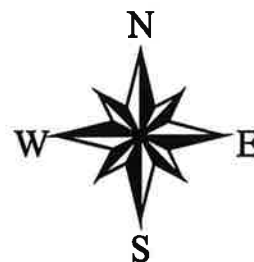
Water Right(s): 29-13173



0 1320 Feet

Total Irrigated Acres: 0.3

-  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: January 2003

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-13173 V1

WATER RIGHT NUMBER: 29-13173 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KIRK JACKSON 1290 E UPPER ROCK CR INKOM, ID 83245 (208)775-4445
Current Owner	SUSAN JACKSON 1290 E UPPER ROCK CR RD INKOM, ID 83245 (208)775-4445

Priority Date: 06/19/1902

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
RAPID CREEK	PORTNEUF 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	0.010 CFS	
	<u>Total Diversion:</u>	0.010 CFS	

Location of Point(s) of Diversion

RAPID CREEK	NW1/4NW1/4NW1/4	Sec. 14, Twp 07S, Rge 36E, B.M.
BANNOCK County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07S	36E	14																	.3

Total Acres: 0.3

Conditions of Approval:

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 1/6/2003 POD
Comment: POD not defined in Decree. No C03.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-13173 V1

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:
 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>
Contacts	1/6/2003 1:28:06 PM	csaxton			Active
Priority Date	1/6/2003 1:31:28 PM	csaxton			Active
POD	1/6/2003 1:31:38 PM	csaxton			Active
Source	1/6/2003 1:34:11 PM	csaxton			Active
POU	1/6/2003 1:34:29 PM	csaxton			Active
Use	1/6/2003 1:35:16 PM	csaxton			Active
Season	1/6/2003 1:35:45 PM	csaxton			Active
Quantity	1/6/2003 1:36:44 PM	csaxton			Active
Summary			01/06/2003	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	1/6/2003 1:28:07 PM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: FE 11/1/01
POD	1/6/2003 1:31:40 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (No) 4. Does the Decree or License have a POD? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-13173 V1

Priority Date	1/6/2003 1:31:29 PM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (No) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	1/6/2003 1:32:42 PM	csaxton	Edited point location
POD	1/6/2003 1:33:02 PM	csaxton	Edited PLS
Source	1/6/2003 1:34:13 PM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	1/6/2003 1:34:30 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
POU	1/6/2003 1:34:55 PM	csaxton	Edited shape boundary
Use	1/6/2003 1:35:18 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Season	1/6/2003 1:35:46 PM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-13173 V1

Quantity	1/6/2003 1:36:44 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required?
Summary	1/6/2003 1:38:12 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 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?

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 21, 2003

Water right number: 29-13173

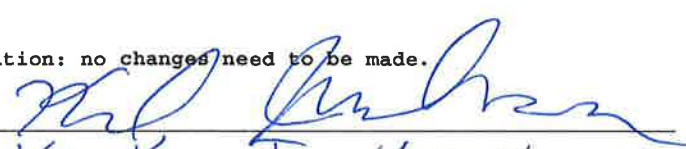
KIRK JACKSON
1290 E UPPER ROCK CREEK RD
INKOM ID 83245
Telephone Number: (208) 775-4445

SUSAN JACKSON
1290 E UPPER ROCK CREEK RD
INKOM ID 83245
Telephone Number: (208) 775-4445

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: 2-22-03

SIGNATURE: 

Please print your name: KIRK JACKSON

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

To Whom it May Concern:

I Harry Bloom, diverted water from Upper Rock Creek to irrigate the pasture on the North side of the creek, approximately 800 feet above the house site on Dane Ash's property at 1290 E. Upper Rock Creek Road. In return for irrigating his pasture I was allowed to use the property on the South side of creek, just West of his irrigated pasture, to grow my crop. I also diverted water from Upper Rock Creek to water my crop. This arrangement was active during 1985 and 1986.

Signature

Harry Bloom
Harry Bloom
1128 N. Arthur

POCATELLO ID 83201

Witness

Brandy An.
12/93/ Brandy An.
Pocatello, Id. 83201

02-12-03



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 29

RIGHT ID 29 13173
POD ID 537840
Quad Bonneville Peak
Claim Type S
Easting 645425
Northing 192379
GPSID

Diversion Description

No existing diversion. House is abandoned. House water was fed by spring. Spring is dry. Neighbor indicated previous owner never diverted water from Rapid Creek to his knowledge, and that lot size is approx. 1/5 acre.

Assumptions

Good location, however, POD does not exist.

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)

20

Date (M/D/Y)

10/25/01

Time

12.28

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 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

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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RECEIVED
JAN 23 2003

INTREPID
Engineering Services, Inc. AES9
Enabling People and Solutions

Department of Water Resources
Eastern Region

13-762	500 SHEETS, FILLER	5 SQUARE
12-381	50 SHEETS EYE-EASER	5 SQUARE
12-382	100 SHEETS EYE-EASER	5 SQUARE
12-383	200 SHEETS EYE-EASER	5 SQUARE
12-392	100 RECYCLED WHITE	5 SQUARE
12-399	200 RECYCLED WHITE	5 SQUARE

Made in U.S.A.



1-6-03: Priority 6-19-1902 For right 29-00297. The priority date claimed seems to reflect right 29-00285, but to my knowledge this use is not done in Rotation.

Split history for Decreed Right 29-00297

		Claimed	Recommend	
29-00297 1.2 60 Estimated 6/19/1902 0.02 Per Acre		29-00297A Chandler, Sam		
		0.4	0.4	
		20	20	
		29-00297B Chandler, George		
		0.4	0.4	Underclaimed
		22.7	22.7	
		29-00297C Spraker, Irvan		
		0.4	0.24	
		20	12	
		29-00297D Kent, West		
		0.02	0.02	
		1.2	1.2	
		29-10790 Friedel, Walter		
		0.06	0.06	
		3	3	
		29-13173 Jackson, Kirk		
		0.01	0.01	
		0.3	0.3	
Sum of claimed CFS =		1.27		
Sum of claimed Acreage =		66		

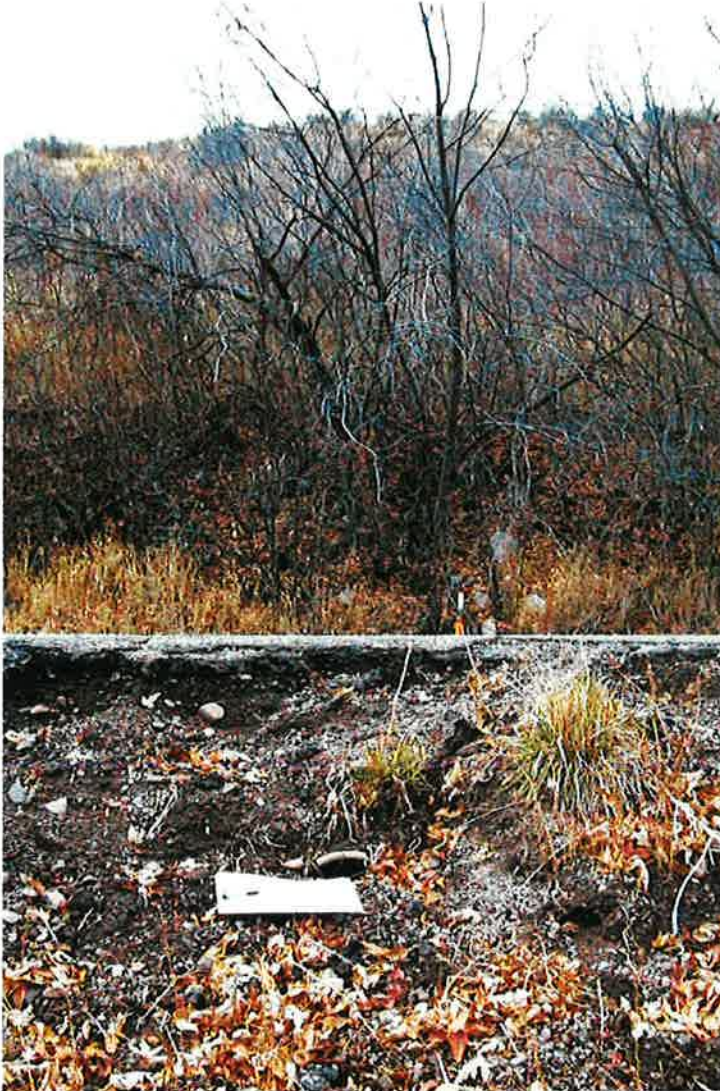
Sum CFS=	1.13
Sum Acre=	59.2
Un-accounted for CFS=	0.07
Un-accounted for Acres=	0.8

Based on irrigatable land, it is assumed that this decreed right was for 1" per acre.

29-13173

POD

Field Exam 11/01/01



Looking East. Folder is set right next to a culvert that goes under the road. To the top of the pictures behind the trees about 50 feet up the hill is an old ditch that used to carry water to irrigate the high points on the East side of Rapid Creek. Water could have been diverted from the upper ditch down to the culvert to irrigate the Jackson's place historically (csaxton 11/02/01).

29-13173

POD

Field Exam 11/01/01

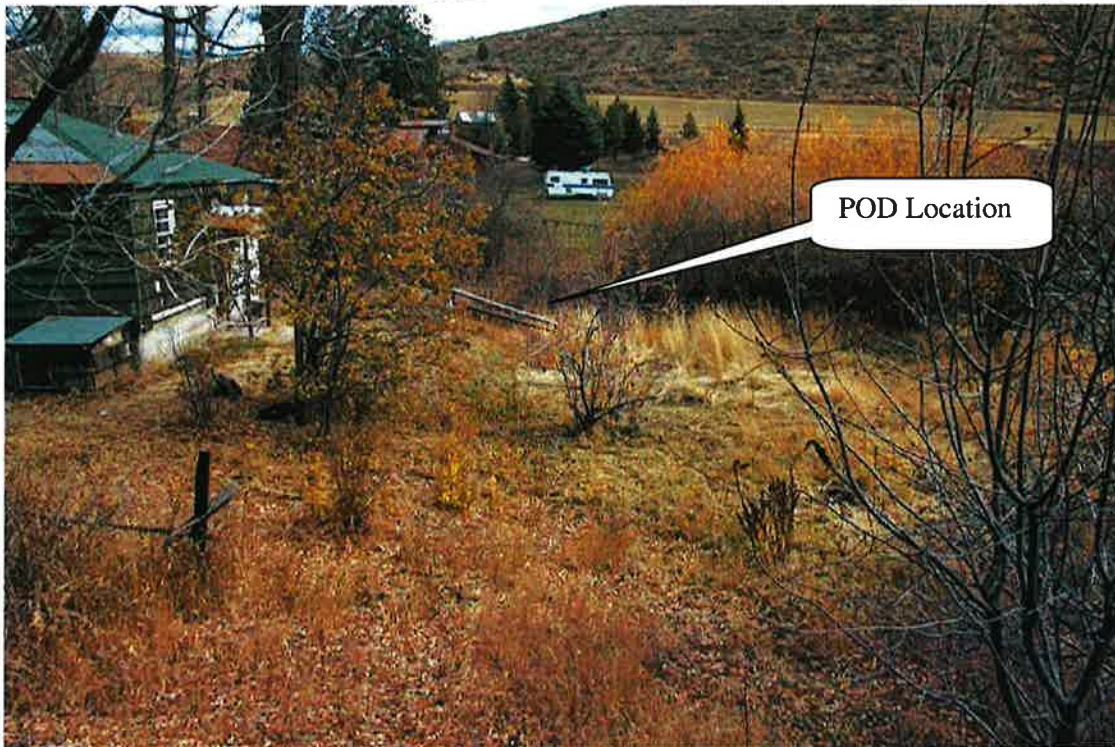


Looking NW. Rapid creek to the right of picture. Rapid creek rd to left of picture. Little shed next to house covers domestic well (csaxton 11/02/01).

29-13173

POD

Field Exam 11/01/01



Looking west. Standing on Rapid Creek Road. POU in picture. POD not in place at time of field exam. Called claimant to confirm location of POD. She indicated that the POD has been in the same location for the last 30 years (csaxton 11/02/01).

29-13173

POD

Field Exam 11/01/01



Looking South. Picture shows old ditch used to carry water to irrigate the East side of Rapid creek. The use of this ditch has been confirmed by Friedal, Chandler, and Spraker (csaxton 11/02/01).

The West Half of the Northwest quarter and the West Half of the Southwest quarter of Section 14, Township 7 South, Range 36 East of the Boise Meridian, in Idaho, save and except the following described portion of said lands: Commencing at a point on the West boundary of said Section 14, eight rods North from the Southwest corner thereof, run thence North along the West boundary line of said Section a distance of 12 rods; thence running East at right angles to last described line a distance of 80 rods to the East boundary line of the Southwest quarter of the Southwest quarter of said Section 14; run thence South along said East boundary line a distance of 20 rods to the South boundary line of said Section 14; run thence West along said South boundary line a distance of 50 rods; run thence North at right angles to last described line a distance of 8 rods; run thence West at right angles a distance of 20 rods to the place of commencing. The tract hereby excepted contains 8 acres and $\frac{1}{2}$ of an acre, and the tract hereby mortgaged contains 151.50 of an acre, according to the Official Plat of the survey of the said lands returned to the General Land Office by the Surveyor General.

The South half of the Southwest quarter of the Northeast quarter and the South half of the Southeast quarter of the Northwest quarter, The Northeast quarter of the Southwest quarter and the Northwest quarter of the Southeast quarter of Section 1, Township 7 South, Range 36, East of the Boise Meridian, in Idaho, containing 120 acres, according to the Official Plat of the survey of the said lands returned to the General Land Office by the Surveyor General.

A right to the joint use at all times, with A. J. Damron, Philip Ferguson, Samuel Hargraves, E. M. Webb, Fred N. Kelsay, Fanny Richardson, John Richardson of one-fifth of one cubic foot per second of time (10 miners inches) of the waters of Rapid Creek, a tributary of the Portneuf River, in Bannock County, State of Idaho, dating from the year 1884, decreed to belong to the mortgagor, George A. Whitworth, by that certain judgment or decree of the District Court in and for Bannock County, Idaho, entered on the 22nd day of June 1906, which is found of record in Book "2" of Judgments at Page 280 of the records of said Court.

A right to the use of one and one-fifth cubic feet per second of time (60 miners inches) of the waters of Rapid Creek, a tributary of the Portneuf River, in Bannock County, State of Idaho, dating from the 19th day of June, A. D. 1882, decreed to belong to the mortgagor, George A. Whitworth by that certain judgment or decree of the District Court in and for Bannock County, Idaho, entered on the 22nd day of June 1906, which is found of record in Book "2" of Judgments at Page 280 of the records of said Court.

A right to the use of seventy-five one-hundredths of one cubic foot per second of time (275 miners inches) of the waters of said Rapid Creek, subject and inferior to certain other rights to the use of the waters of the said stream, as decreed to the mortgagor, George A. Whitworth by that certain judgment or decree of the District Court in and for said Bannock County, State of Idaho, entered on the 22nd day of June, 1906, which is found of record in Book "2" of Judgments at Page 280 of the records of said Court, and which is hereby referred to for a more complete description of the aforesaid right.

A right to the use, at all times, of four-fifths of one cubic foot per second of time (40 miners inches) of the waters of Joe Hainey Creek, a tributary of the said Rapid Creek, in Bannock County, State of Idaho, dating from the 4th day of March, 1905, decreed to William Damron by that certain judgment or decree of the District Court in and for Bannock County, State of Idaho, entered on the 22nd day of June, 1906, which is found of record in Book "2" of Judgments at Page 280 of the records of said Court.

The Lot 4 of Section 9, Township 9 South, Range 38, East of the Boise Meridian, in Idaho, containing 15 acres and ten one-hundredths of an acre, according to the Official Plat of the survey of the said lands returned to the General Land Office by the Surveyor General.

The West Half of the Northwest quarter and the West Half of the Southwest quarter of Section 9, Township 9 South, Range 38, East of the Boise Meridian, in Idaho, containing one hundred sixty (160) acres, according to the Official Plat of the survey of the said lands returned to the General Land Office by the Surveyor General.

The Southeast quarter of the Southeast quarter, the West half of the Southeast quarter, the Lot 5 and the Lot 10 of Section 4, and the East Half of the Northwest quarter and the Lot 5 of Section 9, Township 9 South, Range 38, East of the Boise Meridian, in Idaho, containing 316 acres and thirty-five one-hundredths of an acre, according to the Official Plat of the survey of the said lands returned to the General Land Office by the Surveyor General.

STATE OF IDAHO,)
County of Bannock) ss.

On this 30th day of April in the year 1933, before me Henry J. Nelson, a Notary Public in and for said County, personally appeared James Treasure, Jr. & Martha Treasure, his wife, known to me to be the persons whose names are 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 in this certificate first above written.

(Seal)

Henry J. Nelson
Notary Public
Arimo, Idaho

Filed for record at the request of A & T S Co. at 18 minutes past 4 o'clock P.M., this 10 day of May, 1933, in my office, and duly recorded in Book 68 of D deeds at page 433.

Grace L. Hall, Recorder

Fee \$1.00

Anna Keefe, Deputy

INSTRUMENT NO. 166504

DEED OF GIFT

THIS INSTRUMENT, Made the Twenty fourth day of December, in the year of our Lord, One thousand Nine hundred Twenty nine, between Con G. Peoples and Annie Peoples, husband and wife, Bannock County, State of Idaho, the parties of the first part, and Annie Peoples, one of the parties of the first part, of Bannock County, State of Idaho, the party of the second part.

WITNESSETH: That the said Con G. Peoples, one of the parties of the first part, for and in consideration of the Love and Affection which he bears toward his wife, the said Annie Peoples, and for the purpose of making her gift and to provide for her comfort and future support, does hereby give, grant, alien and convey unto his said wife, Annie Peoples, the party of the second part, all that certain property described as follows, to wit:

South half of Southeast Quarter of Section 13, Southwest Quarter of Southwest Quarter of Section 14, Township 4 South, and Lot 4 and Southwest Quarter of Northwest Quarter of Section 31 and Lot 1 and Southeast Quarter of Southeast Quarter of Section 4, Township 7 South, Range 36, East of the Boise Meridian in Idaho, containing 283.25 acres, according to Official Plat of Survey of said lands returned to General Land Office by Surveyor General.

West half of Northwest Quarter and West half of Southwest Quarter of Section 14, Township 7 South, Range 36, East of the Boise Meridian, in Idaho, save and except a tract containing 6 1/2 acres described as follows: Commencing at a point on West boundary of said Section 14, 8 rods North from Southwest Corner thereof, run thence North along West boundary line of said Section, distance of 12 rods, thence running East at right angles to last described line distance of 80 rods to East boundary line of Southwest Quarter of Southwest Quarter of Section 14, run thence South along said East boundary line distance of 20 rods to South boundary line of said Section 14, run thence West along said South boundary line distance of 50 rods, run thence North at right angles to last described line distance of 5 rods, run thence West at right angles distance of 30 rods to place of commencing. Also except a tract containing 4.88 acres more or less, described as follows: Beginning at the Northwest corner of Section Fourteen, Township seven South, Range Thirty six, East of the Boise Meridian, thence East on the North boundary of said Section Fourteen, 480 feet, more or less, to a point on the West side of the right of way of the Inman Road, thence South 4° 45' West along the West right of way line of the Inman Road 506 feet, thence South 71° 40' West, continuing along the North right of way line of the Inman Road and Rapid Creek Road 472 feet, more or less, to an intersection with the West boundary of Section 14, 610.2 feet, more or less, to the place of beginning. The same being a part of the NW 1/4 of NW 1/4 of Section 14, Township 7 South, Range 36, East of the Boise Meridian.

South half of Southwest Quarter of Northeast Quarter and South half of Southwest Quarter of Northwest Quarter, Northeast Quarter of Southwest Quarter and Northwest Quarter of Southeast Quarter of Section 2, Township 7 South, Range 36 East of Boise Meridian in Idaho, containing 130 acres, according to Official Plat of Survey of said lands returned to General Land Office by Surveyor General. A right to joint use at all times, with A. J. Benson, Philip Ferguson, Samuel Harrington, E. M. Webb, Fred M. Kelsey, Janny Richardson, John Richardson of one-fifth of one cubic foot per second of time (10 miners inches) of waters of Rapid Creek, a tributary of the Fortneuf River, in Bannock County, State of Idaho, dating from year 1894, decreed to belong to George A. Whitworth, by that certain judgment or decree of District Court in and for Bannock County, Idaho, entered on June 22, 1906, which is found of record in Book "2" of Judgments at Page 230 of records of said Court.

A right to use of one and one-fifth cubic feet per second of time (40) miners inches of waters of Rapid Creek, a tributary of Fortneuf River in Bannock County, State of Idaho, dating from June 19, 1902, decreed to belong to George A. Whitworth by that certain judgment or decree of District Court in and for Bannock County, Idaho, entered on June 22nd, 1906 which is found of record in Book "2" of Judgments at Page 230 of records of said Court.

A right to use of seventy-five one-hundredths of one cubic foot per second of time (37 1/2 miners inches) of water of said Rapid Creek, subject and in-

*Cotton
wood*

五

of the County of Bannock State of Idaho
the part of of the second part

[illegible][illegible]

Signed, Sealed and Delivered in the Presence of

H. E. ... (SEAL)
J. ... (SEAL)
... (SEAL)

STATE OF IDAHO,
County of Ada

On this 21st day of March

the undersigned a Notary Public
in and for said County and State, personally appeared
SONNY C. FLEMING and BESSIE FLEMING, husband and wife,

to the person whose name is subscribed in the within instrument, and acknowledged to me that he executed the same.

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

Mervin J. Callister
Notary Public

Residence and P. O. Address, Boise, Id also.

366793

B.T.Co.

-23 3 11 PM '51

\$1.80

366793

WARRANTY DEED

TO

Dated _____ 19____
STATE OF IDAHO,
County of _____ ss.
I hereby certify that this instrument was filed for
record at the request of _____

at _____ minutes past _____
o'clock _____ M. this _____ day
of _____ A. D. 19____
in my office and duly recorded in Book _____
of Deeds at page _____

By _____ Esq. Recorder,
Per, \$ _____ D. Poly.

WARRANTY DEED -- Page Two

Chandler and LuVera Chandler, husband and wife, to the Idaho Power Company. Said easement includes right from time to time to cut, trim and remove trees, brush, overhanging branches and other obstructions which may injure or interfere with the Grantee's use, occupation or enjoyment of this easement and the operation, maintenance and repair of Grantee's electrical system; and subject to any protective covenants, rights of way or reservations now of record.

TO HAVE AND TO HOLD the said premises, together with their appurtenances, unto the said Grantee and to her heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is now the owner in fee simple of said premises, by reason of the administration of the estate of A. Earl Witherell, deceased; and that said premises are free from all encumbrances other than those stated above; and that the Grantor will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, the Grantor has set her hand the day and year first above written.

Edna A. Witherell
Edna A. Witherell

(A Widow, dealing with her sole and separate property)

STATE OF IDAHO)
: ss
COUNTY OF BANNOCK)

On this 26th day of January, 1977, before me, the undersigned, a Notary Public in and for said county and state, personally appeared Edna A. Witherell, a widow, dealing with her sole and separate property, and known to me to be the person whose name is subscribed to the within and foregoing Warranty Deed, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have set my hand and seal.

NOTARY SEAL

(SEAL)

James A. Phillips
NOTARY PUBLIC FOR IDAHO
Residing at Pocatello, Idaho
Commission Expires: 21 April 1979

569420

RECORDED AT REQUEST
Valeria Robinson

JAN 26 2 26 PM '77

2.00 298
In

JUN 15 2001

WARRANTY DEED 20102921

For Value Received

VALERIA M. S. ROBINSON, a Widow

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

KIRK L. JACKSON and SUSAN J. JACKSON, Husband and Wife

whose current address is

1290 E. Upper Rock Creek Road, Inkom, Id. 83245

the grantee, the following described premises, in Bannock County Idaho, to wit:

A parcel of real property situated in the NW 1/4 NW 1/4 of Section 14, Township 7 South, Range 36 E.B.M. more particularly described as follows?

Commencing at the NW corner of Section 14, T. 7 So., R. 36 E.B.M., Bannock County, Idaho; thence So. along the W. line of said Section, 510.2 feet; thence N. 83°37' E. 309.0 feet to a point on the Southerly right of way line of the Inman Road, the point of beginning; thence S. 19°29' E. 19.87 feet; thence S. 53°14' W. 73.0 feet; thence S. 27°08' W. 86.06 feet; thence S. 2°53' E. 50.0 feet; thence S. 76°32' W. 66.53 feet to a point on the Easterly right of way line of the Rapid Creek-Inman Road; thence N. 2°53' W. along said right of way line 63.94 feet; which point is the P.C. of a 48°29' curve to the right, having a central angle of 76°15' and a radius of 118.2 feet; thence following said curve to the right, 157.28 feet to the P.T. of said curve; thence N. 73°26' E. a distance of 75.35 feet to the point of beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor do hereby covenant to and with the said Grantee, that she the owner in fee simple of said premises; that they are free from all incumbrances and that he will warrant and defend the same from all lawful claims.

Dated: FEBRUARY 7th, 2001 -Valeria M. Robinson

STATE OF IDAHO, COUNTY OF

On this 7 day of FEBRUARY, 2001, before me, a notary public in and for said State, personally appeared

CARL A. LYTLE
NOTARY PUBLIC
STATE OF IDAHO

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Notary Public
Residing at LOCATELLO, IDAHO 83201
Comm. Expires JUNE 15, 2005

NO 20102921
RECORDED AT REQUEST OF
KIRK JACKSON
2001 FEB 21 PM 1 02

OFFICIAL RECORD BOOK NO 276
BANNOCK COUNTY IDAHO
LARRY W. GHAN RECORDER
FEB 20 DEPUTY

Instrument No. 259236

WARRANTY DEED

This Indenture, Made this Twentieth day of April in the year of Our Lord One Thousand Nine Hundred and Forty-eight, between James V. Chandler and LuVere Chandler, husband and wife

of Inkom, County of Benneek, State of Idaho, the parties of the
first part, and William S. Chandler and Nancy A. Chandler, his wife,
of Inkom, County of Benneek, State of Idaho, the parties of the
second part:

WITNESSETH: That the said part 1st and the said part 2nd for and in consideration of the sum of
Two hundred and fifty and no/100 DOLLARS,
lawful money of the United States of America, to them in hand paid by the said part 1st of the second part, the receipt whereof is
heavily acknowledged, do by these presents, Grant, Bargain, Sell and
Convey and Confirm unto said part 1st of the second part, and to his heirs and assigns forever All that certain
lot or piece or parcel of land situate, lying and being in the County of Hancock, State of Idaho, bounded and more particularly
described as follows, to-wit:

Commencing at the northwest corner of Section 14, T7S., R. 36 E.B. N. thence South along the west line of the said Section 14, 517.2 feet to the point of beginning;

Thence continuing South 438.0 feet, thence East 500.0 feet, thence N. 0° 27'E., 497.75 feet, thence S. 73°53' W., 415.0 feet, thence N. 16° 07' W., 50.0 feet, thence S. 73°53' W., 87.2 feet, more or less, to the point of beginning.

The above described tract of land is a part of the NW $\frac{1}{4}$ of Section 14, T 75 N. R. 36 E., B. 1. and contains 5.0 acres, more or less. Together with any and all water rights, ditches and ditch rights appurtenant thereto.

Subject to the rights of way of county roads.

(U.S.I.R. 552 Attached and Cancelled.)

Together with, all said singular, the tenements, hereditaments and appurtenances therunto belonging or in anywise appertaining, and the rents, issues and profits thereof:

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances and privileges therunto incident, unto the said part 1st and the second part, and to their heirs and assigns forever. And the said part 2nd of the first part, the said premises in the quiet and peaceable possession of the said part 2nd of the second part, unto their heirs and assigns against the said part 2nd of the first part, and their heirs and assigns against all and every person whomsoever lawfully claiming or to claim the same, shall and will warrant and defend by these presents forever defend.

IN WITNESS WHEREOF, the said part 1st of the first part hath hereunto set their hand and seal a

the day and year first above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

W. A. Hubble

James W. Crandler

Zuñera Chandler

 $(\text{MnO}_4)^-$

(48.48.3)

(94-842)

Comment

STATE OF IDAHO,

County of Bannock

On this 26th day of April, in the year 1948, before me, W. A. Hubble
a Notary Public in and for said County and State, personally appeared

a Notary Public in and for said County and State, personally appeared
James V. Chandler and LuYara Chandler

subscribed to the within instrument, and acknowledged to me that they known to me to be the person s whose name are executed the same.

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

(SEAL) A. W. Hubble Notary Public
 Pocatello, Idaho
 RESIDENCE: Pocatello, Idaho

I hereby certify that this instrument was filed for record at the request of William S. Chandler, Inkam, Idaho
at 40 minutes past 3 o'clock P.M. this 26 day of April A.D. 19 49

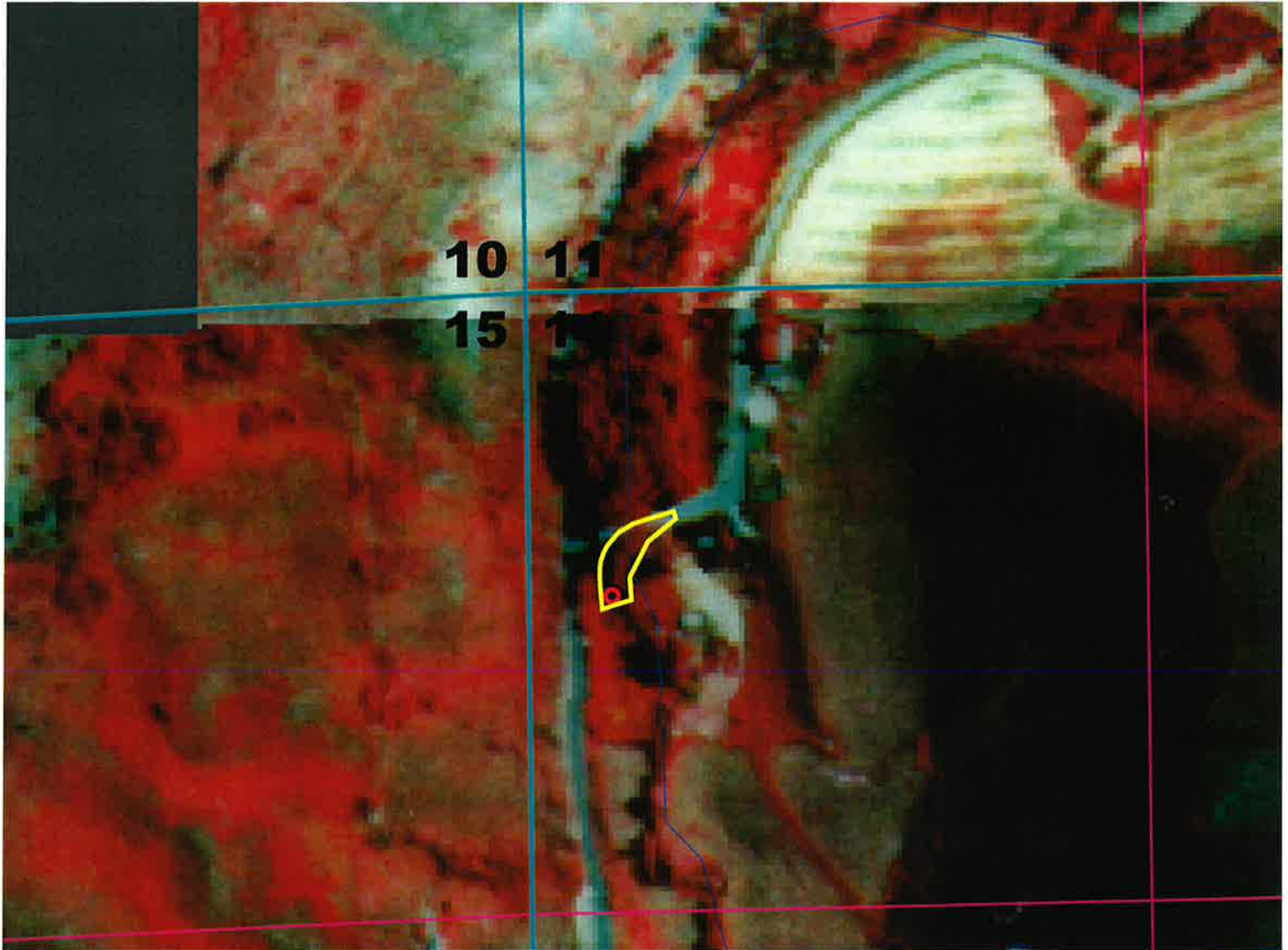
Fee, 1.20 Anna Kaysa By Ex-Officio Recorder. Drum.
in Book 102 of Deeds, Page 168

SCANNED

JUN 15 2001

Kirk and Susan Jackson

Irrigation - 29-13173



Point of Diversion



Place of Use



Tax Lot - Property Boundary

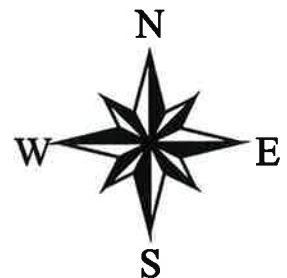


Section Lines



Quarter Quarter Lines

T7S, R36E, Section 14



Prepared By: Craig Saxton
May 2001

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 29-13173
Date Received: 5/31/01
Receipt No: E026770
Received By: CF

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW



1. Name of Claimant(s)

KIRK JACKSON Phone: (208) 775-4445

1290 E UPPER ROCK CR
INKOM ID USA 83245

SUSAN JACKSON Phone: (208) 775-4445

1290 E UPPER ROCK CR RD
INKOM ID USA 83245

2. Date of Priority: 01/31/1884

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07S	36E	14	NW NW NW	BANNOCK	

5. Description of diverting works:

PUMP IN CREEK TO HOSE TO WATER LAWN AND GARDEN

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/31	0.01	

7. Total Quantity Appropriated is:

0.01 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	36E	14	NW	NW	IRRIGATION	0.3
Section Acres						0.3
Total Acres						0.3

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:

CLAIMANT BELIEVES CLAIM IS BASED ON DECREED RIGHT. NO EVIDENCE PROVIDED AT THE TIME OF FILING THE CLAIM. CLAIMANT WILL SUBMIT EVIDENCE AT LATER DATE (CSAXTON 5/31/01).

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): *Ed Johnson* Date: 5-31-01
Susan Johnson Date: 5-31-01

State of Idaho)
County of *Bonneville*) SS.

Subscribed and sworn (or affirmed) before me this 31st
of May 2001 *A. B. Ruberry*

Notary Public

Residing at *2040 Falls Rd*

My commission Expires 9/23/03

