

01/18/2003

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

RIGHT NUMBER: 29-13184

NAME AND ADDRESS: REBECCA SATTER  
4562 BUCKSKIN RD  
POCATELLO ID 83201

SOURCE: SPRING

TRIBUTARY: PECK CREEK

QUANTITY: 0.060 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000  
GALLONS PER DAY.

PRIORITY DATE: 04/01/1951

POINT OF DIVERSION:

T11S R37E S6 SWNWSE Within BANNOCK County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u>       | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------------|----------------------|-----------------|
| STOCKWATER                  | 01/01 12/31          | 0.020 CFS       |
| DOMESTIC                    | 01/01 12/31          | 0.040 CFS       |
| Domestic use is for 1 home. |                      |                 |

PLACE OF USE: DOMESTIC Within BANNOCK County

T11S R37E S06 NWSE

STOCKWATER same as DOMESTIC

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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A  
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Beneficial Use

PROPERTY PARCEL NO. R4433004700.

SOURCE IS ALSO KNOWN AS REISNER SPRING.

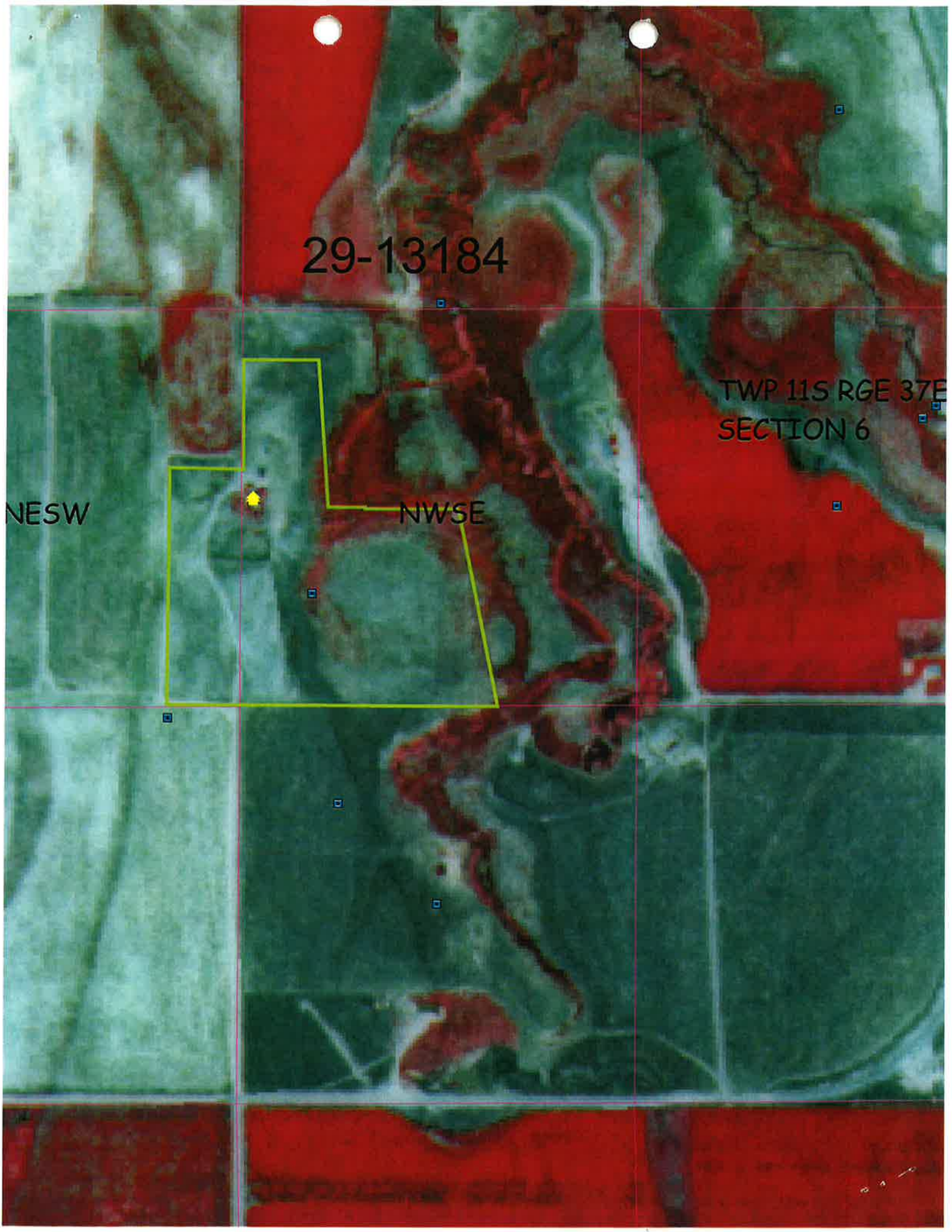
PROPERTY RURAL ADDRESS IS 2500 E RICHARDS RD.

29-13184

TWP 11S RGE 37E  
SECTION 6

NESW

NWSE



JUN 13 2001

06/08/2001

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommended Right Report

WATER RIGHT NO. 29-13184

Owner Type                      Name and Address  
Current Owner                      REBECCA SATTER  
                                                 4562 BUCKSKIN RD  
                                                 POCATELLO, ID 83201  
                                                 (208) 237-1340

Priority Date:            04/01/1951  
Basis:                    Beneficial Use  
Status:                   Active

Source                                              Tributary to  
SPRING                                              PECK CREEK

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| STOCKWATER            | 01/01       | 12/31     | 0.02 CFS              |               |                    |
| DOMESTIC              | 01/01       | 12/31     | 0.04 CFS              |               |                    |

Total Diversion                                              0.06 CFS

Location of Point(s) of Diversion:

SPRING                                      SWNWSE                      Sec. 06                      Township 11S                      Range 37E                      BANNOCK County

DOMESTIC Use:  
Number of homes: 1

Place(s) of use:

Place of Use Legal Description: STOCKWATER                      BANNOCK County

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> |
|-----------------|--------------|----------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|
| 11S             | 37E          | 6              |            | NWSE         |              |            |              |              |            |              |              |            |              |              |

Place of Use Legal Description: DOMESTIC                      BANNOCK County

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> |
|-----------------|--------------|----------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|
| 11S             | 37E          | 6              |            | NWSE         |              |            |              |              |            |              |              |            |              |              |

Conditions of Approval:

- 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:

- Explanatory                      SOURCE IS ALSO KNOWN AS REISNER SPRING.
- Explanatory                      PROPERTY RURAL ADDRESS IS 2500 E RICHARDS RD.
- Explanatory                      PROPERTY PARCEL NO. R4433004700.

Dates:

Licensed Date:  
 Claim Received Date: 06/08/2001  
 Enlargement Use Priority Date:  
 Enlargement Statute Priority Date:  
 Decreed Date:  
 Date Filed with Court:  
 Objection Filed Date:  
 SF5 Filed:  
 Special Master Recom Signed Date:

Element Reviewed/Verified Dates:

| <u>Element</u> | <u>Last Review Date</u> | <u>Reviewer</u> | <u>Last Verified Date</u> | <u>Verifier</u> | <u>Status</u> |
|----------------|-------------------------|-----------------|---------------------------|-----------------|---------------|
| Contacts       | 6/8/01 11:06:55 AM      | ECarlsen        |                           |                 | In Process    |
| POD            | 6/8/01 11:09:23 AM      | ECarlsen        |                           |                 | In Process    |
| POU            | 6/8/01 12:10:02 PM      | ECarlsen        |                           |                 | In Process    |
| Priority Date  | 6/8/01 11:08:01 AM      | ECarlsen        |                           |                 | In Process    |
| Quantity       | 6/8/01 12:12:29 PM      | ECarlsen        |                           |                 | In Process    |
| Season         | 6/8/01 12:11:48 PM      | ECarlsen        |                           |                 | In Process    |
| Source         | 6/8/01 12:08:32 PM      | ECarlsen        |                           |                 | In Process    |
| Summary        | 6/8/01 12:14:20 PM      |                 | 6/8/01 12:14:20 PM        | ECarlsen        | Complete      |
| Use            | 6/8/01 12:10:44 PM      | ECarlsen        |                           |                 | In Process    |

Other Information:

Receipt Number(s):  
 State or Federal:  
 Owner Name Connector:  
 Water District Number:  
 Generic Max Rate per Acre:  
 Generic Max Volume per Acre:  
 Civil Case Number:  
 Old Case Number:  
 Decree Plaintiff:  
 Decree Defendant:  
 PresumptionFlag:  
 Notice of Error Flag:  
 Swan Falls Trust or Nontrust:  
 Swan Falls Dismissed:  
 DLE Act Number:  
 Cary Act Number:  
 Mitigation Plan: False

Verification Log:

| <u>Element</u> | <u>Date Time Stamp</u> | <u>Reviewer</u> | <u>Log Text</u>                                                                                                                                                                                                                                                                                                                                                                                             |
|----------------|------------------------|-----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Contacts       | 6/8/01 11:06:53 AM     | ECarlsen        | 1. Appointment has not been scheduled.<br>Comment for 1: REVIEWED WATER USE WITH CLAIMANT IN THE OFFICE.                                                                                                                                                                                                                                                                                                    |
| POD            | 6/8/01 11:13:38 AM     | ECarlsen        | Edited point location                                                                                                                                                                                                                                                                                                                                                                                       |
| POD            | 6/8/01 11:09:21 AM     | ECarlsen        | 1. (YES) The basis is beneficial use.<br>4. (NO) There is not evidence that there has been a change in the Point of Diversion.<br>6. (YES) The file contains all the necessary information to verify the POD.<br>Comment for 6: CLAIMANT IDENTIFIED LOCATION OF SPRING ON NAPP PHOTO.<br>8. (NO) Point of Diversion remark was not required.<br>9. (NO) Point of Diversion condition was not required.      |
| POU            | 6/8/01 12:09:59 PM     | ECarlsen        | 1. (YES) The POU is required.<br>2. (YES) The basis of claim is beneficial use.<br>5. (NO) There is no evidence that there has been a change in the POU.<br>9. (YES) The file contains all the necessary information to verify the POU.<br>Comment for 9: BANNOCK COUNTY TAXLOT INFORMATION AND CLAIMANT VERIFICATION.<br>12. (NO) POU remark was not required.<br>13. (NO) POU condition was not required. |
| Priority Date  | 6/8/01 11:07:57 AM     | ECarlsen        | 1. (NO) There has not been a later court decree of the water right(s) from the water source.<br>4. (YES) The basis of claim is beneficial use.<br>4b. (NO) The priority date was not claimed after the date a permit was                                                                                                                                                                                    |

Quantity 6/8/01 12:12:25 PM ECarlsen

required for the source and water use.  
10. (NO) The claim file does not contains sufficient evidence of priority date.  
11. (NO) Additional evidence of priority date has not been submitted.  
12. (YES) The claim is recommended.  
13. (YES) The claim is coded correctly.  
14. (NO) Priority remark was not required.  
15. (NO) Priority condition was not required.

Season 6/8/01 12:11:46 PM ECarlsen

1. (YES) The basis of claim is beneficial use.  
5. (NO) A flow measurement was not required.  
Comment for 5: STATEMENTS FROM CLAIMANT  
6. (NO) The source is not ground water and the purpose of use does not require a diversion volume limit.  
7. (NO) The parent right does not have an annual diversion volume limit.  
9. (NO) Quantity remark was not required.  
10. (NO) Quantity condition was not required.  
1. (YES) The basis of claim is beneficial use.  
4. (NO) There is not evidence that there has been a change to the period of use.  
9. (YES) The file contains all the necessary information to verify the period of use.

Source 6/8/01 12:08:29 PM ECarlsen

11. (NO) The basis of is not a decree, license, or a transferred beneficial use right that has had the period of use administratively determined.  
13. (NO) Irrigation is not the purposed use.  
Comment for 13: STATEMENTS BY CLAIMANT  
15. (NO) Period of Use remark was not required.  
16. (NO) Period of Use condition was not required.  
1. (YES) The basis is beneficial use.  
4. (NO) There is not evidence that there has been a change in the Source.  
7. (YES) The file contains all of the necessary information to verify the source.  
8. (YES) The source is surface water.  
9. (YES) The source is a standard source.  
10. (NO) Source remark was not required.  
11. (NO) Source condition was not required.

Summary 6/8/01 12:14:18 PM ECarlsen

1. (YES) The basis of the claim is beneficial use.  
2. (YES) All the water being used for all the purposes is being claimed and to the extent it was claimed.  
5. (NO) General remark was not required.  
6. (NO) Explanatory remark was not required.  
7. (YES) Additional condition was required.  
8. (YES) Wanted to view the recommended right.  
9. (NO) This is not a split right.  
10. (NO) This is not a combined right.  
11. (NO) Documents were not linked or attached to this file.  
12. (YES) Set the verification date.

Use 6/8/01 12:10:34 PM ECarlsen

1. (YES) The basis of claim is beneficial use.  
4. (NO) There is not evidence that there has been a change to the purpose of use.  
9. (YES) The file contains all the necessary information to verify the purpose of use.  
11. (NO) Purpose of Use remark was not required.  
12. (NO) Purpose of Use condition was not required.



State of Idaho

## DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

March 24, 2003

KIM & JENNIFER WARD  
2500 E RICHARDS RD  
DOWNEY ID 83234

Subject: Notice of Error for 29-13184

Dear Kim & Jennifer:

I have received your Notice of Error reply wherein you indicated the purposes of use should include irrigation because you understand the property has a water right for irrigation.

A review of claim 29-13184, filed by Rebecca Satter, reveals domestic and stock water were the only uses claimed. Consequently, irrigation was not recommended as purpose of use.

If you are the present owners of the residence covered by claim 29-13184, the first matter needing your attention is to file a Change of Ownership, the form and instructions are enclosed. Once your recorded as the claimant then you can entertain the issue of an irrigation right. Naturally, for an irrigation right to exist, the property has to have been irrigated. For the irrigation use to be included on claim 29-13184 you will have to provide documentation that the property was irrigated from Reisner Spring beginning in 1951. If irrigation water was obtained from a different source prior to 1971 then a new claim must be filed.

Feel free to contact me if you questions

Respectfully yours,

Ernest Carlsen  
Water Right Supervisor  
Enclosure (1)  
emc

02/18/2003

Ernie

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: 29-13184

REBECCA SATTER  
4562 BUCKSKIN RD  
POCATELLO ID 83201  
Telephone Number: (208) 237-1340

Kim & Jennifer Ward  
2500 E Downey Richards Rd  
Downey Id 83234  
208 897 2551

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

purpose Domestic, stock water & irrigation

2. Describe the changes you wish to make in the proposed recommendation:

Irrigation for pasture

3. Give a brief explanation as to why you disagree with these portions:

The property is suppose to have water rights for irrigation

RECEIVED

MAR 06 2003

Department of Water  
Eastern Region

I AGREE with this proposed recommendation: no changes need to be made.

DATE: Feb 27, 2003 SIGNATURE:

Please print your name:

Kim J. Ward

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

RIGHT NUMBER: 29-13184  
NAME AND ADDRESS: REBECCA SATTER  
4562 BUCKSKIN RD  
POCATELLO ID 83201

SOURCE: SPRING TRIBUTARY: PECK CREEK

QUANTITY: 0.06 CFS

PRIORITY DATE: 04/01/1951

POINT OF DIVERSION:

T11S R37E S6 SWNWSE Within BANNOCK County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| STOCKWATER            | 01/01 12/31          | 0.020 CFS       |
| DOMESTIC              | 01/01 12/31          | 0.040 CFS       |

PLACE OF USE:

STOCKWATER Within BANNOCK County

T11S R37E S06 NWSE

DOMESTIC Within BANNOCK County

T11S R37E S06 NWSE

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

SOURCE IS ALSO KNOWN AS REISNER SPRING.  
PROPERTY RURAL ADDRESS IS 2500 E RICHARDS RD.  
PROPERTY PARCEL NO. R4433004700.

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 29-13184  
Date Received: 6/8/01  
Receipt No: E 026800  
Received By: EHC

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

A2913184



1. Name of Claimant(s)

REBECCA SATTER Phone: (208) 237-1340  
4562 BUCKSKIN RD  
POCATELLO ID USA 83201

2. Date of Priority: 04/01/1951

3. Source: SPRING Trib. to: PECK CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County  | Type |
|----------|-------|---------|-----------------------|---------|------|
| 11S      | 37E   | 6       | SW NW SE              | BANNOCK |      |

5. Description of diverting works:

STORAGE TANK AND PUMP

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| STOCKWATER | 01/01 | 12/31 | 0.02   |            |
| DOMESTIC   | 01/01 | 12/31 | 0.04   |            |

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

8. Total consumptive use:

9. Non-irrigation uses:  
Number of homes: 1

10. Place of use:

| Township | Range | Section | 1/4 of 1/4 Lot | Use        | Acres |
|----------|-------|---------|----------------|------------|-------|
| 11S      | 37E   | 6       | NW SE          | STOCKWATER |       |

NW SE DOMESTIC

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:

SPRING IS ALSO KNOWN AS REISNER SPRING.  
HOME IS LOCATED AT 2500 E RICHARDS RD, DOWNEY.  
DOMESTIC USE INCLUDES IRRIGATION OF LAWN AND GARDEN.  
PARCEL NO. R4433004700

15. Basis of Claim: Beneficial Use

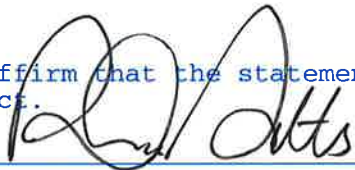
16. Signature(s)

(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):  Date: 6/8/01

\_\_\_\_\_  
Date:

State of Idaho )  
County of Bonneville ) SS.

Subscribed and sworn (or affirmed) before me this 8th day of June, 2001

Jennifer Crabtree - notary

9/23/03 - notary expires

