

IDAHO DEPARTMENT OF WATER RESOURCES 12/04/2001
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

NAME AND ADDRESS: DWAIN W ANDERSON
9196 ANDERSON LN
POCATELLO ID 83201

SOURCE: POCATELLO CREEK TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.10 CFS

PRIORITY DATE: 06/01/1887

POINT OF DIVERSION:

T06S R34E S13 NESESE 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	0.100 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T06S R34E S13	NESE	1.1	T06S R34E S13	SESE	1.2
T06S R35E S18 Lot 3 NWSW		0.8	T06S R35E S18 Lot 4 SWSW		2.1

5.2 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

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s): 29-13265



1320

0

1320 Feet

Total Irrigated Acres: 5.2



Point(s) of Diversion



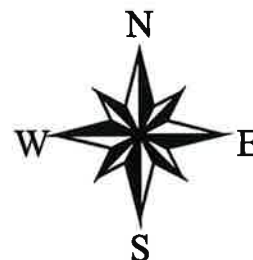
Place of Use



Quarter Quarter Lines



Section Lines



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: December 2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-13265 V1

WATER RIGHT NUMBER: 29-13265 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DWAINE W ANDERSON 9196 ANDERSON LN POCATELLO, ID 83201 (208)233-6540
Original Owner	PATRICK S TANEY POCATELLO, ID 83201

Priority Date: 06/01/1887
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
POCATELLO 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	0.100 CFS	
	<u>Total Diversion:</u>	0.100 CFS	

Location of Point(s) of Diversion

POCATELLO CREEK	NE1/4SE1/4SE1/4	Sec. 13, Twp 06S, Rge 34E, B.M.
BANNOCK County		

Place of Use

IRRIGATION Within BANNOCK County

T06S R34E S13 NESE 1.1	T06S R34E S13 SESE 1.2
T06S R35E S18 Lot 3 NWSW 0.8	T06S R35E S18 Lot 4 SWSW 2.1
Total Acres: 5.2	

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. 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:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-13265 V1

Comments:

1. csaxton 12/4/2001 POU

Comment: Amended claim not requested for QQ change for POU per Claims investigation manual, chapter 8, Section II.B. Paragraph 3.

2. csaxton 12/4/2001 POD

Comment: Amended claim not requested for QQ change for POD per Claims investigation manual, chapter 5, Section I.B. Paragraph 3.

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:

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	12/4/2001 9:34:43 AM	csaxton			Active
POD	12/4/2001 9:35:59 AM	csaxton			Active
Source	12/4/2001 9:38:15 AM	csaxton			Active
POU	12/4/2001 9:54:21 AM	csaxton			Active
Use	12/4/2001 10:08:56 AM	csaxton			Active
Season	12/4/2001 10:09:40 AM	csaxton			Active
Quantity	12/4/2001 10:10:24 AM	csaxton			Active
Summary	12/4/2001 10:16:16 AM	csaxton	12/4/2001 10:16:16 AM	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-13265 V1

POD	12/4/2001 10:10:28 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the parent right 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?
Contacts	12/4/2001 9:17:32 AM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Field Exam 10/2/01
POD	12/4/2001 9:36:59 AM	csaxton	Edited PLS
Source	12/4/2001 9:38:18 AM	csaxton	(Yes) 1. Is the basis of claim decree or license? (Yes) 4. Does the parent right 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	12/4/2001 9:54:44 AM	csaxton	Edited shape boundary
POU	12/4/2001 9:55:21 AM	csaxton	Edited PLS
POU	12/4/2001 10:00:02 AM	csaxton	Edited PLS
Priority Date	12/4/2001 9:34:47 AM	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 ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	12/4/2001 9:36:02 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (No) 4. Does the parent right have a POD? (Yes) 6. Is there evidence that there has been a change in the POD? (Yes) 7. Can the change be verified as an accomplished transfer? (Yes) 8. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required? Description for Question 6 - See 12/3/01 memo in file.
POD	12/4/2001 9:36:31 AM	csaxton	Edited point location

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-13265 V1

POU	12/4/2001 9:54:25 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the parent right have a POU? (No) 6. Can the claimed POU be verified using the water right file? (Yes) 7. Is there evidence that there has been a change in the POU? (Yes) 8. Can the claim be verified as an accomplished transfer? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 8 - See 12/3/01 memo in file. Description for Question 13 - NAPP photography and Field Exam 10/2/01
Use	12/4/2001 10:09:00 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the parent right 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	12/4/2001 10:09:44 AM	csaxton	(Yes) 1. Is the basis of claim decree or license? (No) 4. Does the parent right 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?
Summary	12/4/2001 10:16:20 AM	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? (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?

Form A298

QUITCLAIM DEED

THIS QUITCLAIM DEED, Executed this 24 day of November, 1993

first party, to Dwaine W. and Renee G. Anderson

whose post office address is 9196 Anderson Lane, Pocatello, Idaho 83201

to second party: Noel D. or Rodona L. Anderson

whose post office address is 811 South Cole Road, Boise, Idaho 83709

WITNESSETH, That the said first party, for good consideration and for the sum of Dollars (\$1,000.00) paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quitclaim unto the said second party forever, all the right, title, interest and claim which the said first party has in and to the following described parcel of land, and improvements and appurtenances thereto in the County of Bannock, State of Idaho to wit: A tract of land in the southwest quarter of Section 18, Township 6 South, Range 35 East, Boise Meridian, described as follows: Commencing at the southwest corner of Section 18, Township 6 South, Range 35 East, Boise Meridian; thence North 00°23' East along the west line of Section 18 for a distance of 966.82 feet; thence South 89°37' East for a distance of 421 feet, more or less, to the southwest corner of the KOA Campground property, the TRUE POINT OF BEGINNING; thence North 30°21' East along the said KOA property for a distance of 450 feet to and intersection with the southerly right of way line of Pocatello Creek Road; thence North 51°37' West along the said right of way line for a distance of 450 feet, more or less, to the northeast corner of the Elvin Anderson property; thence South 07°03' West along the Elvin Anderson property and the southerly extension thereof, for a distance of 521.7 feet; thence South 51°37' East for a distance of 242 feet, more or less, to the point of beginning.

93019857
NO
RECORDED
EX-100
Dwaine Anderson
'93 NOV 24 AM 1:19
OFFICIAL RECORD BOOK NO. 601
BANNOCK COUNTY IDAHO
LARRY W. GHAN, RECORDER
FEE \$30.00 DEPUTY LISA

IN WITNESS WHEREOF, The said first party has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in presence of:

Dwaine W. Anderson
Renee G. Anderson

State of Idaho }
County of Bannock
On 24, Nov, 93 before me, Dwaine W. and Renee G. Anderson
appeared
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
WITNESS my hand and official seal.

Signature [Signature]
cm 4-1-99
Affiant Known Produced ID
Type of ID Dwaine Anderson
(Seal)



NOTARY SEAL

29-13265

Split history for Decreed Right 29-00443

	Claimed	Recommend
A	Firkins	
	0.1 5	0.01 1.3
B	Fritch	
	0.02 10	0.02 1.8
C	Stocking	
	0.05 2.5	0.01 1.1
		29-13265 (And -D)
		0.77 40.5
		0.1 5.2
D	Anderson, D	
	1 52.5	0.83 43.6
		29-13266 (And-N)
		0.06 3.1
		0.6 3.1
		Q Anderson, T
		0.17 8.9
		0.12 5.9
E	Johnson	
	0.01 2	0.01 1.7
F	Dixon	
	0.2 7	0.02 2.6
G	Anderson, E	
	0.2 2	0.03 1.6
		29-13136 (Packer)
		0.05 1
		0.03 1
H	Packer (split)	
	0.08 4	0.03 1
		29-13137 (Hurley)
		0.03 2
		0.01 1
I	Paul	
	0.04	0.03

Deed

Deeded 1/2 in	Agreed
Deeded 1in per 10 ac	Disagreed but not changing
Deeded 1/2 in	No NOE received
	No NOE Received
	No NOE Received
	No NOE Received
Deeded 1/2 in	Agreed
Need c/o No Deeds Assume 1/12 in per 5 acre plot	No NOE Received
Accomplished Change in POU	No NOE Received
2/3 of 2 inch	No NOE Received
1/3 of 1 inch	No NOE Received
Deed from Tanny-Anderson No 1/2 inch requirement	No NOE Received

	2	1
	29-13254 (Smith)	
J	Smith (split)	0.005 1
	0.01	0.005 0.8
	2	29-13255 (Foltz)
		0.005 1
		0.005 0.7
K	Morris	
	0.01	0.01
	1.5	0.6
L	Finkenbunrg	
	0.01	0.01
	1	1
M	Griggs	
	0.09	0.01
	3	1.5
N	Trayls	
	1	0.16
	30	10.6
29-10783	Lawlor	
	0.12	0
	6	0
29-13270	Pharris	Renumbered from 29-00444A
	0.06	0.02
	2	2
29-12232	Taysom	
	0.02	0.02
	1.5	1.3

Deeded 1/2 to parent No NOE Received

Deeded 1/2 to parent No NOE Received

No deed received No NOE Received

Silent to WR

Silent to WR

8 in deeded No NOE Received

Disallow
0.1 If Recommended
3.5 No NOE Received

no deed provided

Silent to WR

Sum CFS= 1.33
Sum Acre= 49.6

Un-accounted for CFS= 0.27
Un-accounted for Acres= 6.4

Estimated Decreed Acreage = 56 ac
Remaining Diversion Rate For Decreed POU = 1.6

443A - Deed Nov 10, 1969 Lathrom, Willard & Helena

↓
James Firkus
1/2 in
20. SW NE

443B: 1944 Tanny → Anderson, Harry 1.6 cfs

1958 Anderson, Harry → Eliza Smith 1 in - 10 acres, 1887

(?) Firkus → Honycutt - same 10 acres 1/2 interest
Both Firkus and Honycutt own 1/2 interest of 10 acres

443C: ⑤ 1990 Sunstine, Doug → Sunstine, Rodger 1/2 in 1887

① 1989 Sunstine, Lyle → Sunstine, Doug 1/2 in 1887

③ 1992 Sunstine, Rodger → McHester, Tim Silent to WR

④ 1995 McHester, Tim → Maatee, Rodger
Collins, Ron Silent to WR

⑥ 1997 Maatee, Rodger → A.G. Stockins
Merzlock, John

443E: 1971 Anderson → Johnson, Frank 1/2 in (Part of Awaing)

443H: 1991 Beck → Paetzer Deadhead 2 inches in
Travis' Dead

443I: 1944 Tanny → Anderson, Harry 1.6 cfs

443J: 1955 Thompson, Marvin → Smith 1/2 in 1887

443K: Nothing

443L: 1944 Clawson, Ethel → Finkelnberg Silent to WR

443M: Griggs called and said Dead Silent to WR
Fall in Awaing 0.64 cfs

443N: Paetzer, Newell → Travis 8 in

29-10783: Nothing

29-00444: Nothing

28-12232:

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

22-141
22-142
22-144



Memorandum

Date: December 3, 2001

From: Craig L. Saxton

Subject: Split history of 29-00443

Acreage Issue:

In the 60's and 70's the Anderson family started selling off property that was originally covered by an 1887 Tanny right. When the Andersons started selling off the property under the Tanny right they deeded ½ inch of water to 5-acre tracks they were selling. According to Dwain Anderson, the intention was to move the 1887 Tanny right and start using it on the Hopper ground to the West of the original POU.

Within the original Tanny POU, I estimated 49 irrigatable acres.

1972 aerial photography shows the Andersons irrigating a 14.6-acre field.

In 1988 Anderson sold a major portion of the irrigated land to Skoog. This note is important because 2 to 3 years before this sale, the Andersons stopped irrigating a field high on the bench and started irrigating down lower around the current POU. 1985 USGS Orthoquad maps indicated irrigation at that time.

Note: The property that was owned by Skoog was still irrigated from the old ditch with the gravity feed system until sold to Skoog and he put in his own pump. Original claim by Anderson included the property sold to Skoog.

1987 NAPP shows 12.7 acres of irrigation being recommended. This leaves 1.9 acres unaccounted for.

With this information, we can conclude that there was an accomplished change in POU and POD prior to 1987. Irrigated acres do not exceed acreage irrigated in 1972.

Entire Split Results:

Sum of split recommendation acres is 44 acres.

The result of this is that the sum of the acreage and diversion rate being recommended under the Tanny right 29-00443, is less than that decreed. Thus, no enlargement of the right.

Noel Anderson (29-13266):

None of the following show signs of irrigation on the property now owned by Noel Anderson: 1987 NAPP, 1985 USGS Orthoquad, 1972 aerial photography, 1992 Terraserver aerial photos. Cannot recommend as irrigated POU.

Split history for Decreed Right 29-00443

Claimed	Recommend	Deed
A Fikins 0.1 5	0.01 1.3	Deeded 1/2 in
B Frich 0.02 10	0.02 1	Deeded 1in per 10 ac
C Steeking 0.05 2.5	0.01 1.1	Deeded 1/2 in
D Anderson, D (split) 1 52.5	0.83 43.6	
P Anderson, D 0.77 40.5	0.1 5.2	
Q Anderson, T 0.17 8.9	0.12 5.9	
E Johnson 0.01 2	0.01 1.7	Deeded 1/2 in
F Dixon 0.2 7	0.02 2.6	Need c/o No Deeds
G Anderson, E 0.2 2	0.03 1.6	
H Packer (split) 0.08 4	0.05 1 0.03 1.3	2/3 of 2 inch
I Paul 0.04 2	0.03 1	1/3 of 1 inch
J Smith (split) 0.01 2	0.005 1 0.005 0.8	Deed from Tanny-Anderson
K Morris 0.01 1.5	0.005 1 0.005 0.7 0.01 0.6	Deeded 1/2 to parent Deeded 1/2 to parent Waiting

L	Finkelburg	0.01	0.01
		1	1
M	Griggs	0.09	0.01
		3	1.5
N	Travis	1	0.16
		30	10.4
	29-10783 (Lawlor)	0.12	0.02
		6	3.5
	29-00444A	0.06	0.02
	Renumbered to 29-13270	2	2
	29-12232	0.06	0.02
		1.5	0.9

Silent to WR

Silent to WR

8 in

Waiting

no deed provided

waiting

Sum CFS=	0.4	0.25
Sum Acre=	32.4	12.7

Un-accounted for CFS=	1.2	0.95
Un-accounted for Acres=	16.6	3.9

Estimated Decreed Acreage = 49 ac

Remaining Diversion Rate For Decreed POU = 1.6



17 19
2 21

October 26, 2001

Claimants of Decreed Right 29-00443 (split portions: B/G/I/K/L/M/N/P/Q/29-13136)

Re: Request for proof of water right ownership

Dear Claimant:

In reference to the above described water right there have been several claims to portions thereof. At this point the water right for use of Pocatello Creek water for irrigation purposes is over-claimed. To conduct an investigation and recommendation of the portions claimed, proof of water right ownership is required.

Please provide a copy of your deed or conveyance instrument to this office by November 8, 2001. **If such proof is not presented a disallowed recommendation could result.**

Thank you for your attention in this important matter. I look forward to your timely response. Please feel free to contact me at the above address/phone number.

Respectfully submitted,

Craig L. Saxton
Water Resource Agent
Adjudication Bureau

Cc;	WILLIAM AND BARBARA FRITCH 8427 POCATELLO CK RD POCATELLO ID 83201	29-00443B
	ELWIN & FERN ANDERSON 9222 N ANDERSON LN POCATELLO ID 83201	29-00443G
	FO PAUL 8825 W POCATELLO CK RD POCATELLO ID 83201	29-00443I
	ALICE MORRIS 8655 W POCATELLO CK RD POCATELLO ID 83201	29-00443K
	DAVID & LINDA FINKELNBURG 8767 W POCATELLO CK RD POCATELLO ID 83201	29-00443L

JOHN GRIGGS
8521 W POCATELLO CK RD
POCATELLO ID 83210

29-00443M

ANGELO TRAYIS JR
9103 W POCATELLO CK RD
POCATELLO ID 83201

29-00443N

DWAINE ANDERSON
9196 ANDERSON LN
POCATELLO ID 83201

29-00443P

TODD ANDERSON
9897 W CLIFFORD DR
POCATELLO ID 83201

29-00443Q

LARRY PACKER
8675 N PARKS RD
POCATELLO ID 83201

29-13136



29-13265

POD

Field Exam 10/02/01



Looking South. Pond within the natural channel of the stream just on the other side of the fence. Black ABS pipe is the intake line. Pond and creek dry at time of field exam. POU Behind me in picture (csaxton 12/04/01).

29-13265

POD

Field Exam 10/02/01



Looking SW. Pond within the natural stream channel. Andersons cleaning out the pond while creek is dry. Andersons indicate that pond has historically been in place.



Looking SE. Pond within the natural stream channel. Andersons cleaning out the pond while creek is dry. Andersons indicate that pond has historically been in place.



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

DIRK KEMPTHORNE
GOVERNOR

November 6, 2001

KARL J. DREHER
DIRECTOR

DWAINE ANDERSON
9196 ANDERSON LN
POCATELLO ID 83201

RE: Split of Snake River Basin Adjudication (SRBA) claim 29-00443P

Dear Mr. Anderson,

After our meeting on November 6, 2001, I split SRBA claim 29-00443P to reflect a portion of the original claim now belonging to Noel Anderson. The right was split as follows:

29-13265: 0.77 CFS: 40.5 AC: ANDERSON_DWAINE
29-13266: 0.06 CFS: 3.10 AC: ANDERSON_NOEL

Enclosed is a copy for your records. Please note that per our discussion in my office, my recommendation to the SRBA court will likely differ from the enclosed claim.

Please feel free to contact me if you have any questions.

Respectfully submitted,

Craig L. Saxton
Water Resource Agent
Adjudication Bureau

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
29-00443 P					

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

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are 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**.

☒ Name and Address of Former
Owner/Claimant(s)

Dwaine W. Anderson
9196 Anderson Lane Pocatello, ID 83201

☒ New Owner/Claimant(s)

Noel D. Anderson Rodona L. Anderson

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

New Mailing Address

9943 Pocatello Creek Road

City, State and ZIP Code

Pocatello ID 83201

New Telephone Number

(208) 233-1745

☒ Date you acquired the property

11/24/93





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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: 29-13265
Date Received: 11/6/2001
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DWAINE W ANDERSON Phone: (208)233-6540

9196 ANDERSON LN
POCATELLO ID USA 83201

2. Date of Priority: 06/01/1887

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06S	35E	19	SE NE	BANNOCK	

5. Description of diverting works:

HEADGATE TO DITCH TO GRAVITY LINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.77	

7. Total Quantity Appropriated is:

0.77 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	
06S	35E	18	SW	SW	4	IRRIGATION	18
			SE	SW		IRRIGATION	17.5
			NW	SW	3	IRRIGATION	5
Section Acres						40.5	
Total Acres						40.5	

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:

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 29-00443P.

RIGHT SPLIT BY C/O PER CLAIMANT REQUEST (CSAXTON 11/6/01).

15. Basis of Claim: Decreed

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: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this

of _____ 20__

Notary Public

Residing at _____

My commission Expires _____