

02/12/2002

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

RIGHT NUMBER: 29-13289

NAME AND ADDRESS: DAVID LEE LOSEE  
PO BOX 27  
LAVA HOT SPRINGS ID 83246

SOURCE: DEMPSEY CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.06 CFS

USE OF THIS RIGHT WITH RIGHT NO. 29-00157A IS LIMITED TO A TOTAL COMBINED  
DIVERSION RATE OF 0.06 CFS.

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

PRIORITY DATE: 08/07/1932

POINT OF DIVERSION:

T10S R38E S9 SWNENW 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          | 0.060 CFS       |
| STOCKWATER            | 01/01 12/31          | 0.020 CFS       |

PLACE OF USE: IRRIGATION Within BANNOCK County

T10S R38E S09 NENW 3.0

STOCKWATER Within BANNOCK County

T10S R38E S09 NENW

USE OF THIS RIGHT WITH RIGHT NO. 29-00157A IS LIMITED TO THE IRRIGATION OF  
A COMBINED TOTAL OF 3.0 ACRES IN A SINGLE IRRIGATION SEASON.

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 FOR  
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL  
USE.

EXPLANATORY MATERIAL: Beneficial Use

RIGHT NO. 29-00157A IS ALSO DIVERTED THROUGH POINT OF DIVERSION  
DESCRIBED ABOVE.



# STATE OF IDAHO

Department of Water Resources  
Eastern Region

**Water Right(s): 29-00157A,  
29-13289**



## LEGEND

-  **Place of Use**
-  **Section**
-  **Quarter-Quarter**
-  **Point of Diversion**

**Place of Use: T10S, R38E  
(part of) Sec. 9 NENW**

**Point(s) of Diversion: T10S, R38E  
Sec. 9 SWNENW**



GIS Place of Use Illustration  
1987/1988 NAPP photography  
Prepared by: A. Ruberry  
Date: February 2002

29-13289 Ekt 504 w/ 29-157A Photos

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See notes in 29-157A

Dempsey Creek

NENW

3.0

5 4 6  
8 9

T10S R38E

\$50<sup>00</sup>

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 29-13289  
Date Received: 2/11/2002  
Receipt No:  
Received By: *EP 27440*  
*ABR*

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

*776 ABR*  
DAVID LEE LOSEE Phone: (208) ~~766~~-5630

PO BOX 27  
LAVA HOT SPRINGS ID USA 83246

2. Date of Priority: 08/07/1932

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

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County  | Type |
|----------|-------|---------|-----------------------|---------|------|
| 10S      | 38E   | 9       | SW NE NW              | BANNOCK |      |

5. Description of diverting works:

DIVERSION OFF CREEK

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 04/01 | 10/31 | 0.06   |            |
| STOCKWATER | 01/01 | 12/31 | 0.02   |            |

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

8. Total consumptive use:

9. Non-irrigation uses:  
Number of other uses: 5

10. Place of use:

| Township | Range | Section | 1/4 of 1/4 Lot | Use        | Acres |
|----------|-------|---------|----------------|------------|-------|
| 10S      | 38E   | 9       | NE NW          | IRRIGATION | 3     |

NE NW

STOCKWATER

Section Acres 3

Total Acres 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:

EXTENDED SEASON OF USE CLAIM BASED ON 29-00157A.

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: 0

**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): David Lee Losee Date: 2-12-02

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

State of Idaho )

County of BONNEVILLE ) SS.

Subscribed and sworn (or affirmed) before me this 12<sup>th</sup>

of February 2002

Arlen B. Rubenry  
Notary Public

Residing at Boano Falls Rd

My commission Expires 9/23/03

