

04/28/2003

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

RIGHT NUMBER: 29-13535
NAME AND ADDRESS: JASON HALL
1302 AMMON ST
POCATELLO ID 83201

AMBER HALL
1302 AMMON ST
POCATELLO ID 83201

RECEIVED

JUL 09 2003

Department of Water Resources
Eastern Region

SOURCE: WEST BOB SMITH CREEK TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.060 CFS
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.10 CFS. COMBINED RIGHT
NOS.: 29-13535, 29-13538, 29-13541, 29-13544, 29-13547, 29-13550,
29-13553.

PRIORITY DATE: 08/07/1932

POINT OF DIVERSION:
T09S R37E S15 SENENW Within BANNOCK County
T09S R37E S15 SESENEW 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
T09S R37E S22 NENE 0.7 T09S R37E S22 NWNE 4.3
STOCKWATER same as IRRIGATION
5 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 5.0 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-13535, 29-13538,
29-13541, 29-13544, 29-13547, 29-13550, 29-13553.

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: BASIS OF CLAIM - Beneficial Use

04/28/2003

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

RIGHT NUMBER: 29-13535
NAME AND ADDRESS: JASON HALL
1302 AMMON ST
POCATELLO ID 83201

AMBER HALL
1302 AMMON ST
POCATELLO ID 83201

A2913535



SOURCE: WEST BOB SMITH CREEK TRIBUTARY: PORTNEUF RIVER
QUANTITY: 0.060 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.10 CFS. COMBINED RIGHT NOS.: 29-13535,
29-13538, 29-13541, 29-13544, 29-13547, 29-13550, 29-13553.

PRIORITY DATE: 08/07/1932

POINT OF DIVERSION:

T09S R37E S15 SENENW Within BANNOCK County Source: WEST BOB SMITH CREEK
T09S R37E S15 SESENW Within BANNOCK County Source: WEST BOB SMITH CREEK

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

T09S R37E S22 NENE 0.7 T09S R37E S22 NWNE 4.3

STOCKWATER same as IRRIGATION

5 ACRES TOTAL

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IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-13535, 29-13538,
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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

THIS IS AN EXTENDED SEASON OF USE RIGHT BASED ON DECREED
RIGHTS.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 29-13535, 29-13538, 29-13541, 29-13544,
29-13547, 29-13550, 29-13553.

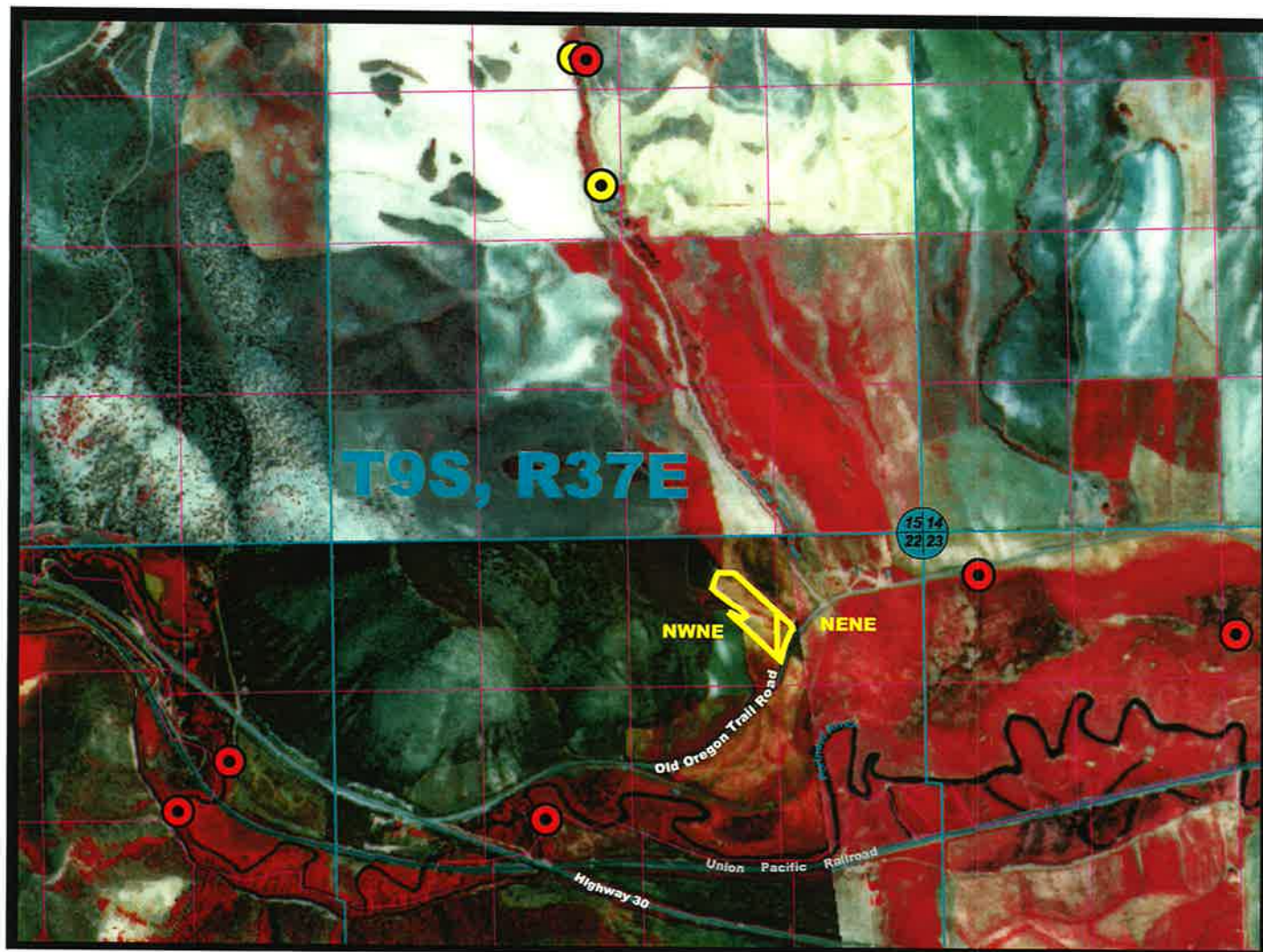
THIS RIGHT IS A SPLIT FROM FORMER RIGHT 29-13300. THEN SPLIT TO
29-13520. THEN SPLIT TO THIS NUMBER.



State of Idaho

Department of Water Resources

Eastern Region



750 0 750 1500 2250 3000 3750 4500 5250 6000 6750 7500 8250 9000 Feet

Water Right(s):

29-13535, 29-13538,
29-13541, 29-13544,
29-13547, 29-13550,
29-13553

Place of Use: T9S, R37E
(parts of) Sec. 22 N2NE

Point(s) of Diversion: T9S, R37E
Sec. 15 SENENW, SESENW



LEGEND

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

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: April 2003

04/28/2003

**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:

Water right number: 29-13535

JASON HALL
1302 AMMON ST
POCATELLO ID 83201
Telephone Number: (208) 232-0555

AMBER HALL
1302 AMMON ST
POCATELLO ID 83201
Telephone Number: (208) 232-0555

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:

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

DATE: 7/7/03

SIGNATURE: Jason W. Hall Amber Hall

Please print your name: Jason W. HALL Amber Hall

IDWR Regional Office,

03/26/2003

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

RIGHT NUMBER: 29-13520

NAME AND ADDRESS: MAX W HALL
PO BOX 784
LAVA HOT SPRINGS ID 83246

SOURCE: WEST BOB SMITH CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: ~~3.540 CFS~~ 3.35 cfs (~~279.2 Ac~~ = 3.35 cfs)

$$3.35 \div 279.2 = 0.012/ac$$

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 3.35 CFS. COMBINED RIGHT NOS.: 29-13510,
29-13512, 29-13514, 29-13516, 29-13518, 29-13520.

PRIORITY DATE: 08/07/1932

POINT OF DIVERSION:

T09S R37E S15 SENENW Within BANNOCK County Source: WEST BOB SMITH CREEK
T09S R37E S15 SESENW Within BANNOCK County Source: WEST BOB SMITH CREEK

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	3.500 CFS
STOCKWATER	01/01 12/31	0.040 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T09S R37E S14	NWSW	21.9	T09S R37E S14	SWSW	28.9
T09S R37E S15	NESW	36.0	T09S R37E S15	SESW	0.7
T09S R37E S15	NESE	39.0	T09S R37E S15	NWSE	25.0
T09S R37E S15	SWSE	29.0	T09S R37E S15	SESE	39.0
T09S R37E S22	NENE	6.0	T09S R37E S22	NWNE	17.0
T09S R37E S22 Lot 2	SWNE	19.0	T09S R37E S22 Lot 1	SENE	4.2
T09S R37E S22 Lot 4	SWNW	5.2	T09S R37E S22 Lot 3	SENW	8.3

STOCKWATER same as IRRIGATION

279.2 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 279.2 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-13510, 29-13512,
29-13514, 29-13516, 29-13518, 29-13520, 29-13309.

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:

29-13534 M. HALL
263.0 Ac. @ 3.156 cfs

29-13520

29-13535 J. HALL
5.0 ac @ 0.060 cfs

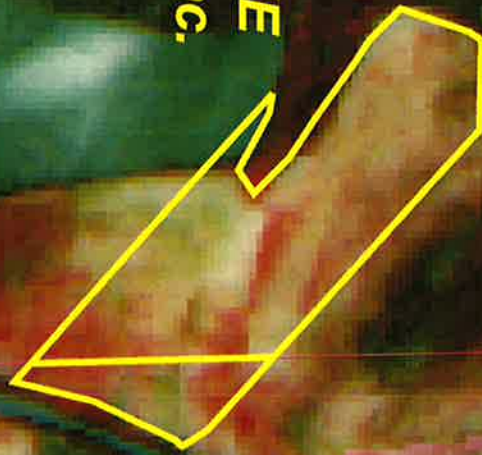
Ext 504

Water Right 29-13520

29-13536 R. GUNTER
11.2 ac @ 0.134 cfs

Old Oregon Trail Road

NWNE
4.20 ac.



Portneuf River

NENE
0.75 ac.

West Bob Smith Creek

15 14
22 23



20108450

Warranty Deed

For Value Received

undisclosed

Max W. Hall

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

Jason W. Hall

AND Amber Hall

whose current address is

1302 AMMON ST

Pocatello, ID. 83201

the grantee, the following described premises, in

BANNOCK County Idaho, to wit:

The grantee will be responsible for building and maintaining fence around 6.00 acre parcel, and easement approach.

For legal land description see attachment "A"

The water rights for parcel will include a 1/50th of total water rights as of this date 5/4/01, from nearest water source of gravity system, with permission to bury line to property from mainline. Grantee will assume costs of survey and recording, and 1/50th of maintenance costs of mainline.

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 he 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 whatsoever.

Dated: 5/4/01

Grantor: Max W. Hall Grantee: Jason W. Hall
Amber Hall

STATE OF IDAHO, COUNTY OF Bannock

On this 4th day of May 2001

before me, a notary public in and for said State, personally appeared

Max W. Hall

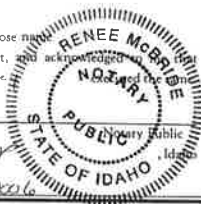
Jason W. Hall

Amber Hall

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

Residing at Pocatello, Idaho

Comm. Expires May 31, 2006



NO 20108450

RECORDED AT REQUEST OF

Jason W. Hall

2001 MAY 4 PM 2 08

RECORD

BOOK 782

BANNOCK COUNTY IDAHO

LARRY W. GILMAN RECORDER

FEE \$6.00 DEPUTY JD

42-1409(6) July, 2000

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.

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
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SEE ATTACHED LIST OF A-I CLAIMS
AS SPLIT OFF OF MAX'S CLAIMS.

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)

Max Hall

New Owner/Claimant(s)

Jason Hall and Amber Hall

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

New Mailing Address

1302 Ammon St.

City, State and ZIP Code

Pocatello, Idaho 83201

New Telephone Number

(208) 232-0555

Date you acquired the property

May 4, 2001

Alan -

We were told to address
this to your attention.

(Sorry if we spelled your
name incorrectly) -

We are trying to make sure
our portion of the water rights
is in our name.

We tried to get the adjudication
number off your website, but
couldn't tell the difference between
the ones in Max's name. I wrote

down one of the numbers
I found, but I don't know
if it is correct.

Please call us if you need
any more info -

Thanks -

Jason & Amber Hall

Split History of Max Hall's water rights off West Bob Smith Creek 3/21/03

		29-13549 M. Hall
29-00207	29-00207A { 29-13510 (0.530 cfs/ 279.2ac) M. Hall	29-13550 J. Hall
	(.545 cfs/ 287 ac)	R. GUNTER
	29-13511 (0.015 cfs/ 7.8 ac) E. Rush	29-13551
29-00207B L. Stewart		29-13546 M. Hall
29-00214	29-00214A { 29-13512 (0.568 cfs/ 279.2 ac) M. Hall	29-13547 J. Hall
	(0.584 cfs/ 287 ac)	R. GUNTER
	29-13513 (0.016 cfs/ 7.8 ac) E. Rush	29-13548
29-00214B L. Stewart		29-13543 M. Hall
29-00215	29-00215A { 29-13514 (0.642 cfs/ 279.2 ac) M. Hall	29-13544 J. Hall
	(0.660 cfs/ 287 ac)	R. GUNTER
	29-13515 (0.017 cfs/ 7.8 ac) E. Rush	29-13545
29-00215B L. Stewart		29-13540 M. Hall
29-10774	29-10774A { 29-13516 (0.893 cfs/ 279.2 ac) M. Hall	29-13541 J. Hall
	(0.917 cfs/ 287 ac)	R. GUNTER
	29-13517 (0.024 cfs/ 7.8 ac) E. Rush	29-13542
29-10774B L. Stewart		29-13537 M. Hall
29-10776	29-10776A { 29-13518 (0.720 cfs/ 279.2 ac) M. Hall	29-13538 J. Hall
	(0.740 cfs/ 287 ac)	R. GUNTER
	29-13519 (0.198 cfs/ 7.8 ac) E. Rush	29-13539
29-10776B L. Stewart		29-13534 M. Hall
29-13300	29-13520 ³⁵ (3.44 cfs/ 279.2 ac) M. Hall ≤ 3.35	29-13535 J. Hall
	(3.54 cfs/ 287 ac) EXT 504	R. GUNTER
29-13521 (0.096 cfs/ 7.8 ac) E. Rush ≤ 0.267		29-13536
29-13309 (1.84 cfs/ 116.0 ac w/i 287 ac) reduced to 279.2 ac. - enlargement claim [Rush did not get any portion of the enlarged acres.]		29-13552 M. Hall
		29-13553 J. Hall
		29-13554 R. Gunter

Note: All Stewart split portions were split off circa March 2002.

(Use 263²) - Max Hall retains remainder of all Parent Rts @ 263²⁵ ac
 (Use 50) - Jason Hall gets 4.95 ac as irrig. w/ appropriate Q, includes enlargement
 (Use 117) - Russell Gunter gets 11.70 ac as irrig. " " " " "

21009
Max Hall
6.00 Acres
Date: May 1, 2001

Attachment "A"

A parcel of land in the NE¼ of Section 22, Township 9 South, Range 37 East of the Boise Meridian described as follows:

Beginning at a point on the NW¼ly right-of-way of Old Oregon Trail Road which bears S 55° 42' 38" W, 1409.78 feet from the NE corner of said Section 22 and S 61° 24' 42" E 1653.42 feet from the N¼ corner of said Section 22, said POINT OF BEGINNING being monumented with a ½" rebar and plastic cap PLS 8075, said point also being the most S'ly corner of Warranty Deed instrument No. 95018967;

Thence, N 47° 58' 00" W, along the SW¼ly property line of said Warranty Deed, 661.84 feet to a ½" rebar and plastic cap PLS 8075;

Thence, N 87° 34' 27" W, 243.55 feet to a ½" rebar and plastic cap PLS 843;

Thence, S 42° 02' 00" W, 157.73 feet to a ½" rebar and plastic cap PLS 843;

Thence, S 47° 58' 00" E, 936.54 feet to a ½" rebar and plastic cap PLS 843 on the NE¼ly right-of-way of Old Oregon Trail Road;

Thence, N 20° 05' 35" E, along said right-of-way, 67.38 feet to a ½" rebar and plastic cap PLS 843;

Thence, N 69° 54' 25" W, 3.00 feet to a ½" rebar and plastic cap PLS 843;

Thence, from a tangent bearing N 20° 05' 35" E, along a curve to the right, having a radius of 852.44 feet, through a central angle of 17° 26' 24", for an arc length of 259.47 feet to the POINT OF BEGINNING and containing 6.00 Acres more or less.

Reserving therefrom a 60.00 foot private access easement along the NE¼ly line of the above described parcel with the ends being lengthened or shortened to conform to the NW¼ly right-of-way of Old Oregon Trail Road and the North line of the above described parcel.

Ref. 15 14

22 23

T9S, R37E

West Bob Smith Creek

Portneuf River

Oregon Trail Road p10

POB/POE

Survey of Jason
and Amber Hall.

