

04/21/2003

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

RIGHT NUMBER: 29-13527
NAME AND ADDRESS: KATHY D ARCHIBALD
10408 E THUNDER MTN RD
PO BOX 338
LAVA HOT SPRINGS ID 83246

THOMAS J ARCHIBALD
10408 E THUNDER MTN RD
PO BOX 338
LAVA HOT SPRINGS ID 83246

SOURCE: DEMPSEY CREEK TRIBUTARY: PORTNEUF RIVER
QUANTITY: 2.400 CFS

THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER DESCRIBED
ABOVE AT THE POINT OF MEASUREMENT IN T10S, R38E, S04, NESWSW.

THIS RIGHT WHEN COMBINED WITH RIGHT NO. 29-172, 29-173, AND 29-13527
SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.

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

PRIORITY DATE: 04/01/1945

POINT OF DIVERSION:

T10S R38E S7 NESWSW Within BANNOCK County Source: DEMPSEY CREEK

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	2.400 CFS
STOCKWATER	04/01 10/31	0.040 CFS

PLACE OF USE:

IRRIGATION Within BANNOCK County

T09S R38E S33	SWNW	37.0	T09S R38E S33	SENW	15.0
T09S R38E S33	NESW	23.0	T09S R38E S33	NWSW	37.0

STOCKWATER same as IRRIGATION

112 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 112.0 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-172, 29-173, 29-13527.

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

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

04/21/2003

THIS IS AN EXTENDED SEASON OF USE CLAIM BASED UPON 29-172 AND
29-173.

WATER IS DELIVERED THROUGH WEST DEMPSEY DITCH.

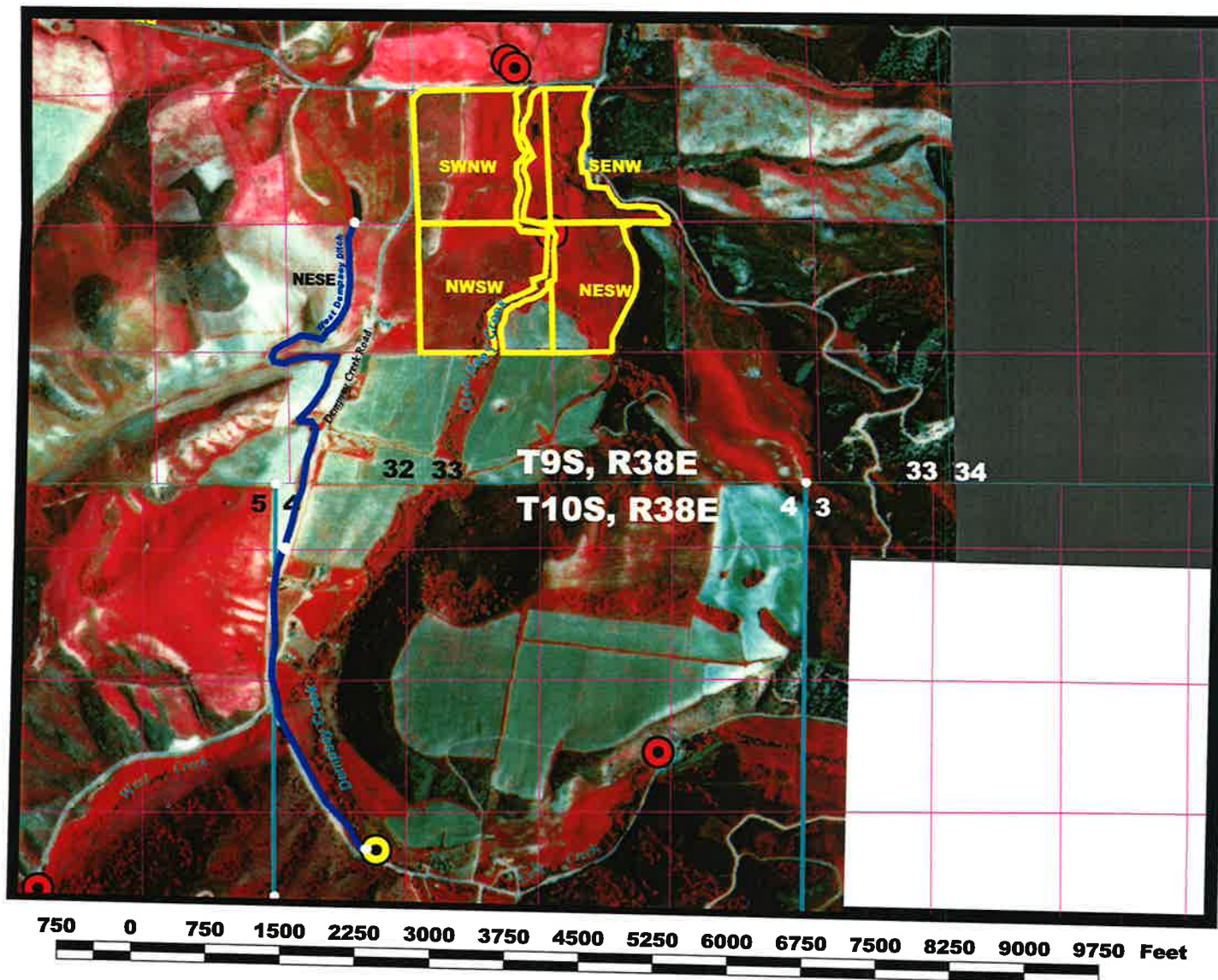
RIGHT NOS. 29-172, 29-173, AND 29-13527 ARE ALSO DIVERTED
THROUGH POINT OF DIVERSION DESCRIBED ABOVE.



State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):
29-172, 29-173,
29-13527

Place of Use: (parts of): T9S, R38E
Sec. 33 S2NW, N2SW

Point(s) of Diversion: T10S, R38E
Sec. 4 NESWSW



LEGEND

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

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 IS AN EXTENDED SEASON OF USE CLAIM.
STOCKWATER FOR 50 CATTLE, 7 HORSES.

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 X 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): Thomas J. Arkedald Date: 4/18/03
_____ Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 18th
of April 2003 Aaron B. Ruberry

Notary Public

Residing at Boise Idaho ID

My commission Expires 9/23/03



Affidavit

29-13527
EXT. 5011

From Joel Robinson, son of Arthur and Lola Robinson the owners of property described in Bannock County Instrument 245518 Warranty Deed dated 4 June 1945. The water right is described in Decree Number 128 of the Union Grain and Elevator Company now referred to as 9-0172 and 9-0173 by the Department of Water Resources. I, Joel Robinson, participated in the application of water to this land as defined in the Decree 128 for early and late watering beginning in 1945. We watered early and late based on the weather and soil conditions and primarily watered the late watering commencing after September 15th, weather permitting, sometimes exceeding the October 31st date referenced in Department of Water Resource letter of December 17, 2001.

Joel Robinson

13 MAY 2002



Brigham County
Idaho

Kelly Smith 5-13-02

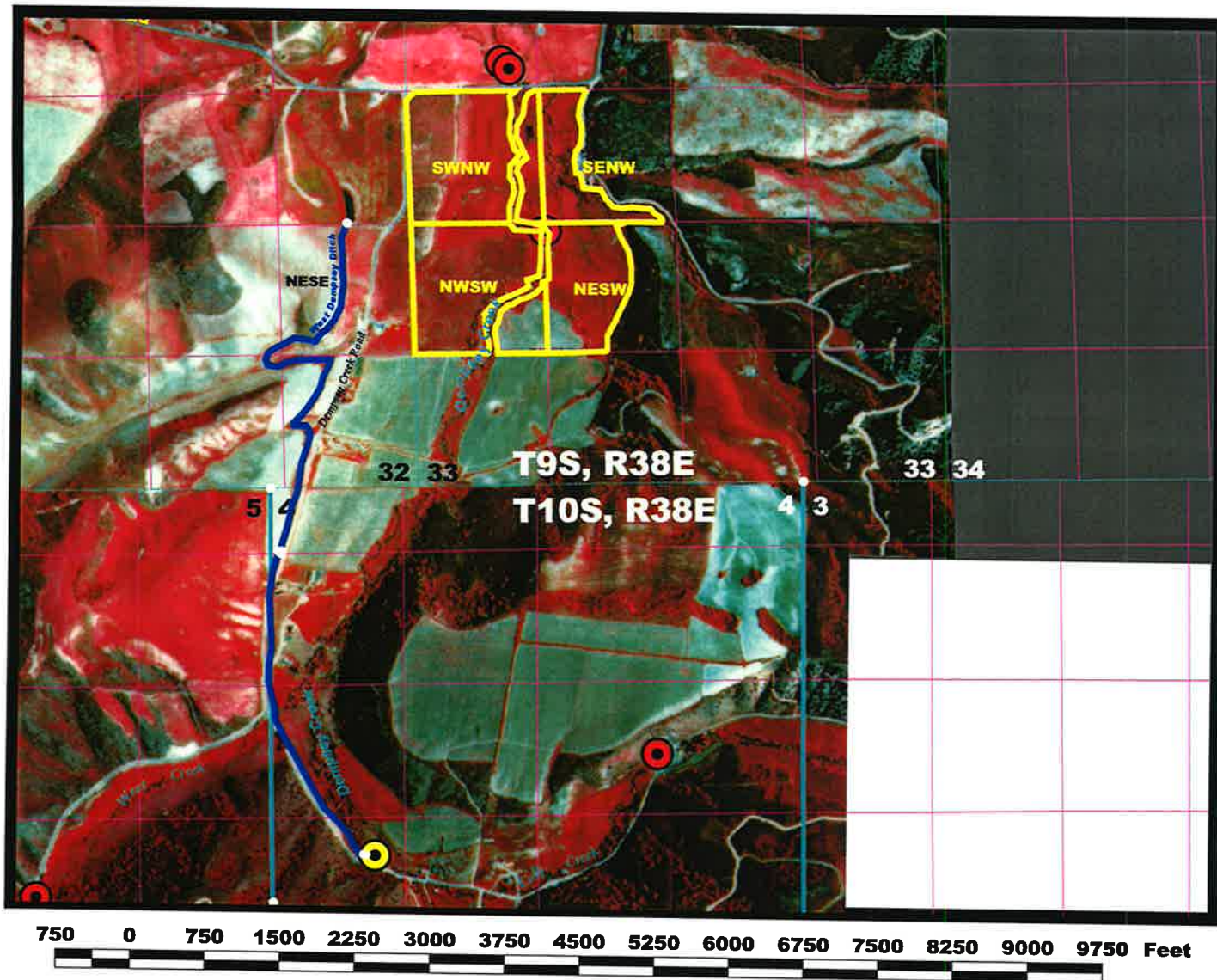
exp 12-27-05



State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):
29-172, 29-173,
29-13527

Place of Use: (parts of): T9S, R38E
Sec. 33 S2NW, N2SW

Point(s) of Diversion: T10S, R38E
Sec. 4 NESWSW



LEGEND



Point of Diversion

SESE

Place of Use



Section



Quarter-Quarter