

12/05/2002

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

RIGHT NUMBER: 29-13434

NAME AND ADDRESS: DELLA F JOHNSON
8173 W PORTNEUF RD
POCATELLO ID 83204

KAREN BECKER
8167 W PORTNEUF RD
POCATELLO ID 83204

SOURCE: MINK CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.070 CFS

USE OF THIS RIGHT WITH RIGHT NO. 29-11079 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 0.15 CFS.

PRIORITY DATE: 04/01/1967

POINT OF DIVERSION:

T07S R35E S20 SESWNE 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	0.070 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T07S R35E S20	SWNE	5.0	T07S R35E S20	NWSE	2.3
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7.3 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2.3 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE 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.

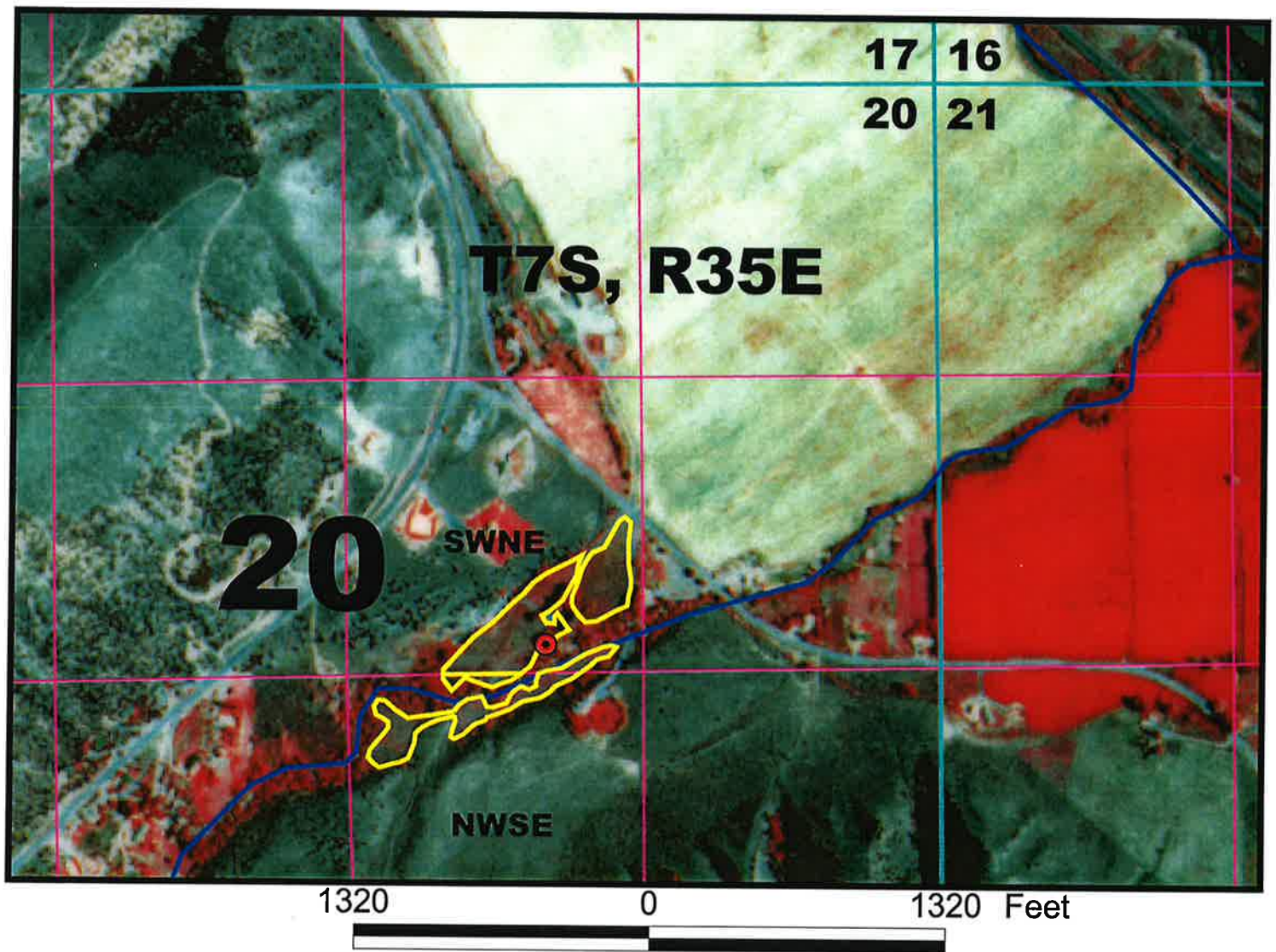
EXPLANATORY MATERIAL: Beneficial Use



STATE OF IDAHO

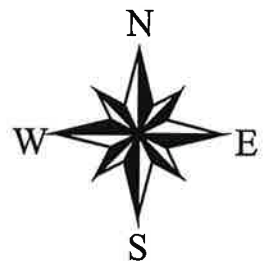
Department of Water Resources
Eastern Region

Water Right(s): 29-11079 & 29-13434



Total Irrigated Acres: 7.3
Permissible Place of Use

-  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 2002

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-13434 V1

WATER RIGHT NUMBER: 29-13434 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DELLA F JOHNSON 8173 W PORTNEUF RD POCATELLO, ID 83204 (208)233-0841
Current Owner	KAREN BECKER 8167 W PORTNEUF RD POCATELLO, ID 83204 (208)233-1875

Priority Date: 04/01/1967

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
MINK 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	0.070 CFS	
	<u>Total Diversion:</u>	0.070 CFS	

Location of Point(s) of Diversion

MINK CREEK	SE1/4SW1/4NE1/4	Sec. 20, Twp 07S, Rge 35E, B.M.
BANNOCK County		

Place of UseIRRIGATION Within BANNOCK County

T07S R35E S20	SWNE	5.0	T07S R35E S20	NWSE	2.3
Total Acres: 7.3					

Conditions of Approval:

1. 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:

1. Quantity USE OF THIS RIGHT WITH RIGHT NO. 29-11079 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.15 CFS.
2. Place of Use THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2.3 ACRES WITHIN THE PLACE OF USE
- Irrigation DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-13434 V1

Comments:

1. csaxton 12/5/2002 PPU

Comment: Recommend as PPU with 29-13434

2. csaxton 12/5/2002 POU

Comment: This right was established in 1967 when sprinkler irrigation was put in place to supplement/replace sprinkler irrigation. An additional 2.3 acres of irrigation was picked up. Recommend 2.3 acres within the 7.3 total.

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:

Owner Name Connector: OR

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>
Contacts	12/5/2002 8:25:48 AM	csaxton			Active
Priority Date	12/5/2002 8:28:50 AM	csaxton			Active
POD	12/5/2002 8:29:28 AM	csaxton			Active
Source	12/5/2002 8:31:44 AM	csaxton			Active
POU	12/5/2002 8:32:53 AM	csaxton			Active
Use	12/5/2002 8:35:06 AM	csaxton			Active
Season	12/5/2002 8:36:01 AM	csaxton			Active
Quantity	12/5/2002 8:37:37 AM	csaxton			Active
Summary			12/05/2002	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	12/5/2002 8:33:55 AM	csaxton	Edited PLS

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-13434 V1

Priority Date	12/5/2002 8:28:51 AM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date claimed after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Affidavit from Joseph Becker.
Source	12/5/2002 8:31:45 AM	csaxton	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Field Exam 12/4/02
POU	12/5/2002 8:32:54 AM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (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 13 - Napp Photography and claimant contact.
Use	12/5/2002 8:35:08 AM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Field exam 9/25/02

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-13434 V1

Season	12/5/2002 8:36:02 AM	csaxton	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (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?
Quantity	12/5/2002 8:37:38 AM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (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? Description for Question 7 - Per Dave Tuthill, claims for 0.20 cfs or less do not require measurement.
Summary	12/5/2002 8:39:29 AM	csaxton	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (Yes) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (No) 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?
Contacts	12/5/2002 8:25:49 AM	csaxton	(No) 1. Do you want to schedule an appointment?
POD	12/5/2002 8:29:29 AM	csaxton	Comment for 1: FE 9/25/02 (No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POD	12/5/2002 8:30:22 AM	csaxton	Edited point location
POD	12/5/2002 8:30:51 AM	csaxton	Edited PLS
POU	12/5/2002 8:33:20 AM	csaxton	Edited shape boundary

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 29-13434
Date Received: 11/29/2002
Receipt No: W029896
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DELLA F JOHNSON
8173 W PORTNEUF RD
POCATELLO ID USA 83204

Phone: (208)233-0841

KAREN BECKER
8167 W PORTNEUF RD
POCATELLO ID USA 83204

Phone: (208)233-1875

2. Date of Priority: 01/01/1967

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07S	35E	20	SE SW NE	BANNOCK	

5. Description of diverting works:

Small pump in creek with pipeline to sprinklers.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.12	

7. Total Quantity Appropriated is:
0.12 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
07S	35E	20	SW	NE	IRRIGATION	2
			NW	SE	IRRIGATION	2
					Section Acres	4
					Total Acres	4

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 for new development of irrigated acres that took place when the sprinkler system was put into place.

Fees paid under receipt number W029896

15. Basis of Claim: Beneficial Use

NOV 29 2002

WATER RESOURCES
WESTERN REGION

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
Date Received:
Receipt No:
Received By:

A29-13434
11-29-02
W1029896
DH

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

DELLA F JOHNSON Phone: (208)233-0841

8173 W PORTNEUF RD
POCATELLO ID USA 83204

KAREN BECKER Phone: (208)233-1875

8167 W PORTNEUF RD
POCATELLO ID USA 83204

2. Date of Priority: 1967

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07S	35E	20	SE SW NE	BANNOCK	

5. Description of diverting works:

SMALL PUMP IN CREEK WITH PIPELINE & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	10/31	0.06	
			0.12 KB	

7. Total Quantity Appropriated is:

0.06 C.F.S.

0.12 KB

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	initial
07S	35E	20	SW	NE	IRRIGATION	2	KB
			NW	SE	IRRIGATION	2	KB
Section Acres						4	KB
Total Acres						4	KB

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:

29-11079

14. Remarks:

This right is for new development of irrigated acres that took place when the sprinkler system was put into place.

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): Karen Becken Date: 25 2002

Date: _____

State of Idaho

County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this

of 25th 2002

Barbara V. Smith

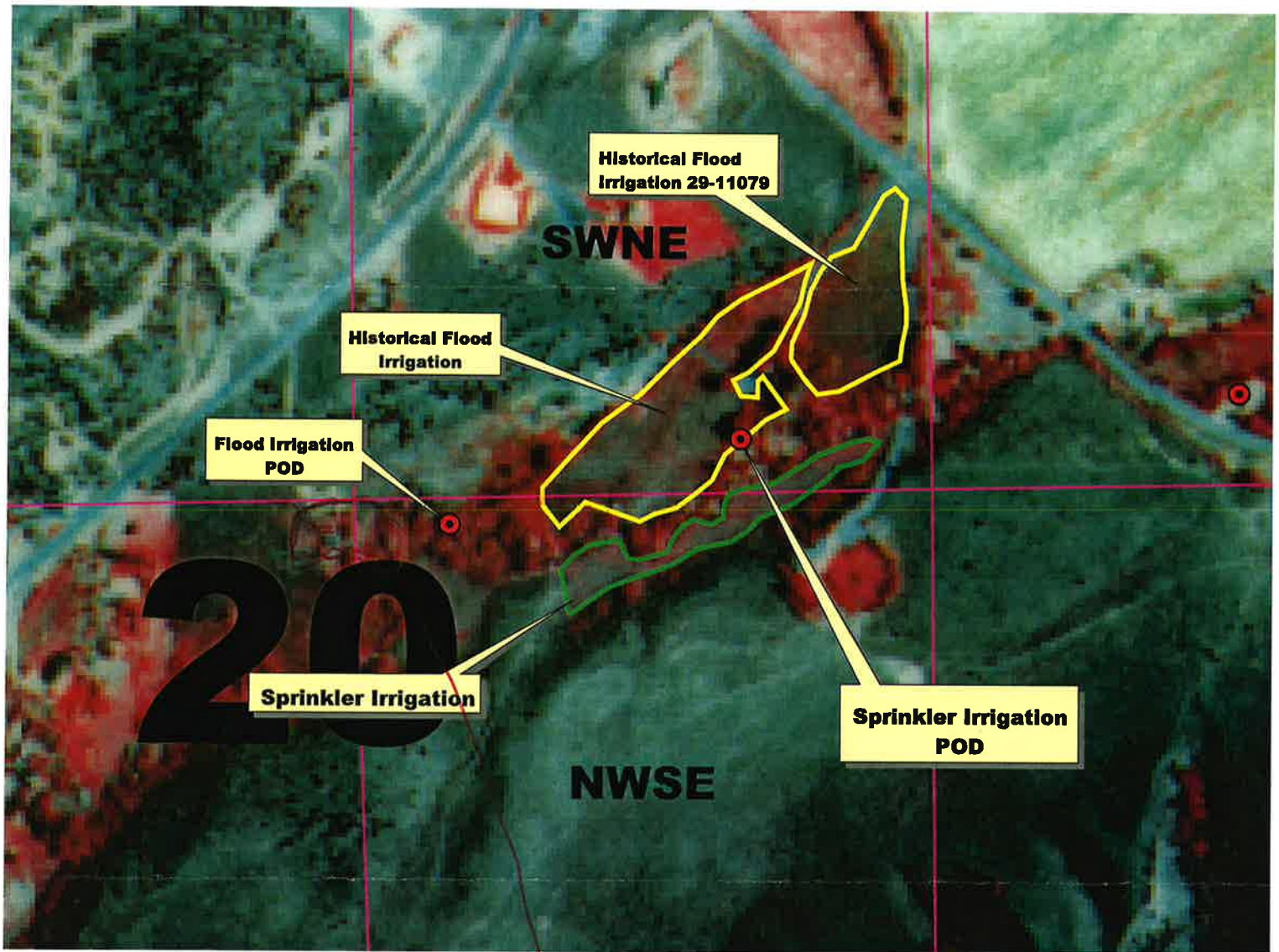
Notary Public

Residing at Pocatello, ID

My commission Expires 9-12-03

Johnson/Becker - POU

Reference Map



Point of Diversion

Property Acreage: 0.0



Sprinkler irrigation additional Acreages



Flood Irrigation



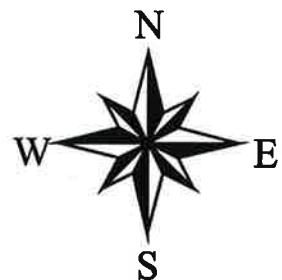
Bannock Co Tax Lot Data



Section Lines



Quarter Quarter Lines



Prepared By: Craig Saxton
October 2002

12-4-02 : Claimant Indicated on Claim map sprinkler
Irrigated Ground on property, not owned by
Claimant.

: After Reviewing NAPP, Terra server, and Dogg
Aerial photos, I feel the Intention of the claim
was to add additional acres in the NWSE,
Recommend 2.3 acres under Sprinkler Irrigation

: Recommend Flood Irrigated Ground

= 1.5" Per acre @ 0.07 cfs

02/08/2003

Craig

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: 29-13434

DELLA F JOHNSON
8173 W PORTNEUF RD
POCATELLO ID 83204
Telephone Number: (208)233-0841

KAREN BECKER
8167 W PORTNEUF RD
POCATELLO ID 83204
Telephone Number: (208)233-1875

RECEIVED
APR 21 2003
WATER RESOURCES
WESTERN REGION

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: 3-19-03

SIGNATURE:

Karen Becker

Please print your name:

Karen Becker

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

O

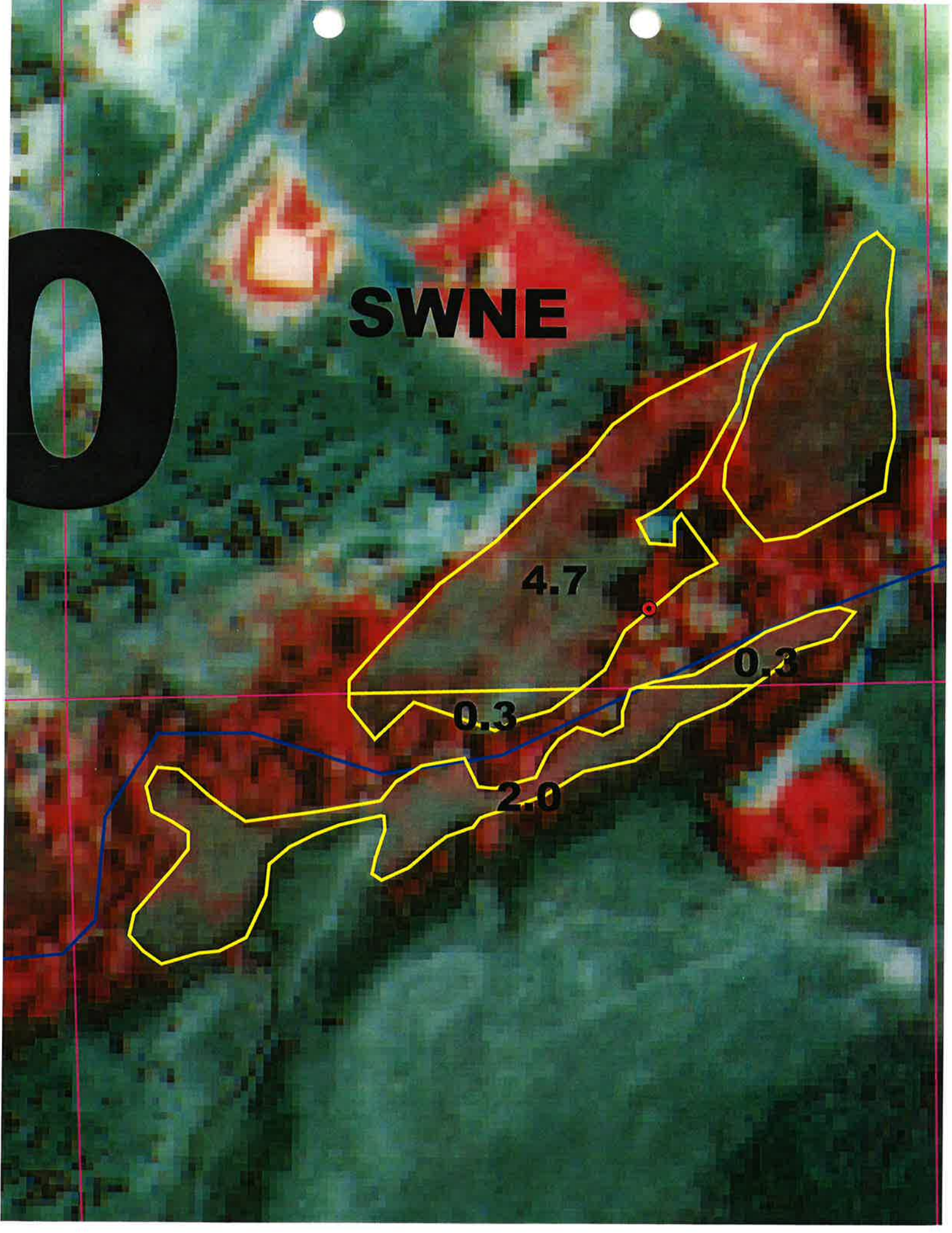
SWNE

4.7

0.3

0.3

2.0



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[11 x 17 Print Size](#)

USGS 10 km SE of Pocatello, Idaho, United States 23 Aug 1998



0 100M

0 100yd

Image courtesy of the U.S. Geological Survey
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RECEIVED

NOV 29 2002

WATER RESOURCES
WESTERN REGION

NOVEMBER 25, 2002

**I, JOSEPH D. BECKER, AM PERSONALLY AWARE THAT THE SPRINKLER IRRIGATION
SYSTEM WAS IN EFFECT SINCE 1967.**

**I AM THE SON-IN-LAW OF ALBERT AND DELLA JOHNSON AND HELPED MR. JOHNSON
MOVE THE SPRINKLER LINES WITH MY WIFE KAREN AND HER SISTER , BARBARA.**

A handwritten signature in cursive script, reading "Joseph D. Becker", written in dark ink.

JOSEPH D. BECKER