

12/17/2002

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

RIGHT NUMBER: 29-13435
NAME AND ADDRESS: LINDA BRIM
PO BOX 211
DOWNEY ID 83234

WILLIS L BRIM
PO BOX 211
DOWNEY ID 83234

SOURCE: UNNAMED STREAM TRIBUTARY: SINKS

QUANTITY: 0.300 CFS

USE OF THIS RIGHT WITH RIGHT NO. 29-04143 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 0.31 CFS.

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

PRIORITY DATE: 05/01/1920

POINT OF DIVERSION:

T11S R37E S14 SWNWSW Within BAKER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.300 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T11S R37E S15 SWSE 3.4 T11S R37E S22 NWNE 12.0

STOCKWATER Within BANNOCK County

T11S R37E S15 SWSE T11S R37E S22 NWNE

15.4 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 29-04143 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 15.4 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

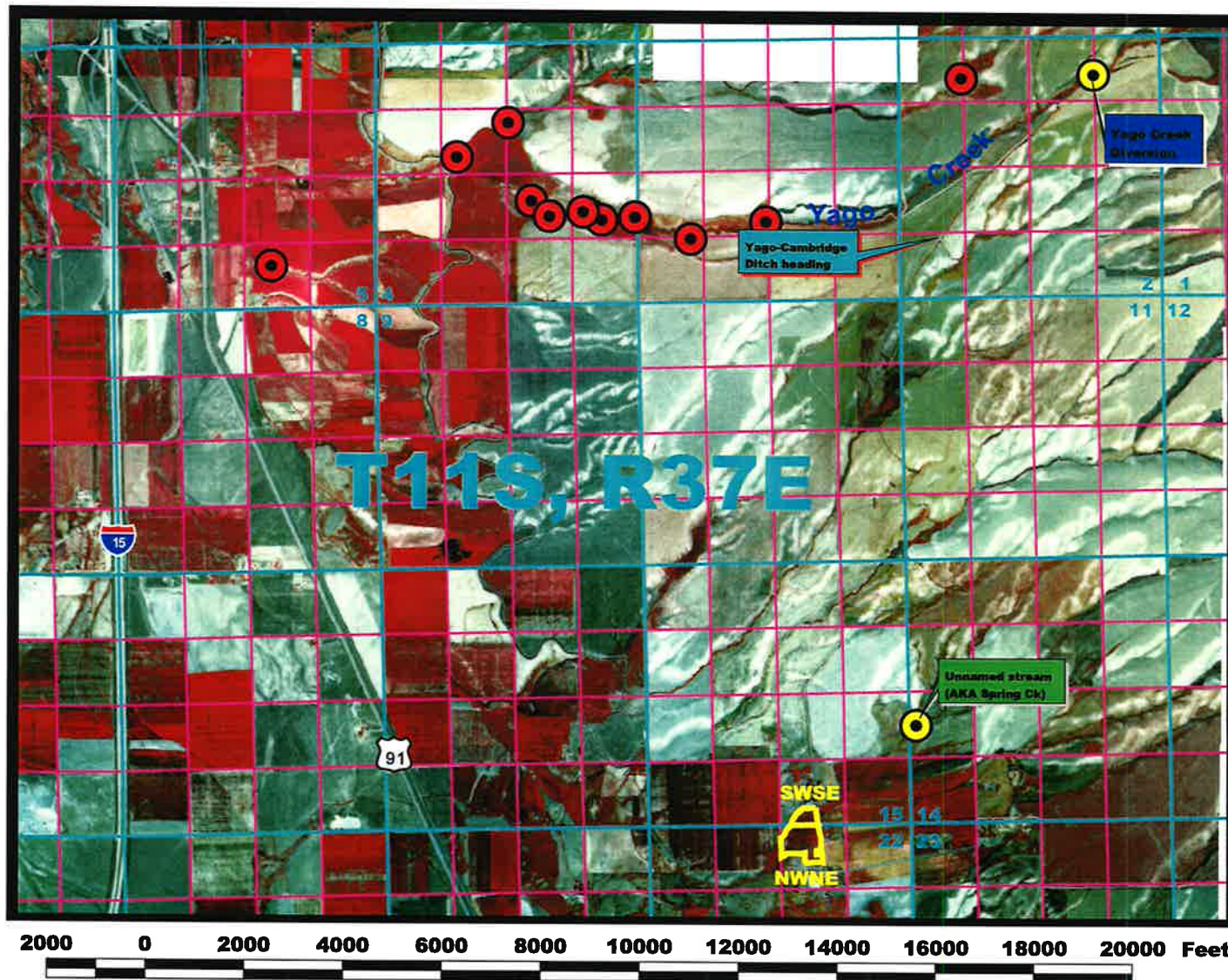
WATER IS DELIVERED THROUGH YAGO-CAMBRIDGE DITCH.



State of Idaho

Department of Water Resources

Eastern Region

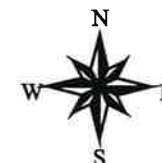


Water Right(s):
29-04143,
29-13435

Place of Use: (parts of) T11S, R37E
Sec. 15 SWSE, Sec. 22 NWNE

Point(s) of Diversion: T11S, R37E
Sec. 2 SENWNE (Yago Ck),
Sec. 14 SWNWSW (Unnamed Stream)

NOTE: Delivery through
Yago-Cambridge ditch.



LEGEND

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

T10S, R37E

T11S, R37E

Yago Ck POD

Yago Creek

2 1
11 12

Unnamed stream POD

14 13
23 24

SWSE
3.4



NWNE
11.6

16 15
21 22

22

23

15

91

NOTE: SEE 29-4143 FOR EXAM
NOTES

3 December 2002

Willis L Brim Jr
1519 Valley View Blvd Floor 2
Altoona PA 16602

Re: Snake River Basin Adjudication (SRBA) claims; 29-04143 amended, 29-13435 new

Mr. Brim:

Enclosed you will find two SRBA water right claims, as referenced above, for your property near Downey, Idaho.

You should note 29-04143 has been amended to add one acre, correct season of use (to Department Standards) and quantity has been increased to accommodate 1"/ac, pursuant to §42-202 and 42-220 IC.

In addition, I have created 29-13435 claiming the waters of an unnamed stream (locally known as Spring Creek). This claim is also for the same 15 acres. Water quantity and season of use are also consistent with the above reference.

You should note, I have taken the liberty of adding a stock water component to both claims. If you do not want stock water please line through the entries and initial. There is no charge for this addition.

I have also enclosed three aerial photographs that we use to conduct our investigations. One shows ownership of parcels in the immediate area. Another shows the irrigated acres and boundary I have determined by field exam, and the last, shows the area in greater scale. All of these photos are yours to keep if you so choose. However, if there are errors with either of the enclosed claims please correct the error in ink, initial the change and return with supporting evidence. Please correspond with me directly regarding your claims and/or changes to them.

We are pushing the deadline for completion by the end of this month. Please sign the claims as indicated and return them promptly to my attention with your check for \$101.00.

I am enclosing a Change of Address form since you are displaced from your Downey address and will be unable to attend the public meetings designed to address problems with recommendations prior to the court process. Once you return to

Idaho you can submit another change of address to your Downey address. However, if you currently have a U.S. Mail forwarding process in-place and prefer not to change your address please disregard this form.

I look forward to your timely response. Should you have questions regarding this matter please feel free to contact me. I have enclosed a business card for your convenience, if you have e-mail feel free to e-mail me.

Respectfully submitted,

Allen B. Ruberry
Sr. Water Resource Agent
Adjudication Bureau

Cc; file

Enclosures; three GIS photos
29-04143 amended claim
29-13435 new claim
Change of Address form



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 29



RIGHT ID
POD ID
Quad
Claim Type
Easting
Northing
GPSID

Diversion Description

CONCRETE DIVERSION INTO PRIVATE DITCH. Converted to pond for pump system. Mr. Brim does not currently use diversion. No pump. Pump 6' above water. Portable motor currently not attached.

Spr @ POND

Assumptions

Diversion will be pumped out of in future, horse power, pressure head, and elevation head.

Invoice #

Phase-0 (No Attention)
Phase-I (Ready to Go to Field)
Phase-II (Site Visit - Data Missin
Phase-III (Complete w/issues)
Phase-IV (Total Complete)

Linked

Photos

EPE (ft)

Date (M/D/Y)

Time

Flow Rate (CFS)

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

- ☐ Less than half full
☐ Half full
☐ More than half full
☐ Full

Diameter

Depth

☐ Rectangular Channel

Width

Depth

Flow Calculation

☐ Continuity

Velocity

☐ Orifice

(Use only for head over a pipe flowing full with free discharge)

Depth of Water above orifice centerline

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe

Width of weir

☐ Manning (If used, include photo of representative channel section)

Channel Slope

Channel Description	
Concrete lined	.016
Smooth earth	.025
Earth	.033
Rough bed, weeds on sides	.04
Smooth natural stream	.033
Rough natural stream	.1

Pumped System ☒

HP

Pressure Head (psi)

Elevation Head (ft)

Motor Mfg

Motor Serial #

Pump Type

Pump Mfg

Pump Serial#

New Contact Information ☐

New Contact Comments

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02/08/2003

NOTICE OF ERROR
REPLY

Allen

*Can't find file
reference*

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: 29-13435

LINDA BRIM
PO BOX 211
DOWNEY ID 83234
Telephone Number: (208)897-5291

WILLIS L BRIM
PO BOX 211
DOWNEY ID 83234

RECEIVED
FEB 21 2003

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: Feb. 27. 2003 SIGNATURE: Willis Lavern Brim Jr - Linda Brim
Please print your name: Willis Lavern Brim Jr. Linda Brim

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

#10100 For

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 29-13435
Date Received: 12/3/2002
Receipt No: E 028382
Received By: *gc*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
DEC 16 2002
Department of Water Resources
Eastern Region

1. Name of Claimant(s)

LINDA BRIM Phone: (208) 897-5291
PO BOX 211
DOWNEY ID USA 83234

WILLIS L BRIM Phone:
PO BOX 211
DOWNEY ID USA 83234

2. Date of Priority: 05/01/1920

3. Source: UNNAMED STREAM Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
11S	37E	14	NW SW	BAKER	

5. Description of diverting works:

SPRING OUTFLOW IS CAUGHT BY DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.3	
STOCKWATER	01/01	12/31	0.02	

7. Total Quantity Appropriated is:

0.3 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
11S	37E	15	SW SE	IRRIGATION	3.4
			SW SE	STOCKWATER	3.4
				Section Acres	3.4
11S	37E	22	NW NE	IRRIGATION	11.6
			NW NE	STOCKWATER	11.6
				Section Acres	11.6
				Total Acres	15

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:

SOURCE IS UNNAMED STREAM SINCE SPRING FLOWS INTO DITCH.
USED WITH YAGO CK WATER THROUGH YAGO-CAMBRIDGE DITCH.

15. Basis of Claim:

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):

Walter L Brim Jr
Linda Brim

Date: 12-9-02

Date: 12-9-02

State of PA)
County of Blair) SS.

Subscribed and sworn (or affirmed) before me this 9th
of Dec 2002

Joy Morrison
Notary Public
Residing at Altoona, Pa

My commission Expires

