

04/24/2003

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

RIGHT NUMBER: 29-13416

NAME AND ADDRESS: THOMAS MULLICAN
3558 S MARSH CREEK RD
MCCAMMON ID 83250

C LYNNE MULLICAN
3558 S MARSH CREEK RD
MC CAMMON ID 83250

SOURCE: MARSH CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.260 CFS

PRIORITY DATE: 02/23/1951

POINT OF DIVERSION:

T08S R36E S22 NENESW Within BANNOCK County Source: MARSH CREEK

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 11/01

0.260 CFS

PLACE OF USE:

IRRIGATION Within BANNOCK County

T08S R36E S22

NESW

12.0

T08S R36E S22

NWSW

0.9

12.9 ACRES TOTAL

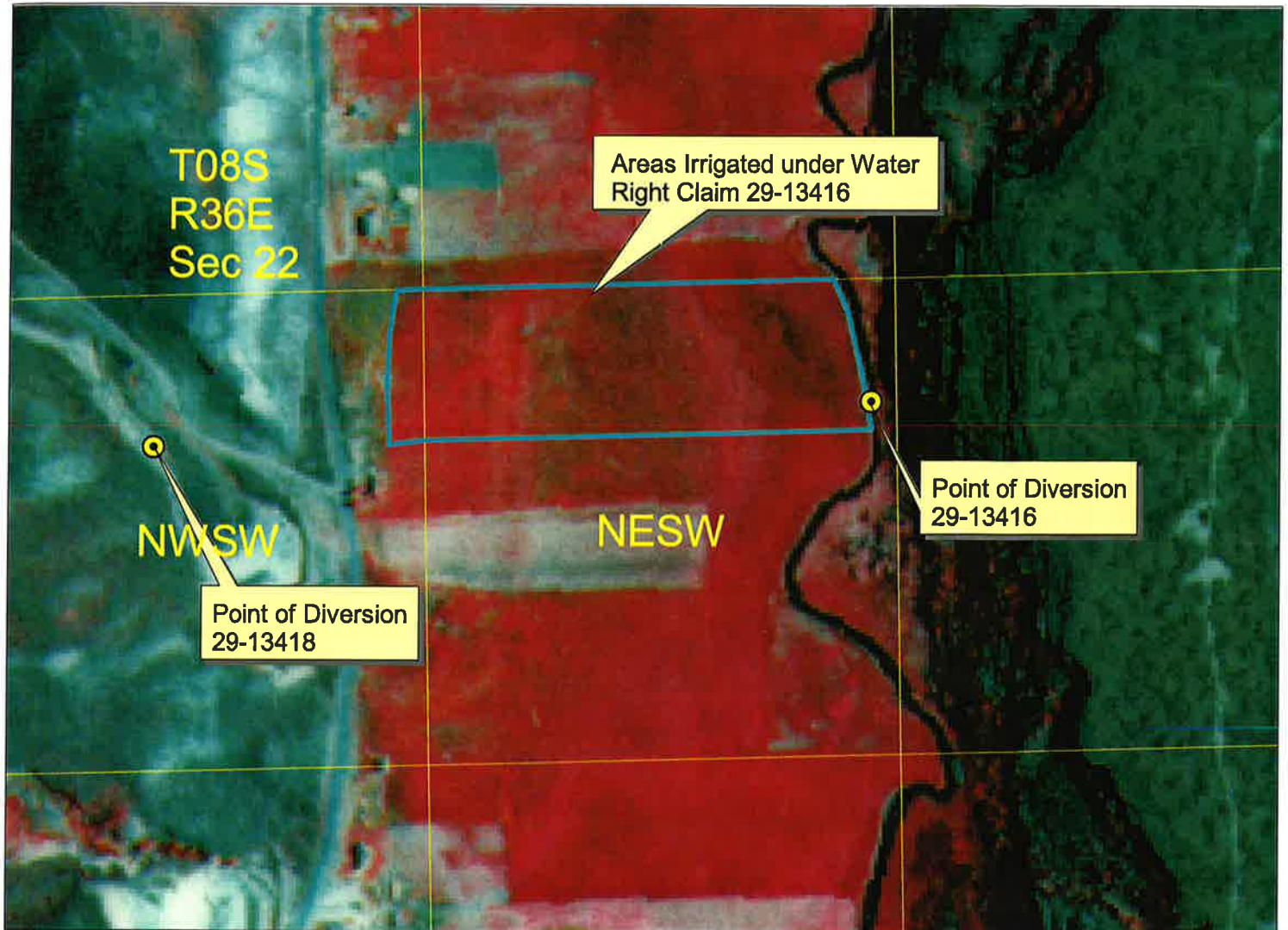
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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
Claim No.: 29-13416



0.1 0 0.1 0.2 Miles

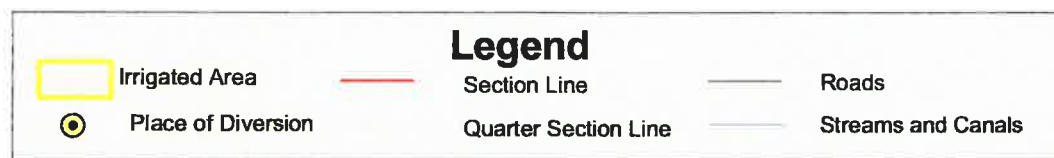
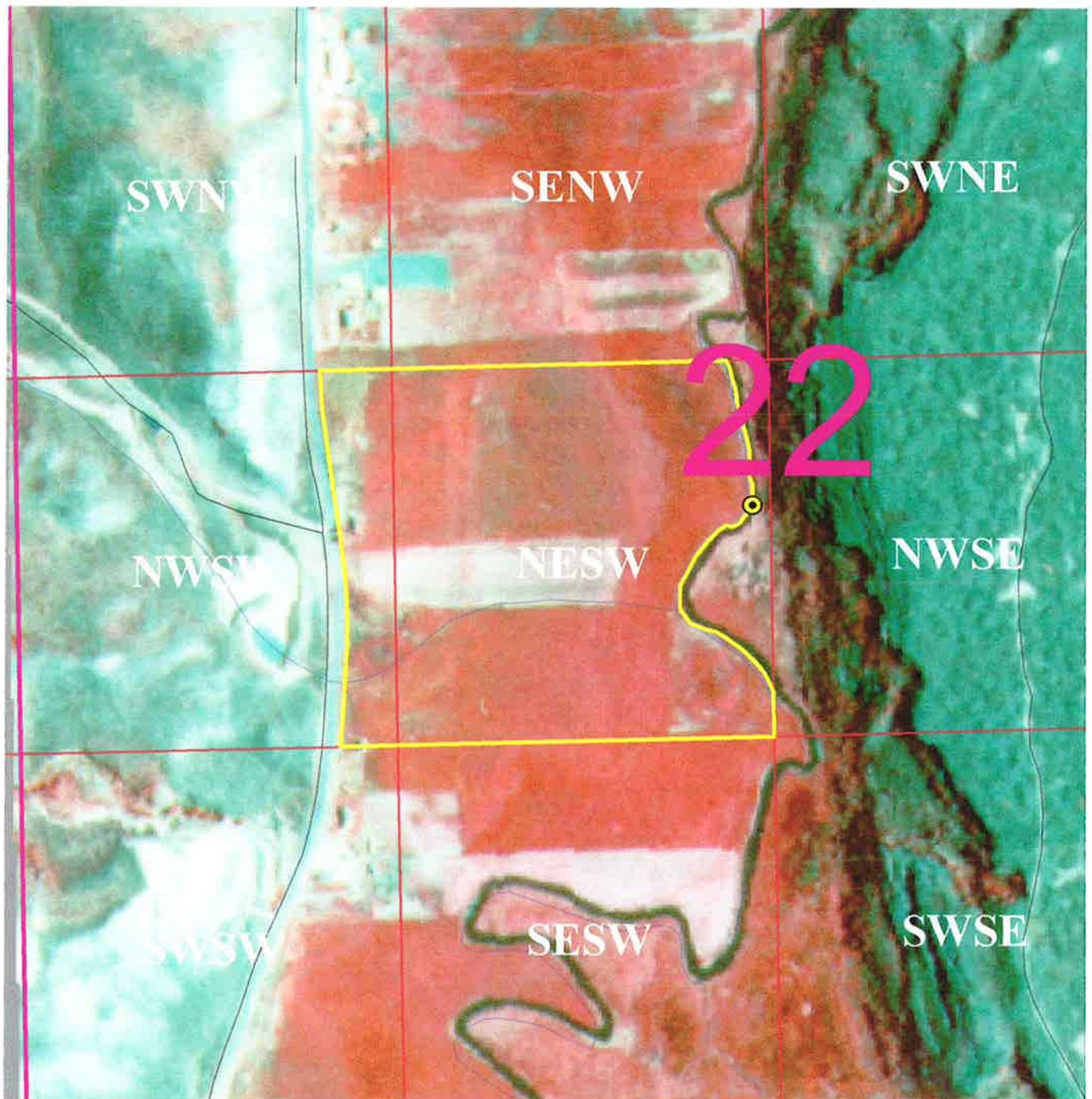
Irrigated Acres = 12.9



-  **Diversion.shp**
-  **29-13416.shp**
-  **Sections**
-  **QQ**

GIS Place of Use Illustration
1987/88 NAPP PHOTOGRAPHY
Prepared by R. Warner
Date: April, 2003

Township, 8S36E



300 0 300 600 Feet



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-13416 V1

WATER RIGHT NUMBER: 29-13416 V1

<u>Owner Type</u>	<u>Name and Address</u>
Previous Owner	ZELLA L HALL 4471 S MARSH CREEK RD MC CAMMON, ID 83250 (208)254-3145
Previous Owner	REA GOODENOUGH 4471 S MARSH CREEK RD MC CAMMON, ID 83250 (208)254-3145
Current Owner	THOMAS MULLICAN 3558 S MARSH CREEK RD MCCAMMON, ID 83250 (208)254-9813
Current Owner	C LYNNE MULLICAN 3558 S MARSH CREEK RD MC CAMMON, ID 83250

Priority Date: 04/01/1909

Basis: Beneficial Use

Status:

DisallowedSource

MARSH CREEK

Tributary

PORTNEUF RIVER

Beneficial Use

IRRIGATION

From To

4/01 to 11/01

Diversion Rate

0.900 CFS

Annual VolumeTotal Diversion:

0.900 CFS

Location of Point(s) of Diversion

MARSH CREEK

NE1/4NE1/4SW1/4

Sec. 22, Twp 08S, Rge 36E, B.M.

BANNOCK County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	36E	22									35.0	10.0							45.0

Total Acres: 45

Conditions of Approval:

1. p01 NO LAWFUL APPROPRIATION SHOWN

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-13416 V1

1. General NO LAWFUL APPROPRIATION SHOWN.

Comments: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: S
 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:

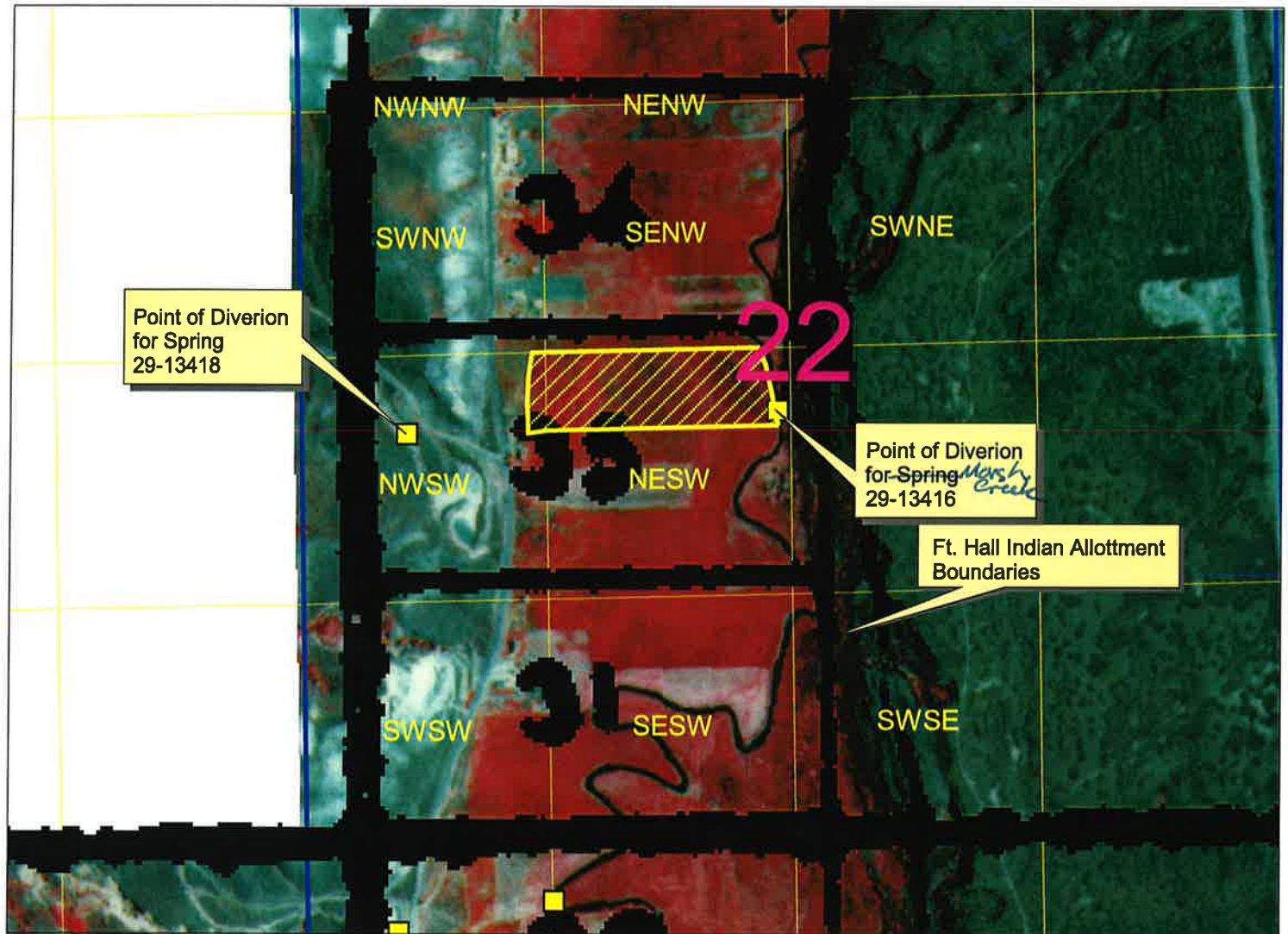
<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	11/19/2002 9:54:46 AM	cbird			Disallowed
Summary			01/22/2003	rwarnar	Disallowed

Verification Log:

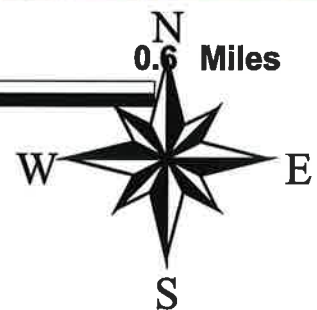
<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	11/19/2002 9:54:46 AM	cbird	(No) 1. Do you want to schedule an appointment?
			Comment for 1: FIELD EXAM 10-10-02
Summary	1/22/2003 9:16:22 AM	rwarnar	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 4. Is any portion of the claim be recommended? (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?



State of Idaho Department of Water Resources Eastern Region Claim No.: 29-13418



Irrigated Acres = 14.4



-  29-13416.shp
-  Diversions.shp
-  Sections
-  QQ

GIS Place of Use Illustration
1987/88 NAPP PHOTOGRAPHY
Prepared by R. Warner
Date: May, 2003

April 15, 2003

Idaho Department of Water Resources
SRBA Eastern
P.O. Box 83720
Boise, ID 83707-9815

Roger
RECEIVED
APR 17 2003
Department of Water Resources
Eastern Region

Subject: Water Right Numbers 29-13416 and 29-13418.

Water Right Evaluation Agent(s):

The purpose of this correspondence is to address the determinations made on the above referenced water rights. Attached are copies of the "Notice of Error" forms and the "Preliminary Recommendation" forms containing notes on issues of concern. Almost all Idaho State acquired information is available upon request as "public information". Therefore, I am requesting the following items to help me evaluate and mitigate the decisions made by the Idaho Department of Water Resources (IDWR):

- Provide evidence describing how the priority date was established for right numbers 29-13416 and 29-13418.
- Provide an explanation in layman's terms for the form entry under "Other Provisions..." for water right number 29-13418, and a copy of § 42-1412 (6), Idaho Code.
- Provide documents sufficient to show how all other participants in the pertinent property and water right splits were demonstrated with respect to priority date, water quantity, point of diversion, period of use, and split figures. Specifically, previous right numbers 29-4162 and 29-4161A. **Particularly, if another property owner involved in the split has submitted evidence of water use from Marsh Creek that demonstrates an early priority date, please provide this information so that I may make a similar demonstration for my right.**
- Provide information on how "Period of Use" was determined for right numbers 29-13416 and 29-13418.
- I am in possession of information that establishes that the property involved with rights 29-13416 and 29-13418 was previously a portion of Indian Allotment Lands. This may have implications for establishing water right priority dates. I request IDWR assistance in making determinations that are advantageous to preserving my earliest possible priority date(s). Please provide information and/or documents, statutes, etc. that are pertinent to resolving this issue.
- Please provide a map showing the point of diversion for the Marsh Creek water right number 29-13416.

- The water "Quantity" for right number 29-13418 has been adjusted to account for the split from earlier right number 29-04162. However, the "Quantity" for right number 29-13416 has not been adjusted for the split from earlier right number 29-04161A. Please provide a document that shows the appropriate adjustment.
- The "Place of Use" for right number 29-13416 is incorrect with regard to the split of water rights. Please provide corrections.
- The category titled "Other Provisions..." for right number 29-13416 states "No Lawful Appropriation Shown". Lawful appropriation is currently being demonstrated through correspondence with Roger Warner of the IDWR office in Idaho Falls.

I am currently working with Roger Warner, IDWR, Idaho Falls Regional Office, to determine the details of my water rights and to correct any errors in the evaluations. Some of my questions and concerns may be resolved by phone. If that is the case, please give me a call at one of the numbers noted below. Thanks ahead of time for your assistance.

Sincerely,



Thomas W. Mullican
Idaho Citizen

3558 S. Marsh Creek Road
McCammon, Id 83250
Home Phone: 208-254-9813
Work Phone: 208-236-6160

attachments: Notice of Error Forms (2) – Rights 29-13416 and 29-13418
Preliminary Recommendation Forms (2) – Rights 29-13416 and 29-13418

cc. Roger Warner, IDWR, Idaho Falls

James Hook, Participant in Property and Water Right Split
3618 S. Marsh Creek Rd., McCammon, ID 83250

Roger

02/13/2003

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: April 21, 2003

Water right number: 29-13416

THOMAS MULLICAN
3558 S MARSH CREEK RD
MCCAMMON ID 83250
Telephone Number: (208)254-9813

C LYNNE MULLICAN
3558 S MARSH CREEK RD
MC CAMMON ID 83250

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

QUANTITY; PRIORITY DATE; PERIOD OF USE; PLACE OF USE;
OTHER PROVISIONS; SPLIT (SEE ATTACHED LETTER)

2. Describe the changes you wish to make in the proposed recommendation:

(SEE ATTACHED LETTER)

3. Give a brief explanation as to why you disagree with these portions:

(SEE ATTACHED LETTER)

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

DATE: 4-15-03

SIGNATURE: Thomas W. Mulligan

Please print your name: THOMAS W. MULLICAN

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

Roger

02/13/2003

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REPLY

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Water right number: 29-13418

THOMAS MULLICAN
3558 S MARSH CREEK RD
MCCAMMON ID 83250
Telephone Number: (208)254-9813

C LYNNE MULLICAN
3558 S MARSH CREEK RD
MC CAMMON ID 83250

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

02/13/2003

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PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-13416

NAME AND ADDRESS: THOMAS MULLICAN
3558 S MARSH CREEK RD
MCCAMMON ID 83250

C LYNNE MULLICAN
3558 S MARSH CREEK RD
MC CAMMON ID 83250

SOURCE: MARSH CREEK

TRIBUTARY: PORTNEUF RIVER

✓ QUANTITY: 0.900 CFS ← REDUCE AS APPROPRIATE FOR SPLIT

✓ PRIORITY DATE: 04/01/1909 - HOW WAS THIS ESTABLISHED?

POINT OF DIVERSION:
T08S R36E S22 NENESW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

IRRIGATION

HOW WAS THIS
DETERMINED?

PERIOD OF USE

4/01 11/01 ✓

QUANTITY

0.900 CFS ✓

PLACE OF USE: IRRIGATION Within BANNOCK County

T08S R36E S22

NESW 35.0

T08S R36E S22

NWSW 10.0 ✓

45 ACRES TOTAL

INAPPROPRIATE FOR SPLIT

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

✓ NO LAWFUL APPROPRIATION SHOWN

NO LAWFUL APPROPRIATION SHOWN.

} APPROPRIATION IS BEING SHOWN.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

✓ THIS RIGHT IS A SPLIT FROM
FORMER RIGHT NO. 29-04161A

02/13/2003

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

RIGHT NUMBER: 29-13418
NAME AND ADDRESS: THOMAS MULLICAN
3558 S MARSH CREEK RD
MCCAMMON ID 83250

C LYNNE MULLICAN
3558 S MARSH CREEK RD
MC CAMMON ID 83250

SOURCE: SPRING

TRIBUTARY: MARSH CREEK

✓ QUANTITY: 0.290 CFS

✓ PRIORITY DATE: 04/01/1909 — HOW WAS THIS ESTABLISHED?

POINT OF DIVERSION:
T08S R36E S22 NWNWSW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

✓ PERIOD OF USE ← HOW WAS THIS DETERMINED?

QUANTITY

IRRIGATION

04/01 11/01

0.290 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T08S R36E S22

NESW

12.0

T08S R36E S22

NWSW

2.4

14.4 ACRES TOTAL

✓ OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

WHAT DOES THIS MEAN IN LAYMAN'S TERMS. PROVIDE STATUTE. { 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.

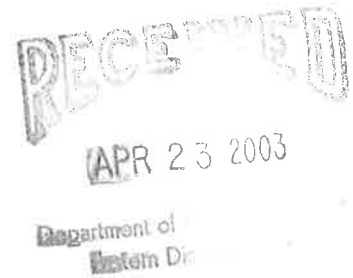
EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 29-4162.

✓ ← HOW WERE OTHER PARTICIPANTS IN THIS SPLIT EVALUATED?

April 15, 2003

Idaho Department of Water Resources
SRBA Eastern
P.O. Box 83720
Boise, ID 83707-9815



Subject: Water Right Numbers 29-13416 and 29-13418.

Water Right Evaluation Agent(s):

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Roger

02/13/2003

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MCCAMMON ID 83250
Telephone Number: (208)254-9813

C LYNNE MULLICAN
3558 S MARSH CREEK RD
MC CAMMON ID 83250

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QUANTITY; PRIORITY DATE; PERIOD OF USE; PLACE OF USE;
OTHER PROVISIONS; SPLIT (SEE ATTACHED LETTER)

2. Describe the changes you wish to make in the proposed recommendation:

(SEE ATTACHED LETTER)

3. Give a brief explanation as to why you disagree with these portions:

(SEE ATTACHED LETTER)

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

DATE: 4-15-03 SIGNATURE: Thomas W. Mulligan

Please print your name: THOMAS W. MULLICAN

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

02/13/2003

Roger

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REPLY

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DATE: 4-15-03

SIGNATURE:

Thomas W. Mulligan

Please print your name:

THOMAS W. MULLICAN

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

02/13/2003

IDAHO DEPARTMENT OF WATER RESOURCES
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C LYNNE MULLICAN
3558 S MARSH CREEK RD
MC CAMMON ID 83250

SOURCE: MARSH CREEK

TRIBUTARY: PORTNEUF RIVER

✓ QUANTITY: 0.900 CFS ← REDUCE AS APPROPRIATE FOR SPLIT

✓ PRIORITY DATE: 04/01/1909 - HOW WAS THIS ESTABLISHED?

POINT OF DIVERSION:
T08S R36E S22 NENESW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

HOW WAS THIS
DETERMINED?

PERIOD OF USE
4/01 11/01 ✓

QUANTITY
0.900 CFS ✓

PLACE OF USE: IRRIGATION Within BANNOCK County

T08S R36E S22

NESW 35.0

T08S R36E S22

NWSW 10.0 ✓

45 ACRES TOTAL

INAPPROPRIATE FOR SPLIT

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

✓ NO LAWFUL APPROPRIATION SHOWN.

NO LAWFUL APPROPRIATION SHOWN.

} APPROPRIATION IS BEING SHOWN.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

✓ THIS RIGHT IS A SPLIT FROM
FORMER RIGHT NO. 29-04161A

02/13/2003

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

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MCCAMMON ID 83250

C LYNNE MULLICAN
3558 S MARSH CREEK RD
MC CAMMON ID 83250

SOURCE: SPRING

TRIBUTARY: MARSH CREEK

✓ QUANTITY: 0.290 CFS

✓ PRIORITY DATE: 04/01/1909 — HOW WAS THIS ESTABLISHED?

POINT OF DIVERSION:
T08S R36E S22 NWNWSW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

IRRIGATION

✓ PERIOD OF USE

04/01 11/01

QUANTITY

0.290 CFS

HOW WAS THIS
DETERMINED?

PLACE OF USE: IRRIGATION Within BANNOCK County

T08S R36E S22 NESW 12.0 T08S R36E S22 NWSW 2.4

14.4 ACRES TOTAL

✓ OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

WHAT DOES THIS
MEAN IN LAYMAN'S
TERMS. PROVIDE
STATUTE.

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

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 29-4162.

✓ ← HOW WERE OTHER PARTICIPANTS
IN THIS SPLIT EVALUATED?

4/11/03

29-13466 - Tom Mullicon

- right was disallowed because no proof was submitted that evidenced former irrigation from Marsh Creek.
- Notes in file indicate property purchased in 1992. At that time, no irrigation system was in place.
- Stockwater not allowed due to fence. (not claimed either).
- Even if property was watered by a historic ditch that is no longer present, It appears that it was long abandoned.

Warner, Roger

From: Warner, Roger
Sent: Monday, April 14, 2003 4:18 PM
To: 'tmullica@deq.state.id.us'
Subject: Water right 29-13406 (Marsh Creek)

Tom,

I have reviewed your file for the beneficial use water right (29-13406) claimed from Marsh Creek. Notes in the file indicate that when you bought the property, there was no irrigation system existing; ditch, sprinkler or otherwise.

In order to recommend this right, I need evidence that the property was irrigated from Marsh Creek prior to your purchase. Evidence may be in several forms including power records for pumps, testimony or affidavits, contracts or work orders for irrigation systems, etc.. One form may be an affidavit from the former owner or neighbors stating how the property was irrigated from Marsh Creek and the date of which they recollect it being irrigated (for date of priority). If you have any questions, please give me a call.

W. Roger Warner

*Adjudication Specialist
Idaho Department of Water Resources
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161, voice
(208) 525-7177, fax
rwarner@idwr.state.id.us*

[illegible]

Date: 11/18/02

Priority Date Data Entry FormClaim Number: 29-13416 SPLIT FROM 29-4161A

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: 4-1-1909 Claimed Basis: Beneficial Use claim.

Recommended Priority Date: _____ Recommended Basis: _____

☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

Reviewer: _____

Date: _____

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

Recommended Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

____ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						

Other rights from this POD? _____

Document how the POD and Source were verified and/or Pump and Motor data:

Transfers Changing POD _____

Reviewer: _____

Date: _____

Place Of Use Data Entry Form

Claim Number: _____

_____ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

Tom had 11 pieces of pipe @ 20'/pce = 220' for irrigation.

Transfers Changing POU _____

Reviewer: _____

Date: _____

Purpose of Use Data Entry Form

Claim Number: _____

_____ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Document how the Purpose of Use was verified:

Transfers Changing Purpose of Use _____

Reviewer: _____

Date: _____

Period of Use and Quantity Data Entry Form

Claim Number: _____

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity**Water Right Period of Use and Diversion Rate**

Water Use	Start	End	Rate	Volume
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

Reviewer: _____

Date: _____

Summary Data Entry Form

Claim No.: 29-13416

Remarks and Conditions (Include Type, Category and Code if applicable):

C18 Gen. Cond

P21 Exp. Remark former right 29-4161A.

Split or Combined Right Analysis:

29-13415 Hook - disallowed

29-13416

A 45 AC. (0.90)

29-4161

115 AC 2.3

B 40 AC. (0.80)

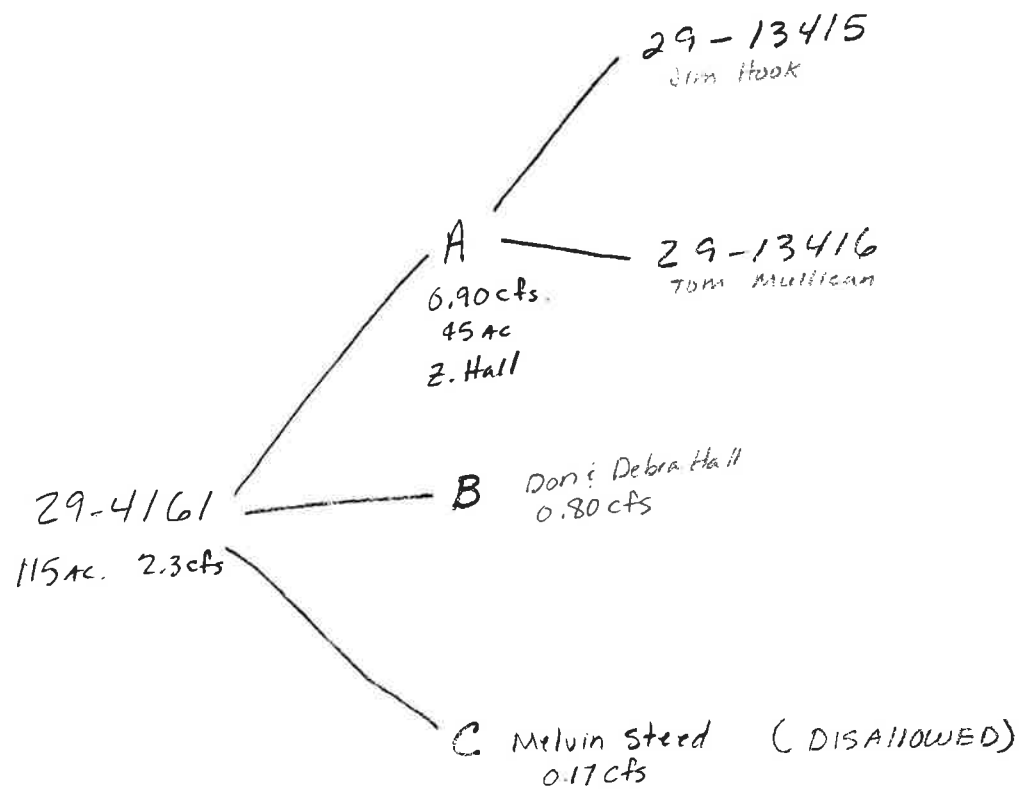
C 5 AC (0.17) stock (0.02?)

Attached Field Notes or Other Documents:

Claim No.:

Reviewer _____ Date _____

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.



Tom Mullican
Marsh Creek
October 16, 2002
Photos taken 10/10/02



Photo 1. Looking south at portable pump. Kohler engine, 14 hp. Serial number 10032490, model number K321T.



Photo 2. Looking southeasterly at portable pump and pipe.



Photo 3. Looking east at the pou and portable pump and pipe.



Photo 4. Looking east at the portable pump.

10/10/02 Tom Mullican 3:20pm
Purchased from Zella Hall
Tom not home during exam.

Peerless Pump. gas pump.
rated at 270 GPM.

S/L # 214556

Size 3X2X8.5.

RPM 3500.

Pressure gauge @ 47 PSIG - pump off
gas in the tank

Kohler engine
14 hp.

Sec. No. 6021d

Model No. K321T

S/L No. 10032490.

Vinyl hose: 4-5"

1 - photo looking S @ pump

1 - photo looking SE @ pump; pipe on trails

1 - photo looking E, at POU, pipe, & pump

11 - handlines. 1/8" lead.

1 - Photo look E @ pump

29-416A & 29-4162

9/14/02 7pm Thomas Mullican

I stopped and visited with TOM ON Zella HALL'S WATER RIGHTS FROM MARSH CREEK AND A SPRING.

TOM PURCHASED THIS PROPERTY FROM ZELLA IN 1992. HE HAS NOT IRRIGATED FROM EITHER SOURCE AND DOES NOT PLAN TO PUT IN AN IRRIGATION SYSTEM BECAUSE IT IS TOO COSTLY.

THERE WAS NO IRRIGATION SYSTEM IN PLACE WHEN TOM PURCHASED THE PROPERTY.

TOM LEASES THE PROPERTY OUT FOR GRAZING BUT DOES NOT ALLOW THE COWS TO DRINK FROM THE CREEK ON HIS PROPERTY. THEY DRINK FROM THE CREEK ON JIM HOOK'S PROPERTY.

JIM HOOK. PURCHASED A PORTION OF ZELLA'S PROPERTY (14.6 ACRES)

REQUESTED AN OWNERSHIP CHANGE ON THESE RIGHTS FROM JIM HOOK.

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.

1. 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 (under the "split" heading), 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
	A29-4161	A			
	A29-4162				

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts. NO FEE
- 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) is 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**.

3. Name and Address of Former Owner/Claimant(s)

Zella Hall
McCammon, ID

4. New Owner/Claimant(s)

Thomas and/or Carolynne Mulligan
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

3558 S. Marsh Crk Rd.

City, State and ZIP Code

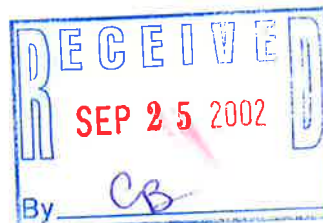
McCammon, ID 83250

New Telephone Number

(208) 254-9813

5. Date you acquired the property

SEPT. 3, 1993



6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>29-4161A</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>29-4162</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. **Signature of New Owner(s) or Claimant(s)**
(include title if applicable)

Sharon W. Mulhearn
Carol Lynn Mulhearn

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____



**PARCEL
TO BE
IRRIGATED**
↓

**←POINT
OF
DIVERSION**

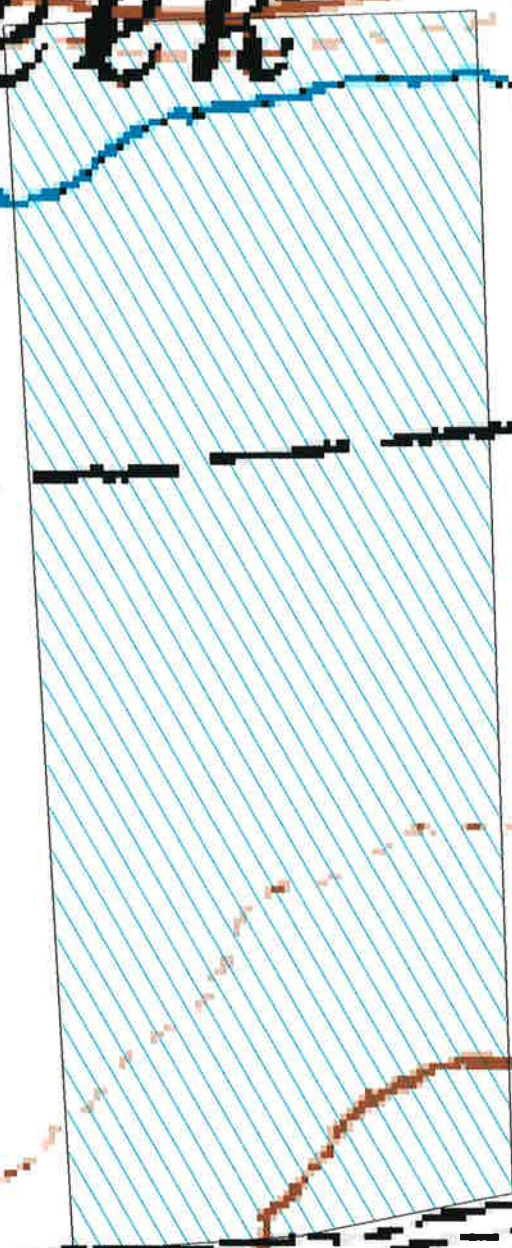
An aerial photograph of a landscape featuring a winding river or stream on the left side. A rectangular area in the center is highlighted with a red and blue diagonal hatched pattern. Two white labels with black text are overlaid on the image. The first label, 'PARCEL TO BE IRRIGATED', has a black arrow pointing down to the highlighted area. The second label, 'POINT OF DIVERSION', has a black arrow pointing left to the right edge of the highlighted area. A red vertical line is visible on the right side of the image.

**PARCEL
TO BE
IRRIGATED**

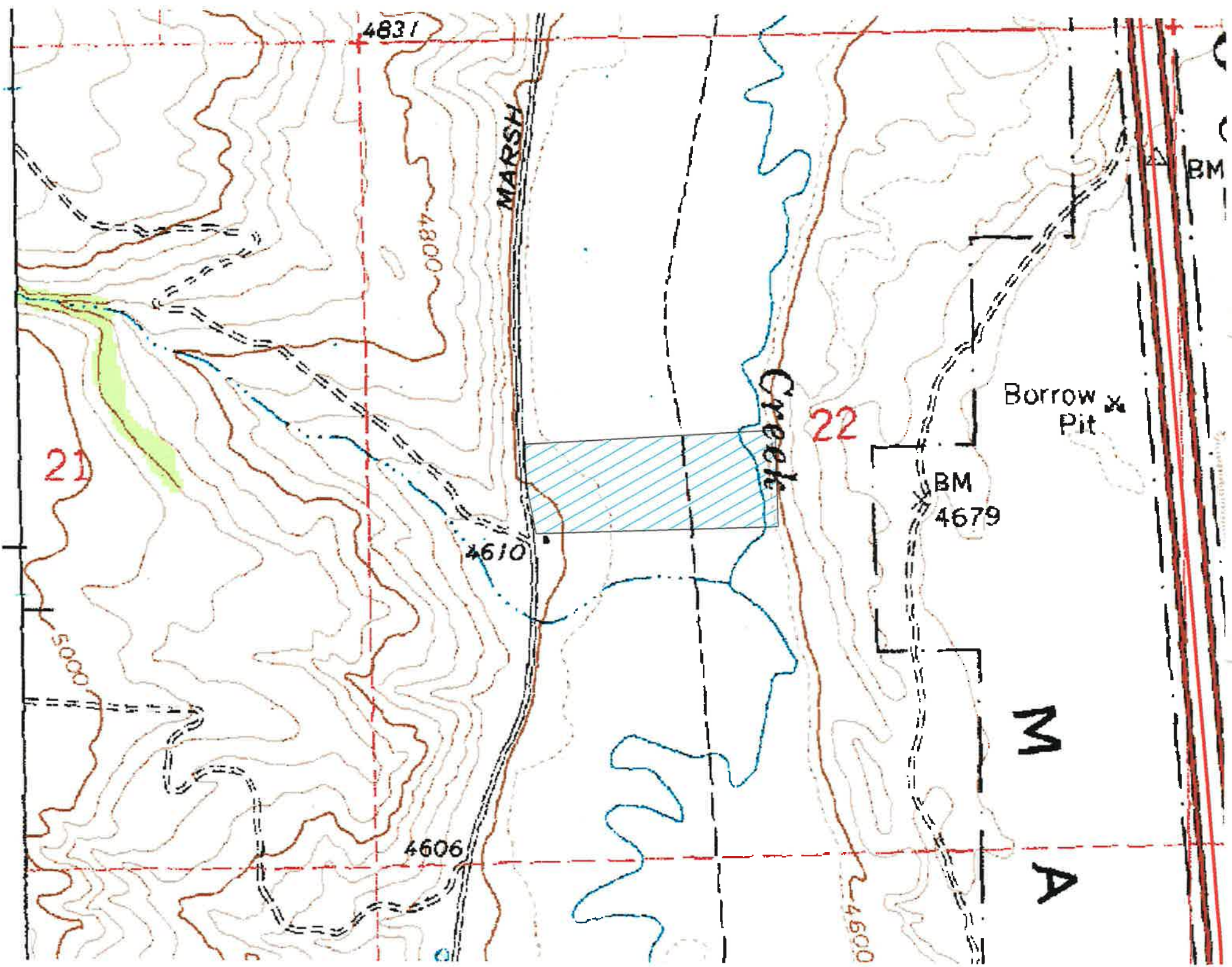


**←POINT
OF
DIVERSION**

2
Creek



4610



NO. 93014783
PIONEER TITLE

93 SEP -9 P3:39

OFFICIAL RECORD BOOK NO. 595
BANNOCK COUNTY IDAHO
LARRY W. GHAN RECORDER
FEE. DEPUTY

7-2 93014783
Exhibit A attached to and made a part of
WARRANTY DEED

A parcel of land located in the North 1/2 of the Southwest 1/4 of Section 22, Township 8 South, Range 36 East, Boise Meridian, Bannock County, Idaho, being more particularly described as follows:

Commencing at the West 1/4 corner of said Section 22, said corner being marked by a 7/8-inch dia. rebar with a 3-inch dia. aluminum cap stamped "PE/LS 4440"; thence South 89°57'05" East along the latitudinal centerline of Section 22, said latitudinal centerline also being the North line of Indian Allotment #35 as surveyed by the U.S. Bureau of Indian Affairs in 1912, a distance of 1009.43 feet to a point on the Easterly right-of-way of Marsh Creek Road, said point being marked by a 1/2-inch dia. rebar with a yellow plastic cap stamped "PE/LS 4440", said point also being the true point of beginning; thence continuing South 89°57'05" East along the latitudinal centerline, a distance of 1587.20 feet to the Northeast corner of said Indian Allotment #35, said corner being marked by a found 1912 Indian Allotment brass cap monument; thence South 0°17'10" East along the meridional centerline of Section 22, said meridional centerline also being the East line of Indian Allotment #35 as surveyed by the U.S. Bureau of Indian Affairs in 1912, a distance of 422.64 feet to a 1/2-inch dia. rebar with a yellow plastic cap stamped "PE/LS 4440"; thence North 89°57'05" West parallel with the latitudinal centerline of said Section 22, a distance of 1326.25 feet to the Northeast deed corner of Instrument No. 92004768, said corner being marked by a 1/2-inch dia. rebar with a yellow plastic cap stamped "PE/LS 4440"; thence South 83°44'09" West along the North line of said Instrument No. 92004768, a distance of 214.09 feet to a point on the Easterly right-of-way of Marsh Creek Road, said point also being the Northwest deed corner of Instrument No. 92004768 and said point also being marked by a 1/2-inch dia. rebar with a yellow plastic cap stamped "PE/LS 4440"; thence North 8°37'21" West along said Easterly right-of-way of Marsh Creek Road, a distance of 146.43 feet to a point of tangency with a 2660.71 foot radius curve, said point being marked by a 1/2-inch dia. rebar with a yellow plastic cap stamped "PE/LS 4440"; thence Northwesterly along said Easterly right-of-way of Marsh Creek Road along a curve to the right, said curve having a central angle of 6°31'24", a radius of 2661.70 feet and a chord bearing of North 5°21'39" West, for an arc length of 302.93 feet to the true point of beginning.

Escrow #: 44503JS

Approved by: *S.W.M.*

93014788

2-1
WARRANTY DEED

FOR VALUE RECEIVED, ZELLA HALL, AN UNMARRIED PERSON AND REA GOODENOUGH AN UNMARRIED PERSON the Grantor(s), do(es) hereby grant, bargain, sell, and convey unto THOMAS W. MULLICAN AND C. LYNNE MULLICAN, HUSBAND AND WIFE the Grantee(s), whose address is 4895 TRENT, CHUBBUCK, ID 83202 (Property Address), PER LEGAL DESCRIPTION the following described premises, situated in BANNOCK County, Idaho:

PER ATTACHED EXHIBIT A

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s) and Grantee(s) heirs, successors, and assigns forever. The Grantor(s) do(es) hereby covenant and warrant to and with the Grantee(s) that the Grantor(s) is/are the owner(s) in fee simple of such premises; that such premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject; those set forth in Pioneer Title Company Title of Bannock County, Commitment No. 44503JS, dated August 30, 1993; those made, suffered, assumed, or created by the Grantee(s); reservations, restrictions, dedications, covenants, easements of record or use; rights of parties in possession, encroachments, overlaps, boundary-line disputes, or other matters that would be disclosed by an accurate survey or inspection of the property; rights-of-way and agreements, if any, of record; general taxes and assessments (including irrigation and utility assessments, if any, for the current year) that are not yet due and payable; and that the Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

DATED this 03 day of September, 1993.

Rea Goodenough

REA GOODENOUGH

Zella Hall
ZELLA HALL

STATE OF IDAHO, COUNTY OF BANNOCK
On this 9 day of SEPTEMBER, 1993
before me, a Notary Public in and for said State, personally appeared
ZELLA HALL, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

NOTARY SEAL

Jaymie Dea
Residing at Chubbuck, Idaho
Comm. Expires 7-6-94 Notary Public

UTAH
STATE OF UTAH, COUNTY OF Salt Lake
On this 8th day of SEPTEMBER, 1993
before me, a Notary Public in and for said State, personally appeared
REA GOODENOUGH, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

Barbara D. Campbell
Residing at Salt Lake City, Utah
Comm. Expires 2-4-95 Notary Public
BARBARA D. CAMPBELL
NOTARY PUBLIC
Snoobird Plaza
Snoobird Club
84092
UTAH
EXPI. 2-4-95

Bannock County, Idaho

INSTRUMENT No. 322875

WARRANTY-DEED

This Indenture, Made this 27th day of April in the year of Our Lord One Thousand Nine Hundred and fifty-seven, between

WALTER HAYDEN and DELSA HAYDEN, husband and wife,
of Pocatello, County of Bannock, State of Idaho, the parties of the
first part, and
CLARK L. HUBBARD and MARY J. HUBBARD, husband and wife,
of Hamilton, County of Ravalli, State of Montana, the parties of the
second part:

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of

ONE AND NO/100 DOLLARS, lawful money of the United States of America, and other valuable consideration, the receipt whereof is hereby acknowledged, do hereby sell, grant, bargain, sell and convey and confirm unto said parties of the second part, and to their heirs and assigns forever, All that one certain lot, piece or parcel of land situated, lying and being in the County of Bannock, State of Idaho, bounded and more particularly described as follows, to-wit:

The Southeast quarter of the Northeast quarter, Section 28, Township 8 South, Range 36 East of the Boise Meridian, and that portion of the Southwest quarter of the Northwest quarter of Section 27, Township 8 South, Range 36 East of the Boise Meridian, lying West of the center line of Marsh Creek, excepting road and ditch rights of way.

The North half of the Southwest quarter of Section 22, the Northwest quarter of the Northeast quarter and that portion of the Northeast quarter of the Northwest quarter lying westerly of Marsh Creek, in Section 27, all in Township 8 South, Range 36 East of the Boise Meridian, Bannock County, Idaho.

Together with all water, water rights, ditch and canal rights appurtenant thereto belonging or in anywise appertaining. Together with all water springs situated on the described lands and to the waters therefrom.

(U. S. I. R. S. \$27.50 Attached to Deed and cancelled.)

Together with, all and singular, the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances and privileges thereunto incident, unto the said parties of the second part, and to their heirs and assigns forever. And the said parties of the first part, do hereby warrant to the said parties of the second part, the said premises to the quiet and peaceable possession of the said parties of the second part, and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents, forever defend, maintain, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

Walter Hayden (SEAL)
Delsa Hayden (SEAL)
(SEAL)
(SEAL)

STATE OF IDAHO,

County of BANNOCK

On this 27 day of April in the year 1957, before me, Wesley P. Morrill, a Notary Public in and for said County and State, personally appeared CLARK L. HUBBARD and MARY J. HUBBARD, husband and wife,

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(Notarial Seal)

Wesley P. Morrill
Notary Public
Pocatello, Idaho

I hereby certify that this instrument was filed for record at the request of H. L. A. Co., in Book 128 of Record at page 78, on the 7th day of May, A. D. 1957.
Per, \$1.50
By, Deputy.

642

RECEIVED

APR 03 1995

Department of Water Resources

INSTRUMENT NO. 301793

THE UNITED STATES OF AMERICA
TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

Reissue. 5740 R. 132300-14. I.O. 3. 4-1007.

WHEREAS, a schedule of allotments of land to the Secretary of the Interior has been deposited in the General Land Office, whereby it appears that Yah-man-zo-nah, an Indian of the Fort Hall Reservation, has been allotted the following-described land:

The North half of the southwest quarter of Section twenty-two in Township Eight South of Range Thirty-six east of the Boise Meridian, Idaho, containing eighty acres,

according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor General:

NOW KNOW YE, That the UNITED STATES OF AMERICA in consideration of the premises, and in accordance with the provisions of the Act of Congress of February 22, 1887 (25 Stat., 688) HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT, unto the said Yah-man-zo-nah and to her heirs, the lands above described:

TO HAVE AND HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatever nature, thereto in anywise belonging, unto the said Yah-man-zo-nah and to her heirs forever, with the provision that the title hereby acquired shall not be subject to alienation, lease, or incumbrance, either by voluntary conveyance of the grantee or her heirs, or by the judgment, order, or decree of any court, or subject to taxation of any character, but shall be and remain inalienable and not subject to taxation for the period of twenty-five years, and until such time thereafter as the President may see fit to remove the restriction. And there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

This patent is issued in lieu of one dated May 13, 1902.

IN TESTIMONY WHEREOF, I, Woodrow Wilson President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the TWENTY-SECOND day of JANUARY in the year of our Lord One Thousand nine hundred and SIXTEEN and of the Independence of the United States the one hundred and FORTIETH.

(SEAL)

By the President:

Woodrow Wilson,

By A. K. Gulick, Assistant Secretary

L. Q. C. Lamar Recorder of the General Land Office.

RECORDED: Patent Number 301796

RECORDED AUG 2 1934, 3:09 P.M., In Book 118 of Records, Page 642, DEEDS OF DE WASH CO. N.Y.

STATE OF IDAHO, at request of B. T. A. Co.

SARAH DEWANEY, Recorder

Aug 1.25

Sarah Devaney, Recorder

Fee \$ 1.50

INSTRUMENT NO. 301057

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRSLt & A
21570-505-183
(January 1947) FHX-2.3Land being conveyed was
allotted to Yah-man-zo-nah
Allottee No. 35

DEED TO RESTRICTED INDIAN LAND

THIS INSTRUMENT, Made and entered into this 23rd day of February, one thousand nine hundred and Fifty One, by and between Elmer Ellsworth, a widower, Donner Bernard Ellsworth and Evelyn Mae George Ellsworth, his wife, of Fort Hall, Idaho Enrolled Indians, parties of the first part, and Walter Hayden of Route #1, South. Pocatello, Idaho, party of the second part:

WITNESSETH, That said parties of the first part, for and in consideration of the sum of THIRTY EIGHT HUNDRED TWENTY FIVE AND NO/100 DOLLARS (\$3,825.00) dollars, in hand paid, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell, and convey unto said party of the second part the following-described real estate and premises situated in Blaine County, State of Idaho on the Fort Hall Indian Reservation, to-wit:

Allotment Number 35

N/2 SW/4, Sec. 22, T 8 S, R 36 EBM, Idaho. Containing 80 acres.

Provision: "And there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by authority of the United States".

with all the improvements thereon and the appurtenances thereunto belonging. And the parties of the first part, for themselves and their heirs, executors, and administrators do hereby covenant, promise, and agree to and with the said party of the second part his heirs and assigns, that they will forever warrant and defend the said premises against the claim of all persons, claiming or to claim by, through, or under them only.

To have and to hold said described premises unto the said party of the second part, his heirs, executors, administrators, and assigns, forever.

IN WITNESS WHEREOF, That said parties of the first part have hereunto set their hands and seals the day and year first-above written.

WITNESSES:

Helen E. Cutler
Adrian E. McOmberElmer Ellsworth
ELMER ELLSWORTH, a widower (SEAL)Donner Bernard Ellsworth
DONNER BERNARD ELLSWORTH (SEAL)Evelyn Mae George Ellsworth
EVELYN MAE GEORGE ELLSWORTH (SEAL)
his wife,

Acknowledgments must be in accordance with the forms prescribed by the State in which the land is situated.

STATE OF IDAHO,)
COUNTY OF BURNHAM) ss.

BE IT REMEMBERED, That on this 26th day of Feb., A.D. 1951, before the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Elmer

POOR ORIGINAL

Ellsworth, Donner Bernard Ellsworth and Evelyn Mae George Ellsworth to me personally known to be the identical persons who executed the within instrument of writing, and such persons duly acknowledged the execution of the same.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my seal on the day and year last hereinabove written.

(SEAL)

UNITED STATES
DEPARTMENT OF THE INTERIOR,

Bureau of Indian Affairs-Portland, Oregon.

Fred McMullin Notary Public
(Title)

Fort Hall, Idaho

My Commission expires Dec. 20, 1954.

The within deed is hereby approved: pursuant to authority delegated by the Commissioner of Indian Affairs to undersigned Sept. 10, 1946 (11 F.R. 10266) or May 10, 1948 (13 F.R. 2677).

Sec. 22, T8S, R3C, ERM, Idaho
May 22, 1951

George (Illegible)

Area Director AM

The within deed is recorded in the Office of Indian Affairs in Volume -, Page - Inherited Indian Land Deed Book. The Portland Area Office Recording Volume 1, Page 49 Line 12, Tract File No. FHX-2.

This instrument was filed for record this 23rd day of June, 1954, at 3:12 o'clock P.M., and duly recorded in Book No. 118, of Deeds, Page 583, request of B. T. A.Co.

Sarah Devaney, Recorder

Fee \$ 1.50

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Donald C. Hall
Route #1, _____ (Name of Claimant)
McCanmon, ID 83250 _____
(Mailing Address) _____ (Zip Code) Telephone No. 254-3368

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) April 1, 1909

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Marsh Creek tributary to Portneuf River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>2.3 cfs</u>	Use	<u>irrigation</u>	Period of Use From <u>4/1</u>	To <u>11/1</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
(4)	<u>2.3 cfs</u>	TOTAL QUANTITY USED.			

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE ¼ SW ¼, Sec. 22 Twp. 8S Rge. 36E B.M., County of Bannock
Additional points of diversion: SE ¼ SW ¼, Sec. 22, T. 8S, R. 36E SW ¼ NW ¼, NW ¼ NW ¼, Sec. 27, T. 8S, R. 36E

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Portable pump to a sprinkler system. The water was formerly taken through ditches.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

No. of acres 115

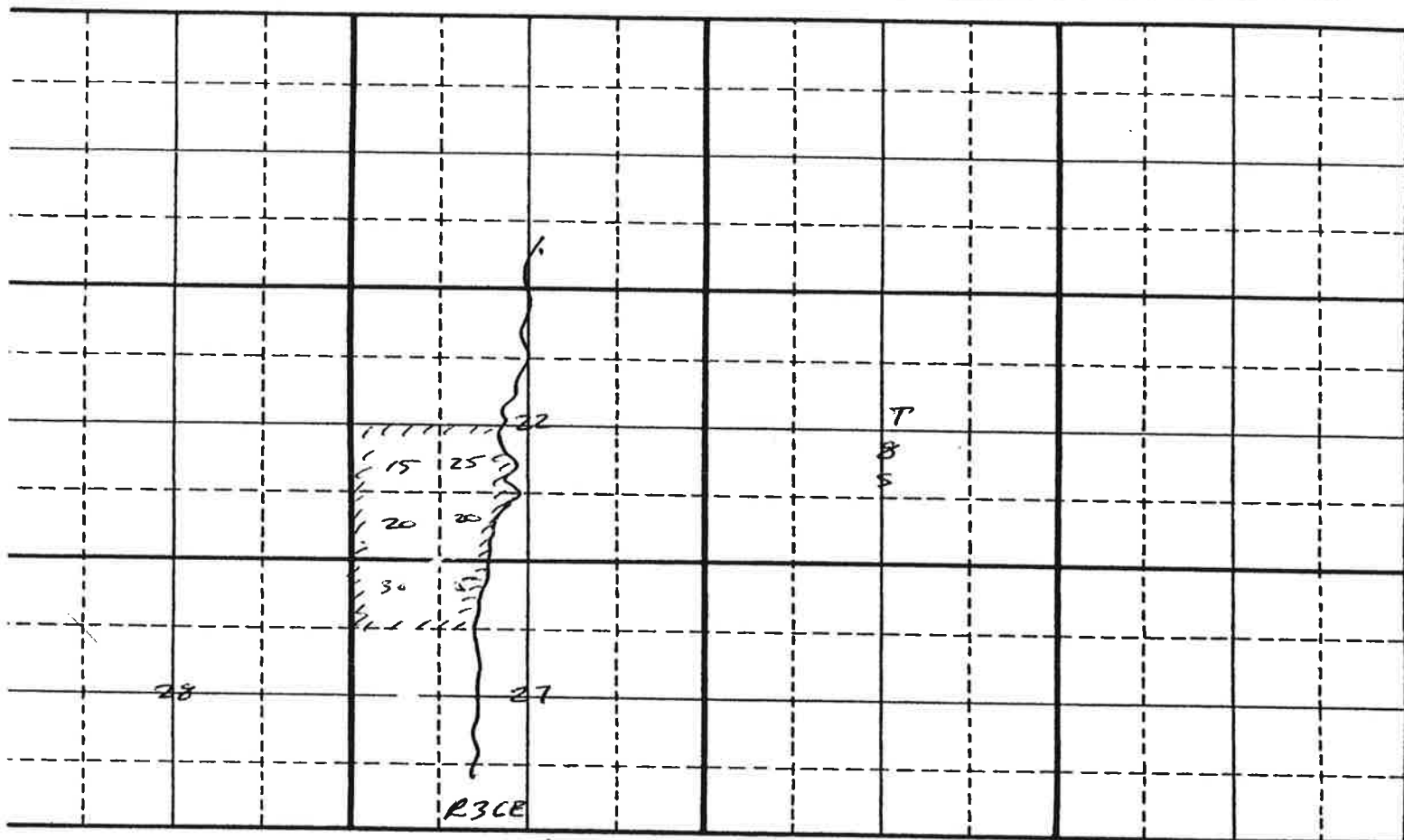
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

SCANNED
as possible:
MAY 31 2001

NOTE: Include here the type and number of stock watered: _____

(7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

County of Donnerville

ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 5th day of March, 1980.

Donald C. C. C.
(Claimant)

Callum Way
Notary Public
Residing at Idaho Falls, Id.

My commission expires 6/15/81

FOR DEPARTMENT USE ONLY

Received by OW Date 3-05-80
Prelim. check by EMC Date 3-06-80
\$20.00 fee received by OW Date 3-05-80
Published in Idaho State Journal #13834
Dates 3/13 & 3/20/80

Exception filed by:

Forwarded to
claimant by:

Date



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 29

RIGHT ID 29 4161 A
POD ID 202649
Quad McCammon
Claim Type L
Easting 644367
Northing 180228
GPSID A0012658

Diversion Description

PORTABLE PUMP, SPRINKLERS. New owner needs to file paperwork. He doesn't have a pump yet. Plans to place portable in river. Tag placed on meter box by house.

Assumptions

No diversion exists, so flow was calculated assuming a 10 hp pump and 45 psi.

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

OD ID 202649 01.JPG

Photos

OD ID 202649 02.JPG

EPE (ft)

18

Date (M/D/Y)

10/9/01

Time

11.30

Flow Rate (CFS)

0.518217738545607

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 0

Depth

☐ Rectangular Channel

Width

Depth

Flow Calculation

☐ Continuity

Velocity

0

☐ 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 10

Pressure Head (psi) 45

Elevation Head (ft) 15

Motor Mfg

Motor Serial #

Pump Type

Pump Mfg

Pump Serial#

New Contact Information

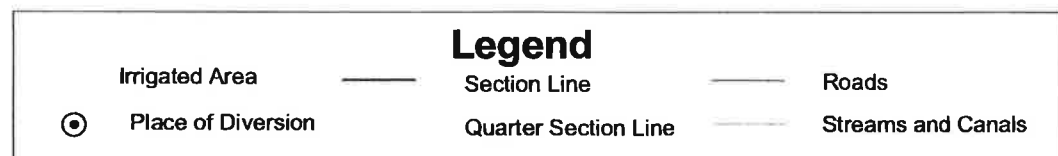
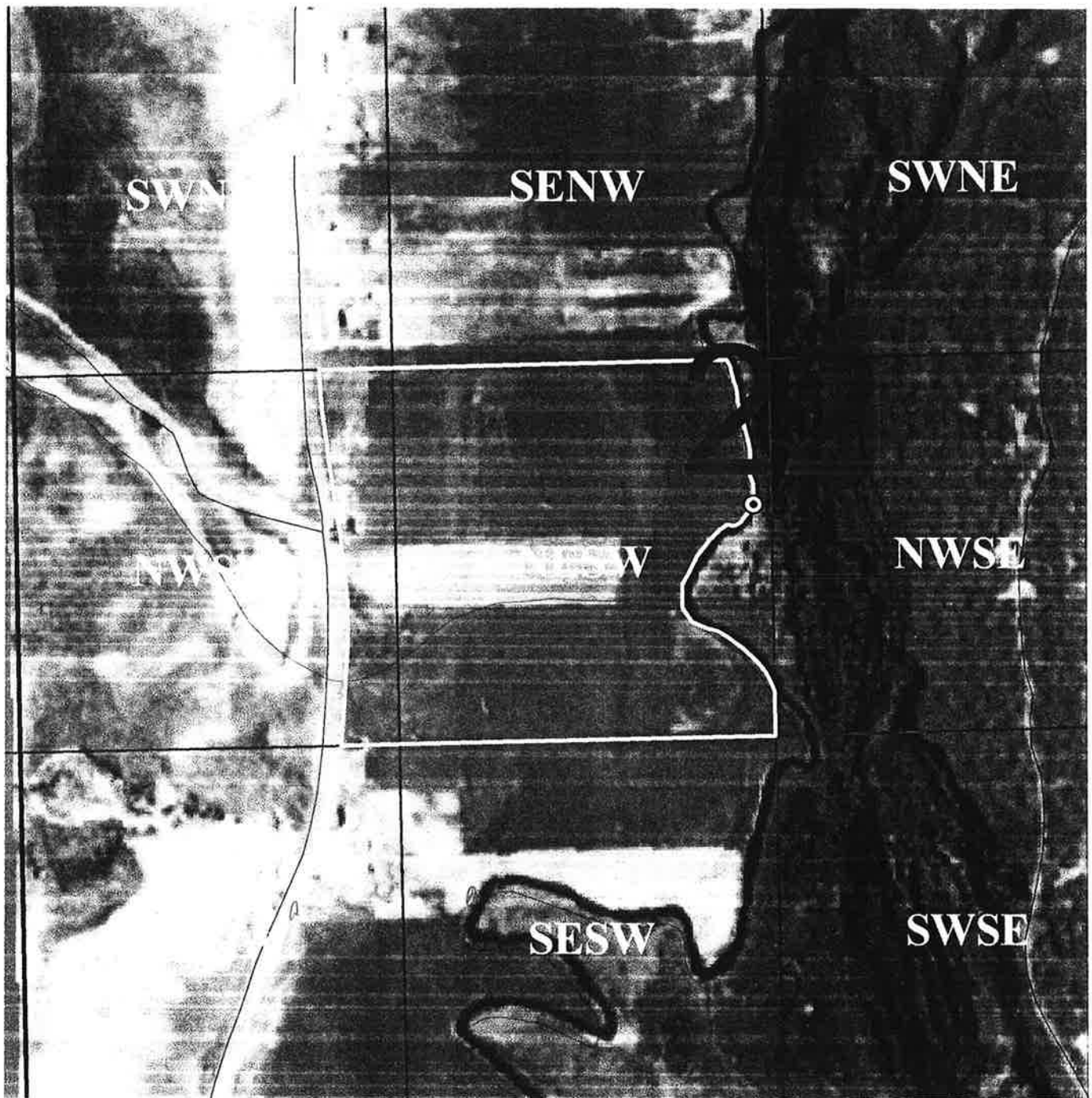
☒

New Contact Comments

Jim Hook. Phone: 208-254-9266. Works at Caterpillar in Pocatello.

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Township , 8S36E



300 0 300 600 Feet



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 29-13416
Date Received: 10/25/2002
Receipt No:
Received By:

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

A2913416



1. Name of Claimant(s)

ZELLA L HALL Phone: (208)254-3145
4471 S MARSH CREEK RD
MC CAMMON ID USA 83250

REA GOODENOUGH Phone: (208)254-3145
4471 S MARSH CREEK RD
MC CAMMON ID USA 83250

2. Date of Priority: 04/01/1909

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
08S	36E	22	NE NE SW	BANNOCK	

5. Description of diverting works:

PORTABLE PUMP, SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.9	

7. Total Quantity Appropriated is:
0.9 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
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08S	36E	22	NE	SW	IRRIGATION	35
			NW	SW	IRRIGATION	10
					Section Acres	45
					Total Acres	45

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 A SPLIT FROM FORMER RIGHT 29-4161A

15. Basis of Claim: Beneficial Use