

IDAHO DEPARTMENT OF WATER RESOURCES RECORDED
WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-13418

NAME AND ADDRESS:

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

THOMAS MULLICAN
3558 S MARSH CREEK RD
MC CAMMON ID 83250

SOURCE:

Source:
SPRING

Tributary:
MARSH CREEK

QUANTITY:

0.290 CFS

Use of this right with Right No. 29-13416 is limited to a total combined diversion rate of 0.29 cfs.

PRIORITY DATE:

04/01/1909
~~06/14/1867~~

POINT OF DIVERSION:

T08S R36E S22 NWSW Within BANNOCK County
~~T08S R36E S22 NWNWSW~~ ~~Within BANNOCK County~~

PURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
IRRIGATION	<u>04/01 10/31</u>	0.290 CFS
	~~04/01 11/01~~	

PLACE OF USE:

IRRIGATION within BANNOCK County
T08S R36E S22 NESW 12.0
T08S R36E S22 NWSW 2.4

14.4 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 29-13416 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 14.4 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.

EXPLANATORY MATERIAL:

BASIS OF CLAIM - Beneficial Use
THIS RIGHT IS A SPLIT FROM FORMER RIGHT 29-4162.

IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED
WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-13418

NAME AND ADDRESS:

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

THOMAS MULLICAN
3558 S MARSH CREEK RD
MC CAMMON ID 83250

SOURCE: Source: Tributary:
SPRING MARSH CREEK

QUANTITY: 0.290 CFS

Use of this right with Right No. 29-13416 is limited to a total combined diversion rate of 0.29 cfs.

PRIORITY DATE: 02/27/1869
06/14/1867

POINT OF DIVERSION:

T08S R36E S22 NWSW Within BANNOCK County

~~T08S R36E S22 NWNWSW~~ Within BANNOCK County

PURPOSE AND PERIOD OF USE:	Purpose of use	Period of use:	Quantity:
IRRIGATION		<u>04/01 10/31</u>	0.290 CFS
		~~04/01 11/01~~	

PLACE OF USE: IRRIGATION within BANNOCK County
T08S R36E S22 NESW 12.0
T08S R36E S22 NWSW 2.4

14.4 ACRES TOTAL

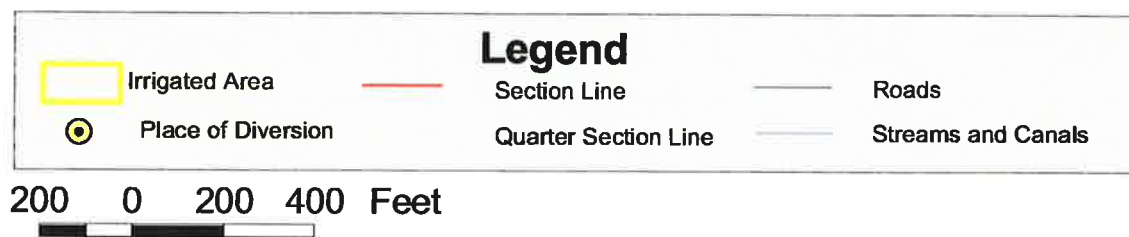
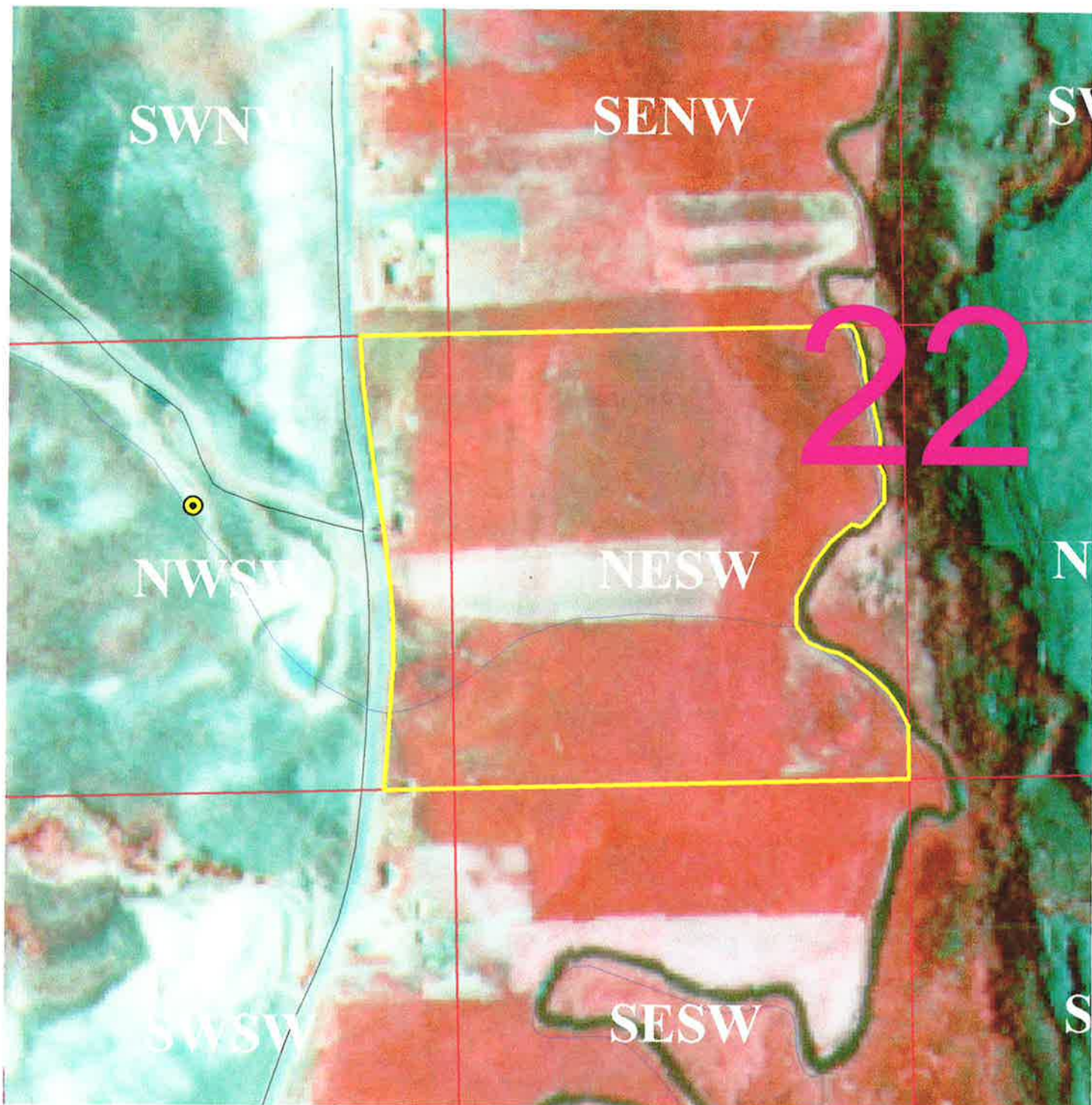
USE OF THIS RIGHT WITH RIGHT NO. 29-13416 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 14.4 ACRES IN A SINGLE IRRIGATION SEASON.

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

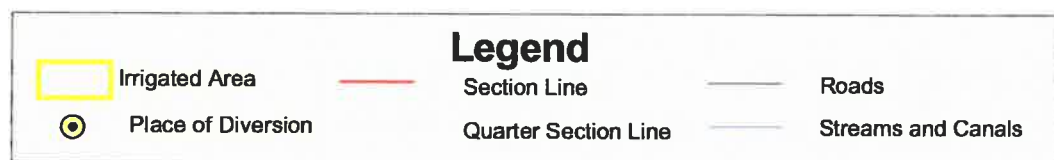
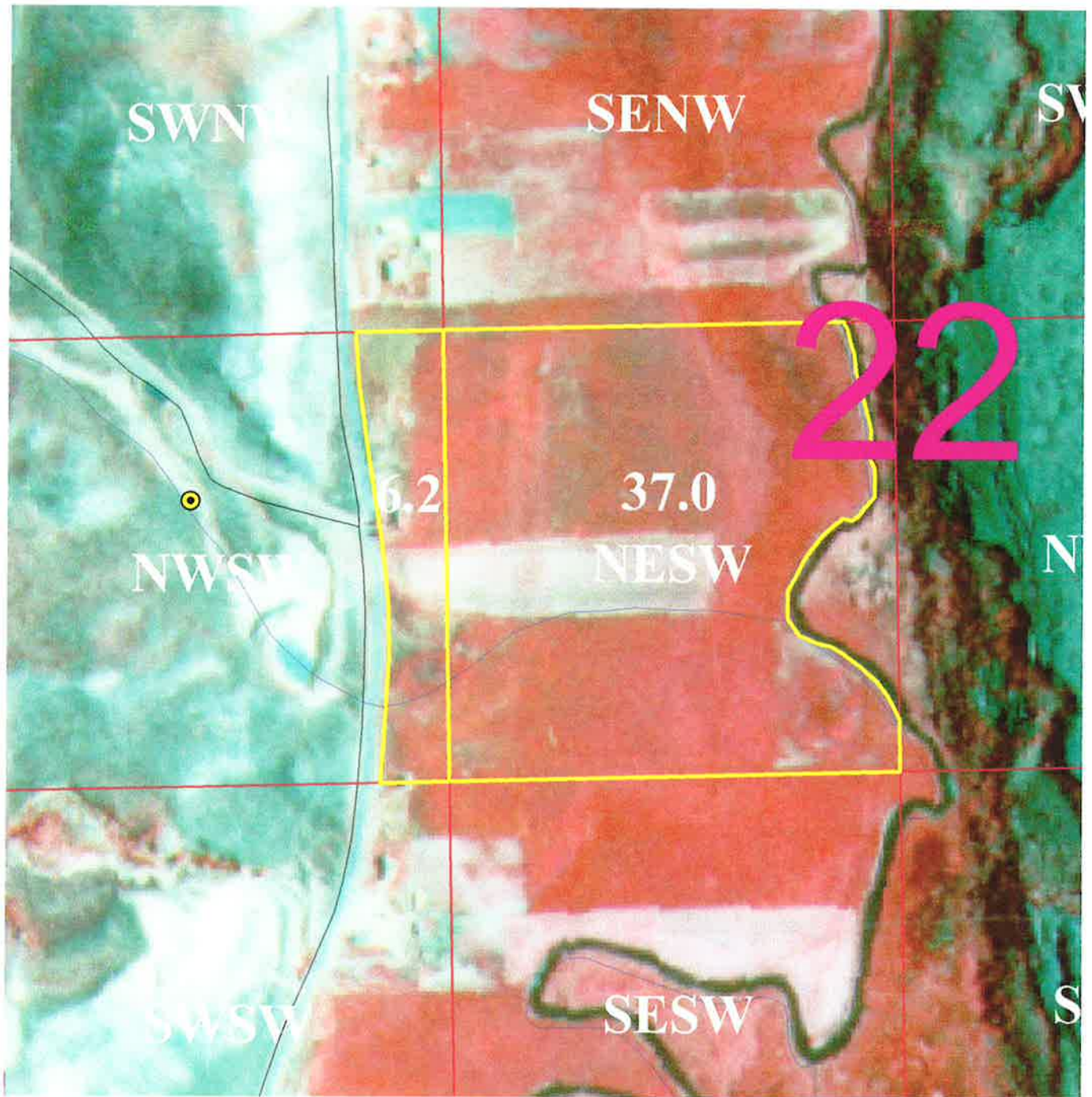
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use
THIS RIGHT IS A SPLIT FROM FORMER RIGHT 29-4162.

Township , 8S36E



Township , 8S36E

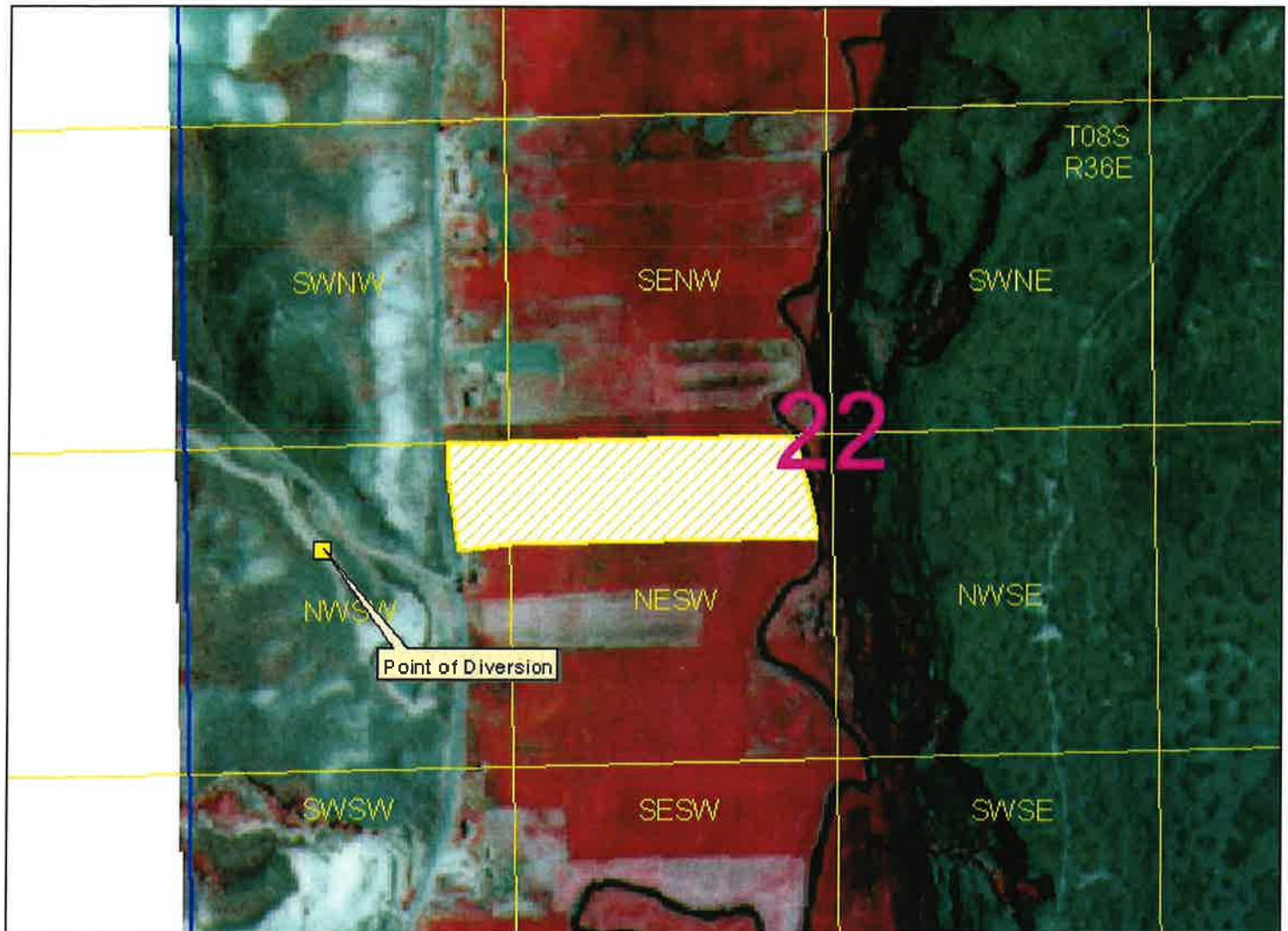


200 0 200 400 Feet



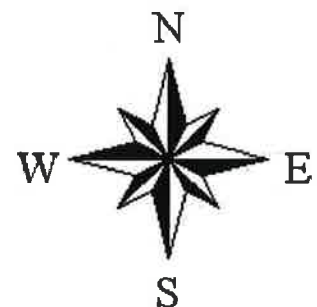


State of Idaho
Department of Water Resources
Eastern Region
Claim No.: 29-13418



0.1 0 0.1 0.2 Miles

Irrigated Acres = 14.4



-  **Diversion.shp**
-  **Place of use.shp**
-  **Sections**
-  **QQ**

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

RECEIVED

SEP 30 2004

Department of Water Resources
Eastern Region

 **COPY**

September 29, 2004

Jeanette Wolfley, Attorney
202 N. Arthur,
Pocatello, ID 83204

please file

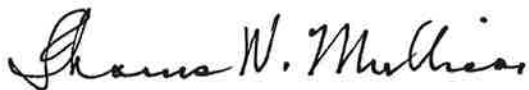
Subject: SRBA Case No. 39576, Subcase No. 29-13418 (Water Right)

Dear Ms. Wolfley:

During our settlement conference on July 28, 2004, I was requested to provide an affidavit with statements regarding the actual use of the spring water related to the above referenced water right. Specifically, I was asked to provide water use information during the time period between 1931 and 1987. It was agreed that if I provided such information the Tribes would accept a negotiated priority date of February 27, 1869 for water right 29-13418. It was further agreed that, without the affidavit, a negotiated priority date of April 1, 1909 would be accepted. I have not obtained the requested affidavit and am agreeable to accept the April 1, 1909 priority date.

I believe this letter will suffice to settle the contest regarding water right 29-13418. I hope to receive verification of the settlement from the Tribes, the Court and/or the Idaho Department of Water Resources.

Sincerely,



Thomas W. Mullican

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

cc: Roger Warner, Idaho Department of Water Resources, Idaho Falls

SCANNED

OCT 13 2004

PROFILED

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AUG 23 2004
Department of Water Resources
Eastern Region

August 19, 2004

 **COPY**

Jeanette Wolfley, Attorney
202 N. Arthur,
Pocatello, ID 83204

Subject: SRBA Case No. 39576, Subcase No. 29-13418 (Water Right)

Dear Ms. Wolfley:

During our settlement conference on July 28, 2004, I was requested to provide additional information regarding the use of water related to the above referenced water right. Specifically, I was asked to provide Warranty Deed information during the time period between 1931 and 1987. It was agreed that if I provided such information the Tribes would accept a negotiated priority date of February 27, 1869 for water right 29-13418. I have gathered documentation to support my case. The following information is attached:

1. Idaho Department of Water Resources map - This map shows the location of my property and the point of diversion (POD) for water right 29-13418.
2. Large map dated October 25, 1894 - This map shows that the spring related to water right 29-13418 existed and was mapped by the surveyor in 1894 for the Surveyor General's Office. The further shows that the spring flow was onto property from which water right 29-13418 was split upon my purchase of a portion of the property.
3. Property ownership map - This map shows that my property is a portion of a larger parcel of land previously under Indian ownership (TAH-MAN-ZO-NAH PORTNEUF).
4. Warranty Deed dated April 27, 1957 - This document shows a property transfer including the parcel currently under my ownership. All water rights and water conveyances, including the subject spring, were transferred at this time.
5. Warranty Deed dated July 6, 1959 - This document shows a property transfer including the parcel currently under my ownership. All water rights and water conveyances, including the subject spring, were transferred at this time.
6. Warranty Deed dated June 15, 1965 - This document shows a property transfer including the parcel currently under my ownership. All water rights and water conveyances, including the subject spring, were transferred at this time.

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SEP 22 2004

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I trust that the information provided will be sufficient to meet terms of our agreement.

Sincerely,



Thomas W. Mullican

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

attachments: Maps (3)
Warranty Deeds (3)

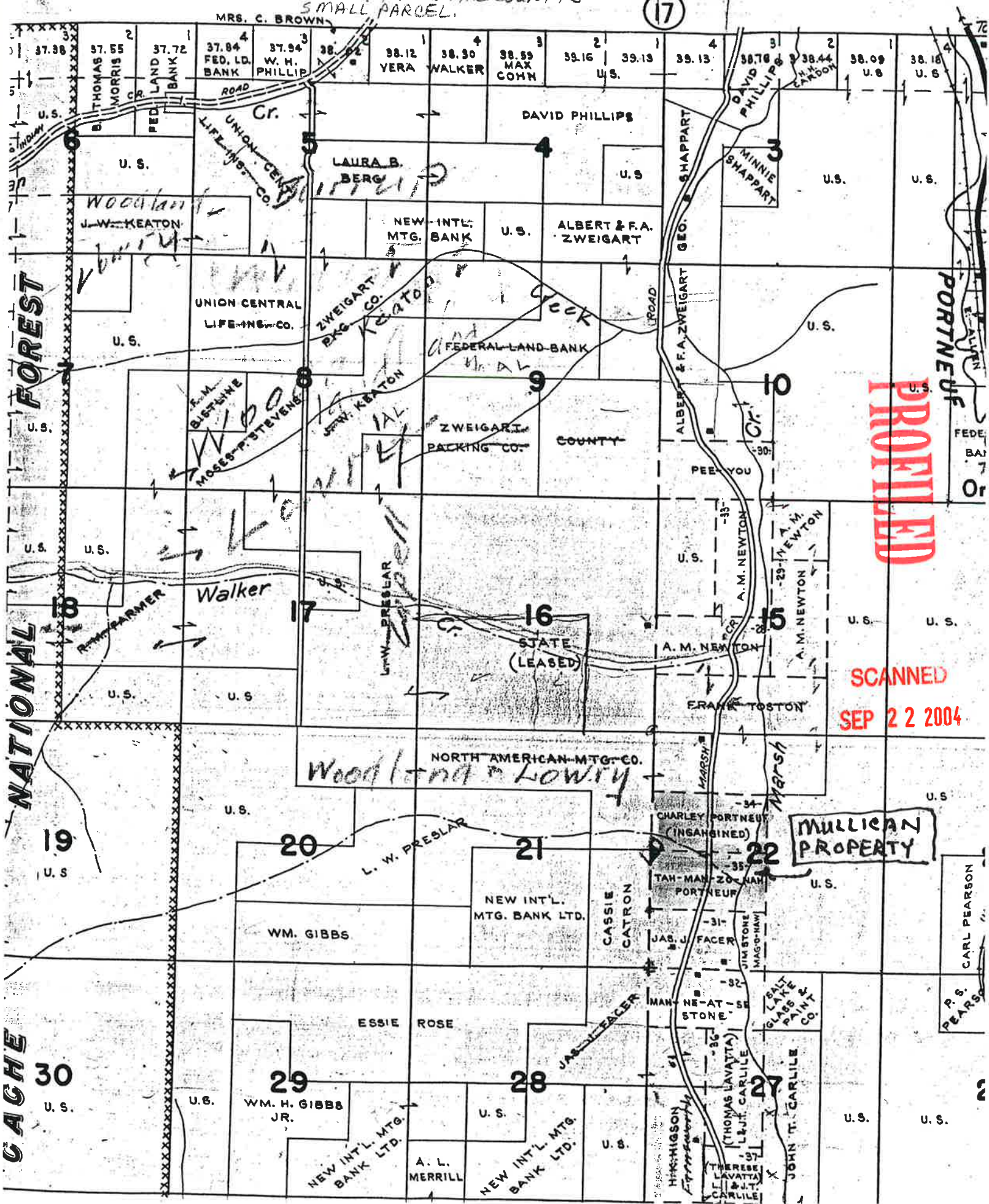
cc: Roger Warner, Idaho Department of Water Resources

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SEP 22 2004

⑪



INSTRUMENT No. 32237

WARRANTY DEED

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

CLARK L. HUBBARD and MARY J. HUBBARD, husband and wife,

of Hamilton, County of Ravalli, State of Montana, the parties of the first part, and

HARVEY W. ANDERSON and VEDA S. ANDERSON, husband and wife,
of Ann Arbor, County of Washtenaw, State of Michigan, the parties of the second part:

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of
TEN AND NO/100

and other valuable considerations
lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged

do hereby presents, 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 parcels of land situate, 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 3 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 Northwest 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 thereto incident, unto the said parties of the second part, and to their heirs and assigns forever. And the said parties of the first part and their heirs warrant the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns against the said parties of the first part, and their heirs against all and every person or persons; whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, 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

Clark L. Hubbard (SEAL)

Mary J. Hubbard (SEAL)

(SEAL)

(SEAL)

STATE OF IDAHO,

County of BANNOCK

On this 27 day of April, in the year 1957, before me, 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 F. Merrill
Notary Public
Residence Pocatello, Idaho

FILED

SCANNED

SEP 22 2004

(11)

Warranty Deed

347200

THIS INDENTURE Made this 24th day of July
in the year of our Lord One Thousand Nine Hundred and Fifty-nine
between
HARRY W. ANDERSON and VEDA S. ANDERSON, husband and wife
of the first part, and
County of Bannock State of Idaho
CARL WRENSTED and PAUL WRENSTED
of the second part, and

Pocatello
County of Bannock State of Idaho

WITNESSETH: That the said part 1st of the first part, for and in consideration of the sum of
TEN AND NO/100 and other valuable consideration in DOLLARS
lawful money of the United States of America to them in hand paid by the said part 1st of the second part, the receipt
whereof is hereby acknowledged

do by their presents, Grant, Bargain, Sell and Convey and Confirm unto said part 1st
of the second part, and to their heirs
place or parcel of land situate, lying and being in the County of Bannock and situate formerly All is or certain lot
and more particularly described as follows, to-wit: State of Idaho, bounded

The Southeast Quarter of the Northeast Quarter of
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.

Also the North half of the Southwest Quarter of Section
22, the Northwest Quarter of the Northwest 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.



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SEP 22 2004

Memo

To: Candace McHugh, Deputy Attorney General
From: Roger Warner
CC: File 29-13418
Date: 5/14/2003
Re: Ft Hall Allottee Priority date

Mr. Thomas W.- and Mrs. C. Lynn Mullican of 3558 S Marsh Creek Rd, McCammon, Idaho 83250, have amended their claim for this file to reflect the Ft Hall negotiated priority date for Indian Allottees.

The Mullicans have provided some information that indicates the connectivity between his property and the original allottee number 35, Yah-man-zo-nah.

Given that the source claimed for this water right is from a spring, I feel that it is likely that the spring was put to use on or near the claimed priority date. Therefore, I recommend that the right 29-13418 be recommended with the Allottee date accordingly.

Contacts Data Entry Form

Owner Type _____ Full Name _____ Address _____ City _____ State _____ Zip _____ Phone _____
Current Owner: Thomas W. Mullican 3558 S. Marsh Crk Rd.
Name connector: and _____, or _____, and/or ☒
Current Owner: C. Lynne Mullican McCammom, ID 83250
Current Owner: _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: Tom Mullican Phone Number: 254-9813 hm
236-6160 wk

Relationship to Claimant: _____

Date of Field Exam: 10-10-02 Time: 3:20pm

Directions to Property (if different from above) and/or update owner information:

See 29-13416 for ownership change
form & warranty deed

Purchased property in 1993. owns 15.3 acres
total according to the survey map.

Reviewer: CB

Date: 11/18/02

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SEP 22 2004

Priority Date Data Entry Form

Claim Number: 29-

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

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:

This image shows a single sheet of white paper with horizontal 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.

Reviewer: _____

Date: _____

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SEP 22 2004

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:

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: _____

Claim No.: _____

Summary Data Entry Form

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

C18 Gen Cond
P21 Exp Remark : 29-4162

Split or Combined Right Analysis:

Attached Field Notes or Other Documents:

Claim No.:

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SEP 22 2004

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Reviewer _____ Date _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

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

(Name of Claimant)

Rt. 1, McCammon, ID 83250

(Mailing Address)

Telephone No. 259-3368

(Zip Code)

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)

unnamed spring

tributary to

Marsh Creek

- (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>1.6 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) 1.6 cfs TOTAL QUANTITY USED.

(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

NW ¼ SW ¼, Sec. 22 Twp. 8S Rge. 36E B.M., County of Bannock

Additional points of diversion:

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. Settling pond to 8" gravity sprinkler line to sprinkler system. This water was formerly taken from a ditch.

- (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.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
8S	22E	22									25	15	20	20					80

No. of acres 80

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

SCANNED

MAY 31 2001

MICROFILMED

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:



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 29



RIGHT ID 29 4162
POD ID 202651
Quad McCammon
Claim Type L
Easting 644148
Northing 180384
GPSID A0012659

Diversion Description

SETTLING POND TO GRAVITY SPRINKLER LINE TO SPRINKLER SYSTEM. Spring currently diverted away from pipeline. Spring flow disappears into ground. Old system flows into screened 8" pipe, thence to 3" pipe to sprinklers. Calc. Flow w. 6 ft head on 3" orifice.

Assumptions

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

OD ID 202651_01.JPG OD ID 202651_03.JPG

OD ID 202651_02.JPG

EPE (ft) EPE=17 ft. (ho Date (M/D/Y) 10/9/01 Time 10.00 Flow Rate (CFS) 0.56901045291228

Invoice #

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 0.25

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 6

☐ 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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INTREPID
Engineering Services, Inc. (I-ES)
Enabling People and Solutions

SCANNED

SEP 22 2004

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A. ROOT WATER RIGHT NUMBERS: A29-04162

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
08S	36E	22	NE	SW		HALL, ZELLA L	A29-04162 / 35.0	29-04162 / 25.0	38.0		
			NE	SW		GOODENOUGH, REA	A29-04161A / 35.0	- /			
			NE	SW		HALL, DONALD C.		29-04161 / 25.0			
08S	36E	22	NW	SW		HALL, ZELLA L	A29-04162 / 10.0	29-04162 / 15.0	4.0		
			NW	SW		GOODENOUGH, REA	A29-04161A / 10.0	- /			
			NW	SW		HALL, DONALD C.		29-04161 / 15.0			

ADDITIONAL POU FOUND

TOTAL ACRES A29-04162 45.00 40.00 42.00

POU COUNTY: BANNOCK

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A29-04162	SPRING	HALL, ZELLA L	0.900	0.020		
A29-04161A	MARSH CREEK	GOODENOUGH, REA	0.900	0.020		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: SUPPLEMENTAL TO A29-04161A

SCANNED
JUN 04 2003

Log for claim A29-04162

Spatial Dynamics BTD

6/30/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
08s36e	22	SWNW	0	0	
08s36e	22	NESW	35	37	
08s36e	22	NWSW	10	6.2	
Totals:			45	43.2	

AJ5809NP
No. A29-04162

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/27/00
PAGE: 123

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ZELLA L HALL	04/01/1909	IRRIGATION	04-01 11-01	0.900 CFS	
C	REA GOODENOUGH					
	4471 S MARSH CREEK RD					
	MC CAMMON ID 83250			TOTAL DIVERSION:	0.900 CFS	
	(208) 254-3145			CONSUMPTIVE USE:		135.00 AFA

Water Source: SPRING

Tributary to: MARSH CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: T08S R36E S22 NWNWSW

BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
08S	36E	22	:					:					:	35		10		:					:	45.0
																							TOTAL ACRES	45.0

POU County: BANNOCK

Other Rights: SUPPLEMENTAL TO A29-04161A

Other Water Rights Listing Overlapping Place(s) of Use:
A29-04161 A29-04161A

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 03/27/90 BAUMHOFF 10/30/90 BAUMHOFF 07/19/94 THOMPSON 03/29/95 POST-STD

29-13417-
29-4162 29-13418-

Notes

July 28, 2004.

Nonindian purchased in 19³¹~~29~~ - B.U. after
ward.?

1931 Appraisal, Irrigable 10 acres -

irrigated 30 acres - This is proof that
irrigation occurred.

~~State~~ Need to get statement from Mrs. Hall about
use of ~~the~~ spring.

Priority suggested is Feb 27, 1869. ^{no documentation.}
or April 1, 1908 - no documentation.

29-13417 - James Hook - ^{1909, April 1.} ~~1908, April 1~~ ~~March 30, April 1~~

Remark - Indian allotment #32, Yah-man-20-nah.

Conclusion - Claimant will provide copies of deeds &
statement from Zella.

next status conference Sept. 1. - claimant will notify
IDWR by August 20.

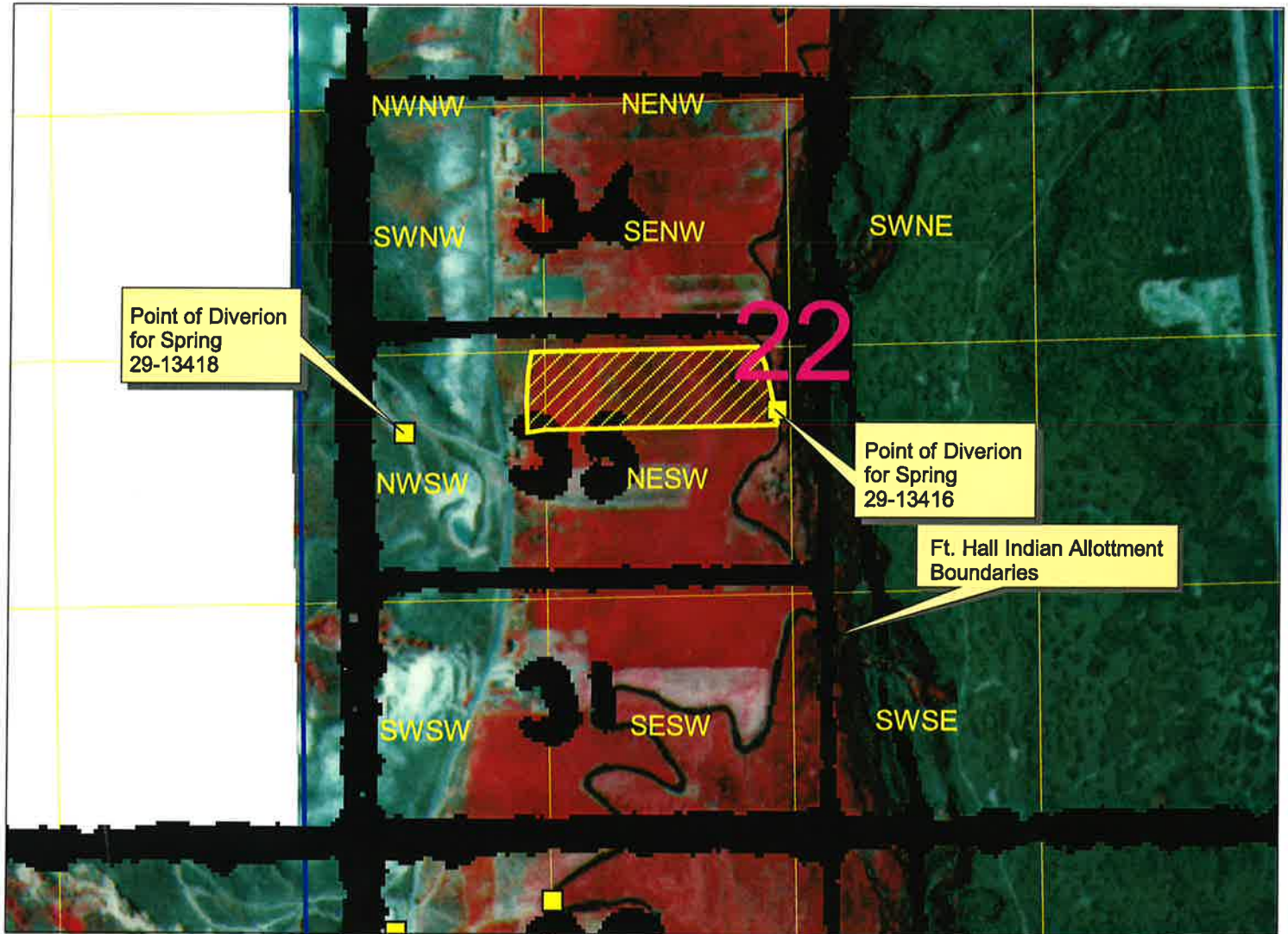
SCANNED

SEP 22 2004

ROFILED

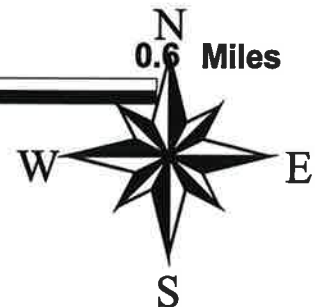


State of Idaho Department of Water Resources Eastern Region Claim No.: 29-13418



0.3 0 0.3 0.6 Miles

Irrigated Acres = 14.4



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

PROFILED SCANNED
SEP 22 2004

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

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 29-13418
Date Received: 10/25/2002
Receipt No:
Received By:

RECEIVED

MAY 07 2003

Department of Water Resources
Eastern Region

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

1. Name of Claimant(s)

THOMAS W MULLICAN Phone: (208) 254-9813

3558 S MARSH CREEK RD
MC CAMMON ID USA 83250

C. LYNNNE MULLICAN

3558 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~~

~~ZELLA L HALL Phone: (208) 254-3145~~

~~4471 S MARSH CREEK RD~~
~~MC CAMMON ID USA 83250~~

2. Date of Priority: 04/01/1909 JUNE 14, 1867

3. Source: SPRING Trib. to: MARSH CREEK

4. Point of Diversion:

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

5. Description of diverting works:

SETTLING POND TO GRAVITY SPRINKLER LINE TO SPRINKLER SYSTEM.

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~~ <u>0.29</u>	

7. Total Quantity Appropriated is:
0.9 0.29 C.F.S.

PROFILED

SCANNED

SEP 22 2004

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08S	36E	22	NE	SW	IRRIGATION	<u>35 12</u>
			NW	SW	IRRIGATION	<u>10 2.4</u>
					Section Acres	<u>45 14.4</u>
					Total Acres	<u>45 14.4</u>

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 29-4162

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): Shirley W. Mulhearn Date: 5-2-03

5-2-03 E. Lynne Mulhearn Date: _____

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 2nd Day
of May 2003 Lindsay Manginell

Notary Public

Residing at Bannock Ctry

My commission Expires 1-8-07

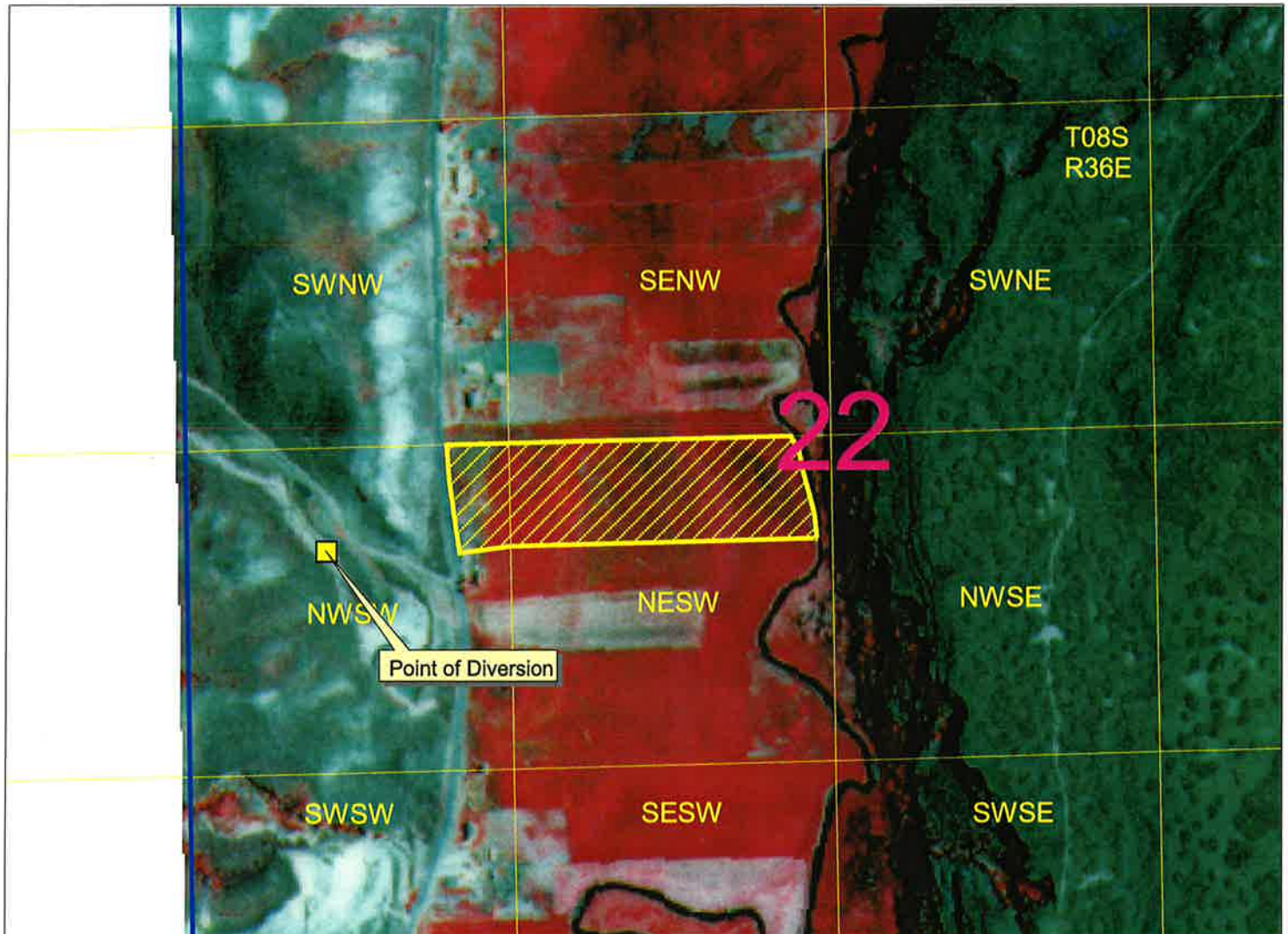


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**SCANNED
SEP 22 2004**

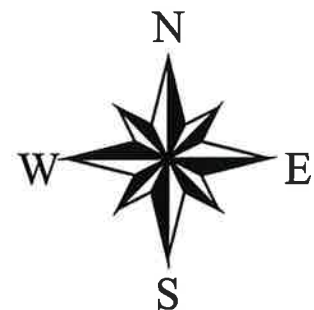


State of Idaho
Department of Water Resources
Eastern Region
Claim No.: 29-13418



0.1 0 0.1 0.2 Miles

Irrigated Acres = 14.4



- Diversion.shp
- Place of use.shp
- Sections
- QQ

PROFIT

SCANNED
SEP 22 2004

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-13418 V1

WATER RIGHT NUMBER: 29-13418 V1

<u>Owner Type</u>	<u>Name and Address</u>
Previous Owner	REA GOODENOUGH 4471 S MARSH CREEK RD MC CAMMON, ID 83250 (208)254-3145
Previous Owner	ZELLA L HALL 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: Active

<u>Source</u>	<u>Tributary</u>
SPRING	MARSH CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 11/01	0.290 CFS	
<u>Total Diversion:</u>		0.290 CFS	

Location of Point(s) of Diversion

SPRING NW1/4NW1/4SW1/4 Sec. 22, Twp 08S, Rge 36E, B.M.
BANNOCK County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
08S	36E	22	12.0	2.4			14.4

Total Acres: 14.4

Conditions of Approval:

- 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.

FILED

SCANNED
SEP 22 2004

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-13418 V1

Remarks:

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

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 11:32:48 AM	cbird			Active
Priority Date	1/17/2003 12:11:37 PM	rwarner			Active
POD	1/17/2003 12:12:08 PM	rwarner			Active
Source	1/17/2003 12:12:25 PM	rwarner			Active
POU	1/17/2003 12:12:52 PM	rwarner			Active
POU	1/17/2003 12:18:15 PM	rwarner			Active
Use	1/17/2003 12:18:57 PM	rwarner			Active
Season	1/17/2003 12:19:27 PM	rwarner			Active
Quantity	1/17/2003 12:19:51 PM	rwarner			Active
Summary			01/17/2003	rwarner	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	11/19/2002 11:32:48 AM	cbird	(No) 1. Do you want to schedule an appointment? Comment for 1: FIELD EXAM 10-10-02

PROFILED

SCANNED
SEP 22 2004

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-13418 V1

POD	1/17/2003 12:12:08 PM	rwarner	(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?
POU	1/17/2003 12:12:52 PM	rwarner	(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? Description for Question 13 - GIS analysis
Priority Date	1/17/2003 12:11:32 PM	rwarner	(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?
Source	1/17/2003 12:12:25 PM	rwarner	(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?
POU	1/17/2003 12:17:33 PM	rwarner	Edited shape boundary
POU	1/17/2003 12:18:16 PM	rwarner	(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 - GIS analysis

PROFILED

SCANNED

SEP 22 2004

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-13418 V1

Use	1/17/2003 12:18:57 PM	rwarner	(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 visit by C. Bird.
Season	1/17/2003 12:19:27 PM	rwarner	(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	1/17/2003 12:19:51 PM	rwarner	(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?
POU	1/17/2003 12:17:46 PM	rwarner	Edited PLS
Summary	1/17/2003 12:23:16 PM	rwarner	(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?

PROFILED

SCANNED

SEP 22 2004

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 29-13418
Date Received: 10/25/2002
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

A2913418



1. Name of Claimant(s)

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

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

2. Date of Priority: 04/01/1909

3. Source: SPRING Trib. to: MARSH CREEK

4. Point of Diversion:

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

5. Description of diverting works:

SETTLING POND TO GRAVITY SPRINKLER LINE TO SPRINKLER SYSTEM.

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
----------	-------	---------	----------------	-----	-------

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 29-4162

15. Basis of Claim: Beneficial Use

PROFILED

SCANNED
SEP 22 2004

SCANNED
SEP 22 2004

CONTAINS MY
PROPERTY

PROFILED

3-1
417173
WARRANTY DEED

THIS INDENTURE, made this 15th day of June 1965, between Paul Wrensted, surviving partner of the partnership of Carl Wrensted and Paul Wrensted, Paul Wrensted and his wife, Virginia Wrensted, as individuals of Power County, Idaho, and Hazel Wrensted, Administratrix of the estate of Carl T. Wrensted, Carl Theodore Wrensted, Carl Theodore Wrensted and Carl Wrensted, deceased, one and the same person, and as the surviving wife of said deceased and his sole and only heir, Bannock County, Idaho, parties of the first part, and Charles S. Hall, Bannock County, Idaho, party of the second part:

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of TEN DOLLARS, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt of which is hereby acknowledged do by these presents, grant, bargain, sell, convey and confirm unto said party of the second part and to his heirs and assigns forever; All that certain lot, piece or parcel of land situate, lying and being in the County of Bannock, State of Idaho, bounded and more particularly described as follows, to-wit:

east
The South/quarter of the Northeast quarter, Section 28, Township 8 South, Range 36, E.B.M., and the portion of the Southwest quarter of the Northwest quarter of Section 27, Township 8 South, Range 36, E.B.M., 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 Northwest 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, E.B.M., 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, now or ever evidenced.

This Deed is subject to one-half of the taxes for the year 1965.