

07/29/2002

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

RIGHT NUMBER: 29-13354

NAME AND ADDRESS: THELMA C MC CARTY
8092 N NEVA RD
POCATELLO ID 83204

MIKE JAMES MC CARTY
8026 N NEVA RD
POCATELLO ID 83204

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.02 CFS
3.5 AFY

PRIORITY DATE: 11/07/1973

POINT OF DIVERSION:

T06S R34E S21 SESESW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.015 CFS 3.50 AFY

PLACE OF USE: IRRIGATION Within BANNOCK County

T06S R34E S21 SESW 1.0

1 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: License

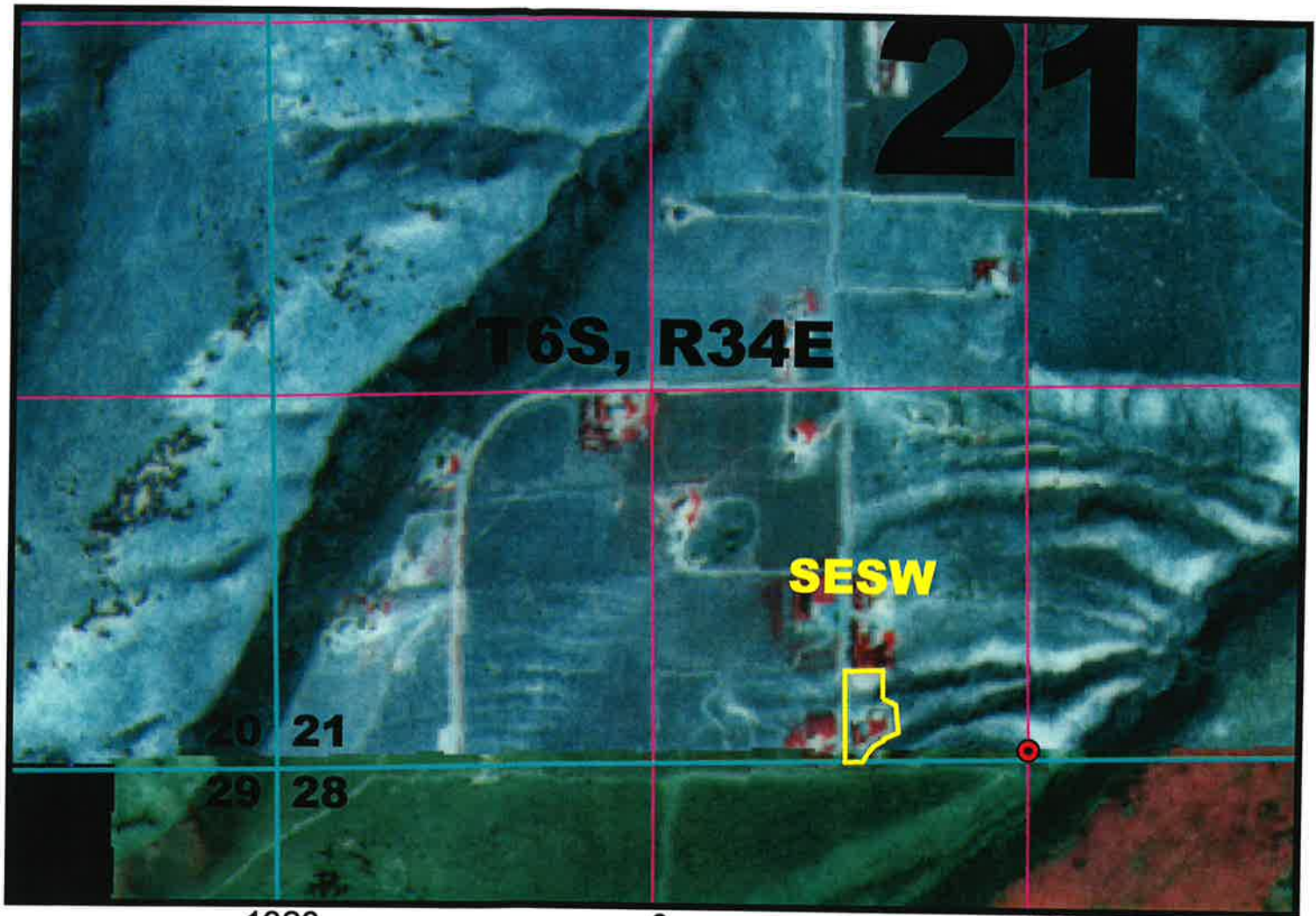
PLACE OF USE FOR THIS RIGHT ALSO KNOWN AS LOT #4, BLOCK 1,
FACER MOUNTAIN SUBDIVISION.



STATE OF IDAHO

Department of Water Resources
Eastern Region

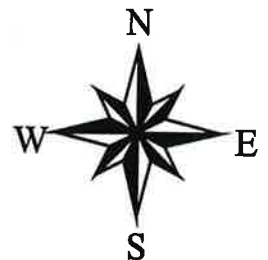
Water Right(s): 29-13354



1320 0 1320 Feet

Total Irrigated Acres: 1.0

-  Point(s) of Diversion
-  Place of Use
-  Quarter Quarter Lines
-  Section Lines



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: July 2002

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-13354 V1

WATER RIGHT NUMBER: 29-13354 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	F J MC CARTY 8092 N NEVA RD POCATELLO, ID 83204 (208)232-6709
Current Owner	THELMA C MC CARTY 8092 N NEVA RD POCATELLO, ID 83204 (208)233-3086
Current Owner	MIKE JAMES MC CARTY 8026 N NEVA RD POCATELLO, ID 83204 (208)233-3086

Priority Date: 11/07/1973

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 11/01	0.015 CFS	3.50 AF
	<u>Total Diversion:</u>	0.015 CFS	3.50 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4SE1/4SW1/4	Sec. 21, Twp 06S, Rge 34E, 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	
06S	34E	21																	1.0

Total Acres: 1

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-13354 V1

1. Explanatory PLACE OF USE FOR THIS RIGHT ALSO KNOWN AS LOT #4, BLOCK 1, FACER MOUNTAIN SUBDIVISION.

Comments:

1. csaxton 5/9/2002 Split right
Comment: This right split from 29-07162.
2. csaxton 5/9/2002 Domestic Use
Comment: The domestic portion of this claim recommended under right 29-11432 and is partially decreed.
3. csaxton 5/9/2002 POU
Comment: PLACE OF USE FOR THIS RIGHT ALSO KNOWN AS LOT #4, BLOCK 1, FACER MOUNTAIN SUBDIVISION.

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: AND
 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

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	5/9/2002 11:57:55 AM	csaxton	Edited shape boundary
Contacts	5/9/2002 11:53:41 AM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop Review.
Priority Date	5/9/2002 11:54:32 AM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-13354 V1

POD	5/9/2002 11:55:01 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
POD	5/9/2002 11:55:47 AM	csaxton	Edited point location
Source	5/9/2002 11:56:14 AM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	5/9/2002 11:57:34 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
Use	5/9/2002 11:58:32 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Season	5/9/2002 11:59:22 AM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (No) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 18. Is a Period of Use remark and/or condition required?
POD	5/9/2002 12:00:25 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - As Licensed

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-13354 V1

Summary	5/9/2002 12:02:30 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (Yes) 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?
POD	7/29/2002 10:38:41 AM	csaxton	Edited point location
POU	7/29/2002 10:39:14 AM	csaxton	Edited shape boundary

7-16-02: Stopped By Claimants home. Spoke with
FE Mikes Wife. She told me that they only
water/irrigate around the lawn.

: Remaining 4 acres is sagebrush. Hasnt been
Irrigated for some time. No sign of Irrigation
outside of lawn.

Looking N at Clariant House. Lawn Irrigated



Looking East at Pump House - POD



C. Saxton

29-13354
FF: 7-16-02

29-13354
FE: 7-16-02



Looking NE @ Claimant Property. No Signs of Irrigation.



Looking N @ Claimant Property. No Signs of Irrigation



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 9, 2002

RE: Snake River Basin Adjudication (SRBA) claims 29-07027 and 29-07162.

Dear Claimants:

I received an information packet on April 24, 2002 from Mike McCarty regarding ownership of SRBA claims 29-07027 and 29-07162. After reviewing the information packet and the historical licensing exams I feel I have determined which rights and which portions of rights are applicable to lot #3 and lot #4 of block 1, Facer Mountain Subdivision.

29-07027:

This right is for irrigation of 1 acre and domestic use for 1 home on Lot #3 owned by Cory Glascock. A Notice of Change in Water right ownership form needs to be completed and submitted to this office by Cory Glascock (enclosed).

29-07162:

This right was licensed for 4 acres of irrigation and domestic use for 1 home.

My research indicates that the Domestic use under this license is for the home on lot #4. The irrigation was licensed for 1 acre of irrigation on lot #3 and 3 acres on lot #4. See enclosed licensing exam map.

A completed Notice of Change in Water Right ownership form was received within the information packet provided by Mike McCarty.

I have split right 29-07162 as follows.

RIGHT SPLIT BY C/O PER CLAIMANT REQUEST.
29-07162: 0.06 CFS, 4 AC, FJ MCCARTY

29-13353: 0.015 CFS, 1 AC, FJ MCCARTY – No Domestic
29-13354: 0.045 CFS, 3 AC, MIKE MCCARTY – Domestic Included
SUM OF SPLITS = PARENT RIGHT

Copies of the new claims will be included with this mailing.

Notes for Cory Glascock:

In order to change water right 29-07027 and 29-13353 into your name, you need to complete a Notice of Change in Water Right ownership form and return it to this office as soon as possible.

Notes for Mike McCarthy:

At this time no further action needs to be taken. However, partially decreed right 29-11432 is for domestic use for the home on Lot #4 in your name. The notes on this right (enclosed) state, "Shows 29-07162 as WR number". Based on this, I do not plan to recommend the domestic use portion under right 29-13354 since it is already covered under 29-11432.

Please feel free to contact me with any questions. I realize this can be a complicated matter and would be happy to discuss any question you may have about these water rights and the Adjudication process.

Respectfully submitted,



Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

Cc; MIKE MCCARTY
THELMA MCCARTY
8092 N NEVA RD
POCATELLO ID 83204

CORY GLASCOCK
8092 N NEVA RD
POCATELLO ID 83204

JUN 13 2001

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: A29-07162

Date Received: 3/26/1990

Receipt No: M006361

Received By: CA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: F. J. MC CARTY 208-232-6709
Address: 8092 N. NEVA RD.
POCATELLO, ID 83204

AND/OR

Name: THELMA C. MC CARTY 208-232-6709
Address: 8092 N. NEVA RD.
POCATELLO, ID 83204

2. Date of Priority: NOV 07, 1973

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	34E	21	SE	SE	SW		BANNOCK

5. Description of diverting works:
3 WELLS AND PUMPS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.060		
DOMESTIC	01/01	12/31	0.020		

7. Total Quantity Appropriated is:
0.060 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 10.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME

A2907162



10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06S	34E	21	SE SE	SW SW	IRR DOMEST	4.0
Section Acres						4.0
Total Acres						4.0

11. Place of use in counties: BANNOCK

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
29-07027

14. Remarks:
LOTS 3 AND 4, BLOCK 1, FACER MOUNTAIN SUBDIVISION

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: -/-

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *D. J. McCarthy* Date: March, 26, 1990
Date: _____

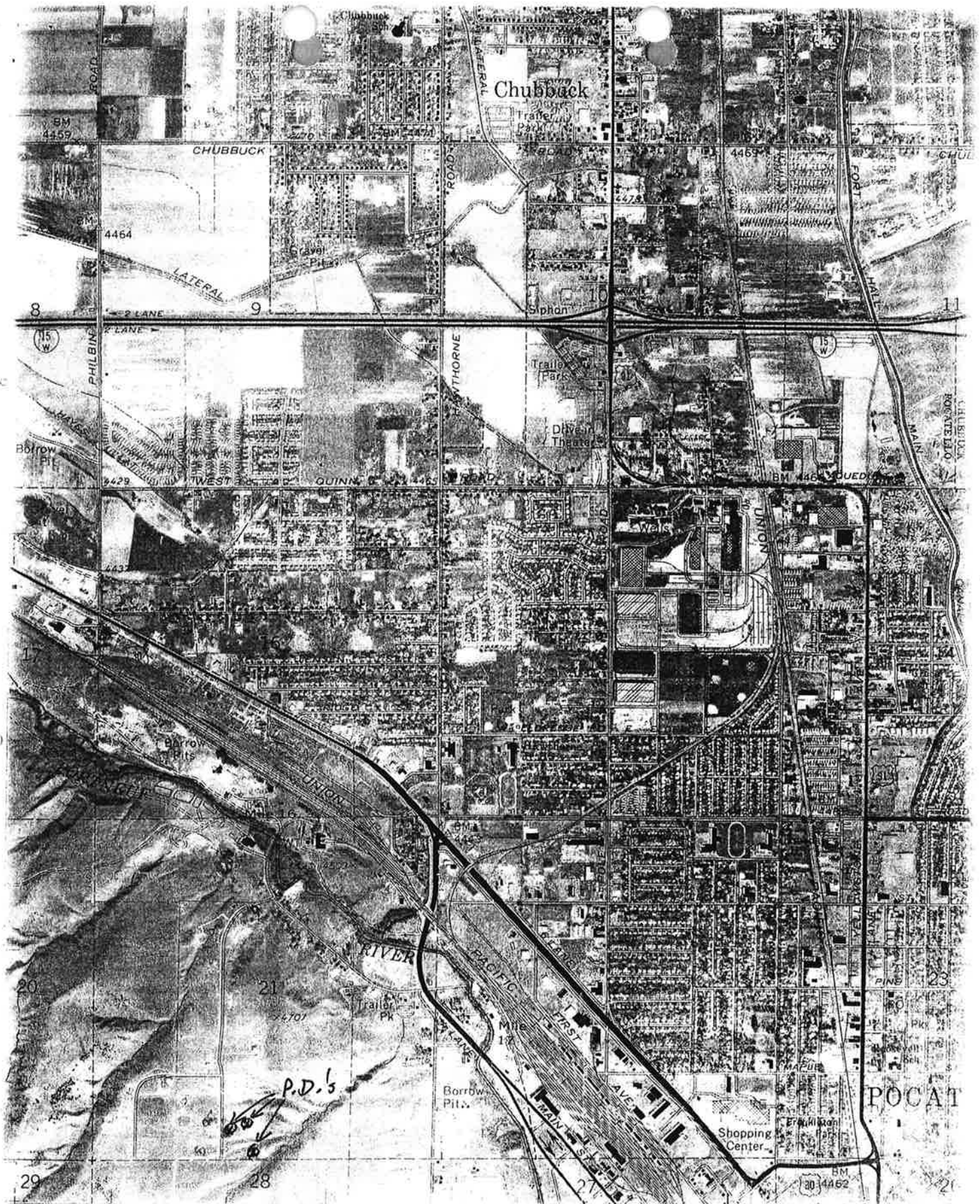
State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 26th day
of March 19 90

Carter Fritschle
Notary Public

Seal

Residing at Carter Fritschle, Notary Public
Residing at Eagle, Idaho
My Commission Expires March 21, 1994



T6S
R34E

A29-07162 MICROFILME
NOV 13 1992



13.782 500 SHEETS FULLER 5 SQUARE
 42-987 500 SHEETS FULLER 5 SQUARE
 42-988 100 SHEETS FULLER 5 SQUARE
 42-989 200 SHEETS FULLER 5 SQUARE
 42-990 100 SHEETS FULLER 5 SQUARE
 42-991 100 SHEETS FULLER 5 SQUARE
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 42-996 100 SHEETS FULLER 5 SQUARE
 42-997 100 SHEETS FULLER 5 SQUARE
 42-998 100 SHEETS FULLER 5 SQUARE
 42-999 100 SHEETS FULLER 5 SQUARE
 42-1000 100 SHEETS FULLER 5 SQUARE

3-26-02: spoke with Mike McCarthy. He is sending in a c/o
 Cory Glascock - lot 3
 Mike McCarthy - lot 4
 According to Mike - Father's Notes indicate that
 29-07027 for 1 as it applicable to lot 3
 : 29-11432 is PO'd to Mike.
 : Mike's # = (208) 233-3086

IDAHO DEPT. OF WATER RESOURCES
EASTERN REGION

CONVERSATIONAL MEMORANDUM

DATE: 4/17/02

PAGE. 1 OF 1

CLAIM NUMBER: 29-07027 29-07162

NAME OF PARTY: Cory Glasscock

EMPLOYEE: Craig Sexton

RE: Cory called and said F.J. McCarthy
says both rights are applicable to his
property. He is sending a statement to confirm
that with his C/O.

Note: There still may be some issues with
this.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 6, 2002

MIKE MCCARTHY
8026 N NEVA RD
POCATELLO ID 83204-7003

Re: Snake River Basin Adjudication (SRBA) Claims 29-07027 and 29-07162

Dear Mike McCarthy:

Enclosed is a letter requesting a Change in Water Right ownership similar to what I sent Cory Glascock On March 5, 2002. The above two claims state that the place of use the water claimed is to be used on is Lots 3 and 4, block 1, Facer Mountain Subdivision.

On March 6, 2002 I spoke with Ann McCarthy concerning her personal water right. In my conversation with Ann she mentioned that you now own Lot 4 and Cory Glascock owns Lot 3.

Since both of the water rights in question seem to be applicable to both pieces of land, I need to gain an understanding of how the system is put together and how much land is irrigated on each lot.

Please contact me at (208) 334-2190 so we can discuss this issue and ensure I have the appropriate information to make an accurate recommendation to the SRBA court.

Respectfully submitted,

Craig L. Saxton
Water Resource Agent
Adjudication Bureau

Cc: Cory Glascock
8092 N Neva Rd
Pocatello Id 83204-7003



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 6, 2002

CORY GLASCOCK
8092 N NEVA RD
POCATELLO ID 83204-7003

Re: Snake River Basin Adjudication (SRBA) Claims 29-07027 and 29-07162

Dear Cory Glascock:

On March 5, 2002 I sent you a letter requesting a Change in Ownership for the above referred to claims. The above two claims state that the place of use the water claimed is to be used on is for Lots 3 and 4, block 1, Facer Mountain Subdivision.

On March 6, 2002 I spoke with Ann McCarthy concerning her personal water right. In my conversation with Ann she mentioned that you now own Lot 3 and Mike McCarthy owns Lot 4.

Since both of the water rights in question seem to be applicable to both pieces of land, I need to gain an understanding of how the system is put together and how much land is irrigated on each lot.

Please contact me at (208) 334-2190 so we can discuss this issue and ensure I have the appropriate information to make an accurate recommendation to the SRBA court.

Respectfully submitted,

Craig L. Saxton
Water Resource Agent
Adjudication Bureau

Cc: Mike McCarthy
8026 N Neva RD
Pocatello Id 83204-7003



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 6, 2002

MIKE MCCARTHY
8026 N NEVA RD
POCATELLO ID 83204-7003

RE: CHANGE IN OWNERSHIP FOR 29-07027 AND 29-07162

Dear MIKE MCCARTHY:

It has come to our attention that you may have recently purchased a tract of land in Bannock County. According to our records, the property to which I am referring to was most recently owned by F. J. and Thelma McCarthy. The legal description is as follows:

T06S R34E S21 SE1/4 SW1/4

This property was filed on in the Snake River Basin Adjudication (SRBA). IDWR is currently in the processing of reviewing the Adjudication claims in basin 29, and will submit a Directors Report in April of 2002. We recommend that if, in fact, you now own the property in question, you file a "Change in Ownership" with this department in order that we may send all further correspondence to the appropriate owner(s).

Enclosed is a Change in Ownership form. Please fill out the form completely, sign and date it and return it to my attention along with a "copy" of your Warranty Deed and legal description of the property you have purchased.

If you have any questions regarding this matter, please call 334-2190.

Respectfully submitted,

Craig L. Saxton
Water Resource Agent
Enclosure(s)

March 5, 2002

CORY J GLASCOCK
8092 N NEVA RD
POCATELLO ID 83204-7003

RE: CHANGE IN OWNERSHIP FOR 29-07027 AND 29-07162

Dear CORY GLASCOCK:

It has come to our attention that you may have recently purchased a tract of land in Bannock County. According to our records, the property to which I am referring to was most recently owned by F. J. and Thelma McCarthy. The legal description is as follows:

T06S R34E S21 SE1/4 SW1/4

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Enclosed is a Change in Ownership form. Please fill out the form completely, sign and date it and return it to my attention along with a "copy" of your Warranty Deed and legal description of the property you have purchased.

If you have any questions regarding this matter, please call 334-2190.

Respectfully submitted,

Craig L. Saxton
Water Resource Agent
Enclosure(s)

SCANNED

JUN 13 2001

Log for claim A29-07162

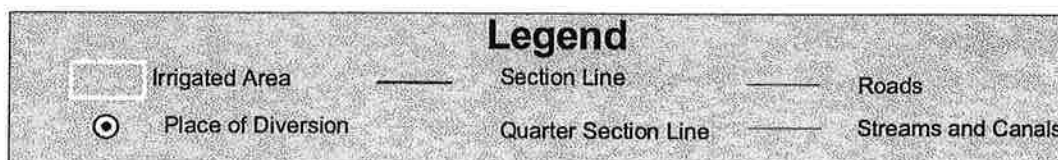
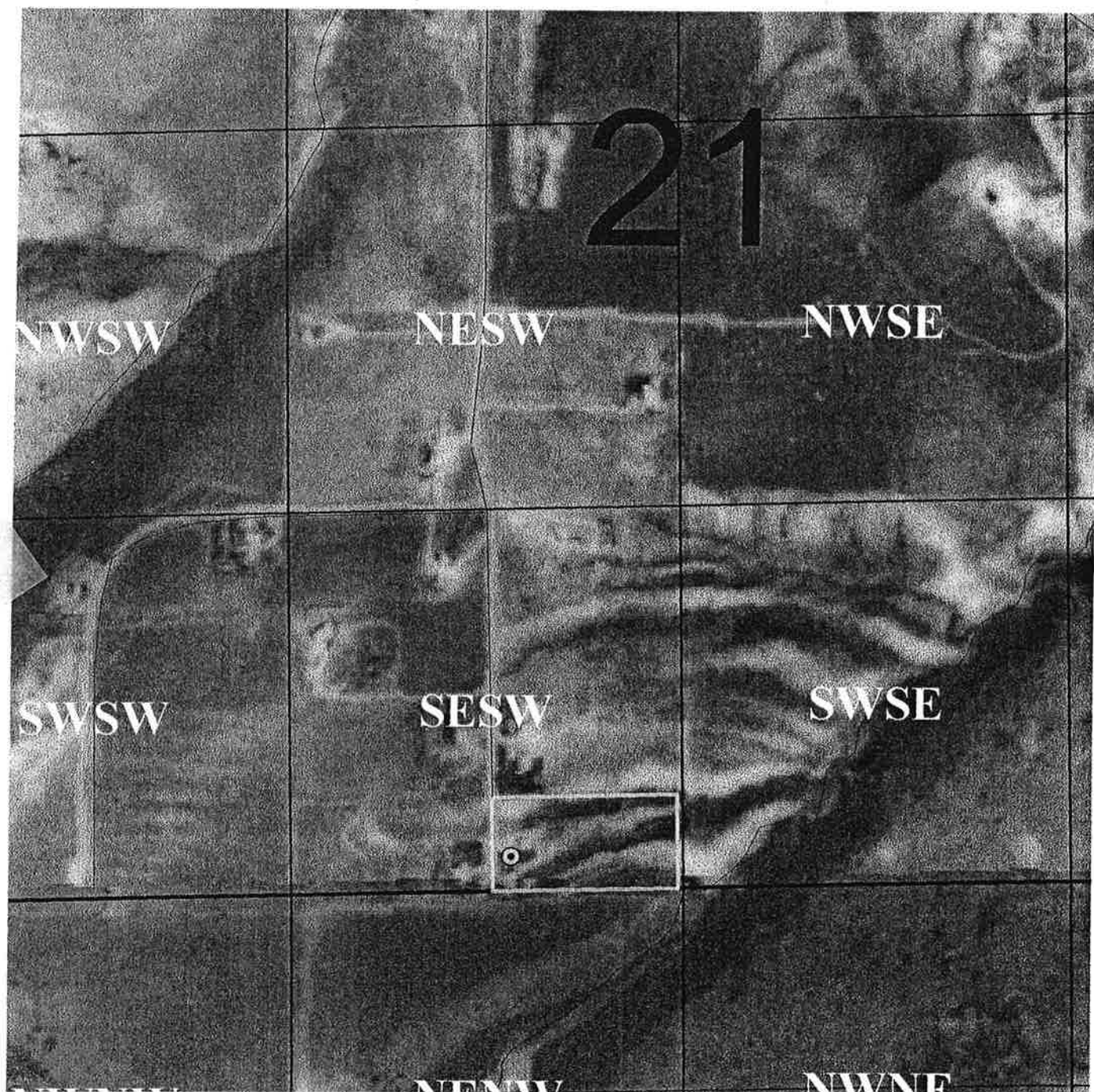
Spatial Dynamics LTD

9/21/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06s34e	21	SESW	4	4.6	
Totals:			4	4.6	

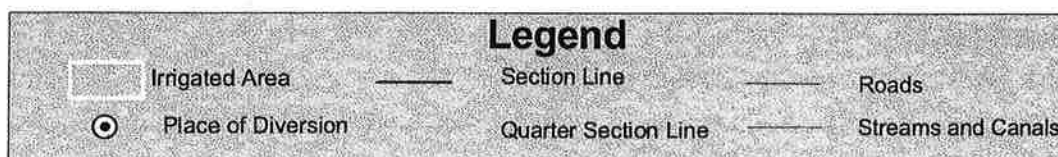
Water Right Claim Number A29-07162
Township , 6S34E

09/21/2000



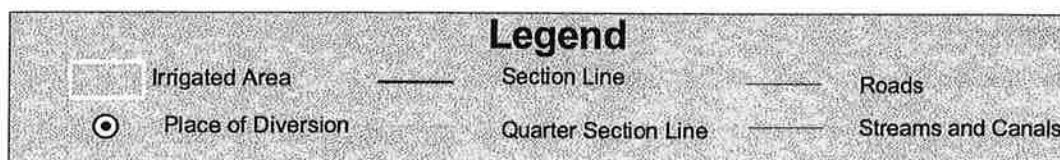
Water Right Claim Number A29-07162
Township , 6S34E

09/21/2000



Water Right Claim Number A29-07162
Township , 6S34E

09/21/2000



DATE: 05/24/00
PAGE: 94

Audit: 03/26/90 MOBILE2 07/26/94 THOMPSON 03/29/95 POST-STD

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 29-7162 Priority Nov. 7, 1973 Amount 0.06 cfs

THIS IS TO CERTIFY, that F. J. McCARTY

of Pocatello, Idaho, has complied with the terms and conditions of Permit No. 29-7162 issued pursuant to Application for Permit dated November 7, 1973, and has submitted proof to the Department of Water Resources on June 3, 1976, that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 0.06 cfs of water from a ground water source, tributary to _____, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Domestic	from <u>Jan. 1</u> to <u>Dec. 31</u>	at <u>0.02</u> cfs and	<u>1.2 acre feet</u>
Irrigation	from <u>April 1</u> to <u>Nov. 1</u>	at <u>0.06</u> cfs and	<u>14.0 acre feet or</u>
	from _____ to _____	at _____ cfs and	<u>3.5 af per acre</u>

(both dates inclusive)

Subject, however, to the condition that no more than 0.06 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 15.2 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 21,
Twp. 6 S, Rge. 34 E, B.M. in the County of Bannock

Description and location of place of use:

Twp.	Range	Sec.	NEW				NWW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6 S	34 E	21												X					Four

Total number of acres irrigated Four

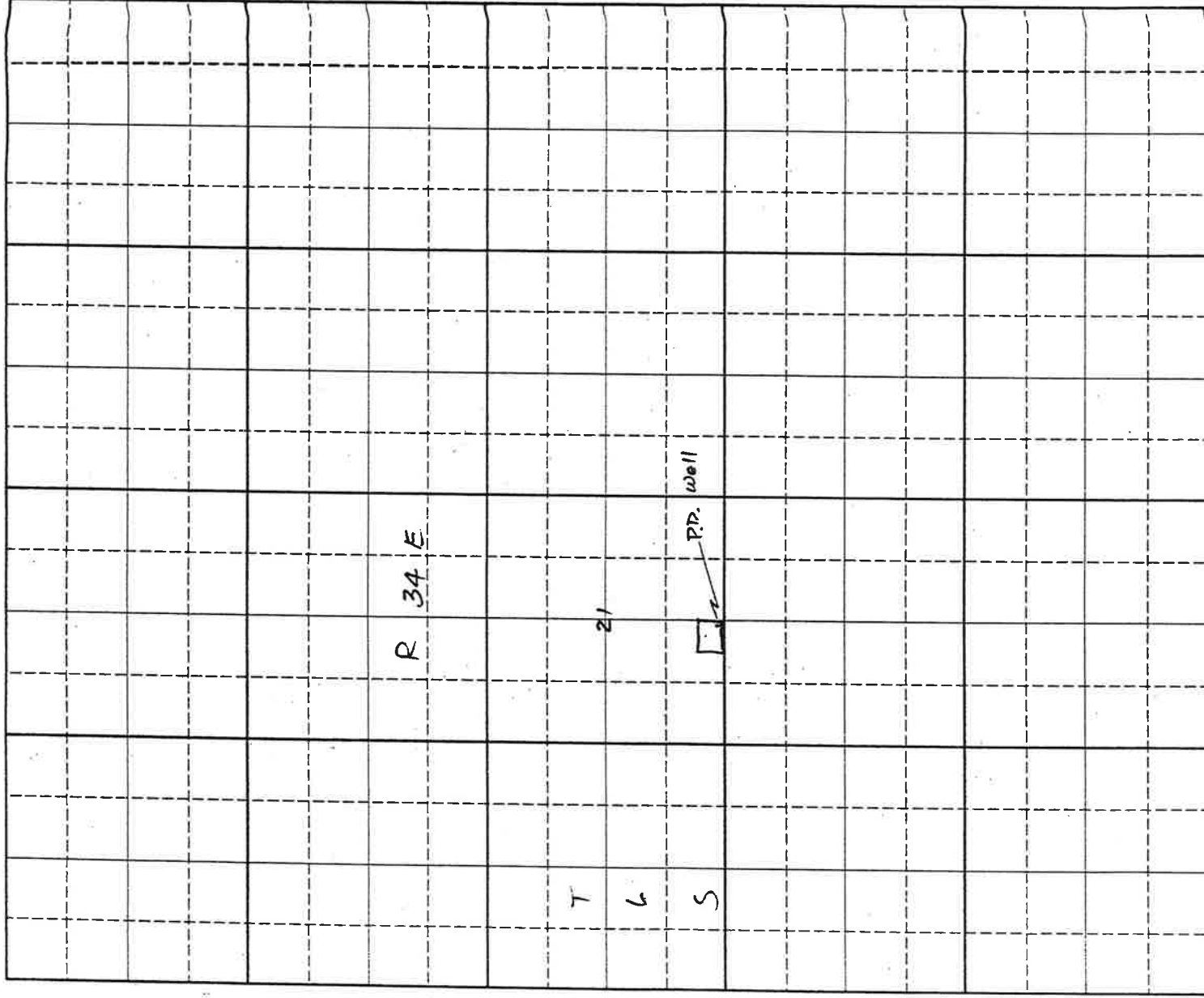
NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 15 day of
November, 19 76.

Director

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

[Signature]
(Applicant)

29-7162

Received by MB Date 11-7-73 Time 5:00 pm
 Preliminary check by Jay Fee \$ 10.00
 Receipted by MB Date 11-7-73 # 12622
 Publication prepared by MB Date 11-8-73
 Published in Idaho State Journal
 Publication dates November 15 & 22, 1973
 Publication approved ew Date 11/21/73
 Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by NCY

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 29-7162, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 1978.
- c. Other: _____

2. Denial of said application is for the following reasons: _____

Witness my hand this 11 day of December 19 73.


 Director

Identification No. 29 7162

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant F. J. McCarty
post office address Rt. #1, Box 134-A, Pocatello, Idaho 83201 Ph. 232-6709
2. Source of water supply ground water which is a tributary of - - -
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 21 Township 6S
Range 34E B.M. Bannock County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount .02 for Domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .18 for Irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. .20 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well, pump, and sprinkler
system

- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is 10 inches; proposed depth of well is 300 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 6,000.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 21 Township 6S
Range 34 E B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served: _____, or number of families to be
supplied with domestic water one.
(5) If water is to be used for other purposes describe: _____

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6S	34E	21												10					10

Total number of acres to be irrigated 10

c. Describe any other water rights used for the same purposes as described above. 29-7027

9. a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or place of use Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks Well will be located in Lot 4, Block 1, and land to be irrigated is in Lots 3 and 4, Block 1. All in Facer Mountain subdivision.

Well under Permit No. 29-7027 only produces six-gallons a minute.

FIELD REPORT

RECEIVED
(name spring, stream, etc.)
JUN 17 1976

Department of Social Services
Eastern District Office

Other uses: _____

Other Points of Diversions: _____

Measuring device required: yes ☐ no ☒

[illegible]

10

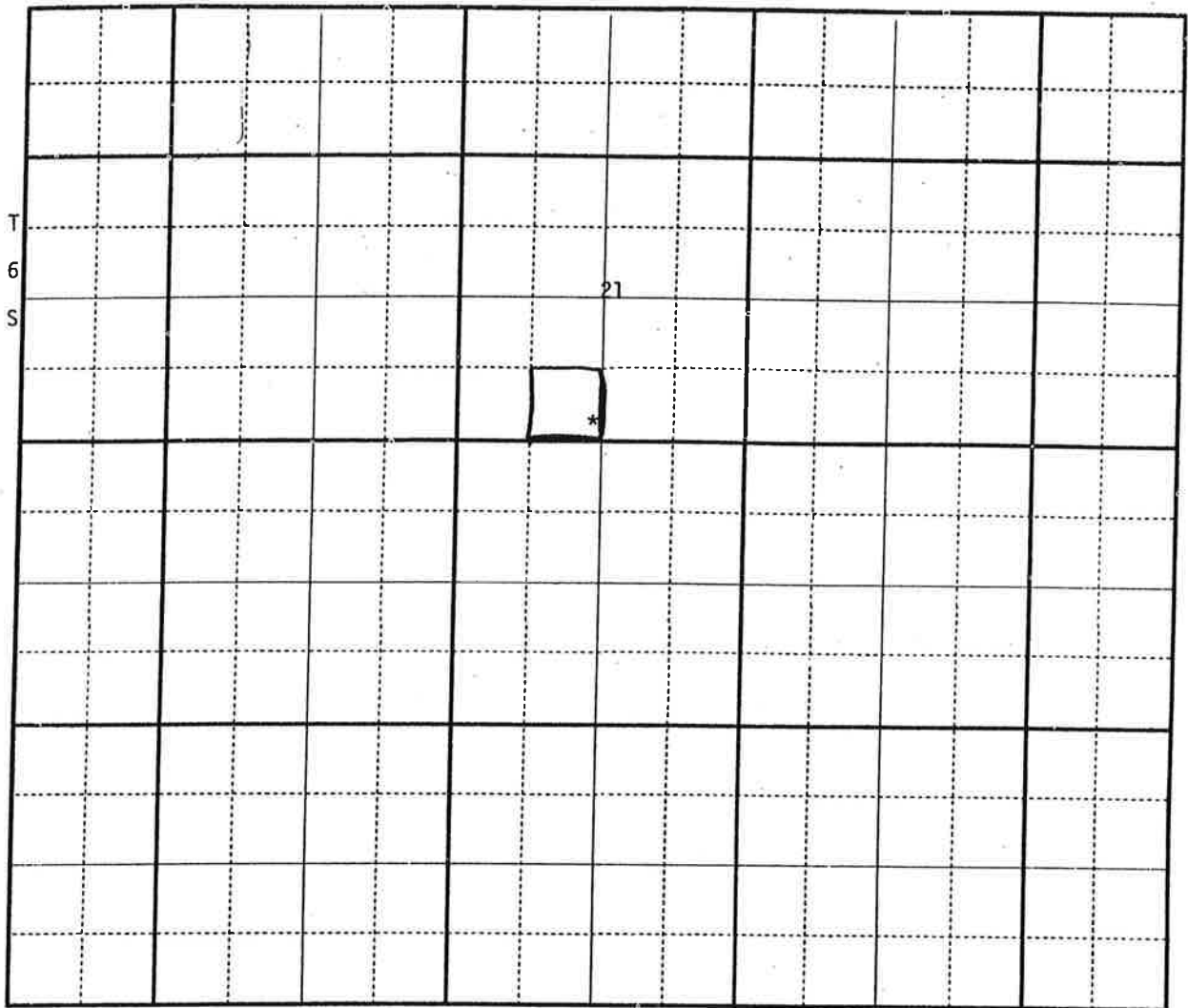
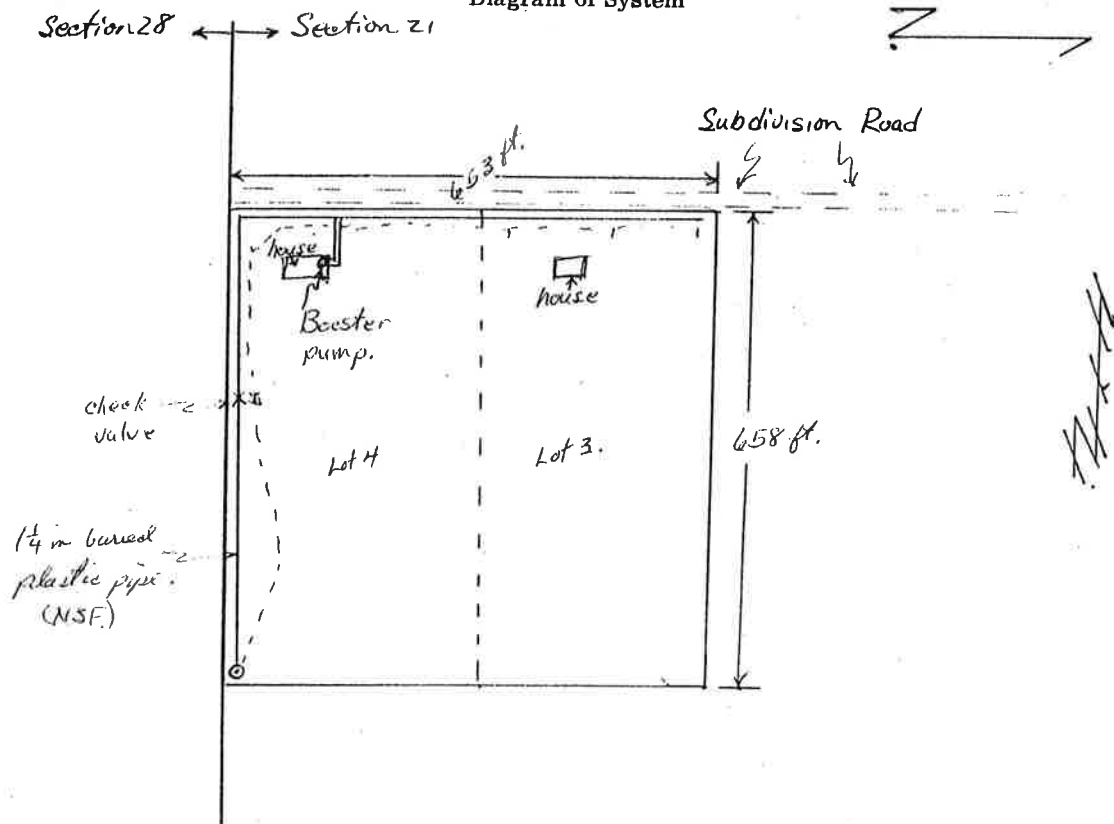


Diagram of System



DATE OF EXAM 24 Aug. '76.

ACREAGE
Found 5 acres.
Recommended 4 acres.

Irrigation Requirement 3.5. Ac Ft/Ac

USE
Irrigation Q = .04 c.f.s. V = 14 AF/Ann. from April 1 to June 1
Domestic Q = .02 c.f.s. V = 1.2 AF/Ann. from Jan 1 to Dec 31
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Exchange? yes _____ no ☒

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Point of injection: N. A.
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Point of exchange: N. A.
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Total Q measured .04 Method of measurement 5 gal. bucket.

Total Q recommended .04 Meter No. N.A. Type N.A. Condition Good.

Total V recommended 15.2.

Recommended Amendments:

P.D. _____
Place of Use _____
Other ☒ _____
None ☒

MEASUREMENT CALCULATION:

5 gal / 13 sec = 23 gpm. = .05 cfs (disregard)
 $Q = (1.5)(8.814)(.80) = 10.5$
 $130 + 65(2308) = 280$
 $V = 1.2 * (3.5 * 4) = 15.2$

SYSTEM DESCRIPTION:

1 1/2 Hp, 3450, submersible pump, model #390.28690, single phase, 3450 RPM.
with booster pump, 1/2 Hp, Gachaga motor & pump model 3RP2 S/A, 1 1/2 in pipe
for main line, (buried). 80 gal Montgomery Ward pre-measure tank (42 in x 55 in x 11 in).
Depth of well is 300 ft. of static water level is 130 ft.

REMARKS:

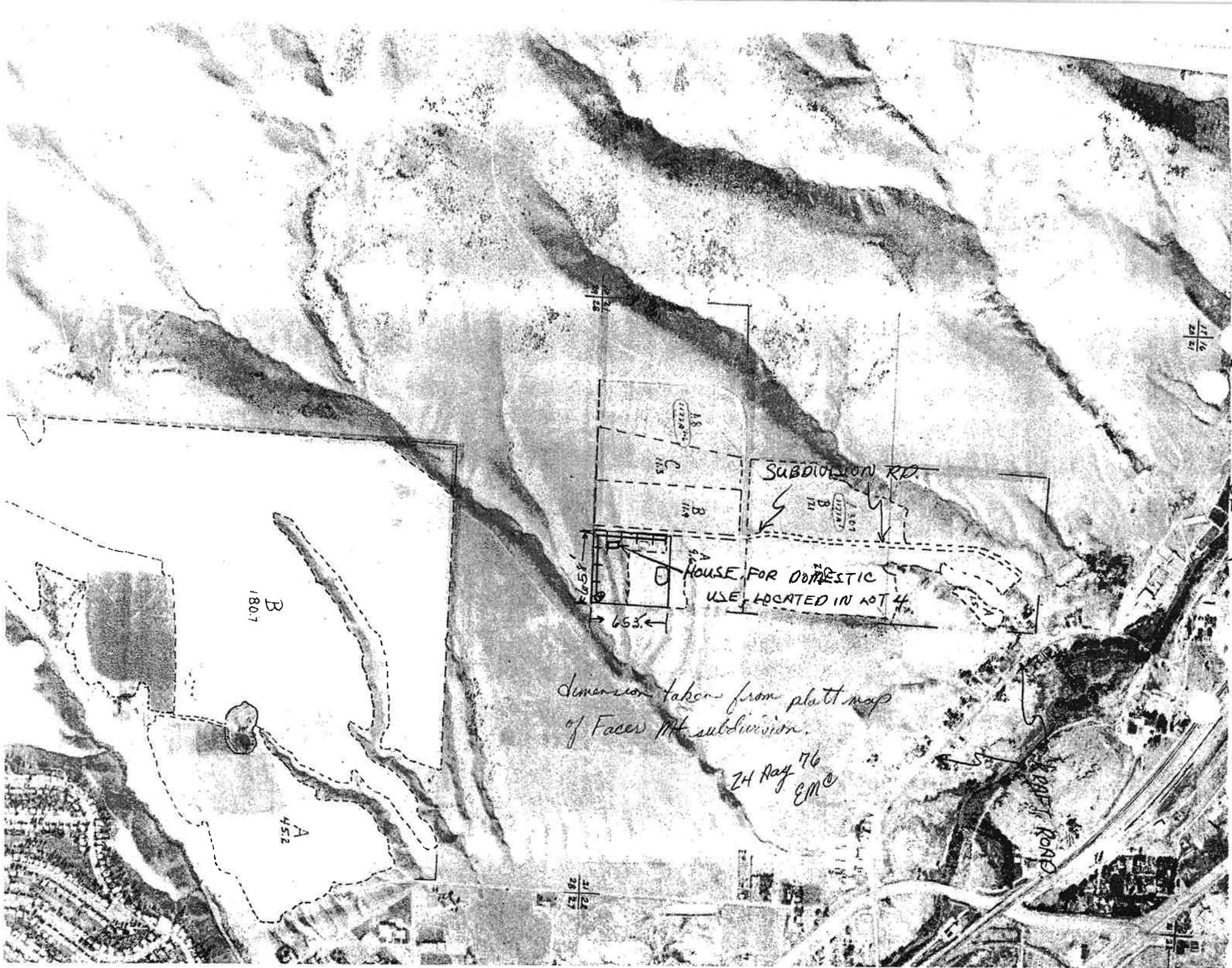
System described by F. J. McCarty, "This well is located in Lot 4, Block 1
and used to be irrigated as in Lot 3 and 4, Block 1." - STATEMENT TAKEN
FROM ORIGINAL PERMIT.

1 acre is covered by permit #29-7027.

Examiner's Signature Ernest M Carlson Date 10/25/76.

Checked by Bill Rhoads Date 10/25/76

Approved by _____ Date _____



Dimension taken from plat maps
of Faces Mt. subdivision.

24 May 76
EMC

-32-6709
See Well Logue 29-716.

Name F J MacLarty Date 30 April 1975

Address SE 1/4 SW 1/4 Sec. 21 T6N R59W - Lot 134 - Fossil Mt.

No. of people served 3 No. of Connections 1 County Bainrock

Well: Depth 500' Diam. 6" Dug _____ Drilled Pottery Driven _____

Spring _____ Protected? _____ Other source? _____ Type _____

Distance from contamination source: Sewage Type

Corral Irrigation Ditch Others

Location: High ground on edge of hill Low ground _____ Level _____

Construction: Slab parted to 35' Seal yes Drainage

Top of casino: Above ground 12" Below _____ Basement

Peservoir: Capacity 2271 Protected Material

Has Water Supply Ever Been Tested? Routinely

Construction approved yes - 30 April 1975 Supply Chlorinated

Supply approved

Survey by: *William K. Nichols*

BACTERIOLOGICAL RECORD

[illegible]

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 29-13354
Date Received: 5/9/2002
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

THELMA C MC CARTY Phone: (208)233-3086

8092 N NEVA RD.
POCATELLO ID USA 83204

MIKE JAMES MC CARTY Phone: (208)233-3086

8026 N NEVA RD
POCATELLO ID USA 83204

2. Date of Priority: 11/07/1973

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06S	34E	21	SE SE SW	BANNOCK	

5. Description of diverting works:

3 WELLS AND PUMPS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.015	
DOMESTIC	01/01	12/31	0.02	

7. Total Quantity Appropriated is:
0.02 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
06S	34E	21	SE	SW	IRRIGATION	1
			SE	SW	DOMESTIC	
					Section Acres	1
					Total Acres	1

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:

RIGHT SPLIT BY C/O PER CLAIMANT REQUEST.

29-07162: 0.06 CFS, 4 AC, FJ MCCARTY

29-13353: 0.045 CFS, 3 AC, FJ MCCARTY

29-13354: 0.015 CFS, 1 AC, MIKE MCCARTY

SUM OF SPLITS = PARENT RIGHT

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 29-07162.

15. Basis of Claim: License

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this

of _____ 20____

Notary Public

Residing at _____

My commission Expires _____