

11/19/2002

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

RIGHT NUMBER: 29-13363

NAME AND ADDRESS: INDIAN FALLS PROPERTY ASSN
C/O EARL MAPES
1061 SAGEWOOD PL
POCATELLO ID 83201

INDIAN FALLS WATER USERS ASSC
PHIL HUDGENS PRES
PO BOX 134
LAVA HOT SPRINGS ID 83246

SOURCE: PORTNEUF RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 2.880 CFS

THIS RIGHT WHEN COMBINED WITH RIGHT NO. 29-00046, 29-12078, 29-12079, AND
29-13363 SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.

PRIORITY DATE: 08/07/1932

POINT OF DIVERSION:

T09S R38E S4 SWSNW Lot 4 Within BANNOCK County
T09S R38E S4 SESESW Lot 6 Within BANNOCK County
T09S R38E S4 SESESW Lot 10 Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	2.880 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T09S R38E S04 Lot 5 NESW	35.0	T09S R38E S04 Lot 10 SESW	28.0
T09S R38E S04 NWSE	1.0	T09S R38E S04 SWSE	7.6
T09S R38E S09 NENE	0.1	T09S R38E S09 Lot 1 NWNE	25.0
T09S R38E S09 Lot 4 NWNE	11.0	T09S R38E S09 Lot 5 SWNE	5.3
T09S R38E S09 NENW	28.0	T09S R38E S09 SENW	3.0

144 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 144.0 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-00046, 29-12078,
29-12079, AND 29-13363.

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

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RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINTS OF DIVERSION
DESCRIBED ABOVE: 29-00046, 29-12078, 29-12079, 29-13363.

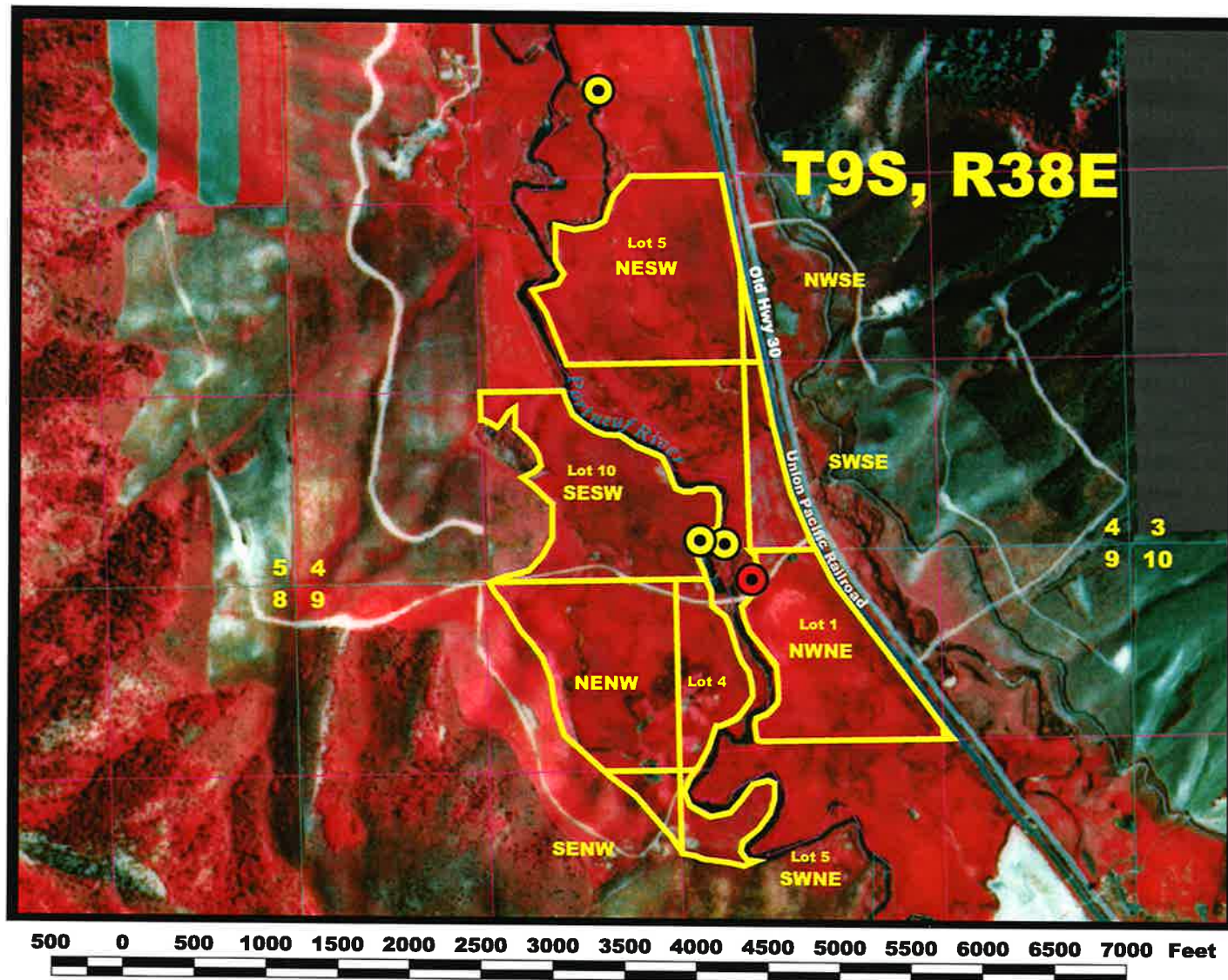
PROPERTY IS ALSO KNOWN AS INDIAN FALLS PROPERTY OWNERS
ASSOCIATION.



State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):

29-00046, 29-12078,
29-12079, 29-13363.

Place of Use: (parts of) T9S, R38E
Sec. 4 NESW (L5), SESW (L10),
W2SE,
Sec. 9 NWNE (L1 and L4), SWNE (L5),
E2NW

Point(s) of Diversion: T9S, R38E
Sec. 4 SENW (L4), SESW (L6),
SESW (L10)



LEGEND

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

Date: 3/2001

To: Idaho Dept. Water Resources

Att: Al Rudenberry

Re: Indian Falls Sub. II. / Water Users Board

RECEIVED

APR 16 2002

Department of Water Resources
Eastern Region

Per my personal knowledge Ellis Christiansen, Indian Falls Sub.
II. Has been

irrigated from early spring, until late fall since the year 1937.

Signed: Ellis Christiansen

Date: 4-5-02

Witnessed: Ellen Christiansen

2

02/18/2003

Allen

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: 29-13363

INDIAN FALLS PROPERTY ASSN
C/O EARL MAPES
1061 SAGEWOOD PL

POCATELLO ID 83201
Telephone Number: (208) 233-1713

INDIAN FALLS WATER USERS ASSOC
PHIL HUDGENS PRES
PO BOX 134

LAVA HOT SPRINGS ID 83246
Telephone Number: (208) 254-3062

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APR 07 2003
Department of Water Resources
Eastern Region

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

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

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

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

DATE: 3-29-03 SIGNATURE: *Henry P. Hudgens*
Please print your name: HENRY P. HUDGENS

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

02/18/2003

Allen

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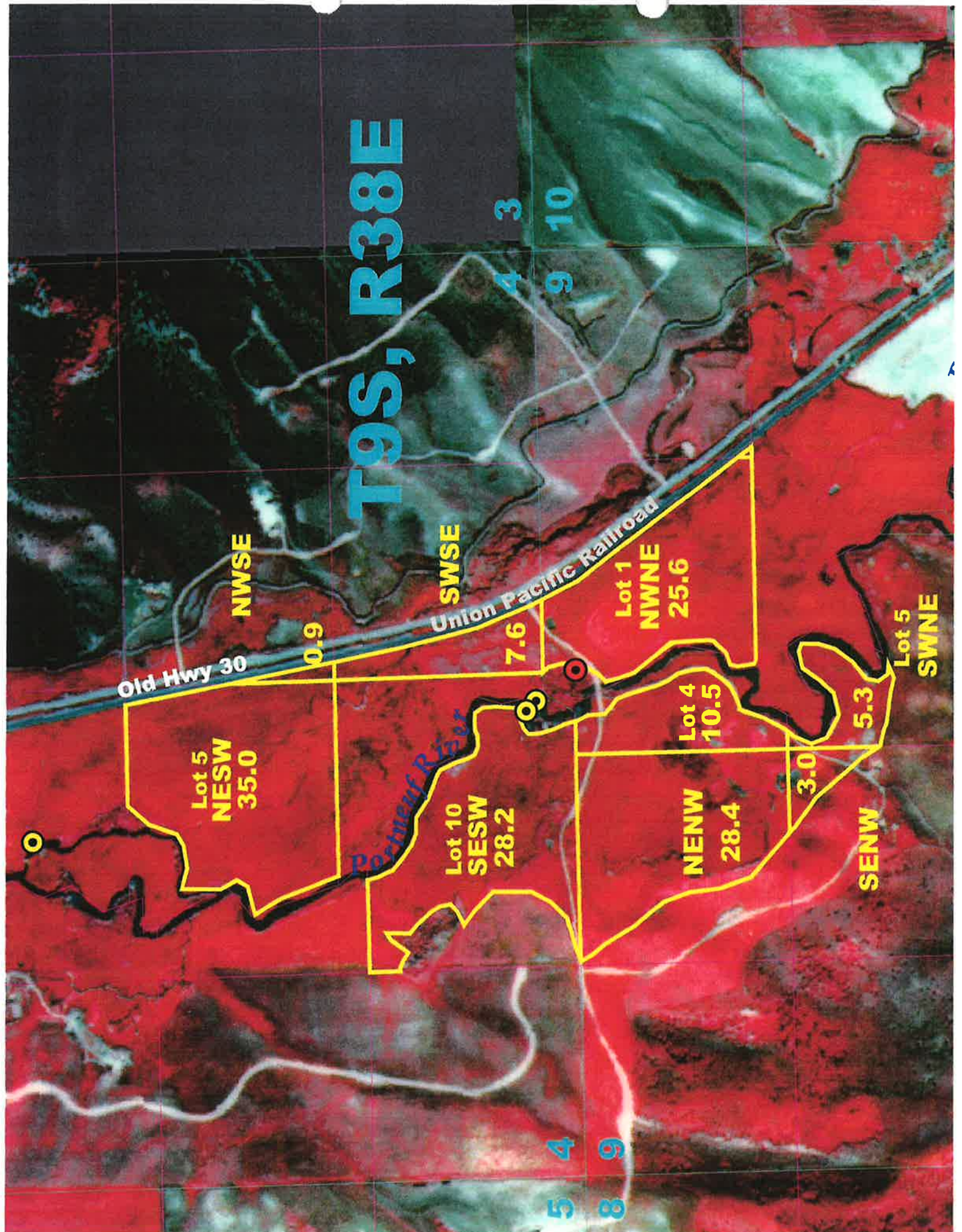
1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

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

DATE: 3/28/03 SIGNATURE: Earl C. Mapes
Please print your name: Earl C. Mapes

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

T9S, R38E



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 29-13363
Date Received: 6/24/2002
Receipt No: E028299
Received By: E028301
E028302
ABR 11/11/02

EXTENDED SOU

EXTENDED SOU

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

INDIAN FALLS PROPERTY ASSN Phone: (208) 233-1713
C/O EARL MAPES
1061 SAGEWOOD PL
POCATELLO ID USA 83201

INDIAN FALLS WATER USERS ASSC Phone: (208) 254-3062
PHIL HUDGENS PRES
PO BOX 134
LAVA HOT SPRINGS ID USA 83246

2. Date of Priority: 08/07/1932

3. Source: PORTNEUF RIVER , PORTNEUF RIVER , PORTNEUF RIVER Trib. to: SNAKE RIVER
, SNAKE RIVER , SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
09S	38E	4	SE SE SW 10	BANNOCK	
09S	38E	4	SW SE NW 4	BANNOCK	
09S	38E	4	SE SE SW 6	BANNOCK	

5. Description of diverting works:

HEADGATES TO FLOOD IRRIGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	2.89	

7. Total Quantity Appropriated is:

2.89 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

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NOV 18 2002
Department of Water Resources
Eastern Region

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
09S	38E	4	NE	SW	5	IRRIGATION	35
			NW	SE		IRRIGATION	0.9
			SW	SE		IRRIGATION	7.6
			SE	SW	1	IRRIGATION	28.2
						Section Acres	71.7
09S	38E	9	NW	NE	1	IRRIGATION	25.6
			NW	NE	4	IRRIGATION	10.5
			NE	NW		IRRIGATION	28.4
			SE	NW		IRRIGATION	3
			SW	NE	5	IRRIGATION	5.3
						Section Acres	72.8
						Total Acres	144.5

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:

CLAIM ANEMDED TO CORRECT POU AND PODS. ALSO TO CHANGE OF ADDRESS OF ASSOC. PRES.

15. Basis of Claim: Beneficial Use

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am President of

Indian Falls Property Owners Association, that I have signed the foregoing
Organization Title
document in the space below as President of

Indian Falls Property Owners Association and that the statements contained in the
Organization
foregoing document are true and correct.

Carl C. Mays
Signature of Authorized Agent

President, Indian Falls Property Owners Association
Title and Organization

Nov. 15, 2002
Date

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this
of 15. Nov 2002

Brandy Perkins

Notary Public

Residing at Pocatello, ID

My commission Expires 7.12.07



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ACQUIRED UNDER STATE LAW

A2913363



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