

12/18/2002

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

RIGHT NUMBER: 29-13382

NAME AND ADDRESS: PATRICIA E TURMAN
2081 N INKOM RD
INKOM ID 83245

DENNIS A TURMAN
2081 N INKOM RD
INKOM ID 83245

SOURCE: JACKSON CREEK

TRIBUTARY: RAPID CREEK

QUANTITY: 0.050 CFS

USE OF THIS RIGHT WITH RIGHT NO. 29-00294C IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 0.05 CFS.

PRIORITY DATE: 04/02/1947

POINT OF DIVERSION:

T07S R36E S22 SWSENE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.050 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T07S R36E S22 SESE 1.8

1.8 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 29-00274C IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 1.8 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.

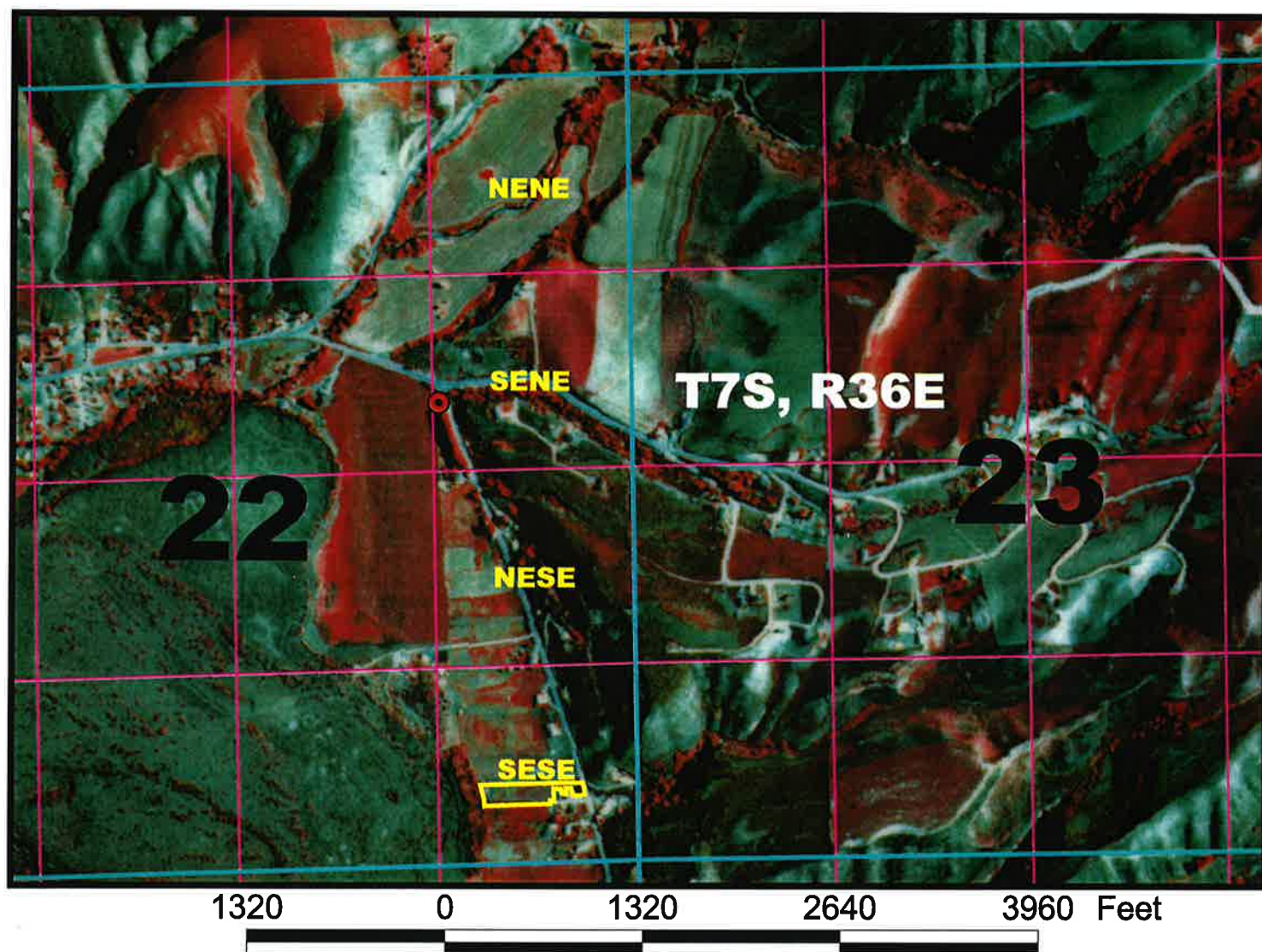
EXPLANATORY MATERIAL: Beneficial Use



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s): 29-13382



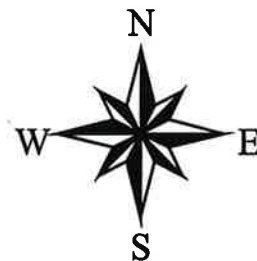
Total Irrigated Acres: 1.8

● 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: December 2002

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-13382 V1

WATER RIGHT NUMBER: 29-13382 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	PATRICIA E TURMAN 2081 N INKOM RD INKOM, ID 83245 (208)775-3529
Current Owner	DENNIS A TURMAN 2081 N INKOM RD INKOM, ID 83245 (208)775-3529

Priority Date: 04/02/1947

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
JACKSON CREEK	RAPID CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.050 CFS	
	<u>Total Diversion:</u>	0.050 CFS	

Location of Point(s) of Diversion

JACKSON CREEK	SW1/4SE1/4NE1/4	Sec. 22, Twp 07S, 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	
07S	36E	22																	1.8
																			1.8

Total Acres: 1.8

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:

1. Quantity USE OF THIS RIGHT WITH RIGHT NO. 29-00294C IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.05 CFS.
2. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NO. 29-00274C IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1.8 ACRES IN A SINGLE IRRIGATION SEASON.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-13382 V1

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:
 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	12/18/2002 11:10:21 AM	csaxton			Active
Priority Date	12/18/2002 11:11:40 AM	csaxton			Active
POD	12/18/2002 11:11:53 AM	csaxton			Active
Source	12/18/2002 11:13:09 AM	csaxton			Active
POU	12/18/2002 11:13:41 AM	csaxton			Active
Use	12/18/2002 11:14:38 AM	csaxton			Active
Season	12/18/2002 11:15:23 AM	csaxton			Active
Quantity	12/18/2002 11:16:27 AM	csaxton			Active
Summary			12/18/2002	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-13382 V1

Priority Date	12/18/2002 11:11:42 AM	csaxton	(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? Description for Question 12/13 - Statement from original owner of Murdock Subdivision, Norris M. Murdock.
Contacts	12/18/2002 11:10:23 AM	csaxton	(No) 1. Do you want to schedule an appointment?
POD	12/18/2002 11:11:55 AM	csaxton	Comment for 1: Field Exam 7/16/02 (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?
POD	12/18/2002 11:12:10 AM	csaxton	Edited point location
POD	12/18/2002 11:12:27 AM	csaxton	Edited PLS
Source	12/18/2002 11:13:11 AM	csaxton	(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? Description for Question 10 - FE 7/16/02
POU	12/18/2002 11:13:43 AM	csaxton	(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? (Yes) 14. Is a POU remark and/or condition required? Description for Question 13 - FE 7/16/02 and NAPP photography.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-13382 V1

POU	12/18/2002 11:13:56 AM	csaxton	Edited shape boundary
POU	12/18/2002 11:14:11 AM	csaxton	Edited PLS
Use	12/18/2002 11:14:40 AM	csaxton	(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 Exam 7/16/02.
Season	12/18/2002 11:15:25 AM	csaxton	(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	12/18/2002 11:16:29 AM	csaxton	(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? (Yes) 12. Is a Quantity remark or condition required? Description for Question 7 - Claims for 0.20 cfs or less do not require measurement.
Summary	12/18/2002 11:17:39 AM	csaxton	(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? (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?

02/18/2003

NOTICE OF ERROR
REPLY

*Craig
Lester*

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: 29-13382

PATRICIA E TURMAN

2081 N INKOM RD

INKOM ID 83245

Telephone Number: (208) 775-3529

DENNIS A TURMAN

2081 N INKOM RD

INKOM ID 83245

Telephone Number: (208) 775-3529

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: 3/24/03

SIGNATURE:

Dennis A. Turman *Patricia E. Turman*

Please print your name:

Dennis A. Turman *PATRICIA E TURMAN*

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

12/16/02: 4-2-1947 Priority date: Norris M Murdock has
Sr Right over Murdock Subdivision.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 29-13382

WATER RIGHT NUMBER: 29-13382

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	PATRICIA E TURMAN ✓ 2081 N INKOM RD INKOM, ID 83245 (208)775-3529
Current Owner	DENNIS A TURMAN ✓ 2081 N INKOM RD INKOM, ID 83245 (208)775-3529

Priority Date: ~~06/01/1885~~ 4/2/1947

Basis: Beneficial Use

Status: Active ✓

<u>Source</u>	<u>Tributary</u>
JACKSON CREEK ✓	RAPID CREEK ✓

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION ✓	03/15	to 11/15	0.060 CFS	N/A
	4/1	10/31	0.05	
	<u>Total Diversion:</u>		0.060 CFS	

<u>Location of Point(s) of Diversion</u>			
JACKSON CREEK ✓	SW1/4SE1/4NE1/4	Sec. 22,	Twp 07S, 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	
07S	36E	22																	3.0
																			1.8
																			1.8

Conditions of Approval:Remarks:Comments:Dates and Other Information:

C18
This Right and 29-00284C Limited to 1.8 ac
0.05 cfs
↓
1.5" per
acre

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 29-13382

Dates and Other Information:

Claim Received Date: 7/22/2002
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
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>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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As of 7/15/02

Split history for Decreed Right 29-00294

	Claimed	Recommend
29-00294 0.8 Decree Silent Assumed 40	29-00294A Murdock, Norris M <i>Not in Decreed POU</i> 0.3 28	0.3 * 24
	29-00294B Lish, Sam 0.86 4.3	0.074 * deed - silent 3.7
	29-00294C Turman, Dennis 0.03 3	0.012 * deed - silent 0.6
	29-00294D Murdock, Norris Kent 0.1 5	0.074 * deed 1/2 per acre 1.8
	29-00294E Whitworth, John 0.1 5	0.09 * deed 1" per acre 4.7
	29-00294F Chavers, Ben 0.06 3	0.1 * deed 1" per acre 5
	29-00294G Davis, Arnold 0.03 3	0.03 * deed silent 1.3
	29-00294H Owens, Delbert 0.06 3	0.02 * deed 1/2 per acre 2
	29-00294J Foltz, Michael 0.1 5.3	0.02 * deed 1/2 per acre 1.8
		0.04 no deed submitted - 1/2 " per acre 4
Acreage based on Fees Paid		
Sum of claimed CFS =	1.64	Sum CFS= 0.706
Sum of claimed Acreage =	59.6	Sum Acre= 48.9
		Un-accounted for CFS= 0.094
		Un-accounted for Acres=

RECEIVED

JUN 28 2002

WATER RESOURCE
WESTERN REGION

I Norris M. Murdock purchased in the fall of 1947, this 80 acres, which is a tract of land in Section 22 township 7 South Range 36 East Boise Meridian which is currently the Murdock Subdivision. I purchased this property from Roy Cardon, who at the time was using water from Rapid Creek and tributaries, which has an old Indian Decree water right. We would divert Jackson Creek, which runs through the place to Rapid Creek until such creek would become low of water. Then we would divert water from Rapid Creek. This has been happening before I purchased the property to the present time, June 26, 2002. As far as I know, this water has been used this way since the Indian water rights was put in place.

I declare this statement to be true.

Norris M. Murdock
NORRIS M. MURDOCK

STATE OF IDAHO
County of Bannock

On the 26th day of June, in the year 2002, before me, a Notary Public in and for said State personally appeared Norris M. Murdock, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he 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.

(SEAL)

Charmaine Murdock
Notary Public

My commission expires 9-15-03

Residing at Idaho, Id 83245

RECEIVED

JUL 15 2002

WATER RESOURCES
WESTERN REGION

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 29-13382
Date Received: 7/22/02
Receipt No:
Received By:

W02 9453
K6

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

1. Name of Claimant(s)

PATRICIA E TURMAN Phone: (208)775-3529

2081 N INKOM RD
INKOM ID USA 83245

DENNIS A TURMAN Phone: (208)775-3529

2081 N INKOM RD
INKOM ID USA 83245

RECEIVED

JUL 22 2002

WATER RESOURCES
WESTERN REGION

2. Date of Priority: 06/01/1885

3. Source: JACKSON CREEK Trib. to: RAPID CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07S	36E	22	SW SE NE	BANNOCK	

5. Description of diverting works:

HEADGATE, DITCH, FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.06	

7. Total Quantity Appropriated is:
0.06 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
07S	36E	22	SE	SE	IRRIGATION	3
					Section Acres	3
					Total Acres	3

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:

15. Basis of Claim: BENEFICIAL

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): Patricia E. Turner Date: 7/10/02
Dennis A. Turner Date: 7-10-02

State of Idaho)
 County of Bannock) SS.

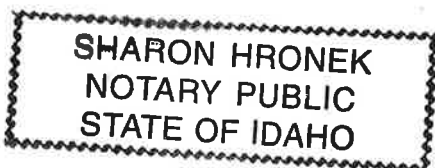
Subscribed and sworn (or affirmed) before me this 10th
 of July 2002

Sharon Hronek

Notary Public

Residing at Boatello

My commission Expires 6-8-06





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

July 15, 2002

DENNIS TURMAN
PATRICIA TURMAN
2081 N INKOM RD
INKOM ID 83245

RE: Notarized Snake River Basin Adjudication (SRBA) claim problem

Dear Dennis and Patricia,

I received your signed claim for use of Jackson Creek water for irrigation purposes and the \$50 filing fee. However, the notary did not stamp the claim with the notary stamp. I am returning the claim to you to be stamped. If that gets messy, I also included another copy of the Jackson Creek claim in case you just want to start over.

Also enclosed is a copy of your receipt.

Sorry for the inconvenience. Please feel free to contact me if you have any questions.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Craig L. Saxton'.

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau