

04/23/2003

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

RIGHT NUMBER: 29-13385

NAME AND ADDRESS: NORRIS KENT MURDOCK
2483 N INKOM RD
INKOM ID 83245

LINDA CHARMAIN MURDOCK
2483 N INKOM RD
INKOM ID 83245

SOURCE: JACKSON CREEK

TRIBUTARY: RAPID CREEK

QUANTITY: 0.100 CFS

USE OF THIS RIGHT WITH RIGHT NO. 29-00294D IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.15 CFS.

PRIORITY DATE: 04/02/1947

POINT OF DIVERSION:

T07S R36E S22 SWSENE Within BANNOCK County Source: JACKSON CREEK

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.100 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T07S R36E S22	SENE	1.2	T07S R36E S22	NESE	3.8
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5 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 29-00294D IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 5.0 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.

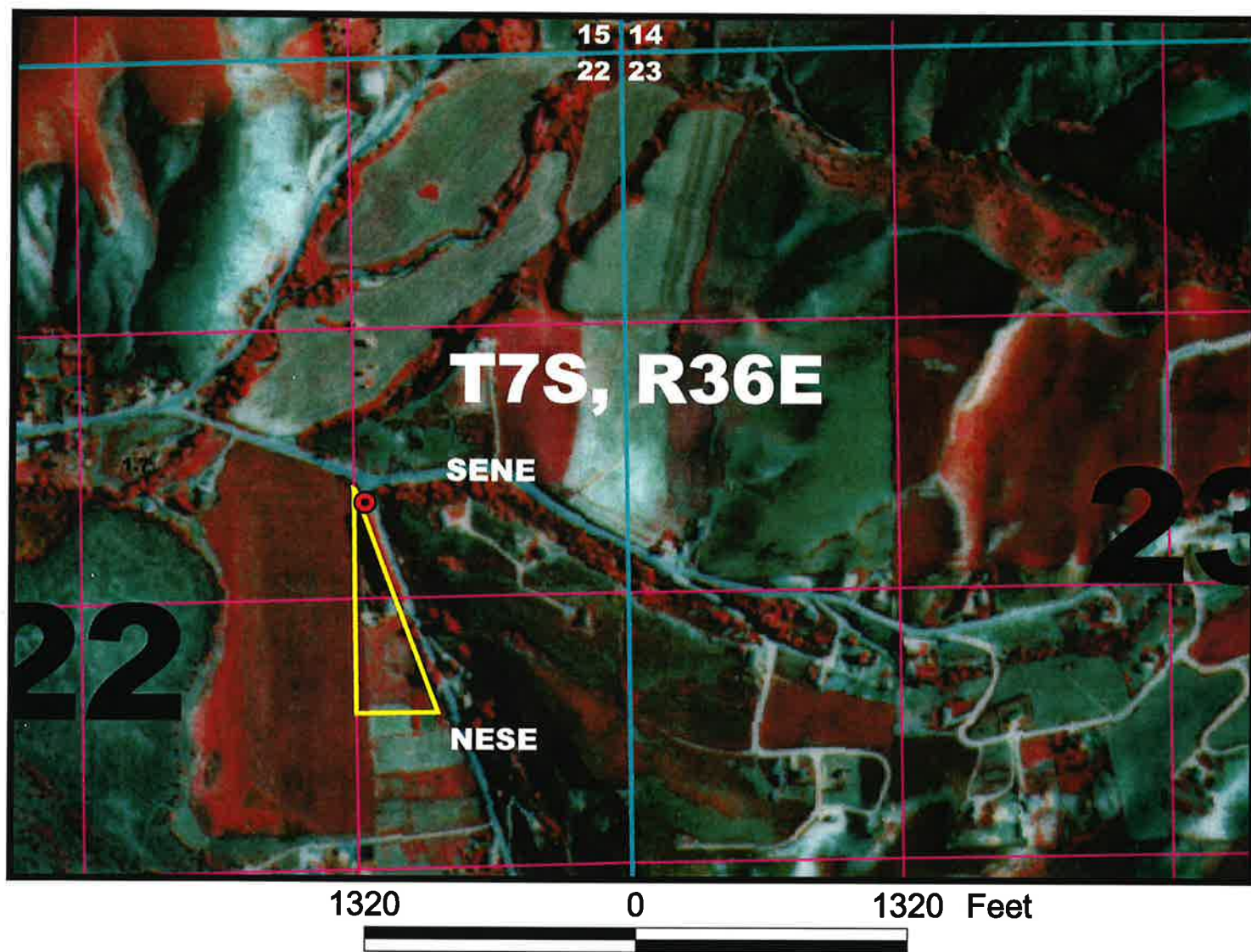
EXPLANATORY MATERIAL: Beneficial Use



STATE OF IDAHO

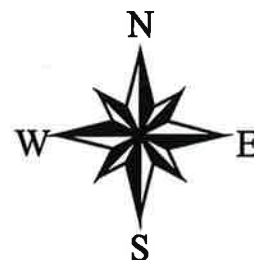
Department of Water Resources
Eastern Region

Water Right(s): 29-13385



Total Irrigated Acres: 5.0

- 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: April 2003

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-13385 V1

WATER RIGHT NUMBER: 29-13385 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NORRIS KENT MURDOCK 2483 N INKOM RD INKOM, ID 83245 (208)775-4987
Current Owner	LINDA CHARMAIN MURDOCK 2483 N INKOM RD INKOM, ID 83245 (208)775-4987

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	0.100 CFS	
	<u>Total Diversion:</u>	0.100 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	
07S	36E	22				1.2									5.0

Total Acres: 5

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. 29-00294D IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.15 CFS.
2. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NO. 29-00294D IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 5.0 ACRES IN A SINGLE IRRIGATION SEASON.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-13385 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: 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

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 2:05:41 PM	csaxton			Active
Priority Date	12/18/2002 2:06:35 PM	csaxton			Active
POD	12/18/2002 2:06:46 PM	csaxton			Active
Source	12/18/2002 2:08:08 PM	csaxton			Active
POU	12/18/2002 2:08:37 PM	csaxton			Active
Use	12/18/2002 2:10:53 PM	csaxton			Active
Season	12/18/2002 2:11:13 PM	csaxton			Active
Quantity	12/18/2002 2:13:13 PM	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>
Quantity	12/18/2002 2:13:14 PM	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.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-13385 V1

Summary	12/18/2002 2:15:35 PM	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?
Contacts	12/18/2002 2:05:43 PM	csaxton	(No) 1. Do you want to schedule an appointment?
Priority Date	12/18/2002 2:06:37 PM	csaxton	Comment for 1: Field exam 5/31/02 (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? (No) 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.
POD	12/18/2002 2:06:48 PM	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 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 2:07:12 PM	csaxton	Edited point location
POD	12/18/2002 2:07:27 PM	csaxton	Edited PLS
Source	12/18/2002 2:08:09 PM	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 5/31/02

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-13385 V1

POU	12/18/2002 2:08:38 PM	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? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - FE 5/31/02 and NAPP photography.
POU	12/18/2002 2:09:00 PM	csaxton	Edited shape boundary
POU	12/18/2002 2:09:21 PM	csaxton	Edited PLS
Use	12/18/2002 2:10:53 PM	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 - FE 5/31/02
Season	12/18/2002 2:11:15 PM	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?

12-16-02 : Provvt, date 4-2-1947. Norris M Mundlock has
st. Right to Jackson etc over Mundlock sub



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

April 22, 2003

NORRIS KENT MURDOCK
LINDA CHARMAIN MURDOCK
2483 N INKOM RD
INKOM ID 83245

RE: Notice of Error Reply for Snake River Basin Adjudication (SRBA) recommendation 29-00294D and 29-13385.

Dear Mr. and Ms. Murdock,

The Idaho Dept. of Water Resources received the Notice of Error (NOE) reply you sent on 4/10/03. I reviewed the Notice of Error (NOE) reply's and the files and will try to address your concerns.

29-00294D:

1) You stated you disagreed with the recommended period of use.

You claimed a portion of decreed right 29-00294 as defined in the Rapid Creek decree *Steward et al vs. Damron et al*. Because the decree did not define specifically what the irrigation season of use was it was recommended as the IDWR standard of 4/1 to 10/31. Despite that the decree states, "...is entitled to the use at all times..." it is not clear that the intention of the decree is for year round irrigation.

I contact our legal staff on this issue and the result was that the statutes in Idaho are clear that the extent of a water right is the water that can be beneficially used. Thus, for IDWR to support a year round season of use for irrigation, you need to provide evidence that Rapid Creek water is put to beneficial use year round. I will reference you to Idaho code 42-101, 42-104, 42-201, or 42-220. These statutes can be accessed through the IDWR internet site at www.idwr.state.id.us.

At this time IDWR cannot change the recommended season of use without additional evidence of beneficial use.

2) You stated that you disagreed with the recommended diversion rate and place of use.

I have changed the recommended acreage for 29-00294D to reflect 5 acres and 0.10 cfs (enclosed)

29-13385:

1) You stated that you disagree with the priority date.

Jackson Creek was not mentioned in the Rapid Creek decree *Steward et al vs. Damron et al*. Decreed right 29-00294 states "...of the waters of said stream..." The following paragraph states, "...said water to be diverted from the main channel of Rapid creek." Thus IDWR feels the intention of right 29-00294 was for use of Rapid Creek water only.

Use of Jackson Creek water for irrigation was treated as a beneficial use water right, or another way to put it is a right that has been established through historical use but had not been previously recorded through a decree or license.

Evidence supporting the recommended priority date was in the form of an affidavit from Norris M. Murdock stating the purchased the ground now known as Murdock Subdivision in 1947 (enclosed). The affidavit states that the practice of use of Jackson Creek water commenced before Norris M. Murdock purchased the property, but no date was given. At this time the evidence I have supports a 1947 priority date from Jackson Creek.

If you still feel the recommended priority date is in accurate, please submit additional evidence supporting a different priority date.

2) You stated that you disagreed with period of use.

Same issue as described above. Since this is a beneficial use claim, IDWR will recommend the IDWR standard for the area of 4/1 to 10/31.

If you feel this is inaccurate, additional evidence needs to be provided that Jackson Creek water is put to beneficial use outside the standard irrigation season of use.

3) You stated that you disagreed with the recommended diversion rate and place of use.

I have changed the recommended acreage for 29-13385 to reflect 5 acres and 0.10 cfs (enclosed)

Conclusion:

I realize that this can get very complicated. Please feel free to contact me with any questions.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Craig L. Saxton". The signature is fluid and cursive, with a long horizontal stroke at the end.

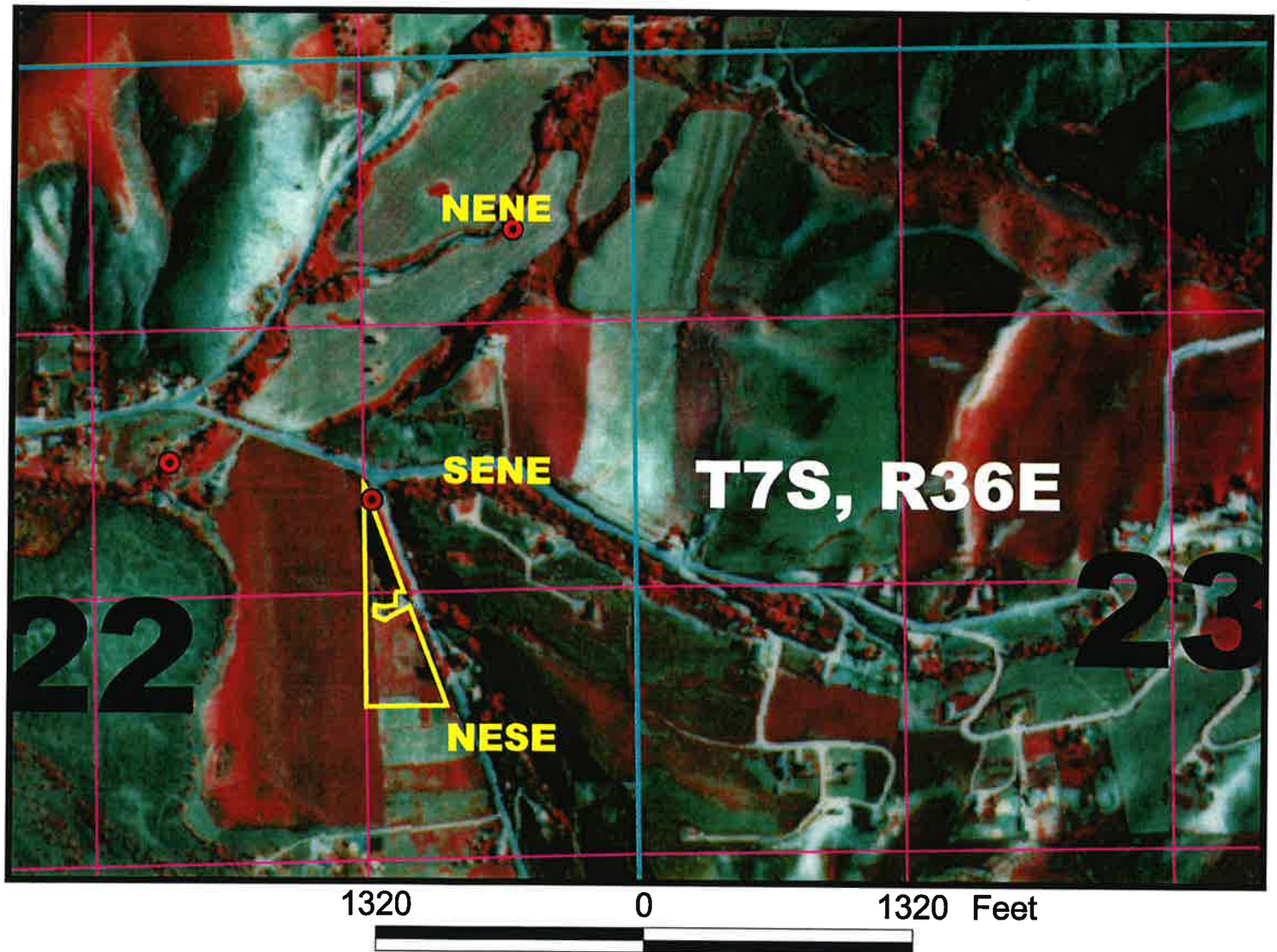
Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s): 29-13385



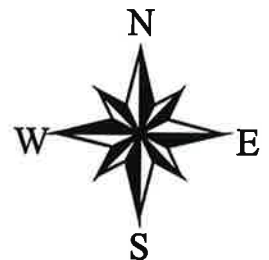
Total Irrigated Acres: 4.7

● 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

12/18/2002

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

RIGHT NUMBER: 29-13385

NAME AND ADDRESS: NORRIS KENT MURDOCK
2483 N INKOM RD
INKOM ID 83245

LINDA CHARMAIN MURDOCK
2483 N INKOM RD
INKOM ID 83245

SOURCE: JACKSON CREEK

TRIBUTARY: RAPID CREEK

QUANTITY: 0.090 CFS

USE OF THIS RIGHT WITH RIGHT NO. 29-00294D IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 0.14 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

0.090 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T07S R36E S22

SENE

1.2

T07S R36E S22

NESE

3.5

4.7 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 29-00294D IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 4.7 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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-13385 V1

WATER RIGHT NUMBER: 29-13385 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NORRIS KENT MURDOCK 2483 N INKOM RD INKOM, ID 83245 (208)775-4987
Current Owner	LINDA CHARMAIN MURDOCK 2483 N INKOM RD INKOM, ID 83245 (208)775-4987

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	0.090 CFS	
<u>Total Diversion:</u>		0.090 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				1.2									3.5				4.7

Total Acres: 4.7

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. 29-00294D IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.14 CFS.
2. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NO. 29-00294D IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 4.7 ACRES IN A SINGLE IRRIGATION SEASON.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-13385 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: 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

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 2:05:41 PM	csaxton			Active
Priority Date	12/18/2002 2:06:35 PM	csaxton			Active
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Season	12/18/2002 2:11:13 PM	csaxton			Active
Quantity	12/18/2002 2:13:13 PM	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>
Quantity	12/18/2002 2:13:14 PM	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.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-13385 V1

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Contacts	12/18/2002 2:05:43 PM	csaxton	(No) 1. Do you want to schedule an appointment?
Priority Date	12/18/2002 2:06:37 PM	csaxton	Comment for 1: Field exam 5/31/02 (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? (No) 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.
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-13385 V1

POU	12/18/2002 2:08:38 PM	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? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - FE 5/31/02 and NAPP photography.
POU	12/18/2002 2:09:00 PM	csaxton	Edited shape boundary
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Use	12/18/2002 2:10:53 PM	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 - FE 5/31/02
Season	12/18/2002 2:11:15 PM	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?

Craig
02/13/2003

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to ~~your~~ **WATER RESOURCES**
recommendation or you want to let IDWR know that you agree with its recommendation. **WESTERN REGION**

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 21, 2003

Water right number: 29-13385

NORRIS KENT MURDOCK
2483 N INKOM RD
INKOM ID 83245
Telephone Number: (208) 775-4987

LINDA CHARMAIN MURDOCK
2483 N INKOM RD
INKOM ID 83245
Telephone Number: (208) 775-4987

RECEIVED
APR 10 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): *PRIORITY DATE SHOULD BE 06/01/1885 - PERIOD OF USE IS ALL THE TIME AS IT STATES IN THE OLD DECREE - AND IT IS 5 ACRES NOT 4.*

2. Describe the changes you wish to make in the proposed recommendation:
PRIORITY DATE 06/01/1885 - CONTINUES USE - 5 INCHES OF WATER

3. Give a brief explanation as to why you disagree with these portions: *JACKSON CREEK IS A TRIBUTARY TO RAPID CREEK SO IT IS THE SAME RIGHT SO THE PRIORITY DATE SHOULD BE THE SAME - THE OLD INDIAN DECREE STATES THAT THE RIGHT IS ALL THE TIME YEAR ROUND NOT 04/01 - 10/31 - I WAS ~~BEING~~ GIVEN 5 INCHES OF WATER INCH PER ACRE NOT 4.*

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

DATE: *5 APRIL 03*

SIGNATURE: *Norris Kent Murdock*

Please print your name: *NORRIS KENT MURDOCK*

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

9/6/61 : POA within Decreed POA
 : Remarks say water Decreed to him, But
 not in file. Need copy of Decreed
 : This Right is overclaimed
 : Source as decreed
 4/17/02 : Needs Field Exam.
 5/31/02 : Field Exam
 : 25-10812 Domestic POA

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 29-13385

WATER RIGHT NUMBER: 29-13385

Owner Type Name and Address

Current Owner NORRIS KENT MURDOCK ✓
 2483 N INKOM RD
 INKOM, ID 83245
 (208)775-4987

Current Owner LINDA CHARMAIN MURDOCK ✓
 2483 N INKOM RD
 INKOM, ID 83245
 (208)775-4987

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

Basis: Beneficial Use

Status: Active ✓

Source

JACKSON CREEK ✓

Tributary

RAPID CREEK ✓

Beneficial Use

IRRIGATION ✓

From To

03/15 to 11/15

4/1 10/31

Diversion Rate

0.100 CFS ok

0.10

Total Diversion:

0.100 CFS ok

0.10

Annual VolumeLocation 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
07S	36E	22	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	4.7
						1.0									4.0				5.0
						1.2									3.5				4.7

Total Acres: 5

4.7

C18

1.5" per ac

This right with 29-00294D limited to 0.14 cfs
 4.7 ac

Conditions of Approval:Remarks:

1. Explanatory THIS RIGHT RENUMBERED FROM CLAIM 29-00292B.
2. Explanatory CLAIM ORIGINALLY CLAIMED FOR RAPID CREEK. BUT ELEMENTS OF CLAIM ARE CLAIMED UNDER 29-00294D. SO CLAIM AMENDED TO BENEFICIAL USE CLAIM FOR JACKSON CREEK WATER.
3. Explanatory PURCHASED PROPERTY WITH 1" OF WATER PER ACRE, SEE WATTANTY DEED #508225

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 29-13385

Comments:Dates and Other Information:

Claim Received Date: 8/7/2002
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
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

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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Dear Claimant:

Respectfully submitted,

29-00292

29-00292B

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 the 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.

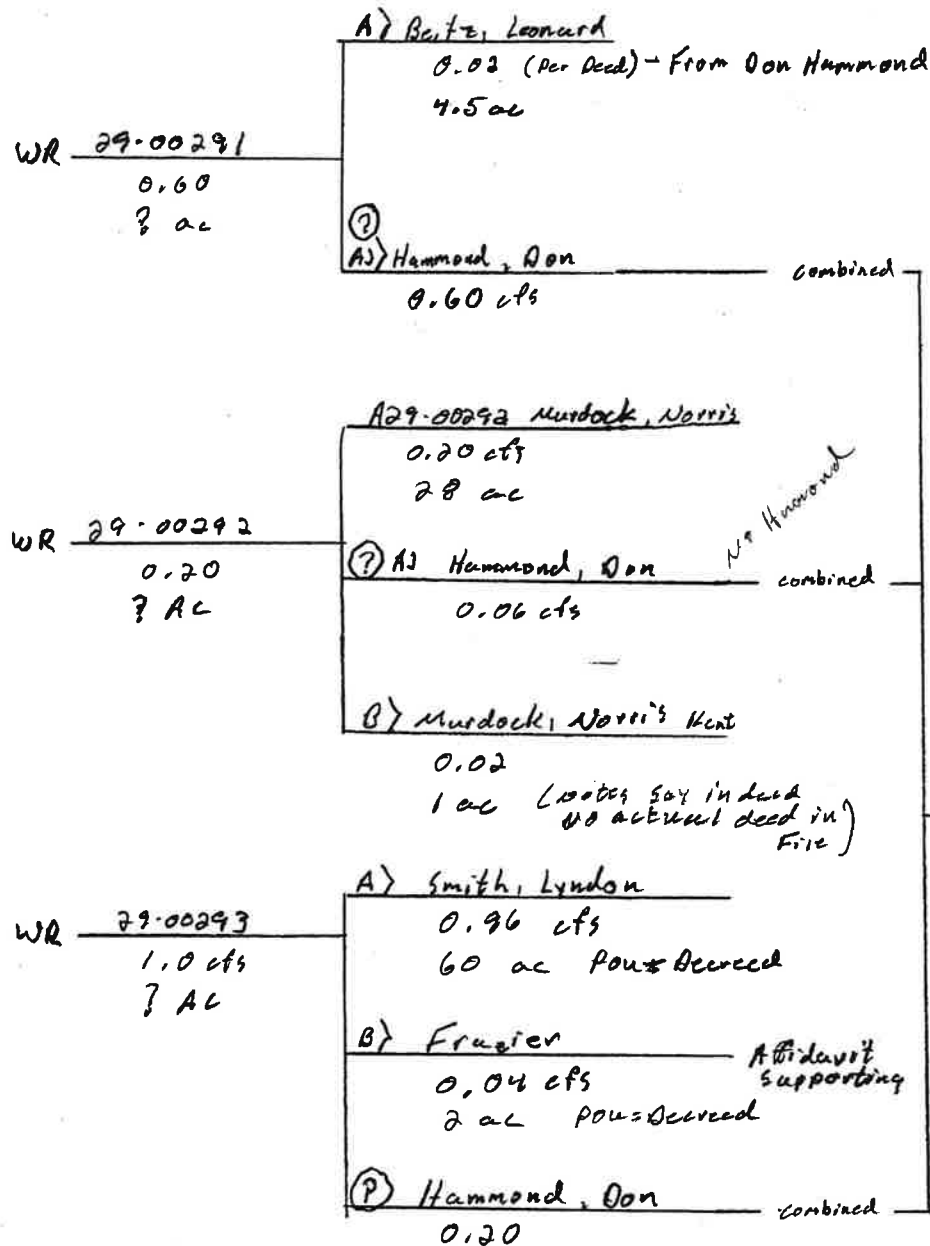
(SEAL)

Charmaine Murdock
Notary Public

My commission expires 9-15-03

Residing at Idaho, Id 83245

Split History For 29-00291, 292, and 293



Results:

29-00291 - Overclaimed in cfs But water Decreed From Hammond to Beitz. Reduce Hammonds Right

29-00292 - cfs Overclaimed. Need Evidence from All Parties that they own Right

29-00293 - Overclaimed cfs. Need Evidence of ownership of right From All Parties

29-10376 Hammond, Don
0.86 cfs
49.8 AC
within Decreed POU

C Barton 9-7-01

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-292

WATER RIGHT NUMBER: 29-292

Owner Type Name and Address
 Current Owner TAPAP JACKSON

, ZZ

Priority Date: 06/01/1885

Basis: Decreed

Status: Active

Source Tributary
 RAPID CREEK PORTNEUF RIVER

Beneficial Use From To Diversion Rate Annual Volume
 IRRIGATION / to / 0.200 CFS

Total Diversion: 0.200 CFS

Location of Point(s) of Diversion

RAPID CREEK

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				X													
07S	36E	23							X										

Total Acres: 0

Conditions of Approval:Remarks:

1. General P/D & P/U INCOMPLETE.^^^

Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-292

Dates and Other Information:

Licensed Date:
Decreed Date: 6/22/1906
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 29F
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

SCANNED

JUN 11 2001

Log for claim A29-00292B

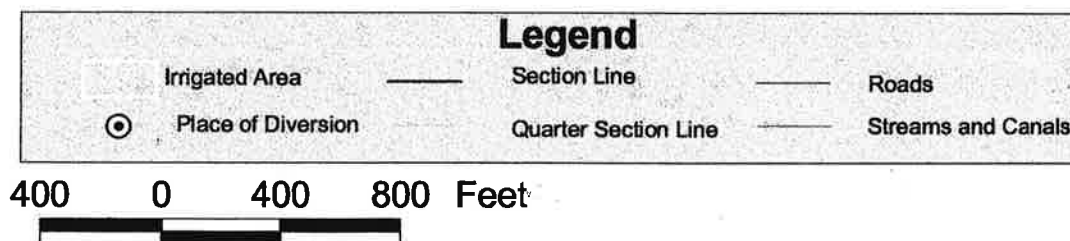
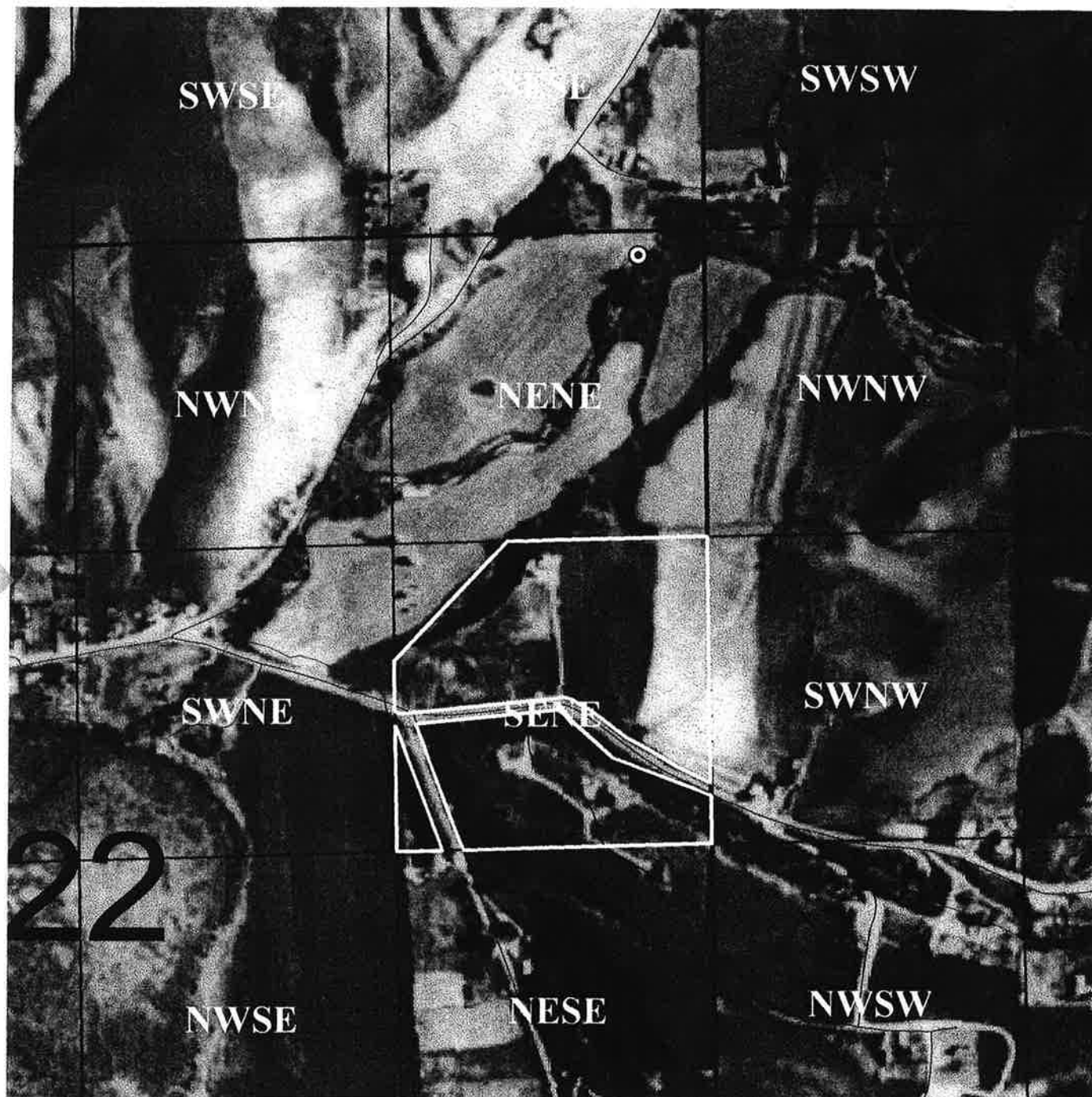
Spatial Dynamics LTD

8/24/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s36e	22	SENE	1	34	Indiscernible
Totals:			1	34	

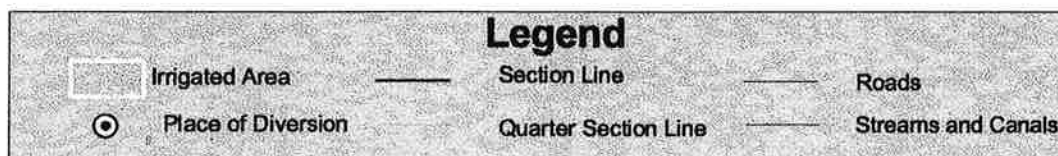
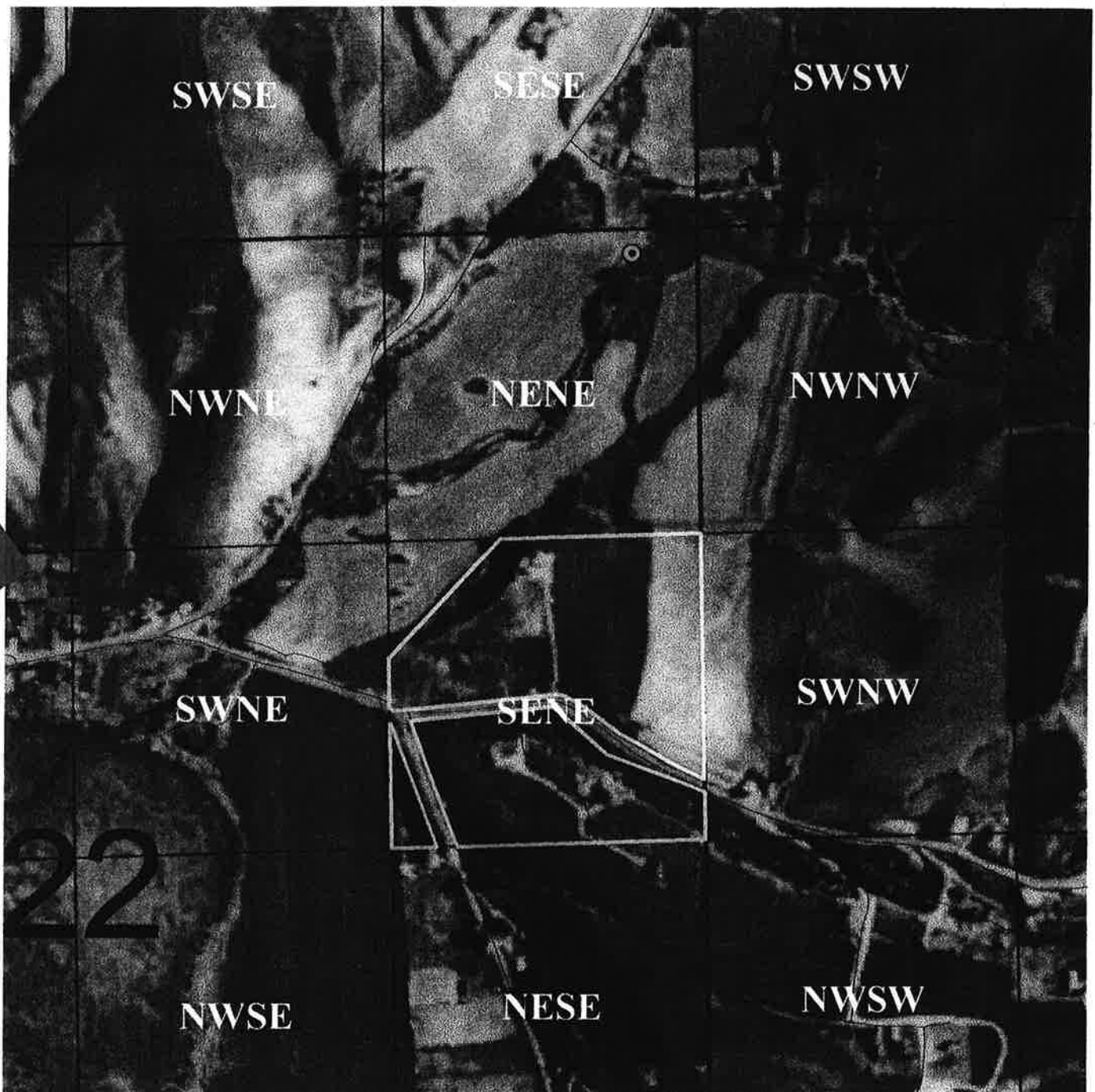
Water Right Claim Number A29-00292B
Township , 7S36E

08/24/2000



Water Right Claim Number A29-00292B
Township , 7S36E

08/24/2000

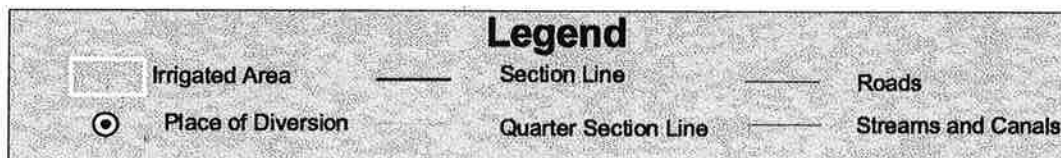
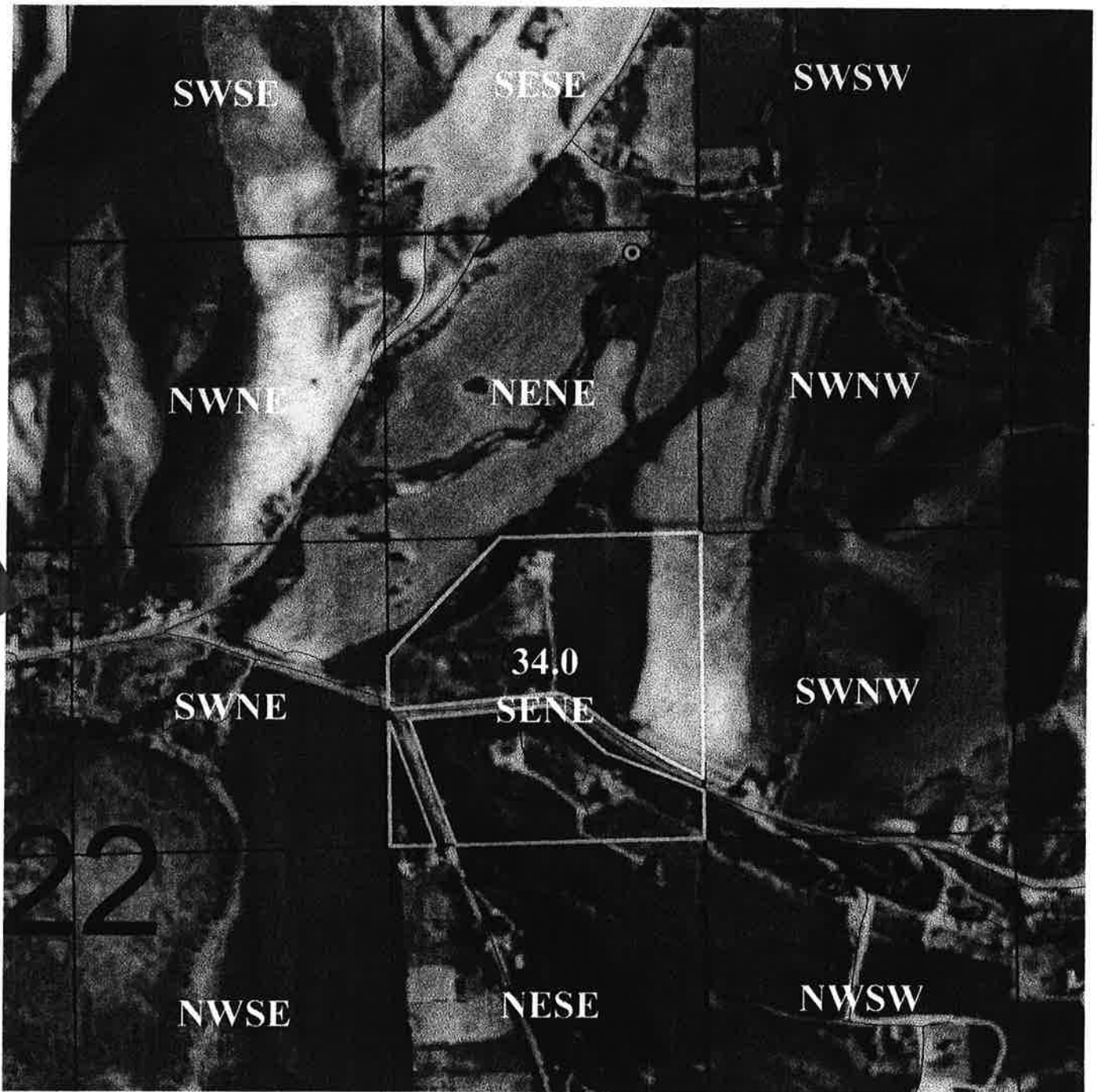


400 0 400 800 Feet



Water Right Claim Number A29-00292B
Township , 7S36E

08/24/2000



400 0 400 800 Feet



AJ5809NP
No. A29-00292B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 41

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LINDA CHARMAIN MURDOCK INKOM ID 83245	06/01/1885	IRRIGATION	03-15 11-15	0.020 CFS	
TOTAL DIVERSION:					0.020 CFS	
C	NORRIS KENT MURDOCK 2483 N INKOM RD INKOM ID 83245 (208) 775-4987			CONSUMPTIVE USE:		2.50 AFA

Water Source: RAPID CREEK

Tributary to: PORTNEUF RIVER

Stage: DECREED

AJ5809NP
No. A29-00292B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 42

Point(s) of Diversion: T07S R36E S22 NENENE BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
07S	36E	22	:					01	:											:	1.0
																				TOTAL ACRES	1.0

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: A29-00294D

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

A29-00291A A29-00294B A29-00294C A29-00294D A29-00294E A29-00294G A29-00294J A29-10376

Other Water Rights Listing Overlapping Place(s) of Use:

A29-00292 A29-00294A A29-10024 A29-10376

Remarks: GEN PURCHASED PROPERTY WITH 1" OF WATER PER ACRE, SEE WARRANTY
DEED #508225

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

Misc: Water District Number: 29F Field Inspection Flag:
Presumption Flag: C

Audit: 03/28/90 HAUMANN 04/04/94 THOMPSON 03/29/95 POST-STD

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 29-13385
Date Received: 8/7/2002
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

NORRIS KENT MURDOCK Phone: (208) 775-4987

2483 N INKOM RD
INKOM ID USA 83245

LINDA CHARMAIN MURDOCK Phone: (208) 775-4987

2483 N INKOM RD
INKOM ID USA 83245

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 DIVERSION TO LATERAL DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.1	

7. Total Quantity Appropriated is:
0.1 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	NE	IRRIGATION	1
			NE	SE	IRRIGATION	4
					Section Acres	5
					Total Acres	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:

THIS RIGHT RENUMBERD FROM CLAIM 29-00292B.

CLAIM ORIGINALLY CLAIMED FOR RAPID CREEK. BUT ELEMENTS OF CLAIM ARE CLAIMED UNDER 29-00294D. SO CLAIM AMENDED TO BENEFICIAL USE CLAIM FOR JACKSON CREEK WATER.

PURCHASED PROPERTY WITH 1" OF WATER PER ACRE, SEE WATTANTY DEED #508225

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 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 _____