

AJ0749NP
No. R35-13025

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 12/15/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BURKE K POOLE	08/15/1954	IRRIGATION	04-01 10-31	0.20 CFS	40.00 AFA
C	JOAN H POOLE					
	621 W 100 S					
	BLACKFOOT ID 83221			TOTAL DIVERSION:	0.20 CFS	40.00 AFA
	(208) 684-4732					

Water Source: POND

Tributary to: SNAKE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion:

T03S R34E S12

NENE

BINGHAM 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
03S	34E	12	:	10																:	10.0
																				TOTAL ACRES	10.0

POU County: BINGHAM

Conditions of Approval:

- C12 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 35 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN BASIN 35:
- WATER RIGHT NO. SOURCE
- NONE NONE
- THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 35 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN THE SNAKE RIVER BASIN:
- WATER RIGHT NO. SOURCE
- NONE NONE
- ALL WATER RIGHTS WITHIN BASIN 35 ARE FROM CONNECTED SOURCES
- OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
- CONJUNCTIVELY.

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

Misc: Water District Number: 01 Field Inspection Flag:
Presumption Flag:

SCANNED
OCT 07 2005

PROFILED

Water Right Number - R35-13025

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
POOLE

BURKE K

1 - 621 W 100 S

2 -

3 -

City- BLACKFOOT

State- ID Zip- 83221

Phone - 208-684-4732

POOLE

JOAN H

1 - 621 W 100 S

2 -

3 -

City- BLACKFOOT

State- ID Zip- 83221

Phone - 208-684-4732

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
08/15/1954 15 EASTERN J - BENEFICIAL USE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
POND SNAKE RIVER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

03S 34E 12 NE NE NE (11) BINGHAM

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 0.200 40 AF+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.200 40 AF 30.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
03S 34E 12 NE NE 10.0 01 IRRIGATION (11) BINGHAM

Total Acres: 10.0

+ - - Diversion Means - PRIVATE POND 150' LONG. USE 7.5HP WITH 3" LATERALS PUMP AND PIPE.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.SCANNED
OCT 07 2005

PROTECTED

12A-93

Water right number - R35-13025

Prefix Translation: RESEARCH

+ - - - - Old Water Right Numbers - - - - - +

+ - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers Found

+ - - - - Conditions of Approval - - - - - +

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - - - Comments - - - - - +

Date: 12/09/1993 User Id: RUBERRY Subject: COPIED FROM REMARKS

THIS RIGHT IS BASED ON STATUTORY RIGHT 27-04134. THE STATUTORY CLAIM WAS FILED IN THE WRONG BASIN WHEN ORIGINALLY FILED.

+ - - Audit Fields - - +

12/09/93 RUBERRY

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 12/09/1993	Old Judicial District	-
Claim Received Date	- 07/21/1993	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- E018903	Water District	- 01
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

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OCT 07 2005

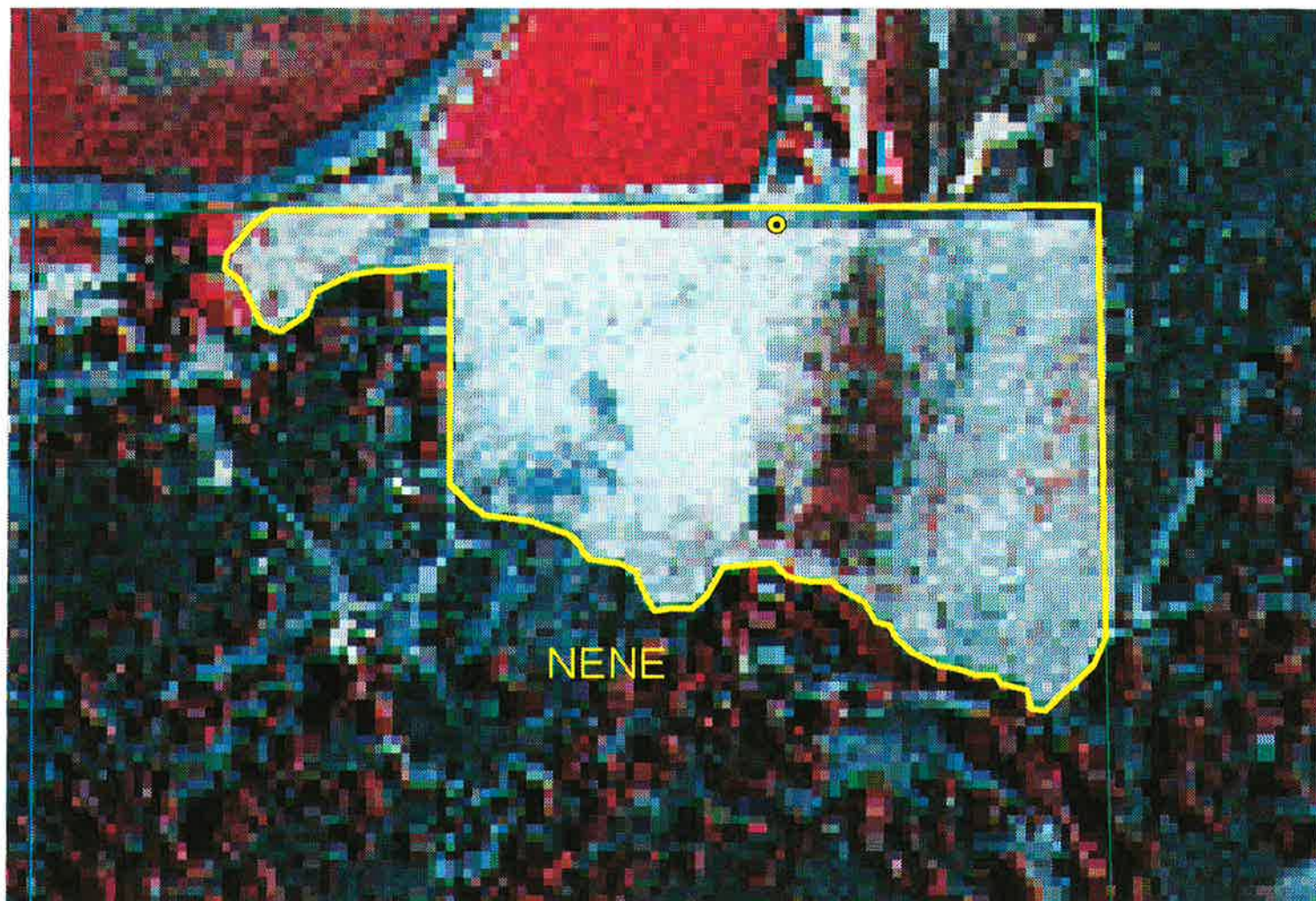
PROFILED

IDAHO DEPARTMENT OF WATER RESOURCES

BURKE & JOAN POOLE

Water Right No(s).

35-13025



0

1320 Feet



Point of Diversion
Location



Place of Use
Boundary

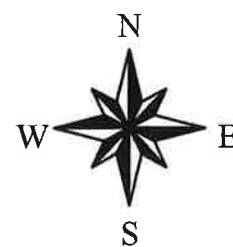


Section Lines



Quarter/Quarter Lines

Township(s) 03S, Range(s) 34E
Section(s) 12



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: Greg Taylor
Date: June 24, 1998

PROFILED

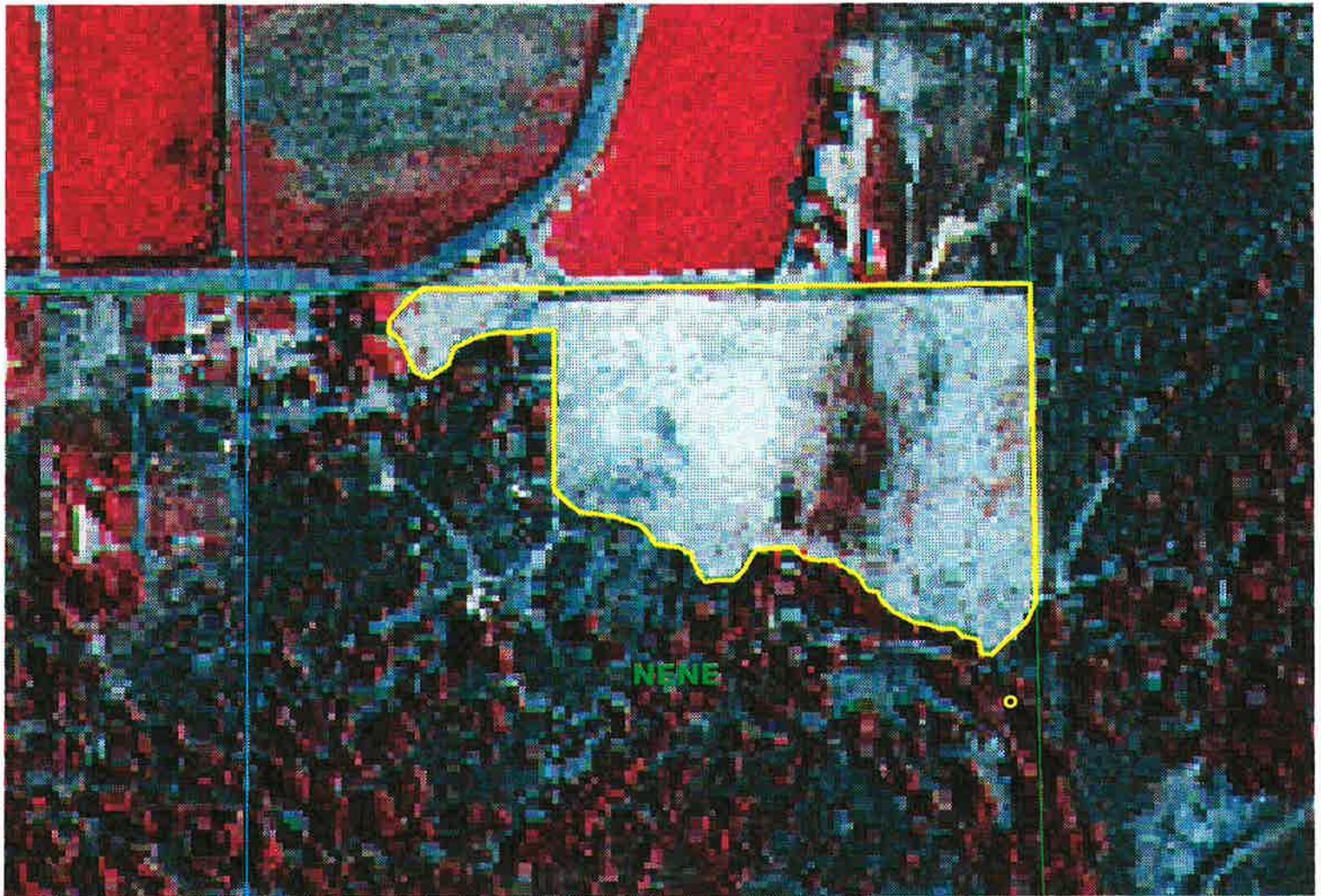
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OCT 07 2005

IDAHO DEPARTMENT OF WATER RESOURCES

BURKE & JOAN POOLE

Water Right No(s).

35-13025



0 1320 Feet



Point of Diversion
Location



Place of Use
Boundary

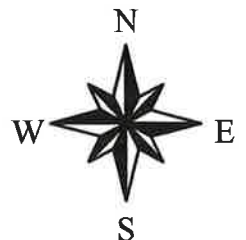


Section Lines



Quarter/Quarter Lines

**Township(s) 03S, Range(s) 34E
Section(s) 12**



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OCT 07 2005

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: Greg Taylor
Date: Dec. 15, 1998

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This claim is based on 243 Claim 27-04/34.

When statutory Claim was filed it was put in Basin 27,
but the place of use and point of discovery is west
of Snake River and therefore is in Basin 35.

As Chinese,

08 15 1954

Stokely

12-9-93

025 34E 12

34 35 36

Erasmus

NO CHANGE PER NAPP, 00, ASCS & Drive-by 9-15-93

22

ROAD

My Taylor

Snake River

9-13-93

DATE: 10-15-93
TIME: 10:00
BY: [illegible]

10 acres irrigated according to ASCS and "Dot Count method" performed by me.

NAPP & OA used

Drive-by shows grain being grown 9-15-93

10-2

9-93

10-2

9-93

1. The following are the results of the tests conducted on the material.

2. The following are the results of the tests conducted on the material.

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19. The following are the results of the tests conducted on the material.

TO: DIRECTOR, FBI

FROM: SAC, NEW YORK

SUBJECT: [illegible]

RE: [illegible]

NY 100-100000

DATE: 10-10-68

1. [illegible]

2. [illegible]

40



加

03

01

3

REFERENCES

IRRIGATION

4-1

10-31

0.20

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DATE 9-

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No split!

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Bank Code:

Presumption Rule: Doubt



1/11/19

1/5

[Signature]

11/11/11

6/14

[Handwritten signature]

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2

9

2



1,2,4,5

5'4"0"

12-9-93
JAC

12-9-93
JRM

12-9-95
JBR



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 15, 1998

BURKE & JOAN POOLE
621 W 100 S
BLACKFOOT ID 83221

Re: Notice of Error form on 35-13025.

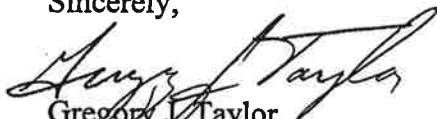
Dear Mr. & Mrs. Poole:

Enclosed for your review is a new layout of your property and a new profile report for the water right referenced above. The layout was prepared from the information you provided on the Notice of Error received Dec. 2, 1998. I have changed the point of diversion on the recommendation so that it describes a 40 acre tract in the NENE, section 12, instead of the 10 acre tract it previously described.

The department will recommend this right to the SRBA Court as it is on this report. If you still disagree with this recommendation you will have an opportunity to file an objection with the Court after the Court sends you a copy of your water right.

Please do not hesitate to contact me if you have any questions regarding this matter.

Sincerely,


Gregory J. Taylor
Sr. Water Agent

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OCT 07 2005

November 20, 1998

**NOTICE OF ERROR
REPLY**

RECEIVED

DEC 02 1998

Department of Water Resources

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: December 18, 1998

Water right number: 35-13025

BURKE K POOLE
JOAN H POOLE
621 W 100 S
BLACKFOOT ID 83221

Daytime Telephone Number: 684-4732
Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
*Source is incorrect on map. Source is 800 ft south of NE corner of Section 12.
Source is from Isolated Pond 700' from Snake River. Water is purchased each year from water resources @ Idaho Falls.*
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: 11/30/98 SIGNATURE: Burke K Poole
Please print your name: Burke K. Poole

IDWR Eastern Regional Office, 900 N. Skyline Drive, Suite A, Idaho Falls, ID 83402-1718, (208) 525-7161

Change P.D. to NEWE
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60

R35-13025 *off-hydro*
NAPP, OO, ACS ; Field Exam

T35, R34E S. 12
NE NE

9-15-73

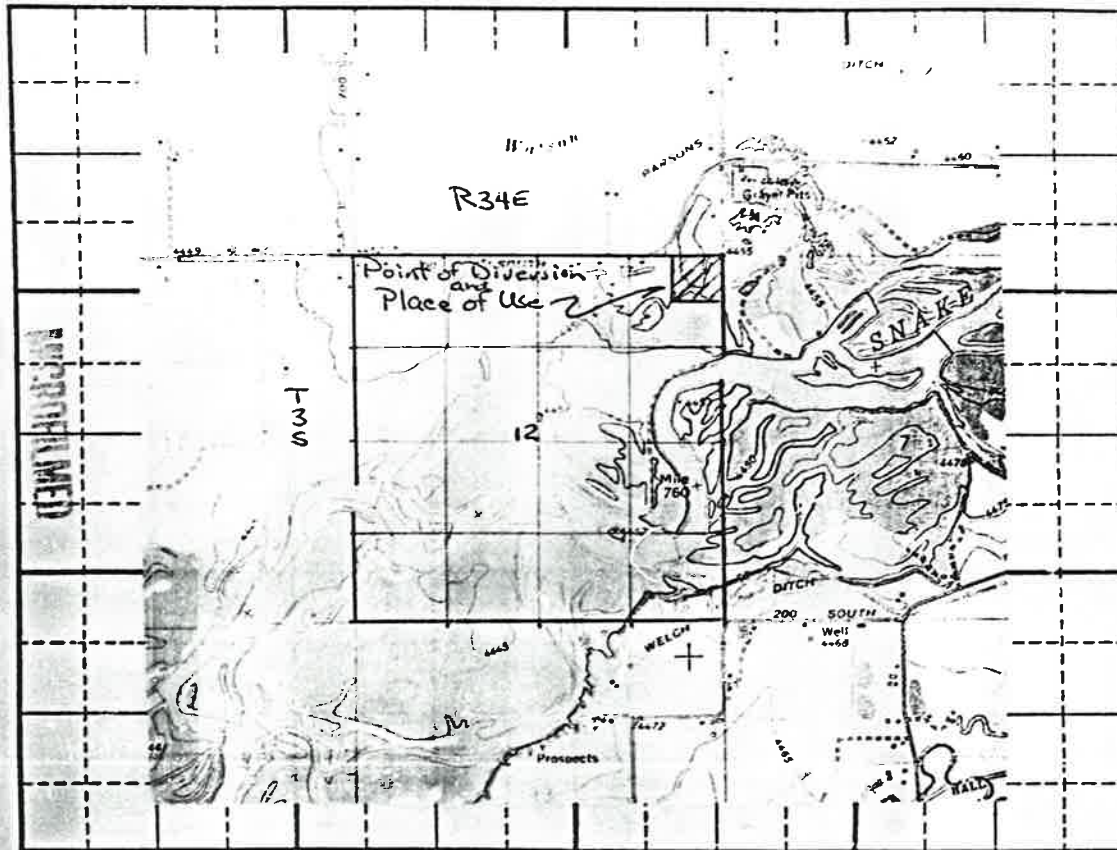
T
3
S

R34E

T24938
HEL 2123
2
9.1 Snake
pool

Snake
River
W

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of BINGHAM) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 18th day of August

Burke Krole
(Claimant)

David Schneider
Notary Public
BINGHAM COUNTY, IDAHO

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that **Burke K. Poole**

(Name of Claimant)

Rt. 2, Box 382 Blackfoot, ID 83221
(Mailing Address)

(Zip Code)

Telephone No. **684-4732**

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) **August-15, 1954**

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Pond tributary to **Snake River**

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	0.20cfs	Use Irrigation	Period of Use From 3-15	To 11-15
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

- (4) **0.20cfs** TOTAL QUANTITY USED.
(cfs, af)

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

NE 1/4 NE 1/4, Sec. 12 Twp. 3S Rge. 34E B.M., County of Bingham

Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. **Using 7hp with 3" laterals pump and pipeline.**

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3S	34E	12	10																10

No. of acres **10**

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

NOTE: Include here the type and number of stock watered

- (7) If you are claiming water as a member of an organization, list name of organization

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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: A35-13025

Date Received: 7/21/1993

Receipt No: E018903

Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BURKE K POOLE 208-684-4732
Address: 621 W 100 S
BLACKFOOT ID 83221

AND/OR

Name: JOAN H POOLE 208-684-4732
Address: 621 W 100 S
BLACKFOOT ID 83221

2. Date of Priority: AUG 15, 1954

3. Source: POND Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03S	34E	12	NE	NE	NE		BINGHAM

5. Description of diverting works:
PRIVATE POND 150' LONG

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.200		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acre
03S	34E	12	NE	NE		IRR	12.0

MICROFILMED

APR 18 1994

SCANNED

A35-13025

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Page 1

OCT 8 2005 Date: 07/21/93

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
----------	-------	---------	------------	-----	-----	-------

					Section Acres	12.0
--	--	--	--	--	---------------	------

					Total Acres	12.0
--	--	--	--	--	-------------	------

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT IS BASED ON STATUTORY RIGHT 27-04134. THE STATUTORY CLAIM WAS FILED IN THE WRONG BASIN WHEN ORIGINALLY FILED.

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): *Burke Poole* Date: *7/21/93*

Date: _____

SCANNED

OCT 07 2005

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APR 18 1994

A35-13025

PROFILED

Page 2

Date: 07/21/93

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 21st day

of July 19 93

Gregory J. Taylor
Notary Public

Seal



Residing at Idaho Falls

My Commission Expires 5/3/98

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OCT 07 2005

MICROFILMED
APR 18 1994

PROFILED

T-33-R34E

MICROFILMED
APR 18 1994

A 35 - 13025

PO. u.
PO. u.

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OCT 07 2005

POOR ORIGINAL

