

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR	)	ORDER ADOPTING
TRANSFER NO. 3606 OF WATER RIGHT NO.	)	PROPOSED MEMORANDUM
29-7647 IN THE NAME OF ROBERT M. WARDLE	)	DECISION AND ORDER

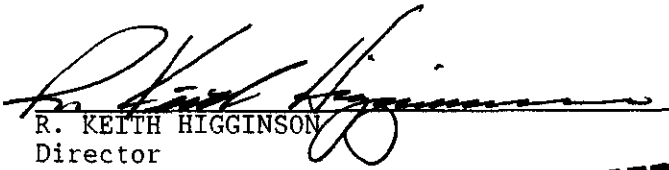
WHEREAS, R. Keith Higginson, Director of the Department of Water Resources having issued and served a copy on the parties on July 18, 1990, a Proposed Memorandum Decision and Order in the above-captioned matter, pursuant to Section 67-5211, Idaho Code; and,

WHEREAS, more than fifteen days have passed since the service of the Proposed Memorandum Decision and Order; and,

WHEREAS, no exception to that Proposed Memorandum Decision and Order has been received;

IT IS, THEREFORE, HEREBY ORDERED that said Proposed Memorandum Decision and Order be adopted and issued as the Final Decision and Order and Application for Transfer No. 3606 is APPROVED.

Dated this 14th day of August, 1990.


R. KEITH HIGGINSON
Director

MICROFILMED

SEP 04 1990

BEFORE THE DIRECTOR
OF THE
DEPARTMENT OF WATER RESOURCES

IN THE MATTER OF APPLICATION FOR	)	
TRANSFER NO. 3606 OF WATER RIGHT	)	Source: Walker Creek
NO. 29-07647 IN THE NAME OF	)	
ROBERT M. WARDLE	)	County: Bannock
	)	
	)	

**PROPOSED MEMORANDUM DECISION AND ORDER
APPROVING APPLICATION FOR TRANSFER OF
WATER RIGHT NO. 29-07647**

On July 28, 1989, Robert Wardle (applicant) filed an application for transfer (application) to add a point of diversion to water right No. 29-07647.

Notice of the application was published in the Idaho State Journal on September 21 and 28, 1989. On October 2, 1989, a protest was received from Keith Henrichs.

A prehearing conference was held on March 27, 1990 to discuss the issues of Mr. Henrichs' protest.

Findings of Fact

1. The applicant, Robert Wardle, intends to add a diversion point downstream of his original point of diversion. Both the original and proposed point of diversion are located in the same quarter-quarter section.

2. The original point of diversion is used by the applicant and two others, Gene Wise (Water Right No. 29-07479) and Raymond Girard (Water Right No. 29-07205). If the proposed new point of diversion is approved, Girard and Wise would then utilize this second ditch also.

MICROFILMED

SEP 04 1990

3. The parties have entered into a rotation agreement. Under this agreement the applicant is entitled to receive the flow of Walker Creek for 31 hours every ten (10) days so long as the flow is 0.36 cfs or more. The Department of Water Resources has endorsed this agreement as long as all parties abide by the terms of the agreement. The rotation agreement is designed to be an interim measure until the Snake River Basin Adjudication is concluded in Basin 29.

4. The point of diversion proposed by the applicant is downstream of protestant Henrichs' existing headgate. The applicant intends to use the proposed new point of diversion to better irrigate the lower portions of his property.

5. With the rotation agreement in place protestant Henrichs should not use water during the applicant's turn to take Walker Creek water.

6. Since the diversion schedules of the applicant and protestant do not overlap within the rotation agreement, and the proposed point of diversion is below (downstream) from the protestant's headgate, there is no perceived interference between applicant and protestant.

7. Protestant Henrichs testifies that the use of the proposed point of diversion would be a violation of the rotation agreement. He also testifies that he uses any surplus water in the creek when other users are scheduled for their turn. Henrichs states the addition of the proposed point of diversion would interfere with this practice.

Section 42-222, Idaho Code (1989 supp.) provides that:

MICROFILMED
SEP 04 1990

. . . the director of the department of water resources shall examine all the evidence and available information and shall approve the change in whole or in part, or upon conditions (emphasis added), provided water rights are not injured thereby, the change does not constitute an enlargement in use of the original right and the change is in the local public interest as defined in Section 42-203A, Idaho Code.

CONCLUSIONS OF LAW

1. The use proposed in this application for transfer does not necessarily represent a rotation agreement. The time of water use by the parties does not overlap.

2. The addition of a second point of diversion will not necessarily result in an enlargement in the use under the original right.

3. No other recorded water rights will be injured by the proposed transfer while the rotation agreement is in effect.

4. The change proposed is consistent with the local public interest.

ORDER

IT IS, THEREFORE, HEREBY ORDERED that Application for Transfer of Water Right No. 29-07647 is APPROVED subject to the following conditions:

1. Only one point of diversion can be used at any one time.

2. A measuring device and headgate of a type approved by the Department of Water Resources shall be installed at the new point of diversion prior to use of the new point of diversion.

3. The use of the new point of diversion is contingent

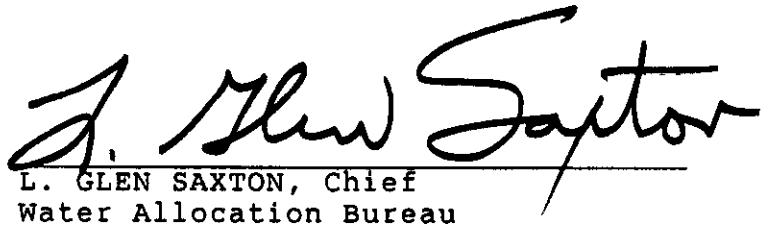
MICROFILMED

upon continued compliance with the current rotation agreement.

4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

Dated this 18th day of July, 1990.

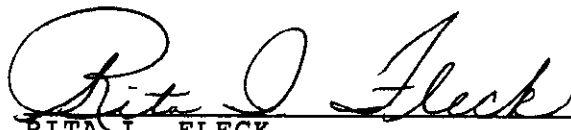

L. GLEN SAXTON, Chief
Water Allocation Bureau

CERTIFICATE OF MAILING

I HEREBY CERTIFY That on this the 18th day of July, 1990, a true and correct copy of the foregoing PROPOSED MEMORANDUM DECISION AND ORDER, was mailed, postage prepaid to:

Robert M. Wardle
2652 S. Marsch Creek Rd.
McCammon, ID 83250

Keith V. Henrichs
2526 S. March Creek Rd.
McCammon, ID 83250


RITA I. FLECK
Secretary/Records Manager

MICROFILMED

SEP 04 1990

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 29-7647 Priority June 15, 1982 Amount 0.12 cfs

THIS IS TO CERTIFY, that Charles Normann
of McCammon, Idaho, has complied with the terms and conditions of Permit
No. 29-7647 issued pursuant to Application for Permit dated June 15, 1982,
and has submitted proof to the Department of Water Resources on July 11, 1983,
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 0.16 cfs of water from Walker Creek,
tributary to Marsh Creek, 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
Irrigation	from <u>March 15</u> to <u>November 15</u>	at <u>0.12</u> cfs and	<u>21.0</u> acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 0.12 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 for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
21.0 acre feet per year, said waters to be diverted within the NE1/4, Section 15,
Twp 8S, Rge 36E in the County of Bannock

Description and location of place of use:

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
8S	36E	15									6								6

Total number of acres irrigated 6

MICROFILMED

MICROFILMED

CONDITIONS OF APPROVAL

a. 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.

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

c. Any water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

Use of water under this license is subject to control by the watermaster of State Water District No. 29H, Marsh Creek.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 19TH day of AUGUST, 19 85.

Acting for the Norman C. Young
Director

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant Robert M. Wardle Phone 254-3884
Post Office address 2652 S. Marsh Cr. Rd. McCammon, ID 83250

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes To more effectively irrigate the lower portion
of my acreage.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|-----------------|------------------|-----------------------|-------------------|-----------------------------|
| <u>29-7647</u> | <u>6-15-1982</u> | <u>0.12 cfs</u> | <u>Irrigation</u> | <u>3-15</u> to <u>11-15</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
2. Total amount of water being transferred 0.12 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Walker Creek tributary to Marsh Creek
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SW	15	8S	36E	Bannock	P.D. #1 (old)
		NE	SW	15	8S	36E	Bannock	P.D. #2 (new)

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
8S	36E	15									6								6

Total acres 6

PART 1

6. General Information:

a. Description of diversion system ^(two) Ditch to place of use

NA b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

NA

d. Remarks:

Use of this second Point of Diversion will provide more efficient use of water
on my lower acres.**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**This is to certify that I have examined Application for Transfer of Water Rights No. 29-7647And said application is hereby APPROVED, subject to the following limitations and conditions:pursuant to PROPOSED MEMORANDUM DECISION AND ORDER and ORDER ADOPTING PROPOSED
MEMORANDUM DECISION AND ORDER.**MICROFILMED**Witness my hand this 14TH day of August SEP 04 1990, 19 90R. Kimbly
Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 29-7647 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

- ☒ 2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Walker Creek tributary to Marsh Creek

4. Date or priority June 15, 1982

5. Water is used for the following purpose:

amount 0.12 cfs for Irrigation purposes from 3-15 to 11-15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.12 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SW	15	8S	36E	Bannock	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
8S	36E	15																	6

Total acres 6

9. Describe any other water rights used for the same purpose as described above. None

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No _____

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

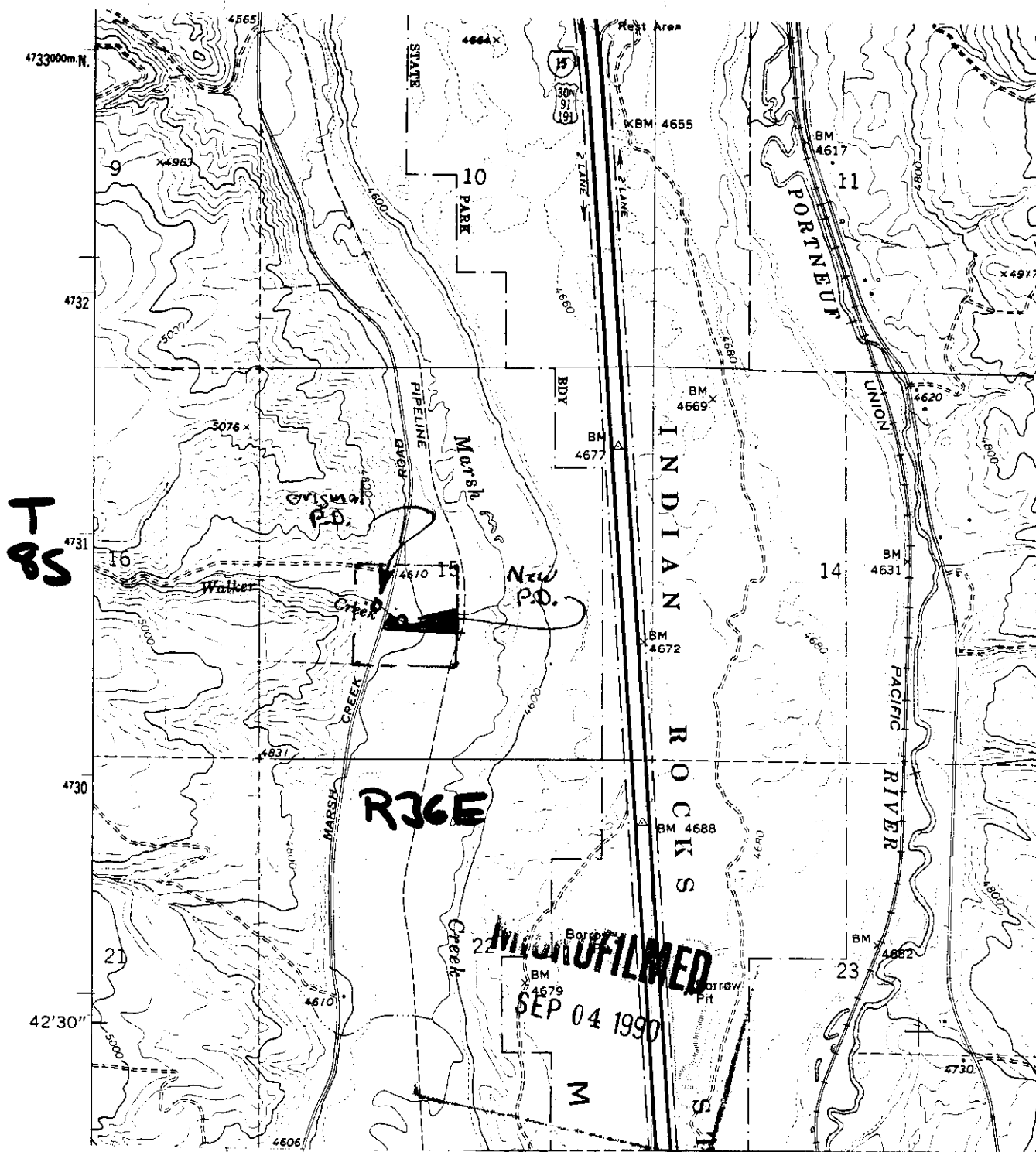
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	

Total acres _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3**

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.**



SCALE: 2 inches equal 1 mile. Draw plan in ink.

PART 3**B. CHANGES IN NATURE OF USE**

1	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
				to _____
				to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

[Signature]
(Signature of Applicant)

Subscribed and sworn to before me this 26 day of July, 19 89.

[Signature]
(Notary Public)

My commission expires October 23 1993

Acct by HWT

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by HWT Date 7-28-89

Protest filed by Keith V. Henrichs

Prelim. check by SMD Fee \$30.00

Receipted by HWT *E009654 Date 7-28-89

Published in Idaho State Journal

Copies of protest forwarded by CW

Pub. dates 9-21-28-89

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☐ approval ☐ denial

_____ rec'd. **MICROFILMED** by _____

Copy of transfer sent to lien holder _____

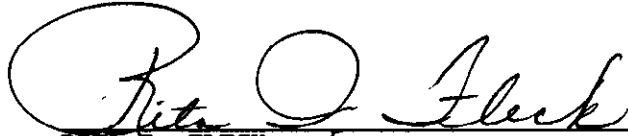
SEP 6 1990

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT on this the 16th day of August 1990, a true and correct copy of the ORDER ADOPTING PROPOSED MEMORANDUM DECISION AND ORDER was mailed, postage prepaid to:

Robert M. Wardle
2652 S. Marsh Creek Rd.
McCammon, ID 83250

Keith V. Henrichs
2526 S. Marsh Creek Rd.
McCammon, ID 83250

A handwritten signature in cursive script, appearing to read "Rita I. Fleck", written over a horizontal line.

RITA I. FLECK
Secretary/Records Manager
Idaho Department of Water Resources

MICROFILMED

SEP 04 1990

BEFORE THE DIRECTOR OF THE DEPARTMENT
OF WATER RESOURCES OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
TRANSFER NO. 3606 OF WATER RIGHT)
NO. 29-07647 IN THE NAME OF)
ROBERT M. WARDLE)

ORDER ISSUING
PROPOSED MEMORANDUM
DECISION

R. Keith Higginson, Director of the Department of Water Resources, having reviewed the attached proposed decision prepared by his appointee, L. Glen Saxton, who conducted the hearing or who has read the record in the this case, hereby approves the same as a proposed decision pursuant to Idaho Code, Sec. 67-5211.

Each party to these proceedings who appeared at the hearing is given the opportunity, pursuant to Idaho Code, Sec. 42-1701A and 67-5211, to file exceptions to the proposed decision and to present briefs and oral arguments. If no timely and proper exceptions are received, an order by the Director will be entered adopting the proposed decision as his final decision.

I.
EXCEPTIONS

A. To be considered by the Director, exceptions must:

1. be received by the Director on or before the 15th day following the day of service of this Order and the proposed decision,
2. specifically identify the portions of the proposed decision to which exceptions are made and specifically state the grounds for those exceptions, and
3. be sent to each of the parties who appeared or their attorneys.

II.
BRIEFS

A. Any briefs in support of exceptions to the proposed decision shall be filed with the Director at the same time that party's exceptions are filed with the Director.

B. All response briefs to the exceptions must be filed with the Director within 15 days after the exceptions were served upon the responding party.

MICROFILMED

SEP 04 1990

III.

A. No oral arguments before the Director on the proposed decision will be held unless specifically requested by a party filing exceptions to the proposed decision and unless that request is filed with the Director concurrently with the filing of that party's exception.

B. If oral arguments have been properly requested by a party filing exceptions, any other party, upon reasonable notice to the Director, shall have the right to present oral argument in response to the exceptions filed.

C. Oral arguments before the Director on exceptions to the proposed decision shall be heard at the discretion of the Director, pursuant to Idaho Code, Sec. 42-1701A. If oral arguments are to be heard, the Director will, within a reasonable time, notify each party of the place, date and hour the oral arguments will take place and of the period of time allocated for the arguments of this case. Unless the Director orders otherwise, all oral arguments shall be heard in Boise, Idaho.

IV.

CERTIFICATE OF SERVICE

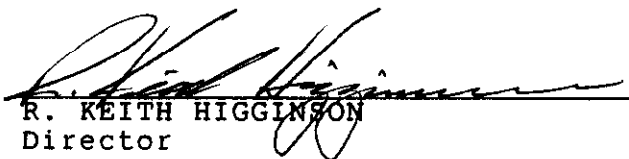
All exceptions, briefs, requests oral arguments and other matters filed with the Director in connection with the proposed decision shall be served on all other parties to these proceedings in accordance with Rule 7.2.

V.

FINAL DECISION

Following the submission of all exceptions, briefs and oral arguments, if they are heard, the Director shall issue a final decision adopting, modifying or rejecting and replacing the proposed decision. Copies of the decision and order shall be served on all parties.

Dated this 18th day of July, 1990.


R. KEITH HIGGINSON
Director

MICROFILMED

SEP 14 1990

PROOF OF PUBLICATION

RECEIVED

SEP 29 1989

STATE OF IDAHO
County of Bannock

ss.

Department of Water Resources
Eastern District Office

Sandra K. Wann

being first duly sworn on oath deposes and says: That she was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

21 September	1989	19
28 September	1989	19
	19	19
	19	19
	19	19

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Sandra K. Wann

STATE OF IDAHO

COUNTY OF Bannock

On this 28th day of September in the year of 1989, before me, a Notary Public, personally appeared Sandra K. Wann, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

RECORDED

SEP 29 1989

J. L. Larson
Notary Public for Idaho
Residing at Pocatello
My commission expires: July, 1991

applied to the Department of Water Resources to add a point of diversion from the waters of Walling Creek tributary to Moran Creek. The right sought to be changed is evidenced by License No. 257447 and is recorded as follows:
AMOUNT: 12 CFS
PRIORITY: June 25, 1982
POINT OF DIVERSION: NE 1/4 SEC 15 T8S R36E, S.1/4 NW 1/4 March 18 to November 15
TO BE CHANGED AS FOLLOWS:
The water will be diverted within the NE 1/4 SEC 15 T8S R36E (2 points).
Any protest against approval of the above proposed change of water right will be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Boise, Idaho 83725 on or before October 9, 1989.
R. Keith Hagstrom

PROOF OF PUBLICATION

RECEIVED

SEP 25 1989

STATE OF IDAHO
County of Bannock

SS.

Department of Water Resources
Eastern District Office

Sandra K. Wann

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 29-7647

Notice is hereby given that Robert M. Wardle, McCammon, ID, has applied to the Department of Water Resources to add a point of diversion from the waters of Walker Creek tributary to Marsh Creek. The right sought to be changed is evidenced by License No. 29-7647 and is recorded as follows:

AMOUNT: .12 CFS

PRIORITY: June 15, 1982

POINT OF DIVERSION: NESW SEC15 T8S R36E, B.M. Bannock County

The water is used to irrigate 6 acres within the NESW SEC15 T8S R36E, B.M. from March 15 to November 15.

TO BE CHANGED AS FOLLOWS:

The water will be diverted within the NESW SEC15 T8S R36E (2 points).

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID 83402, on or before October 9, 1989.

R. Keith Higginson

Director

September 21, 28, 1989

No. 552

being first duly sworn on oath deposes and says: That she was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

21 September	, 1989	, 19
28 September	, 1989	, 19
	, 19	, 19
	, 19	, 19
	, 19	, 19

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Sandra K. Wann

STATE OF IDAHO

COUNTY OF Bannock

On this 28th day of September in the year of 1989, before me, a Notary Public, personally appeared Sandra K. Wann, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

RECORDED

[Signature]
Notary Public for Idaho

Residing at Pocatello

My commission expires: June 1991

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF THE DIVERSION OF WATER)	
FROM WALKER CREEK TRIBUTARY TO MARSH)	Bannock County
CREEK UNDER WATER RIGHT LICENSE 29-7647)	
IN THE NAME OF CHARLES NORMANN)	

CEASE AND DESIST ORDER

This order is issued under the authority of sections 42-350, 42-351 and 42-352, IDAHO CODE.

FINDINGS OF FACT

1. Water right license No. 29-7647 was issued for the irrigation of six (6) acres of land now owned by Robert Wardle. The license allows a maximum rate of diversion of 0.12 cfs with a priority of June 15, 1982.

2. This use of water under this license is subject to all water rights with an earlier priority being satisfied.

3. The flow of Walker Creek is less than 0.42 cfs which is the amount of water that you agreed that was necessary to satisfy the oldest water right on the creek. That water right is recorded as Claim No. 29-4101 and has been divided into two parts with Chuck Thompson irrigating three (3) acres and Keith Henrichs irrigating eighteen (18) acres according to the agreement reached by the water users.

4. An agreement to rotate the available water of Walker Creek until the flow decreased to 0.90 cfs or less was signed by all the water users. No other agreement to rotate the water has been reached by all the water users.

5. A water district does not exist on Walker Creek for the delivery of water.

CONCLUSIONS OF LAW

1. IDAHO CODE, Section 42-106 states:

"As between appropriators, the first in time is first in right."

2. IDAHO CODE, Section 42-350 states in part:

MICROFILMED

SEP 04 1990

1) If the director of the department of water resources finds, on the basis of available information at any time after a license is issued, ... that the licensee has wilfully or intentionally failed to comply with of the conditions of the license, or has wilfully or intentionally failed to comply with the provision of law governing the license, then the director of the department of water resources may issue ... an order directing the licensee to cease and desist the activity or activities alleged to be in violation of the conditions of the license or in violation of the provisions of law governing the license.

3. The water users are aware of the insufficient stream flow to satisfy the prior water right but have chosen to continue to divert water to satisfy this junior priority water right.

4. The senior water right are entitled to the water with the oldest right entitled to at least 0.42 cfs.

5. All diversion of water under rights later in priority than March 15, 1912 must cease until the flow of Walker Creek increases above 0.42 cfs or the senior water rights cease to irrigate their land.

ORDER

YOU ARE, HEREBY, ORDERED To immediately cease and desist diverting water from Walker Creek until there is sufficient flow in the stream to satisfy all prior water rights.

FURTHER, you are subject to a civil penalty of up to \$100 per day for any violation of this Cease and Desist Order.

Signed this 2ND day of September, 1988.


NORMAN C. YOUNG, Administrator

RECEIVED

SEP 24 1988



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant CHARLES NORMAN Phone 254-3448
Post office address RT 1, Box 1180, Marsh Cr. Rd., McCammon, Idaho 83250
2. Source of water supply WALKER CREEK which is a tributary of MARSH CREEK
3. Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 15 Township 8S
Range 36E B.M. Bannock County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .12 for IRRIGATION purposes from April 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

- a. .12 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. 1,000 FT of 12"X18" irrigation ditches currently in place and previously used by prior owners to irrigate this property from Walker Creek.
- b. Height of storage dam N/A feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____
Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

- a. If water is not for irrigation:
- (1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
- (2) Amount of power to be generated: _____ horsepower under _____ feet of head.
- (3) List number of each kind of livestock to be watered ALL Livestock currently have access to Walker Cr. which flows through this property.
- (4) Name of municipality to be served N/A, or number of families to be supplied with domestic water _____.
- (5) If water is to be used for other purposes describe: N/A

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	
83	36E	15			6.05	As	per	telecon			6.05								6.05

Total number of acres to be irrigated 6.05

c. Describe any other water rights used for the same purposes as described above. NONE

- 9. a. Who owns the property at the point of diversion MAURINE HENRICKS
- b. Who owns the land to be irrigated or place of use Charles Norman
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing N/A

10. Remarks The ditch from point of diversion and all ditches needed for irrigating this 6.05 acres currently exist from prior use for this purpose. Walker Creek crosses through front (west side) of this property and follows north border of property the full length. We also have a contract to purchase property which borders Walker Creek to the point it joins Marsh Creek and includes the junction with Marsh Creek. This contract is to purchase 10 acres from Chester Meckling and includes water rights on Marsh Creek. There will be no one downstream from us on Walker Creek that could be effected by approval of this permit.

PROOF OF PUBLICATION

RECEIVED

JUL 12 1982

STATE OF IDAHO
County of Bannock

ss.

Department of Water Resources
Eastern District Office

Sheryl Gardiol

being first duly sworn on oath deposes and says: That she
was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

<u>July 1</u>	<u>19 82</u>	<u> </u>	<u>19</u>
<u>July 8</u>	<u>19 82</u>	<u> </u>	<u>19</u>
<u> </u>	<u>19</u>	<u> </u>	<u>19</u>
<u> </u>	<u>19</u>	<u> </u>	<u>19</u>
<u> </u>	<u>19</u>	<u> </u>	<u>19</u>

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

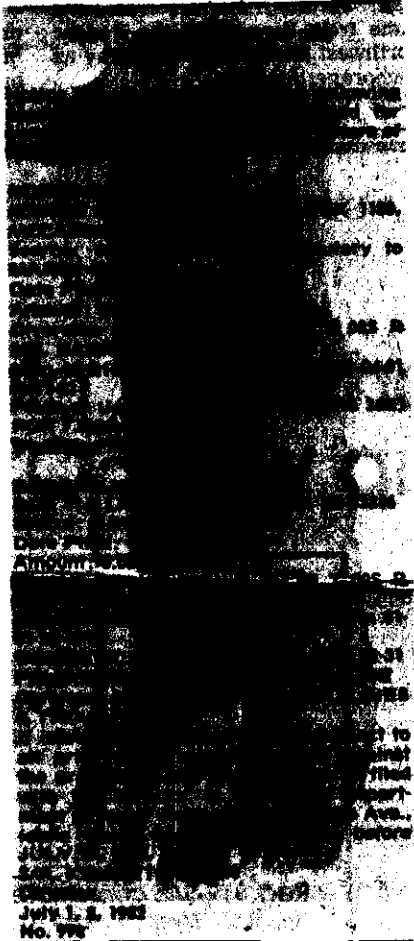
Sheryl Gardiol

Subscribed and sworn to before me this 9th

day of July, 19 82

[Signature]

Notary Public, State of Idaho
Residence: Pocatello, Idaho



PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho.

29-7647

NORMANN, CHARLES
MARSH CREEK RD., RT. 1, BOX 1180,
MCCAMMON, ID 83250
Source: WALKER CREEK tributary to
MARSH CREEK
Date Filed: 06-15-1982
Amount: 0.12 CFS
Diversion Point: NESW Sec 15 T 08S R
36E, BANNOCK Co.
Use: IRRIGATION (0.12 CFS) from 04-01
to 11-01
Place of Use: NESW Sec 15 T 08S R 36E,
FOR 7 ACRES
Diversion Means: DITCHES
29-7646

BURGIN, MARSHALL N.
BOX 114, LAVA HOT SPRINGS, ID 83246
Source: GROUNDWATER
Date Filed: 06-21-1982
Amount: 0.08 CFS
Diversion Point: NENW Sec 28 T 09S R
38E, BANNOCK Co.
Use: STOCKWATER (0.02 CFS) from 01-
01 to 12-31
DOMESTIC (0.06 CFS) from 01-01 to 12-31
Place of Use: NENW Sec 28 T 09S R 38E
Diversion Means: WELL, PUMP, LINES
& TROUGH
If issued, the permit(s) will be subject to
all prior water rights. Protests against
the granting of any permit must be filed
with the Director of the Idaho Depart-
ment of Water Resources, 150 Shoup Ave.,
Idaho Falls, Idaho 83402 on or before
JULY 19, 1982.
S/A. KENNETH DUNN
Director
July 1, 8, 1982
No. 998

being first duly sworn on oath deposes and says: That _____
was at all times herein mentioned a citizen of the United States of Ameri-
ca, more than 21 years of age, and the Principal Clerk of THE IDAHO
STATE JOURNAL, a daily newspaper, printed and published at Pocatello,
Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was
published in the said IDAHO STATE JOURNAL, on the following dates,
to-wit:

_____	, 19__	, 19__
_____	, 19__	, 19__
_____	, 19__	, 19__
_____	, 19__	, 19__
_____	, 19__	, 19__

That said paper has been continuously and uninterruptedly published
in said County for a period of seventy-eight weeks prior to the publication
of said notice or advertisement and is a newspaper within the meaning
of the laws of Idaho.

Stacy Smith
Subscribed and sworn to before me this _____

day of _____, 19__

Notary Public, State of Idaho
Residence: Pocatello, Idaho

29-7647

NORMANN, CHARLES

MARSH CREEK RD., RT. 1, BOX 1180,

MCCAMMON, ID 83250

Source: WALKER CREEK tributary to
MARSH CREEK

Date Filed: 06-15-1982

Amount: 0.12 CFS

Diversion Point: NESW Sec 15 T 08S R
36E, BANNOCK Co.

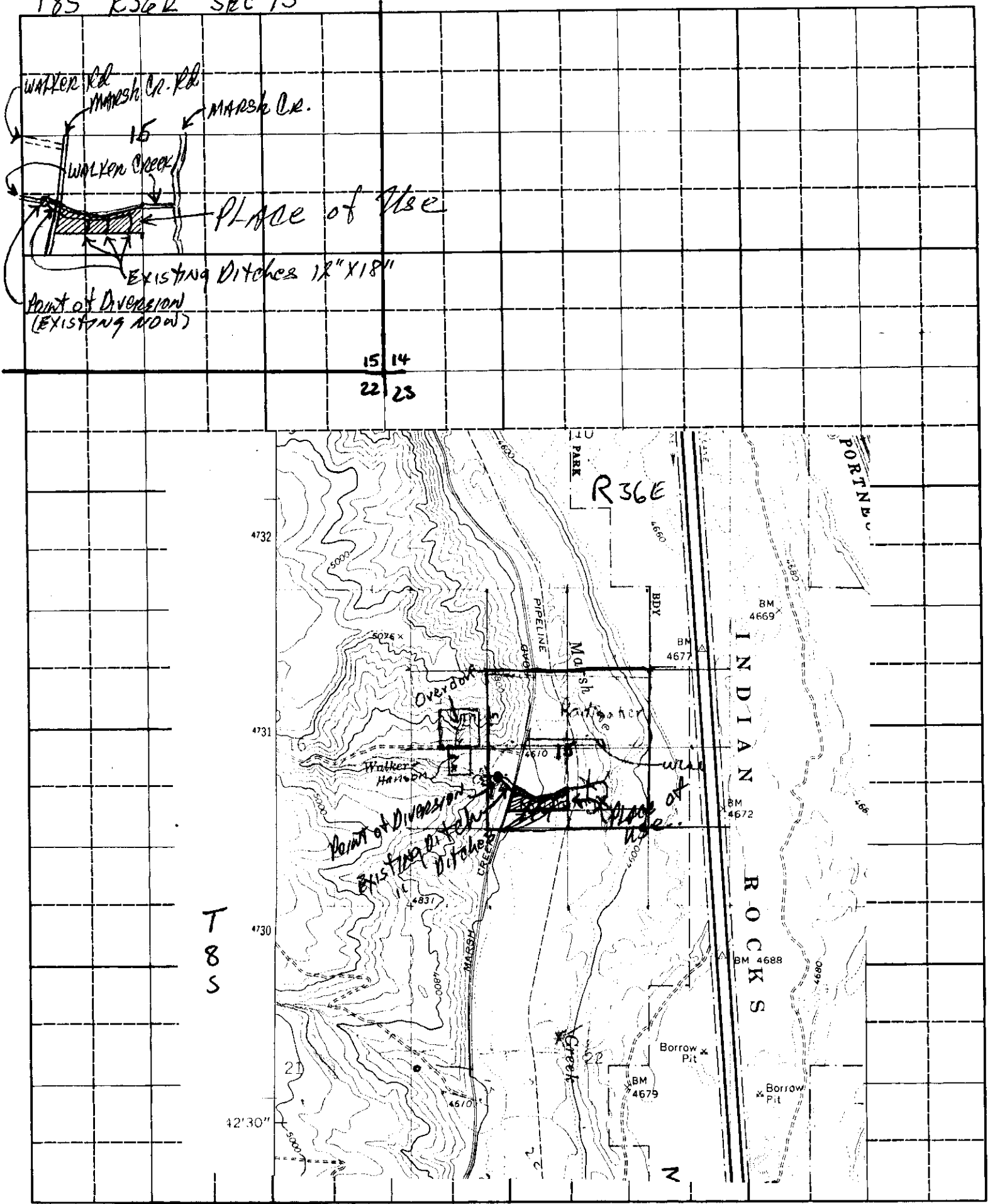
Use: IRRIGATION (0.12 CFS) from 04-01
to 11-01.

Place of Use: NESW Sec 15 T 08S R 36E,
FOR 7 ACRES

Diversion Means: DITCHES

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

T8S R36E SEC 15



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.

Charles Normann
(Applicant)

Proposed Priority 6/15/1982

Received by CW Date 6-15-82 Time 10:25 A.
Preliminary check by KCW Fee \$ 30.00
Receipted by BP Date 6-22-82 # 92-301
Publication prepared by BP Date 6-23-82
Published in Idaho State Journal
Publication dates 7-1 & 7-8-1982
Publication approved CW Date 7-20-82
Protests filed by: None

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by RC

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 29-7647, 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 September 1, 19 83.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: Use of water under this permit in no way grants any right-of-way or easement across the land of another.
Use of water under this permit is subject to control by the watermaster of State Water District No. 29-H, Marsh Creek.

Witness my hand this 25th day of August, 1982.

L. Glen Saxton
Chief, Operations Bureau



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

August 16, 1990

Robert M. Wardle
2652 S. Marsh Creek Rd.
McCammon, ID 83250

Dear Mr. Wardle:

Re: Applications for Transfer of Water Right No. 29-07647

Enclosed is a copy of the approved Applications for Transfer of Water Right No. 29-07647 along with a copy of the Proposed Memorandum Decision and Order and Order Adopting Proposed Memorandum Decision and Order.

Any person who does not agree with the decision of the department may request a rehearing before the Director within 20 days, or may appeal directly to the district court within 30 days of the date the decision is mailed.

If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads 'L. Glen Saxton'.

L. GLEN SAXTON, Chief
Water Allocation Bureau

Enclosures

c w/copy of Adopting Order: Keith V. Henrichs

MICROFILMED

SEP 14 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

7-31-89 RB
8-31-89 HWT

INITIAL REVIEW BY: Dennis M. Dunn

1. Right number 29-07647 Applicant Robert M. Wardle
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Other _____
4. Check:
 - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
 - b. ☒ Description of original point of diversion.
 - c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
 - a. ☒ All of right.
 - b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
 - c. ☒ Check description of point(s) of diversion.
 - d. ☒ Check description of place of use.
 - e. ☒ Check map (shows p.d. and p.u. after transfer).
 - f. ☒ Check for correct signature, notarization, and fee.
 - g. ☒ Check proof of ownership of right &/or land from which water is transferred.
 - h. ☒ Check for expansion in use of right. Comments None
 - i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) None
 - j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No
If yes, what district? _____

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☒ Yes ☐ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* See Memorandum Decision

4. By Elaine Carlson Date 6-27-90

RECEIVED
JUL 02 1990

Department of Water Resources

* All uses within Watermaster Districts require special conditions.

Copy to
sent to
Roberta

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

RECEIVED

APR 17 1990

Department of Water Resources
Eastern District Office

IN THE MATTER OF APPLICATION FOR)
TRANSFER NO. 29-07647 IN THE) STIPULATION FOR ENTRY
NAME OF ROBERT M. WARDLE) OF PROPOSED DECISION
_____) WITHOUT A HEARING

The parties to this proceeding, having met at a prehearing conference for the purpose of defining the issues, informally presenting the facts, and discussing their respective positions before a hearing officer of the Idaho Department of Water Resources (department), hereby stipulate and agree as follows:

1. The hearing officer may consider information presented at the prehearing conference, information obtained through a field investigation by department personnel, and other facts available in the files and records of the department in preparing a proposed decision and order.

2. Each party shall have the opportunity, pursuant to Idaho Code, Sections 42-1701A and 67-5211, to file exceptions to the proposed decision and order by filing written exceptions thereto within 15 days after service of the proposed decision and order by the department. If a timely exception is not received, the department Director will enter an order adopting a final decision.

3. Each party shall have the opportunity, pursuant to Rule 11 of the Practice and Procedure Rules and Regulations of the department, to file a petition for rehearing within 20 days after service of the final decision. If the department determines that a formal hearing is required, notice will be sent to the parties.

MICROFILMED

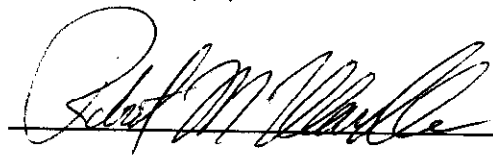
SEP 14 1990

4. Pursuant to Idaho Code, Sections 42-1701A and 67-5215, any party may initiate a proceeding for judicial review by filing a petition in the district court within 30 days after the service of the final decision or, if a timely rehearing is requested, within 30 days after the decision thereon.

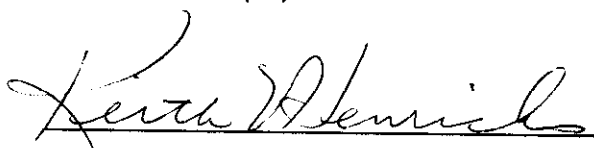
5. If an action for judicial review is filed in the district court without an administrative hearing having been held before the department, the parties agree not to oppose a motion for remand of the proceeding to the department for the purpose of conducting a hearing for the presentation of additional evidence.

DATED this 8 day of APRIL, 1990.

APPLICANT(S)



PROTESTANT(S)



MICROFILMED

SEP 04 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

RECEIVED

APR 11 1990

Department of Water Resources
Eastern District Office

April 10, 1990

Keith Henrichs
2526 S. Marsh Creek Rd.
McCammon, ID 83250

Dear Keith,

Enclosed is a stipulation for entry of proposed decision that basically tells the Department that both protestant and applicant want a decision rendered on the application in question based on the testimony given at the conference. If you agree then please sign it and send it back. If you do not sign then we will have to schedule a full hearing on this matter.

Sincerely,

Harold W. Jones
Water Resource Supervisor

HWJ:lk

Enc.

MACROFILMED

SEP 04 1990

T 29-07647 - Robert M. Wardle

Conference Room, Pocatello Municipal Airport
Pocatello, Idaho

Tuesday, March 27, 1990 - 9:00 a.m.

Hearing Officer: R. CARLSON

<u>Name</u>	<u>Representing</u>	<u>Address</u>
-------------	---------------------	----------------

Josephine V. Heinrichs	2526 So. Marsh Creek Rd.	McCannon, Idaho 83250
Keith V. Heinrichs	2526 So Marsh Creek Rd	McCannon Idaho 83250
John R. Goodell, Attorney, rep - Heinrich,	PO Box 1391,	Pocatello, Id 83204

Robert M. Wise	2652 S. Marsh Crk Rd.	McCannon, Id. 83250
Gene M. Wise	2712 S. Marsh Crk Rd,	McCannon, Id 83250
Raymond Girard	~~2652~~ 2652 S. Marsh Crk Rd	Box 121 - 83245

MICROFILMED

SEP 04 1990

March 13, 1990

Pocatello Municipal Airport
ATTN: Joanie
P.O. Box 4169
Pocatello, ID 83201

Dear Joanie:

This is to confirm the use of the Conference Room in the Municipal Airport for water right conferences to be held by this Department beginning at 9:00 a.m., Tuesday, March 27, 1990.

Thank you for your cooperation in this matter.

Very truly yours,

COLLEEN WRAY
Adm. Assistant

MICROFILMED

SEP 04 1990

SENDER: Complete items 1 and 2 when additional services are desired. Complete items 3 and 4. Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery.

3. Article Addressed to:
Robert Wardle
2652 So. Marsh Ck. Rd.
McCommon, Id. 83250

4. Article Number
378

Type of Service:
☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Addressee
X *Robert Wardle*

6. Signature - Agent
X

7. Date of Delivery
3-14-90 *RR*

8. Addressee's Address (ONLY if requested and fee paid)

PS Form 3811, Feb. 1986 T29-7647 DOMESTIC RETURN RECEIPT

SENDER: Complete items 1 and 2 when additional services are desired. Complete items 3 and 4. Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery.

3. Article Addressed to:
Robert M. Wardle
2652 So. Marsh Ck. Rd.
McCommon, Id. 83250

4. Article Number
360

Type of Service:
☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Addressee
X *Robert M. Wardle*

6. Signature - Agent
X

7. Date of Delivery
2-3-90 *RR*

8. Addressee's Address (ONLY if requested and fee paid)

PS Form 3811, Feb. 1986 T29-7647 DOMESTIC RETURN RECEIPT

SENDER: Complete items 1 and 2 when additional services are desired. Complete items 3 and 4. Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery.

3. Article Addressed to:
Keith O. Henrichs
2526 So. Marsh Ck Rd.
McCommon, Id. 83250

4. Article Number
0361

Type of Service:
☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Addressee
X *Keith O. Henrichs*

6. Signature - Agent
X

7. Date of Delivery
2-3-90 *RR*

8. Addressee's Address (ONLY if requested and fee paid)

PS Form 3811, Feb. 1986 T29-7647 DOMESTIC RETURN RECEIPT

SENDER: Complete items 1 and 2 when additional services are desired. Complete items 3 and 4. Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery.

3. Article Addressed to:
Keith O. Henrichs
2526 So. Marsh Ck Rd.
McCommon, Id. 83250

4. Article Number
0361

Type of Service:
☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Addressee
X *Keith O. Henrichs*

6. Signature - Agent
X

7. Date of Delivery
3-14-90 *RR*

8. Addressee's Address (ONLY if requested and fee paid)

PS Form 3811, Feb. 1986 T29-7647 DOMESTIC RETURN RECEIPT

● **SENDER:** Complete items 1 and 2 when additional services are desired. Complete items 3 and 4.
Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery.

3. Article Addressed to: <i>Robert Wardle 2652 So Marsh Ck Rd McCammon, Id. 83250</i>	4. Article Number <i>378</i> Type of Service: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☒ Express Mail Always obtain signature of addressee or agent and DATE DELIVERED .
5. Signature — Addressee <i>X</i> <i>Robert Wardle</i>	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature — Agent <i>X</i>	
7. Date of Delivery <i>3-14-90</i>	

PS Form 3811, Feb. 1986 *T29-7647* **DOMESTIC RETURN RECEIPT**

● **SENDER:** Complete items 1 and 2 when additional services are desired. Complete items 3 and 4.
Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery.

3. Article Addressed to: <i>Robert Wardle 2652 So Marsh Ck Rd McCammon, Id. 83250</i>	4. Article Number <i>360</i> Type of Service: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail Always obtain signature of addressee or agent and DATE DELIVERED .
5. Signature — Addressee <i>X</i> <i>Robert Wardle</i>	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature — Agent <i>X</i>	
7. Date of Delivery <i>2-3-90</i>	

PS Form 3811, Feb. 1986 *T29-7647* **DOMESTIC RETURN RECEIPT**

● **SENDER:** Complete items 1 and 2 when additional services are desired. Complete items 3 and 4.
Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery.

3. Article Addressed to: <i>Keith V. Henrichs 2526 So Marsh Ck Rd McCammon, Id. 83250</i>	4. Article Number <i>0361</i> Type of Service: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☒ Express Mail Always obtain signature of addressee or agent and DATE DELIVERED .
5. Signature — Addressee <i>X</i> <i>Keith V. Henrichs</i>	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature — Agent <i>X</i>	
7. Date of Delivery <i>2-3-90</i>	

PS Form 3811, Feb. 1986 *T29-7647* **DOMESTIC RETURN RECEIPT**

● **SENDER:** Complete items 1 and 2 when additional services are desired. Complete items 3 and 4.
Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

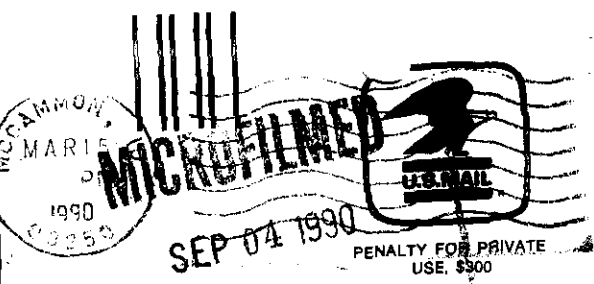
1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery.

3. Article Addressed to: <i>Keith V. Henrichs 2526 So Marsh Ck Rd McCammon, Id. 83250</i>	4. Article Number <i>0379</i> Type of Service: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☒ Express Mail Always obtain signature of addressee or agent and DATE DELIVERED .
5. Signature — Addressee <i>X</i> <i>Keith V. Henrichs</i>	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature — Agent <i>X</i>	
7. Date of Delivery <i>3-14-90</i>	

PS Form 3811, Feb. 1986 *T29-7647* **DOMESTIC RETURN RECEIPT**

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS
Print your name, address, and ZIP Code in the space below.
• Complete items 1, 2, 3, and 4 on the reverse.
• Attach to front of article if space permits, otherwise affix to back of article.
• Endorse article "Return Receipt Requested" adjacent to number.

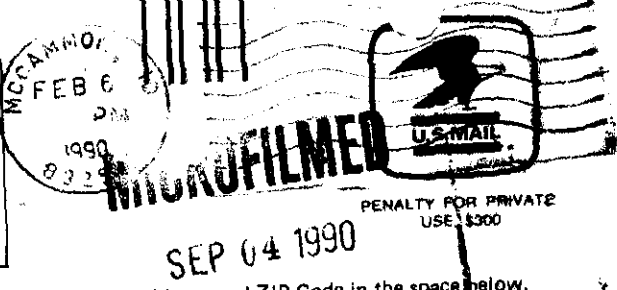


RETURN TO
Print Sender's name, address, and ZIP Code in the space below.
DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
150 SHOUP AVE. #15
IDAHO FALLS, IDAHO 83402

Department of Water Resources
Eastern District Office

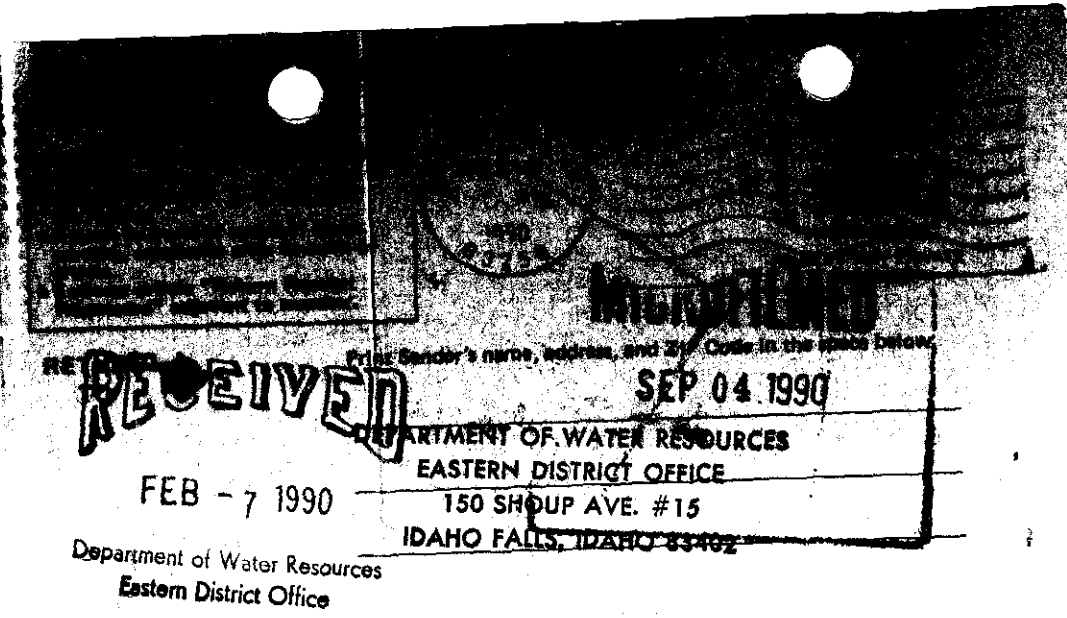
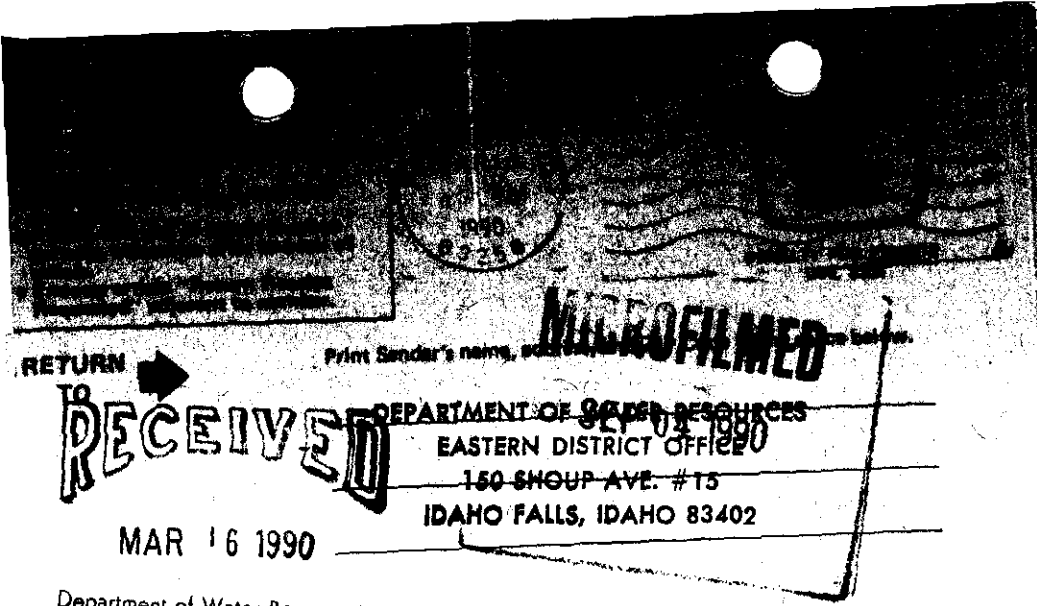
UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS
Print your name, address, and ZIP Code in the space below.
• Complete items 1, 2, 3, and 4 on the reverse.
• Attach to front of article if space permits, otherwise affix to back of article.
• Endorse article "Return Receipt Requested" adjacent to number.



RETURN TO
Print Sender's name, address, and ZIP Code in the space below.
DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
150 SHOUP AVE. #15
IDAHO FALLS, IDAHO 83402

Department of Water Resources
Eastern District Office



UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS
Print your name, address, and ZIP Code in the space below.
• Complete items 1, 2, 3, and 4 on the reverse.
• Attach to front of article if space permits, otherwise affix to back of article.
• Endorse article "Return Receipt Requested" adjacent to number.

RETURN TO

Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
150 SHOUP AVE. #15
IDAHO FALLS, IDAHO 83402



PENALTY FOR PRIVATE USE, \$300

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS
Print your name, address, and ZIP Code in the space below.
• Complete items 1, 2, 3, and 4 on the reverse.
• Attach to front of article if space permits, otherwise affix to back of article.
• Endorse article "Return Receipt Requested" adjacent to number.

RETURN TO

Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
150 SHOUP AVE. #15
IDAHO FALLS, IDAHO 83402



PENALTY FOR PRIVATE USE, \$300

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS
Print your name, address, and ZIP Code in the space below.
• Complete items 1, 2, 3, and 4 on the reverse.
• Attach to front of article if space permits, otherwise affix to back of article.
• Endorse article "Return Receipt Requested" adjacent to number.

RETURN TO

Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
150 SHOUP AVE. #15
IDAHO FALLS, IDAHO 83402



PENALTY FOR PRIVATE USE, \$300

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS
Print your name, address, and ZIP Code in the space below.
• Complete items 1, 2, 3, and 4 on the reverse.
• Attach to front of article if space permits, otherwise affix to back of article.
• Endorse article "Return Receipt Requested" adjacent to number.

RETURN TO

Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
150 SHOUP AVE. #15
IDAHO FALLS, IDAHO 83402



PENALTY FOR PRIVATE USE, \$300

NAME AND
ADDRESS
OF SENDERDEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
150 SHOUP AVE. #15
IDAHO FALLS, IDAHO 83402

Indicate type of mail

☐ Registered
☐ Insured
☐ COD
☒ Certified ☐ Express MailCheck appropriate block for
Registered Mail:☐ With Postal Insurance
☐ Without Postal InsuranceAffix stamp here if issued as
certificate of mailing or for
additional copies of this bill.

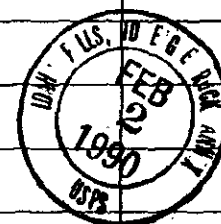
POSTMARK AND DATE OF RECEIPT

Line	Number of Article	Address, Street, and Post-Office Address	Postage	Fee	Handling Charge	Act. Value (If Regis.)	Insured Value	Due Sender If C.O.D.	R. R. Fee	S. D. Fee	S. H. Fee	Rest. Del. Fee Remarks
✓ 1	0360	Robert Whittle 26525. ^{Molammon} Marsh Ct Rd	.45	.85					90			29-7647
✓ 2	0361	Keith V. Henrich 2526 S. ^{5th (approx)} Park	.45	.85					90			"
✓ 3	0362	Wagon Bros 1968 E 18th W Hamer	.25	.85					90			31-7377
✓ 4	0363	JCB P.O. Box 10 Blackfoot	.45	.85					90			34-073/10 to
✓ 5	0364	George Hone, Darlington	.45	.85					90			"
6												
7												
8												
9												
10												
11												
12												
13												
14												
15												

MICROFILMED

SEP 04 1990

1080

Total Number of Pieces
Listed by Sender

5

Total Number of Pieces
Received at Post Office

Five

POSTMASTER, PER (Name of receiving employee)

The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for Registered Mail, \$400 for COD and \$400 for Insured Mail. Special handling charges apply only to Third- and Fourth-Class parcels. Special delivery service also includes special handling service.

BEFORE THE DEPARTMENT OF WATER RESOURCES

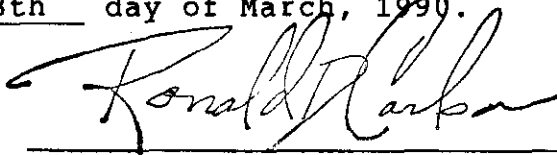
OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR TRANSFER)
OF WATER RIGHT NO. 29-7647 IN THE NAME) RESCHEDULE OF CONFERENCE
OF ROBERT M. WARDLE)
_____)

Notice is hereby given that the Department of Water Resources has rescheduled the conference concerning the above referenced application for transfer for Tuesday, March 27, 1990, at 9:00 a.m. in the Conference Room, Pocatello Municipal Airport, Pocatello, Idaho. Any conference will be held in accordance with the Rules and Regulations of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources as previously indicated in the conference notice dated February 7, 1990.

Dated this 13th day of March, 1990.



RONALD D. CARLSON
Eastern Regional Supervisor

MICROFILMED

SEP 14 1990

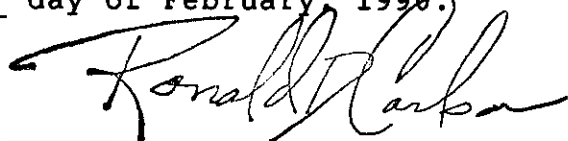
BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)	
TRANSFER NO. 29-07647 IN THE)	RESCHEDULE OF CONFERENCE
NAME OF ROBERT M. WARDLE)	AND/OR HEARING

Notice is hereby given that the Department of Water Resources has canceled the conference concerning the above referenced application for transfer scheduled for 1:00 p.m., Wednesday, February 14, 1990, in the Conference Room, Pocatello Municipal Airport, Pocatello, Idaho.

The Department will reschedule the conference in the near future, at which time all interested parties will again be notified.

Dated this 7th day of February, 1990.



RONALD D. CARLSON
Eastern Regional Supervisor

MICROFILMED

SEP 04 1990

BEFORE THE DEPARTMENT OF WATER RESOURCES

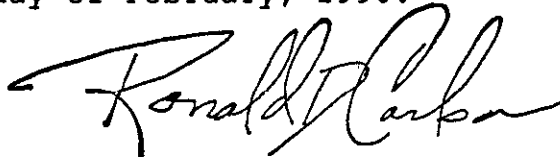
OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
TRANSFER OF WATER RIGHT NO. 29-07647) NOTICE OF CONFERENCE
IN THE NAME OF ROBERT M. WARDLE)
_____)

On July 28, 1989, Robert M. Wardle, McCammon, Idaho filed the above referenced application to transfer the public waters of the State of Idaho. On October 2, 1989, the Department received a protest against approval of said application from Keith V. Henrichs. The Department has set the matter of protest for conference for 1:00 p.m., Wednesday, February 14, 1990, in the Conference Room, Pocatello Municipal Airport, Pocatello, Idaho. The conference will be held in accordance with provisions of Chapters 2 and 17, Title 42 and Chapter 52, Title 67 of the Idaho Code and adopted Rules of Practice and procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Date this 2nd day of February, 1990.



RONALD D. CARLSON
Eastern Regional Manager

MICROFILMED

SEP 04 1990

Nov. 1, 1989

Harold W. Jones
Water Rights Supervisor
Department of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402

RECEIVED

NOV 9 1989

Department of Water Resources
Eastern District Office

Mr. Jones,

I am in receipt of your letter of October 31, 1989 in regards to Keith Henrichs' protest to my application for an additional diversion for use of Walker Creek water.

As always, when dealing with Henrichs it is difficult to determine what his motives are other than to assume they are self serving. It is even more difficult to determine the facts on any particular issue brought up by Henrichs because of his constant mistatements and penchant for introducing unrelated issues.

In this case, Henrichs is protesting my additional diversion point under the Walker Creek Rotation Agreement. He states,

"If this diversion is allowed I will consider it to be a change of the rotation agreement thereby making the agreement null and void."

The facts are that the use of this additional diversion does not in any way change the 1989 Walker Creek Irrigation Rotation Agreement, no other water rights are injured by this transfer, it does not constitute an enlargement in the use of my original right, and the proposed use under this transfer does not conflict with the local public interest.

The use of this additional diversion does not affect in any way the use or amount of Walker Creek water Henrichs is allowed on his rotation. It does, however, provide for more effective use of Walker Creek irrigation water on Wise, Girard, and my turns. By using the lower diversion we substantially reduce the loss of irrigation water through seepage and we can more effectively irrigate our lower pastures.

Henrichs also states that "Mr. Wardle continues to close my headgate and use this illegal diversion for his own use." On page 2 of our 1989 Walker Creek Rotation Agreement it states,

"Each of the undersigned users is responsible for regulating their headgate at both the beginning and end of their respective turn."

On Henrichs' turn for the water, he closes Rademacher's, Thomsen's, Girard's, Wise's, and my headgates and opens his own. This is the same for all other Walker Creek water users. Since my turn follows Henrichs on the rotation cycle, I close his headgate along with Rademacher's, Thomsen's, Girard's, Wise's, and my headgates.

RECORDED

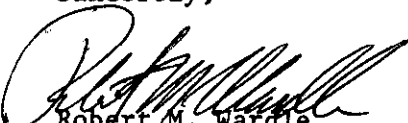
SEP 04 1990

Thomsen's, and open the upper headgate for irrigation of our upper pastures or let the water flow down Walker Creek to this additional diversion to irrigate our lower pastures.

Henrichs' reason for connecting this issue to the 1989 Walker Creek Rotation Agreement is simply another attempt by him to destroy our 1989 rotation agreement as he successfully destroyed our 1988 Rotation Agreement through constant complaints, protests, and mistatement of facts to Department of Water Resource personnel.

It is ridiculous that the Department of Water Resources must call a conference or hearing every time Henrichs complains or protests, however, I will be available if such is necessary. Regrettably, all other Walker Creek water users and the other parties involved with the Walker Creek Rotation Agreement should be kept advised.

Sincerely,



Robert M. Wardle

cc:
Walker Creek Water Users
Keith Higginson
Robert Fleenor
Norman Young

MICROFILMED

SEP 1989

BDF

Nov. 1, 1989

RECEIVED
NOV 9 1989

Harold W. Jones
Water Rights Supervisor
Department of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402

Department of Water Resources

Mr. Jones,

I am in receipt of your letter of October 31, 1989 in regards to Keith Henrichs' protest to my application for an additional diversion for use of Walker Creek water.

As always, when dealing with Henrichs it is difficult to determine what his motives are other than to assume they are self serving. It is even more difficult to determine the facts on any particular issue brought up by Henrichs because of his constant mistatements and penchant for introducing unrelated issues.

In this case, Henrichs is protesting my additional diversion point under the Walker Creek Rotation Agreement. He states,

"If this diversion is allowed I will consider it to be a change of the rotation agreement thereby making the agreement null and void."

The facts are that the use of this additional diversion does not in any way change the 1989 Walker Creek Irrigation Rotation Agreement, no other water rights are injured by this transfer, it does not constitute an enlargement in the use of my original right, and the proposed use under this transfer does not conflict with the local public interest.

The use of this additional diversion does not affect in any way the use or amount of Walker Creek water Henrichs is allowed on his rotation. It does, however, provide for more effective use of Walker Creek irrigation water on Wise, Girard, and my turns. By using the lower diversion we substantially reduce the loss of irrigation water through seepage and we can more effectively irrigate our lower pastures.

Henrichs also states that "Mr. Wardle continues to close my headgate and use this illegal diversion for his own use." On page 2 of our 1989 Walker Creek Rotation Agreement it states,

"Each of the undersigned users is responsible for regulating their headgate at both the beginning and end of their respective turn."

On Henrichs' turn for the water, he closes Rademacher's, Thomsen's, Girard's, Wise's, and my headgates and opens his own. This is the same for all other Walker Creek water users. Since Henrichs is on the rotation cycle, I close his headgate along with Rademacher's and

SEP 04 1990

Thomsen's, and open the upper headgate for irrigation of our upper pastures or let the water flow down Walker Creek to this additional diversion to irrigate our lower pastures.

Henrichs' reason for connecting this issue to the 1989 Walker Creek Rotation Agreement is simply another attempt by him to destroy our 1989 rotation agreement as he successfully destroyed our 1988 Rotation Agreement through constant complaints, protests, and mistatement of facts to Department of Water Resource personnel.

It is ridiculous that the Department of Water Resources must call a conference or hearing every time Henrichs complains or protests, however, I will be available if such is necessary. Regrettably, all other Walker Creek water users and the other parties involved with the Walker Creek Rotation Agreement should be kept advised.

Sincerely,



Robert M. Wardle

cc:
Walker Creek Water Users
Keith Higginson
Robert Fleenor ✓
Norman Young

MICROFILMED

SEP 04 1990

September 21, 1989

Department of Water Resources
150 Shoup Ave.
Idaho Falls, Idaho 83402

RECEIVED
OCT - 11 1989
Department of Water Resources
Eastern District Office

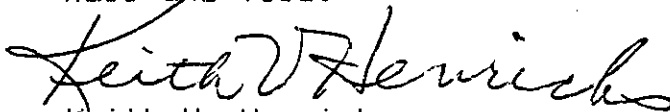
Regards proposed additional diversion point of Robert Wardle
Mc Cammon, Idaho #29-7647.

I herewith protest the proposed change of diversion point and
do so as a water user under the Walker Creek Rotation
Agreement for irrigation signed by myself and the other users
and Norman Young of the Department of Water Resources.

I agreed to this rotation agreement because I specifically
made mention of the diversion of Wardle, Wise and Girard
which they built on Walker Creek which was ahead of my
diversion point therefore making me the last diversion point
on Walker Creek.

I already protested this diversion to Mr. Charles Mullins, of
the water resources earlier this year and again this month to
Mr. Norman Rademacher, chairman of Walker Creek water users
because Mr. Wardle continues to close my headgate and use
this illegal diversion for his own use.

If this diversion is allowed I will consider it to be a
change of the rotation agreement thereby making the agreement
null and void.



Keith V. Henrichs,
Walker Creek Water User

cc:
Keith Higginson
Robert Fleenor
Norman Young

MICROFILMED

SEP 04 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

October 31, 1989

RE: Application for Transfer No. 29-7647

Mr. Robert M. Wardle
2652 S. Marsh Creek Road
McCammon, ID 83250

Dear Mr. Wardle:

Enclosed please find a copy of a protest filed against the above referenced application. You should be aware that the following are the items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?
3. Will the proposed use under this transfer conflict with the local public interest?

The applicant must be prepared to present evidence and/or testimony addressing each of the three items should an additional hearing be necessary. You will be notified at a later date as to the time and place set for conference and/or hearing. Although representation by legal counsel is not mandatory at a proceeding before the Department, you may retain an attorney in your behalf.

If we may be of further assistance, please contact us.

Respectfully submitted,

Harold W. Jones

HAROLD W. JONES
Water Rights Supervisor

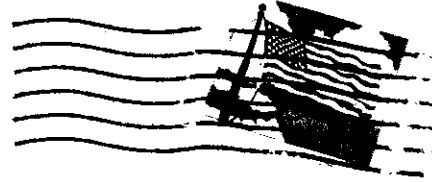
HWJ:CW

cc: IDWR - State Office

MICROFILMED

SEP 04 1990

R. M. WARDLE
2652 So. MARSH Cr. Rd.
19' CAMMOM, ID., 83250



ROBERT FLEENOR
1301 NO. ORCHARD ST.
STATEHOUSE MAIL
BOISE, IDAHO
83720

October 31, 1989

RE: Application for Transfer No. 29-7647 WARDLE

Mr. Keith V. Henrichs
2526 So. Marsh Creek Road
McCammon, ID 83250

Dear Mr. Henrichs:

This is to acknowledge receipt of the protest filed the above referenced application for transfer. The following are the principle items considered by the Department at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfers?
2. Does the change constitute an enlargement in the use of the original rights?
3. Will the proposed use under these transfers conflict with the local public interest?

The protestant must be prepared to present proof of the allegations involving one or more of the items. You will be notified at a later date as to the time and place set for conference and/or hearing.

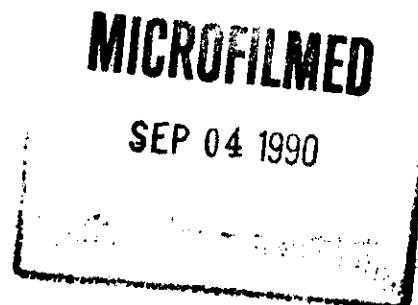
If we may be of further assistance, please contact us.

Respectfully submitted,

HAROLD W. JONES
Water Rights Supervisor

HWJ:CW

cc: IDWR - State Office



October 31, 1989

RE: Application for Transfer No. 29-7647

Mr. Robert M. Wardle
2652 S. Marsh Creek Road
McCammon, ID 83250

Dear Mr. Wardle:

Enclosed please find a copy of a protest filed against the above referenced application. You should be aware that the following are the items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?
3. Will the proposed use under this transfer conflict with the local public interest?

The applicant must be prepared to present evidence and/or testimony addressing each of the three items should an additional hearing be necessary. You will be notified at a later date as to the time and place set for conference and/or hearing. Although representation by legal counsel is not mandatory at a proceeding before the Department, you may retain an attorney in your behalf.

If we may be of further assistance, please contact us.

Respectfully submitted,

HAROLD W. JONES
Water Rights Supervisor

HWJ:CW

cc: IDWR - State Office

MICROFILMED

SEP 04 1990

RECORDED

SEP - 11 1989

September 21, 1989

Department of Water Resources
150 Shoup Ave.
Idaho Falls, Idaho 83402

Department of Water Resources
Eastern District Office

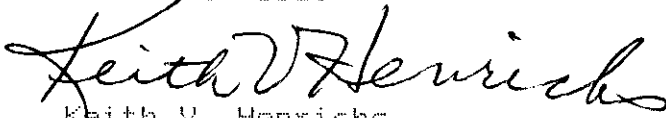
Regards proposed additional diversion point of Robert Wardle
Mc Cammon, Idaho #29-7647.

I herewith protest the proposed change of diversion point and
do so as a water user under the Walker Creek Rotation
Agreement for irrigation signed by myself and the other users
and Norman Young of the Department of Water Resources.

I agreed to this rotation agreement because I specifically
made mention of the diversion of Wardle, Wise and Girard
which they built on Walker Creek which was ahead of my
diversion point therefore making me the last diversion point
on Walker Creek.

I already protested this diversion to Mr. Charles Mullins, of
the water resources earlier this year and again this month to
Mr. Norman Rademacher, chairman of Walker Creek water users
because Mr. Wardle continues to close my headgate and use
this illegal diversion for his own use.

If this diversion is allowed I will consider it to be a
change of the rotation agreement thereby making the agreement
null and void.



Keith V. Henrichs,
Walker Creek Water User

cc:
Keith Higginson
Robert Fleenor
Norman Young

MICROFILMED

SEP 04 1990

13-Sep-1989

Robert M. Wardle
2652 S. Marsh Creek Road
McCammon, ID 83250

RE: Transfer Application No. 29-7647

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your transfer application. Please refer to the application number above in all further correspondence.

This office is currently in the process of advertising the application in the Idaho State Journal. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before final action is taken. If the protest is not resolved by the involved parties this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. Department personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When final processing of the application is complete, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Harold W. Jones
Water Rights Supervisor

HWJ/rb

MICROFILMED
SEP 04 1990

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 29-7647

Notice is hereby given that Robert M. Wardle, McCammon, ID, has applied to the Department of Water Resources to add a point of diversion from the waters of Walker Creek tributary to Marsh Creek. The right sought to be changed is evidenced by License No. 29-7647 and is recorded as follows:

AMOUNT: .12 CFS

PRIORITY: June 15, 1982

POINT OF DIVERSION: NESW SEC15 T8S R36E, B.M. Bannock County

The water is used to irrigate 6 acres within the NESW SEC15 T8S R36E, B.M. from March 15 to November 15.

TO BE CHANGED AS FOLLOWS:

The water will be diverted within the NESW SEC15 T8S R36E (2 points).

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID 83402, on or before October 9, 1989.

R. Keith Higginson

Director

Published in the Idaho State Journal on September 21 & 28, 1989.

MICROFILMED

SEP 14 1990

DIANE BILYEU
Bannock County Assessor
P.O. Box 4969
Pocatello, ID 83205

THIS IS NOT A BILL

PRESORTED

CATEGORY DESCRIPTION	LOTS/ACRES	MARKET VALUE
18 OTHER RURAL LAND	4.240	101,106
19 WASTE	1.810	
40 IMP ON CAT 18		

JUN 1 1989
PRESORTED FIRST-CLASS
1989 TAXPAYERS 133
VALUATION ASSESSMENT NOTICE

Taxes are based on the valuation
listed on this statement

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUNE 21, 1989

See the reverse side for further references

KEEP THIS COPY FOR YOUR RECORDS

MICROFILMED

SEP 04 1990

Mail To:

ROBERT M WARDLE
2652 - 0 MARSH CREEK RD

**** LEGAL DESCRIPTION ****
TR NE48W4 TAX 107 6.05 AC
1.81 AC R/U
815-T88-R36E

MCCAMMON **ID 83250**
FORWARDING & ADDRESS CORRECTION REQUESTED

PROPERTY ADDRESS

PARCEL NO. **R4057011800**

TAX CODE **28**

ANY PROTEST REGARDING THE MARKET VALUE ASSESSMENT OF PROPERTY MUST BE FILED TIMELY WITH THE COUNTY BOARD OF EQUALIZATION AS PROVIDED BY STATE LAW.

TO BE ELIGIBLE FOR A HARDSHIP EXEMPTION A CLAIM MUST BE FILED WITH THE COUNTY BOARD OF EQUALIZATION BETWEEN JANUARY 1 AND JUNE 20. SEE IDAHO CODE, SECTION 63-105BB.

TO BE ELIGIBLE FOR TAX REDUCTION (CIRCUIT BREAKER) A CLAIM MUST BE FILED IN THE OFFICE OF THE COUNTY ASSESSOR BETWEEN JANUARY 1 AND APRIL 15. SEE IDAHO CODE, SECTION 63-117 THROUGH 63-125.

TO PROTEST ACTION OF THE COUNTY ASSESSOR DISAPPROVING OR MODIFYING A CLAIM FOR TAX REDUCTION (CIRCUIT BREAKER) AN APPEAL MUST BE FILED WITH THE COUNTY BOARD OF EQUALIZATION PRIOR TO MAY 15.

FAILURE TO OBSERVE THE ABOVE DEADLINES WILL RESULT IN FORFEITURE OF THE RIGHT TO PROTEST AND APPEAL. CONTACT THE COUNTY ASSESSOR OR COUNTY COMMISSIONERS AS TO WHERE THE BOARD OF EQUALIZATION MEETS.

Meeting of the Board of County Commissioners for the purposes of equalizing assessments and allowing exemptions and rebates:

REAL PROPERTY (Land)

1. Investment Irrigated Agricultural
2. Investment Irrigated Pasture
3. Investment Non-irrigated Agricultural
4. Investment Meadow
5. Investment Dry Grazing
6. Productive Value-Forest Land
7. Bare Forest Land Value
8. Reforestation
9. Mineral
10. Homestead (includes Rural)
11. Land Categories 1-9
12. Recreational Sites
13. Rural Residential Tracts
14. Rural Commercial Tracts
15. Rural Industrial Tracts
16. Rural Subdivisions Residential Lots and/or Acreages
17. Rural Subdivisions Commercial Lots and/or Acreages
18. Rural Subdivisions Industrial Lots and/or Acreages

19. Other Rural Land
20. Waste [acreage only (public rights of way)]
21. Residential Lots and/or Acreages -- (inside city limits)
22. Commercial Lots and/or Acreages -- (inside city limits)
23. Industrial Lots and/or Acreages -- (inside city limits)
24. Common Areas, Condominiums, Townhouses, etc.

IMPROVEMENTS

30. Non Residential Imp. Cat 20
31. Improvements on Category 10
32. Improvements other than Residential on Category 1-12, 15
33. Improvements on Category 11
34. Improvements on Category 12
35. Improvements on Category 13
36. Improvements on Category 14
37. Improvements on Category 15
38. Improvements on Category 16

PROPERTY CATEGORY NUMBERS

39. Improvements on Category 17
40. Improvements on Category 18
41. Improvements on Category 20
42. Improvements on Category 21
43. Improvements on Category 22
44. Improvements on Partially Exempt Land
45. Utility Systems (locally assessed)
46. Manufactured Housing
47. Improvements to Manufactured Housing

PERSONAL PROPERTY

55. Boats
56. Construction Machinery Tools and Equipment
57. Equities in State Land (payment in 2 inst. Sec. 63-1302)
58. Farm Machinery Tools and Equipment
59. Furniture and Fixtures
60. Improvements on Railroad Rights of Way
61. Improvements by Lessee other than Category 62

62. Leasehold Improvements Exempt Land (payment in 2 installments Sec. 63-1302 & 63-1223)
63. Logging Machinery Tools and Equipment
64. Mining Machinery Tools and Equipment
65. Manufactured Housing
66. Net Profit of Mine
67. Operating Property (assessed by SITC assessor identification only)
68. Other Miscellaneous Machinery Tools and Equipment
69. Recreational Vehicles
70. Reservations and Easements
71. Signs and Signboards
72. Tanks, Cylinders, Storage Vessels (Kegs, Vats, etc.)

EXEMPT PROPERTY

61. Real and/or Personal

** The board of county commissioners must meet as a BOARD OF EQUALIZATION AT LEAST ONCE IN EVERY MONTH THROUGH THE FOURTH MONDAY IN JUNE AND DAY TO DAY THROUGH THE SECOND MONDAY OF JULY at which time it must adjourn, for the purposes of equalizing the assessment of real and personal property; allowing or disallowing claims for hardship exemptions; and hearing protests regarding the assessment of property. See Idaho Code, Section 63-401 and 63-402.

The board of county commissioners must meet as a board of equalization on or before May 15, and shall approve all claims for tax reduction (circuit breaker), approved by the county assessor, and shall approve the action of the county assessor in modifying or disapproving all other claims unless an appeal has been filed with the board prior to May 15. See Section 63-121, Idaho Code. Contact the county assessor for the precise date of the aforementioned meeting.

** The board of county commissioners of each county shall meet as a BOARD OF EQUALIZATION FROM THE FOURTH MONDAY OF NOVEMBER THROUGH THE FIRST MONDAY OF DECEMBER for the purposes of equalizing the assessment of all property entered upon the subsequent property assessment rolls, allowing or disallowing exemptions and rebates claimed, and hearing protests regarding such assessments. If other personal or real property is discovered and assessed after the board has adjourned, the taxpayer may appeal that assessment to the county board of equalization during the meeting in January of the following year. See Section 63-1904, Idaho Code.

The board of county commissioners may, at any time when in session, cancel or refund any double or illegal tax, or any tax based on a double or erroneous assessment. See Idaho Code, Section 63-2202. However, taxpayers must file all protests regarding property assessment with the board of equalization as provided above.

Raymond Girard } all use same Pds
Gene Wise }
Bob Wardel }

Keith Hendrick is lowest user on
walker creek.

Regulation of headgate - issue
Wardel et al wants new Pd for
improved efficiency.

Application - would prevent Hendrick
from taking surplus water.

Wardel said he would be happy
to put in culvert under road.

MICROFILMED

SEP 04 1990

ACTION REQUIRED

RECEIVED

FROM: H.W. JONES - IDWR

JUL 28 1989

Department of Water Resources
Eastern District Office

TO: Robt. Wandle

Attached is your applic. for transfer + check # 2676 for \$30.
The applic. was missing several pages. I have redone the applic. for
you. Please note the requirement on Part 2, A-2 and
that a notarized signature is also required. You can
send the completed **MICROFILMED** back to this office with the
\$30 fee.

SEP 04 1990

H.W. J.,

THANKS FOR HELP. TAX STATEMENT
ENCLOSED WITH NOTARIZED SIG.

Bob Wandle

WALKER CREEK IRRIGATION ROTATION AGREEMENT

The undersigned water users of Walker Creek, located in Bannock County, Idaho, hereby agree to distribute the water of Walker Creek until such time as the rights and priorities of the parties have been formally adjudicated. The agreed distribution shall be as follows:

(A). If the flow of Walker Creek exceeds .36 cubic foot per second ("cfs"), the waters of Walker Creek shall be distributed by the undersigned users on a 10-day rotation period. The order of delivery and number of hours of use per rotation for each user shall be:

Keith Henrichs - 96 hours

Raymond Girard - 36 hours

Gene Wise - 31 hours

Bob Wardle - 31 hours

Chuck Thompson - 16 hours

John Shultz - 10 hours

Norman Rademacher - 20 hours

(B). If the water flow of Walker Creek falls below .36cfs, as measured as set forth below, then the above stated 10-day rotation period shall be modified and the undersigned users shall go to a 20-day rotation period. The modification from the 10-day rotation period to the 20-day rotation period will be based on the same acreage as the 10-day rotation period and on the same water allotment of .02cfs/acre/user. The number of hours of use per rotation credited to each user under the 20-day rotation period shall be:

Keith Henrichs - 192 hours

Raymond Girard - 72 hours

MICROFILMED

SEP 14 1990

Gene Wise - 62 hours
Bob Wardle - 62 hours
Chuck Thompson - 32 hours
John Shultz - 20 hours
Norman Rademacher - 40 hours

The reason for the modification from a 10-day rotation period to a 20-day rotation period when the flow of Walker Creek falls below .36cfs is to allow the parties longer periods of time to irrigate so that they may preserve, in times of low water, their pastures and other appurtenant property. Any of the undersigned users may use the water during their stated turn on each rotation or may pass their turn to another user they so designate. Any such designation shall not effect the designating party's use of the water on the next rotation. Each of the undersigned users is responsible for regulating their headgate at both the beginning and end of their respective turn.

For a determination of which rotation period to use at any particular time, the measurement of the flow of water in Walker Creek shall be done at such time as the water level appears to be approaching .36cfs. Any of the undersigned users may request the Portneuf River water master, if he or she so consents, or some other third person mutually agreed upon by all of the undersigned users to measure the water.

MICROFILMED

SEP 14 1990

disagreement arises as to measurement, any of the undersigned users may request that a Department of Water Resources official measure the flow of water in Walker Creek. Such measurement by a Department of Water Resources official shall be deemed conclusive as to the level of flow in Walker Creek.

All measurements of the flow of Walker Creek used to make any determination under this agreement shall take place at the point of diversion used by water users Wardle, Wise and Girard. Any such measurements shall take place at a consistent hour at each time of measurement. An hour agreed upon by the parties is 10:00 a.m. on the day of measurement, or such consistent time as is convenient to the Portneuf River water master, the mutually agreed upon third party, or the Department of Water Resources official.

This agreement shall be in force and effect during the time period from March 15 through November 15 of each and every year, beginning with March 15, 1989, until an adjudication of the rights of the undersigned water users of Walker Creek is finally and fully completed. All prior agreements among the Walker Creek water users are superceded by this agreement. This agreement is binding on heirs, personal representatives, successors and assigns of any of the undersigned water users.

MICROFILMED

SEP 64 1990

All of the undersigned, including the Department of Water Resources, agree that no adjudication has been completed on Walker Creek and that this agreement does not have any binding effect on any of the undersigned parties on any future adjudication. This agreement is solely a compromise agreement of a continuing controversy as to the rights and priorities of the parties to the use of Walker Creek and shall be considered solely in that regard. It shall not be considered as an admission in any regard by any of the undersigned parties as to their claims, licenses, permits or other arguments they may have in a subsequent adjudication. It shall not be considered binding, and shall not be used by any of the parties, including the Department of Water Resources, in any adjudication and shall not be considered by any Court in any hearing or other proceeding on an adjudication. All of the parties hereto reserve their objections to the various claims of the other users. The Department of Water Resources acknowledges and understands that the purpose of this agreement is solely for the purpose of a settlement of an on-going controversy. This agreement is a temporary, interim agreement until an adjudication of the rights of the parties can be formally determined.

The Department of Water Resources agrees that any
cease and desist order issued to any of the undersigned

MICROFILMED
SEP 04 1990

users is hereby terminated. It is further understood that the parties who received cease and desist orders do not admit that the Department of Water Resources had any legal authority to issue the cease and desist orders.

The Department of Water Resources agrees to recognize this agreement and not to intervene in the agreement or interfere with any of the use of the undersigned unless such parties do not abide by the rotation agreement set forth above. The undersigned users understand that the Department of Water Resources cannot view the agreement as revising any water rights the parties may be determined as having in an adjudication, but is solely an interim agreement.

IN WITNESS WHEREOF the undersigned hereby execute this agreement and acknowledge that each clearly understands the terms and conditions stated herein.

Dated: 1-19-89

Keith Henrichs
Keith Henrichs

Dated: 2-5-89

Raymond Girard
Raymond Girard

Dated: 2-4-89

Gene M. Wise
Gene Wise

Dated: 2-4-89

Bob Wardle
Bob Wardle

MICROFILMED

SEP 04 1990

Dated: 2-4-89

Chuck Thompson
Chuck Thompson

Dated: Feb 6 1989

John Shultz
John Shultz

Dated: Feb 5, 89

Norman E. Rademacher
Norman Rademacher

Acknowledged and Approved by
the State of Idaho, Department
of Water Resources

Dated: _____

By _____
Norman C. Young
Administrator
Resource Administration Div.
Department of Water Resources

MICROFILMED

SEP 04 1990

Dated: 2-4-89

Chuck Thompson
Chuck Thompson

Dated: Feb 6 1989

John Shultz
John Shultz

Dated: Feb 5, 89

Norman Rademacher
Norman Rademacher

Acknowledged and Approved by
the State of Idaho, Department
of Water Resources

Dated: February 5 1989

By Norman C. Young
Norman C. Young
Administrator
Resource Administration Div.
Department of Water Resources

MICROFILMED

SEP 14 1990

ADDENDUM

The attached Rotation Agreement is incorporated by reference and hereby made a part of the Walker Creek Irrigation Rotation Agreement.

MICROFILMED

SEP 04 1990

Today

C THOMSEN		1989	(16)
2 P.M. March 15	TO	6 A.M. March 16	
2 P.M. March 25	TO	6 A.M. March 26	
2 P.M. Apr 4	TO	6 A.M. Apr 5	
2 P.M. Apr 14	TO	6 A.M. Apr 15	
2 P.M. Apr 24	TO	6 A.M. Apr 25	
2 P.M. May 4	TO	6 A.M. May 5	
2 P.M. May 14	TO	6 A.M. May 15	
2 P.M. May 24	TO	6 A.M. May 25	
2 P.M. June 3	TO	6 A.M. June 4	
2 P.M. June 13	TO	6 A.M. June 14	
2 P.M. June 23	TO	6 A.M. June 24	
2 P.M. July 3	TO	6 A.M. July 4	
2 P.M. July 13	TO	6 A.M. July 14	
2 P.M. July 23	TO	6 A.M. July 24	
2 P.M. Aug 2	TO	6 A.M. Aug 3	
2 P.M. Aug 12	TO	6 A.M. Aug 13	
2 P.M. Aug 22	TO	6 A.M. Aug 23	
2 P.M. Sept 1	TO	6 A.M. Sept 2	
2 P.M. Sept 11	TO	6 A.M. Sept 12	
2 P.M. Sept 21	TO	6 A.M. Sept 22	
2 P.M. Oct 1	TO	6 A.M. Oct 2	
2 P.M. Oct 11	TO	6 A.M. Oct 12	
2 P.M. Oct 21	TO	6 A.M. Oct 22	
2 P.M. Oct 31	TO	6 A.M. nov 1	
2 P.M. nov 10	TO	6 A.M. nov 11	
2 P.M. nov 20	TO	6 A.M. nov 21	
2 P.M. nov 30	TO	6 A.M. Dec 1	

J SCHULTZ		1989	(10)
6 A.M. March 16	TO	4 P.M. March 16	
6 A.M. March 26	TO	4 P.M. March 26	
6 A.M. Apr 5	TO	4 P.M. Apr 5	
6 A.M. Apr 15	TO	4 P.M. Apr 15	
6 A.M. Apr 25	TO	4 P.M. Apr 25	
6 A.M. May 5	TO	4 P.M. May 5	
6 A.M. May 15	TO	4 P.M. May 15	
6 A.M. May 25	TO	4 P.M. May 25	
6 A.M. June 4	TO	4 P.M. June 4	
6 A.M. June 14	TO	4 P.M. June 14	
6 A.M. June 24	TO	4 P.M. June 24	
6 A.M. July 4	TO	4 P.M. July 4	
6 A.M. July 14	TO	4 P.M. July 14	
6 A.M. July 24	TO	4 P.M. July 24	
6 A.M. Aug 3	TO	4 P.M. Aug 3	
6 A.M. Aug 13	TO	4 P.M. Aug 13	
6 A.M. Aug 23	TO	4 P.M. Aug 23	
6 A.M. Sept 2	TO	4 P.M. Sept 2	
6 A.M. Sept 12	TO	4 P.M. Sept 12	
6 A.M. Sept 22	TO	4 P.M. Sept 22	
6 A.M. Oct 2	TO	4 P.M. Oct 2	
6 A.M. Oct 12	TO	4 P.M. Oct 12	
6 A.M. Oct 22	TO	4 P.M. Oct 22	
6 A.M. nov 1	TO	4 P.M. nov 1	
6 A.M. nov 11	TO	4 P.M. nov 11	
6 A.M. nov 21	TO	4 P.M. nov 21	
6 A.M. Dec 1	TO	4 P.M. Dec 1	

MICROFILMED
SEP 04 1990

4 P.M. March 16	TO 12 NOON March 17
4 P.M. March 26	TO 12 NOON March 27
4 P.M. Apr 5	TO 12 NOON Apr 6
4 P.M. Apr 15	TO 12 NOON Apr 16
4 P.M. Apr 25	TO 12 NOON Apr 26
4 P.M. May 5	TO 12 NOON May 6
4 P.M. May 15	TO 12 NOON May 16
4 P.M. May 25	TO 12 NOON May 26
4 P.M. June 4	TO 12 NOON June 5
4 P.M. June 14	TO 12 NOON June 15
4 P.M. June 24	TO 12 NOON June 25
4 P.M. July 4	TO 12 NOON July 5
4 P.M. July 14	TO 12 NOON July 15
4 P.M. July 24	TO 12 NOON July 25
4 P.M. Aug 3	TO 12 NOON Aug 4
4 P.M. Aug 13	TO 12 NOON Aug 14
4 P.M. Aug 23	TO 12 NOON Aug 24
4 P.M. Sept 2	TO 12 NOON Sept 3
4 P.M. Sept 12	TO 12 NOON Sept 13
4 P.M. Sept 22	TO 12 NOON Sept 23
4 P.M. Oct 2	TO 12 NOON Oct 3
4 P.M. Oct 12	TO 12 NOON Oct 13
4 P.M. Oct 22	TO 12 NOON Oct 23
4 P.M. nov 1	TO 12 NOON nov 2
4 P.M. nov 11	TO 12 NOON nov 12
4 P.M. nov 21	TO 12 NOON nov 22
4 P.M. Dec 1	TO 12 NOON Dec 2

12 NOON March 17	TO 12 NOON March 21
12 NOON March 27	TO 12 NOON March 31
12 NOON Apr 6	TO 12 NOON Apr 10
12 NOON Apr 16	TO 12 NOON Apr 20
12 NOON Apr 26	TO 12 NOON Apr 30
12 NOON May 6	TO 12 NOON May 10
12 NOON May 16	TO 12 NOON May 20
12 NOON May 26	TO 12 NOON May 30
12 NOON June 5	TO 12 NOON June 9
12 NOON June 15	TO 12 NOON June 19
12 NOON June 25	TO 12 NOON June 29
12 NOON July 5	TO 12 NOON July 9
12 NOON July 15	TO 12 NOON July 19
12 NOON July 25	TO 12 NOON July 29
12 NOON Aug 4	TO 12 NOON Aug 8
12 NOON Aug 14	TO 12 NOON Aug 18
12 NOON Aug 24	TO 12 NOON Aug 28
12 NOON Sept 2	TO 12 NOON Sept 6
12 NOON Sept 12	TO 12 NOON Sept 16
12 NOON Sept 22	TO 12 NOON Sept 26
12 NOON Oct 3	TO 12 NOON Oct 7
12 NOON Oct 13	TO 12 NOON Oct 17
12 NOON Oct 23	TO 12 NOON Oct 27
12 NOON nov 2	TO 12 NOON nov 6
12 NOON nov 12	TO 12 NOON nov 16
12 NOON nov 22	TO 12 NOON nov 26
12 NOON Dec 2	TO 12 NOON Dec 6

MICROFILMED

SEP 04 1990

B WARDLE

1989

(31)

12 NOON March 21	TO	7 P.M. March 22
12 NOON March 31	TO	7 P.M. Apr 1
12 NOON Apr 10	TO	7 P.M. Apr 11
12 NOON Apr 20	TO	7 P.M. Apr 21
12 NOON Apr 30	TO	7 P.M. May 1
12 NOON May 10	TO	7 P.M. May 11
12 NOON May 20	TO	7 P.M. May 21
12 NOON May 30	TO	7 P.M. May 31
12 NOON June 9	TO	7 P.M. June 10
12 NOON June 19	TO	7 P.M. June 20
12 NOON June 29	TO	7 P.M. June 30
12 NOON July 9	TO	7 P.M. July 10
12 NOON July 19	TO	7 P.M. July 20
12 NOON July 29	TO	7 P.M. July 30
12 NOON Aug 8	TO	7 P.M. Aug 9
12 NOON Aug 18	TO	7 P.M. Aug 19
12 NOON Aug 28	TO	7 P.M. Aug 29
12 NOON Sept 7	TO	7 P.M. Sept 8
12 NOON Sept 17	TO	7 P.M. Sept 18
12 NOON Sept 27	TO	7 P.M. Sept 28
12 NOON Oct 7	TO	7 P.M. Oct 8
12 NOON Oct 17	TO	7 P.M. Oct 18
12 NOON Oct 27	TO	7 P.M. Oct 28
12 NOON nov 6	TO	7 P.M. nov 7
12 NOON nov 16	TO	7 P.M. nov 17
12 NOON nov 26	TO	7 P.M. nov 27
12 NOON Dec 6	TO	7 P.M. Dec 7

R GIRARD

1989

(36)

7 P.M. March 22	TO	7 A.M. March 24
7 P.M. Apr 1	TO	7 A.M. Apr 3
7 P.M. Apr 11	TO	7 A.M. Apr 13
7 P.M. Apr 21	TO	7 A.M. Apr 23
7 P.M. May 1	TO	7 A.M. May 3
7 P.M. May 11	TO	7 A.M. May 13
7 P.M. May 21	TO	7 A.M. May 23
7 P.M. June 10	TO	7 A.M. June 12
7 P.M. June 20	TO	7 A.M. June 22
7 P.M. June 30	TO	7 A.M. July 2
7 P.M. July 10	TO	7 A.M. July 12
7 P.M. July 20	TO	7 A.M. July 22
7 P.M. July 30	TO	7 A.M. Aug 1
7 P.M. Aug 9	TO	7 A.M. Aug 11
7 P.M. Aug 19	TO	7 A.M. Aug 21
7 P.M. Aug 29	TO	7 A.M. Aug 31
7 P.M. Sept 8	TO	7 A.M. Sept 10
7 P.M. Sept 18	TO	7 A.M. Sept 20
7 P.M. Sept 28	TO	7 A.M. Sept 30
7 P.M. Oct 8	TO	7 A.M. Oct 10
7 P.M. Oct 18	TO	7 A.M. Oct 20
7 P.M. Oct 28	TO	7 A.M. Oct 30
7 P.M. nov 7	TO	7 A.M. nov 9
7 P.M. nov 17	TO	7 A.M. nov 19
7 P.M. nov 27	TO	7 A.M. nov 29
7 P.M. Dec 7	TO	7 A.M. Dec 9

MICROFILMED

SEP 04 1990

G WISE

1989

(31)

7 A.M. March 24	TO	2 P.M. March 25
7 A.M. Apr 3	TO	2 P.M. Apr 4
7 A.M. Apr 13	TO	2 P.M. Apr 14
7 A.M. Apr 23	TO	2 P.M. Apr 24
7 A.M. May 3	TO	2 P.M. May 4
7 A.M. May 13	TO	2 P.M. May 14
7 A.M. May 23	TO	2 P.M. May 24
7 A.M. June 2	TO	2 P.M. June 3
7 A.M. June 12	TO	2 P.M. June 13
7 A.M. June 22	TO	2 P.M. June 23
7 A.M. July 2	TO	2 P.M. July 3
7 A.M. July 12	TO	2 P.M. July 13
7 A.M. July 22	TO	2 P.M. July 23
7 A.M. Aug 1	TO	2 P.M. Aug 2
7 A.M. Aug 11	TO	2 P.M. Aug 12
7 A.M. Aug 21	TO	2 P.M. Aug 22
7 A.M. Aug 31	TO	2 P.M. Sept 1
7 A.M. Sept 10	TO	2 P.M. Sept 11
7 A.M. Sept 20	TO	2 P.M. Sept 21
7 A.M. Sept 30	TO	2 P.M. Oct 1
7 A.M. Oct 10	TO	2 P.M. Oct 11
7 A.M. Oct 20	TO	2 P.M. Oct 21
7 A.M. Oct 30	TO	2 P.M. Oct 31
7 A.M. nov 9	TO	2 P.M. nov 10
7 A.M. nov 19	TO	2 P.M. nov 20
7 A.M. nov 29	TO	2 P.M. nov 30
7 A.M. Dec 9	TO	2 P.M. Dec 10

MICROFILMED

SEP 04 1990

20 mg

C THOMSEN	1989	(32)
10 A.M. March 15	TO	6 P.M. March 16
10 A.M. Apr 4	TO	6 P.M. Apr 5
10 A.M. Apr 24	TO	6 P.M. Apr 25
10 A.M. May 14	TO	6 P.M. May 15
10 A.M. June 3	TO	6 P.M. June 4
10 A.M. June 23	TO	6 P.M. June 24
10 A.M. July 13	TO	6 P.M. July 14
10 A.M. Aug 2	TO	6 P.M. Aug 3
10 A.M. Aug 22	TO	6 P.M. Aug 23
10 A.M. Sept 11	TO	6 P.M. Sept 12
10 A.M. Oct 1	TO	6 P.M. Oct 2
10 A.M. Oct 21	TO	6 P.M. Oct 22
10 A.M. nov 10	TO	6 P.M. nov 11
10 A.M. nov 30	TO	6 P.M. Dec 1

N RADEMACHER	1989	(40)
6 P.M. March 16	TO	10 A.M. March 18
6 P.M. Apr 5	TO	10 A.M. Apr 7
6 P.M. Apr 25	TO	10 A.M. Apr 27
6 P.M. May 15	TO	10 A.M. May 17
6 P.M. June 4	TO	10 A.M. June 6
6 P.M. June 24	TO	10 A.M. June 26
6 P.M. July 14	TO	10 A.M. July 16
6 P.M. Aug 3	TO	10 A.M. Aug 5
6 P.M. Aug 23	TO	10 A.M. Aug 25
6 P.M. Sept 12	TO	10 A.M. Sept 14
6 P.M. Oct 2	TO	10 A.M. Oct 4
6 P.M. Oct 22	TO	10 A.M. Oct 24
6 P.M. nov 11	TO	10 A.M. nov 13
6 P.M. Dec 1	TO	10 A.M. Dec 3

J SCHULTZ	1989	(32)
10 A.M. March 18	TO	6 A.M. March 19
10 A.M. Apr 7	TO	6 A.M. Apr 8
10 A.M. Apr 27	TO	6 A.M. Apr 28
10 A.M. May 17	TO	6 A.M. May 18
10 A.M. June 6	TO	6 A.M. June 7
10 A.M. June 26	TO	6 A.M. June 27
10 A.M. July 16	TO	6 A.M. July 17
10 A.M. Aug 5	TO	6 A.M. Aug 6
10 A.M. Aug 25	TO	6 A.M. Aug 26
10 A.M. Sept 14	TO	6 A.M. Sept 15
10 A.M. Oct 4	TO	6 A.M. Oct 5
10 A.M. Oct 24	TO	6 A.M. Oct 25
10 A.M. nov 13	TO	6 A.M. nov 14
10 A.M. Dec 3	TO	6 A.M. Dec 4

MICROFILMED
SEP 04 1990

K HENRICHS	1989	(192)
6 A.M. March 19	TO	6 A.M. March 27
6 A.M. Apr 8	TO	6 A.M. Apr 16
6 A.M. Apr 26	TO	6 A.M. May 6
6 A.M. May 18	TO	6 A.M. May 26
6 A.M. June 7	TO	6 A.M. June 15
6 A.M. June 27	TO	6 A.M. July 5
6 A.M. July 17	TO	6 A.M. July 25
6 A.M. Aug 6	TO	6 A.M. Aug 14
6 A.M. Aug 26	TO	6 A.M. Sept 3
6 A.M. Sept 15	TO	6 A.M. Sept 23
6 A.M. Oct 5	TO	6 A.M. Oct 13
6 A.M. Oct 25	TO	6 A.M. nov 2
6 A.M. nov 14	TO	6 A.M. nov 22
6 A.M. Dec 4	TO	6 A.M. Dec 12

B WARDLE	1989	(62)
6 A.M. March 27	TO	8 P.M. March 29
6 A.M. Apr 16	TO	8 P.M. Apr 18
6 A.M. May 6	TO	8 P.M. May 8
6 A.M. May 26	TO	8 P.M. May 28
6 A.M. June 15	TO	8 P.M. June 17
6 A.M. July 5	TO	8 P.M. July 7
6 A.M. July 25	TO	8 P.M. July 27
6 A.M. Aug 14	TO	8 P.M. Aug 16
6 A.M. Sept 3	TO	8 P.M. Sept 5
6 A.M. Sept 23	TO	8 P.M. Sept 25
6 A.M. Oct 13	TO	8 P.M. Oct 15
6 A.M. nov 2	TO	8 P.M. nov 4
6 A.M. nov 22	TO	8 P.M. nov 24
6 A.M. Dec 12	TO	8 P.M. Dec 14

R STARR	1989	(72)
8 P.M. March 29	TO	8 P.M. Apr 1
8 P.M. Apr 18	TO	8 P.M. Apr 21
8 P.M. May 8	TO	8 P.M. May 11
8 P.M. May 28	TO	8 P.M. May 31
8 P.M. June 17	TO	8 P.M. June 20
8 P.M. July 5	TO	8 P.M. July 10
8 P.M. July 27	TO	8 P.M. July 30
8 P.M. Aug 16	TO	8 P.M. Aug 19
8 P.M. Sept 5	TO	8 P.M. Sept 8
8 P.M. Sept 25	TO	8 P.M. Sept 28
8 P.M. Oct 15	TO	8 P.M. Oct 18
8 P.M. nov 4	TO	8 P.M. nov 7
8 P.M. nov 24	TO	8 P.M. nov 27
8 P.M. Dec 14	TO	8 P.M. Dec 17

MICROFILMED

SEP 04 1990

G WISE

1989

(62)

8 P.M. Apr 1	TO	10 A.M. Apr 4
8 P.M. Apr 21	TO	10 A.M. Apr 24
8 P.M. May 11	TO	10 A.M. May 14
8 P.M. May 31	TO	10 A.M. June 3
8 P.M. June 20	TO	10 A.M. June 23
8 P.M. July 10	TO	10 A.M. July 13
8 P.M. July 30	TO	10 A.M. Aug 2
8 P.M. Aug 19	TO	10 A.M. Aug 22
8 P.M. Sept 8	TO	10 A.M. Sept 11
8 P.M. Sept 28	TO	10 A.M. Oct 1
8 P.M. Oct 18	TO	10 A.M. Oct 21
8 P.M. nov 7	TO	10 A.M. nov 10
8 P.M. nov 27	TO	10 A.M. nov 30
8 P.M. Dec 17	TO	10 A.M. Dec 20

MICROFILMED

SEP 04 1990

1. ADDRESSEE'S ADDRESS OF SENDER		2. POSTAGE AND FEE		3. REGISTERED MAIL		4. CERTIFICATE OF MAILING OR FOR ADDITIONAL COPIES OF THIS BILL		5. POSTMARK AND DATE OF RECEIPT				
Line	Number of Article	Name of Addressee, Street, and Post-Office Address	Postage	Fee	Handling Charge	Act. Value (If Regis.)	Insured Value	Due Sender If C.O.D.	R. R. Fee	S. D. Fee	S. H. Fee	Rest. Del. Fee
1	✓ 138557	Keith Hendricks 2526 S. Marsh Creek Rd., McCammon, ID	25	85								29-4101
2	✓ 138558	Chuck Thompson McCammon, ID										29-4101
3	138559	Robert M. Wardle 2625 S. Marsh Creek Rd., McCammon, ID										29-7647
4	✓ 138560	Gene M. Wise 2712 S. Marsh Creek Rd., McCammon, ID										29-7479
5	✓ 138561	Norman Rademacher 24645 Marsh Creek Rd., McCammon, ID										29-7478
6	✓ 138562	John Shultz 939 Walker Creek Rd., McCammon, ID										29-7223
	✓ 138563	Raymond W. &/or Debra Girard P. O. Box 121, Inkom, ID 83245										29-7205
8												
9												
10												
11												
12												
13												
14		Department of Water Resources										
15												
Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office	POSTMASTER, PER (Name of receiving employee)			The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for Registered Mail, \$500 for COD and \$500 for Insured Mail. Special handling charges apply only to Third- and Fourth-Class parcels. Special delivery service also includes special handling service.						
7			Maid 10/3/88									

FORM MUST BE COMPLETED BY TYPEWRITER, INK OR BALL POINT PEN

U.S. G.P.O. 1986-166-494

● **SENDER:** Complete Items 1 and 2 when additional services are desired, and complete 3 and 4.
Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. (Extra charge)
2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to: <i>Robert M. Fardle 2652 S. Emerald Creek McCammon, Id 83250</i>	4. Article Number <i>138559</i>
Type of Service: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail ☐ Return Receipt for Merchandise	
Always obtain signature of addressee or agent and DATE DELIVERED .	
5. Signature - Addressee X <i>Christa Poncia</i>	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature - Agent X	
7. Date of Delivery <i>10/3/88</i>	

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

- Print your name, address and ZIP Code in the space below.
- Complete items 1, 2, 3, and 4 on the reverse.
 - Attach to front of article if space permits, otherwise affix to back of article.
 - Endorse article "Return Receipt Requested" adjacent to number.

RECEIVED

NOV 01 1988



PENALTY FOR PRIVATE
USE, \$300

Department of Water Resources

RETURN
TO

Print Sender's name, address and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES

STATEHOUSE

BOISE, IDAHO 83720

RECEIVED
NOV 04 1988

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF WALKER CREEK
TRIBUTARY TO MARSH CREEK

KEITH HENRICHs (29-4101),
CHUCK THOMPSON (29-4101),
JOHN SHULTZ (29-7223),
GENE M. WISE (29-7479),
ROBERT M. WARDLE (29-7647),
NORMAN RADEMACHER (29-7478) AND
RAYMOND W. and DEBRA GIRARD (29-7205)

NOTICE OF HEARING

On September 2, 1988, the Department of Water Resources notified John Schultz, Gene M. Wise, Robert M. Wardle, Norman Rademacher and Raymond W. and Debra Girard to cease and desist using the water from Walker Creek tributary to Marsh Creek. On September 16, 1988, the department received a request for Robert M. Wardle; Gene M. Wise; Norman Rademacher; John Shulz, successor to John Schoonover; and Raymond Girard to conduct a hearing on this matter to allow the parties an opportunity to present evidence and oral argument.

The Department has set the matter for hearing for 9:00 a.m., Thursday, October 27, 1988. The hearing will be held at the Pocatello Municipal Airport Conference Room, Pocatello, Idaho. The hearing will be held in accordance with the provisions of Chapter 3, Title 42, and Section 42-1701A of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. The Department will issue a Proposed Memorandum Decision and Order in the matter. The Director has appointed Norman C. Young as the hearing officer.

Dated this 3 day of October, 1988.

Bobby D. Fleenor
BOBBY D. FLEENOR
Chief, Regional Office Bureau

MICROFILMED

SEP 04 1990

This is Robert M. Wardle's copy of the hearing notice. It was returned Oct 31, 1988 marked "unclaimed". See envelope.

11-1-88 Jy

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street
Boise, Idaho 83706-2237

RECEIVED
OCT 31 1988

Department of Water Resources

Robert M. Wardle
2652 S. Marsh Creek Rd.
McCammon, ID 83250

RECEIVED
SEP 04 1990
Uncler

CERTIFIED MAIL

NO. 138559

Claim Check
No. 558190

☐ Held

Date

1ST Notice

2ND Notice

Return

Delivered from
Post Office 2849-A,
Boise, Idaho 83706

|||||

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF WALKER CREEK)
TRIBUTARY TO MARSH CREEK)
_____)

KEITH HENRICHS (29-4101),)
CHUCK THOMPSON (29-4101),)
JOHN SHULTZ (29-7223),)
GENE M. WISE (29-7479),)
ROBERT M. WARDLE (29-7647),)
NORMAN RADEMACHER (29-7478) AND)
RAYMOND W. and DEBRA GIRARD (29-7205))
_____)

NOTICE OF HEARING

On September 2, 1988, the Department of Water Resources notified John Schultz, Gene M. Wise, Robert M. Wardle, Norman Rademacher and Raymond W. and Debra Girard to cease and desist using the water from Walker Creek tributary to Marsh Creek. On September 16, 1988, the department received a request for Robert M. Wardle; Gene M. Wise; Norman Rademacher; John Shultz, successor to John Schoonover; and Raymond Girard to conduct a hearing on this matter to allow the parties an opportunity to present evidence and oral argument.

The Department has set the matter for hearing for 9:00 a.m., Thursday, October 27, 1988. The hearing will be held at the Pocatello Municipal Airport Conference Room, Pocatello, Idaho. The hearing will be held in accordance with the provisions of Chapter 3, Title 42, and Section 42-1701A of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. The Department will issue a Proposed Memorandum Decision and Order in the matter. The Director has appointed Norman C. Young as the hearing officer.

Dated this 3 day of October, 1988.


BOBBY D. FLEENOR
Chief, Regional Office Bureau

MICROFILMED

SEP 04 1990

SENDER: Complete items 1, 2, 3 and 4.
Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

1. ☒ Show to whom, date and address of delivery.
2. ☐ Restricted Delivery

3. Article Addressed to:

Robert J. Smith
2652 N. Wash. Creek Rd.
McCammon, ID 83250

4. Type of Service:

- ☐ Registered ☐ Insured
☐ Certified ☐ COD
☒ Express Mail

Article Number

138450

Always obtain signature of addressee or agent and
DATE DELIVERED.

5. Signature - Addressee

X *Robert J. Smith*

6. Signature - Agent

X

7. Date of Delivery

9-7-88

8. Addressee's Address (ONLY if requested and fee paid)

DEC 19 1963



PROPERTY FOR PRIVATE
USE ONLY

SEP 12 1988

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

Department of Water Resources
DEPARTMENT OF WATER RESOURCES

RETURN TO



STATEHOUSE
BOISE, IDAHO 83720
(Name of Sender)

(No. and Street, Apt., Suite, P.O. Box or R.D. No.)

(City, State, and ZIP Code)

September 2, 1988

Certified Mail
138450

Robert M. Wardle
2652 S. Marsh Creek Road
Mc Cammon, ID 83250

Dear Mr. Wardle:

We were hopeful that the water users on Walker Creek would be able to resolve their differences and that you would allow the water to be used according to the priority system but you have continued to divert water during the time there is not water available to satisfy prior water rights.

Therefore, here is an order that requires you to cease and desist diverting water from Walker Creek until the flow in the stream increases to the point where all the water rights earlier in priority than yours are satisfied.

You may request in writing within fourteen (14) days of the date of service an administrative hearing on the cease and desist order. Your diversion of water must cease during the time a hearing is pending if a hearing is requested. The administrative hearing would be held as provided for in section 42-1701A IDAHO CODE.

If you have any questions about this matter please let us know.

Sincerely,

BOBBY D. FLEENOR
Regional Bureau Chief

c: Keith Henrichs
Chuck Thompson

cc: Files 29-4101
29-4481

MICROFILMED

SEP 14 1988

INTER-DEPARTMENT MEMO — 1

FROM Kay Walker

DATE 7/24/1985

TO File 29-7647

SUBJECT New Owner of Property under this right.

Per phone conversation with Ernest Carlsen this date, the new owner of this right

is : Robert Wardle

2652 S. Marsh Cr. Rd.

McCammon, Sd. 83250

As far as Ernie knows - Norman
is not in this area anymore.

MICROFILMED
SIGNATURE



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

August 23, 1985

RE: Permit No. 29-7647

Charles Normann
Rt. 1, Box 1180
McCammon, ID 83250

Dear Mr. Normann:

Enclosed herewith is a copy of the Water Right License issued on the above referenced Permit.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

Enclosure

cc: Robert Wardle (current owner)

MICROFILMED

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

RECEIVED
NOV 16 1984

Department of Water Resources
29-7647
Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:			
☐ Telephone call made: (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

Send copy of lic
to current owner also per
memo of 7/24

EXAMINATION

Date 8-30-83 Accompanied by Mrs. Normann Total Q measured 0.16 cfs
If source is surface water, estimate total flow of source 0.17 cfs
Methods of measurement Pygmy meter #000668 Meets Permit requirements?

Measurement calculations: $\sqrt{26 \text{ acres} \times 3.5 \text{ afa}} = 21 \text{ afa}$ $\sqrt{2} 0.12 \text{ cfs} \times 1.9835 \times 2145 = 50.9$ 58.3 AFA	60 rev in 60 sec gives a velocity of 1.01 ft/sec in ditch ✓ width of Ditch - 1.0 feet } Depth of Ditch 0.16 feet } 0.1659' ✓	$0.1659' \times 1.01 \text{ ft/sec} = 0.1610$ ≈ 0.16 <u>0.17 cfs</u> capacity $6 \text{ acres} \times 0.02 \text{ cfs} = 0.12 \text{ cfs}$ ✓
--	---	---

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS

System Description Diversion ditch off creek to north line of property then laterals across property to south.

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

USE <u>Irrigation</u> ✓	Irrigation requirement = <u>3.5</u> ✓	AFA/Acre
	Q (cfs) <u>0.12</u> ✓	V (afa) <u>21.0</u> ✓
		FROM <u>4-1</u> TO <u>4-1</u>
		<u>ALLOW 3/15 11/15</u>
		<u>per W.U. handbook</u>

Total 0.12 cfs 21.0 AFA
Remarks No overlaps of rights (29-7205 + 29-7479 appear to be two properties to the south)
No further overlap review done - kw

MICROFILMED

PERMIT No. 29-7647

Normann
(Name)

Accompanied by: _____

EXAMINATION: DATE: 8-30-83

Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No.

Measuring Device Type: Oxymeter

Meter # 00068

Annubar# _____

Size # _____

Remarks: _____

Measurement calculations:

60 revolutions in 60 seconds

12" width

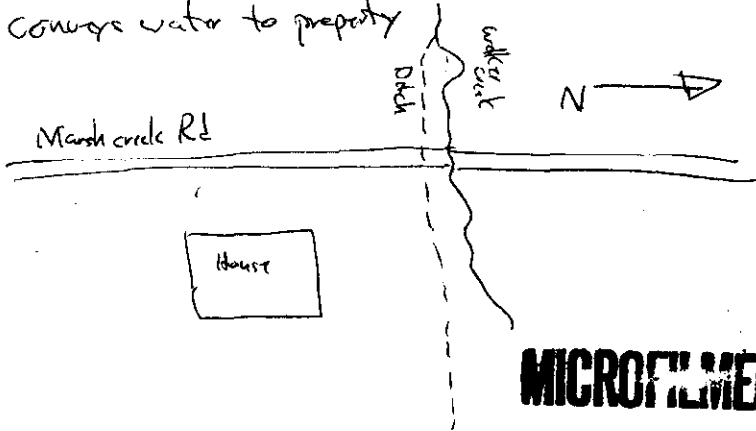
2" depth

SCHEMATIC DIAGRAM OF SYSTEM

Mainline Diameter _____

Length _____

Ditch 1 foot wide and 2" deep
conveys water to property



MICROFILMED

9-2064 December 1967

Computed by / Checked by AF

Date 1-1-68

UNITED STATES DEPARTMENT OF INTERIOR
GEOLOGICAL SURVEY -- WATER RESOURCES BRANCH

Rating table for FISHY CREEK NUMBER NO. R-637

Rated at the National Bureau of Standards, Wash.D.C. 6-9-67

Equations:

#29-7647

Seconds	VELOCITY IN FEET PER SECOND											
	Revolutions											
	3	5	7	10	15	20	25	30	40	50	60	80
40	.128	.170	.212	.254	.310	.366	.422	.478	1.02	1.42	1.82	2.22
41	.129	.167	.214	.264	.321	.378	.435	.492	1.03	1.43	1.83	2.23
42	.119	.164	.210	.279	.336	.393	.450	.507	1.19	1.42	1.82	2.24
43	.117	.163	.204	.273	.330	.387	.444	.501	1.17	1.39	1.84	2.25
44	.115	.159	.206	.268	.327	.386	.445	.504	1.14	1.36	1.80	2.25
45	.114	.157	.199	.263	.320	.377	.436	.495	1.13	1.35	1.79	2.18
46	.113	.154	.196	.259	.316	.373	.432	.491	1.09	1.30	1.75	2.14
47	.111	.153	.195	.264	.323	.382	.441	.500	1.07	1.28	1.73	2.09
48	.110	.150	.190	.250	.310	.369	.428	.487	1.05	1.25	1.70	2.05
49	.109	.148	.187	.248	.308	.367	.426	.485	1.03	1.23	1.68	2.03
50	.108	.144	.184	.244	.304	.364	.424	.484	1.02	1.22	1.66	2.02
51	.106	.144	.182	.238	.300	.360	.420	.480	1.01	1.20	1.65	2.01
52	.106	.143	.179	.238	.300	.360	.420	.480	1.01	1.19	1.64	2.00
53	.104	.141	.177	.236	.298	.358	.418	.478	1.00	1.18	1.63	1.99
54	.103	.139	.174	.235	.297	.357	.417	.477	1.00	1.17	1.62	1.98
55	.103	.137	.172	.235	.295	.355	.415	.475	1.00	1.16	1.61	1.97
56	.101	.136	.170	.231	.293	.353	.413	.473	1.00	1.15	1.60	1.96
57	.101	.134	.168	.229	.291	.351	.411	.471	1.00	1.14	1.59	1.95
58	.100	.133	.166	.228	.290	.350	.410	.470	1.00	1.13	1.58	1.94
59	.099	.131	.164	.226	.288	.348	.408	.468	1.00	1.12	1.57	1.93
60	.098	.129	.162	.225	.287	.347	.407	.467	1.00	1.11	1.56	1.92
61	.097	.128	.160	.224	.286	.346	.406	.466	1.00	1.10	1.55	1.91
62	.096	.127	.158	.223	.285	.345	.405	.465	1.00	1.09	1.54	1.90
63	.094	.126	.157	.222	.284	.344	.404	.464	1.00	1.08	1.53	1.89
64	.093	.125	.156	.221	.283	.343	.403	.463	1.00	1.07	1.52	1.88
65	.094	.124	.155	.220	.282	.342	.402	.462	1.00	1.06	1.51	1.87
66	.094	.123	.154	.219	.281	.341	.401	.461	1.00	1.05	1.50	1.86
67	.093	.122	.153	.218	.280	.340	.400	.460	1.00	1.04	1.49	1.85
68	.092	.121	.152	.217	.279	.339	.400	.459	1.00	1.03	1.48	1.84
69	.092	.120	.149	.216	.278	.338	.400	.458	1.00	1.02	1.47	1.83
70	.091	.119	.148	.215	.277	.337	.400	.457	1.00	1.01	1.46	1.82
	3	5	7	10	15	20	25	30	40	50	60	80

29-7647

R36E

B14

Housing
Tracts

B448
(578)

Donald C. Hall

82

B14
(578)

Bannock
County

RECORDED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup
Idaho Falls, Idaho 83401
(208) 525-7161

August 5, 1983

Charles Normann
Rt.1, Box 1180
Marsh Creek Rd.
McCammon, ID 83250

RE: Permit #29-7647

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department.

_____ A field examination of your system has been scheduled for _____.

If this time and date is not convenient for you, please contact this office as soon as possible.

 X A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office.

Sincerely,

HAROLD W. JONES
Sr. Resource Agent

HWJ:JK

RECEIVED

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 29-7647

Name(s) of Permit Holder: CHARLES NORMANN

Post Office Address: RT #1, Box 1180, Marsh Cr. Rd.
McCAMMON, Idaho 83257 Tel. No. 254-3448

Source of Water: WALKER CREEK

Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☒ Irrigation 6.05 (acres)
☐ Other

Measuring Device Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

Access Port Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

7-8-83
Date

Charles Normann
Signature of Permit Holder

Charles Norman
RT 1, Box 1180
McCammon, Idaho 83250



RECEIVED
FEB 11 1980



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

NORMANN, CHARLES
MARSH CREEK RD.
RT. 1, BOX 1180
MCCAMMON, ID 83250

138722

PROOF DUE NOTICE

JUNE 30, 1983

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 29-7647 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE SEPTEMBER 01, 1983. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU OR A PREVIOUS OWNER OF THIS PERMIT HAVE NOT RECEIVED A PRIOR EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME IF THE DELAY IS FOR REASONABLE CAUSE AS PROVIDED IN SECTION 42-204, IDAHO CODE. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE POSTCARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

August 25, 1982

RE: Permit No. 29-7647

Charles Normann
Route #1, Box 1180
Marsh Creek Road
McCammon, ID 83250

Dear Mr. Normann:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval as listed on the fourth page.

We have enclosed a form entitled "Making Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:kw
Enclosures

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: Kew APPLICATION NUMBER: 29 1647

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.

Field check by: _____

Date: _____

Comments: _____

- ☒ Yes ☒ No Field check required.
☒ Yes ☒ No Critical groundwater area.
☒ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☒ No* In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department. Copies sent by: _____ Date: _____
☐ Idaho Fish and Game Department. _____
☐ Idaho Department of Lands. _____
☐ U.S. Bureau of Land Management. _____
☐ U.S. Forest Service. _____
☐ Other _____

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising. July 19, 1982
☐ Yes ☒ No Final date for protests: _____
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 7-12-82
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____
☒ 6-15-82 Date of priority recommended.
☒ Special conditions of approval or cover letter. _____

By: Ernest Carlson Date: Aug 20, 1982

STATE OFFICE REVIEW:

- SLW/cord
☐ See attached sheet for more information.
By: Felipe Date: 8/21/82

RECEIVED
AUG 20 1982

INTER-DEPARTMENT MEMO — 1

FROM Ron

DATE 7/13/82

TO FILE 29-7647

SUBJECT Telephone Conversation with Keith Henrich. Keith called to talk about a problem they were having with Norman Rademaker. In our conversation he said he had no objections to Charles Norman's Application since he would not be able to interfere w/ their water right.

SIGNATURE

INTER-DEPARTMENT MEMO — 1

FROM Ron

DATE 7/19/82

TO FILE 29-7647

SUBJECT OBJECTIONS

The Henrich's still feel that they were sold all water rights on Walker CK when they bought their property. Because Charles Norman is downstream they decided not to protest the approval of this APP.

SIGNATURE

29-764Z

NORMANN, CHARLES

MARSH CREEK RD., RT. 1, BOX 1180, MCCAMMON, ID 83250

Source: WALKER CREEK tributary to MARSH CREEK

Date Filed: 06/15/1982

Amount: 0.12 CFS

Diversion Point: NESW Sec 15 T 08S R 36E, BANNOCK Co.

Use: IRRIGATION (0.12 CFS) from 04/01 to 11/01

Place of Use: NESW Sec 15 T 08S R 36E FOR 7 ACRES

Diversion Means: DITCHES