

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

SEP 22 1987

Department of Water Resources
Eastern District Office

Application for Extension of Time to Avoid Forfeiture
of a Water Right

Section 42-222 of the Idaho Code provides that a water right shall be lost and forfeited and the water revert to the state upon the failure of a water user to apply the water to beneficial use for a period of five (5) years. The Director may allow an additional five (5) year period of non-use without forfeiture upon a showing of reasonable cause.

Complete fully the following application and submit it to the Department of Water Resources, Statehouse, Boise, Idaho, 83720, with the statutory fee of \$30.00 if the application involves 0.2 cfs or 20 acre feet or \$50.00 if in excess of these amounts.

1. Name of water right holder Kenneth R. Tavlör
Post office address Bancroft, Idaho 83217
2. The right was obtained or is evidenced by:
a. Decree to J. Bellu in Case of Union Grain & Elevator Co.
(Name)
vs. M^cCammon Ditch Co. Et. al Dated 6-Aug.-1932 in Fifth Judicial District
(Name of Court)
Court, County of Bannock. Fully describe decree #29-0134
- b. License No. _____ issued by the Department of Water Resources.
c. Claim No. _____ on file with the Department of Water Resources.
3. Source of water Pebble Creek tributary to Portneuf River
(Name of stream or source)
4. Date of priority of right 5 - June - 1906
5. Amount of water a. 1.2 c.f.s. and/or
b. _____ acre feet/annum
6. Water is used for Irrigation from April, 1 to November 1
from _____ to _____
from _____ to _____
(Purpose) (Month-Day) (Month-Day)
7. Location of point of diversion is SE ¼ SE ¼ of Section 8
Township 3S, Range 38E, B.M., in Caribou County;
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3S	38E	4												2732					

9. Give last date when water was applied to beneficial use 1987 irrigation season
Length of extension of time requested 10 years, or until 1997 irrigation season
(Date)

10. Explain fully your reasons for requesting an extension of time within which to resume the use of your water right and reasons for non-use We have put the land under this right into the Federal C.R.P. program (10 year set-aside) and will not need the water during the next ten years. Domestic use from this source will be continued.

I hereby assert that no one will be injured by such extension. The information contained in this application is true to the best of my knowledge.

Bennett R Taylor
(Signature of Applicant)

Subscribed and sworn to before me this 21st day of September, 19 87.

Michael R. Norton
(Notary Public)

My commission expires 3-11-93

Residing at Lawrenceville, Georgia

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined this application for extension of time within which to resume the use of a water right and I hereby APPROVE said application subject to the following conditions or reasons.

Beneficial use of water under this right shall resume on or before November 1, 1998.

Witness my hand this 23rd day of December, 19 87.

RECORDED

FEB 25 1988

A. Glen Saxton
Chief, Operations Bureau

For Department Use Only

Received by dg Date 9-22-87 Time 1:10p Preliminary check by dg

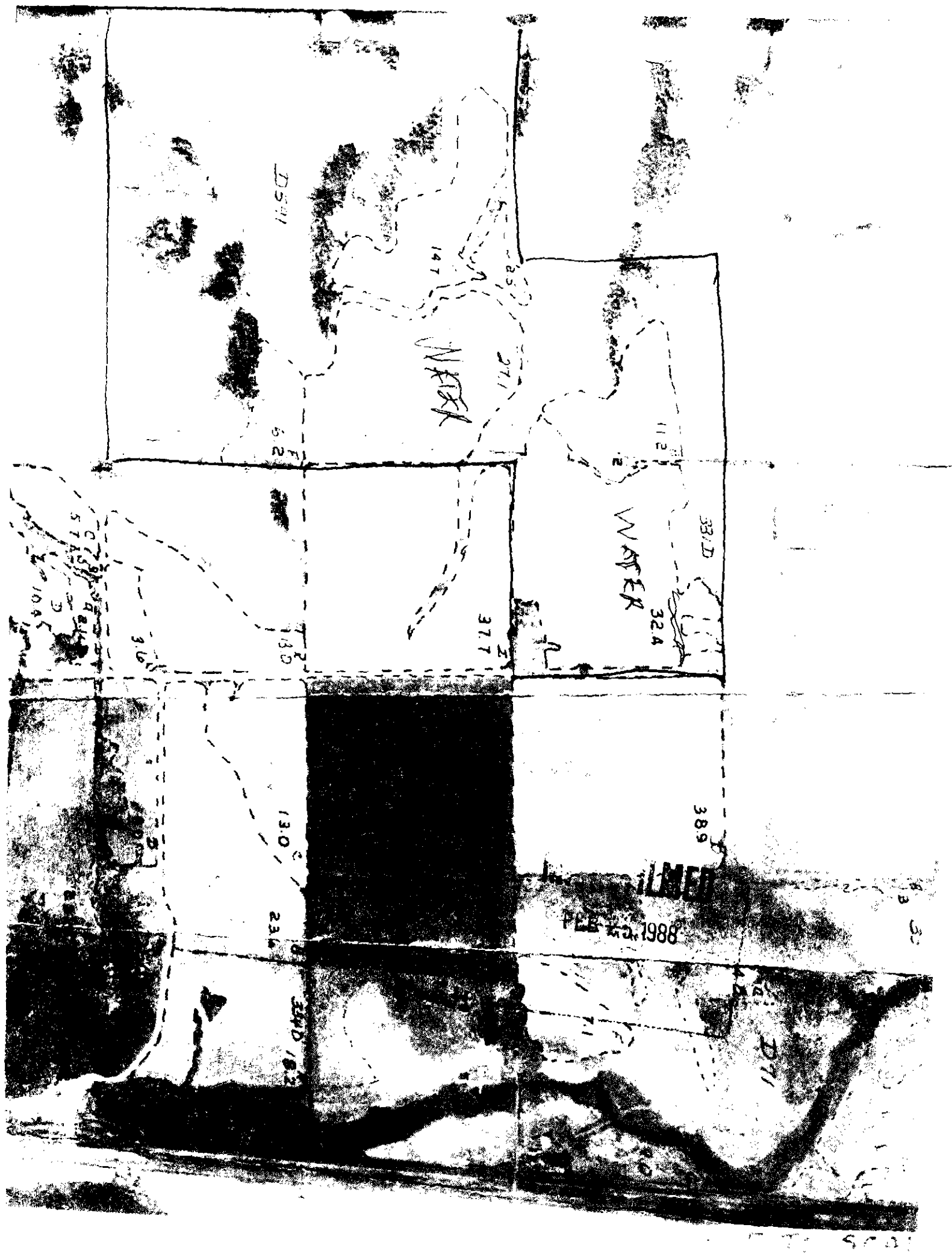
Fee \$ 30.00 Receipted by dg Date 9-23-87 Publication prepared by dg

Published in ID State Journal; protest etc 10-1-87 Dates 10-1 + 10-8-87

Publication approved by dg Date 10-15-87 Protests filed by: dg

Copies of protests forwarded by dg Hearing held by dg Date 10-15-87

Recommended for // Approval // Denial by Jim



Elden R. Moore
Caribou County Assessor
Caribou County Courthouse
159 S. Main
Soda Springs, ID 83276

THIS IS NOT A BILL

000000026700

CATEGORY DESCRIPTION	LOTS/ACRES	MARKET VALUE
03 NON-IRRIGATED AG	102.00	18,415
05 DRY GRAZING	57.00	3,111
10 HOMESITE VALUE CAT		4,050
31 IMP ON CAT 10 (RES		9,347
32 NONRESIDENTIAL IMP		3,080
58 FARM MACH/TOOLS/EQ		4,000

**1986 TAXPAYERS
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

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

Mail To:

TAYLOR, KENNETH R
ROUTE #1, BOX 1600

BANCROFT

ID 83217-0000

TOTALS* 159.00 42,003

NE1/4SW1/4, S1/2SW1/4, TAX 2
159.24 AC SEC 4 T8S-R38E

MICROFILMED

FEB 25 1988

PROPERTY ADDRESS

PARCEL NO. 000000026700

TAX CODE

5

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

Sandra K. Herald

**NOTICE OF APPLICATION FOR
EXTENSION OF TIME TO AVOID
FORFEITURE OF WATER RIGHT**

Notice is hereby given that Kenneth R. Taylor, Bannock, Idaho, has filed an application for extension of time to avoid forfeiture of a Decree No. 29-0134.

The decree was issued for 1.2 cfs of water from Paddy Creek tributary to Portneuf River with the point of diversion within the SE 1/4 Sec. 8, T. 8S, R. 38E, B.M., Carleton County, for irrigation purposes of 59 acres, with a priority of June 5, 1906, to be used within the SW 1/4 Sec. 4, T. 8S, R. 38E, B.M.

Sec. 42-222, Idaho Code provides that a water right shall be lost and forfeited and the water revert to the state upon failure to apply water to beneficial use for a period of five years. The State may allow an additional five year period of non-use without forfeiture upon a showing of reasonable cause. The license holder has applied for this extension while the land is temporarily in the Federal C.R.P. Program.

Any protest against the granting of this extension may be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before October 19, 1987.

S/R. Keith Higginson

Director

October 1, 8, 1987

No. 930

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>October 1</u>	<u>19 87</u>	<u>19</u>
<u>October 8</u>	<u>19 87</u>	<u>19</u>
<u> </u>	<u>19</u>	<u>19</u>
<u> </u>	<u>19</u>	<u>19</u>
<u> </u>	<u>19</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.

Sandra K. Herald

Subscribed and sworn to before me this 9th

day of October, 19 87

Jim L. Larsen

Notary Public, State of Idaho

Residence: Pocatello, Idaho

RECEIVED
JUL 1 1987

Department of Water Resources
Eastern District Office

RECEIVED

FEB 25 1988

the Northwest quarter of the Southwest quarter Section 10, Township 8 South, Range 38 E.B.M.

29 0133

100. CORBETT, J. FRED
1906 June 5.

.7 c.f.s.

Said water to be diverted through a ditch having intake North 16 degrees 35 minutes West 671 feet from the Southwest quarter corner of Section 9, Township 8 South, range 38 E. B. M.; and also through another ditch having intake 40 degrees West, 1688 feet from the Southwest corner of the Southeast quarter of said Section 9, same Township and Range, for the irrigation of the Southwest quarter of the Southwest quarter, of Section 3, Township 8 South, Range 38 E.B.M.

29 0134

101. BELLU, J. and
MORIOTTO, O.
1906 June 5.

1.2 c.f.s.

Said water to be diverted through a ditch having intake at a point North 16 degrees 35 minutes West 671 feet from the Southwest corner of Section 9, Township 8 South, Range 38 E.B.M., for the irrigation of the Northwest quarter of the Southeast quarter; the East half of the Southwest quarter, the Southwest quarter of the Southwest quarter of Section 4, Township 8 South, Range 38, E. B. M.

102. SMITH, JOSEPH A.

9 0135
9 0136

1907 Mar. 27.
1912 Jun. 1

3.6 c.f.s.
1.4 c.f.s.

Said water to be diverted through a ditch having intake North 27 degrees 15 minutes West, 1331 feet from the South quarter corner, Section 9, Township 8 South, Range 38 E.B.M., for the irrigation of the South half of the Northeast quarter, and the Southeast quarter of Section 21; the West half of the Northeast quarter and the East half of the Northwest quarter of Section 28, Township 8 South, Range 38 E. B. M.

103. MOSS, COMMODORE EARL

9 0137

1907 March 27

1 c.f.s.

Said water to be diverted by means of a ditch, having intake North 27 degrees 15 minutes West, 1531 feet from the South quarter corner of Section 9, Township 8 South, Range 38 E. B. M., for the irrigation of the Southwest quarter of the Southwest quarter of Section 10; the West half of the Northwest quarter and the Northeast quarter of the Northwest quarter, Section 15, Township 8 South, Range 38 E.B.M.

104. HOUTZ, KARL D.

9 0138

1908 June 1.

2.5 c.f.s.

Said water to be diverted through a ditch having intake West bank of Pebble Creek at a point in the Southwest quarter of the Southwest quarter of Section 36, Township 7 South, Range 37 E.B.M. for the irrigation of the East half of the Northwest quarter; the Southwest quarter of the Northeast quarter and the Northwest quarter of the Southeast quarter, Section 1, Township 8 South, Range 37 East B. M.

RECEIVED

FEB 25 1988

UNION GRAIN & ELEVATOR COMPANY, a corporation
Plaintiff,

-VS-

McCannon Ditch Company, a corporation; Portneuf Irrigating Company, a corporation; Sunnyside Ditch Company, a corporation; Topaz Irrigation Company, a corporation; Dempsey Irrigation Company, a corporation; Toponce Canal Company, Limited, a corporation; Portneuf-Marsh Valley Canal Company, Limited, a corporation; Portneuf Marsh Valley Irrigation Company, a corporation; Oregon Short Line Railroad Company, a corporation; Elizabeth Kinport, Administratrix of the estate of Harry B. Kinport, deceased; George Goodenough, William Lewis, Edward Murphy, C. C. Peoples, Charles West, A. J. Knollin, W. A. Hibner, Andrew Outler, W. A. Barron, George Romriell, Frank Warner, John Symons, Joseph Simons, S. J. Palmer, W. W. Cooper, John Hall, Roe White, Willard Bell, Patrick Bell, J. F. Dunn, Charles J. McGuinn, Leslie Gillett, and Fish Creek Irrigating Company, a co-partnership composed of John Hall, Charles J. McGuinn, Frank C. Potter, J. F. Dunn and J. A. Eldredge, spoken of as defendants in the captioned cause, do hereby certify that the foregoing is a true and correct list of the defendants in the within captioned cause, and that the same are the only defendants in the within captioned cause.

J. Fred Corbett, E. L. ...
and O. Moriotti, ...
Defendants.

Roy Faulkner, Kepler Sessions, Thomas J. Nipper, Stephen Grimm, George John, Emmel Byington, Frank Read, Smith Ranch (Donald Monson and R. Monson), Charles Byington, James Byington, Noah Reese, Tom Hallinan, George A. Whitworth, J. T. Gittans, George Lewis, Joseph Cutler, Thomas E. Orgill, John Gooch, Fred Johnson, Ira Call, C. V. Call, Chris Call, Carl Loveland, Josiah Loveland, David Butterfield, Andrew Butterfield, Osmond Call, Earl Holbrook, Chester Call Estate (Sarah Call, Administratrix), Arthur Naylor, Byrant Perkins, Parley Jensen, Forest Cornelison, West Side Canal Co., a corporation, I. E. Thompson, Ben D. Jensen, George Brangham, Jas. A. Eldredge, John Gooch, Robert Redford, Alma Hogan, Joseph Purvis, Dave Butterfield, Thomas J. Nipper, Thomas J. Nipper, M. Whitworth, John Whitworth, Neal Williams, J. Buckindorf, J. F. Corbett, Peter Zadron, Joseph Smith, Earl Moss, E. J. Dolbeer, Hall City Ditch, a co-partnership composed of C. J. McGuinn, Rebecca Warner, A. W. Hall, John Hall Estate, Thomas F. Terrell, Mrs. J. G. Bristol, Leali Sharp, Lew White, Leslie Bowden, James Kofoed, David Ablett, James C. Allen, Mrs. Anna Norton, Lee Merrick, Rebecca Warner, John Potter, George Harrison, A. M. Boyce, J. H. Maughn, G. H. Maughn, F. D. Faghtent, Nephi Hemmingway, F. V. Briscoe, Clarence Avery, John N. Avery, John Byington W. R. Godfrey, Alonzo Avery, Jesse Avery, J. M. Jensen, W. Deo Jensen, Claud Jensen, Arthur Roswell, H. A. Weddell, Ray Bloxum, Charles Strom, Joseph Bell, Herbert Byington, John Ramsey, H. K. Ward, C. F. Potter, Adrian Campbell, Ira Byington, Alfred Baker, Charley Bell, Ernest Byington, D. A. Monroe Martin, O. K. Exum, A. A. Kofoed, Tom Harper, Brady Stolpe, Spencer Godfrey, A. B. Cheney, Bert Lish, Archie Lish, James Higgins, John M. Fairchilds, Foster, Edward Wilmore, Edgar Beebe, James T. Benson, Arthur Fopront, Ray Kedley, James Roddy, George Chapman, D. K. Merrick, L. S. Wight, Leo

plaintiff and defendants herein, and documents received by and on behalf of the

FEB 25 1988

CONVERSATION MEMORANDUM

DATE 10-29-87

EXTENSION
FILE 29-0134

NAME OF PARTY CARIBOU COUNTY ASSO, JENK

EMPLOYEE ERIC VERNER

RE: VERIFICATION OF LAND OWNED BY MR. TAYLOR UNDER
EXTENSION 29-0134 IS IN THE C.R.P. PROGRAM.

ASSO VERIFIED, OVER THE PHONE, THAT LAND MR. TAYLOR
HAS IN CRP PROGRAM COVERS S $\frac{1}{2}$ SW $\frac{1}{4}$ SEC 4 T8S R38E.

MICROFILMED

FEB 25 1988

RECEIVED

NOV 09 1987

Department of Water Resources

September 24, 1987

Kenneth R. Taylor
Bancroft, Idaho 83217

Dear Mr. Taylor:

Attached herewith is departmental receipt no. 42017 in the amount of \$30 received for your Application for Extension of Time to Avoid Forfeiture of a Water Right.

Sincerely,

Deena Green
Office Secretary

Enclosure

RECEIVED

FEB 25 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

FEB 22 1988

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

SEPTEMBER 23, 1987

Idaho State Journal
P. O. Box 431
Pocatello, Idaho 83201

Gentlemen

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before OCTOBER 19, 1987.

Yours truly,

Deena Green
Office Secretary

Encl.

RECORDED & FILMED
FEB 25 1988

DT4132 In930
ce 10-08-87
dept of water resources

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Any protest against the granting of this extension may be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before October 19, 1987.

S/R. Keith Higginson
Director
October 1, 8, 1987
No. 930

FEB 5 2 1988

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FEB 25 1988

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R. Keith Higginson

Director

Published October 1 & 8, 1987

MICROFILMED

FEB 25 1988

September 17, 1987

Kenneth R. Taylor
Rt. 1
Bancroft, Idaho 83217

Dear Mr. Taylor:

Pursuant to our phone conversation, please find enclosed a partially completed Extension of Time to Avoid Forfeiture application for water right 29-0134. The application incorporates the corrections that we discussed. Please complete item 8, listing the acres irrigated in the 40 acre tracts circled in red. The total acres irrigated should equal 60 acres.

Please review the form for correctness, then sign in front of a Notary Public. I am returning your check no. 694 for \$30. Please resubmit it with the revised application.

If you need further assistance, feel free to contact this office.

Sincerely,

Eric S. Verner
Sr. Water Resource Agent

ESV/dg
Enclosure

MICROFILMED
FEB 25 1988



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

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

September 4, 1987

Kenneth Taylor
Rt. 1
Bancroft, Idaho 83217

RECEIVED

SEP 10 1987

Department of Water Resources
Eastern District Office

Dear Mr. Taylor:

Pursuant to our phone conversation, I have enclosed some information for your review.

I researched the rights applicable to land in the N1/2NW1/4, Sec. 4, T. 8S, R. 38E, as you requested. I could not find any rights covering this land. I also could not find a right no. 101. I did find a right no. 29-2047 for Guy Wolford which covers land in the SW1/4 of Sec. 4, T. 8S, R. 38E. I am assuming this may be the right you requested and have enclosed a copy for your review. Please check to determine if this is the right you claim covers your ground. If it is the correct right, please complete the enclosed "Extension" application using the afore mentioned right number and return the application to this office with the appropriate fee.

If you believe the right enclosed is not yours, please let me know so we can straighten out any questions. If you need any more assistance with this matter, please let me know.

Sincerely,

Eric S. Verner
Sr. Water Resource Agent

ESV/dg

Enclosure

RECEIVED

FEB 25 1988

Dear sir

We have put our farm in th clean water program under C 8' r' p'
For the Next ten years we would still use the domstic water
FaR the yard and for the range

thanks

Kennth R' taylor

Rt 1

Bancroft Idaho 83217

RECEIVED

FEB 25 1988