

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
	Woodland, H.S. & Louise J.	0.5		29-0448
2725	Anderson, Jeff Dr.	0.06		29-0448B
	Woodland, H.S. & Louise J.	0.44		29-0448A

TRANSFER

Transfer No. 2725

Water Right No. 29-0448
29-0449

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

APPROVED

Name of applicant Dr. Jeff Anderson Phone 232-8442
Post Office address Buckskin Rd, Pocatello, Idaho 83201

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by: 29-0448
a. Decree No. 29-0449 Decreed to H.S. and Louise J. Woodland (Name)
in case of Taney vs Woodland
dated in 4-1-1925 in U.S. District Crt. county of Bannock (Name of court)
b. License No. issued by the Idaho Department of Water Resources
c. Claim No. on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant Applicant owns part of land to which right is appurtenant
3. Source of water B. Spring (29-0449) A.S. Fork Pocatello, Creek tributary to * Portneuf River
4. Date of priority A. February 23, 1907 B. Prior to all other rts. (29-0449)
5. Water is used for the following purposes: Not stated in Decree
29-0448 amount 0.50cfs for Irrigation purposes from to
29-0449 amount 0.30cfs for Irrigation purposes from to
amount for purposes from to (month/day — both dates inclusive)
6. Total amount of water under right: a. 0.80 cubic feet per second &/or
b. acre feet per annum
Not Stated in Decree
7. Location of original point of diversion is 1/4 of 1/4 of Section
Township Range B.M., in County
Additional points of diversion, if any
8. Lands irrigated or place of use:

TWP.	RANGE	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	
6S	35E	20															*	*	
		26	*																
		28						*											

APPROVED

*Not Stated In Decree

Total number of acres to be irrigated *

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 nonuse? none If yes, describe in item D, REMARKS.

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B). 29-0448 0.06 cfs
29-0449 0.04 cfs

1. Amount of water: a. 0.10 cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 20 Township 6S
Range 35E, B.M., Bannock County
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6S	35E	20															4	1	5

Total number of acres to be irrigated 5

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information

- a. Amount of water to be diverted 0.10 c.f.s. &/or _____ acre feet
- b. Description of diverting works Diversion Dam
- c. Describe the reasons for the proposed changes Old channel and point of diversion has been plowed under

2. Change in point of diversion

Point of diversion SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 20 Township 6S
Range 35E, B.M., Bannock County
Additional points _____

3. Change in place of use No Change

- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No _____. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer

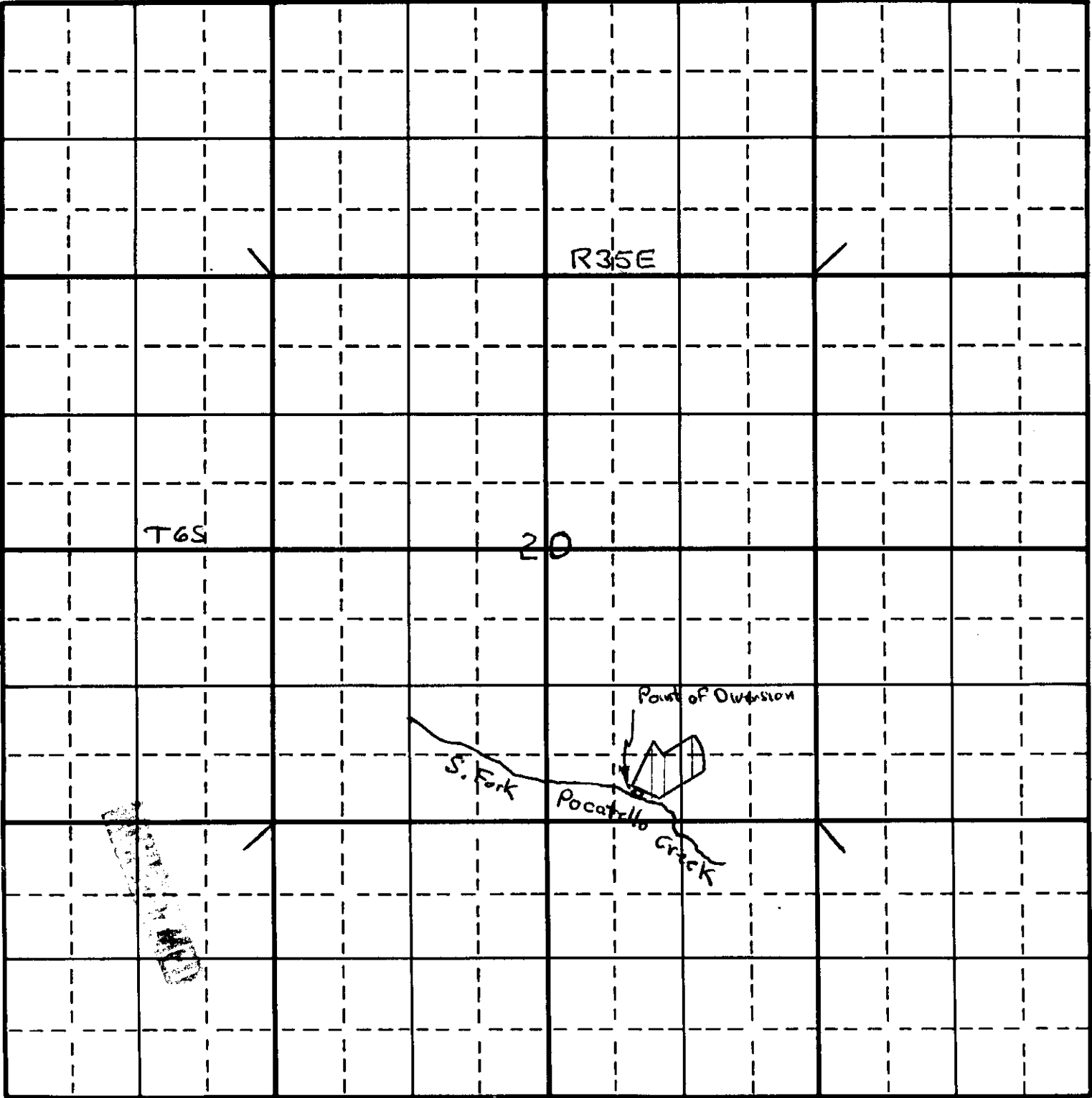
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c. Describe the lands place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6S	35E	20															4	1	5

Total number of acres to be irrigated 5

4. Describe any other water rights used for the same purpose as described above. None
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



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

D. REMARKS

Easement for access to PD will be provided by applicant.
PD owned by Duane and Cheryl Williams.

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 willfull misrepresentations made in this application may result in voiding its approval.

J. Anderson
(Signature of Applicant)

Subscribed and sworn to before me this 18 day of August, 19 82.

Mary Lou Driever
(Notary Public)

Notary Public of Idaho
Residing at Pocatello

My commission expires My Commission Expires 10-25-83

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 29-0448B/29-0449B and said application is hereby APPROVED, subject to the following limitations and conditions:

1. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
2. Use of water under this transfer shall be subject to control by the watermaster of Pocatello Creek when appointed.
3. Diversion from the South Fork of Pocatello Creek must be made by a pump.

Witness my hand this 22nd day of April, 19 83

L. Glen Saxton
L. GLEN SAXTON
Chief, Operations Bureau

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FOR DEPARTMENT USE ONLY

Received by <u>CW</u>	Date <u>8-19-82</u>	Protest filed by <u>Dwaine W. Anderson</u>
Prelim. check by _____	Fee <u>\$30.00</u>	_____
Receipted by <u>BP</u>	Date <u>8-19-82 #22458</u>	_____
Published in <u>Idaho Pocatello St. Journal</u>	Copies of protest forwarded by <u>CW</u>	_____
Pub. dates <u>9/2 & 9/9/82</u>	Hearing held by _____	Date _____
Watermaster recommendation requested on <u>U.A.</u>	Recommended for <u>approval</u> denial	_____
_____ rec'd.	by <u>EMC. Jim</u>	<u>DMT</u>

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AUG 19 1982

Department of Water Resources
Eastern District Office

PERPETUAL EASEMENT

THIS INDENTURE, made this 27th day of July, 1982, by and between DUANE J. WILLIAMS and CHERYL WILLIAMS, husband and wife, of Pocatello, Idaho, the parties of the first part, and JEFFREY F. ANDERSON and LINDA M. ANDERSON, husband and wife, of Pocatello, Idaho, the parties of the second part;

WHEREAS, the parties of the first part are seized of an estate in fee simple, of a parcel of land in Bannock County, State of Idaho, described as follows:

A parcel of land in the NE 1/4 of Section 29 and the SE 1/4 of Section 20, T. 6 S., R. 35 E., B. M., Bannock County Idaho more particularly described as follows:

Commencing at the North 1/16th Corner on the Meridional Center Line of Section 29, T. 6 S., R. 35 E., B. M.; Thence N 89° 37' 06" E along the North 1/16th line of said Section 29, a distance of 245.30 feet to the True Point of Beginning:

Thence N 10° 28' 58" E, 1633.40 feet;
Thence N 37° 19' 27" E, 97.35 feet;
Thence S 68° 33' 08" E, 237.74 feet;
Thence N 15° 33' 36" E, 34.12 feet;
Thence S 74° 26' 24" E, 261.08 feet;
Thence S 42° 13' 04" E, 71.87 feet;
Thence S 42° 02' 37" E, 182.99 feet;
Thence S 06° 42' 56" E, 80.00 feet;
Thence S 06° 49' 57" E, 98.81 feet;
Thence S 47° 58' 15" E, 197.94 feet;
Thence S 42° 30' 35" W, 430.00 feet;
Thence S 89° 37' 06" W, 569.00 feet;
Thence S 00° 25' 30" W, 737.43 feet to the North 1/16th line of said Section 29;

Thence S 89° 37' 06" W along said North 1/16th Line, a distance of 312.13 feet to the True Point of Beginning, and containing 20.00 acres more or less.

Together with a 20 foot easement for ingress and egress through adjoining lands 10.00 feet either side of the center line described as follows:

Beginning at a point on the southerly right-of-way line of Buckskin Road, said

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point being N 29° 07' 15" E and 1329.49 feet distant from the North 1/4 corner of Section 29, T. 6 S., R. 35 E., B. M.; Thence S 03° 27' 00" W, 773.76 feet to a point.

AND WHEREAS, the parties of the second part are seized in fee simple of another parcel of land located in Bannock County, State of Idaho, near the first mentioned land described as follows:

A tract of land in the southeast quarter of Section 20, Township 6 South, Range 35 E., B.M., Bannock County, Idaho, more particularly described as follows:

Commencing at the southeast corner of Section 20, Township 6 South, Range 35 E., B.M.; Thence south 89°50'30" west on the south line of said Section 20, for a distance of 720.03 feet (measured as 680.75 feet), more or less, to the centerline of Buckskin Road; Thence north 40°26'00" west along the centerline of Buckskin Road 573.31 feet; thence north 29°45'30" west along the centerline of Buckskin Road 301.44 feet; Thence south 60°14'34" west, 30.0 feet to the southwesterly right of way line of Buckskin Road, the true point of beginning; Thence northwesterly 216.70 feet along a curve to the left on said southwesterly right of way line of Buckskin Road, said curve having a central angle of 22°52'00" tangents of 109.81 feet, a radius of 542.76 feet and a long chord of 215.26 feet bearing north 41°11'40" west, thence south 41°47'51" west, 271.47 feet; thence north 61°21'50" west 160.00 feet; thence southeasterly along a curve to the right 164.06 feet, said curve having a central angle of 75°03'40" tangents of 96.20 feet, a radius of 125.23 feet, and a chord of 152.58 feet bearing south 21°23'50" east; Thence south 16°08' west 277.8 feet; thence south 74°28'30" east, 185.6 feet, thence south 42°15'10" east 71.87 feet thence north 55°59'26" east, 461.37 feet to the said southwesterly right of way line of Buckskin Road; thence north 29°42'08" west 234.93 feet; thence north 29°45'30" west, 16.60 feet to the point of beginning...

AND WHEREAS, IT IS UNDERSTOOD that the parties of the second part desire to construct and maintain a dam on the property of the parties of the first part for the purpose of storing water for use by the parties of the second part,

including ~~but not limited to~~^{other than} domestic use, irrigation of land, and watering of stock.

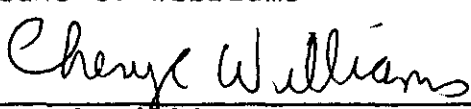
NOW THIS INDENTURE WITNESSETH THAT the said parties of the first part, for and in consideration of the sum of TEN (\$10.00) DOLLARS and other valuable consideration, lawful money of the United States of America, to them in hand paid by said parties of the second part, the receipt whereof is hereby acknowledged, do by these presents hereby grant, bargain, sell, and convey to and confirm unto said parties of the second part, and to their heirs and assigns forever, an easement, right of ingress or egress, and right-of-way, for said purposes to the following described property located in Bannock County, State of Idaho, to-wit:

A parcel of land located in the southeast quarter of Section 20, Township 6 South, Range 35 East, Boise Meridian, Bannock County, Idaho and more particularly described as follows:

Commencing at the southeast corner of said section 20; Thence south 89°50'30" west along the south line of said section, 720.03 feet (measured as 680.75 feet), to the centerline of Buckskin Road; Thence north 40°26'00" west along the centerline of said road, 573.31 feet; thence north 29°45'30" west along said centerline, 301.44 feet; thence south 60°14'34" west, 30.00 feet to the southwesterly right of way line of Buckskin Road; thence northwesterly 216.70 feet along a curve to the left on said southwesterly right of way line of Buckskin Road, said curve having a central angle of 22°52'00" tangents of 109.81 feet, a radius of 542.76 feet and a long cord of 215.26 feet bearing north 41°11'40" west; thence south 41°47'51" west, 271.47 feet; thence north 61°21'50" west, 160.00 feet; thence southeasterly along a curve to the right 164.06 feet, said curve having a central angle of 75°03'40" tangents of 96.20 feet, a radius of 125.23 feet, and a cord of 152.58 feet bearing south 21°23'50" east; thence south 16°08' west, 277.8 feet; thence south 74°28'30" east, 35.45 feet to the point of beginning; thence continuing south 74°28'30" east, 53.22 feet; thence south 18°47'06" west, 41.56 feet; thence north 71°11'51" west, 41.85 feet; thence north 2°26'50" east, 40.14 feet to the point of beginning.

TO HAVE AND TO HOLD the said easement and right-of-way hereby granted unto the parties of the second part, their heirs and assigns, in perpetuity, as appurtenant to the said land of the parties of the second part and every part thereof and the benefits and/or burdens of said easement shall run with the said lands of the parties hereto, and shall be of benefit and/or binding on the parties hereto, their heirs and assigns, and any person who shall hereinafter acquire title to either of said properties.

IN WITNESS WHEREOF, the said parties of the first part hereunto have set their hand.


Duane J. Williams

Cheryl Williams

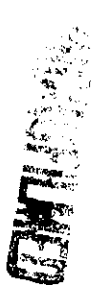
STATE OF IDAHO)
 : ss
County of Bannock)

On this 27 day of July, 1982, before me, the undersigned, a Notary Public in and for said State, personally appeared Duane J. Williams and Cheryl Williams, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.


NOTARY PUBLIC FOR IDAHO
Residing at Pocatello, Idaho

(SEAL)



PROOF OF PUBLICATION

RECEIVED

STATE OF IDAHO
County of Bannock

ss.

SEP 16 1982

Department of Water Resources
Eastern District Office

Sheryl Gardiol

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 29-8449, 29-8449

Notice is hereby given that Dr. Jeff A. ... Idaho, has applied to the Idaho Department of Water Resources for a change of water right of the ... Creek, South Fork ... River. The right ... is evidenced by ... to H.S. and ... in Case of Taney vs. ... District Court, Bannock County, Idaho, recorded as follows:

29-8449 AMOUNT: 0.30cfs
29-8449 AMOUNT: 0.30cfs
PRIORITY: February 23, 1907
DECREASED POINT OF DIVERSION: Not stated in decrees.
The water in both decrees is used for the irrigation of lands within the S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 20, T. 4S, R. 35E, B.M. NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 20, T. 4S, R. 35E, B.M.

TO BE CHANGED AS FOLLOWS
0.10cfs of water will be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20, T. 4S, R. 35E, B.M. Bannock County and used to irrigate 5 acres within the S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 20, T. 4S, R. 35E.

Any objection 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, Idaho, 83402, on or before September 20, 1982.

S/A. KIM BETH DUNN
Director
September 2, 1982
No. 198

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:

September 2, 1982	19
September 9, 1982	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.

Sheryl Gardiol
Subscribed and sworn to before me this 15th day of September, 1982

[Signature]
Notary Public, State of Idaho
Residence: Pocatello, Idaho

29 0445 The defendants GRACE M. PERRY, LOCATELLO REALTY COMPANY, a corporation, and C. W. GRAY INVESTMENT COMPANY, a corporation, (with rights among themselves in proportion to and dependent upon such interests as they have in land in this paragraph described), EIGHT-TENTHS (.8) of a CUBIC FOOT PER SECOND, dated from APRIL 25, 1904, for such uses on and in connection with the Northeast quarter of the Southeast (NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Twenty-three (23), Township Six (6) South, Range Thirty-four (34) East Boise Meridian.

29 0446 The defendants THOMAS HOPPER and VERNIE HOPPER, his wife, ONE AND FOUR TENTHS (1.4) CUBIC FEET PER SECOND, dating from SEPTEMBER 9, 1904, for such uses on and in connection with the Southeast quarter of the Southwest quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$), and the South half of the Southeast quarter (S $\frac{1}{2}$ SE $\frac{1}{4}$) of Section Thirteen (13), Township Six (6) South, Range Thirty-four (34) East Boise Meridian; and the Southwest quarter of the Southwest quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) (that is, Lot 4) Section Eighteen (18), Township Six (6) South, Range Thirty-five East Boise Meridian.

29 0447 The defendants ROBERT CRUM and KATIE CRUM, his wife, ONE (1) CUBIC FOOT PER SECOND, dating from SEPTEMBER 14, 1904, for such uses on and in connection with the North half of the Southwest quarter (N $\frac{1}{2}$ SW $\frac{1}{4}$) and the North half of the Southeast quarter (N $\frac{1}{2}$ SE $\frac{1}{4}$) of Section Thirteen (13) Township Six (6) South, Range Thirty-four (34) East Boise Meridian.

29 0448 The defendants H. S. WOODLAND and LOUISE J. WOODLAND, his wife, FIVE-TENTHS (.5) OF A CUBIC FOOT PER SECOND of the waters of the South Fork of said Pocatello Creek, to be diverted only from said South Fork, dating from February 23, 1907, for use on and in connection with the South half of the Southeast quarter (S $\frac{1}{2}$ SE $\frac{1}{4}$) of Section Twenty (20), the Northeast quarter of the Northeast quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section Twenty-nine (29) and the Northwest quarter of the Northwest quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section Twenty-eight (28), Township Six (6) South, Range Thirty-five (35) East Boise Meridian. Also THREE-TENTHS (.3) OF A CUBIC FOOT PER SECOND OF THE WATERS OF THE SPRING arising on said land and flowing into said South Fork, with right to said amount SUPERIOR TO THE RIGHTS OF ALL OTHER PARTIES, for such uses on and in connection with said lands.

Said waters are to be diverted from the natural channel of the stream at or near the points where they have heretofore been and are now diverted by the several parties and are to be measured over standard weirs or other devices approved by the State Reclamation Department, such weirs or other devices to be installed and maintained at the expense of the several owners of water rights, as near as may be practicable to the heads of the diverting ditches.

It is further Ordered, Adjudged and decreed that if and when, during the flood-water season, there is a SURPLUS of water over and above the aggregate of the rights hereinbefore defined, the parties shall have the right to divert and use the same in the following proportions;

- 29 0450 Plaintiffs Ten Twenty-thirds (10/23)
- 29 0451 Perry and the two defendant corporations Two Twenty-thirds (2/23)
- 29 0452 Hoppers Four Twenty-thirds (4/23)
- 29 0453 Crum Four Twenty-thirds (4/23)
- 29 0454 Woodlands (from South Fork) Three Twenty-thirds (3/23)

That all of the parties to whom the right to the use of said waters are herein decreed, by mutual consent or agreement, shall have the right to pool or unite the waters herein decreed to them respectively, with the waters of any other party or parties receiving water by this decree, and may thereby use said waters jointly or alternately in such manner as to obtain the most benefits therefrom, so that the use thereof so combined or used alternately does not exceed the amount of water to which the parties entering into such agreement may be entitled in the aggregate under this decree, and so that the pooling of said water and uniting the same as aforesaid, does not interfere with the rights or priorities of other parties not entering into such agreement.



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

June 4, 1985

Dr. Jeffrey Anderson
4000 Yellowstone
Pocatello, ID 83201

Dear Dr. Anderson:

Re: Water Right Nos. 29-7523, 29-0448, 29-0449 and 29-7507

Returned is Proof of Beneficial Use (Form A) which was forwarded to the Department on May 16, 1985 in connection with water right Nos. 29-7523, 29-0448 and 29-0449. The proof submittal is not applicable to these rights since 29-7523 is a licensed water right and 29-0448 and 29-0449 are court decreed rights. These rights either were not included or have been dismissed from the Idaho Power Co. law suit.

In checking our water right records, I note that Application No. 29-7507 which you filed on August 13, 1979 is pending before the Department. This application was protested, but the protests were withdrawn pending the formation of a water district on Pocatello Creek. The water district has been formed; however, the application has been named in, but not released from, the Idaho Power Co. law suit. The Department can take no further action on Application No. 29-7507 until released from that suit.

You may wish to contact the Idaho Power Co. through the law firm of Nelson, Rosholt, Robertson, Tolman and Tucker in Twin Falls to determine what is involved in the release of the application from the law suit.

Please feel free to contact the Department if you have questions.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

cc: Eastern Region

April 27, 1983

RE: Water Right Nos. 29-0448 and 29-0449

Dr. Jeff Anderson
Buckskin Road
Pocatello, ID 83201

Dear Dr. Anderson:

Enclosed is a copy of your approved application for transfer of the above referenced water rights (Transfer No. 2725). Be sure to note the conditions of approval on the fourth page.

Sincerely,

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

DRT:kw
Enclosure

ENCLOSURE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: Am

① Right number 29-0448 Applicant DR. JEFF ANDERSON
29-0449

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 NOT LISTED IN DECREE

(b) ☒ Description of original point of diversion. NOT LISTED IN DECREE

(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. ☒ No change 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 - No change in P/u

j. ☐ Is use within a Watermaster District? ☒ Yes ☒ No

If yes, what district? Pocatello Creek

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on NA Received on _____

2. Is transfer published correctly? ☒ Yes ☐ No

3. Protest received? ☒ Yes ☐ No

RECOMMENDED ACTION 1) Diversion from S. Fork Pocatello Creek

1. ☒ Approve

must be made by a pump.

2. ☐ Deny

2)

OS(29A Pocatello Creek)

3. Conditions* Code O/E & (transfer water under this transfer)

shall be subject to control by the watermaster of Pocatello Creek
when appointed.

4. By Ernest Carter Date Nov. 22, 1982

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Jim 4-5-83 use above conditions
* All uses within Watermaster Districts require special conditions.

Department of Water Resources

In the matter of Application for Transfer)
of water rights no. 29-0448 and 29-0449) Withdrawal of Protest
in the name of Dr. Jeff Anderson)

I hereby withdraw my protest against the above
mentioned transfer ~~with~~ the condition that a control
valve be installed as a part of the diverting works
and that the diversion from the creek is by pump. ✓

Signed at Pocatello, Idaho this 18th day of November 1982.
Dwaine M. Anderson

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Dwaine W Anderson
Pocatello Creek Rd
Pocatello, Idaho 83201

Dear Mr Dunn

I believe a change of diversion of water from the south fork of Pocatello Creek as applied for by Mr Jeff Anderson # 29 0448, 29-0449 would be a factor in reducing irrigation water on my deced 1897 rights. With the dams and pumps in that stream very little water is left for us lower irrigation people.

Yours Truly
Dwaine W Anderson

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SEP 14 1982

Department of Water Resources
Eastern District Office



T No. 29-0448/0449 - Dr. Jeff Anderson

Conference Room, Pocatello Municipal Airport, Pocatello, Idaho
Thursday, November 18, 1982 - 1:00 p.m.

ROSTER OF ATTENDANCE

Hearing Officer: Bob Fleece & Ernest Carlson

Name	Address	Representing
------	---------	--------------

James A. Anderson	Pocatello Creek Rd.	Self
Jeff Anderson, DVM	Buckskin Road - Pocatello	Self

RECEIVED

29-0448/49

1. The following service is requested (check one.)
☒ Show to whom and date delivered.....
☐ Show to whom, date and address of delivery.....
☐ RESTRICTED DELIVERY
Show to whom and date delivered.....
☐ RESTRICTED DELIVERY
Show to whom, date, and address of delivery.....

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Mr. Jeff Anderson
Buckskin Road
Pocatello, Id. 83201

3. ARTICLE DESCRIPTION:
REGISTERED NO. CERTIFIED NO. INSURED NO.
13031

(Always obtain signature of addressee or agent)

I have received the article described above.
Signature: [Signature] Date: 11-4-82

4. DATE OF DELIVERY
11-4-82

5. ADDRESS OF ADDRESSEE
Pocatello, ID

6. ARTICLE TO BE RETURNED TO
USPO

NOV 4 1982
Pocatello, ID
USPO

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Cancelled stamp 1, 2, and 3 on the return.
- Address in front of article 2 space provided.
- Returnable only to back of article.
- Enclose article "Return Receipt Requester" adjacent to address.

PENALTY FOR PRIVATE
USE TO ADDITIONAL
OF POSTAGE, ONE



DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
150 SHOUP AVE.
IDAHO FALLS, IDAHO 83401

RETURN
RECEIVED
NOV 8 1982

Department of Water Resources
Eastern District Office

(Name of Recipient)

(Street or P.O. Box)

(City, State, and ZIP Code)

729-044840449

SENDER: Complete blocks 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)
☒ Show to whom and date delivered.....
☐ Show to whom, date and address of delivery.....
☐ RESTRICTED DELIVERY
Show to whom and date delivered.....
☐ RESTRICTED DELIVERY.
Show to whom, date, and address of delivery.....

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Dwayne Aguilera
Paratello Ct Road
Paratello, Id 83201

3. ARTICLE DESCRIPTION:
REGISTERED NO. 13032 CERTIFIED NO. INSURED NO.

(Always obtain signature of addressee or agent.)

I have received the article described above.
SIGNATURE ☒ Addressee ☐ Agent

4. DATE RECEIVED
11-4-82

5. ADDRESS (Complete only if necessary)

6. UNABLE TO DELIVER REASON

NOV 4 1982
USPO MAIL

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete forms 1, 2, and 3 on the reverse.
- Attach to front of article if more permits, otherwise attach to back of article.
- Indicate below "Return Receipt Requested" if you want a receipt.

**PENALTY FOR PRIVATE
USE TO AVOID FORFEITURE
OF POSTAGE AND
FEE**



**DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
150 SHOUR
IDAHO FALLS 83401**

**RETURN
TO**



**NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES**

(Name of Sender)

(Street or P.O. Box)

(City, State, and ZIP Code)

**RECEIVED
NOV 8 1982**

DEPARTMENT OF WATER RESOURCES

EASTERN DISTRICT OFFICE

150 GROUP AVE.

IDAHO FALLS, IDAHO 83401

NAME AND
ADDRESS
OF SENDER

Indicate type of mail

- ☐ Registered
☐ Insured
☐ COD
☒ Certified

I certify that we have

- ☐ Commercial Insurance
☐ A deductible clause of
 \$

Affix stamp here if issued as
 certificate of mailing or for
 additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

1 No	NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	Handling Charge	Actual Value (If Registered)	DUE SENDER IF C.O.D.	R. R. FEE	S.D. FEE	S. H. FEE	REST. DEL. FEE REMARKS
1	13025	Mary Smith, 301 2nd W. Refburg	20	75				60			21-7301
2	13026	Frederic Madison P.O. Box 5 St Anthony									"
3	13027	Elmer + Gertrude Park, Rt #2 Box 77 P Rigley									22-7400 22-7401
	13028	Therese Kittle, Newdale									"
5	13029	Felix Canyon Ski Area Rt #9 Box 155 I. F.									23-7085
6	13030	Beatrice D Blakely Rt #2 Box 280 Rigley									"
7	13031	Dr Jeff Anderson, Buckskin Rd, Pocatello									29-0448 0449
8	13032	Norman Anderson Pocatello Rt 1d, Pocatello									"
9	13033	Don Lenecker, 1515 Lincoln Rd, I. F.									22-7400 22-7401
10											
11											
12		Sent Certified mail 11/3/82 CWS									
13											
14											
15											

TOTAL NUMBER OF
PIECES LISTED BY
SENDER

#9

TOTAL NUMBER OF
PIECES RECEIVED
AT POST OFFICE

C

POSTMASTER. PER (Name of receiving employee)

[Signature]

The full declaration of value is required on all domestic and international registered mail. Commercial Insurance—Payment of the full registry fee is required on articles valued up to \$1,000 or the full amount of the deductible if the deductible exceeds \$1,000. 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.

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

★ U.S. GOVERNMENT PRINTING OFFICE: 1979-301-994

ACCEPTANCE OF REGISTERED, INSURED, C.O.D. AND CERTIFIED MAIL

PS Form 3877, Sept. 1979

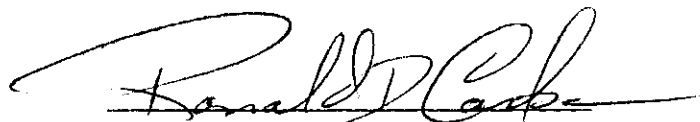
BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR	}	
TRANSFER NO. 29-0448/0449 IN THE		NOTICE OF HEARING
NAME OF DR. JEFF ANDERSON		AND/OR CONFERENCE

On August 19, 1982, Dr. Jeff Anderson filed with the Department of Water Resources an application to transfer the public waters of the State of Idaho. On September 14, 1982, the Department received a protest against approval of said application from Dwaine W. Anderson.

The Department has set the matter of protest for hearing for Thursday, November 18, 1982, at 1:00 p.m. in the Conference Room, Pocatello Municipal Airport, Pocatello, Idaho. The hearing will be held in accordance with provisions of Chapter 2, Title 42, 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.

Dated this 2nd day of November, 1982.



RONALD D. CARLSON

Eastern Regional Supervisor

11/18/82

November 5, 1982

Pocatello Municipal Airport
Airport Manager's Office
P.O. Box 1021
Pocatello, Idaho 83201

Gentlemen:

This letter is to confirm the use of the Conference Room for conference and/or hearing to be held by this Department on November 18, 1982, beginning at 1:00 p.m.

Thank you for your cooperation in this matter.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

NOV 11 1982
Pocatello, Idaho

September 17, 1982

RE: Application for Transfer No. 29-0443/0449

Dr. Jeff Anderson
Buckskin Road
Bocatello, Idaho 83201

Dear Dr. Anderson:

Enclosed please find a copy of the 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?

You will be notified at a later date as to the time and place set for conference and/or hearing. Legal counsel is not mandatory at an proceeding before the Department, although you may desire to employ an attorney in your behalf.

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

Very truly yours,

RONALD CARLSON
Eastern Regional Supervisor

RDC:cw

Enclosure

cc: IDWR - State Office

September 17, 1982

RE: Application for Transfer No. 29-0448/0449 ANDERSON

Dwaine W. Anderson
Pocatello Creek Road
Pocatello, Idaho 83201

Dear Mr. Anderson:

This is to acknowledge receipt of the protest filed against the above referenced application for transfer. The following are the principle 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?

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.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

cc: IDWR - State Office



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 30, 1982

RE: Transfer #29-0448 & 0449 Anderson

Tom Bloxham, Watermaster
District #29
Downey, Idaho 83234

Dear Mr. Bloxham:

Please find enclosed a copy of the above referenced application for transfer and watermaster recommendation form. Please review the application and complete the form, returning it to our office on or before September 20, 1982.

Thank you for your cooperation in this matter.

Very truly yours,

BARBARA L. POWERS
Secretary

Enclosures

MICROFILMED

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 29-0449 29-0449

Notice is hereby given that Dr. Jeff Anderson, Pocatello, Idaho, has applied to the Department of Water Resources for a change in the point of diversion of the waters of Pocatello Creek, South Fork tributary of the Portneuf River. The right sought to be changed is evidenced by decrees 29-0448 & 29-0449 to H.S. and Louise J. Woodland in Case of Taney vs. Woodland dated Apr. 1, 1925 in Eastern Division U.S. District Court, Bannock County, and are recorded as follows:

29-0448 AMOUNT: 0.50cfs

PRIORITY: February 23, 1907

29-0449 AMOUNT: 0.30cfs

DECREED POINT OF DIVERSION: Not stated in decrees

The water in both decrees is used for the irrigation of lands within the S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 20, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 26, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 28, T. 6S, R. 35E, B.M.

TO BE CHANGED AS FOLLOWS

0.10cfs of water will be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20, T. 6S R. 35E, B.M. Bannock County and used to irrigate 5 acres within the S $\frac{1}{2}$, SE $\frac{1}{4}$ Sec. 20, T. 6S, T. 35E.

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, Idaho, 83402, on or before September 20, 1982.

A. KENNETH DUNN

Director

Published in the Idaho State Journal, Pocatello, Idaho, on Sept. 2 & 9, 1982.

MICROFILMED

July 20, 1982

Dr. Jeff Anderson
Buckskin Road
Bocatello, ID 83201

Dear Dr. Anderson:

Enclosed is your transfer of a water right. Please review it and if all
is correct, sign and have the transfer notarized.

You must send the signed easement and a fee of \$30.00 with the completed
transfer to this office for processing.

Sincerely,

HAROLD W. JONES
Sr. Resource Agent

HWJ:BP

Enclosure

MICROFILMED