

Claim Identification No. A29-04064B



CLF 3-15-90

Mr. Scoffield's pasture east of Papoose Creek, looking south

Claim Identification No. A29-04064B



CLF 3-15-90

Mr. Scoffield's pasture west of Papoose Creek, looking north



CLF 3-15-90

Mr. Scoffield's pasture east of Papoose Creek, looking north

Claim Identification No. A29-04064B



CLF

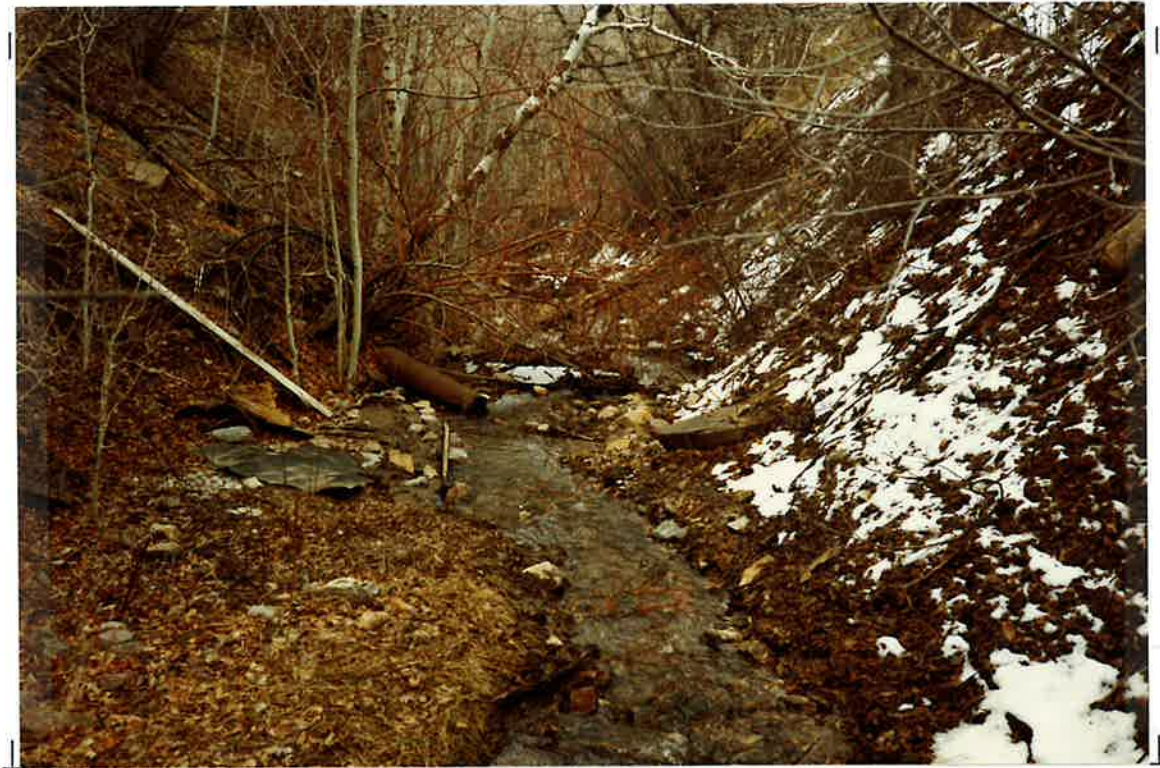
Place of use, looking north

10-18-90



Arrow points to riser

Claim Identification No. A29-04064



CLF

Point of diversion from Papoose Creek

3-15-90



CLF

Trash screen, Papoose Creek is visible to the left
of the concrete box.

3-15-90

#40581

Grantee approval:

gm Lh

WARRANTY DEED

90013827

RECEIVED

FOR VALUE RECEIVED

BILLIE JEANNE CROXALL, an unmarried person

JAN 02 1991

The Grantor, does hereby grant, bargain, sell and convey unto

Department of Water Resources
Eastern District Office

JOSEPH MATTHEWS and TAHNA MATTHEWS, husband and wife

The Grantees, whose address is 5230 W. Portneuf Road, Inkom, ID 83245 (property)
(mailing)

the following described premises, to-wit:

Beginning at the SE1/16 corner of Section 23, Township 7 South, Range 35 East, Boise Meridian, Bannock County, Idaho; thence South 1°48' East on East 1/16 line of said Section 23, a distance of 25.0 feet to the true point of beginning; thence continuing South 1°48' East 235.0 feet; thence North 88°06' East parallel to the South 1/16 line of said Section 23, a distance of 205.0 feet, thence North 1°48' West 235.0 feet; thence South 88°06' West 205.0 feet, more or less, to the true point of beginning.

AND ALSO: A parcel of land located in SE1/4 SE1/4 of Section 23, Township 7 South, Range 35 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

Beginning at the SE1/16 corner of Section 23, Township 7 South, Range 35 East, Boise Meridian, thence South 1°48' East along the West line of SE1/4 SE1/4 a distance of 260 feet to the true point of beginning; thence North 88°06' East, parallel to the South 1/16 line of said Section 23, a distance of 205 feet; thence at right angles South 25.1 feet; thence in a Northwesterly direction to the point of beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee s, that she is the owner in fee simple of said premises; that said premises are free from all encumbrances except covenants, conditions, restrictions, easements of record and any assessments for the year 1990, which are not yet due and payable

and that she will warrant and defend the same from all lawful claims whatsoever.

Dated: October 25, 1990

Billie Jeanne Croxall

Billie Jeanne Croxall
STATE OF IDAHO, COUNTY OF Bannock

On this 25 day of October, 1990,
before me, a notary public in and for said State, personally appeared
Billie Jeanne Croxall

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to me
that she executed the same.

Notary Public

Residing at POCATELLO, Idaho
Comm. Expires 5/16/96

NO. 90013827
RECORDED AT REC'D OF
PIONEER TITLE

90 OCT 26 P 1:14

531
FILED OCT 26 1990



1577

2-1

779337

QUIT CLAIM DEED

FOR VALUE RECEIVED, GRACE PALMER, a widow, hereby quit claims and conveys to HAROLD G. PAYNE whose address is 5195 West Portneuf Road, Inkom, Idaho, 83245, all her right, title, and interest in the following described water rights, to wit:

All water rights, including 8.190 miner inches of the waters of Papoose Creek, a tributary of the Portneuf River, all of which water rights are appurtenant to the following described real property:

PARCEL 1: A parcel of land situated in the Southeast Quarter of the Southeast Quarter of Section 23, Township 7 South, Range 35 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows: Beginning at the East 1/16 corner on the South line of said Section; thence N1°48'00" West along the East 1/16 line of said Section, a distance of 799.25 feet; thence North 88°06'00" East, 205.00 feet; thence North 1°48'00" West, 70.75 feet to the Southerly right of way of Portneuf Road; thence South 59°36'27" East along said Southerly right of way, 218.72 feet; thence South 09°57'00" West, 150.00 feet; thence South 59°36'27" East, 40.00 feet; thence South 09°57'00" West, 599.09 feet more or less to the South line of said Section; thence South 88°23'00" West along said South line, 271.40 feet to the Point of Beginning.

PARCEL 2: Commencing at the Southeast 1/16 corner of Section 23, Township 7 South, Range 35 East, Boise Meridian, thence South 1°48' East on the East 1/16 line of said Section 23, a distance of 260 feet to the True Point of Beginning; thence continuing South 1°48' East on said East 1/16 line 260 feet; thence North 88°06' East 205 feet; thence North 1°48' West 100 feet more or less to a point in the center line of existing County Road; thence in a Northwesterly direction along said center line of County Road to a point that is 69 feet more or less East of the Point of Beginning; thence West to point of beginning. Excepting therefrom the following described property, to wit:

Beginning at the SE 1/16 corner of Section 23, Township 7 South, Range 35 East, Boise Meridian, thence South 1°48' East along the West line of SE1/4SE1/4 260 feet to the true point of beginning; thence North 88°06' East

ISTENSEN, Chartered
405 WEST WHITMAN
LO, IDAHO 83204

779337

5 line of Section 23, a distance of
ight angles South 25.1 feet; thence
irection to the point of beginning.

E August, 1986.

Grace Palmer
Grace Palmer

August, 1986, before me the
ally appeared GRACE PALMER, known
erson whose name is subscribed to
vledged to me that she executed the

have hereunto set my hand and
and year in this certificate first

Barbara Fuger
Notary Public
Residing at: Pocatello, Idaho

NOTARY SEAL

NO 779337
RECORDER AT REQUEST OF
Lamont Jones

'86 SEP -2 P1:33

QUIT CLAIM DEED

FOR VALUE RECEIVED, HAROLD PAYNE and HELEN PAYNE, husband and wife, as Grantors, do hereby quit claim and convey to JAY SCOFFIELD and TARA SCOFFIELD, husband and wife, as Grantees, whose address is 5195 West Portneuf Road, Inkom, Idaho, 83245, all their right, title, and interest in and to the following described water rights, to wit:

All water rights, including 8.190 miner inches of the waters of Papoose Creek, a tributary of the Portneuf River, all of which water rights are appurtenant to the following described real property:

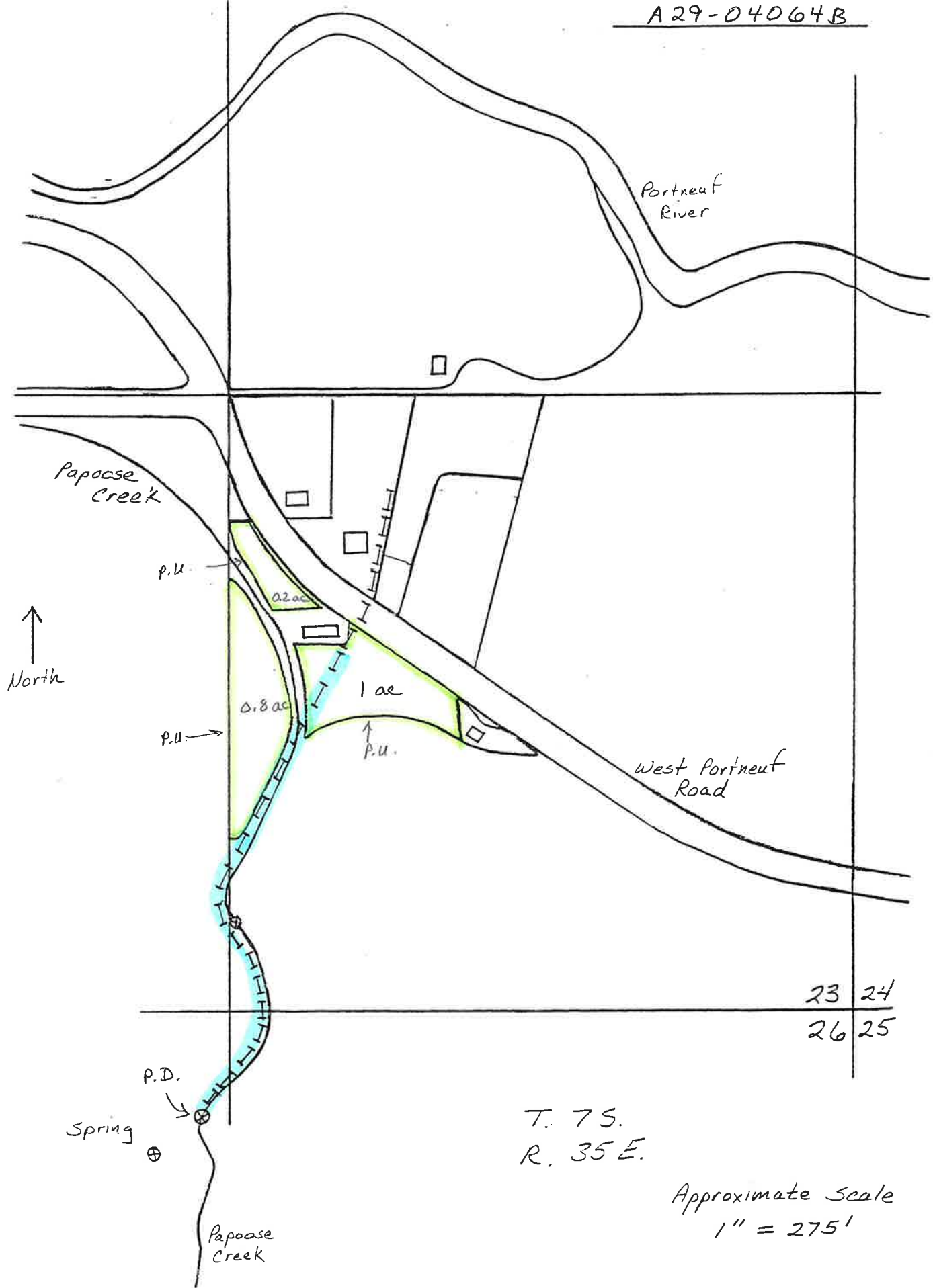
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1890-1900

↑
House





T. 7 S.
R. 35 E.

Approximate Scale
1" = 275'



North
↓

P.D. for:

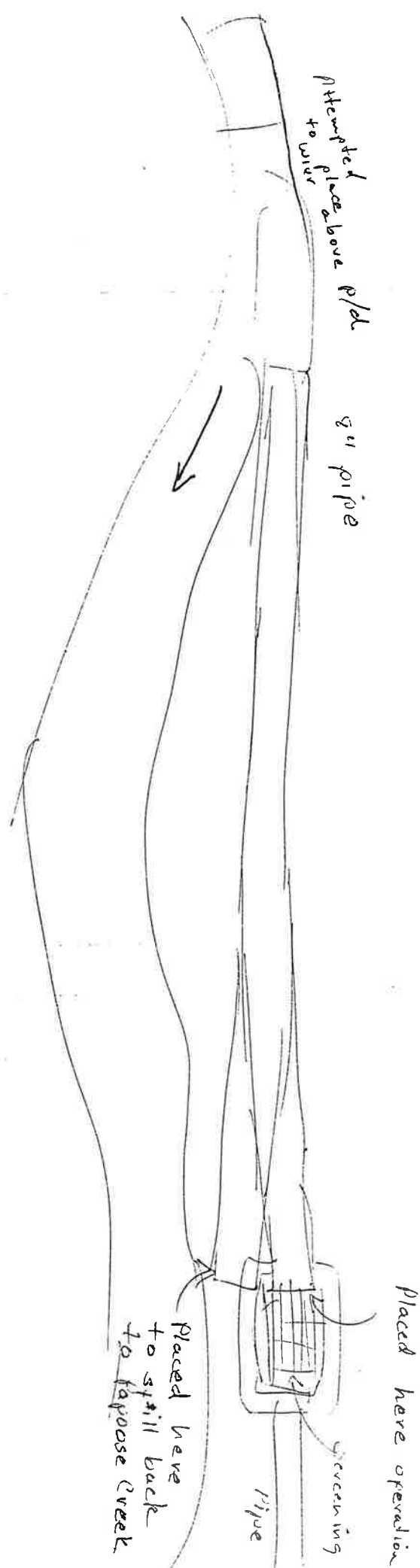
A29-04064A

A29-04064B

A29-04064C

A29-04064D

A29-10010



Ronald Scoffield 775-4560

A29-04064B

Tara Scoffield

A29-10103

No Answer 12:40 P.M. 3-13-90

Tentative appt. 2:00 p.m. 3-15-90

Trailer just before Smith's place.
5195 W. Portneuf



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

November 20, 1990

A29-10103

A29-04064B

RONALD J. SCOFFIELD, JR.
5195 W. FORTNEUF

INKOM

ID 83245

RE: Evidence of priority date for Notices of Claim to a Water
Right filed in the Snake River Basin Adjudication (SRBA).

Dear Claimant(s):

The claims identified with the numbers shown above your name have been filed in the SRBA. The claims indicate the water usage is based on beneficial use. Beneficial use rights are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date the water was first put to use, known as the priority date, has not been confirmed by a license, decree or permit. Please note that certain beneficial use rights are identified as "Statutory Claims". A Statutory Claim is a beneficial use right that was recorded with the Department, but was not confirmed. Since the priority date of a beneficial use water right cannot be confirmed by a field examination, proof must be provided supporting the priority date.

Printouts of your claims are enclosed for your reference, as well as the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some Examples of Documents Which May Be Evidence of the Priority Date".

It is the goal of the Department to recommend the historical water rights within the Snake River Basin as accurately as possible. A field examination to verify other items of the claims has been conducted. Since the Department cannot confirm the priority date the way other elements of the water right are confirmed by field examination we are asking for evidence of the priority shown on the Notice to make the record complete before recommending a beneficial use water right to the court.

Evidence of priority date
Page 2

The Department will not recommend the claims be decreed by the court as claimed if no evidence of a priority date is submitted.

Please submit the required evidence supporting the priority date to the address shown below by December 20, 1990, referencing all documents with the corresponding claim number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,



Carter Fritschle
Senior Water Resource Agent
Adjudication Bureau

Please submit documents to:

Idaho Department of Water Resources
Adjudication Bureau
1301 N. Orchard
Boise, ID 83706-2237

Enclosures:

"Evidence of Priority"
"Adj. Listing of Water Rights"



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

Date: March 7, 1990

Jay Scoffield
Tara Scoffield
5195 W. Portneuf Road
Inkom, ID 83245

Identification no. A29-10103 & A29-04064B

RE: Field examination of a water right claimed in the Snake River
Basin Adjudication

Dear Claimant:

We are planning to conduct water right field examinations in the vicinity of your water right claim on March 14 and 15, 1990. A field examination is needed to verify your water use.

The field examiner will be visiting your property to obtain information necessary for the verification process. If you, or someone with knowledge of your water system could be available at the time of the field examination, it would be appreciated.

You will be contacted by telephone to schedule a time for the field examination. If you have any questions regarding the field examination, you may contact this office at (208) 327-7862.

Sincerely,

A handwritten signature in cursive script, reading 'Carter Fritschle'.

Carter Fritschle
Senior Water Resource Agent
Adjudication Bureau

\$50
8 acres
\$58

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A29-04064B
Date Received: 11/08/1989
Receipt No: EO1129
Received By: TO

RECEIVED
FEB 5 1990

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources

1. Name: RONALD J. SCOFFIELD, JR. 208-775-4560
Address: 5195 W. PORTNEUF
INKOM, ID 83245
AND/OR
Name: TARA L. SCOFFIELD 208-775-4560
Address: 5195 W. PORTNEUF
INKOM, ID 83245

2. Date of Priority: MAY 01, 1889

3. Source: PAPOOSE CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	35E	26	NW	NE	NE		BANNOCK

5. Description of diverting works:
CONCRETE STRUCTURE/8" PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.164		

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

8. Total consumptive use is 20.5 Acre Feet Per Annum.

9. Non-irrigation uses:
S/5 CATTLE & HORSES

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	35E	23	SE	SE	IRR	8.2
Section Acres						8.2
Total Acres						8.2

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

22 23
27 26

3 MEL
12
137.2
152

10.8

T195 #120
Pete Miller

T1647
Grace Palmer
#557

HEL
NPAE
PLACE
USE
40.9

10.9

16.45

T1055
Antonio Aguilera

Pete Miller #120

25 24
26 25

HEL

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): X [Signature] Date: 11-8-89
Date: _____

State of Idaho)

County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 8th day
of November 19 89

[Signature]
Notary Public

Seal

Residing at Idaho Falls
My Commission Expires 9/12/1994



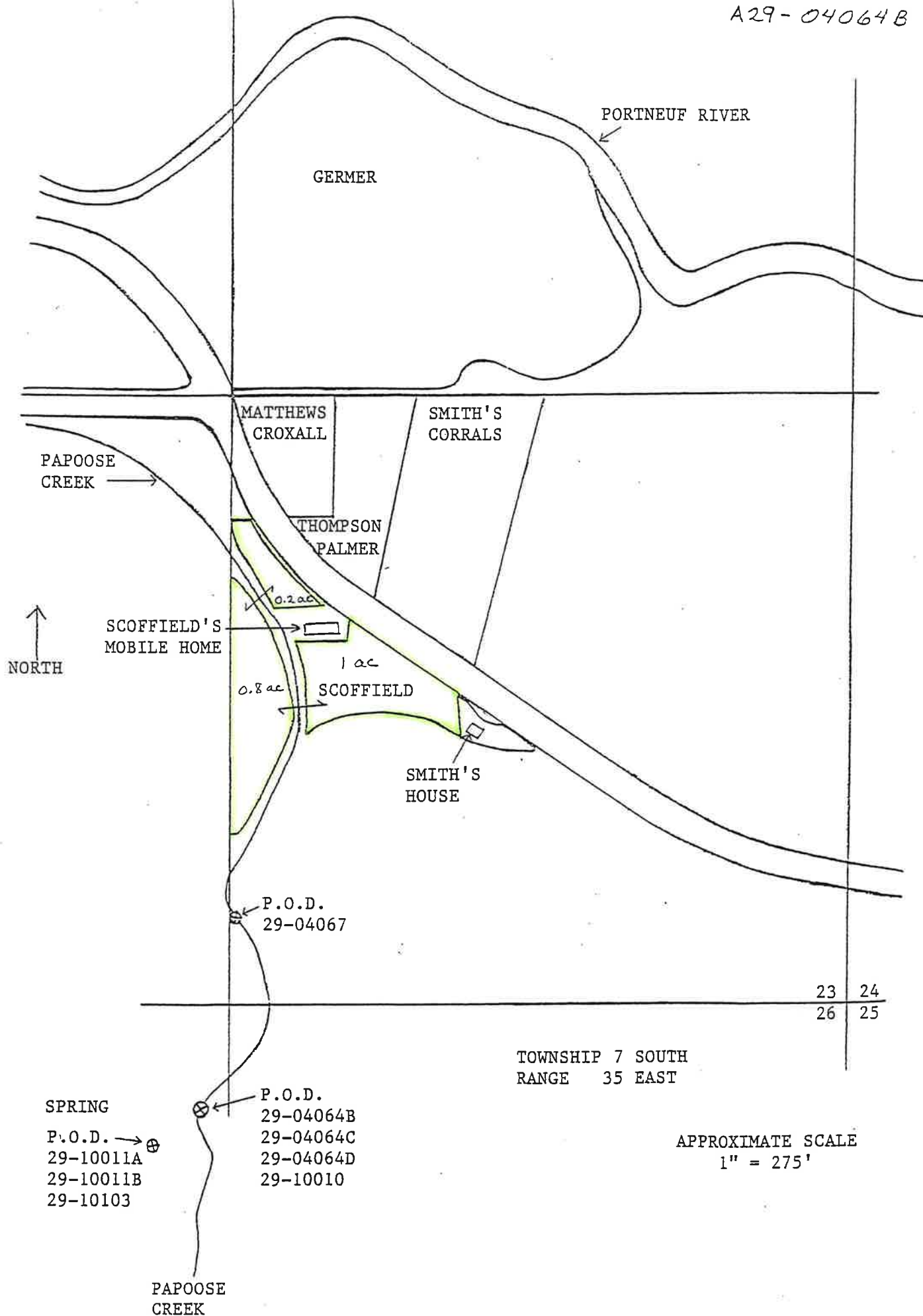
CLF

Point of diversion from Papoose Creek 3-15-90



CLF

Trash screen. Papoose Creek is visible to the left of the concrete box. 3-15-90



11/8/91

A29-04064B

CLAIMANT(S): Ronald J. and/or Tara Scoffield

DESCRIPTION OF THE SYSTEM

The system diverts water from Papoose Creek by means of a pipeline to a concrete box covered with a trash screen. From the concrete box the water is piped to the lands owned by Scoffield, Croxall, Palmer and Smith. The land irrigated under this claim is the pasture area around the Scoffield mobile home. There is one riser from the pipeline on Scoffield's land. The pasture can be irrigated with handlines connected to this riser, or with "rainbird" type sprinklers on garden hoses connected to faucets that are fitted to the pipeline. The vegetation is quite sparse and the soil is rocky. Mr. Scoffield stated he intends to irrigate additional land once he gets it leveled and the debris is removed. There were 3 horses in the pasture at the time of the inspection.

✓
*redescribed Scoffield
system*

TP 63 of report

CLAIMANT(S): Ronald J. and/or Tara Scoffield

ANALYSIS OF THE WATER USE

This land appeared to be the least productive of the lands irrigated from Papoose Creek. The priority date claimed (May 1, 1889) would indicate that the initial irrigation of the land was accomplished by a ditch or ditches from Papoose Creek. The only sight observed that appeared suitable for a diversion into a ditch is the present point of diversion used for water right 29-04067. A ditch diverting at this location would be unable to supply water to any of the land west of Papoose Creek. To further complicate the situation, it appears that Papoose Creek has been rechanneled to a more westerly course. In analyzing the present irrigation system it would appear that the land south of the road was probably irrigated only when the irrigation requirements of the land north of the road were satisfied. Also, the capacity of the present system appears to be a limiting factor as to the amount water that can be applied to the Scoffield lands.

It appears that the original point of diversion from Papoose Creek for the irrigation of the lands owned by H. Martin Palmer was most likely the diversion point for water right 29-04067. This would mean that the priority date for much of the land owned by the Scoffields could not have been prior to the establishment of the upper point of diversion (the present p.d. for this right and all the other portions of right 29-04064). This point of diversion appears to have been established to provide a gravity pressurized sprinkler system.

Although no one was diverting water from Papoose Creek at the time of the field inspection, the majority of the flow of the creek was not reaching the Portneuf River, but was sinking in an area northwest of the Scoffield home where the creek passed through a rocky area.

The the 0.8 acre and 1.0 acre fields appear "reddish" in the NHAP photo dated 8-11-80. The 0.2 acre field appears gray in the same photo. Mr. Scoffield stated he irrigated the 0.2 acre field, however, this field is a greater distance from the mainline than the others, and therefore would require more garden hose or sprinkler pipe. I did not notice any hose or pipes in the area of the 0.2 acre field.

CLAIMANT(S): Ronald J. and/or Tara Scoffield

SUPPLEMENTAL INFORMATION

A re-examination of the system was conducted on October 18, 1990. Water was being diverted from Papoose Creek, however the mainline was not pressurized, therefore the only locations available to measure a "diversion rate" were at a cross section of the stream approximately 9 feet above the point of diversion, and at the concrete box used to filter debris from the water. The flow measured above the the point of diversion was 0.16 cfs, and the entire flow was diverted into the pipe. Extensive leakage was occurring in the pipeline from the point of diversion to the concrete box. The flow from the pipeline measured at the concrete box was 0.03 cfs. The balance of the water was returning to Papoose Creek by way of the leaks in the pipe.

Mr. Scoffield stated that he had only been able to get enough water to irrigate for about a two week period this past summer.

CLAIMANT(S): Ronald J. and/or Tara Scoffield

Superseded by 2nd field inspection 10-18-90
ANALYSIS OF THE WATER USE

new right? The priority date claimed (May 1, 1889) would indicate that the initial irrigation of the land was accomplished by a ditch or ditches from Papoose Creek. The only area observed that appeared suitable for a diversion into a ditch is in the area of the present point of diversion used for water right 29-04067. A ditch diverting water at this location would be unable to supply water to any of the land west of Papoose Creek. The topography of the land suggests that more than one water right may exist for the water used on this land, because some the land that is irrigated by the Scoffields, could only have been irrigated from Papoose Creek after the establishment of the pressurized sprinkler system. To further complicate the situation, it appears that Papoose Creek has been re-channelled to a more westerly course. ?

The point of diversion used for this claim to a water right appears to have been established to provide for a gravity pressurized sprinkler system. The sprinkler system for Scoffield's land consists a faucet and garden hose, an underground black plastic pipe to another faucet and a riser for a handline, all of which are directly connected the the mainline. The mainline continues to the lands north of the road (Smith's, Palmer's and Croxall's) where there are two risers for handlines. Mr. Smith also has a claim to a water right (with a later priority date) for land on the south side of the road, and this land is served by an underground lateral line from the mainline. The original statutory claim filed by H. Martin Palmer appears to include lands that have never been irrigated, and some of the unirrigated land is included with this portion of that claim.

No one was diverting water from Papoose Creek at the time of the March 15, 1990 field inspection, the majority of the flow of the creek was not reaching the Portneuf River, but was sinking in an area northwest of the Scoffield home where the creek passed through a rocky area.

There are essentially three areas or "fields" that Mr. Scoffield stated he irrigated with this system. Very little vegetation was visible, which makes it difficult to distinguish Mr. Scoffield's irrigated land from dry land. The 0.8 acre and 1.0 acre fields appear as irrigated in the HAP photo dated 8-11-80. The 0.2 acre field does not appear as being irrigated in the same photo. Even though Mr. Scoffield stated he irrigated the .02 acre field, the 1980 HAP photo cannot confirm the irrigation. Pacing and the ASCS aerial photo were used to determine the size of the fields.



CLF

Point of diversion from Papoose Creek 3-15-90



CLF

Trash screen. Papoose Creek is visible to the left
of the concrete box. 3-15-90

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	MAXIMUM DIVERSION	STAGE
R29-04064B	RONALD J. SCOFFIELD, JR. TARA L. SCOFFIELD 5195 W. PORTNEUF RD INKOM ID 83245	05/01/1927 1970	IRRIGATION	04-01 10-31	0.04 CFS 0.02	STATUTORY CLAIM

TOTAL DIVERSION RATE:
TOTAL DIVERSION VOLUME:
CONSUMPTIVE USE:

0.02
0.04 CFS
0.00 AFA
6.0 AFA

SOURCE: PAPOOSE CREEK

TRIBUTARY: PORTNEUF RIVER

POINT OF DIVERSION:

T07S R35E S26

NENWNE

PLACE OF USE: IRRIGATION

T07S R35E S23

SESE 2.0

2.0 ACRES TOTAL

CONDITIONS OF APPROVAL:

REMARKS: THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE: 29-04064C, 29-04064D, 29-10010

OTHER RIGHTS: NONE

29-04064A

SELECTION FILE: CLF-SMITH-V-SCOFFIELD-R-RECORD

BY WATER SOURCE/PRIORITY DATE

WATER RIGHT NUMBER	CURRENT OWNER NAME	PRIORITY DATE	STG	POINT OF DIVERSION	TOTAL DIVERSION	TOTAL ACRES	WATER USES
-----------------------	--------------------	------------------	-----	--------------------	-----------------	----------------	------------

WATER SOURCE: PAPOOSE CREEK

R29-04064B	SCOFFIELD, JR., RONALD J.	05/01/1927	S	07S 35E 26	NEUNWE	0.040 CFS	2.0 01
R29-04064C	MATTHEWS, JOSEPH	05/01/1927	S	07S 35E 26	NEUNWE	0.020 CFS	0.7 01
R29-04064D	THOMPSON, TRACY R.	05/01/1927	S	07S 35E 26	NEUNWE	0.030 CFS	1.3 01
R29-04067	GERMER, VIRGIL T.	04/01/1960	S	07S 35E 23	SWSESE	0.220 CFS	11.1 01
R29-10010	SMITH, THERON	01/02/1969	J	07S 35E 26	NEUNWE	0.010 CFS	0.3 01

WATER SOURCE: SPRING

R29-10011A	SMITH, THERON	04/01/1945	J	07S 35E 26	NEUNWE	0.010 CFS	0.4
R29-10011B	SMITH, THERON	01/02/1969	J	07S 35E 26	NEUNWE	0.010 CFS	43
R29-10103	SCOFFIELD, JR., RONALD J.	09/01/1970	J	07S 35E 26	NEUNWE	0.010 CFS	43





Wed. 3-14-90

12:30 Di Caltaldo

1:30 Harriet Lundberg & Thomas Holmes A29-04177

2:30 Allen Collins

3:30 Charles Freshman

Thurs 3-15-90

9:00 Theron Smith A29-04064A, A29-10011, A29-10010

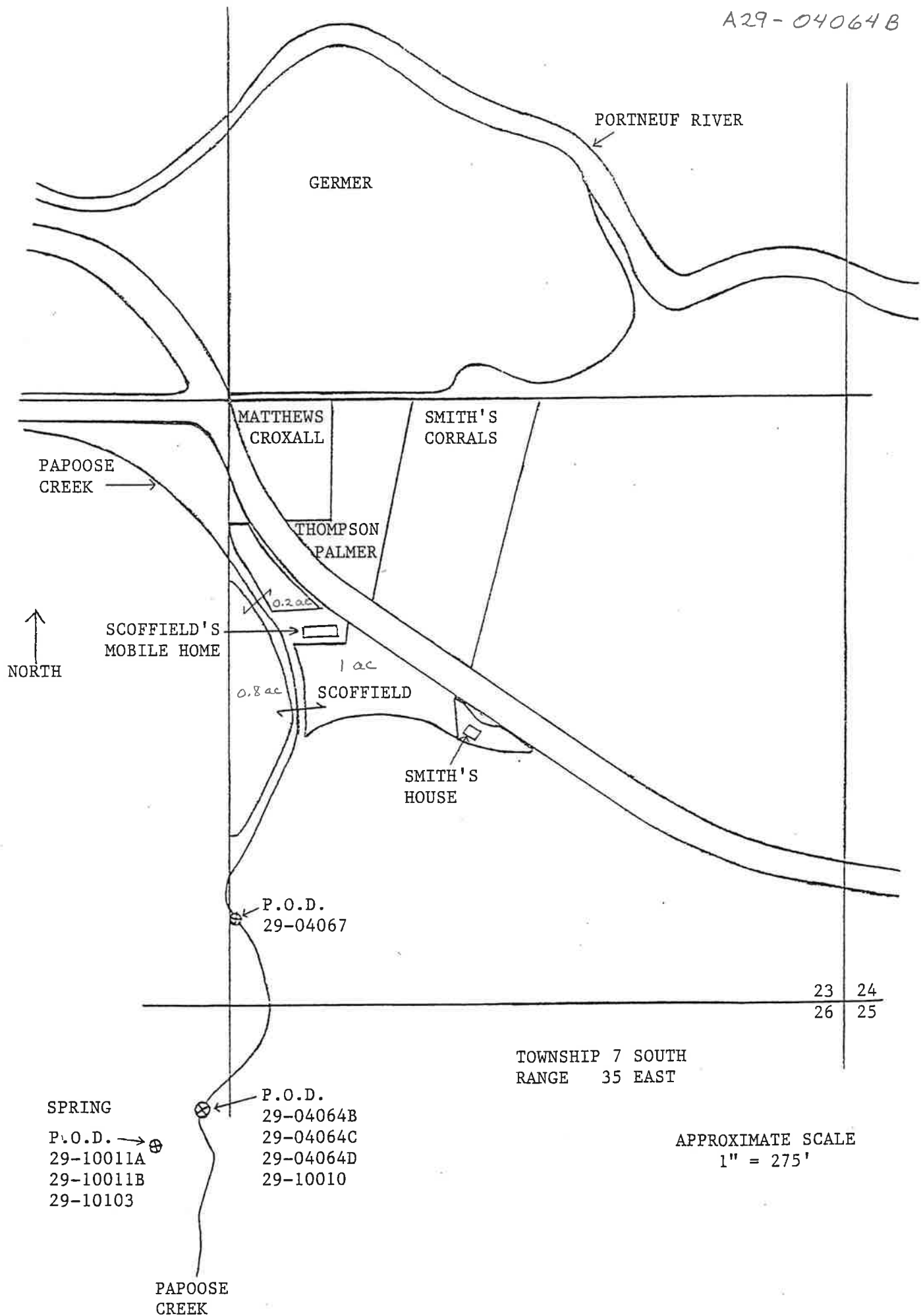
10:00 Billie J. Croxall & Grace Palmer

11:00

1:00 Virgil T. Germer

2:00 Jay Scoffield

3:00



limited to .04 cfs priority 1987

Water Right Number - A29-04064B

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

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

*** C - CURRENT OWNER ***
SCOFFIELD, JR.

RONALD J.

SCOFFIELD

TARA L.

1 - 5195 W. PORTNEUF
2 -
3 -
city- INKOM
Phone - 208-775-4560
1 - 5195 W. PORTNEUF
2 -
3 -

State- ID Zip- 83245

city- INKOM
Phone - 208-775-4560

State- ID Zip- 83245

*** O - ORIGINAL OWNER ***
PALMER

HYRUM MARTIN

PAYNE

HAROLD G.

1 -
2 -
3 -
city-
Phone - 208-000-0000
1 - 5195 W. PORTNEUF RD.
2 -
3 -
city- INKOM
Phone - 208-000-0000

State- ID Zip- 832450000

+ - - Priority Date - - - +
05/01/1889 *1987*

+ - - Region - - - +
15 EASTERN

+ - - Stage - - - +
S - STATUTORY CLAIM

+ - - Status - - - +

+ - - Source - - - +
PAPOOSE CREEK

+ - - Tributary - - - +
PORTNEUF RIVER

+ - - Twn Rng Sec Tract Lot Rflg County Point of Diversion - - - - - Stream Index (Blank if no Index Code)

07S 35E 26 NW NE NE (5) BANNOCK

+ - - Code Description Period From Period To Water Use - - - - - Diversion Rate Diversion Volume

01 - IRRIGATION

04/01 11/01

0.164 *.04*

+ - - Total Div. Rate - - + - - Total Div. Volume - - + - - Total Div. Capacity - - + - - Total Consumptive Use - - + - - KW Usage - - +
0.164 *.04* 20.5

+ - - Twn Rng Sec Tract Lot Acres Place of Use - - - - - Description

07S 35E 23 SE SE

8.2

01 IRRIGATION

(5) BANNOCK

Total Acres: 8.2

+ - - Diversion Means - CONCRETE STRUCTURE/8" PIPELINE

2 also irrigated

Prefix Translation: ADJUDICATION CLAIM

+ - - Other Rights for Same Use - NONE

```
+ - - - - - Old Water Right Numbers -  
- - - - - No Old Water Right Numbers found.
```

+ - - - - Decree Plaintiff	- - +
+ - - - - Decree Defendant	- - - +

+ - - - - - - - Comments-
+ - - - - - - - No Comments Found

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 11/04/1986	Old Judicial District	-
Claim Received Date	- 11/08/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- E011129	Federal/State Indicator	- S
Claims Tape Error Flag	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	- AND/OR	Notice of Error Flag	-

11/13/2002

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

RIGHT NUMBER: 29-4064B

NAME AND ADDRESS: PAUL ALLEN
5195 W PORTNEUF RD
INKOM ID 83245

DIANE ALLEN
5195 W PORTNEUF RD
INKOM ID 83245

SOURCE: PAPOOSE CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.020 CFS

PRIORITY DATE: 05/01/1970

POINT OF DIVERSION:

T07S R35E S26 NENWNE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
4/01 10/31

QUANTITY
0.020 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T07S R35E S23 SESE 2.0

2 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

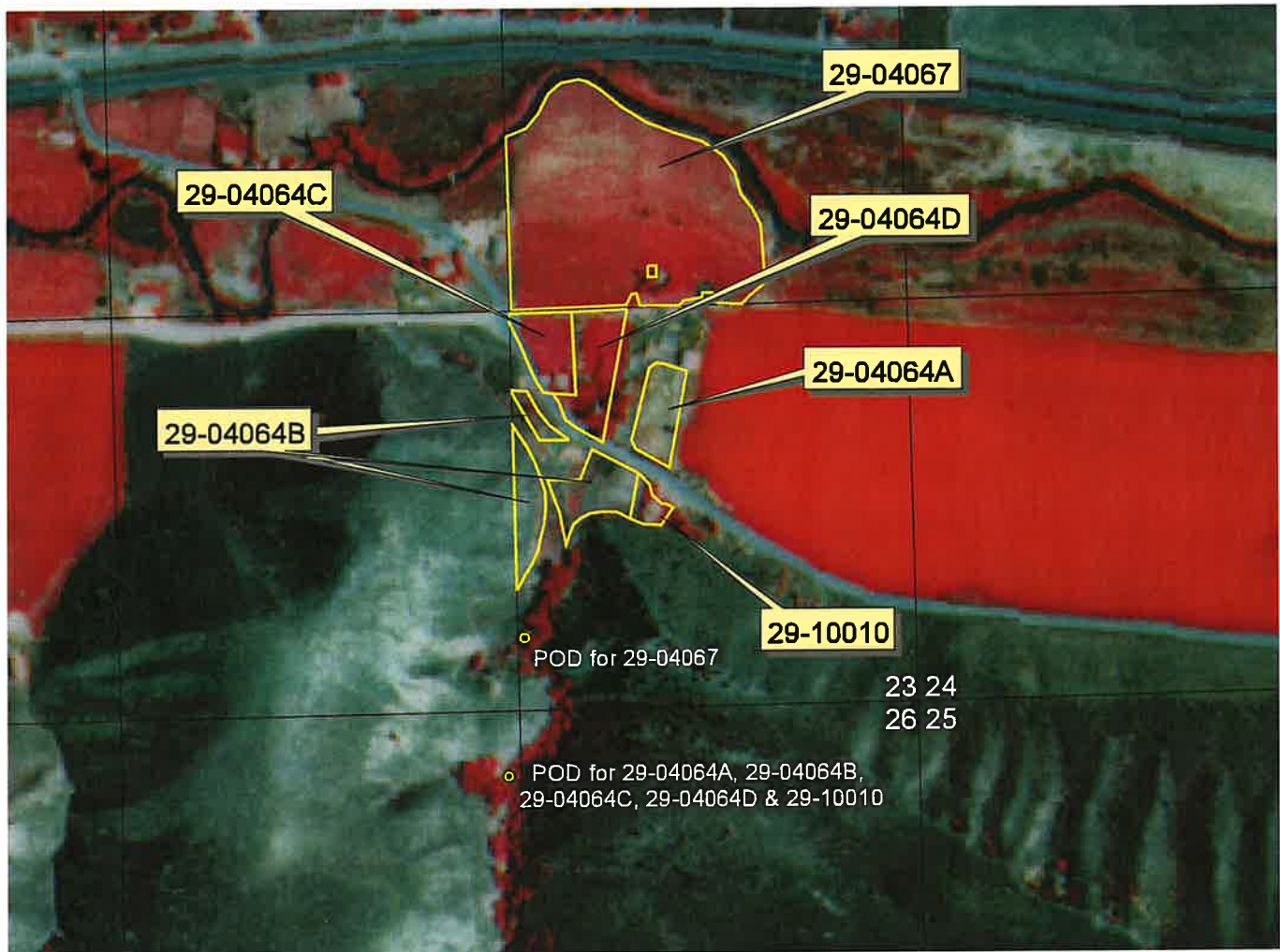
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: Decreed

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 29-04064A, 29-04064C, 29-04064D,
29-10010

A FINAL PARTIAL DECREE WAS ISSUED FOR THIS RIGHT IN SMITH V.
SCOFFIELD AS PART OF THE SRBA ON NOVEMBER 4, 1992.

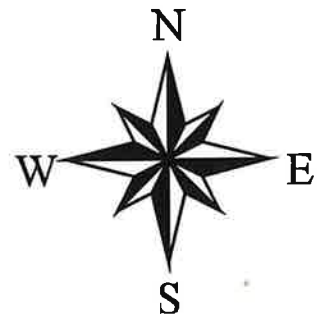
Papoose Creek Water Rights



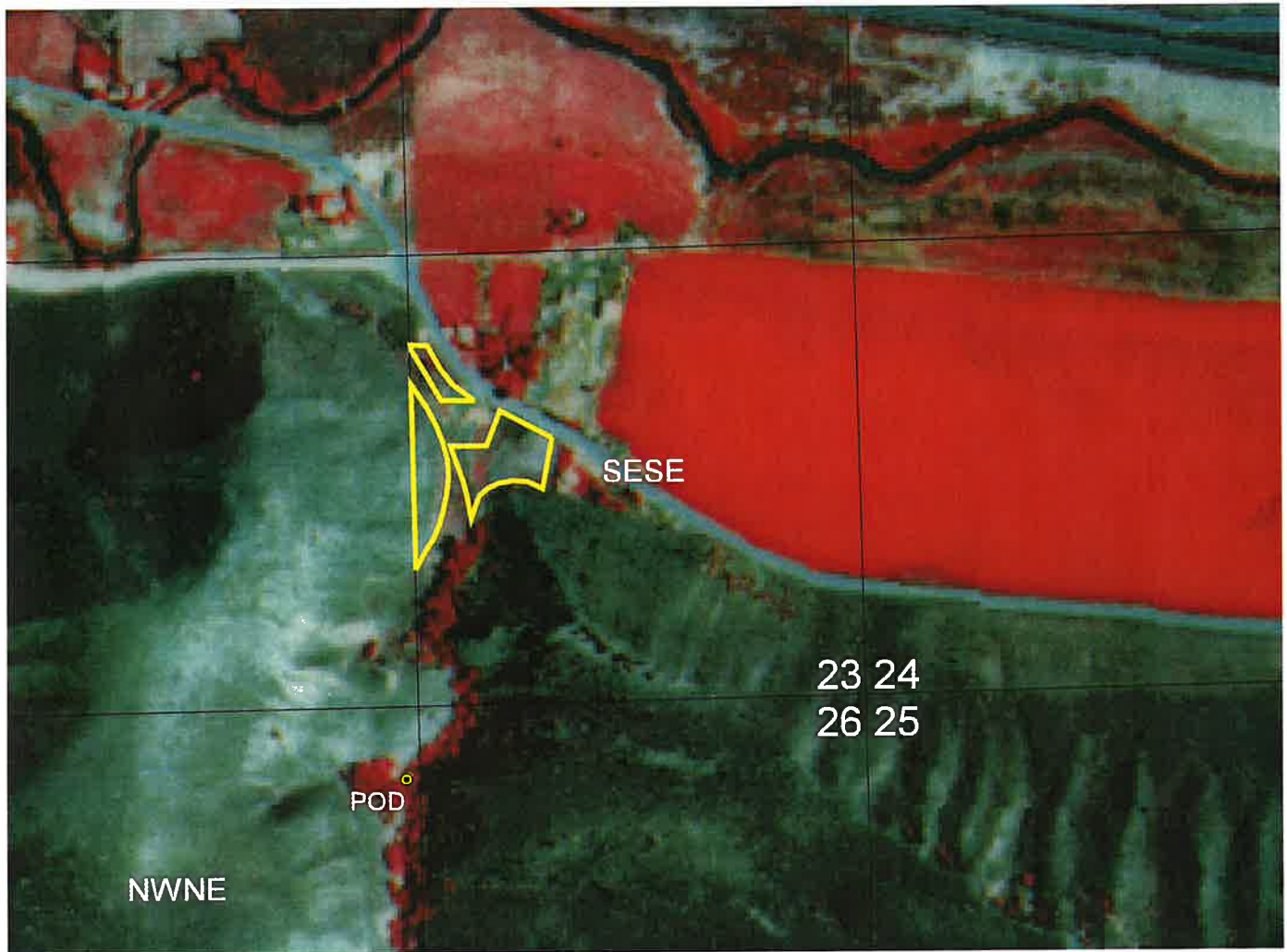
500 0 500 1000 1500 Feet

T07S R35E S23 & S26

Map prepared by: Carter Fritschle
Date prepared: 05/10/01
1987-1988 NAPP photography
Idaho Department of Water Resources



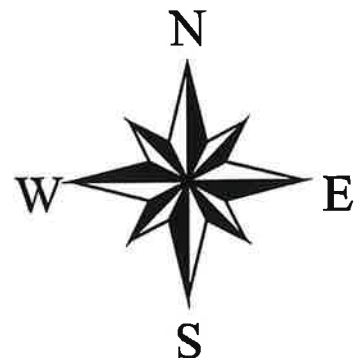
29-4064B



600 0 600 1200 1800 2400 Feet

T07S R35E S23

Map prepared by: Carter Fritschle
Date prepared: 05/10/01
1987-1988 NAPP photography
Idaho Department of Water Resources



RECEIVED

JAN 04 1991

TO: Idaho Department of Water Resources

RECEIVED
Department of Water Resources
District Office

RE: claim # A29-04064B

DEC 20 1990

The water from this Spring has been used for Irrigation on this property since 1889. years ago the creek (papoose) did not flow enough to reach any other ground and was Damed at night to build enough water to flood the property we (scofield's) now own. The creek has changed considerable over the last few years and flows almost year round. water from this spring almost exculsively watered the ground we (scofield's) own up until about 20 yrs ago when the palmers piped it for sprinklers and divided and conveyed it for Irrigation use on several parcels of ground

RECEIVED
JAN 10 1991

Department of Water Resources

Tara L. Scofield

5195 W. Postneuf Rd

Idaho Kom. IDAHO 83245

Notary Paul Carpenter

Commission exp 4-17-86

Sanrock county Idaho

RECEIVED

DEC 10 1931

RE. 100-10000

The water in the ...
 has been used for irrigation ...
 property ...
 over (before) ...
 reach any other ground and ...
 at night to half ...
 flood the property ...
 over. The ...
 over the last few years ...
 almost ...
 during almost ...
 ground ...
 about 20 ...
 7 feet ...
 amount ...
 amount ...

RECEIVED
 JAN 10 1932
 Department of Water Resources

...
 ...
 ...

...
 ...
 ...

AT5807NP
(OD-117)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJ. LISTING OF WATER RIGHTS

DATE: 11/09/90
PAGE: 2

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	MAXIMUM DIVERSION	STAGE
A29-04064B	RONALD J. SCOFFIELD, JR. TARA L. SCOFFIELD 5195 W. PORTNEUF INKOM ID 83245	05/01/1889	IRRIGATION	04-01 11-01	0.16 CFS	STATUTORY CLAIM
					0.16 CFS TOTAL	
					0.00 AFA TOTAL	

SOURCE: PAPOOSE CREEK
OTHER RIGHTS: NONE
CONDITIONS OF APPROVAL:

TRIBUTARY: PORTNEUF RIVER

REMARKS:

POINT OF DIVERSION:
T07S R35E S26 NWNE

PLACE OF USE: IRRIGATION
T07S R35E S23 SESE 8.2
8.2 ACRES TOTAL

RIGHT
NUMBER

NAME & ADDRESS

PRIORITY
DATE

WATER USE

USE PERIOD
FROM TO

MAXIMUM
DIVERSION

STAGE

A29-04064B

HYRUM MARTIN PALMER
- ID 00000

05/01/1889 IRRIGATION

04-01 11-01

0.16 CFS

STATUTORY CLAIM

1927

RONALD J. SCOFFIELD, JR.
TARA L. SCOFFIELD
5195 W. PORTNEUF
INKOM ID 83245

HAROLD G. PAYNE
5195 W. PORTNEUF RD.
INKOM ID 832450000

0.16 CFS TOTAL
0.00 AFA TOTAL

also owned previously by Mumme & Wheeler

SOURCE: PAPOOSE CREEK
OTHER RIGHTS: NONE
CONDITIONS OF APPROVAL:

TRIBUTARY: PORTNEUF RIVER

REMARKS:

POINT OF DIVERSION:
T07S R35E S26

NWNE NE

OK

PLACE OF USE: IRRIGATION
T07S R35E S23

SESE 8.2

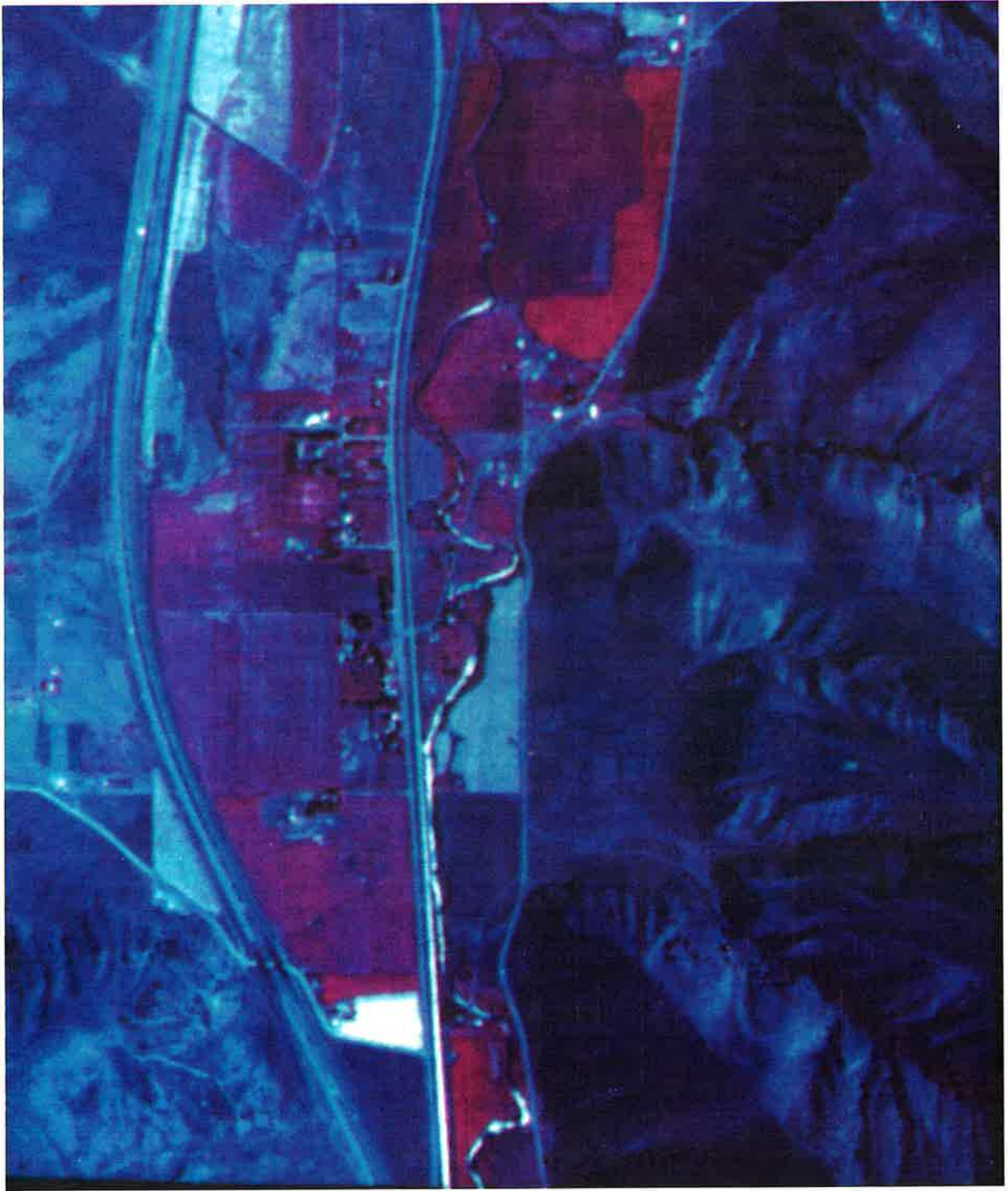
8.2 ACRES TOTAL

This must be for both parties consent by Scofield's -

- priority date claimed is wrong - should be 1927
- although 8.2 acres are claimed, only about 2 acres are susceptible to irrigation - 3 horses in pasture -
- stockwater not claimed
- PDD OK
- PDU OK
- acreage OK

should be .04 cfs w/ 1927 priority

NOTE: Scofield says this area always irrigated.



Smiths

1927
priority
date
for
Scottfield

#13

Scottfield ^{.04} ⇒ 1970 riser installed
 Mathews - Croxall ^{.02} ⇒ 1960 pipeline installed
 Thompson - Palmer ⇒ 1927? ^{1927 .02}
 Smith ⇒ ? ^{1960 .01}

#12
disallowed
Smith

Recommend 1 ac. priority date ? .01 1927 ?
 1968 maybe for Smith - .01 1960 ?

.01 1969 Smith

1927 .01 Smith North of road (1/2 ac.) 29-04064 A → F ?

1927 .02 Palmer - Thompson 29-04064 D

1960 .02 Croxall - Matthews 29-04064 C

1960 .01 Smith - North of road (1/2 ac.) 29-04064 A → G ?

1960 .22 Germer 29-04067 (Jr. to 29-04064 G)

1969 .01 Smith - South of road 29-10010

(1960) 1970 .04 Scottfield - 29-04064 B

29-04064 E Not Claimed

make Jr. to 29-04064 B

Scottfield

#10

Scottfield has not claimed Palmer's right
 with a change in P.O.U. in 1983.
 Palmer quit using Spring in 1980.

#13

Enlargement of 1977 photo.

#13 29-04064B .04 cfs 2 acres 1927

deny → Scofield objection - should be 3.8 acres

lacks sufficient info to confirm or deny → Smith objection - Property not irrigated until 1970
3 supporting affidavits
→ Germer objection - not irrigated until 1970

#14 29-04064C 0.02 cfs 0.7 acres 1927

lack sufficient info → Smith objection - not irrigated from Papoose Creek until 1982

#16 29-04067 0.22 cfs 11.1 acres 1960

Deny → Scofield objection - Germer has other rights
Other rights will contain limitations

Palmer used cistern 1927 to 1980
Scottfield property acquired right from
Palmer - when?

If in 1970 (the 1927 priority date right)
it would have been lost in 1976 to 1983
for non use. Also, Palmers would have
established a new right from 1970 to
1980.

If in 1983, which right? If it was
the 1927 right, then the trailer use had
a right from 1970 to 1976 which was
lost for non-use (1976 to 1983). If it was
the 1970 right (1970 to 1980 at Palmers -
transferred to trailer in 1983) then we are
okay with our recommendation.

#16

Germer's

Must reconsider

#19

Back up to Smith's House