

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: A25-10004
Date Received: 4/08/1988
Receipt No: E000078

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MAIBEN JONES 208-523-1472
Address: 3205 CENTRAL AVE.
IDAHO FALLS, ID 83401
AND/OR
Name: LEDA JONES 208-523-1472
Address: 3205 CENTRAL AVE.
IDAHO FALLS, ID 83401
AND/OR
Name: M. DUANE JONES 208-522-5985
Address: 1020 12TH STREET
IDAHO FALLS, ID 83404

2. Date of Priority: MAY 01, 1888

3. Source: SPRING Trib. to: SELLARS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02S	40E	9	NE	SW	NE		BINGHAM

5. Description of diverting works:
HEADBOX TO PIPELINE TO TWO HOMES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.020		
IRRIGATION	05/01	10/01	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC USE AT TWO HOMES.

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Date: 04/08/88

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	40E	9	SW	NE		IRR	1.0
			SW	NE		DOMEST	
					Section Acres		1.0
					Total Acres		1.0

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:
NONE.

14. Remarks:

15. Basis of Claim: BENEFICIAL USE
Water Right Number:

RECORDED
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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): M. Duane Jones Date: 4-8-88

Date: _____

State of Idaho)
County of Booneville) SS.

Subscribed and sworn (or affirmed) before me this 8th day
of April 19 88 Valleen Wray
Notary Public

Seal

Residing at Idaho Falls
My Commission Expires 5/29/1991

RECORDED
NOV 17 1988

Log for claim 25-10004

Spatial Dynamics CAT

11/15/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
02s40e	9	SWNE	1	40	Indiscernible
Totals:			1	40	

AJ5809NP
No. A25-10004

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/18/00
PAGE: 59

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MAIBEN JONES	05/01/1888	IRRIGATION	05-01 10-01	0.020 CFS	
C	LEDA JONES 3205 CENTRAL AVE IDAHO FALLS ID 83401 (208) 523-1472		DOMESTIC	01-01 12-31	0.020 CFS	
				TOTAL DIVERSION:	0.040 CFS	
				CONSUMPTIVE USE:		2.50 AFA
C	M DUANE JONES 1020 12TH STREET IDAHO FALLS ID 83404 (208) 522-5985					

Water Source: SPRING

Tributary to: SELLARS CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:

T02S R40E S09

NESWNE

BINGHAM County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
02S	40E	9	:				01	:												:	1.0
																				TOTAL ACRES	1.0

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
02S	40E	9	:				D	:												:	

POU County: BINGHAM

Non-Irrigation Uses: DOMESTIC USE AT TWO HOMES.

Other Rights: NONE.

Other Water Rights Listing Overlapping Place(s) of Use:
A25-04026

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 04/08/88 MCC 05/18/88 NOYES 03/29/95 POST-STD

RECEIVED

MAY - 9 1991

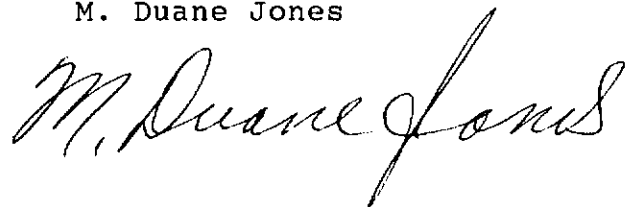
Department of Water Resources
Eastern District Office

As pertains to water right claim #A 25 1 0004. I hereby certify that the spring in question was a part of the original ranch of one Kellis Sellers who squated on Sellers Creek, and developed an irrigation system in the year 1888.

With the advent of the homestead act this property was filed on by Spencer Williams and a patent was issued in 1908 to said Spencer Williams.

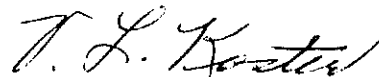
Said spring has been the source of water supply to two homes, continuously since that time.

M. Duane Jones



PERSONALLY APPEARED BEFORE ME THE ABOVE NAMED M. DUANE JONES KNOWN OR PROVED TO ME TO BE THE SAME PERSON WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE ACT AND DEED.

SUBSCRIBED AND SWORN TO BEFORE ME THIS 9TH DAY OF MAY, 1991.



NOTARY PUBLIC OR OFFICIAL

IDAHO FALLS, IDAHO

MY COMMISSION EXPIRES OCTOBER 20, 1993

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NOV, 07, 1992

April 25, 1991

NOTICE OF CLAIM A25-10004

Maiben Jones
Box 591
Idaho Falls, Id 83405

RE: **Evidence of Priority**

Dear Mr. Jones:

The Notice(s) of Claim identified with the number shown above your name has been filed in the Snake River Basin Adjudication (SRBA). The Notice(s) indicates the water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date.

For your reference I have provided a printout of your Notice(s) and 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 our goal to recommend this historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice(s) have been or soon will be conducted by Department personnel. **But, the Department will not recommend the Notice(s) be decreed by the court if no evidence of a priority date is submitted.**

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Please submit the required evidence supporting the priority date(s) by **May 28, 1991**, referencing all documents with the corresponding Notice number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

All Notices required to submit this evidence are currently being reviewed for recommendation to the court. Hence, the need for expediency on your part or your agency. every effort should be made to submit this information within 30 days of the date of this letter.

Respectfully submitted,

Ernest Carlsen
Water right Supervisor, Adjudication

EC:sc

Enclosure: Brochure on "Evidence of Priority"
Proof Report

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