

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: A25-10634
Date Received: 10/18/1988
Receipt No: E003275
Received By: S.M.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RUTH FOSTER 208-754-4760
Address: 3572 EAST 500 NORTH
RIGBY, ID 83442

AND/OR

Name: SILVON K. FOSTER 208-754-4760
Address: 3572 EAST 500 NORTH
RIGBY, ID 83442

2. Date of Priority: APR 01, 1950

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	38E	9	NE	NW	NE		JEFFERSON

5. Description of diverting works:
2 WELLS & PUMPS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.030		
IRRIGATION	04/01	11/01	0.040		

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

8. Total consumptive use is 5.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC - 1 HOME, STOCKWATER - 50 CATTLE

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Date: 10/18/88

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10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	38E	9	NW		NE		DOMEST	
			NW		NE		STOCK	
			NW		NE		IRR	2.0
							Section Acres	2.0
							Total Acres	2.0

11. Place of use in counties: JEFFERSON

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

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: -1-

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): Beth M. Foster Date: 18 Oct. 1988

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 18 day
of October 19 88

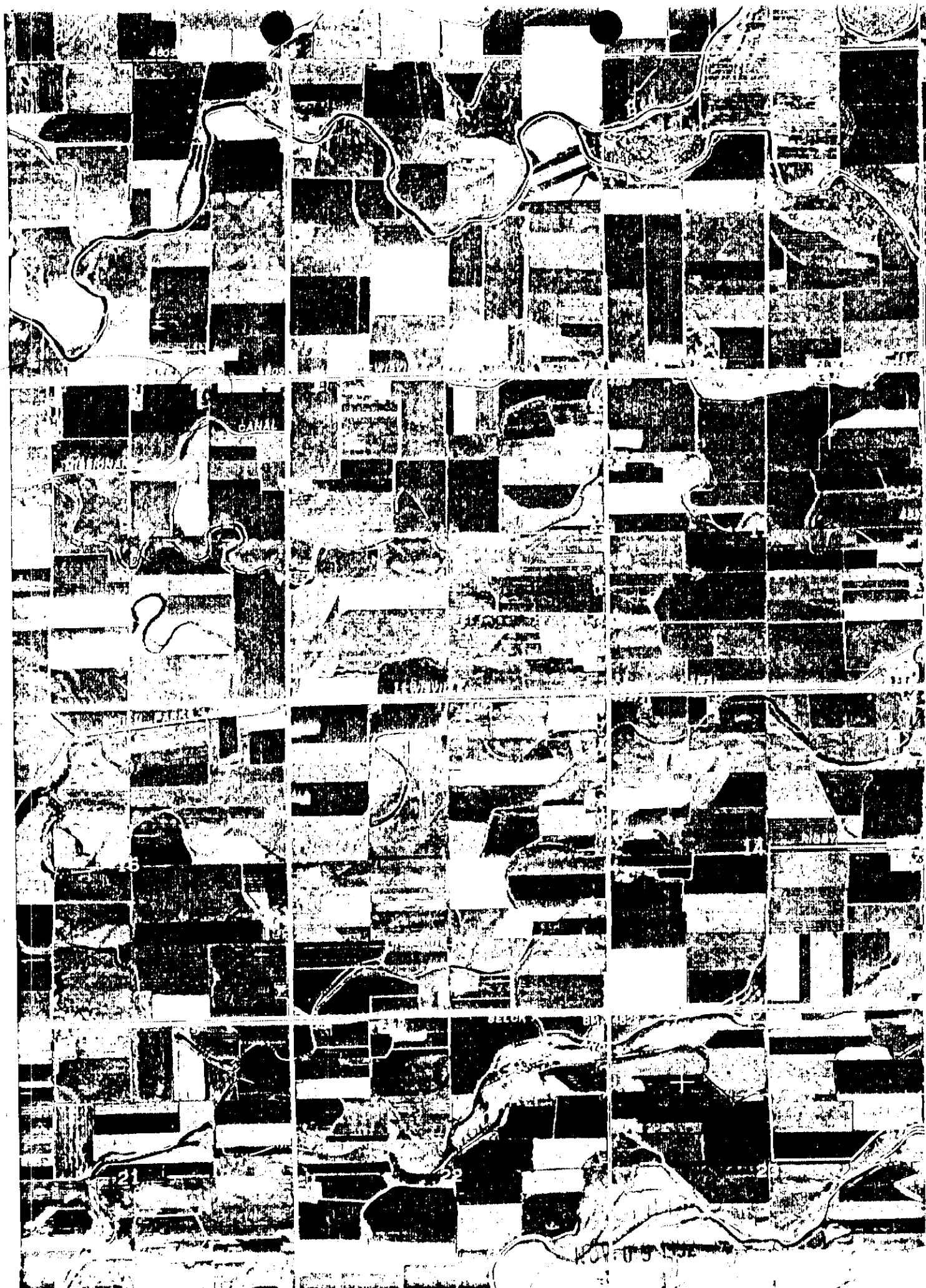
Betty J. Thompson
Notary Public

Seal

Residing at Idaho Falls
My Commission Expires 6/30/89

V
N

2000
1500
A35
1604



Log for claim 25-10634

Spatial Dynamics CAT

12/27/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
04n38e	9	NWNE	2	2.3	POD placement?
Totals:			2	2.3	

 SPATIAL
DYNAMICS

AJ5809NP
No. A25-10634

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/26/00
PAGE: 119

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RUTH FOSTER	04/01/1950	IRRIGATION	04-01 11-01	0.040 CFS	
C	SILVON K FOSTER		STOCKWATER	01-01 12-31	0.030 CFS	
	3572 EAST 500 NORTH		DOMESTIC	01-01 12-31	0.040 CFS	
	RIGBY ID 83442					
	(208) 754-4760					
TOTAL DIVERSION:					0.040 CFS	
CONSUMPTIVE USE:						5.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T04N R38E S09 NENWNE

JEFFERSON 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
04N	38E	9	:			02														:	2.0
																				TOTAL ACRES	2.0

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
04N	38E	9	:			S														:

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	:
04N	38E	9	:			D														:

POU County: JEFFERSON

Non-Irrigation Uses: DOMESTIC - 1 HOME, STOCKWATER - 50 CATTLE

Other Rights: NONE.

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

A01-00142A A01-00143A A01-00144A A01-00145C A01-00240 A01-02068C

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 10/18/88 CARLSEN 03/29/95 POST-STD

April 29, 1991

Ruth Foster
3572 East 500 North
Rigby, ID 83442

RE: Evidence of Priority

Dear Mrs. Foster:

The Notice of Claim identified with the number shown at the end of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice 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 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 have been or soon will be conducted by Department personnel. But, the Department will not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.

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Ruth Foster

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Please submit the required evidence supporting the priority date by May 29, 1991, referencing all documents with the corresponding Notice number. 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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RUTH FOSTER
SILVON K. FOSTER
3572 EAST 500 NORTH
RIGBY ID 83442

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