

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: A25-11289
Date Received: 11/21/1988
Receipt No: E004228
Received By: S.M.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ELMER THOMAS 208-754-4774
Address: 3702 E MENAN LORENZO HWY
MENAN, ID 83434

AND/OR

Name: VERA E. THOMAS 208-754-4774
Address: 3702 E MENAN LORENZO HWY
MENAN, ID 83434

2. Date of Priority: JUN 01, 1963

3. Source: SPRING CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	38E	33	NE	NE	NW		JEFFERSON

5. Description of diverting works:
PUMP IN CREEK TO SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.500		

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

8. Total consumptive use is 62.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

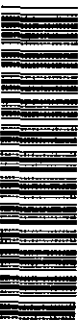
A25-11289

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Date: 11/21/88

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10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	38E	33	NE NW		IRR	25.0
Section Acres						25.0
Total Acres						25.0

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 X 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): Elmer W Thomas Date: 11-21-88

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 21 day
of Nov 19 88

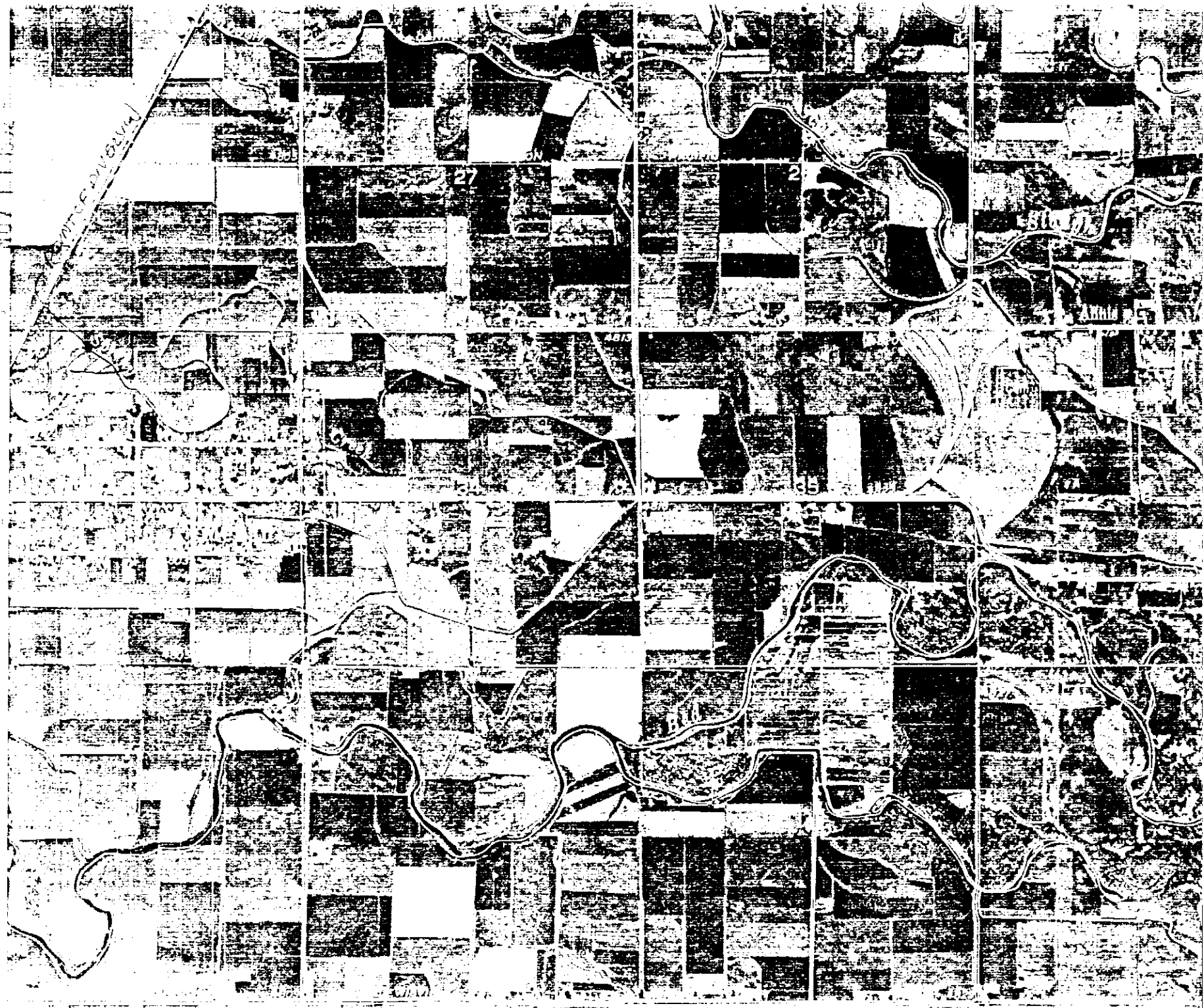
Betty J Thompson
Notary Public

Seal

Residing at Idaho Falls
My Commission Expires 6/20/1991

NOV 11 1962

SWITCH DIAGONAL



15 N
14 N

A25-11281

Log for claim 25-11289

Spatial Dynamics CAT

12/28/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
05n38e	33	NENW	25	21	
Totals:			25	21	

AJ5809NP
No. A25-11289

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/26/00
PAGE: 130

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ELMER THOMAS	06/01/1963	IRRIGATION	04-01 11-01	0.500 CFS	
C	VERA E THOMAS 3702 E MENAN LORENZO HWY MENAN ID 83434 (208) 754-4774					
TOTAL DIVERSION:					0.500 CFS	
CONSUMPTIVE USE:						62.50 AFA

Water Source: SPRING CREEK

Tributary to: SNAKE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T05N R38E S33 NENW

JEFFERSON County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE												
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	
05N	38E	33	:					:	25				:					:					:	25.0
TOTAL ACRES																							25.0	

POU County: JEFFERSON

Non-Irrigation Uses: NONE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
25-11772 25-12096 A25-10254 A25-11772 A25-12094 A25-12096

Other Water Rights Listing Overlapping Place(s) of Use:
A01-00109G A01-00110E A01-00111E A01-00112E A01-00113E A01-00114C A01-00115S A01-00317

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

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

Audit: 11/21/88 MCC 03/29/95 POST-STD

Priority date for
water right #A25-11289
Elmer W Thomas

State of Idaho)
County of Jefferson)

deposes and says: I began pumping water June 1, 1963 from Spring

T05N R38E S33 for 25.0 acres total

Residing at 4483 E 1/2 N 1/2 Rigny, Ia. 83442
My Commission Expires July 1992.

IN THE MATTER OF:)
Priority date for)
water right #A25-11289)
Elmer W Thomas)

AFFIDAVIT

State of Idaho)
County of Jefferson)

Melba H Shurtliff being first duly sworn,
deposes and says: I have personal knowledge that Elmer W Thomas
began pumping water on June 1, 1963 from Spring Creek point of
diversion, T05N R38E S33 for irrigation use T05N R38E S33 for
25 acres.

Melba Shurtliff
(Signature)

Subscribed and sworn to before me this 23 day of May, 1971.

John M. Poole
(Notary Public)

Residing at 4483 E 400 N Rigby, ID. 83442
My Commission Expires July 1977.

AFFIDAVIT

Richard L Thomas being first duly sworn,

deposes and says: I have personal knowledge that Elmer W Thomas
began pumping water on June 1, 1963 from Spring Creek point of
diversion, T05N R38E S33 for irrigation use T05N R38E S33 for
25 acres.

Subscribed and sworn to before me this 23 day of May, 1991.

Residing at Rehby, Idaho
My Commission Expires 6-26-93

April 29, 1991

Elmer Thomas
3702 E. Menan Lorenzo Hwy
Menan, ID 83434

RE: Evidence of Priority

Dear Mr. Thomas:

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.

RECEIVED

NOV 11 1992

Elmer Thomas

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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

A25-11289
ELMER THOMAS
VERA E. THOMAS
3702 E MENAN LORENZO HWY
MENAN ID 83434

RECORDED

NOV 11 1992