

BY 3/27/89 *z.v.*IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A25-12207

Date Received: 11/23/1988

Receipt No: E006238

Received By: _____

MAR 20 1989

Department of Water Resources

Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PETE MADSEN 208-745-6975
Address: P.O. BOX 243
RIGBY, ID 83442

OR

Name: DARLENE MADSEN 208-745-6975
Address: P.O. BOX 243
RIGBY, ID 83442

2. Date of Priority: JUN 23, 1922

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	38E	13	NW	NW	NW	2-8-91 80/05	JEFFERSON

5. Description of diverting works:
WELL/PUMP

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	04/01	11/01	0.050		

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

8. Total consumptive use is 4.4 Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE

A25-12207

Page 1

Date: 02/22/89

A2512207



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10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	38E	13	NW NW		IRR DOMEST	1.7
			2-8-91-80/DE			
					Section Acres	1.7
					Total Acres	1.7

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: RURAL ADDRESS IS: 382 N 3800 E 2-8-91/80/DE
P/D AND P/U IN LOT 1, BLOCK 1 OF JG-ZUNDEL SUBDIVISION.

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: _____

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): Darlene Madson Date: 3-17-89

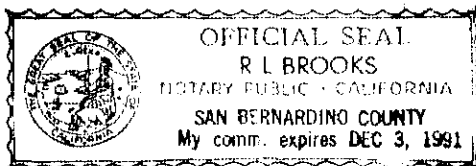
State of California _____ Date: _____

County of San Bernardino)
) SS.

Subscribed and sworn (or affirmed) before me this 17 day
of March 19 89

[Signature]
Notary Public

Seal



Residing at Needles, Ca
My Commission Expires 12-3-91

Log for claim 25-12207

Spatial Dynamics CAT

1/3/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
04n38e	13	NWNW	1	40	POD placement? / Indiscernible
Totals:			1	40	

AJ5809NP
No. A25-12207

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/26/00
PAGE: 151

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	PETE MADSEN	06/23/1922	IRRIGATION	04-01 11-01	0.050 CFS	
C	DARLENE MADSEN PO BOX 243 RIGBY ID 83442 (208) 745-6975		DOMESTIC	01-01 12-31	0.020 CFS	
TOTAL DIVERSION:					0.050 CFS	
CONSUMPTIVE USE:						4.40 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T04N R38E S13 NWNW

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	13	:							01										:	1.7
																				TOTAL ACRES	1.7

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	13	:							D										:	

POU County: JEFFERSON

Non-Irrigation Uses: D/1 HOUSE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
25-11874 25-12261 A25-11040 A25-11874 A25-12261

Other Water Rights Listing Overlapping Place(s) of Use:
A01-00116T A01-00117Z A01-00118T A01-00152 A01-00153 A01-00154 A01-00155 A01-00252

Remarks: GEN P/D AND P/U IN LOT 1, BLOCK 1 OF JG-ZUNDEL SUBDIVISION.
RURAL ADDRESS IS 382 N 3800 E

Dates: Exam Made Date: Verified Date: 02/13/1991 Objection Filed Date:

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

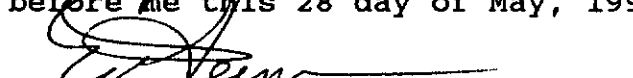
Audit: 02/22/89 OLENICHA 02/08/91 THOMPSON 02/13/91 THOMPSON 03/29/95 POST-STD

STATEMENT TO ACCOMPANY EVIDENCE OF PRIORITY
DATE FOR CLAIM A25-12207

According to the best information we have available, the well claimed under A25-12207 has been in use since 1922. Originally this well supplied water to the home south of our present home. As the document from the Jefferson County Records office shows, this home was in place in 1898 but we aren't sure whether or not a well was drilled and in use at that time. We are basing the 1922 priority date on information we received from a previous owner, Jack Zundel. We purchased the well and the surrounding property in 1985 and put our mobile home on the lot at that time. The owners of the original homestead have drilled their own well and have discontinued use of our well. We are claiming that the original water right developed under this well transferred to our newer home.


(signature)
DARLENE MADSEN

Subscribed and sworn to before me this 28 day of May, 1991


(notary public)

Residing at Idaho Falls, Idaho.
My commission expire August 22, 1994.

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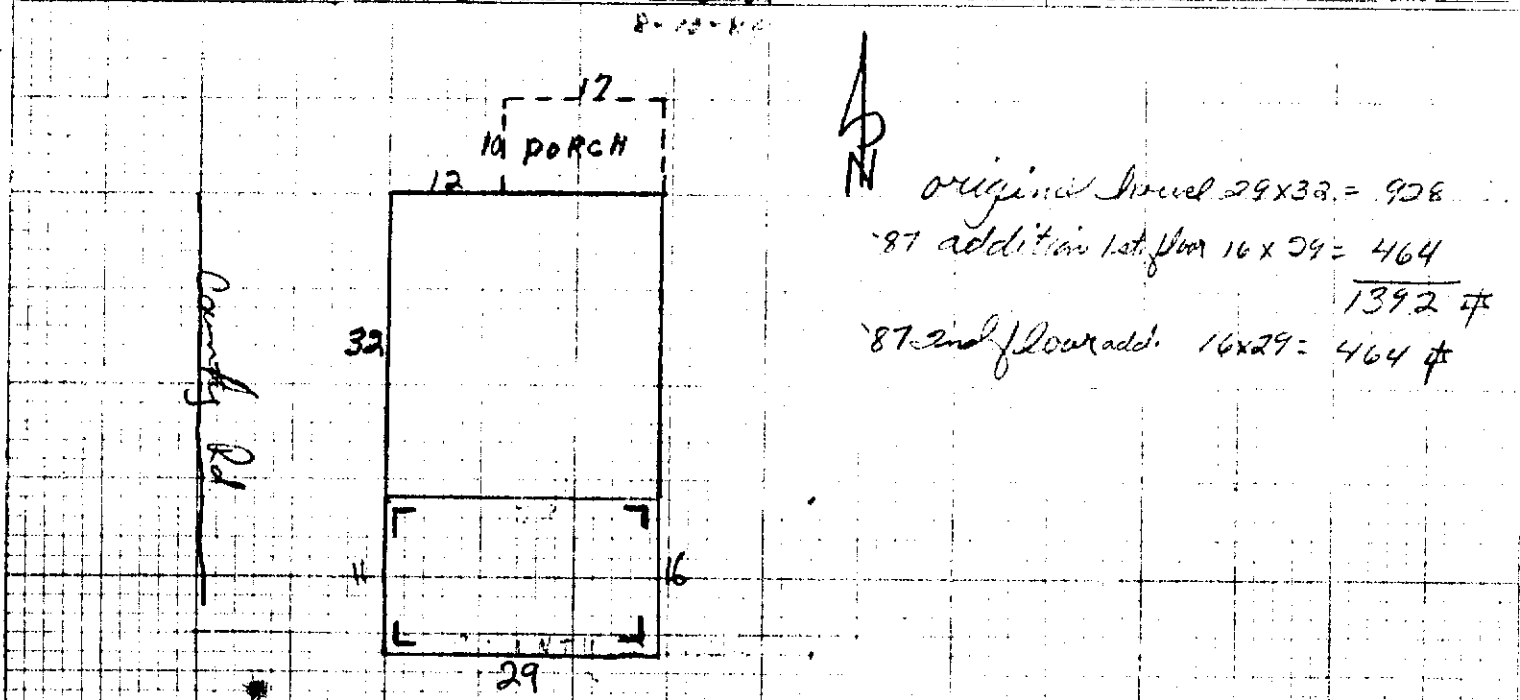
10-00

10-000

Property No. 3811, 2800F

INSPECTED BY _____	DATE _____	BUILDING PERMIT _____	<table border="1"> <tr><td></td><td></td></tr> <tr><td></td><td></td></tr> <tr><td></td><td></td></tr> <tr><td></td><td></td></tr> </table>									PURCHASE INFORMATION	
COMPUTED BY _____	DATE _____	INTERIOR INSPECT. _____	PRICE _____	DATE _____									
CERTIFIED APPRAISER <u>E.H.</u>	DATE <u>11-2-83</u>	UNDER CONSTRUCT _____	PRICE _____	DATE _____									
ASSESSOR _____	DATE _____	% COMPLETE _____ %	PRICE _____	DATE _____									
REINSPECTION <u>P.S.-SW</u>	DATE <u>5-5-89</u>	PHOTO NO. _____	RENT _____	PER _____	DATE _____								

MISCELLANEOUS DATA		VALUES SUMMARY	
CLASS	2	YEAR	YEAR
USE CODE	3411 (13)	RESIDENCE	\$
MARKET GRADE	24	GARAGE	\$
SHAPE CODE	A	CARPORT	\$
YEAR BUILT	1898	OTHER IMPROVE.	\$
YEAR REMODELED	1947	TOTAL IMPROVE.	\$
EFFECTIVE AGE		LAND	\$
ZONING CODE		MARKET VALUE	\$
DATE OCCUPIED			\$
PREBUILT	YES NO	PURCHASE INFORMATION	
BUILDING PERMIT		PRICE	DATE
INTERIOR INSPECT.		PRICE	DATE
UNDER CONSTRUCTION		PRICE	DATE
% COMPLETE	%	RENT	PER DATE
PHOTO NO.			



LAND INFORMATION														
01 NEIGHBORHOOD		02 OFF-SITE IMPROVEMENTS		03 TOPOGRAPHY		04 WATER FRONT PROPERTY		05 ON-SITE UTILITIES						
01 Urban	05 Zoned <u>R</u>	Street	04 Asphalt Concrete	01 Low	01 Lake	6 Beach	01 Electricity	05 Public Water						
02 Suburban	06 Stable	01 None	05 Gravel Dirt	02 Level	02 River Creek	None P F A G E	02 Gas	06 Private Well						
03 Rural	07 Improving	06 Public Access	06 Sidewalks	03 Moderate Slope	03 Accretion	7 Grade	03 Underground Elect. Telephone	07 Public Sewer						
04 Recreational	08 Declining	03 Private Access	07 Curb Gutters	04 Steep Slope	04 Bluff Land	P F A G E	04 Cable TV	08 Septic System						
90	90			90	05 Flood Plain	90	05							
06 SUBJECT DIMENSIONS		07 SITE INFORMATION		08 REMARKS										
Eff. Frontage <u>140.88</u> Depth <u>339.20</u>		1 Location F <u>A</u> G												
Other <u>1.097</u> Acres		2 Amenities F <u>A</u> G												
		3 Landscaping F <u>A</u> G												
		4 Detriments <u>Few</u> Many None												
09 COMPOSITE ADJUSTMENT				10 SITE ADJUSTMENTS										
CAT	LOC	CLASS	TYPE	UNIT	QTY	COST	BASE VALUE	01 Location	10 Access	20 View	30 Topography	40 Width	TOTAL	EXT
<u>12</u>	<u>19C</u>	<u>0438</u>	<u>5600</u>	<u>9C</u>	<u>1.000</u>		<u>5600</u>	50 Depth	60 Photage	70 Beach	80 Corner	90	FACTOR	VALUE
APPRaisal DATE <u>02-22-89</u>							APPRaiser <u>BS</u>	LAND VALUE		NOV 11 1989				

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NOV 11 1982

LAND VALUE

May 1, 1991

Pete Madsen
P.O. Box 243
Rigby, ID 83442

RE: Evidence of Priority

Dear Mr. Madsen:

The Notice of Claim identified with the numbes 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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Pete Madsen

Page 2

Please submit the required evidence supporting the priority date by June 3, 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

A25-12207
PETE MADSEN
DARLENE MADSEN
P.O. BOX 243
RIGBY

ID 83442

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NOV 11 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

A25-12207

Date: February 22, 1989

Pete and Darlene Madsen
P.O. Box 243
Rigby, ID 83442

RE: Water Right Claim Returned

Dear Mr. and Mrs. Madsen:

The Idaho Department of Water Resources (IDWR) is returning your checks #4352 (\$25.00), #4409 (\$26.00), and Notice of Claim to a Water Right because of insufficient information. All items on the claim form must be correctly completed and fees submitted before the IDWR can process the claim (Note: All four pages of the long form and correct fees were not resubmitted).

Instead of having you complete the items on the forms that are incorrect or incomplete, I have typed up a Notice of Claim with the information previously submitted. Please review the typed claim for accuracy, sign it (your signatures must be notarized), and return it to the IDWR with the appropriate filing fee within 30 days of the date of this letter.

The filing fee for an irrigation claim is \$50.00 plus \$1.00 per irrigated acre. The fee for your 1.75-acre irrigation claim (rounded to the nearest acre) is \$52.00. Only \$51.00 was submitted. Please include the total filing fee of \$52.00 when you resubmit the claim.

Failure to resubmit the claim and appropriate filing fees within the 30-day period may result in an assessment of an additional \$50.00 late-fee. If you have any questions, please call the IDWR at (208)-525-7161.

Sincerely,

Tony Olenichak
Water Rights Agent, SR

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NOV 11 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

RECEIVED

FEB 21 1989

Department of Water Resources
Eastern District Office

Date: January 30, 1989

Pete and Darlene Madsen
P.O. Box 243
Rigby, ID 83442

RE: Water Right Claim Returned

Dear Mr. and Mrs. Madsen:

The Idaho Department of Water Resources (IDWR) is returning your checks #4352 (\$25.00), #4409 (\$26.00), and Notice of Claim to Water Right because of insufficient fees and information. The IDWR cannot process the claim until it is filled out completely and the appropriate fees are submitted.

In my letter, dated 12/30/88, I informed you that you needed to complete a "long" claim form (black ink) if you are claiming more than 1/2 acre of irrigation in connection with your domestic use. The fee for the irrigation claim is \$50.00 plus \$1.00 per irrigated acre.

On the long form you submitted, there is 1 3/4 of irrigation claimed. You also indicated you wish to receive copies of the docket sheet. The fee for the 1.75 acre irrigation claim (rounded to the nearest acre) is \$52.00. The fee for the annual subscription to the docket sheet is \$7.50. The total fee for the claim and docket sheet is \$59.50. Also, your signatures must also be notarized on the form.

Please return the notarized long form with the \$59.00 filing fee to the IDWR within 30-days. Failure to return the corrected claim and fees within the 30-day period will result in an assessment of an additional \$50.00 late-fee.

If you have any further questions, please call the IDWR at 1-525-7161.

Sincerely,


Tony Olenichak
Water Rights Agent, SR

*The form for subscription for docket
Sheet was put in by mistake
Called your office 2/14/89
to clear this matter*

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NOV 11 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

Date: December 30, 1988

Pete or Darlene Madsen
P.O. Box 243
Rigby, ID 83442

RE: Water Right Claim Returned

Dear Mr. and Mrs. Madsen:

The Idaho Department of Water Resources (IDWR) is returning your check #4352 and Notice of Claim to a Water Right because of insufficient information. All items on the claim form must be correctly completed and fees submitted before the IDWR can process the claim.

Please correct the items identified below and return the form to the IDWR within 45 days of the date of this letter. Failure to submit the required information and filing fees within this 45-day period may result in an assessment of a late-fee. If you need to make changes to the claim, please sign and notarize a new claim form since it is incorrect to change a notarized document.

- Wrong Form Filed: The definition of Domestic purposes includes up to 1/2 acre of lawn and garden irrigation. If you claim more than 1/2 acre of irrigation, you must complete the enclosed "long" form and list the Domestic and Irrigation purposes separately. Please refer to the enclosed instructions. The filing fee for the "long" form is \$50.00, plus \$1.00 per irrigated acre (\$51.00 total filing fee).

If you have any questions, please call the IDWR at (208)-525-7161.

Sincerely,

Tony Olenichak
Water Rights Agent, SR

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NOV 11 1992

PETE OR DARLENE MADSEN

SSN 519-46-5975 SSN 499-40-1416

P. O. BOX 243 PH. 745-6975

RIGBY, ID 83442

4352

PAY TO THE
ORDER OF

92-7307 05
3241

CT OF THE
FALLS

BER:

39576

WESTARK
FEDERAL CREDIT UNION

REXBURG OFFICE
P.O. BOX 999
REXBURG, IDAHO 83440

MEMO

⑆324173079⑆60 652666⑈ 4352

RECEIVED

WATER RIGHT

NOV 23 1988

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day. Filing fee \$25

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) PETE or DARLENE MADSEN Phone (208) 745-6975

Mailing Address P.O. Box 243 RIGBY ID Zip 83442

2. Date of Priority (Only one (1) per claim) JUNE-23-1922

3. Source of water supply (a) Groundwater
which is tributary to (b) SNAKE RIVER BASIN WATER SYSTEM

4. Location of point of diversion is: Township 4 Range 38
Section 13 1/4 of 1/4 of 1/4, Govt. Lot _____, B.M.,

County of Jefferson

Additional points of diversion if any: lot-1 Block 1 of JG-Zundel Subdivision

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

6. Water is claimed for the following: (Limited to Domestic and/or Stockwater only. See Instructions)
(Both dates are inclusive) (cfs)
For domestic purposes from January 1st to December 31 amount 0.05

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed _____ (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of
livestock) 1 Domestic 1 Acre lawn & Garden

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Copies: White, Yellow, Orange

NOV 11 1992