

RECEIVED

MAR 12 1993

Department of Water Resources

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: A29-00172
Date Received: 1/20/1993
Receipt No: E018220
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

AMENDED

1. Name: THOMAS J. ARCHIBALD 208-776-5464
Address: P.O. BOX 338
LAVA HOT SPRINGS ID 83246
AND/OR
Name: KATHY D. ARCHIBALD 208-776-5464
Address: P.O. BOX 338
LAVA HOT SPRINGS ID 83246

2. Date of Priority: APR 1, 1881

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	38E	33	NE	SW			BANNOCK
10S	38E	4	NE	NW	3		BANNOCK
			SE	SW			BANNOCK

5. Description of diverting works:

1) W. DEMPSEY CANAL 2) SUBMERGED PUMP IN DEMPSEY CK 3) DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	09/15	2.400		

7. Total Quantity Appropriated is:

2.400 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 400.0 Acre Feet Per Annum.

9. Non-irrigation uses:

NONE

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	38E	33	SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
					Section Acres		160.0
					Total Acres		160.0

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:
29-00173

14. Remarks:
THE WEST DEMPSEY CANAL IS PART OF THE ORIGINAL DIVERSION SYSTEM.
29-00173 ALSO IRRIGATES THE SAME ACREAGE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

UNION GRAIN & ELEVATOR CO.
Decree Plaintiff

MCCAMMON DITCH CO. ET. AL.
vs Decree Defendant

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:

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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): Thomas J. Auditt Date: 2/26/93

Date: _____

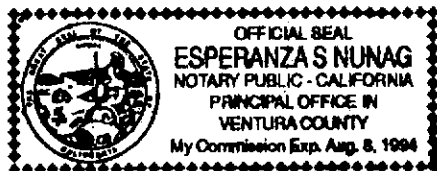
State of ~~Idaho~~ ^{San} California)
County of Ventura) SS.

Subscribed and sworn (or affirmed) before me this 26th day

of February 19 93

Esperanza S. Nunag
Notary Public

Seal



Residing at PMFCU Pt. Mugu Ca.

My Commission Expires Aug. 8, 1994

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APR 12 1994

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 A29-00172
Date Received 1-20-93
Receipt Number E018220
Rec'd 1-20-93 210

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) THOMAS J Archibald and KATHY D Archibald Phone (208) 776-5464
Mailing Address P.O. BOX 338 LAVA HOT SPRINGS ID Zip 83246

2. Date of Priority (Only one (1) per claim) April 1 1881

3. Source of water supply (a) Dempsey Creek
which is tributary to (b) Portneuf River

4. a. Location of existing point of diversion is: Township 9S Range 38E Section 33,
SW 1/4 of SW 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of BANNOCK

Additional points of diversion if any: T10S; R38E; S 4; NW 1/4 of SW 1/4 Lot 4
T10S; R38E; S 4 SW

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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. WEST DEMPSEY CANAL H

GATES, PIPING INTO IRRIGATION AREA, SUBMERGED PUMP INTO
Dempsey Creek with piping to irrigation area.

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APR 12 1994

A2900172



6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 4-15 to 9-15 amount 2.40 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.40 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 400 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9S	38E	33							40	40	40	40							160

Total number of acres irrigated

160

11. In which county (ies) are lands listed above as place of use located? BAINOCK

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

100% WATER RIGHT # 29-00173-W DEMPSEY CANAL/Dempsey Crk. or None ()

14. Remarks:

This water is being diverted in a different manner than the 1881 application. The water is being used for the same purpose (irrigation) on the same parcel of land. The west dempsy canal is part of the original diversion system. The pumping is a different approach. to deliver the water for irrigation from the same original water source dempsy creek

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Last Name

ARCHIBALD

Ident No.

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number 29-00172
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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 X do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s)

Thomas J. Archibald

Date

11/15/93

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____

Organization

, that I have signed the foregoing

document in the space below as _____

Title

of _____

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____

Date _____

State of Idaho/or CALIFORNIA)

) SS.

County of VENTURA)

Subscribed and sworn (or affirmed) before me this 15TH day of JANUARY 19 93

SEAL

Notary Public

[Signature]

Residing at 221 W GONZALES RD OXNARD, CA 93030

My Commission Expires SEP 2, 1996

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

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APR 12 1994

Last Name

Archibald

Ident. Number _____

Copies White-State, Yellow-Claimant

4 inches equal 1 ML -



Last Name

Archibald

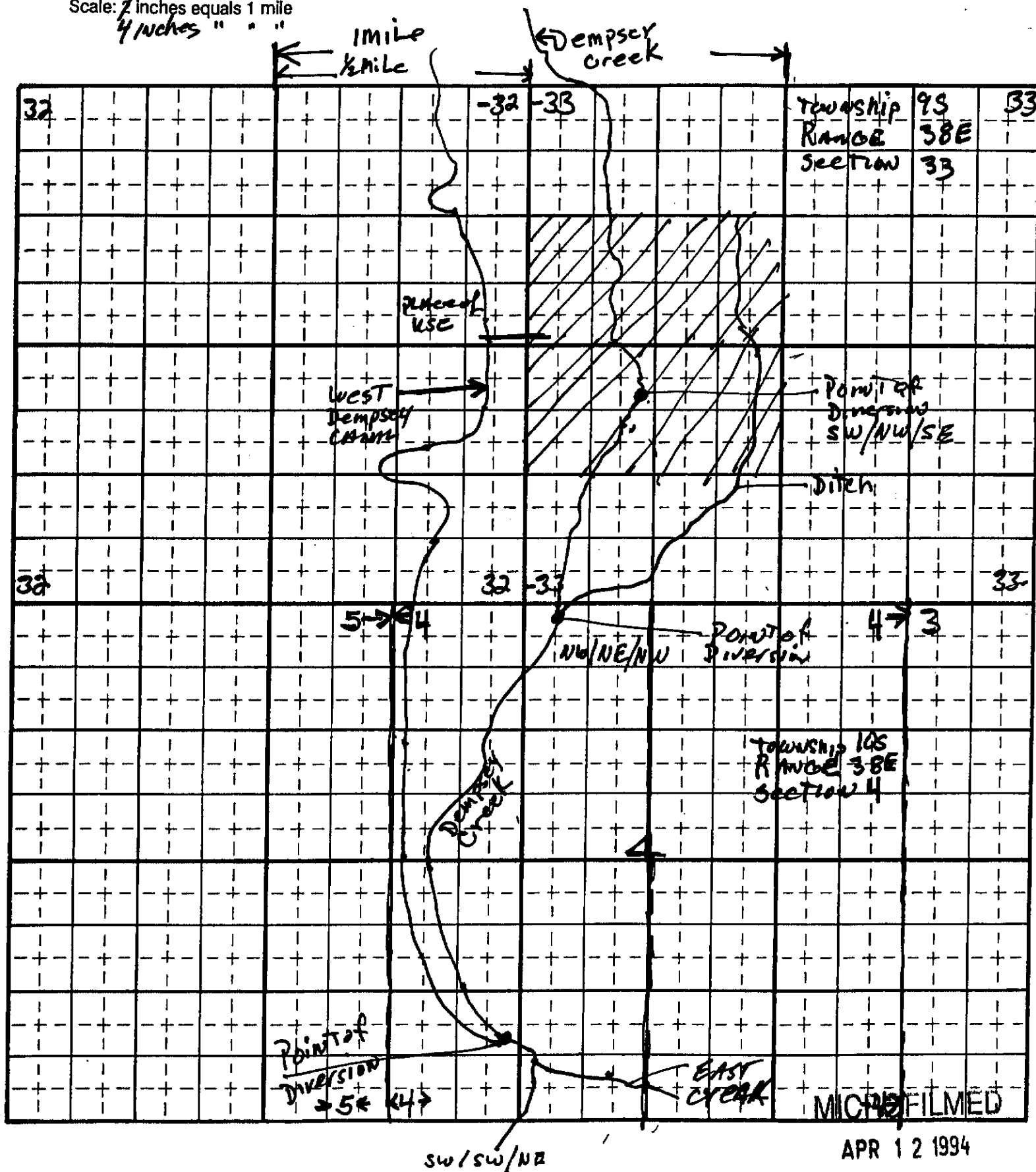
Ident No.

Copies: White-State, Yellow-Claimant

Redrawn 4/6/93

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

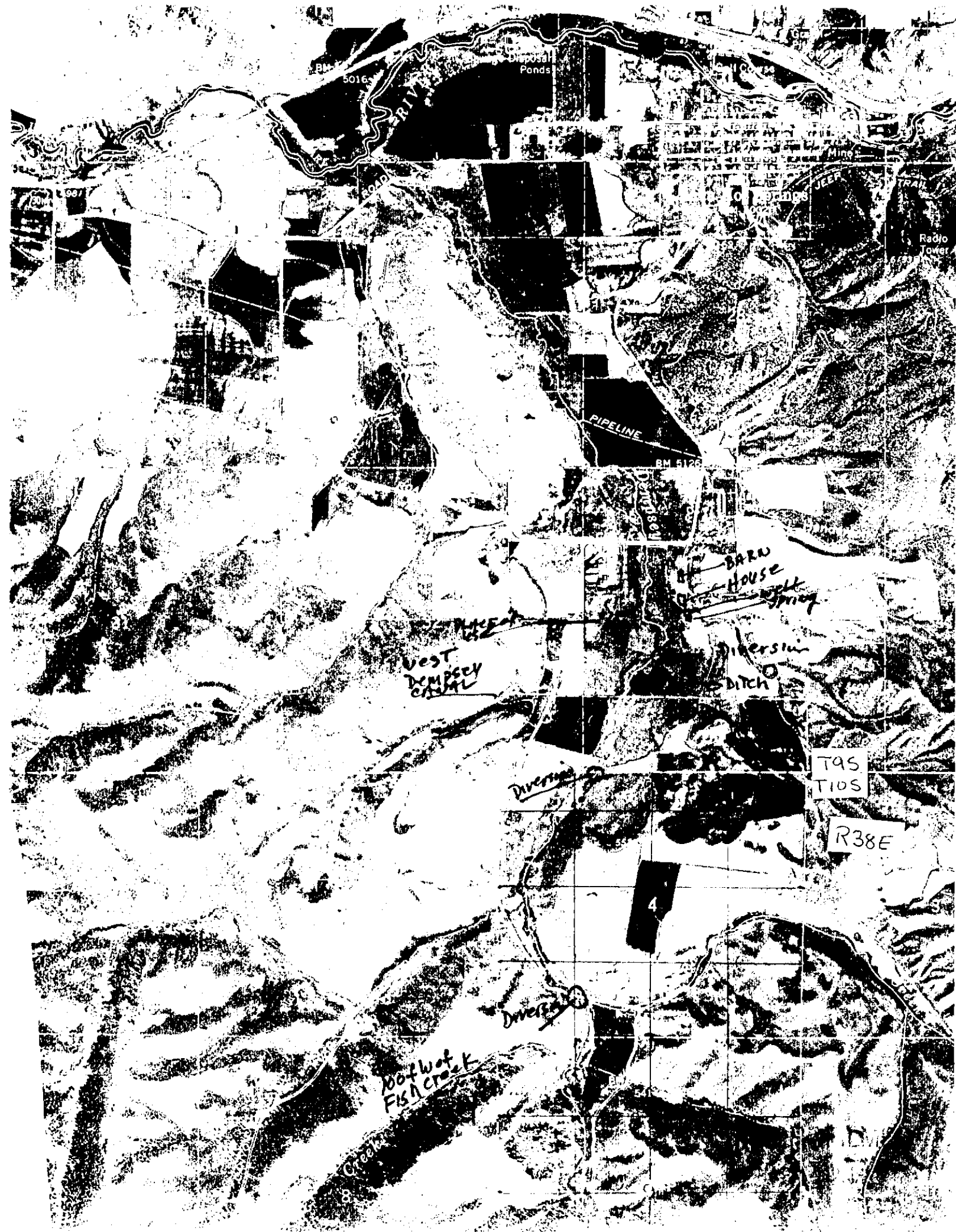
Scale: 1/4 inch equals 1 mile
4 inches " " "



Last Name Archibald

Ident No.

Copies: White-State, Yellow-Claimant



Log for claim A29-00172

Spatial Dynamics AMH

8/7/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s38e	33	SWNW	40	40	
09s38e	33	SEnw	40	40	
09s38e	33	NESW	40	40	
09s38e	33	NWSW	40	40	
Totals:			160	160	

AJ5809NP
No. A29-00172

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/22/00
PAGE: 63

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	THOMAS J ARCHIBALD	04/01/1881	IRRIGATION	04-15 09-15	2.400 CFS	
C	KATHY D ARCHIBALD PO BOX 338 LAVA HOT SPRINGS ID 83246 (208) 776-5464					
					TOTAL DIVERSION:	2.400 CFS
					CONSUMPTIVE USE:	400.00 AFA

Water Source: DEMPSEY CREEK

Tributary to: PORTNEUF RIVER

Stage: DECREED

Point(s) of Diversion:

T09S R38E S33 NESW
T10S R38E S04 Lot03(NENW)

SESW

BANNOCK County
BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE						
		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
09S	38E	33	:									:	40		40						:	160.0
																					TOTAL ACRES	160.0

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: 29-00173

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-11879 A29-00165 A29-00173 A29-00183 A29-00184 A29-10831 A29-10833 A29-11879

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00173

Remarks: GEN THE WEST DEMPSEY CANAL IS PART OF THE ORIGINAL DIVERSION SYSTEM.
29-00173 ALSO IRRIGATES THE SAME ACREAGE.

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

Misc: Water District Number: 29 Field Inspection Flag:
Presumption Flag:

Audit: 01/26/93 RUBERRY 02/16/93 RUBERRY 04/04/94 THOMPSON 03/29/95 POST-STD

FEBRUARY 16, 1993

TOM ARCHIBALD
2501 MIRAMAR
OXNARD CA 93035

RE: NOTICE(S) OF CLAIM: A29-00172 AND A29-00173

Dear Mr. Archibald:

Thank you for the marked maps. They have been very helpful in determining the points of diversion on the enclosed irrigation claims.

Please review the claim forms for accuracy. I have made some minor modifications based on the maps and our telephone conversations. I feel these modifications more accurately describe your irrigation water rights.

Please have your signature(s) notarized on these two documents. Once these are received in this office all of your claims will be properly filed. If there are any further changes to be made this can be done and verified at the time of a field exam.

As indicated on a Notice, you wish to receive a copy of the SRBA Docket Sheet. A copy is enclosed for your perusal. If after review, you still wish to receive the monthly Docket Sheet, an annual fee of \$7.50 is required for the subscription.

you should have any questions regarding this matter please feel free to contact me at (208) 525-7161.

Respectfully submitted,

Allen B. Ruberry
Sr. Water Agent - Adjudications

Enclosures: Notices of Claim A29-00172, 29-00173

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APR 12 1994

A29-00172
A29-00173

JANUARY 20, 1993

THOMAS ARCHIBALD
PO BOX 338
LAVA HOT SPRINGS ID 83246

RE: NOTICES OF CLAIM/FEEES TOTALING \$445.00

Dear Mr. Archibald:

The Department received three Notices of Claim to water rights from you today and three (3) checks, \$25.00 for your Domestic claim and two checks each in the amount of \$210.00 for your irrigation water rights. I have receipted the Domestic claim and one of the irrigation claims (copy of receipt enclosed). I am returning the third claim and check for \$210.00. It is only necessary to pay for the acreage once (you paid for the same acreage twice). Please return this Notice of Claim with a check for \$50.

Since you are the new owner of this property, it is important we have documentation in the file. Please enclose a copy of the Warranty Deed with your check and Notice of Claim.

If you have questions regarding this matter, please call 525-7161 and ask for me.

Also, please note our return address. We have recently moved to 900 N Skyline.

Respectfully,

Jo Thompson
Adjudication Secretary

Enclosure: Notice of CLaim/Receipt/Check for \$210.

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RECEIPT
For Monies Paid
to the
Idaho Department of Water Resource

POOR ORIGINAL

Receipt No: E018220

Date: 1/20/1993
Time: 15:05:37

Received
From: ARCHIBALD, T J

Type of Payment	Program A cct	Amount
ADJUDICATION FEES		
41503	337 1155	235.00

Total

\$235.00

CHECK 1849

A29-00172

A29-12554

Water Right Numbers

(1) IRRIGATION

Domestic

Region: EASTERN

Signature:

Thompson

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APR 12 1994

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resource

Receipt No: E018220

RECEIVED

FEB - 1 1993

Department of Water Resources
Eastern District Office

Date: 1/20/1993
Time: 15:05:37

Received

From: ARCHIBALD, T J

Type of Payment	Program A cct	Amount
ADJUDICATION FEES	4,700 337 1133	235.00
Total		

\$235.00

CHECK

1849

A29-00172

(1) IRRIGATION

Region: EASTERN

Water Right Numbers

A29-12554

Domestic

Signature:

Thompson

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APR 12 1994

*Please note this submission was for
A 29-00173 vice 00172. There was 3 submission
with the one being 00172. Also enclosed in
warranty deed and another submission for the domestic
water for the spring. T J Archibald*

T. J. ARCHIBALD
2501 MIRAMAR PL.
OXNARD, CA 93035

IDWR - 29-00173

1848

90-808373222

11/15 19 93

PAY TO THE
ORDER OF

Idaho Dept of Water Resources
Two Hundred Seven xx/100

\$ 210.00

DOLLARS



Point Mugu Federal
Credit Union
6028 Telephone Road
Ventura, California 93003

FOR

Thomas Archibald

⑆322280838⑆ 1848 ⑆23650067003⑆

COPIES OF THE ORIGINAL
FALLS

BER: 39576
A29-00173

Rec'd 1-20-93

TO A WATER RIGHT ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Thomas J Archibald and Kathy D Archibald Phone (208) 776-5464

Mailing Address P.O. Box 338 LAVA HOT Springs ID Zip 83246

2. Date of Priority (Only one (1) per claim) June 1 1881

3. Source of water supply (a) Dempsey Creek
which is tributary to (b) Portneuf River

4. a. Location of existing point of diversion is: Township 9S Range 38E Section 33
SW 1/4 of SW 1/4 of 1/4, Govt. Lot, B.M., County of BANNOCK
T10S; R38E; S4 NW 1/4 of SW 1/4 Lot 4

Additional points of diversion if any: T10S; R38E; S4 SW

b. If instream flow, beginning point of claimed instream flow is:

Township Range Section 1/4 of 1/4 of 1/4,

Govt. Lot B.M., County of

ending point is: Township Range Section 1/4 of 1/4 of 1/4,

 1/4, Govt. Lot B.M., County of

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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.

WEST Dempsey CANAL Head
GATES, PIPING INTO IRRIGATION AREA, submerged pump into
Dempsey Creek with piping to irrigation area, ditch in SW quarter

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APR 12 1994

DECEMBER 23, 1992

KATHY ARCHIBALD
PO BOX 338
LAVA HOT SPRINGS ID 83246

RE: NOTICE OF CLAIM

Dear Kathy:

Enclosed is information identifying the irrigation rights appurtenant to portions of the land you are purchasing, along with two Notices of Claims forms for irrigation and one for claiming domestic (household) use.

As I mentioned in our telephone conversation, you still need to obtain aerial photos of the land from the ASCS and determine the location of your ditch headings.

Feel free to contact this office if you have any questions 525-7161.

Respectfully submitted,

Ernest Carlsen
Adjudication Supervisor

EC:jt

Enclosure

10-25-93

*In reviewing this notice + 173, I find no Warranty
Deed attached to either claim.
go*

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APR 12 1994