

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: A29-04063
Date Received: 1/24/1990
Receipt No: E011844
Received By: *DM*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CLAUDE J. GIBBONS 208-335-2243
Address: 1345 CHURCH ROAD
ARBON, ID 83212
OR
Name: DIANE H. GIBBONS 208-335-2243
Address: 1345 CHURCH ROAD
ARBON, ID 83212

A2904063



2. Date of Priority: MAR 15, 1920

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	33E	23	NW	SW	NE		POWER

5. Description of diverting works:
WELL, PUMP AND PIPELINES FOR IRR., STOCKWATER, DOMESTIC USES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.300		
STOCKWATER	01/01	12/31	0.020		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is 37.5 Acre Feet Per Annum.

9. Non-irrigation uses:
S/35 RANGE D/1 HOME.

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Date: 01/24/90

MICROFILMED

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10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
11S	33E	23	SW		NE		IRR	15.0
			SW		NE		DOMEST	
			SW		NE		STOCK	

Section Acres 15.0

Total Acres 15.0

11. Place of use in counties: POWER

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

13. Other Water Rights Used:
N/A

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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): Claude J. Gilbana Date: 24 Jan. 90

Date: _____

State of Idaho)
County of BONNEVILLE) SS.

Subscribed and sworn (or affirmed) before me this 24 day
of January 19 90

[Signature]
Notary Public

Seal

Residing at IDAHO FALLS
My Commission Expires 9-12-94

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THIS
RESE

A29-04063

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INTERCOMBINED
NOV



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 4, 2001

Claude J. Gibbons
Diane H. Gibbons
1345 Church Road
Arbon, Idaho 83212

Re: Adjudication Claim 29-4063

Dear Water Users:

Attached is a copy of an Adjudication Claim for a water right near Pocatello, Idaho. This claim is based upon an older "statutory claim." This means that the underlying water right was perfected by the original user simply applying the water to beneficial use. This was completely legal and appropriate at the time it occurred, but it did not result in a paper record of the water right with the department. In the 1970's and 1980's, owners of these rights were invited to submit "statutory claims." These claims were never investigated by the department, but simply advertised and filed. A copy of the original statutory claim is also attached. Because this claim was never investigated, I am required to base my recommendation on other documentation besides the original statutory claims.

In order to recommend this right, I need you to supply "evidence of priority" and "evidence of beneficial use." The enclosed pamphlet describes some typical sources that may be used. If an affidavit is used, it must clearly show that the person making the affidavit personally observed the water use. The more detail the affidavit gives, indicating dates, circumstances, amounts and details of water use, the better. As I review the documentation provided, my standard will be:

The documentation should tend to indicate that diversion works were in place and had adequate capacity for the claimed use. The documentation should also tend to indicate that water was applied to the claimed beneficial use on the claimed place of use.

Please review these documents, and provide documentation of the historical use of this right. Feel free to call me if you have questions. You should be able to reach me Thursday or Friday mornings.

Sincerely,

Bryce A. Contor
Senior Water Resource Agent

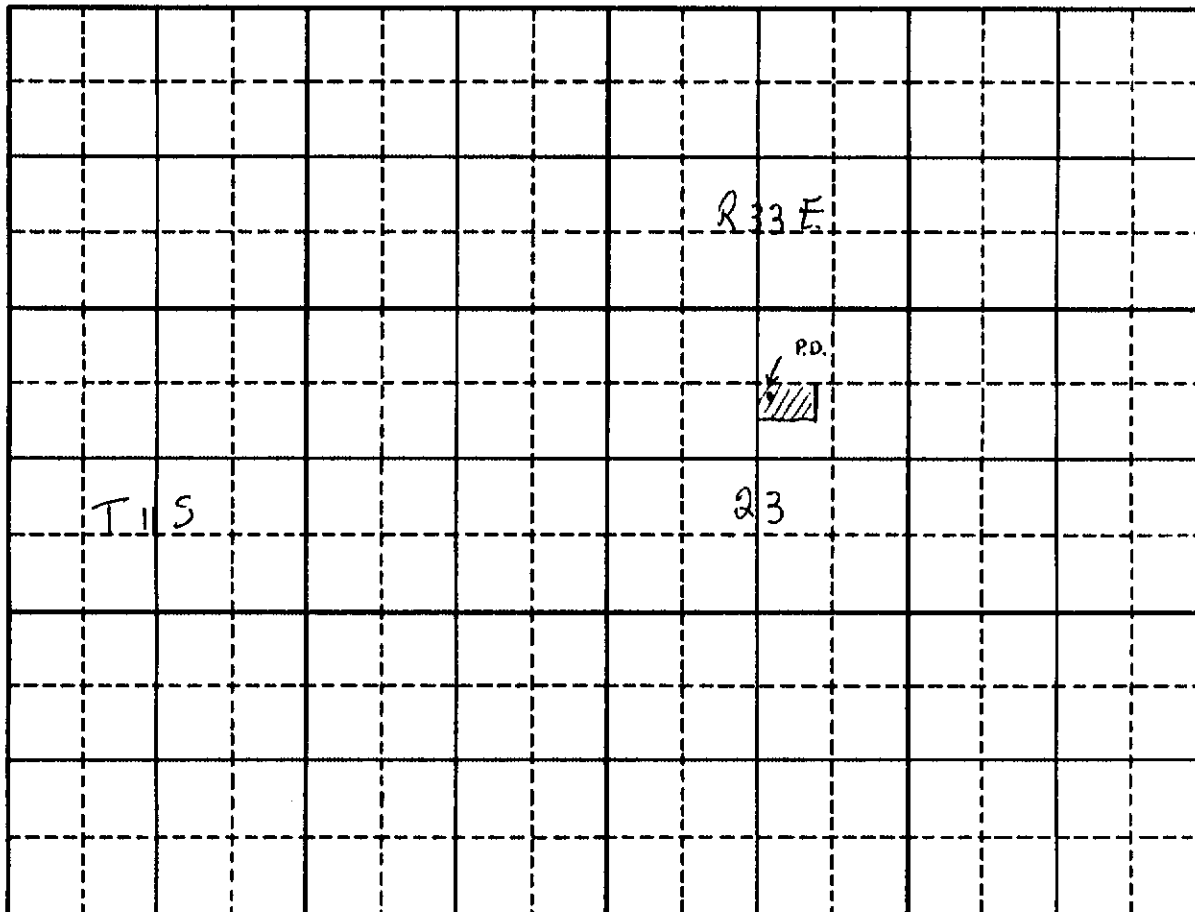
Log for claim A29-04063

Spatial Dynamics AMH

7/17/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
11s33e	23	SWNE	15	12	
Totals:			15	12	

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of BONNEVILLE) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this 4th day of MARCH

Claude J. Gibbons
(Claimant)

Ronald D. Carter
Notary Public
Residing at IDAHO FALLS, IDAHO

My commission expires 2/14/78

For Department Use Only

Received by <u>OW</u>	Date <u>3-04-76</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>OW</u>	Date <u>3/4/76</u>		claimant by:	
\$10.00 fee received by <u>OW</u>	Date <u>3-04-76</u>			
Approved for publication by <u>me</u>	Date <u>3-23-76</u>			
Published in <u>Challis County, Idaho</u>				
Dates <u>March 17 & 18, 1976</u>				

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CLAUDE J GIBBONS	03/15/1920	IRRIGATION	03-15 11-15	0.300 CFS	
C	DIANE H GIBBONS		STOCKWATER	01-01 12-31	0.020 CFS	
	1345 CHURCH RD		DOMESTIC	01-01 12-31	0.040 CFS	
	ARBON ID 83212					
	(208) 335-2243					
TOTAL DIVERSION:					0.360 CFS	
CONSUMPTIVE USE:						37.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

Point(s) of Diversion:

T11S R33E S23

NWSWNE

POWER 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
11S	33E	23	:				15	:					:					:					:	15.0
TOTAL ACRES																							15.0	

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	
11S	33E	23	:				S	:					:					:					:	

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	
11S	33E	23	:				D	:					:					:					:	

POU County: POWER

Non-Irrigation Uses: S/35 RANGE D/1 HOME.

Other Rights: N/A

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 01/24/90 MEYER 07/19/94 THOMPSON 03/29/95 POST-STD