

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

Identification No.

Date Received

Receipt Number

175-10754

5-9-90

EO 14375/2

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.Department of Water Resources
Eastern District Office

MAY - 9 1990

Filing Fee \$25

Please type or print clearly

Rodney B. Tibbetts and/or
1. Name of Claimant (s) Wanda S. Tibbetts and/or Phone (213) 861-2931
Mikeal B. Tibbetts
Mailing Address 8276 Quoit St., Downey, California Zip 90242

2. Date of Priority (Only one per claim) September, 1967 Month/Day/Year

3. Source of water supply (Check one) (x) Ground

which is tributary to (b)

4. Location of point of diversion is: Township
ON H.E.S. 199, approx. 1200' n
Section 1/4 of

County of Lemhi

Additional points of diversion if any:

5. Description of existing diversion works (Ditches, Well
changes or enlargements in use, the dimensions of the
of each well. Well - depth 38', diamet.
pump is 60 G.P.M.

6. Water is claimed for the following: (limited to Domestic

For domestic purposes from 1/1

For stockwater purposes from 1/1

7. Total quantity claimed .08 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give numl
and Number of livestock) Domestic - one h

TIBBETTS

#2. Sept. 30, 1967

#4. Refer USFS Special Use Permit
TR3N, R16E CC: USF => #10#6. Domestic 0.00 cfs
usual/customary => #7

#13. Check 175-4012/13

Refer to Larry Stark's water
situation.Map enclosed for reference
of TIBBETTS Properties
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RECEIVED

SOURCE

BM.

e dates of any
and the depth
ity of(cfs)
.06

.02

kwater: Type
rees.

10. Place of use is Township: 23N Range 17E
On H.E.S. 199, approx. 1200' northerly from H.E.S. corner #4
Section 1/4 of 1/4 Gov. lot B.M.

for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

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

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.

() None or Colson Creek water-water rights 75-4012 and 75-4013

14. Remarks: This domestic well was drilled as an alternate water supply.
should the dam or 24" pipe fail and negate the domestic water from that
source.

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) X Rodney B. Tabbert

Date 5-4-90

Wanda S. Tabbert
Michael B. Tabbert

Date 5-4-90

5-4-90

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

of _____, that I have signed the foregoing

Organization

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 _____

Date _____

Title and Organization _____

State of Idaho/or California)

) SS.

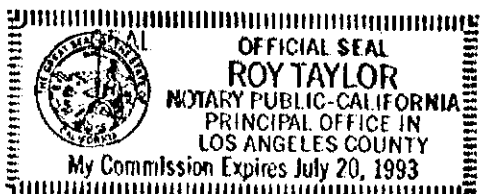
County of LOS ANGELES)

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 4th

day of MAY

19 90



Notary Public ROY TAYLOR

Residing at DOWNEY, CALIFORNIA

My Commission Expires _____

Last Name _____

Ident No. _____

Copies: White-State, Yellow-Claimant

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SPECIAL USE PERMIT

Act of June 4, 1897, or February 15, 1901
This permit is revocable and nontransferable

NAME OF PERMITTEE

Rodney B. Tibbetts

KIND OF USE

Water Transmissior

DATE OF PERMIT

January 9, 1967

FILE CODE

2720 918

REGION

Four

STATE

Idaho

FOREST

Salmon

RANGER DISTRICT

Indianola

Permission is hereby granted to Rodney B. Tibbetts

of 9210 Stamps Avenue Downey, California 90240,
hereinafter called the permittee, to use subject to the conditions set out below, the following described
lands or improvements:

SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 24, T.23N, R.16E B.M., unsurveyed.

This permit covers acres and/or 30 feet width and is issued for the purpose of:

Transmitting culinary water supply through a 2" galvanized steel pipe buried 4 feet under Salmon River Road No. 60030. It will connect two separate tracts of land known as HES 199. The water originates on private land and will not be used for commercial purposes. For specific location see attached application form.

The exercise of any of the privileges granted hereby constitutes acceptance of all the conditions of this permit.

1. In consideration for this use, the permittee shall pay to the Forest Service, U.S. Department of Agriculture, the sum of _____ Dollars (\$_____) for the period from _____ 19____ to _____, 19____, and thereafter annually on _____ FREE, Under Regulation U-11 (7).

Dollars (\$_____):

Provided, however, Charges for this use may be made or readjusted whenever necessary to place the charges on a basis commensurate with the value of use authorized by this permit.

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME TIBBETTSCLAIM IDENT. NO. A75-10754

DATE RECEIVED	CK #	AMOUNT \$	YES	NO	Required Info?
1. Is the name and address complete with zip code?					*
2. Is a priority date entered?					*
Is the priority date acceptable in view of mandatory filing dates?					*
See Adjudication Memos #1 and #4 to determine if a Permit is required.					*
3. (a) Is a source entered?					*
(b) Is a tributary to entered? (if required)		N/A			
4. Is the legal description of the p.d. sufficient?					*
5. Is there a description of the diverting works?					
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.					*
Is the period of use included?					
Is a quantity claimed for each use?					*
7. Is a total quantity claimed entered?					
8. If required is a consumptive use?					
Is the consumptive use correct?					
9. Are the non-irrigation uses listed in short form, and more than one description must be stated. If not under Adjudication Memo # 4.					*
10. Is (are) the place(s) of use and					*
11. Is (are) the county(ies) entered?					
12. Is the ownership of p.u. checked?					
13. Are other water rights listed on					
14. If required, are remarks correct (the place of use, authority for explained in the remarks.)					
15. Is the basis of the claim indicated?					
16. If the claimant requested a monitoring (If yes, describe payment status)					
17. Is the claim signed by the claimant? Organizations must complete the					*
18. Has the claim been signed, sealed					*
19. Was this claim filed on time, correct					*
20. Is the fee enclosed correct?					*
21. If this claim is based on an existing identification number been entered					
22. Should this claim be data entered?					

See USPSTIBBETTS, ROBERT BWANDA S292 E 5th St.Quincy CA 95971-9675RP 23N16E24 6607Map of HBS 199USPS Plat map indicatesT23N, R16E

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U.S.P.S. Bob JacobsonChuck HoffmanOrtho 28 or 294-90(No)Claimant must be notified of modifications: (Yes) (No)

Receipt Prepared by:

Claim data entered by:

Sent to claimant by:

Date:

Date:

Date:

Checked by:

Date:

Comments: At 2:00 PM 30th Sept. #2: 2G. #4: 4.10B #6: 6DSend Refund D/S add these

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APRIL 22 1993

RODNEY TIBBETTS
292 E 5TH ST
QUINCY CA 95971-9675

RE: DOMESTIC ADJUDICATION NOTICE A75-10754

Dear Mr. Tibbetts:

During review of your Notice of Claim to a Water Right, A75-10754, filed for your property in Lemhi County, Idaho the following discrepancies were noted. A copy is enclosed.

The date (month, day, and year) water was first used for the purpose(s) claimed was only partially completed in Item #2. Since the notice only listed a month and year the last day of that month was used to complete the priority date. It now reads September 30, 1967.

The legal description indicating the location of your domestic well lists the Point of Diversion, Item #4, as T23N, R17E, "ON H.E.S. 199, approx. 1200' northerly from H.E.S. corner #4". Maps of the area and the U.S. Forest Service indicate T23N, R16E, with the Point of Diversion as NESE Sec. 25. Item #10, Place of Use, has been modified to reflect this same legal description.

Review the Notice for accuracy. There may be an instance(s), in addition to the above item(s), where a clarification(s) was made by the Department. Should you determine certain items need to be changed, make the necessary changes on this form. Sign the form before a Notary and return it to this office by May 21, 1993.

It has also come to our attention that other individuals have purchased property subdivided from your holdings. In an effort to understand the water distribution system and water allocation volumes please submit documentation indicating how the water is to be divided among and conveyed to the new owners.

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TIBBETTS R.
PAGE 2

Since your claim cannot be processed until all information is correct I am enclosing two maps of the area for your use. Please indicate, on map #1, the location of the well and it's place(s) of use; on map #2, please indicate the water distribution system and allocation to each lot. You may, however, submit your own detailed map(s) showing the location of the well, the distribution system and allocation to the place(s) of use. Please forward the maps to this office with the signed and Notarized claim form.

In your correspondence, please include a telephone number where you may be contacted should additional questions arise.

If 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 Resource Agent
Adjudications Bureau

Enclosures: Area Maps
Adjudication Notice A75-10754
File: TIC

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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: A75-10754
Date Received: 4/21/1993
Receipt No: E014375
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: RODNEY B TIBBETTS
Address: 292 E 5TH ST
QUINCY CA 95971

AND/OR

Name: MIKEAL B TIBBETTS
Address: QUINCY CA 95971

AND/OR

Name: WANDA S TIBBETTS
Address: 292 E 5TH ST
QUINCY CA 95971

2. Date of Priority: SEP 30, 1967

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
23N	16E	25		NE	SE		LEMHI

5. Description of diverting works:
38' WELL, 6" CASING, 60GPM SUBMERSIBLE PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, ONE HOME; STOCKWATER, 12 HORSES.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
23N	16E	25	NE	SE		DOMEST	
			NE	SE		STOCK	

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

A75-04012, A75-04013: COLSON CREEK RIGHTS

14. Remarks:

POD, POU, ON H.E.S. 199, APPROX 1200' NORTHERLY FROM H.E.S. CORNER #4.

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: 2

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): Michael B. Libetta Date: June 7, 1993

Date: _____

State of Idaho)
County of LEMMING) SS.

Subscribed and sworn (or affirmed) before me this 7th day
of June 19 93

Seal

M. A. Sp
Notary Public

Residing at SALMON

My Commission Expires 10/26/93

POOH ORIGINAL

L M O N

L F O R E S T

R.23N. 324

SALMON

25

Campground
BM 3134

Ebenezer
Bar

Cable

AIRSTrip
VABM

Cable

TIBBETTS
MAP #1

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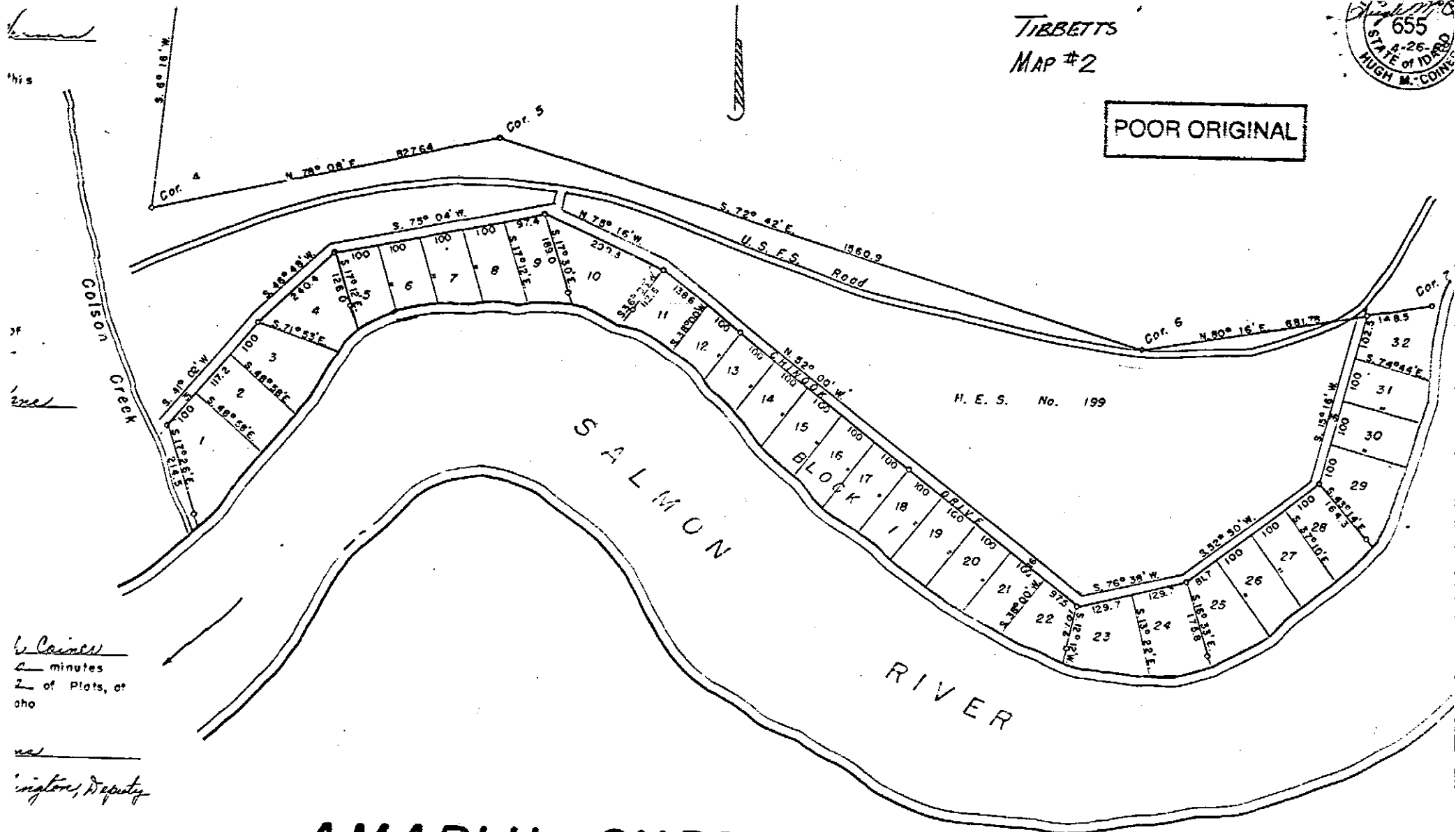
T.16E.

T.17E. APR 19 1994

TIBBETTS
MAP #2



POOR ORIGINAL



AMARLU SUBDIVISION

No. 1, of

H. E. S. No. 199

in

Appx. T. 23 N., R. 17 E., Boise Meridian
Lemhi Co., Ida.

4-26-62

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APR 19 1994

MILTON A. (JOCK) SLAVIN

ATTORNEY AT LAW

1016 MAIN ST., P.O. BOX 1103, SALMON, IDAHO 83467

208/756 2030

June 21, 1993

RECEIVED

JUN 22 1993

Department of Water Resources
Eastern District Office

Idaho Department of Water Resources
Eastern Idaho Region
900 N. Skyline Dr.,
Idaho Falls, Idaho 83402-1718

Attention: Allen B. Ruberry
Sr. Water Resource Agent

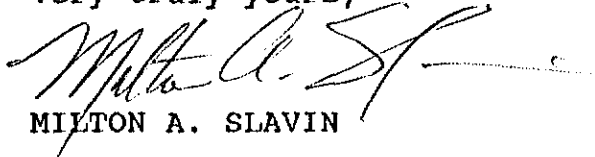
RE: Domestic Adjudication Notice A75-10754

Dear Mr. Ruberry:

We have reviewed your letter of April 22, 1993, and it is accurate, except for the fact that we need to eliminate the remark provision which we have blocked out.

Enclosed please find the Notice which has been signed by Mr. Tibbetts.

Very truly yours,



MILTON A. SLAVIN

MAS/rt
enc.

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Water Right Number - R75-10754

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

TIBBETTS

RODNEY B

1 - 292 E 5TH ST

2 -

3 -

City- QUINCY

State- CA Zip- 95971

Phone -

TIBBETTS

MIKEAL B

1 -

2 -

3 -

City- QUINCY

State- CA Zip- 95971

Phone -

TIBBETTS

WANDA S

1 - 292 E 5TH ST

2 -

3 -

City- QUINCY

State- CA Zip- 95971

Phone -

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
09/30/1967 15 EASTERN J - BENEFICIAL USE

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

23N 16E 25 NE SE (59) LEMHI GROUNDWATER

+ - - - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

43 - DOMESTIC 01/01 12/31 0.040

04 - STOCKWATER 01/01 12/31 0.020

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.040 0.0

+ - - - - - - - - - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

23N 16E 25 NE SE 04 STOCKWATER (59) LEMHI

23N 16E 25 NE SE 43 DOMESTIC (59) LEMHI

Total Acres:

+ - - Diversion Means - 38' WELL, 6" CASING, 60GPM SUBMERSIBLE PUMP

+ - - Non-Irrigation Use - 1 HOME

+ - - Other Rights for Same Use - A75-04012, A75-04013: COLSON CREEK RIGHTS

Water right number - R75-10754

Prefix Translation: RESEARCH

+ - - - - Remarks - - - - - +

EXP STOCKWATER, 12 HORSES.

+ - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers Found

+ - - - - Conditions of Approval - - - - - +

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +

00/00/0000

+ - - - - Comments - - - - - +

Date: 12/01/1998 User Id: DSMITH Subject: COPIED FROM REMARKS
POD, POU, ON H.E.S. 199, APPROX 1200' NORTHERLY FROM H.E.S.
THIS DOMESTIC WELL WAS DRILLED AS AN ALTERNATE WATER SUPPLY
FROM THAT SOURCE.

CORNER #4.

SHOULD THE DAM OR 24" PIPE FAIL AND NEGATE THE DOMESTIC WATER

+ - - Audit Fields - - +

12/01/98 DSMITH

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

| | | | | | |
|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| Court Report Filing | - 00/00/0000 | Field Inspection Made | - 00/00/0000 | Civil Case Number | - 39576 |
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag | - | Old Case Number | - |
| Response Filed Date | - 00/00/0000 | Verified Date | - 12/01/1998 | Old Judicial District | - |
| Claim Received Date | - 05/10/1990 | Last Amended Date | - 04/21/1993 | Temporary Right | - P |
| | | Receipt Number | - E014375 | Water District | - |
| | | POU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | Name Connector | - AND/OR | Presumption Flag | - |
| | | | | Notice of Error Flag | - |

RIGHT NUMBER: 75-10754

NAME & ADDRESS:

CH
MIKEAL B TIBBETTS
QUINCY CA 95971RODNEY B TIBBETTS
WANDA S TIBBETTS
292 E 5TH ST
QUINCY CA 95971*W.D. Santa
2/25/98**TIBBETTS Family 1997 Trust
PO Box 4315
311 Nugget Lane
Quincy Ca. 95971*

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

PRIORITY DATE: 09/30/1967

POINT OF DIVERSION: T23N R16E S25 NESE Within LEMHI County

PURPOSE AND

| PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE | QUANTITY |
|----------------|------------------------------------|---------------|----------|
| | STOCKWATER | 01-01 12-31 | 0.02 CFS |
| | DOMESTIC DOMESTIC, ONE HOME; STOCK | 01-01 12-31 | 0.04 CFS |

PLACE OF USE: STOCKWATER Within LEMHI County
T23N R16E S25 NESEDOMESTIC Within LEMHI County
T23N R16E S25 NESE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

POD, POU, ON H.E.S. 199, APPROX 1200' NORTHERLY FROM H.E.S.
CORNER #4.THIS DOMESTIC WELL WAS DRILLED AS AN ALTERNATE WATER SUPPLY
SHOULD THE DAM OR 24" PIPE FAIL AND NEGATE THE DOMESTIC WATER
FROM THAT SOURCE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

Verified by *Robert E. Judd* Date *7/20/98*
Verification Source *Lemhi Co. Records*



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

October 21, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

TIBBETS FAMILY 1997 TRUST
PO BOX 4315
311 NUGGETS LN
QUINCY CA 95971

Re: Snake River Basin Adjudication (SRBA)
Water Right No. 75-10754

Dear Claimant(s):

We have been advised you may be the new owner(s) of the property with the water right referenced above.

Before we can modify our records to reflect your new ownership of the water right referenced above, we need Form 42-248/42-1409(6) completed. This form is enclosed for your use. Please return the form, documentation and proof of domestic use to me attention at this office no later than November 9, 1998.

Please call this office toll-free at 1/800-451-4129 if you have any questions.

Sincerely,

Judy Givens
Clerical Specialist
Adjudication Bureau

/jg

Encl: Form 42-248/42-1409(6)
Water Right Profile Report