

04/01/2004

IDAHO DEPARTMENT OF WATER RESOURCES  
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 23-11307

NAME AND ADDRESS: MAX JACOBSON  
131 TRIPLE J ROAD  
IRWIN ID 83428

BLAKE JACOBSON  
131 TRIPPLE J ROAD  
IRWIN ID 83428

BLAIR JACOBSON  
131 TRIPPLE J ROAD  
IRWIN ID 83428

SOURCE: PALISADES CREEK

TRIBUTARY: SOUTH FORK SNAKE RIVER

QUANTITY: 0.200 CFS

PRIORITY DATE: 05/20/1889

POINT OF DIVERSION:

T01N R44E S26 SWSWSE Within BONNEVILLE County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE  
IRRIGATION

PERIOD OF USE  
04/15 10/31

QUANTITY  
0.200 CFS

PLACE OF USE: IRRIGATION Within BONNEVILLE County

|                     |      |     |               |      |     |
|---------------------|------|-----|---------------|------|-----|
| T01N R44E S27       | SESW | 0.5 | T01N R44E S27 | NESW | 2.6 |
| T01N R44E S27 Lot 1 | NWSW | 6.1 |               |      |     |

9.2 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Decreed

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 23-00061A.

42241307



USE AVERY 15874011 2100

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 23-11307  
Date Received: 3/31/2004  
Receipt No: E009055  
Received By: 6/12/89

**NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

BLAKE JACOBSON Phone: (208)483-3855  
HC 34 BOX 6-C  
IRWIN ID USA 83428

MAX JACOBSON Phone: (208)483-3855  
174 TRIPLE J RD  
IRWIN ID USA 83428

BLAIR JACOBSON Phone: (208)483-3855  
HC 34 BOX 6-C  
IRWIN ID USA 83428

2. Date of Priority: 05/20/1889

3. Source: PALISADES CREEK Trib. to: SNAKE RIVER SOUTH FORK

4. Point of Diversion:  
Township Range Section 1/4 of 1/4 of 1/4 Lot County Type  
01N 44E 26 SW SW SE BONNEVILLE

5. Description of diverting works:  
delivered through palisades irrigation canal system.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 04/15 | 10/31 | 0.2    |            |

7. Total Quantity Appropriated is:  
0.2 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township | Range | Section | 1/4 of 1/4 | Lot  | Use           | Acres |
|----------|-------|---------|------------|------|---------------|-------|
| 01N      | 44E   | 27      | NW         | SE 1 | IRRIGATION    | 10    |
|          |       |         |            |      | Section Acres | 10    |
|          |       |         |            |      | Total Acres   | 10    |

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM IS A PORTION OF 23-00061. PAID UNDER THIS CLAIM.

15. Basis of Claim: Decreed

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): \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho )  
County of \_\_\_\_\_ ) SS.

Subscribed and sworn (or affirmed) before me this  
of \_\_\_\_\_ 20\_\_

\_\_\_\_\_  
Notary Public

Residing at \_\_\_\_\_

My commission Expires \_\_\_\_\_

04/01/2004

**NOTICE OF ERROR  
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

**YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: APRIL 30, 2004**

Water right number: 23-11307

BLAKE JACOBSON  
HC 34 BOX 6-C  
IRWIN ID 83428  
Telephone Number: (208)483-3855

MAX JACOBSON  
174 TRIPLE J RD  
IRWIN ID 83428  
Telephone Number: (208)483-3855

BLAIR JACOBSON  
HC 34 BOX 6-C  
IRWIN ID 83428  
Telephone Number: (208)483-3855

RECEIVED

APR 22 2004

Department of Water Resources  
Eastern Region

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: April 20-2004 SIGNATURE: Blake Jacobson, Blair Jacobson, Max Jacobson

Please print your name: Blake Jacobson, Blair Jacobson, Max Jacobson

IDWR Regional Office,

04/15/2003

NOTICE OF ERROR  
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number:

23-00061 → SPLIT ⇒ 11307

MAX JACOBSON  
BLAIR JACOBSON  
BLAIR JACOBSON  
131 TRIPPLE J ROAD FARM RD 83428

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

10% OF THIS ORIGINAL RIGHT WAS RETAINED IN THE SALE - THIS RIGHT SHOULD BE SPLIT TO REFLECT

2. Describe the changes you wish to make in the proposed recommendation:

OUR PORTION

3. Give a brief explanation as to why you disagree with these portions:

\_\_\_\_ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 3-16-04 SIGNATURE: Blair O Jacobson

Please print your name: \_\_\_\_\_

IDWR Regional Office,

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 23-61 V1

WATER RIGHT NUMBER: 23-61 V1

| <u>Owner Type</u> | <u>Name and Address</u>                                                     |
|-------------------|-----------------------------------------------------------------------------|
| Original Owner    | MAX JACOBSON<br>174 TRIPLE J RD<br>IRWIN, ID 83428<br>(208)483-3855         |
| Current Owner     | SOUTH FORK PINES<br>1200 QUEENS LANE<br>JACKSON, WY 83001<br>(307) 377-7869 |
| Original Owner    | HANNAH BURTON<br><br>, ID                                                   |

Priority Date: 05/20/1889

Basis: Decreed

Status: Active

| <u>Source</u>   | <u>Tributary</u> |
|-----------------|------------------|
| PALISADES CREEK | SNAKE RIVER      |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION            | 04/15 to 10/31          | 2.410 CFS             |                      |
|                       | <u>Total Diversion:</u> | 2.410 CFS             |                      |

| <u>Location of Point(s) of Diversion</u> |                 |                                 |
|------------------------------------------|-----------------|---------------------------------|
| PALISADES CREEK                          | SW1/4SW1/4SE1/4 | Sec. 26, Twp 01N, Rge 44E, B.M. |
| BONNEVILLE County                        |                 |                                 |

Place of Use  
IRRIGATION

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW   |      |    |      | SE |     |      |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|------|------|----|------|----|-----|------|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE   | NW   | SW | SE   | NE | NW  | SW   | SE |        |
| 01N | 44E | 27  |    |    |    |    |    |    |    |    | 35.0 | 13.0 |    | 13.0 |    | 7.4 | 36.0 |    | 104.4  |
|     |     |     |    |    |    |    |    |    |    |    | L 1  |      |    | L 4  |    |     | L 5  |    |        |

Total Acres: 104.4

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. C09 PORTION OF RIGHT FORFEITED/ABANDONED.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 23-61 V1

4. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:

1. General THE REMAINDER OF THIS RIGHT WAS FORFEITED FOR NON-USE FROM 1980 TO 1989.

Comments:

1. aruberry 1/8/2004 OWNERSHIP

Comment: CLAIM OWNED BY SPENCE WARNER BUT HE FAILS TO FILE C/O AND DOCS. RECOMMEND TO ORIGINAL OWNER.

2. aruberry 2/17/2004 CHANGE OWNER

Comment: C/O FILED FEB 17, 2004



# State of Idaho

## Department of Water Resources

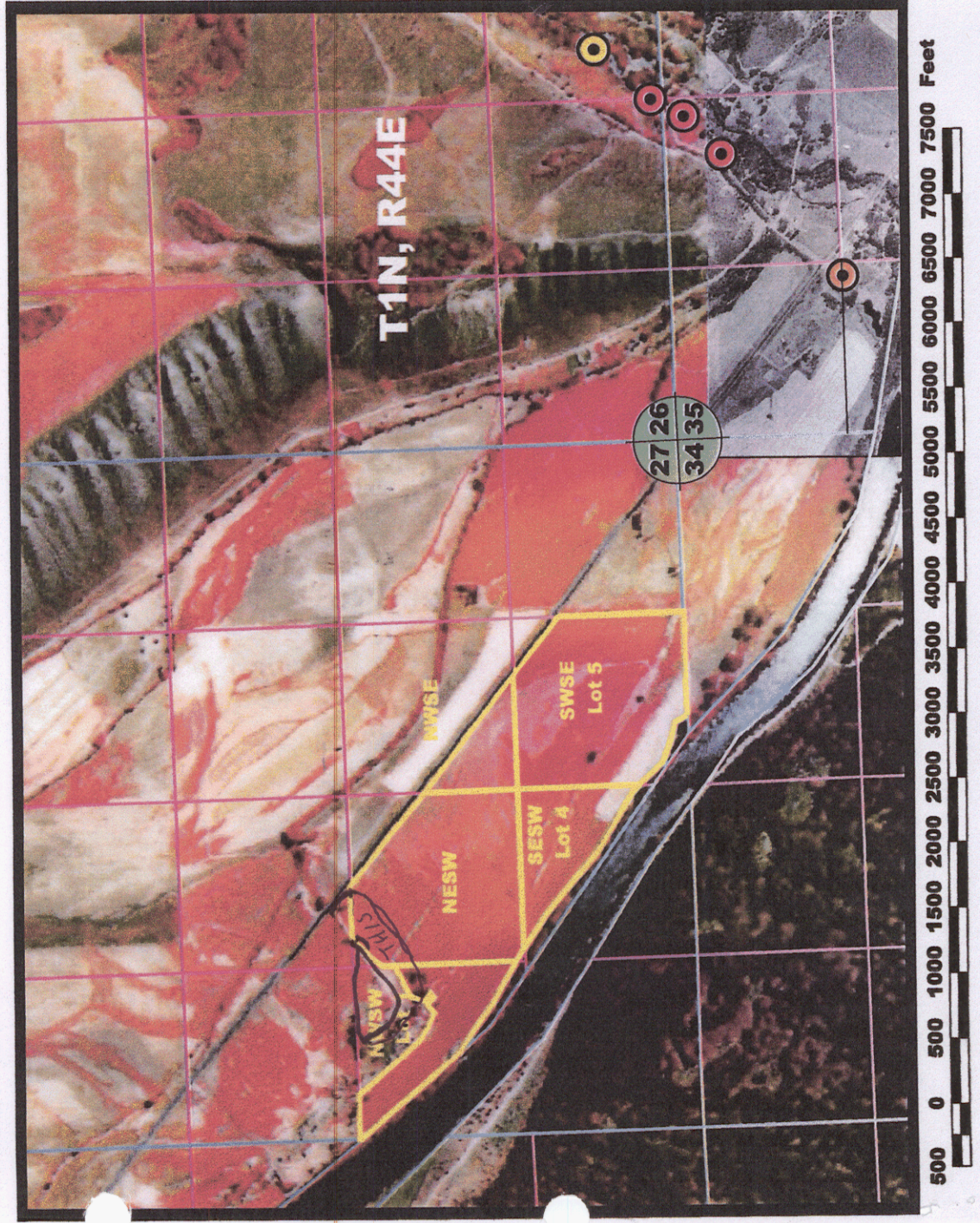
Eastern Region



**Water Right(s):**  
**23-00061**

**Place of Use: (parts of)**  
**T1N, R44E Sec. 27**  
**N2SW, SESW, W2SE**

**Point(s) of Diversion:**  
**T1N, R44E Sec. 26**  
**SWSWSE**



GIS Place of Use Illustration  
1987/1988 NAPP Photograph  
Prepared by: A. Ruberry  
Date: January 2004