

08/17/2004

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

RIGHT NUMBER: 25-73
NAME AND ADDRESS: LUCILE AVERY
7837 E FOOTHILL RD
IDAHO FALLS ID 83401
SOURCE: WILLOW CREEK TRIBUTARY: SNAKE RIVER
QUANTITY: 1.400 CFS
PRIORITY DATE: 04/01/1884
POINT OF DIVERSION:

T03N R39E S15 SWNESW Within BONNEVILLE County
T03N R39E S15 NWSWSW Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.400 CFS

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T03N R39E S20	SENE	2.7	T03N R39E S20	NESE	33.0
T03N R39E S20	NWSE	18.0	T03N R39E S20	SWSE	30.0
T03N R39E S20	SESE	7.6	T03N R39E S21	NWNE	2.8
T03N R39E S21	NENW	39.0	T03N R39E S21	SWNW	21.0
T03N R39E S21	SENW	22.0	T03N R39E S21	NESW	0.7
T03N R39E S21	NWSW	20.0			

196.8 ACRES TOTAL

Use of the rights listed below is limited to the irrigation of a combined total of 196.8 acres in a single irrigation season. Combined Right Nos.: 25-14110, 25-73 and 25-14111.

This right is limited to the irrigation of 70 acres within the place of use described above in a single irrigation season.

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

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Use of this right is combined with water from Enterprise Canal Company LTD.

Water is delivered through the Roy Avery Canal and Orval Avery Canal.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 25-73

WATER RIGHT NUMBER: 25-73

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	HF HASKINS
	, ID
Original Owner	ORVAL E AVERY 7837 E FOOTHILL RD IDAHO FALLS, ID 83401 (208)522-6882

Priority Date: 04/01/1884

Basis:

Status: **See Remarks**

<u>Source</u>	<u>Tributary</u>
WILLOW CREEK	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	1.400 CFS	
	<u>Total Diversion:</u>	1.400 CFS	

Location of Point(s) of Diversion

WILLOW CREEK BONNEVILLE County	SW1/4NE1/4SW1/4	Sec. 15, Twp 03N, Rge 39E, B.M.
WILLOW CREEK BONNEVILLE County	NW1/4SW1/4SW1/4	Sec. 15, Twp 03N, Rge 39E, B.M.

Place of UseConditions of Approval:Remarks:

1. General

***** MEMO TO FILE ***** THE ENTIRE AMOUNT OF THIS DECREE RIGHT IS ALSO BEING CLAIMED BY PROGRESSIVE IRRIGATION DISTRICT UNDER NOTICE A25-13385Z0 AND A25-13385Z1. ESV 11/2/89 * THIS RIGHT HAS BEEN SPLIT AND COMBINED. A25-00073A 1.40 CFS A25-13385 1.40 CFS TOTAL = 2.80 CFS (25-00073 = 1.40 CFS) * THIS RIGHT IS OVER-CLAIMED. CLF 3-21-91

Comments:Dates and Other Information: