

01/12/2001

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

RIGHT NUMBER: 31-10463

NAME AND ADDRESS: F MITCHELL JACOBS
VALYNN H JACOBS
2496 N 2375 E
HAMER, ID 83425

SOURCE: GROUND WATER

QUANTITY: 0.09 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED
13,000 GALLONS PER DAY.

PRIORITY DATE: 05/01/1915

POINT OF DIVERSION: T08N R36E S28 NWSESE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01-01 12-31	0.09 CFS
DOMESTIC 1 HOMES	01-01 12-31	0.02 CFS

PLACE OF USE:

STOCKWATER Within JEFFERSON
County
T08N R36E S28 SESE
DOMESTIC Within JEFFERSON County
T08N R36E S28 SESE

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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.
DOMESTIC USE IS FOR ONE HOME, TWO POTATO CELLARS.
STOCKWATER USE IS FOR 400 FEEDER CATTLE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Comments:

Author	Date	Subject	Comment
bcontor	1/12/01	Documentation	No response to 1994 request for proof of priority; recommended as de-minimus w/ N11.

Dates:

Licensed Date:
 Claim Received Date: 11/17/1988
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Decreed Date:
 Date Filed with Court:
 Objection Filed Date:
 SP5 Filed:
 Special Master Recom Signed Date:

Element Reviewed/Verified Dates:

Element	Last Review Date	Reviewer	Last Verified Date	Verifier	Status
Summary	1/12/01 1:59:33 PM		1/12/01 1:59:33 PM	bcontor	Complete

Other Information:

Receipt Number(s):
 State or Federal: S
 Owner Name Connector: OR
 Water District Number:
 Generic Max Rate per Acre:
 Generic Max Volume per Acre:
 Civil Case Number:
 Old Case Number:
 Decree Plaintiff:
 Decree Defendant:
 PresumptionFlag:
 Notice of Error Flag:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Cary Act Number:
 Mitigation Plan: False

Verification Log:

Element	Date Time Stamp	Reviewer	Log Text
POD	1/12/01 1:49:14 PM	bcontor	Edited point location
Summary	1/12/01 1:59:31 PM	bcontor	1. (YES) The basis of the claim is beneficial use. 2. (NO) All the water being used for all the purposes is not being claimed and to the extent it was claimed. 4. (YES) A portion of the claim is being recommended. 5. (NO) General remark was not required. 6. (NO) Explanatory remark was not required. 7. (YES) Additional condition was required. 8. (YES) Wanted to view the recommended right. 9. (NO) This is not a split right. 10. (NO) This is not a combined right. 11. (NO) Documents were not linked or attached to this file. 12. (YES) Set the verification date.

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: A31-10463
Date Received: 11/17/1988
Receipt No: E004160
Received By: CA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: F. MITCHELL JACOBS 208-662-5260
Address: 2496 N. 2375 E.
HAMER, ID 83425
OR
Name: VALYNN H. JACOBS 208-662-5260
Address: 2496 N. 2375 E.
HAMER, ID 83425

2. Date of Priority: MAY 01, 1915

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	36E	28	NW	SE	SE		JEFFERSON

5. Description of diverting works:
100' WELL 1.5HP SUBMERSIBLE PUMP TO HOME/POTATO CELLARS/HYDRANTS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.020		
STOCKWATER	01/01	12/31	0.090		
INDUSTRIAL	09/01	07/01	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
ONE HOME/400 HEAD CATTLE/ HUMIDIFIERS IN 2 POTATO CELLARS

A310463



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	36E	28	SE	SE		DOMEST	
			SE	SE		STOCK	
			SE	SE		INDUST	

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:
NONE

14. Remarks:

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 0

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): Matthew Jacob Date: Nov. 12 88
Date:

State of Idaho

County of Bonneville)
) SS.

Subscribed and sworn (or affirmed) before me this 17 day
of November 1988

[Signature]
Notary Public

Residing at Idaho Falls, ID
My Commission Expires 22 Aug 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

FEBRUARY 9, 1993

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

*

RE: EVIDENCE OF PRIORITY

Dear Claimant(s):

The Notice(s) of Claim identified with the number shown above in the "address" label and at the "end" of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. As the claimant, you are responsible for submitting the necessary proof to support the priority date.

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some examples of Documents Which May Be Evidence of the Priority Date".

EVIDENCE OF PRIORITY

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It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel.

The Department will not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.

Please submit the required evidence supporting the priority date by MARCH 9, 1993, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,

Eric Verner
Senior Water Agent

EV:jt

Enclosure: Brochure on "Evidence of Priority"
Proof Report

Other Water Right Numbers Needing Evidence of Priority

MICROFILMED

APR 15 1994