

08/18/2004

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

RIGHT NUMBER: 25-14111
NAME AND ADDRESS: LUCILE AVERY
7837 E FOOTHILL RD
IDAHO FALLS ID 83401

SOURCE: WILLOW CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 2 950 CFS

PRIORITY DATE: 05/01/1888

POINT OF DIVERSION:

103N R39E S15 SWNE SW Within BONNEVILLE County

103N R39E S15 NWSW SW 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	2,950 CFS

PLACE OF USE: IRRIGATION Within BONNEVILLE County

103N R39E S20	SENE	2.7	103N R39E S20	NESE	33.0
103N R39E S20	NWSE	18.0	103N R39E S20	SWSE	30.0
103N R39E S20	SESE	7.6	103N R39E S21	NWNE	2.8
103N R39E S21	NENW	39.0	103N R39E S21	SWNW	21.0
103N R39E S21	SENW	22.0	103N R39E S21	NESW	0.7
103N 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

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 LID

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

This right is a split from former right 25-144.

SCANNED

450 +

JU

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.

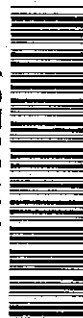
CIVIL CASE NUMBER: 39576

Renumbered: 25-14111
Ident. Number: ~~A25-00144~~
Date Received: 9/12/1989
Receipt No: E010280
Received By: 78

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ORVAL E. AVERY
Address: 7837 E. FOOTHILL RD.
IDAHO FALLS, ID 83401
208-522-6882
2. Date of Priority: MAY 01, 1888
3. Source: WILLOW CREEK Trib. to: SNAKE RIVER
4. Point of Diversion:

A2500144



Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	39E	15	SW	NE	SW		BONNEVILLE
			NW	SW	SW		BONNEVILLE

5. Description of diverting works:
2 HEADGATES/DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.600		

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

8. Total consumptive use is 375.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	39E	20	NE	SE		IRR	30.0
			NW	SE		IRR	15.0
			SW	SE		IRR	15.0

Section Acres 60.0

A25-00144

Page 1

Date: 09/12/89

MICROFILMED

NOV 06 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	39E	21	NE	NW		IRR	40.0
			SW	NW		IRR	15.0
			SE	NW		IRR	20.0
			NW	SW		IRR	15.0
						Section Acres	90.0
						Total Acres	150.0

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:

A25-00073, A25-00144, PROGRESSIVE & ENTERPRISE CANAL CO.

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

EAGLE ROCK & WILLOW CR WATER C
Decree Plaintiff

vs

HENRY KIEFER ET AL.
Decree Defendant

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: 1

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): Orval Elvery Date: 9/12/89
_____ Date: _____

State of Idaho

County of Bonneville)
SS.

Subscribed and sworn (or affirmed) before me this 12th day

of September 19 89

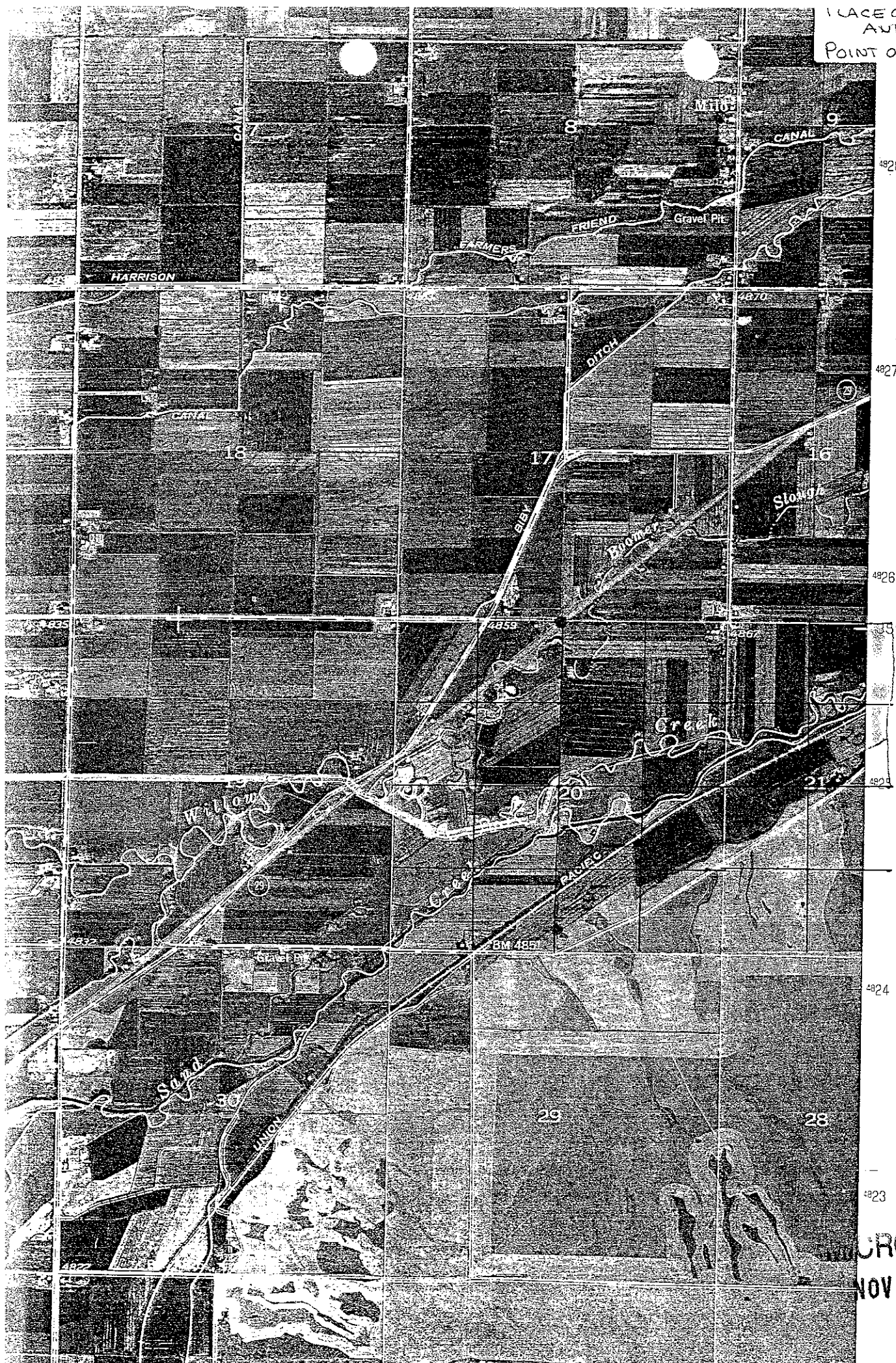
Anthony S. Olmsted
Notary Public

Seal

Residing at Idaho Falls

My Commission Expires 9/12/1994

PLACE OF USE
AND
POINT OF DIVERSION



MICROFILMED
NOV 06 1992

13-782	500 SHEETS, FILLER	5 SQUARE
42-381	50 SHEETS EYE-EASE	5 SQUARE
42-382	100 SHEETS EYE-EASE	5 SQUARE
42-383	200 SHEETS EYE-EASE	5 SQUARE
42-392	100 RECYCLED WHITE	5 SQUARE
42-399	200 RECYCLED WHITE	5 SQUARE

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Total.
E14
196.8

E14
196.8

E14
196.8
C45

- Enterprise Irrigation

Ernest Carlson.

Since all of P.O.U for Lucile Avery is covered by 25-144 there is no need to recommend enlargement claim 25-14022.

Q25-144 3.60 cfs. m 240 ac.

L 25-14111 Lucile Avery 2.95 cfs. 196.8 ac

L 25-13884 Progressive - 0.65 cfs. Large Pa.
combined right.

13-782 500 SHEETS, FULLER 5 SQUARE
42-381 100 SHEETS, FULLER 5 SQUARE
42-382 100 SHEETS, EYE-EASY 5 SQUARE
42-383 200 SHEETS, EYE-EASY 5 SQUARE
42-384 100 SHEETS, EYE-EASY 5 SQUARE
42-385 100 RECYCLED WHITE 5 SQUARE
42-386 200 RECYCLED WHITE 5 SQUARE
MADE IN U.S.A.



A25-00144

10/15/03

Please see file A25-00072

A25-14110 *enc.*

SCANNED

JUL 25 2001

Log for claim 25-00144

Spatial Dynamics CAT

11/28/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
03n39e	20	NESE	30	26	
03n39e	20	NWSE	15	21	
03n39e	20	SWSE	15	16	
03n39e	21	NENW	40	40	
03n39e	21	SWNW	15	40	Indiscernible
03n39e	21	SEnw	20	25	
03n39e	21	NWSW	15	15	Indiscernible
Totals:			150	183	

AJ5809NP
No. A25-00144

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/24/00
PAGE: 44

Point(s) of Diversion: T03N R39E S15 SWNESW NWSWSW BONNEVILLE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	
03N	39E	20	:															30	15	15	:	60.0
03N	39E	21	:							40		15	20			15					:	90.0
																			TOTAL ACRES			150.0

POU County: BONNEVILLE

Other Rights: A25-00073, A25-00144, PROGRESSIVE & ENTERPRISE CANAL CO.

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

A25-00071A A25-00072 A25-00073A A25-00079A A25-00079C A25-00085 A25-00086 A25-00148 A25-00174A

Other Water Rights Listing Overlapping Place(s) of Use:

A01-00059 A01-00060 A01-00233 A25-00071 A25-00071A A25-00072 A25-00073A A25-00174A A25-13388Z1

Remarks: GEN ***** MEMO TO FILE *****

PROGRESSIVE IRRIGATION DISTRICT IS CLAIMING OWNERSHIP OF 0.92CFS
OF THIS DECREED RIGHT UNDER NOTICE A25-13384Z0 AND A25-13384Z1.
ESV 11/2/89

Dates: Exam Made Date: Verified Date: 03/05/1985 Objection Filed Date:

Misc: Water District Number: 01 Field Inspection Flag:
Presumption Flag:

Audit: 09/12/89 OLENICHA 11/02/89 VERNER 03/29/95 POST-STD

AJ5809NP
No. A25-00144

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/24/00
PAGE: 43

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ORVAL E AVERY 7837 E FOOTHILL RD IDAHO FALLS ID 83401 (208) 522-6882	05/01/1888	IRRIGATION	04-01 11-01	3.600 CFS	
				TOTAL DIVERSION:	3.600 CFS	
				CONSUMPTIVE USE:		375.00 AFA
	Water Source: WILLOW CREEK		Tributary to: SNAKE RIVER		Stage: DECREED	