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Documents

In File

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: A65-08911
Date Received: 2/16/1990
Receipt No: X999999
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: ALBERTSONS INC
Address: PO BOX 20
BOISE ID

83702

2. Date of Priority: OCT 2, 1945

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	01W	7	SW	NE			GEM

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
COMMERCIAL	01/01	12/31	0.080		57.80

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

57.80 A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	01W	7	SW	NE		COMMER	

11. Place of use in counties: GEM

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

A65-08911

Page 1

Date: 03/01/93

MICROFILMED

AUG 03 1994

13. Other Water Rights Used:

14. Remarks:

LOT 8, BLOCK 2, ORIGINAL TOWNSITE OF EMMETT.
COOLANT FOR CONDENSERS OF REFRIGERATION UNITS IN A GROCERY
STORE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs Decree Defendant

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: 65-08911
DATE RECEIVED: 2-16-1990
RECEIPT NO: X999999
RECEIVED BY: -----

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
FEB 16 1990

1. NAME: ALBERTSONS, INC.
ADDRESS: P. O. BOX 20
BOISE, ID

83702

2. DATE OF PRIORITY: OCT 02, 1945

Department of Water Resources
Western Regional Office

3. SOURCE: GROUNDWATER

TRIB. TO:

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
06N	01W	7	SW	NE			GEM

5. DESCRIPTION OF DIVERTING WORKS:

well and pump 8" casing, 3000 gal/hr capacity

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR)	A.F.A.
COMMERCIAL	01/01	12/31	0.080		57.80

7. TOTAL QUANTITY APPROPRIATED IS:

0.080 C.F.S. (AND/OR) 57.80 A.F.A.

8. TOTAL CONSUMPTIVE USE IS 57.80 ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES: See 14.

10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
06N	01W	7	SW	NE		COMMER	

11. PLACE OF USE IN COUNTIES: GEM, GEM

12. DO YOU OWN THE PROPERTY LISTED ABOVE AS PLACE OF USE? ~~YES~~ No

65-08911

PAGE 1

DATE: 10/28/89

7650

MICROFILMED

AUG 03 1994

13. OTHER WATER RIGHTS USED:

14. REMARKS:

LOT 8, BLOCK 2, ORIGINAL TOWNSITE OF EMMETT.
COOLANT FOR CONDENSERS OF REFRIGERATION UNITS IN A GROCERY
STORE.

15. BASIS OF CLAIM: DECREEED

CASE NUMBER:

COURT :

DECREE DATE: 1/21/1986

STATE OF IDAHO
DECREE PLAINTIFF

A & C CORP., ET AL.
VS 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 X 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: _____

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM Senior Vice President OF
_____ TITLE
Albertson's, Inc., THAT I HAVE SIGNED THE FOREGOING
ORGANIZATION
DOCUMENT IN THE SPACE BELOW AS Senior Vice President OF
_____ TITLE
Albertson's, Inc. AND THAT THE STATEMENTS CONTAINED IN THE
ORGANIZATION
FOREGOING DOCUMENT ARE TRUE AND CORRECT.

Thomas L. Saldivar
SIGNATURE OF AUTHORIZED AGENT
Albertson's, Inc.
Senior Vice President
TITLE AND ORGANIZATION

February 14, 1990
DATE

STATE OF IDAHO)
COUNTY OF Ada) SS.
_____)

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 14th DAY
OF February 19 90

Nanda Tschirgi
NOTARY PUBLIC

SEAL

RESIDING AT Meridian, Idaho

65-08911

PAGE

3

MY COMMISSION EXPIRES 5/1/94

DATE: 10/28/89

7652

MICROFILMED

AUG 03 1994



February 15, 1990

RECEIVED
FEB 16 1990

Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705

Department of Water Resources
Western Regional Office

Re: Notice of Claim to a Water Right - Gem County

Ladies and Gentlemen:

Enclosed is a Notice of Claim to a Water Right which has been completed by Albertson's, Inc. with respect to a claim to a water right in Gem County, Idaho.

Very truly yours,

ALBERTSON'S, INC.

Wanda Tschirgi
Legal Assistant

Enc.

MICROFILMED

AUG 03 1994

01/11/2001

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

RIGHT NUMBER: 65-8911

NAME AND ADDRESS: ALBERTSONS INC
PO BOX 20
BOISE, ID 83707

SOURCE: GROUND WATER

QUANTITY: 0.08 CFS
57.8 AFY

PRIORITY DATE: 10/02/1945

POINT OF DIVERSION: T06N R01W S7 SWNE Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
COMMERCIAL	1-01 12-31	0.08 CFS 57.80 AFY

COMMERCIAL USE OF FOR REFRIGERATION UNITS IN GROCERY STORE.

PLACE OF USE:

COMMERCIAL Within GEM County
T06N R01W S7 SWNE

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: BASIS OF CLAIM - Beneficial Use

PROPERTY IS ALSO KNOWN AS LOT 8, BLK 2, ORIGINAL TOWNSITE
OF EMMETT.

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 06/12/00
PAGE: 1

Water Source: GROUNDWATER Tributary to: Stage: ~~DECREED~~ BU
Point(s) of Diversion: T06N R01W S07 SWNE GEM County

[illegible]

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.

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

POW 381 Lot 8BK2
Original Townsite of Emmett

Comm. Charges as per
Stipulation signed
9/26/1979

Use: Commercial use is for refrigeration units in grocery store

RECEIVED

OCT 3 1979

Filed

Sept. 22, 1979

1st Melvin R. Ketchum, Clerk
1st Debbie Bacon, Deputy

DAVID H. LEROY
Attorney General
State of Idaho
Statehouse, Room 210
Boise Idaho 83720
Telephone (208) 384-2400

Department of Water Resources

W. HUGH O'RIORDAN
Deputy Attorney General
Chief, Natural Resources Division

JOSEPHINE P. BLEMAN
Deputy Attorney General
Natural Resources Division
Telephone: (208) 384-2215

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR
THE COUNTY OF GEM

IN THE MATTER OF THE GENERAL)	CIVIL NO. 3667
DETERMINATION OF THE RIGHT)	
TO THE USE OF SURFACE AND)	ORDER CORRECTING CLERICAL
GROUNDWATERS OF THE PAYETTE)	OVERSIGHTS IN PROPOSED
RIVER DRAINAGE BASIN)	FINDING OF WATER RIGHTS

The motion of the Department of Water Resources for an order correcting certain clerical oversights in the proposed finding of water rights having come before the court for hearing, and the court being fully advised in the premises,

IT IS HEREBY ORDERED that the proposed finding of water rights be amended in conformance with Exhibit A which is attached hereto and incorporated herein by reference, provided that Orville Jackson and Floy L. Jackson do not file with the court by or before October 5, 1979, a notice of hearing of the objection filed by them to Water Resources' motion. The objection filed by the Jacksons shall be withdrawn if such notice is not filed by or before October 5, 1979. If the Jacksons file a notice of hearing by or before October 5, 1979, this present order amends the proposed finding of water rights in conformance with Exhibit A except for certain material appearing at page 11 of Exhibit A where clerical amendments are listed for rights

ORDER CORRECTING CLERICAL OVERSIGHTS - 1

1 held by Orville Jackson and Floy L. Jackson.

2 DATED This 20th day of September, 1979.

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1st Gilbert C. Norris
Gilbert C. Norris
District Judge

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Attorney General
State of Idaho
Statehouse Room 210
Boise Idaho 83720
Telephone (208) 384 2400

INDICATES TOTAL*

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
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SOURCE: BIG WILLOW CREEK

65-10537 VOL. II P. 65	A. L. CATTLE, INC. ROUTE 3 BOX 151, EMMETT, IDAHO 83617 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-3124B 65-3124X SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	5/ 2/1890	IRRIGATION	3/15 11/15	--- AFA .32 CFS	NESE S 1 T 8N R 2W	SWNE(22) SENE(12) SWNW(9) SENW(19) NESE(2) S 1 T 8N R 2W *64*	DECREE
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SOURCE: GROUNDWATER

65-8911 VOL. III P. 293	ALBERTSON'S INC. P. O. BOX 20, BOISE, IDAHO 83702 REMARKS: LOT 8, BLOCK 2, ORIGINAL TOWNSITE OF EMMETT. COOLANT FOR CONDENSERS OF REFRIGERATION UNITS IN A GROCERY STORE.	10/ 2/1945	COMMERCIAL	1/ 1 12/31	28-90-AFA 57.80 AFA .08 CFS	SWNE S 7 T 6N R 1W	SWNE S 7 T 6N R 1W	BENEFICIAL USE
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CLAIMS SUBMITTED:

RECOMMENDED TO BE DISALLOWED

RIGHT NUMBER	NAME AND ADDRESS	REASON FOR DISALLOWAL
65-10146 VOL. I P. 186	BIGGS, LEONARD D. & BIGGS, LEMPI S. 7046 HUMMELL DRIVE, BOISE, IDAHO 83705	RECOMMENDED-AS-RIGHT 65-11259-

INDICATES TOTAL

SOURCE: GROUNDWATER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-10148	BIGGS, LEONARD D. & BIGGS, LEMPI S. 7046 HUMMELL DRIVE, BOISE, IDAHO 83705 REMARKS: LOT 2, HALF MOON COVE SUBDIVISION.	7/ 1/1960	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	LOT 2 S 5 T18N R 3E	LOT 2 S 5 T18N R 3E	BENEFICIAL USE

WR5809NP
No. 65-08911

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/08/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ALBERTSONS, INC. P. O. BOX 20 BOISE ID 83702	10/02/1945	COMMERCIAL	01/01 12/31	0.080 CFS	57.80 AFA
TOTAL DIVERSION:					0.080 CFS	57.80 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T06N R01W S07

SWNE

GEM County

Place of use Legal Description for: COMMERCIAL

				NE				NW				SW				SE													
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
06N	01W	7	:																										
			:																										

Pou County: GEM

Remarks: GEN LOT 8, BLOCK 2, ORIGINAL TOWNSITE OF EMMETT.
COOLANT FOR CONDENSERS OF REFRIGERATION UNITS IN A GROCERY
STORE.

Dates:	App. Received:	Priority Date:	10/02/1945
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

Audit: 04/10/86 04/30/88 CONVERT 06/07/89 CURTIS