

08/16/2005

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

RIGHT NUMBER: 22-13410
NAME AND ADDRESS: JULIA H HIBBERT
258 W HWY 33
TETONIA ID 83452

DELVAN D HIBBERT
258 W HWY 33
TETONIA ID 83452



SOURCE: SPRING CREEK TRIBUTARY: NORTH LEIGH CREEK
QUANTITY: 0.020 CFS
The quantity of water under this right shall not exceed 13,000 gallons per day.
PRIORITY DATE: 01/01/1918
POINT OF DIVERSION:

T06N R45E S33 SWNE Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	04/01 11/30	0.020 CFS

PLACE OF USE: STOCKWATER Within TETON County
T06N R45E S28 SESW

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

The quantity of water decreed for this water right is not a determination of historical beneficial use.

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 -

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 22-13410
Date Received: 8/8/2005
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JULIA H HIBBERT Phone: (208)456-2807
258 W HWY 33
TETONIA ID USA 83452

DELVAN D HIBBERT Phone: (208)456-2807
258 W HWY 33
TETONIA ID USA 83452

2. Date of Priority: 01/01/1918

3. Source: SPRING CREEK Trib. to: NORTH LEIGH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06N	45E	33	SW NE	TETON	

5. Description of diverting works:

HEADGATE TO DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	04/01	11/30	0.02	

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

8. Total consumptive use:

9. Non-irrigation uses:
Number of other uses: 25

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
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06N

45E 28

SE

SW

STOCKWATER

11. Place of use in counties: TETON

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Beneficial Use

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. 22-13410
Date Received 8-8-05
Receipt Number E031164NOTICE OF CLAIM
TO A
WATER RIGHTACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

RECEIVED

AUG 08 2005

Department of Water Resources
Eastern Region

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Delvan D & Julia H Hibbert Phone (208) 456 2807
Mailing Address 258 W Highway 33 Teton ID Zip 834522. Date of Priority (Only one per claim) 1/1/1918 Month/Day/Year3. Source of water supply (Check one) () Groundwater or Other ☒ (a) Spring Creek
which is tributary to (b) North Leigh Creek Name or kind of source4. Location of point of diversion is: Township 6 N Range 45 E
Section 33 1/4 of SW 1/4 of NE 1/4, Govt. Lot _____, BM.,
County of Teton

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Headgate to ditch. Stock drink from ditch. Ditch runs ~~from ditch to river~~ normal. ~~may to July dry year.~~
Serves 22-134A and 22-380B. Ditch runs ~~from ditch to river~~ normal. ~~may to July dry year.~~
22-134A and 22-380B are beyond (downstream) of this PDU.

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Stockwater purposes from 4/1 Month/Day to 11/30 Month/Day amount 0.02 (cfs)
(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____7. Total quantity claimed 0.02 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 25 head horses, mules, range cattle

10. Place of use is: Township: 6N Range 45E
Section 28 SE 1/4 of SW 1/4, Govt. Lot _____, B.M.,

for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? Teton

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
() None or 22-11884, domestic & stock. Well does not replace ditch for stockwater.

14. Remarks: This WR should probably have been included in Rexburg Decree w/ 1896 priority. As decree omits it, later priority claimed.

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Debra D. Keifert Date 8-3-2005

Julia H. Hilbert Date 8-3-2005

For Organizations: I do solemnly swear or affirm that I am _____

of _____, Title _____, that I have signed the foregoing

document in the space below as _____ Organization _____

_____ Title _____ Organization _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)

County of Teton)

SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 3rd day of August 2005



Notary Public Maureen Green

Residing at Teton Co.

My Commission Expires 08/05/06

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant