

01/02/2004

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

RIGHT NUMBER: 34-7431

NAME AND ADDRESS: GARY L KIMBALL
PO BOX 273
MACKAY ID 83251

LINDA L KIMBALL
PO BOX 273
MACKAY ID 83251

SOURCE: BIG LOST RIVER

TRIBUTARY: SINKS

QUANTITY: 0.780 CFS
564.700 AFY

PRIORITY DATE: 05/30/1983

POINT OF DIVERSION:

T07N R24E S18 NESESE Within CUSTER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
RECREATION

PERIOD OF USE
01/01 12/31

QUANTITY
0.780 CFS
564.70 AFY

PLACE OF USE: RECREATION Within CUSTER County

T07N R24E S17

SWSW

T07N R24E S18

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.

Use of water under this water right will be regulated by the watermaster of State Water District No. 34, BIG LOST RIVER DISTRICT.

EXPLANATORY MATERIAL: License

A MEASURING DEVICE OF A TYPE APPROVED BY THE DEPARTMENT SHALL BE MAINTAINED AT THE POINT OF DIVERSION.

Use of water under this right shall be non-consumptive.

Prior to the diversion and use of water under this right, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-7431

WATER RIGHT NUMBER: 34-7431

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOYCE D AITKEN RIVER ACRES PO BOX 25 MACKAY, ID 83251

Priority Date: 05/30/1983

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
BIG LOST RIVER	SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
RECREATION	1/01 to 12/31	0.780 CFS	564.70 AF
<u>Total Diversion:</u>		0.780 CFS	564.70 AF

Location of Point(s) of Diversion

BIG LOST RIVER	NE1/4SE1/4SE1/4	Sec. 18, Twp 07N, Rge 24E, B.M.
CUSTER County		

Place of Use

RECREATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	24E	17											X						
07N	24E	18																X	

Conditions of Approval:

- EXP 1. 027 Use of water under this right shall be non-consumptive.
- EXP 2. 106 Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
- GEN 3. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.

Remarks:

1. ~~General~~ A measuring device of a type approved by the Department shall be maintained at the point of diversion.

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 34-7431
Date Received: 11/21/00
Receipt No: C052895
Received By: J. Mace

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

MAR 26 20

Department of Water Resources

1. Name of Claimant(s)

GARY L KIMBALL Phone: (208)588-3080

PO BOX 273
MACKAY ID USA 83251

LINDA L KIMBALL Phone: (208)588-3080

PO BOX 273
MACKAY ID USA 83251

2. Date of Priority: 05/30/1983

3. Source: BIG LOST RIVER Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
07N	24E	18	NE SE SE	CUSTER

5. Description of diverting works:

CONCRETE HEADGATE, OPEN DITCH TO POND.

6. Water is used for the following purposes:

Purpose	From To	C.F.S.	(or) A.F.A
RECREATION	01/01 12/31	0.78	564.7

7. Total Quantity Appropriated is:
0.78 C.F.S. and/or 564.7 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07N	24E	17	SW	SW	RECREATION	
07N	24E	18	SE	SE	RECREATION	

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:

RECEIVED

MAR 26

Department of Water Resources

14. Remarks:

15. Basis of Claim: Permit

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): Gary L. Kimbell Date: 11-21-00

Date:

State of Idaho)
County of Bonneville) SS.

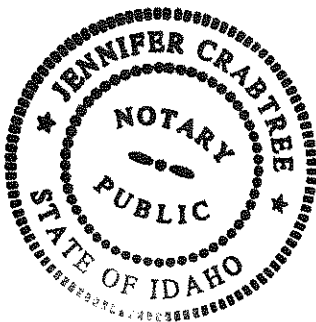
Subscribed and sworn (or affirmed) before me this 21st
of November 2000

Jennifer Crabtree

Notary Public

Residing at Idaho Falls Idaho

My commission Expires 9/23/03



State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 34-07431

Date of Priority: May 30, 1983

Maximum Diversion Rate: 0.78 CFS

Maximum Diversion Volume: 564.7 AF

Comes now

JOYCE D AITKEN

RIVER ACRES

PO BOX 25

MACKAY ID 83251

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 34-07431, and requests that the permit be changed as follows:

Source: BIG LOST RIVER

tributary to SINKS

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

ANNUAL VOLUME

RECREATION

01/01 to 12/31

0.78 CFS

564.7 AF

LOCATION OF POINT(S) OF DIVERSION:

NESESE , Sec. 18, Township 07N, Range 24E
CUSTER County

PLACE OF USE: RECREATION

TWN RGE SEC

07N 24E 17 SWSW

18 SESE

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Mackay, Idaho, this 21 day of November, 2000.

Gary Kimball
(Signature)