

Ec.ferk

PD pd.

12/08/2000

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

RIGHT NUMBER: 31-10716A
NAME AND ADDRESS: BEN D JERNBERG
PO BOX 1442
BILLINGS, MT 59103

A3110716A



SOURCE: GROUND WATER

QUANTITY: 0.06 CFS

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

PRIORITY DATE: 06/01/1918

POINT OF DIVERSION: T07N R34E S32 SENWNW Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC 2 HOMES	1-01 12-31	0.06 CFS

PLACE OF USE:

DOMESTIC Within JEFFERSON County
T07N R34E S32 NWNW

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: March 9, 2001

Water right number: 31-10716A

BEN D JERNBERG

PO BOX 1442

BILLINGS MT 59103

Telephone Number: (406)252-6072

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation; no changes need to be made.

DATE: 3-2-01

SIGNATURE: Ben D Jernberg

Please print your name: Ben "D" Jernberg

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

RECEIVED

MAR 06 2001

Department of Water Resources
Eastern Region

done by Carter
ecvr
JK

12/20/2000

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 31-10716A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BEN D JERNBERG PO BOX 1442 BILLINGS, MT 59103 (406)252-6072

Priority Date: 06/01/1918
Basis: Beneficial Use
Status: Valid

<u>Source</u>	<u>Tributary to</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
DOMESTIC	1/01	12/31	0.06 CFS		
Total Diversion			0.06 CFS		

Location of Point(s) of Diversion:

GROUND WATER SENWNW Lt Sec. 32 Township 07N Range 34E JEFFERSON County

DOMESTIC Use:
Number of homes: 2

Place(s) of use:

Place of Use Legal Description: DOMESTIC JEFFERSON County

<u>Townshi</u>	<u>Rang</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07N	34E	32		NWNW										

Conditions of Approval:

- N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
- 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.

Comments:

<u>Author</u>	<u>Date</u>	<u>Subject</u>	<u>Comment</u>
CFRITSCH	5/12/99	SPLIT	SPLIT INTO A & B PORTIONS. PAID \$50.00 FLAT FEE, BUT NO VARIABLE FEE.

Dates:

Licensed Date:
Claim Received Date:

Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Decreed Date:
Date Filed with Court:
Objection Filed Date:
SF5 Filed:
Special Master Recom Signed Date:

Element Reviewed/Verified Dates: No dates found

Other Information:

Receipt Number(s):
State or Federal: S
Owner Name Connector:
Water District Number:
Overall Max Diversion Rate: 0.06
Overall Max Diversion Volume:
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:NONE RECEIVED
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log Text</u>
POD	12/1/00 9:44:27 AM	CFRITSCH	Edited point location

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

done by Carter
ecw
OK
12/20/2000

WATER RIGHT NO. 31-10716B

Owner Type Name and Address
Current Owner BEN D JERNBERG
 PO BOX 1442
 BILLINGS, MT 59103
 (406)252-6072

Priority Date: 06/01/1918
Basis: Beneficial Use
Status: Valid

Source Tributary to
GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	1/01	12/31	0.23 CFS		
Total Diversion			0.23 CFS		

Location of Point(s) of Diversion:

GROUND WATER SENWNW Lt Sec. 32 Township 07N Range 34E JEFFERSON County

Place(s) of use:

Place of Use Legal Description: STOCKWATER JEFFERSON County

<u>Townshi</u>	<u>Rang</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07N	34E	32		NWNW										

Conditions of Approval:

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Remarks:

1. Explanatory STOCKWATER, 1000 CATTLE

Comments:

<u>Author</u>	<u>Date</u>	<u>Subject</u>	<u>Comment</u>
CFRITSCH	5/12/99	SPLITS	SPLIT INTO A & B PORTIONS. PAID \$50.00 FLAT FEE, BUT NO VARIABLE FEE.

Dates:

Licensed Date:

Claim Received Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Decreed Date:
Date Filed with Court:
Objection Filed Date:
SF5 Filed:
Special Master Recom Signed Date:

Element Reviewed/Verified Dates: No dates found

Other Information:

Receipt Number(s):
State or Federal: S
Owner Name Connector:
Water District Number:
Overall Max Diversion Rate: 0.23
Overall Max Diversion Volume:
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:NONE RECEIVED
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log Text</u>
POD	12/1/00 9:48:53 AM	CFRITSCH	Edited point location