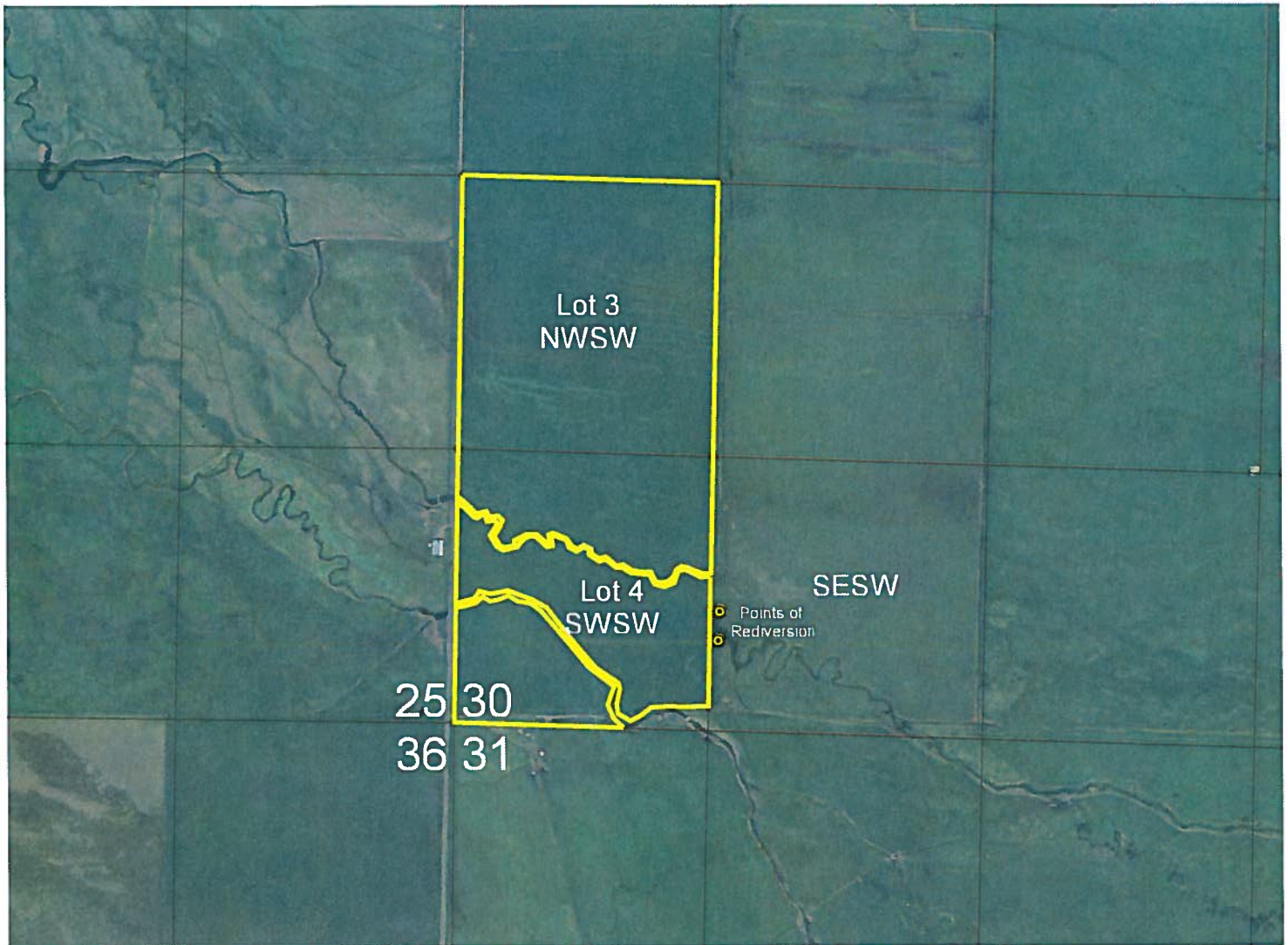
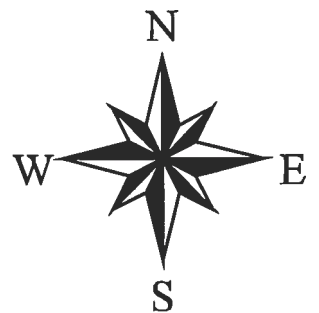


78-10156A



T19N R02E S30

Map prepared by: Carter Fritschle
Date prepared: 06/19/06
2004 NAIP Photography
Idaho Department of Water Resources



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

POINT OF DIVERSION:

PURPOSE AND
PERIOD OF USE:

PLACE OF USE: IRRIGATION in ADAMS County

72 ACRES TOTAL

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.

This right is a split from former right 78-10156.

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 78-10156A

12/15/2006

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
78-2085	Claim	19N	02E	30	NW	SW		IRRIGATION FROM STORAGE	39/6042.8	BRUNDAGE WATER USERS ASSN INC.
78-2086C	Claim	19N	02E	30	NW	SW	3	IRRIGATION	39/75	JACK D HUBBARD — <i>disallowed</i>
78-10156A	Claim	19N	02E	30	NW	SW	3	IRRIGATION	39/75	ARLENE HUBBARD
78-2085	Claim	19N	02E	30	SW	SW		IRRIGATION FROM STORAGE	36/6042.8	BRUNDAGE WATER USERS ASSN INC
78-2086C	Claim	19N	02E	30	SW	SW	4	IRRIGATION	36/75	JACK D HUBBARD
78-10156A	Claim	19N	02E	30	SW	SW	4	IRRIGATION	36/75	ARLENE HUBBARD

*no OL
except Brundage*

Walker, Kay

From: Fritschle, Carter
Sent: Saturday, December 09, 2006 11:35 AM
To: Walker, Kay
Subject: 78-10156A

Kay,

We have enough information to recommend 78-10156A with a 9-26-1922 priority date. The Power Plant Canal discharged water into Little Creek that could then be rediverted and applied to the claimed POU. I have updated the PODs and POU in SDE for 78-10156A.

Carter

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
322 East Front Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

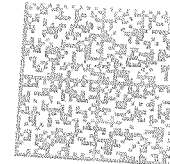
7810156A

HUBB001

JACK OR ARLENE HUBBARD
HC 1 BOX 810
POLLOCK ID 83547

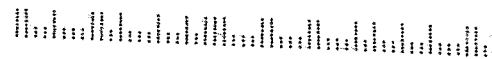
83720-0098 JAGCEM5 B

PRESORTED
FIRST CLASS



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HUBB001 T835472022 1A06 04 12/11/06
HUBBARD RETURN TO SENDER
TEMPORARILY AWAY
RETURN TO SENDER





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

December 7, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

JACK OR ARLENE HUBBARD
HC 1 BOX 810
POLLOCK ID 83547

Re: Claim to a Water Right No. 78-10156A

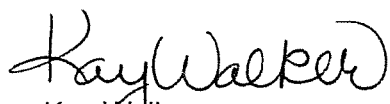
Dear Claimant:

In July of 1995, you submitted a notice of change in ownership of the above referenced claim in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim for your reference only; this print-out is **NOT** to be returned or re-filed. When this claim was filed the water right was based on a "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "**Priority Date**" as shown on the enclosed print-out. This claim has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority be submitted at this time.

Enclosed is a pamphlet entitled "**Evidence of Priority**" which describes why evidence of the priority date is necessary along with examples of types of evidence that can be submitted to fulfill this requirement. If no evidence is submitted, or we do not hear from you within the time limit below, the priority date, as claimed, may not be recommended to the Court for decree. This could jeopardize the water use under this right, if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible.

The required evidence supporting the priority date must be submitted by **December 14, 2006**, referencing all documents with the corresponding claim number. If you have any questions not covered by this letter, or the enclosed pamphlet, please feel free to call me at 287-4953.

Sincerely,


Kay Walker
Sr. Water Resource Agent

Enclosures

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: **A78-10156A**
Date Received: 5/26/1988
Receipt No: X777777
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JACK HUBBARD 208-628-3758
Address: HC 1 BOX 810
POLLOCK ID 83547
OR
Name: ARLENE HUBBARD 208-628-3758
Address: HC 1 BOX 810
POLLOCK ID 83547
2. Date of Priority: SEP 26, 1922
3. Source: GOOSE CREEK Trib. to: LITTLE SALMON RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
19N	02E	25	NE	SE	SE	R	ADAMS
			SE	SE	SE	R	ADAMS
		28	SE	SW	NE		ADAMS
		30	SW	SW	SW	4 I	ADAMS
			SE	SW	SW	4 R	ADAMS
		32	NW	NE	SE	I	ADAMS

5. Description of diverting works:
HEADGATE GRAVITY CANAL, HEADGATE INTO LITTLE CREEK, DAMS, DITCHES
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/15 | 10/15 | 1.500 | | |
7. Total Quantity Appropriated is:
1.500 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 150.0 Acre Feet Per Annum.
9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
19N	02E	30	NW		SW	3	IRR	39.0
			SW		SW	4	IRR	36.0
			SW		SW	4	IRR	36.0
Section Acres								111.0
Total Acres								111.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

A78-02086C & BRUNDAGE RESERVOIR WATER.

14. Remarks:

WATER FROM GOOSE CREEK IS DELIVERED THROUGH THE SOUTH END DITCH TO DIVERSION POINT "C" WHERE IT IS INJECTED INTO LITTLE CREEK. WATER IS REDIVERTED FROM LITTLE CREEK ONTO THE LAND AND IS REINJECTED INTO BIG CREEK AND THEN REDIVERTED ONTO THE LAND. DOCUMENT 1460 14A DATED NOVEMBER 21, 1960 AT THE ADAMS COUNTY COURTHOUSE PERTAINS TO THESE LANDS. SPLIT PER CHANGE OF OWNERSHIP SUBMITTED 7-17-95.

15. Basis of Claim: BENEFICIAL USE

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: _____

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: _____

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

JUL 17 1995

WATER RESOURCES
WESTERN REGIONDATE OF CLOSING: 12/6/91

LEGAL DESCRIPTION OF PROPERTY: Township 19 Range 2 E
Section 30, 1/4 of 1/4 of 1/4 Govt. Lot 3+4, BM.
Lot , Block, , Subdivision/Townsite . 74.49 acres
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: 10156 , 2086A
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): AC Ranches, Inc
P.O. Box 416
Plaistow, NH 03865
- ☐ New Owner/Claimant (Purchaser): Jack or Arlene Hubbard
- ☐ New Mailing Address: Hill Box 810
Dallack, ID. 83547
- ☐ New Telephone Number: (208) 628-3758
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s) Jack Hubbard Date 7/12/95
Arlene Hubbard Date 7/12/95
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

RECEIVED

JUL 17 1995

WARRANTY DEED

WATER RESOURCES
WESTERN REGION

FOR VALUE RECEIVED A C RANCHES, INC., an Idaho Corporation, the grantor, does hereby grant, bargain, sell and convey unto JACK D. HUBBARD and ARLENE RAE HUBBARD, husband and wife, the grantee, the following described premises, to-wit:

Parcel #1
Township 19 North, Range 2 East, Boise Meridian,
Adams County, Idaho.
Section 30: Lots 3 and 4, containing 74.49 acres.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

December 6, 1991

Alan Colby
A C RANCHES, INC.
Alan Colby, President

STATE OF NEW HAMPSHIRE)

COUNTY OF ROCKINGHAM)

ss:

On this Sixth day of December, 1991, before me, Carol J. LaPorte, a Notary Public in and for said State, personally appeared Alan Colby, President of A C Ranches, Inc., known to me to be the person whose name is subscribed to the within instrument, and he acknowledged to me that he is freely executing the same and that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

(NOTARY SEAL)

Carol J. LaPorte
Notary Public for State of New Hampshire
Residing at Plaistow, therein.
My commission expires on December 7, 1993

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: A78-10156
Date Received: 5/17/1988
Receipt No: M000033

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: A C RANCHES INC. 208-628-3446
Address: P.O. BOX 247
RIGGINS, ID 83549
OR
Name: A C RANCHES INC. 603-382-9222
Address: P.O. BOX 416
PLAISTOW, NH 03865
2. Date of Priority: SEP 26, 1922
3. Source: GOOSE CREEK Trib. to: LITTLE SALMON RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
19N	02E	25	NE	SE	SE	R	ADAMS
			SE	SE	SE	R	ADAMS
		28	SE	SW	NE		ADAMS
		30	SW	SW	SW	4 I	ADAMS
			SE	SW	SW	4 R	ADAMS
		32	NW	NE	SE	I	ADAMS

5. Description of diverting works:
HEADGATE GRAVITY CANAL, HEADGATE INTO LITTLE CREEK, DAMS, DITCHES
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/15 | 10/15 | 4.620 | | |
7. Total Quantity Appropriated is:
4.620 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 462.0 Acre Feet Per Annum.
9. Non-irrigation uses:

A78-10156

Page

1

Date: 05/26/88

MICROFILMED

OCT 05 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
19N	01E	25	NE		SE		IRR	38.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	38.0
							Section Acres	156.0
	02E	30	NW		SW	3	IRR	39.0
			SW		SW	4	IRR	36.0
							Section Acres	75.0
							Total Acres	231.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
78-2086 AND BRUNDAGE RESERVOIR WATER

14. Remarks:
WATER FROM GOOSE CREEK IS DELIVERED THROUGH THE SOUTH END DITCH TO DIVERSION POINT "C" WHERE IT IS INJECTED INTO LITTLE CREEK. WATER IS REDIVERTED FROM LITTLE CREEK ONTO THE LAND AND IS REINJECTED INTO BIG CREEK AND THEN REDIVERTED ONTO THE LAND. DOCUMENT 1460 14A DATED NOVEMBER 21, 1960 AT THE ADAMS COUNTY COURTHOUSE PERTAINS TO THESE LANDS.

15. Basis of Claim: BENEFICIAL USE
Water Right Number:

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: -2-

For Organizations:

I do solemnly swear or affirm that I am Manager of _____ Title

AC Ranches, Inc. Organization, that I have signed the foregoing document in the space below as Manager Title of

AC Ranches, Inc. Organization and that the statements contained in the foregoing document are true and correct.

Wanda Bogan Signature of Authorized Agent

Manager for AC Ranches, Inc. Title and Organization

5-26-88 Date

State of Idaho)
County of Adams) SS.

Subscribed and sworn (or affirmed) before me this 26th day
of May 19 88

Carter Fritschle
Notary Public

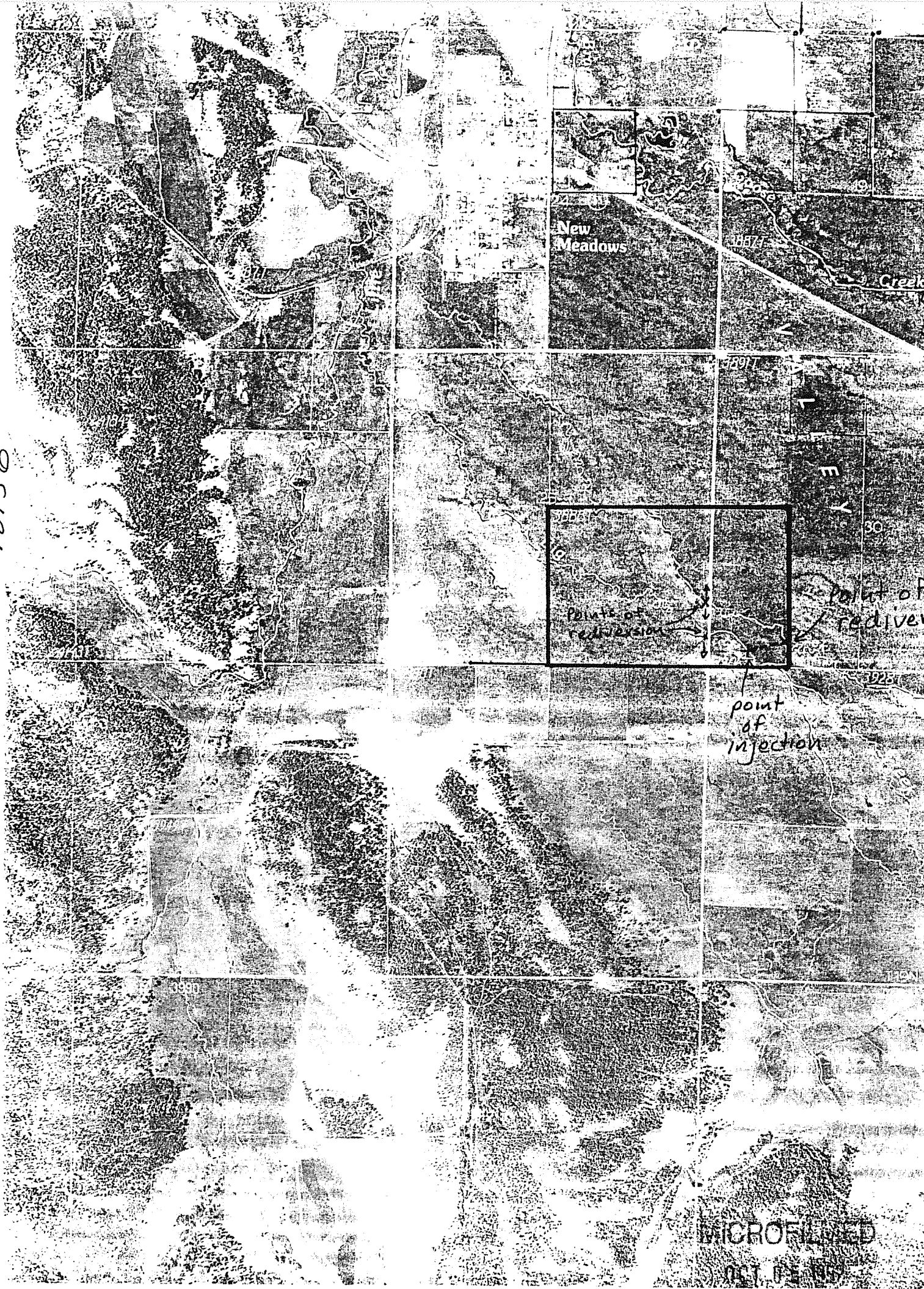
Seal

Residing at Eagle, Id
My Commission Expires 3-21-94

110-10108



1010-10156



New Meadows

point of redive

point of injection

MICROFILMED

OCT 11 1956