

12/03/2005

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

RIGHT NUMBER: 2-16B

NAME AND ADDRESS: LOUIS D JEFFREY
PO BOX 1040
GLENN'S FERRY ID 83623

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.340 CFS

PRIORITY DATE: 03/15/1907

POINT OF DIVERSION:

T05S R10E S32 SENENE Within ELMORE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.340 CFS

PLACE OF USE: IRRIGATION Within ELMORE County

T05S R10E S33 SWNE 17.0

17 ACRES TOTAL

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

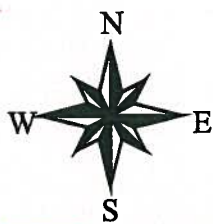
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

2-16B

T05S R10E



-  **Township/Range**
-  **Sections**
-  **Quarter Quarters**
-  **Recommendation POD**
-  **Recommendation POU**

1987-88 NAPP Photography
Date drawn: 12/03/05
Drawn by: D. Shaff

11/09/2005

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: December 2, 2005

Water right number: 2-16B

LOUIS D JEFFREY

PO BOX 1040

GLENNS FERRY ID 83623

Telephone Number: (208)366-2550

869-1002

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

I hereby disagree that my right is not the King Hill Water Right # 37-4112. I think it should be the old water

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

I will try to prove by Idaho power records that they built the pump site in the 1930's etc.

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:

11/29/05

SIGNATURE:

Louis D Jeffrey

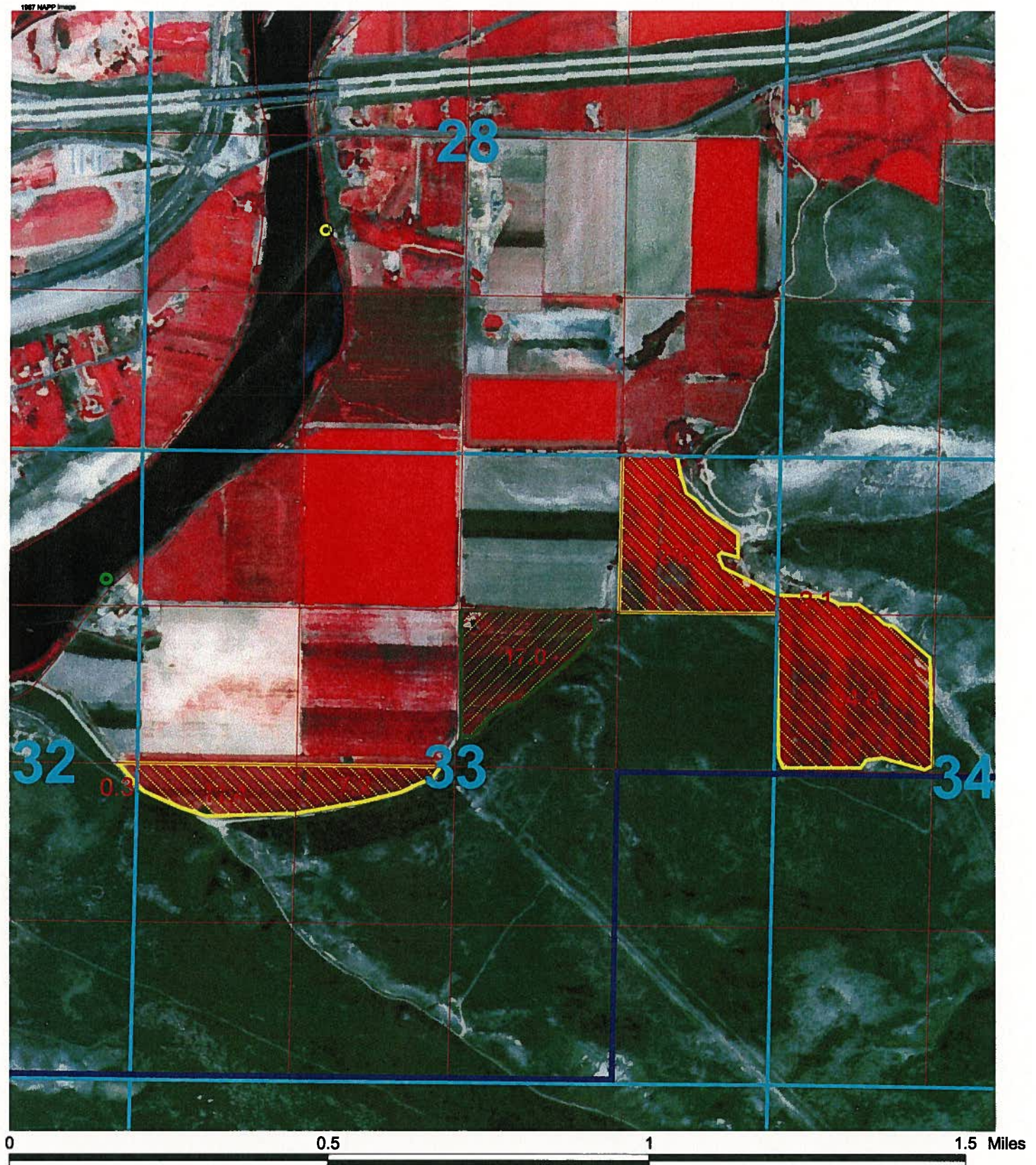
Please print your name:

LOUIS D. JEFFREY

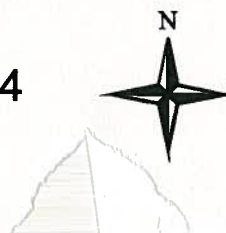
IDWR Regional Office,

Email address:
medicinewheel@starband.net

Idaho Department of Water Resources



Claim Numbers: 02-16A, 2-16B
Legal: T05S, R10E, S28, 32, 33 & 34
Reviewed By: SJR 10/19/05



- King Hill ID Boundary
- Sections
- GCDB05S10E GCDB
- 2-16A Claimed POD
- 2-16B Claimed POD
- 2-16B Claimed POU
- 2-16A Claimed POU

[illegible]

Delivered by Gib Brown
9-13-05

9-13-05

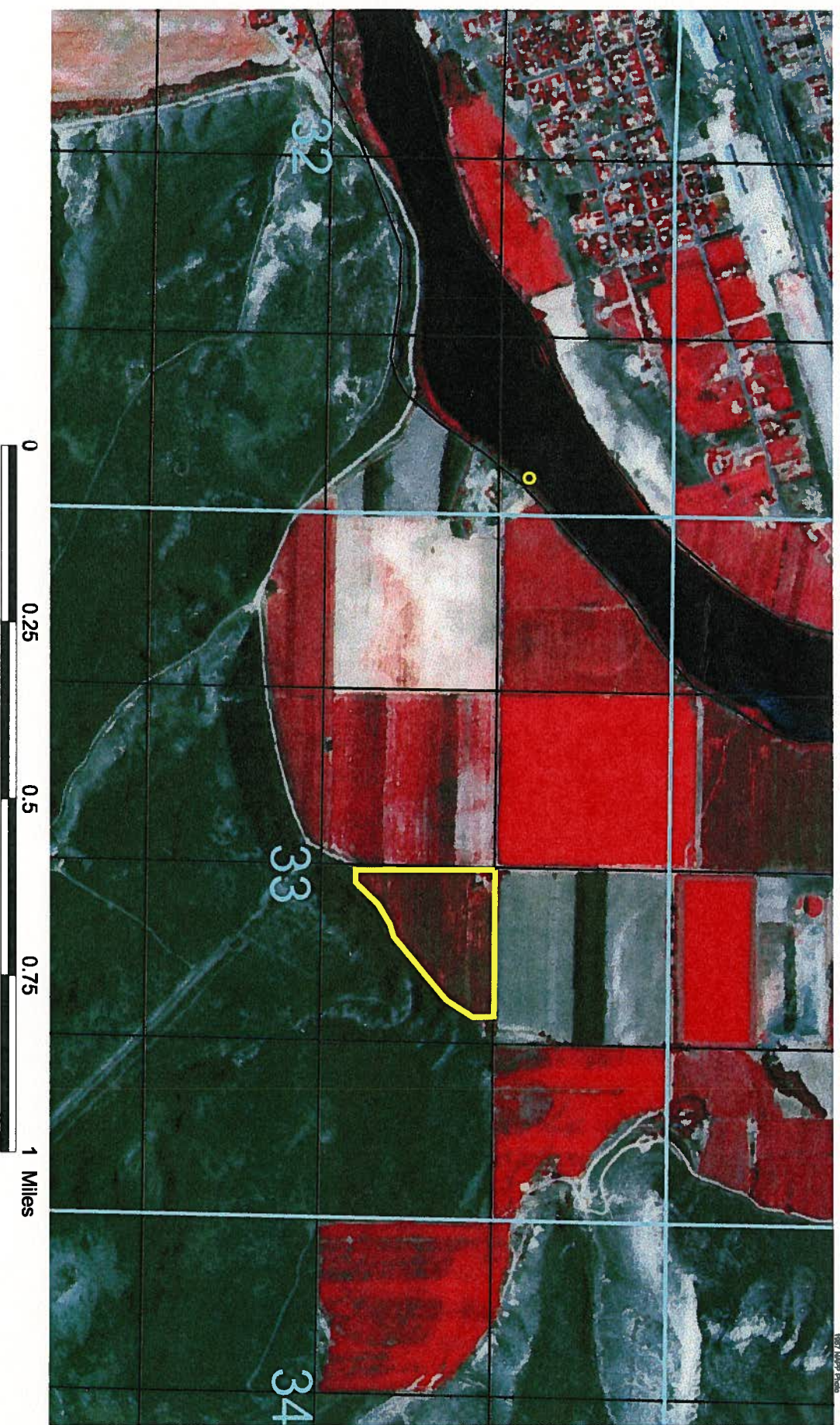
11/2/50

37-11-19

Don't know

५

Idaho Department of Water Resources



Claim Number: 02-00016B

Legal: T05S, R10E, S33

Reviewed By: CLC 5/11/05

- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines



SCANNED

Claim Number: 2-16B

Date: 11/29

Name of Contact: Louis Jeffrey

Notetaker: DR

Notes:

Needs to provide proof of different

I will send copy of varigated across
King Hill to Mr Jeffrey from 16A file

Don
Done

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: A02-00016B
Date Received: 12/ 7/1989
Receipt No: X777777
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: LOUIS D JEFFREY 208-366-2569
Address: PO BOX 1040
GLENNS FERRY ID 83623

2. Date of Priority: MAR 26, 1902

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	10E	32	NE	NE	NE	9	ELMORE

5. Description of diverting works:
PUMP & SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.340		68.00

7. Total Quantity Appropriated is:
0.340 C.F.S. (and/or) 68.00 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
05S	10E	33	SW	NE		IRR	17.0

Section Acres 17.0

10. Place of Use: Continued

Total Acres 17.0

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
KING HILL IRR. DIST.

14. Remarks:

THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION
OF CLAIM A02-00016, FEE PAID UNDER RECEIPT W006979. KW 5/12/97
CLAIM AMENDED PER TRANSFER 5101 APPROVED 3/2/00. LH
FOR TRANSFER CONDITIONS OF APPROVAL AND REMARKS, SEE COPY OF
TRANSFER IN ADJUDICATION FILE.

15. Basis of Claim: BENEFICIAL USE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5101
CLAIMED RIGHT NO. A02-00016B

RECEIVED

MAR 08 2000

WATER RESOURCES
WESTERN REGION

This is to certify that: LOUIS D JEFFREY
PO BOX 1040
GLENN'S FERRY ID 83623

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.34 CFS	68.0 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
SNAKE RIVER	COLUMBIA RIVER

Priority: 03/26/1902

LOCATION OF POINT(S) OF DIVERSION: Lot 9 (NENE), Sec. 32, Township 05S, Range 10E
ELMORE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05S 10E 33	SWNE 17			17
Total number of acres irrigated:				17

CONDITIONS OF APPROVAL AND REMARKS

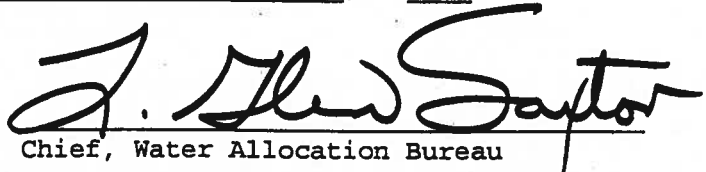
1. Approval of Transfer 5101 does not confirm Claimed Right 02-00016B.
2. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

TRANSFER NO. 5101
CLAIMED RIGHT NO. A02-00016B

CONDITIONS OF APPROVAL AND REMARKS

5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dated this 2nd day of March, 2000.


Chief, Water Allocation Bureau

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 5101

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant LOUIS P. JEFFREY Phone 208-3662557
Post Office address PO Box 1040 Glenns Ferry, ID 83623

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes

Purchased a portion of property from Ed. Potwiche

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number A02-00016B Priority 3/26/1902 Amount (cfs/ac-ft) .34 Nature of Use Diversion Period of Use 3/15 to 11/15
2. Total amount of water being transferred _____ cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Snake River tributary to Columbia
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
9		NE	NE	32	55	10E	Elmore	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
05S	10E	33			17														17

Total acres

17

PART 1

6. General Information:

a. Description of diversion system 25 HP / 6" electric pump
w/ 6" main line

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

NONE

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

15346

AJ5809NP
No. A02-000168

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/19/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LOUIS D JEFFREY	03/26/1902	IRRIGATION	03-15 11-15	0.34 CFS	
TOTAL DIVERSION:					0.34 CFS	
CONSUMPTIVE USE:						51.00 AFA

Water Source: SNAKE RIVER

Tributary to: COLUMBIA RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T05S R10E S28 Lot03(NWNESW)

ELMORE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
T	R	S	Ac	T	R	S	Ac	T	R	S	Ac	T	R	S	Ac	SUM
05S	10E	33														
			17													17.0
TOTAL ACRES															17.0	

POU County: ELMORE

Non-Irrigation Uses: NA

Other Rights: KING HILL IRR. DIST.

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

A02-00016A A02-02157 A02-04024 A51-07114 A51-10328 A51-12817 R51-07114 R51-10328

Other Water Rights Listing Overlapping Place(s) of Use:

A02-00016

Remarks: GEN THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION
OF CLAIM A02-00016, FEE PAID UNDER RECEIPT W006979. KW 5/12/97

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 02 Field Inspection Flag:
Presumption Flag:

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

See Attached

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

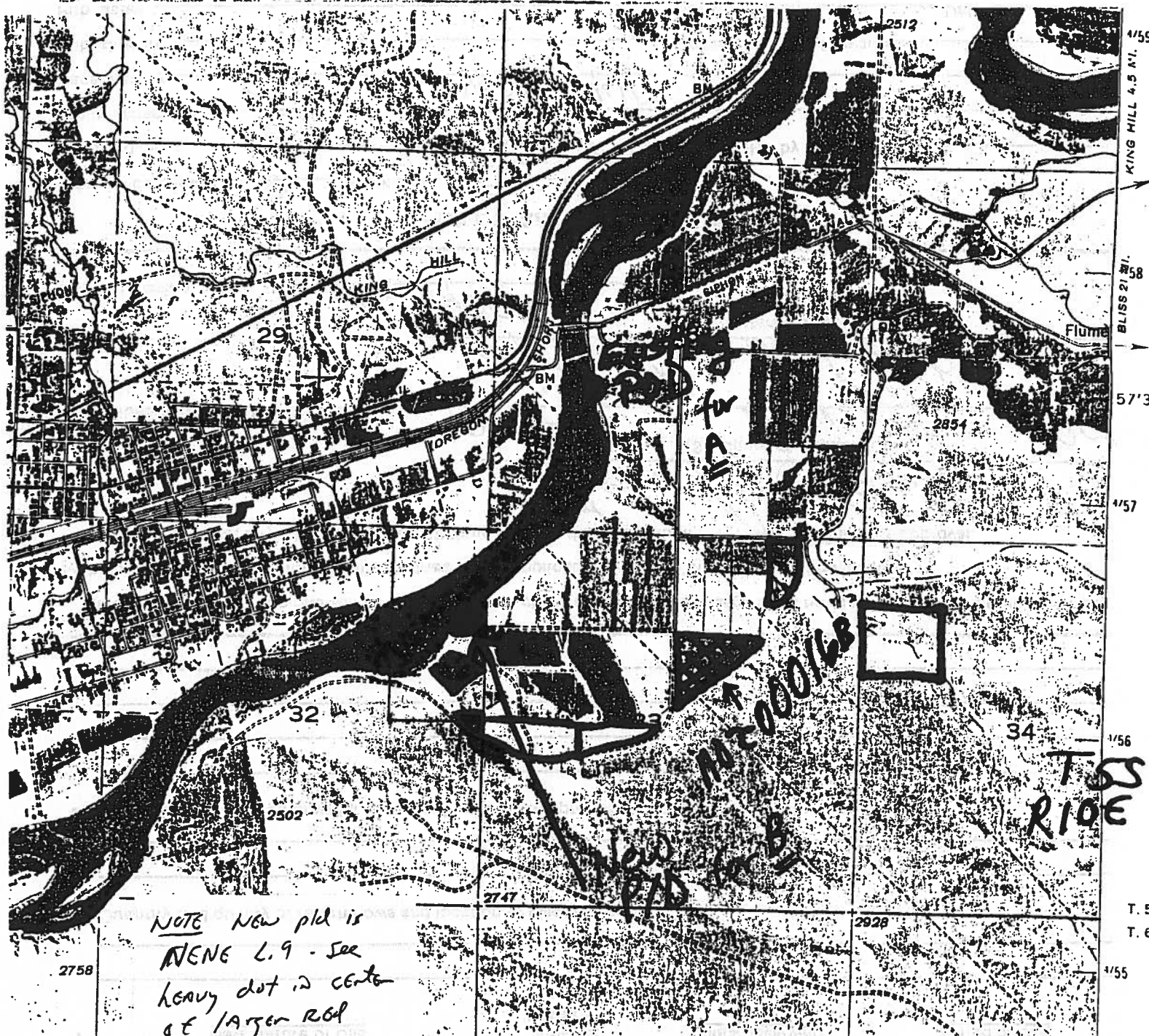
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



PART 3

B. CHANGES IN NATURE OF USE

1	<u>New Nature of Use</u>	<u>Amount (cfs/ac-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
	_____	_____	_____	_____ to _____
	_____	_____	_____	_____ to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Tom H. Jeffery
(Signature of Applicant)

Subscribed and sworn to before me this 22nd day of May, 1997.

Kathlyn A. Walker
(Notary Public)

My commission expires 2-14-1999

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 0 attachments

Received by KW Date 5/22/97 Protest filed by _____

Prelim. check by SL Fee \$100.00 _____

Receipted by KW Date W022447 _____

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

APPLICATION FOR TRANSFER OF WATER RIGHT
DEPARTMENT OF WATER RESOURCES
STATE OF IDAHO

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER ANALYSIS SHEET

APPLICANT

Louis Jeffrey

TRANSFER NO. 5101

INITIAL ALLOCATION REVIEW BY SL

DATE 6/19/97

SRBA SUPERVISOR REVIEW BY _____

DATE _____

1. Right number(s) A02-00016B (no w.r. # - basis is old Snake R

2. Type of right

☐ Decree ☐ License ☐ Statutory Claim
☒ SRBA Beneficial Use Claim

Adj. inf., new
SRBA, claim

3. Purpose of transfer

☒ Change P/D * ☐ Add P/D ☐ Change P/U
☐ Change N/U ☐ Change Source ☐ Split Right
☐ Other: _____

4. Check Existing Right:

☒ Source ☒ Priority ☒ Amount ☒ Purpose
☒ Period ☒ SRBA Claim
☒ Description of original point(s) of diversion
☒ Description of original place of use
☒ Overlapping rights on original place of use - Appears none

5. Check Proposed Right for amount of land &/or water transferred:

☒ Also see attached memo for more analysis information

- a. ☒ All of right
- b. ☐ Part of right (NOTE! Part B should be filled in only if part of right is owned by the applicant)
- c. ☒ Description of point(s) of diversion
- d. ☒ Description of place of use - no change
- e. ☒ Map showing P/D & P/U after transfer
- f. ☒ Correct notarized signature and \$100 fee
- g. ☒ Proof of ownership of right &/or land from which water is transferred
- h. ☒ Expansion in use of right - Comments: None Apparent.

Site irrigated per 6-25-87 NAPP photo AA16 NE.

* per kw: new owner to use 5.32 pld, which is an old pld previously used w/ 5.28 pld per ~~A02~~ 02-00016 in older Snake Adj. Per SRBA, 5.32 pld was dropped. Now, per agreement (see file A02-00016B), 5.32 pld to resume for

See A02-00016B into change own. info it needed

i. N/AExisting rights from same source, on land water is being transferred to; right number(s): possibly Mals R. (Ring Hill)In Dist. water on land - no impact on this transferj. ✓SRBA claim(s) - Comments (NOTE! Approved transfer amends SRBA claim; differences between existing water right and SRBA claim? any ownership or other outstanding issues? Explain) A02-00016 split per 5/12/97 Action: ~~Now~~Applicant: A02-00016B to be transferred to change pld.k. ✓

Comment letters

If yes

Yes ✓

No

Water District #

Other, see #2 below for name and address

PUBLICATION REVIEW

1. Legal Notice electronically sent to DWR03::VAULT?

✓ Yes**2. COMMENT LETTERS**Watermaster recommendation requested on N/A, Received on _____

Other comments letters:

See attached information

3. Transfer published correctly?

Yes No

4. Affidavit of publication received?

Yes No5. Protests received? Yes No; Acknowledgement sent? Yes6. Data entry of application completed? Yes 5/16 There is no w.r. # to change. Right exists only as SRBA claim. Check w/ Pam; JAN about D'entry questions.**RECOMMENDED ACTION**1. Approve See attached memo2. Deny due to _____

3. Conditions (special conditions in Water Districts) _____

4. By _____

Date _____

FILE FORWARDING1. Copies made for Region file (see attached supplemental page)? Yes

2. File forwarded to S.O.: by _____ date _____

Allow std. season 4/1-10/31 per dept. standards?

MEMORANDUM

TO: FILE

FROM: STEVE LESTER

DATE: JUNE 20, 1997

RE: TRANSFER APPLICATION FOR A02-00016B

Applicant bought property from Ed Potucek which resulted in split of right defined by SRBA claim A02-00016. Applicant's portion is A02-00016B, and this split was completed prior to filing of this transfer application.

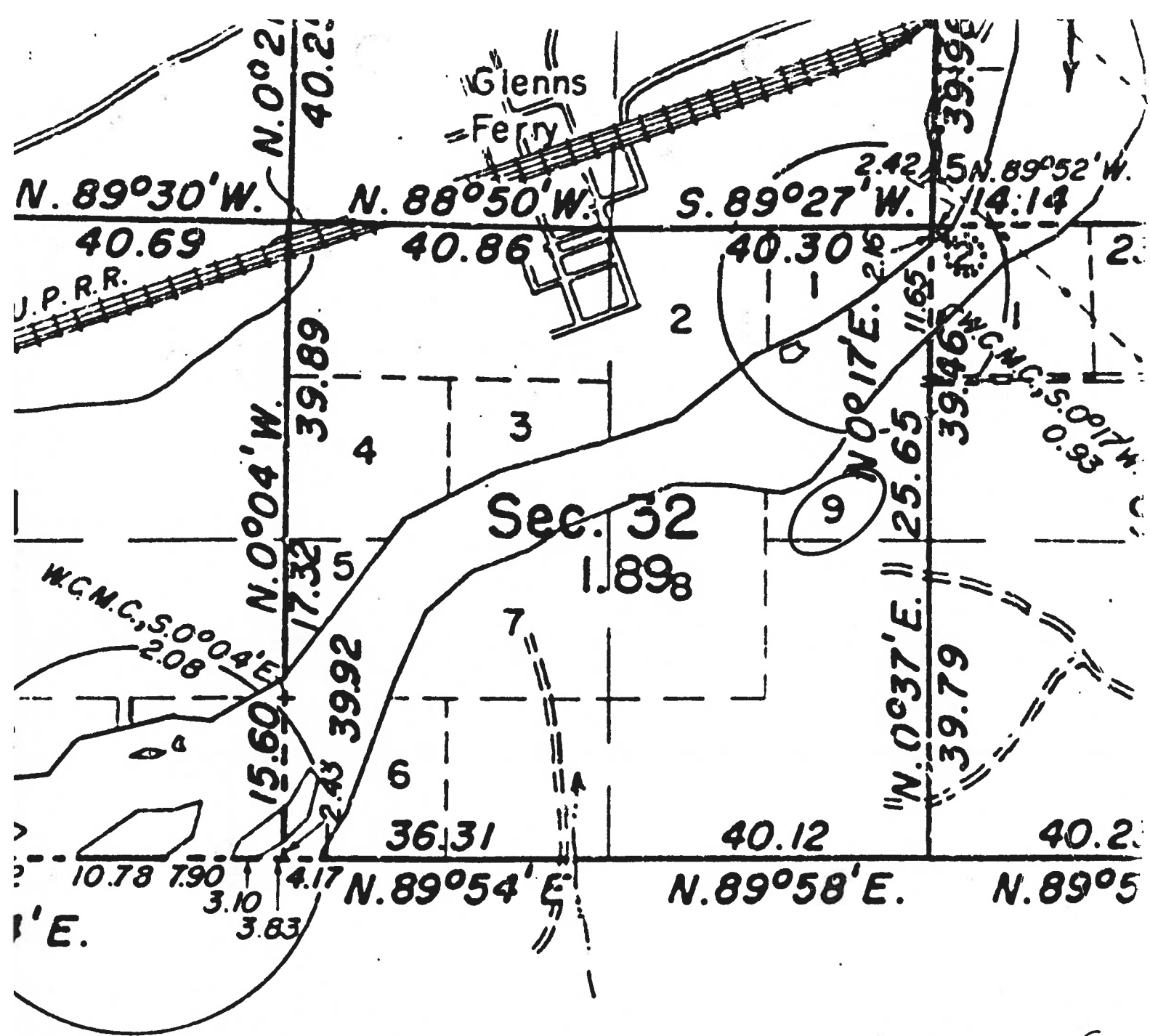
Potucek will retain S.28 diversion point for his share of the right. Transfer application proposes a new diversion point downstream in S.32 for applicant's portion of the right. Note that the new P/D is reportedly an older P/D that had been used but then abandoned per file history in previous Snake adjudication that is now superseded by SRBA. The new owner will resurrect the old diversion point to serve his acres. In this manner, each of the two owners will use his own P/D.

There is no water right identified as 02-00016. The number was generated in the previous Snake adjudication, thus the right exists only as a SRBA beneficial use claim. The transfer will automatically amend applicant's claim to show a changed diversion point.

It appears that the 17 acres are at least partly served by King Hill Irrigation District water (Malad River) per file history. That factor should not present any complications in the transfer. Additionally, the land in question is shown as irrigated in the 1987 NAPP photo. No "flags" are raised by the transfer filing.

Proof of ownership documentation is available in the region's SRBA file if needed.

The transfer application appears to be approvable without any complications provided that the right remains subject to further SRBA verification and review. Since IDWR is not in a position to make its final SRBA recommendation for this right, it would be reasonable and consistent with precedent to approve the application.



SS 10E
S. 32

1963 Junby

Transfer:
A02-00016B

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)

WR-NUMBER	SOURCE	NE								NW								SW								SE								SUM	
		NE		NW		SW		SE		NE		NW		SW		SE		NE		NW		SW		SE		NE		NW		SW		SE			
		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	Lt	Ac	Lt	Ac	Lt	Ac		
A02000168	T05S R10E S33 SNAKE RIVER																																		
	:						17			:										:														17	
A0200016A	SNAKE RIVE :		23							:								10	17	:														50	
A02000168	:									:										:															
A0200214	SNAKE RIVE :	I	I							:										:															
A0200215	SNAKE RIVE :	I	I							:										:															
A0200216	SNAKE RIVE :	I	I							:										:															
A0200217	SNAKE RIVE :	I	I							:										:															
0202157	SNAKE RIVE :									:	40									:														40	
A0202157	SNAKE RIVE :									:	40									:														40	
0204024	SNAKE RIVE :									:		01-29	39	38	:					:														106	
A0204024	SNAKE RIVE :									:		01-29	39	38	:					:														106	
0207235C	SNAKE RIVE :									:		02-01			:					:														1	
A0207235C	SNAKE RIVE :									:		02-01			:					:														1	
3704112	MALAD RIVE :	26	35	09						:	23	01-10			21	:	09	15		:														148	
A3704112	MALAD RIVE :	25	35							:					19	:				:														79	
	C39Q-AA 16 :	27	28	20	07					:	38		39	40	:	07	14		:															220	
NO QTRS	MAPPING Lot01-26																																		

probably other acres per King Hill?
Even if some, does not impact new proposal

-JL 6/19/97

AJ5809NP
No. A02-00016A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/19/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JANE POTUCEK	03/26/1902	IRRIGATION	03-15 11-15	1.94 CFS	
C	EDWARD T POTUCEK					
TOTAL DIVERSION:					1.94 CFS	
CONSUMPTIVE USE:						291.00 AFA

Water Source: SNAKE RIVER

Tributary to: COLUMBIA RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T05S R10E S28 Lot03(NWNESW)

ELMORE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
05S	10E	32	:																	:	5.0
05S	10E	33	:	23										10	17					:	50.0
05S	10E	34	:							06	36									:	42.0
																			TOTAL ACRES		97.0

POU County: ELMORE

Non-Irrigation Uses: NA

Other Rights: KING HILL IRR. DIST.

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

A02-000168 A02-02157 A02-04024 A51-07114 A51-10328 A51-12817 R51-07114 R51-10328

Other Water Rights Listing Overlapping Place(s) of Use:

A02-00016 A37-04112

Remarks: GEN THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION
OF CLAIM A02-00016, FEE PAID UNDER RECEIPT W006979. KW 5/12/97

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 02 Field Inspection Flag:
Presumption Flag:

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

DATE: 06/25/97
PAGE: 1

NAME & ADDRESS

**C LOUIS D JEFFREY
PO BOX 1040
GLENN'S FERRY ID
(208) 366-2569**

Water Source: SNAKE RIVER

Tributary to: COLUMBIA RIVER

Stage: BENEFICIAL USE
ELMORE County

Point(s) of Diversion: T05S R10E S28 Lot03(MUNESW)

Place of use Legal Description for: IRRIGATION

[illegible]

POU County: ELMORE

Non-Irrigation Uses: NA

Other Rights: KING HILL IRR. DIST.

Remarks: GEN THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION OF CLAIM A02-00016, FEE PAID UNDER RECEIPT W006979. KW 5/12/97

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:

Misc:

**NOTICE OF PROPOSED CHANGE OF WATER
RIGHT, TRANSFER NO. 5101**

Notice is given that LOUIS D. JEFFREY of PO Box 1040, Glenns Ferry ID 83623 has applied to the Department of Water Resources to change the Point of Diversion pursuant to I.C. § 42-222 for the following irrigation right in Elmore County (all locations in T5S R10E):

Snake River Basin Adjudication Claim A02-00016B, priority 3-26-1902, .34 cfs from Snake River, diverted in Lot 3 (NESW) S28 & used in SWNE S33, 17 acres total. Basis of claim is beneficial use.

PROPOSED CHANGE

Move diversion point about 3/4 mile downstream to Lot 9 (NENE) S32.

Any protest against approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 on or before July 21, 1997. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Mountain Home News on July 2 and 9, 1997.

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: **A02-00016B**
Date Received: 12/ 7/1989
Receipt No: X777777
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: LOUIS D JEFFREY 208-366-2569
Address: PO BOX 1040
GLENN'S FERRY ID 83623

2. Date of Priority: MAR 26, 1902

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	10E	28	NW	NE	SW	3	ELMORE

5. Description of diverting works:
PUMP & SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.340		

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

8. Total consumptive use is 51.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NA

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	10E	33	SW	NE		IRR	17.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	17.0
					Total Acres	17.0

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
KING HILL IRR. DIST.

14. Remarks:

THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION
OF CLAIM A02-00016, FEE PAID UNDER RECEIPT W006979. KW 5/12/97

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 _____

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

MAY 07 1997

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right Number(s) 02-0016
Adjudication Claim Number(s) A02-00016 & A51-10330
2. The following **REQUIRED** information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Edward Potucek
4. New Owner/Claimant(s) Louis D. Jeffrey
 Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
 New Mailing Address P.O. Box 1040,
 City, State and ZIP Code Glenns Ferry, ID 83623
 New Telephone Number (208) 366-2569
5. Date you acquired the property 3/21/97
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres actually irrigated 17 Number and type of stock 5-100 horses &/or cattle
 Diversion rate in CFS .34 cubic feet per second Number of homes 1 Other uses _____
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) Louis D. Jeffrey Date 3/20/97
 _____ Date _____
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
 For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

AGREEMENT TO TRANSFER WATER RIGHTS

THIS AGREEMENT, Made and entered into this 20 day of March, 1997, by and between EDWARD POTUCEK, a single man, hereinafter referred to as "Seller," and LOUIS D. JEFFREY, a single man, hereinafter referred to as "Buyer,"

WHEREAS, on the 20 day of March 1997, Seller sold and transferred to Buyer that certain parcel of real property described as the SW ¼ of the NE ¼ of Section 33, Township 5 South, Range 10 East, Boise Meridian, located in Elmore County, Idaho, and

WHEREAS, there are certain water rights appurtenant thereto, as shown as being a part of the attached Notice of Claim to a Water Right I.D. No. 02-0016, attached hereto and made part hereof and marked as Exhibit "A," and

WHEREAS, Seventeen acres of the forty acres purchased by Buyer from Seller as described above, is irrigated by this water right from the Snake river, and said water right is appurtenant to and goes with the land,

NOW, THEREFORE, in consideration of the purchase price paid by Buyer to Seller for the property and the appurtenant water right represented herein, Seller does hereby transfer to Buyer .34 cfs of water for irrigation purposes, which is a portion of his rights under water right I.D. No. 02-0016.

Seller covenants and warrants to buyer that he has taken all steps necessary to protect and ensure the validity, enforceability and rights under this water right hereby transfer to Buyer, and further agrees to indemnify and defend at his cost any claim by any entity that this water right is not usable or enforceable by buyer.

Seller covenants and agrees to execute any and all necessary documents, if any, that may

be required by all local, state, and federal authorities to accomplish the transfer of this water right from Seller to Buyer, and further agrees to assist Buyer in any reasonable way necessary to accomplish the transfer of the water right.

Further, in consideration of the purchase price paid for the property and the water right attached thereto and described herein, Seller does hereby transfer to Buyer the use of that certain pump station which is connected to the mainline owned by buyer that is in place and currently used in transporting the water from the point of diversion located at Lot 9, Section 32, Township 5 South, Range 10 East, Boise Meridian, to the parcel of property above-described sold by Seller to Buyer.

Note
← specified
p/d

The parties further agree that the Buyer shall have the right to transfer or assign this water right as he may wish.

The terms and conditions of this agreement shall extend to and be binding upon the heirs, administrators, successors, executors and assigns of the respective parties hereto.

IN WITNESS WHEREOF, The said parties have hereunto set their hands the day and year in this agreement first above written.

Seller:


EDWARD T. POTUCEK

Buyer:


LOUIS D. JEFFREY

STATE OF IDAHO)

County of Twin Falls : ss.

On this 19th day of March, 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared EDWARD T. POTUCEK known to me to be the person whose name is subscribed to the within and foregoing instrument and acknowledged to me that he executed the same.

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

Theresa A. Robinetti

Notary Public for Idaho

Residing at: Twin Falls Idaho

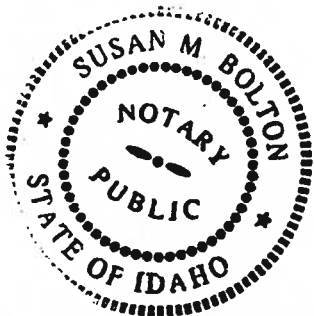
My Commission Expires: 6-13-2000

STATE OF IDAHO)

County of Gooding : ss.

On this 21st day of March, 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared DALE JEFFREY, known to me to be the persons whose names are subscribed to the within and foregoing instrument and acknowledged to me that they executed the same

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



Susan M. Bolton

Notary Public for Idaho

Residing at: Gooding, ID

My Commission Expires: 10-16-98

7

10

1101-28.80a

CSF

Some of
c/o B. J. Jones

ch is for location

WARRANTY DEED

For Value Received

**Gary N. Nelson And Nancy Nelson,
Husband And Wife.**

the grantor(s), do(es) hereby grant, bargain, sell, and convey unto

**Louis D. Jeffrey, a single man
A Single Man.**

the grantee(s), whose current address is

the following described premises, to-wit:

**Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho
Section 33: SW1/4NE1/4**

TOGETHER with Water Right I.D. No. 02-0016.**299589**

**ELMORE COUNTY, IDAHO ss
Request of**

GUARANTY TITLE, INC.Time 2:58 PMDate March 25, 1997

Book _____ Page _____

DOLORES ROBISON

Recorder

By [Signature]

Deputy

Fee \$6.00

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that he/she/they will warrant and defend the same from all claims whatsoever.

Dated: March 20, 1997

[Signature]
Gary N. Nelson

[Signature]
Nancy Nelson

by Gary N. Nelson
STATE OF IDAHO Her attorney in fact
: ss
COUNTY OF ELMORE

On This 21st day of March, in the year 1997, before me, a Notary Public in and for said State, personally appeared Gary N. Nelson, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument, and acknowledged to me that he/she/they executed the same.

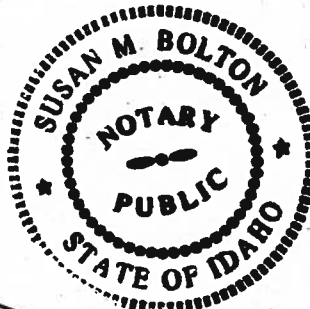
WITNESS my hand and official seal.

[Signature]
Susan M. Bolton

Notary Public of Idaho

Residing at Gooding, Idaho

Commission Expires: 10/16/98



**TITLE & ESCROW
COMPANIES**

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: A02-00016
Date Received: 12/ 7/1989
Receipt No: W006979
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JANE POTUCEK 208-366-2311
Address: PO BOX 537
GLENNS FERRY ID 83623
OR
Name: EDWARD T POTUCEK 208-366-2311
Address: PO BOX 537
GLENNS FERRY ID 83623

2. Date of Priority: MAR 26, 1902

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	10E	28	NW	NE	SW	3	ELMORE

5. Description of diverting works:
PUMP & SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.280		

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

8. Total consumptive use is 342.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NA

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	10E	32	NE	SE		IRR	5.0
						Section Acres	5.0
		33	NE	NE		IRR	23.0
			SW	NE		IRR	17.0
			NE	SW		IRR	10.0
			NW	SW		IRR	17.0
						Section Acres	67.0
		34	NW	NW		IRR	6.0
			SW	NW		IRR	36.0
						Section Acres	42.0
						Total Acres	114.0

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
KING HILL IRR. DIST.

14. Remarks:

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)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

ADJUDICATION MEMORANDUM

CLAIM NO.: A02-00016

SUBJECT: Item #6 on claim

EMPLOYEE: Ray Walker

DATE: 5-12-1997

Corrected the amount of water for irrigation use to match the amount claimed under item #7 on adm. Both amounts now consistent.

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: A02-00016
Date Received: 11/02/1989
Receipt No: W006979
Received By: BAS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JANE POTUCEK 208-366-2311
Address: P.O. BOX 537
GLENNS FERRY, ID 83623

OR

Name: EDWARD T. POTUCEK 208-366-2311
Address: P.O. BOX 537
GLENNS FERRY, ID 83623

2. Date of Priority: MAR 26, 1902

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	10E	28	NW	NE	SW	3	ELMORE

5. Description of diverting works:
PUMP & SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.820		

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

A.F.A.

8. Total consumptive use is 342.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NA

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	10E	32	NE	SE		IRR	5.0
						Section Acres	5.0
		33	NE	NE		IRR	23.0
			SW	NE		IRR	17.0
			NE	SW		IRR	10.0
			NW	SW		IRR	17.0
						Section Acres	67.0
		34	NW	NW		IRR	6.0
			SW	NW		IRR	36.0
						Section Acres	42.0
						Total Acres	114.0

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
KING HILL IRR. DIST.

14. Remarks:

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: 1

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): *[Signature]* Date: 12-7-89
Date:

State of Idaho)
County of Ada) SS.

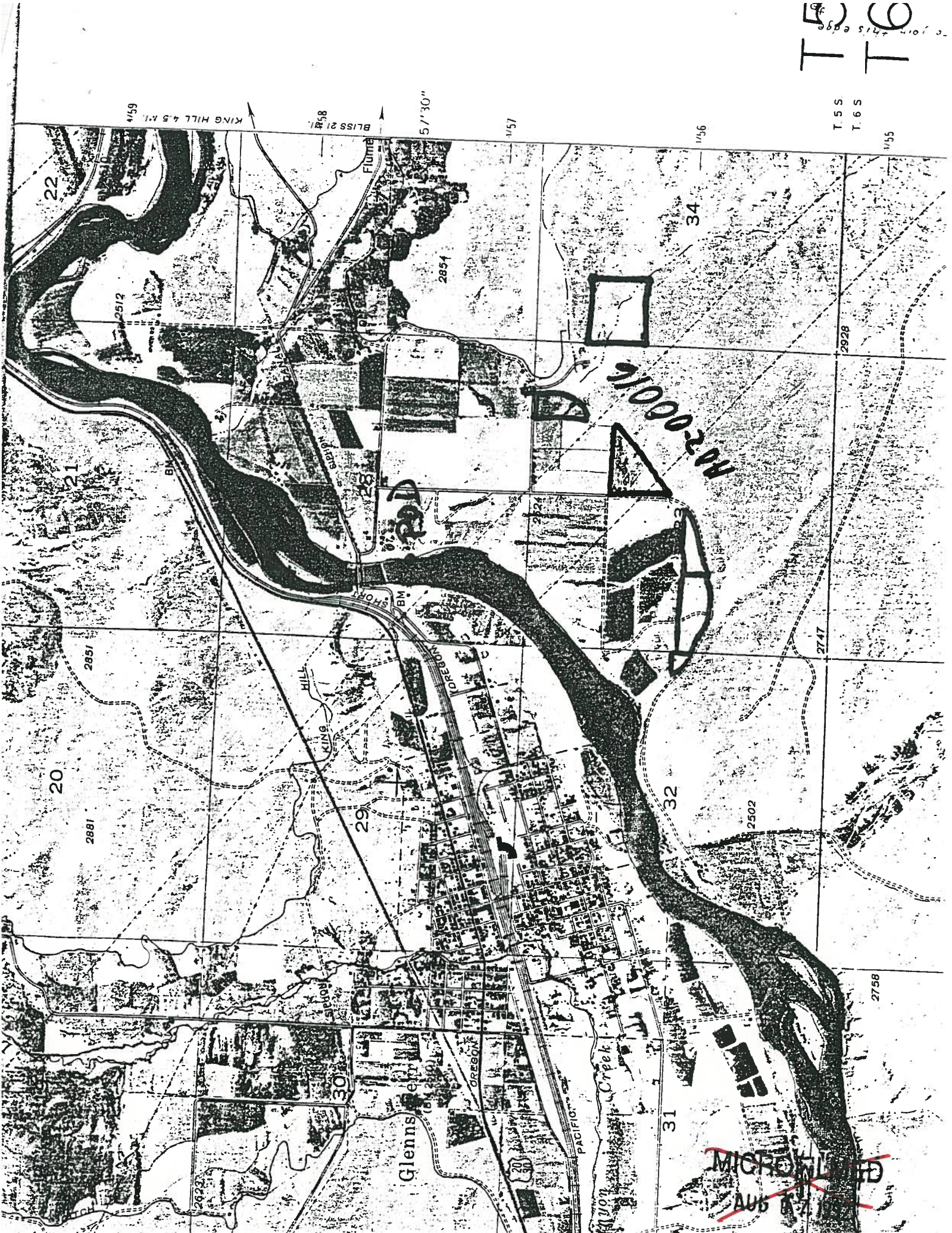
Subscribed and sworn (or affirmed) before me this 7 day
of December 19 89 *[Signature]*
Notary Public

Seal

Residing at Boise Idaho
My Commission Expires 4/11/89

T 5
T 6

T 5 S
T 6 S



MICROFILMED
AUG 67



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 12, 1997

RE: Notice of Claims to Water Right Nos. A02-00016B & A51-10330

Louis D. Jeffrey
P.O. Box 1040
Glenns Ferry, ID 83623

Dear Mr. Jeffrey:

Enclosed are copies of the above referenced claims which reflect the change in ownership of the lands and appurtenant water rights covered under the original filings. Please be advised that the point of diversion, that you were "assigned" in your agreement to transfer water rights for your irrigation right, was not claimed in the Snake River Basin Adjudication (SRBA). I did not realize this when I spoke with you last week in regard to the agreement. In light of this, you will need to file an Application for Transfer to add this point of diversion to your water right. I have enclosed the application form and instructions for your convenience. This point of diversion had been claimed by Mr. Potucek in a previous adjudication of this water right, but was found not used when a representative of our Department visited the property in 1983. If that point of diversion has gone for 5 consecutive years of non-use then a transfer must be filed and approved prior to your use of it. You may want to get a statement from Mr. Potucek in regard to when that diversion point was last utilized.

Please be advised that you will be required to submit some evidence of use of the water back to the date of priority claimed under Rt. A02-00016B. We do not require evidence on domestic uses, as claimed under Rt. A51-10330. I have enclosed a brochure entitled "Evidence of Priority" which discusses the type of evidence that can be submitted to substantiate the claimed priority date. This evidence will be required prior to our field work being conducted in your area. I am letting you know now so that you can begin to collect the information.

The Department will contact you concerning any other requirements that may be needed in order to process these claims for final court decree. If you have any questions in regard to this matter, please feel free to contact this office. If you need assistance in completion of the transfer application form, please contact the office to schedule a time that a water appropriations agent can assist you.

Sincerely,

A handwritten signature in cursive script that reads "Kay Walker". The signature is written in dark ink and is positioned above the printed name.

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

Enclosures

SEE ORIGINAL
CLAIM FILE
DOCUMENTS IN
CLAIM
NO. A 02-00016

CONTRACTOR: Karan Waters

CLAIM/ID:

02-0016B

Date:

20-10-6

[illegible]

Number of POD's _____

Overlapping for claim #s:

Total GIS Acres:

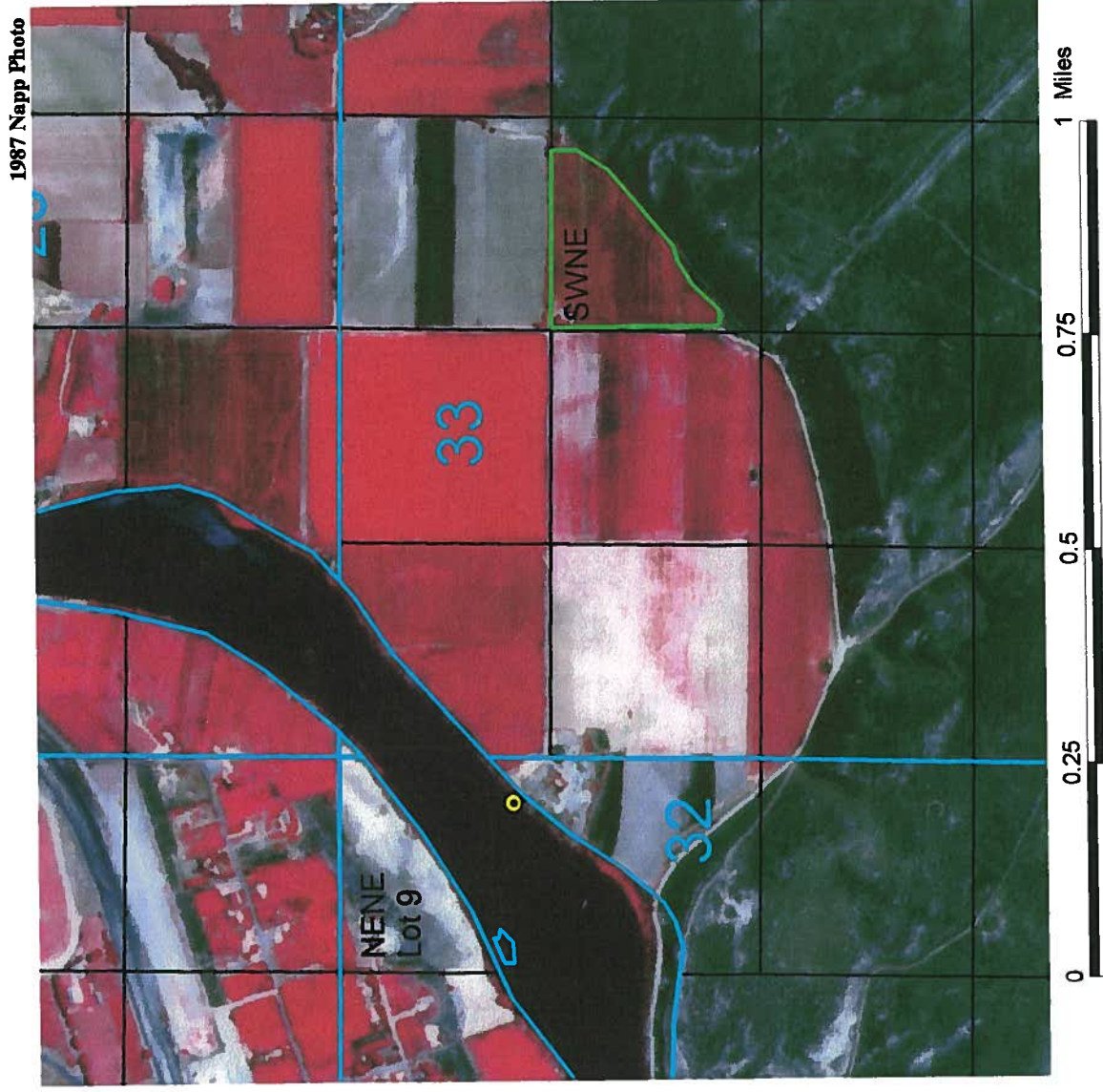
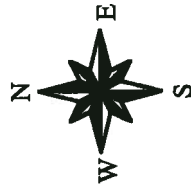
COMMENTS:

COMMENTS: For claims may

Idaho Department of Water Resources

Claim Number: 02-00016B
Legal: T05S, R10E, S33
Reviewed By:

- Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



Idaho Department of Water Resources

Claim Number: 02-00016B
Legal: T05S, R10E, S33
Reviewed By:

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines

