

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: A43-10167
Date Received: 5/11/1989
Receipt No: S007095
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GLEN W. JONES 208-824-5513
Address: P.O. BOX 151
ALMO, ID 83312

OR
Name: BRENT JONES 208-824-5513
Address: P.O. BOX 151
ALMO, ID 83312

2. Date of Priority: MAR 15, 1970

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16S	25E	8	SE	SE	NW		CASSIA

5. Description of diverting works:
WELL AND PUMP, PIVOT AND SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.170		

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

8. Total consumptive use is 399.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
16S	25E	8	SW	NE	IRR	10.0
			~~SW~~	~~NE~~ SE NW	IRR	10.0
			SE	NE	IRR	18.0
			NE	NW	IRR	20.0
			Section Acres			58.0
			Total Acres			58.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
A43-02477

14. Remarks:
THIS CLAIM IS AN EXPANSION OF WR A43-02477,
WHEN COMBINED THESE WR'S CANNOT EXCEED 2.17 CFS.
OTHER WATER RIGHTS: PERMIT 43-07151 (WAITING FOR PROOF)

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): Allen W. Jones Date: 5-11-89

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 11th day
of May 19 89
Seal

Steve Ollie
Notary Public

Residing at Twin Falls
My Commission Expires Dec 7, 1994

25E.

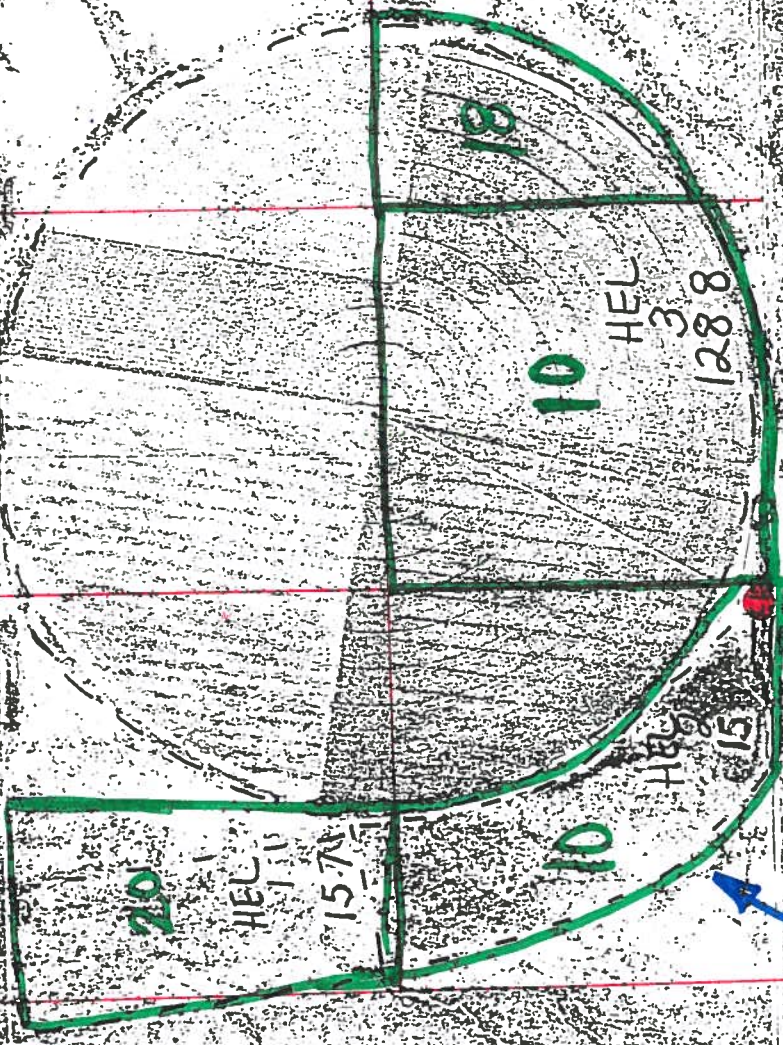
54
8+9

5
7 8 59
T8230

BLM

W-40
R-25
T-16
S-8

165.



PU.

PD

REMICAPLIMED
MAR 14 1993

A43-10167



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

December 5, 1991

R. KEITH HIGGINSON
Director

A43-10167
GLEN W. JONES
BRENT JONES
P.O. BOX 151
ALMO

ID 83312

RE: Evidence of Priority

RESPONSE DEADLINE
FEBRUARY 3, 1992

Dear Claimant:

The Notice(s) of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice(s) indicate your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. **The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will soon conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, proof must be provided supporting the priority date you have claimed.**

The Department will not recommend the Notice(s) be decreed by the court as claimed if no evidence of a priority date is submitted.

Please find enclosed a computer printout of your Notice(s) and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some Examples of Documents Which May Be Evidence of the Priority Date".

Please submit the required evidence supporting the priority date(s) by **February 3, 1992**, referencing all documents with the corresponding Notice number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,

Allen Merritt, P.E.
Water Rights Supervisor

Enclosures

MICROFILMED

MAR 04 1993



This is 1978 flight
on ASOS

Hand 25-22

MICROFILMED
 MAR 04 1993

T16

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. STEED HEARING

A43-10167

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Frank Hitchcock

September 8, 1997 1:34pm

NAME:
OLEN WARD-UPPER RAFT RIVER

RE:
RECORDS FOR USAGES RELATED
STEED/REEDSPRINGS-HEARING.

WALK-IN AT 9:20-CW-WANTED ALL USAGES "LICENSES" FOR BRUCE DURFEE, KENT DURFEE, BRENT JONES AND BILL JONES.

DISCUSSED HIS PROTEST RE: STEED USAGES AND FLOWS FROM THE STEED ACRES.

REVIEWED BASIN 43 SEL/ALPHA CLAIMS RECORDS FOR UPPER RAFT RIVER CLAIMS ASSIGNED TO FH AND DID AN AJS58 QUERY FOR THE CLAIMS OF THE NOTED PEOPLE. COLLATED BY NUMBER AND PUT COPIES OF THE NAME LISTS USED WITH EACH SET.

WARD CALLED BACK AT 11:42 TO CONFIRM THE JONES CLAIMS BEING PULLED. HE STOPPED IN SHORTLY AFTER NOON TO PICK UP THE PROOFS LEFT FOR HIM AT THE FRONT DESK.

**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: June 15, 2001

Water right number: 43-10167

GLEN W JONES
PO BOX 151
ALMO ID 83312
Telephone Number: (208) 824-5533

BRENT JONES
PO BOX 151
ALMO ID 83312
Telephone Number: (208) 824-5533

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: 6-11-2001 SIGNATURE: Brent Jones
Please print your name: Brent Jones

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, (208) 736-3033

09/12/2000

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

RIGHT NUMBER: 43-10167
NAME AND ADDRESS: BRENT JONES
GLEN W JONES
PO BOX 151
ALMO, ID 83312

SOURCE: GROUND WATER

QUANTITY: 0.62 CFS
148 AFY

USE OF THIS RIGHT WITH RIGHT NO. 43-02477 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.17 CFS, AND A TOTAL
COMBINED DIVERSION VOLUME OF 680.0 AFA

PRIORITY DATE: 04/01/1976

POINT OF DIVERSION: T16S R25E S8 SESENW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 10-31	0.62 CFS 148.0 AFY

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>					
T16S R25E S8	NWNE	40	T16S R25E S8	NENW	33
T16S R25E S8	SENE	12	T16S R25E S8	SWNE	40
T16S R25E S8	SENE	33	T16S R25E S8	NENE	12

170 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 37 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON.

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.

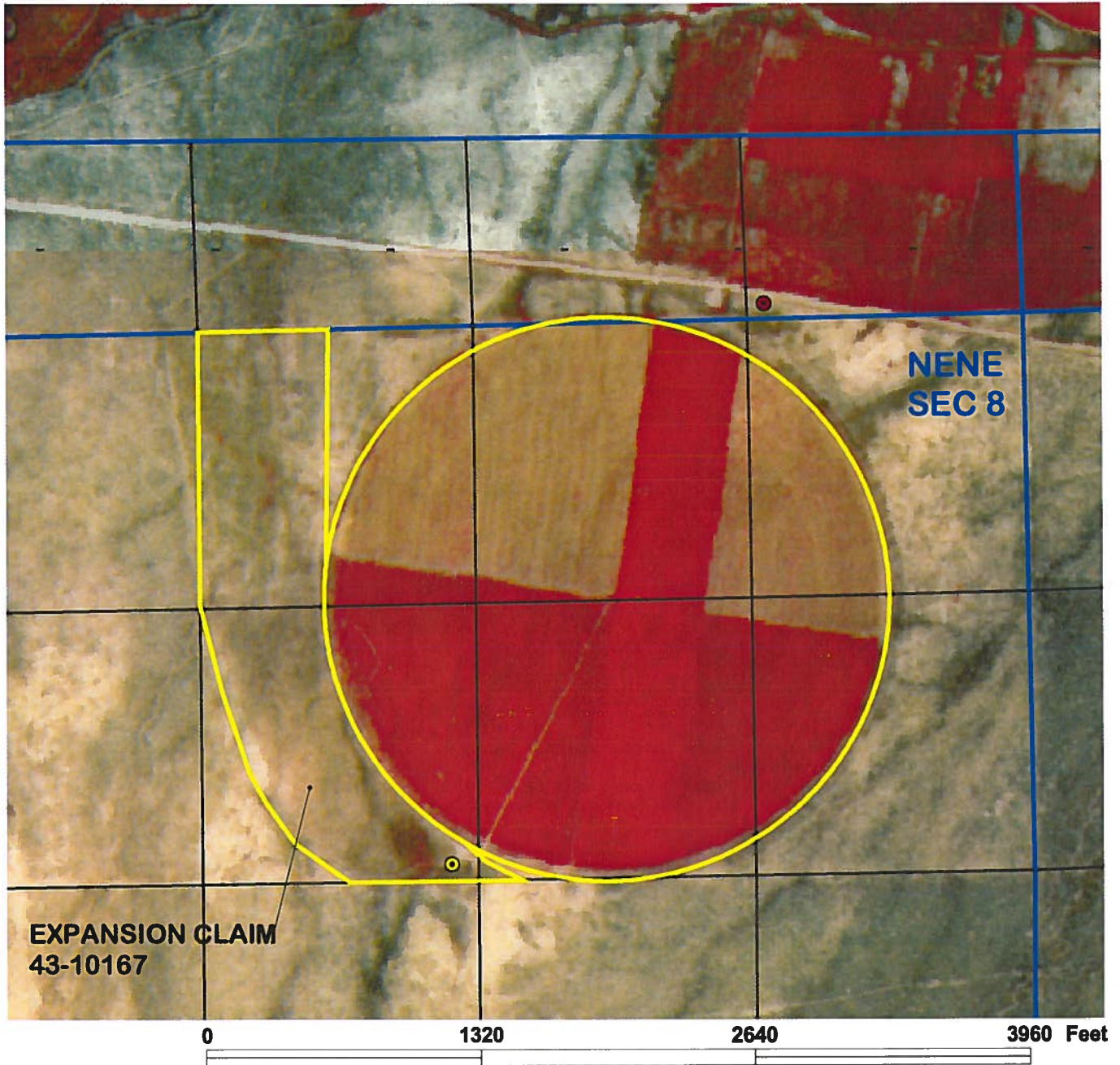
THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT 43B
THIS RIGHT IS AN ENLARGEMENT OF RIGHT NO. 43-02477
PURSUANT TO SECTION 42-1426, IDAHO CODE

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Idaho Department of Water Resources

**RIGHTS: 43-02477
and 43-10167**

**RECOMMENDED PLACE OF USE
TWP 16S, RNG 25E, SEC 8
Data entry on March 15, 2000**



● RECOMMENDED POINT OF DIVERSION

RECOMMENDED PLACE OF USE

SECTION LINES

QUARTER/QUARTER LINES

**GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY**

DATA ENTRY BY VIKIE HANCOCK

CLAIM NUMBER A43-1067

DATE 3-15-2000

TRANSFER NUMBER _____

AGENT VAL

CLAIMED ACRE TOTAL 58

GIS ACRE TOTAL 38

	TWP	RNG	SEC	NE				NW				SW				SE				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
CLAIM	<u>16S</u>	<u>25E</u>	<u>8</u>			<u>10</u>	<u>18</u>	<u>20</u>			<u>10</u>									<u>58</u>
GIS						<u>Q</u>	<u>Q</u>	<u>19</u>			<u>19</u>									<u>38</u>
RECOM						<u>Q</u>	<u>Q</u>	<u>19</u>			<u>19</u>									<u>38</u>
CLAIM																				
GIS																				
RECOM																				
CLAIM																				
GIS																				
RECOM																				

B43-POU.SHP

SHAPE NOS.

B43-POD.SHP

NOS. DESCRIPTION

DBF TABLES UPDATED

B43-DBPOU.DBF

B43-DBPOD.DBF

JPEG LAYOUT ✓ 43-02477

DATE: 03/15/00
PAGE: 1

Vol +
152

Stage: BENEFICIAL USE

CASSIA County

SE

See Sir

objection Filed Date:

Verified Dates:

Field Inspection Flag: E
Presumption Flag:

Made Date: _____
District Number: _____
Verified Date: *lapsed*
Field Inspection Flag: _____
Presumption Flag: *E*
Objection Filed Date: _____
Jan 809
K20
Swat
File
809

Field Exam Notes

Field Exam Date: 03-14-2000

Claim No: VARIOUS – BRENT JONES

Agent: Vikie Hancock

I met with the claimant this date to discuss his various claims in the Almo area. It was prior to the irrigation season and so the actual field exam was limited. Mr. Jones has Almo Water Company water shares that he uses in conjunction with the water represented by Claims 43-00379, -00380 and -10164. His father, Glen Jones, is deceased and should be removed from the claims when proper documentation is received. Mr. Jones address is correct. Also see field notes on GIS layout.

Claim **A43-10164** is on two springs that are located in the SE NE Section 22. They are known as Middle and North Springs. There is a third spring, Bath Spring, that is not included as a source for this claim. Bath spring is used by Neil Durfee as stockwater and claimed as A43-10030. Bath Spring actually used to be a partially covered cement pool and admission was charged for use of the hot pool. The spring water is warm to the touch but not hot. The waters of both Middle and North springs merge a short distance from the springs and the claimant conveys the water via a ditch to a pond in the SWNE NW of Section 23. From the pond he runs a ditch to the northwest and flood irrigates around 15 acres as calculated by GIS. In 1963 and 1964 the springs were measured in response to the diminishing effects of a well drilled by King and Tracy in the SESE section 22. They measured 0.21 cfs at that time. In 1947 the springs were measured at 0.32 cfs and in 1962 the local groundwater board issued an order granting Glen Jones and Edwin Durfee a right to 0.32 cfs from Middle and North Springs with a priority date of 1878. In addition to this irrigation claim, Gary Jones has claimed winter season stockwater, Brent Jones included .07 cfs year-round stockwater in this claim and Harold Durfee has claimed rear-round stockwater of 0.07 cfs from three springs, which I presume includes Bath Spring. Harold Jones has not claimed an irrigation claim to the Middle and North springs, however Brent Durfee says that he should. My recommendation is that Brent Jones be awarded a POU of 15 acres and the proper portion of 0.32 cfs that will be determined when it is known if Mr. Durfee wishes to file an irrigation claim to the springs.

A43-00379 is based upon a decreed right to the POU claimed in the 1928 Jobe Adams Decree. The source for this claim should be changed to North Almo Creek as it was originally decreed. IDWR followed the USGS map for stream identification at claims taking but the map is in error. During my field exam with Brent, and also Gary Jones this date, they showed me the different channels that are Edwards Creek and North Almo Creeks. Claimant's points of diversion are definitely on the stream known as North Almo or the North Fork, which is a manmade channel diverted from Almo Creek in Section 4, T15S, R24E. Where the North Almo channel crosses under the Elba/Almo Highway

there is a weir that is used by the District 43B watermaster to measure North Almo Creek. Water users of N. Almo below this weir are: Brent Jones, Gary Jones and the May Family Trust (formerly Edna Cahoon). Waters from North Almo Creek sink upon the property of Gary Jones. Any waters that may run off enter Almo Creek. At a point in the NWNESE the two channels are very close and water from N. Almo can be injected into Edwards and vice-versa. This is done to more efficiently convey water when the flows are either very high or very low as Gary Jones has rights to both sources. I found acres irrigated that Mr. Jones had not claimed in the NESWSE and NWNWSE section 14 and which should be included in the recommendation. The full diversion rate decreed should be recommended. Mr. Jones also claimed A43-00380 for use on the same land. See below.

A43-00380 is a highwater decreed right to N. Almo Creek and should also have the claimed source changed. Half of the place of use for this decreed right was in the NWNE and NENW of section 14, which is land owned by Gary Jones. This decreed right was split by transfer #3218 wherein the point of diversion of 0.75 cfs of the 1.5 decreed was moved to section 10. This leaves a total of 0.75 cfs appurtenant to property owned by Brent Jones and diverted in section 14. Mr. Jones has an accomplished transfer of POU. Gary Jones has not as yet filed a claim to his 0.75cfs under this right.

A43-02477 is based upon a license and an accomplished transfer of place of use. There is now a pivot on the tracts. Expansion claim **A43-10167** was for an additional 58 acres irrigated with the same diversion rate because of increased efficiency of water use. I found only 38 additional acres by GIS and the irrigated acres I identified were verified by Claimant. Also, the priority date of 1970 is not substantiated in the file. 1976 ASCS photos do verify usage to as early as that date. Claimant will attempt to find proof of use in 1970.

Claim **A43-02463** agrees with the original license in place of use. The expansion of 40 acres as claimed in **A43-10168** was found to be closer to 30. The number of expanded acres was found to be represented in the 1976 ASCS photo by claimant. It appears that in 1987 the bulk of the 30 acres was more marginally irrigated than in years past. Claimant says the east half of the 40 is quite rocky. Proof of priority of the expansion has not been substantiated back to 1971, but is verified to 1976 per ASCS maps. Mr. Jones also informed me that since 1987 he has installed a pivot.

A43-11222 is a claim for an instream diversion of stockwater from Raft River that Mr. Jones filed yesterday.

3-14-2000

Brent Jones

43-02477

43-10167

- 1) Discussed my finding only 38 ac of expansion over license. He said it looked about right.
- 2) He will attempt to obtain info on when pivot put in & acres expanded. Told priority only back to 1976 in file

A43-02477 Exp → A43-10167

POLL	LIC	Found	Dif.	Exp Claim	Actual Exp
NE NE	18	12.4	<5.6>	-	-
SE NE	2	12.4	12.4	18 (12.4-5.6)	6.8 7
NW NE	40	39.6	<0.4>	-	<0.4> 0
SW NE	30	39.8	9.8	10	9.8 10
NE NW	20	33.4	13.4	20	13.4 13
SE NW	<u>25</u>	<u>33.3</u>	<u>8.3</u>	<u>10</u>	<u>8.3</u> 8
	133.0	170.9	38.3	58.0	38.3 38

$$170.9 - 133.0 = 37.9 \text{ acres}$$

$$170.9 - 133.0 = 37.9$$

$$\text{Pivot acres} = 132.8 = \text{LIC acres } 133$$

$$\text{Fields outside pivot} = 38.1 = \text{Expansion acres } 38$$

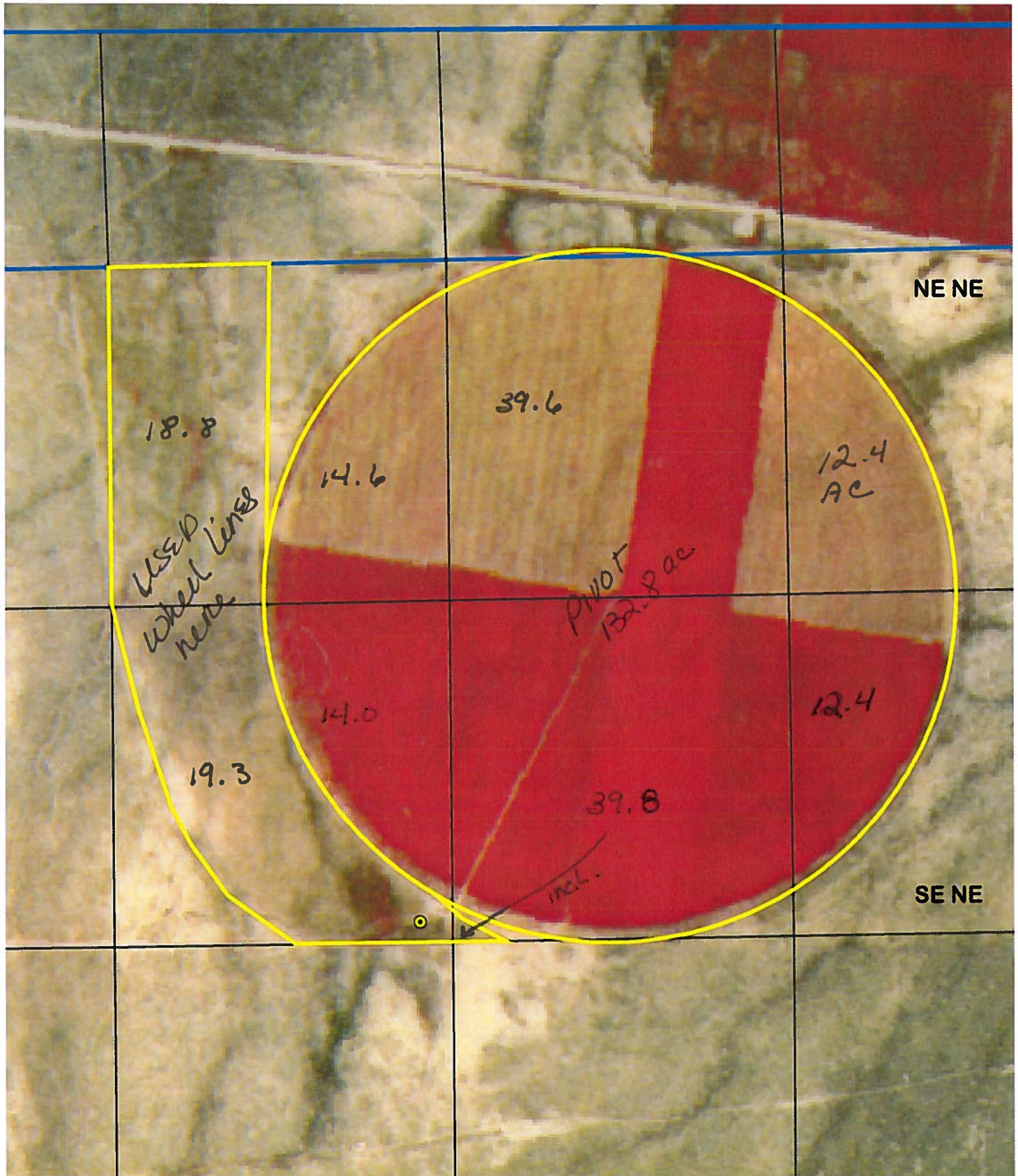
$$\text{Expansion acres} = 38.$$

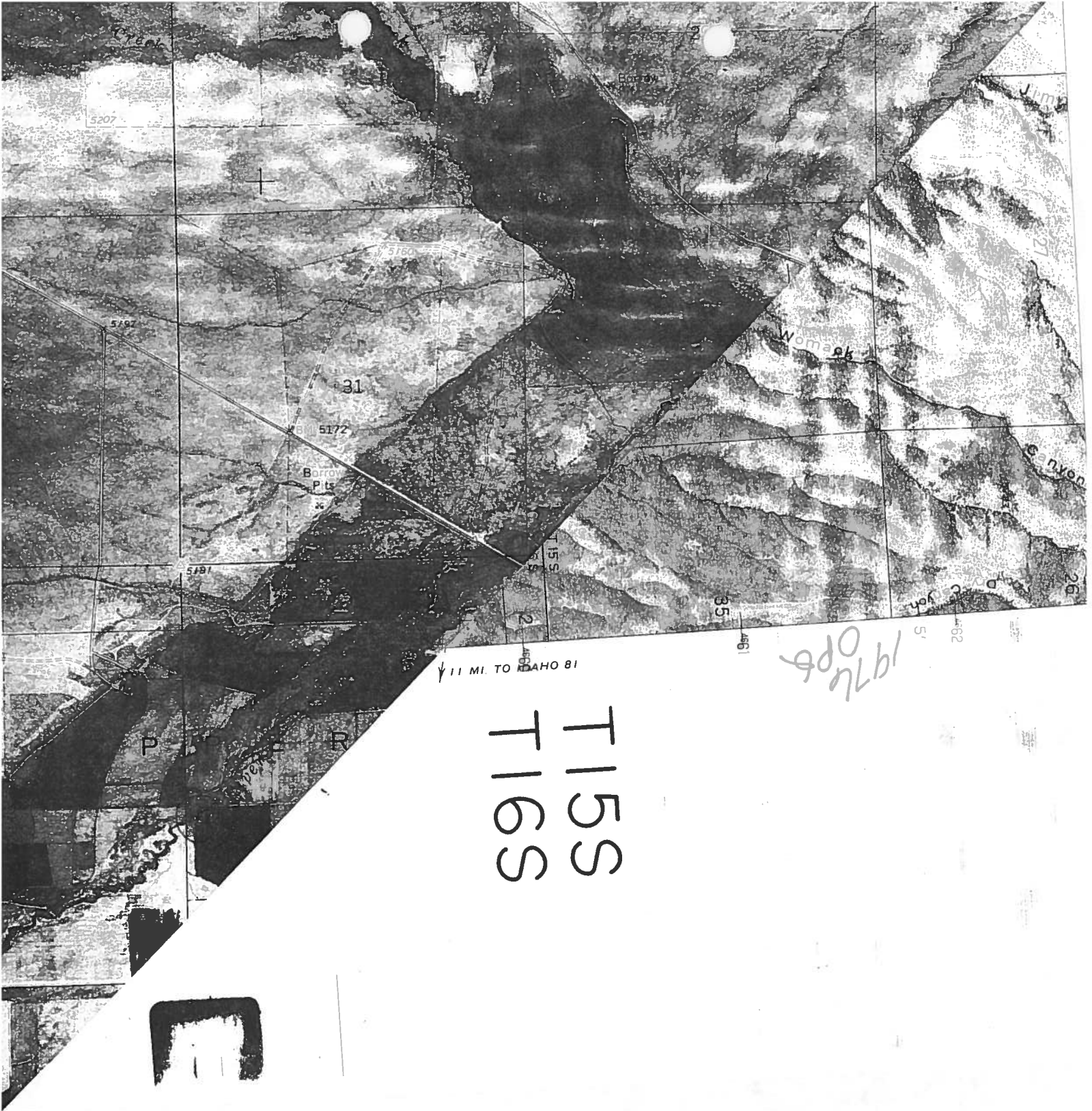
FIELD NOTES

171.4 Acres shown

CLAIM NO(S): A43-02477 and A43-10167

TWP 16S, RNG 25E, SEC 08





5207

31

Borrow Pits

Womack

11 MI. TO LAHO 81

1974 ops

T15S
T16S