

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: SEP-9-1997
PAGE: A-317

RIGHT NUMBER: 45-10490

NAME & ADDRESS: JIMMY D KEMPTON
STAR RT BOX 28
ALBION ID 83311

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 07/01/1981

POINT OF DIVERSION: T12S R25E S08 SWSW Within CASSIA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.04 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE:	STOCKWATER	Within CASSIA County
	T12S R25E S08	SWSW
	DOMESTIC	Within CASSIA County
	T12S R25E S08	SWSW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. 12S25E083000
STOCKWATER, 10 CATTLE & HORSES.

KRC
Claim proofread by: en
Date: 9-26

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.

RECEIVED

MAY 24 1989

CIVIL CASE NUMBER: 39576

Ident. Number: A45-10490
Date Received: 5/09/1989
Receipt No: 5007312
Received By: CW

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JIMMY D. KEMPTON 208-673-6261
Address: STAR ROUTE, BOX 28
ALBION, ID 83311

2. Date of Priority: JUL 01, 1981

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12S	25E	8	SW	SW	SW		CASSIA

5. Description of diverting works:
WELL - 250' WITH 1.5 HP PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.025		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE, S/2 TO 10 CATTLE & HORSES.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12S	25E	8	NW	NE		STOCK	

11. Place of use in counties: CASSIA

A45-10490

Page 1

Date: 05/10/89

MICROFILMED

MAR 08 1995

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

13. Other Water Rights Used:
NOT SPECIFIED

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 _____

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

Identification No. A45-10490Date Received 5-9-1989

Receipt Number _____

NOTICE OF CLAIM TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

MAY 9 1989

Department of Water Resources
Southern Region Office

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Jimmy D. Kempton Phone (208) 673-6261Mailing Address Star Route Box 28, Albion, ID. Zip 833112. Date of Priority (Only one per claim) 1 July 1981 Month/Day/Year3. Source of water supply (Check one) ☒ Groundwater or Other () (a) Well
Name or kind of source

which is tributary to (b) _____

4. Location of point of diversion is: Township 12S Range 25ESection 8, SW 1/4 of SW 1/4 of SW 1/4, Govt. Lot _____, BM.,County of CASSIA

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Well 250' / 1 1/2 HP pump

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

DOMESTIC AND STOCKWATER
For _____ purposes from 1 Jan to 31 DEC amount 0.04 (cfs)
(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 0.04 (cfs)8. Total consumptive use claimed is de minimus

MICROFILMED

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 1 HOUSEHOLD + 2-10 CATTLE/HORSES + 1/2 ACRE LAWN

10. Place of use is: Township: 12S Range 25E

Section 8, SW 1/4 of SW 1/4, Govt. Lot _____, B.M.,

County of CASSIA for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? CASSIA

12. Do you own the property listed above as place of use? Yes No X

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. None ()

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

Number of Attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Jimmy D. Kempton Date 4/26/89
Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____, Title _____, that I have signed the foregoing

document in the space below as _____ of _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)
County of Cassia) SS.

Subscribed and sworn (or affirmed) before me this 26th day of April 19 89

SEAL

Notary Public Sue Ellen Keller

Residing at Albion, Idaho

My Commission Expires 4/9/93

Last Name Kempton Ident No. _____

Copies: White-State, Yellow-Claimant

MICROFILMED

MAR 08 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

5/10/1989²

JIMMY D. KEMPTON
STAR RT. BOX 28
ALBION, ID 83311

DEAR MR. KEMPTON:

ENCLOSED, PLEASE FIND 2 SETS OF YOUR ADJUDICATION CLAIMS, ONE SET OF COPIES FOR YOUR RECORDS AND A 2ND SET FOR YOU TO REVIEW AND RETURN.

WE NEED TO HAVE YOU SIGN AND NOTARIZE THE TWO DEEP WELL CLAIMS, A45-02731 & A45-02732, BECAUSE WE CHANGED THE ACRES YOU CLAIMED BACK TO THE ORIGINAL ACRES LICENSED. WE ALSO NEED YOU TO SIGN AND HAVE NOTARIZED THE EXPANDED USE CLAIM A45-10497, WHICH COVERS THE ADDITIONAL ACRES. THE OTHER CLAIMS HAVE NO MAJOR CHANGES EXCEPT FOR THE SUGGESTED IRRIGATION SEASON ON #6, WHICH IS 3/15 TO 11/15 FOR YOUR AREA (SEE ENCLOSED APPENDIX II). PLEASE INITIAL THE CHANGE ON THE ORIGINALS WHICH ARE ATTACHED TO THE COMPUTER CLAIMS.

THE FEE BREAKDOWN IS:

	FEE	ACRES	TOTAL	
IRRIGATION				
A45-02731	\$50	64	\$114	WELL
A45-02732	50	137	187	WELL
A45-10497	50	159	209	EXPANSION
A45-00329	50	---	50	BRIM CR.
A45-00320B	50	---	50	HOWELL CR.
A45-10496	50	---	50	WASTEWATER
DOMESTICS				
A45-10489	25	---	25	
A45-10490	25	---	25	
A43-10156	25	---	25	
A43-10154	25	---	25	
A43-10155	25	---	25	

BALANCE DUE

\$785

IF YOU HAVE ANY QUESTIONS MR. KEMPTON, PLEASE CONTACT ME AT 734-3578, DEPARTMENT OF WATER RESOURCES.

SINCERELY,

Lori White
LORI WHITE
WATER AGENT

AJ5808NP
(DD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

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WATER RIGHT NUMBER - A45-10490

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - - LAST NAME - - - - - +

+ - FIRST NAME - - +

+ - - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
KEMPTON

JIMMY D.

1 - STAR ROUTE, BOX 28

2 -

3 -

CITY- ALBION

PHONE - 208-673-6261

STATE- ID ZIP- 83311

+ - - PRIORITY DATE - - +
07/01/1981

```

+ - - - REGION - - - +
  ERROR IN REGION

```

+ - - - STAGE - - - +
J - BENEFICIAL USE

+ - - - STATUS - - - - +

+ - - - - SOURCE - - - - - +
GROUNDWATER

+ - - - - - - - - - - TRIBUTARY - - - - - - - - - - - - - - - - +

[illegible]

12S 25E 8 SW SW SW (31) CASSIA

| CODE | DESCRIPTION | PERIOD FROM | PERIOD TO | DIVERSION RATE | DIVERSION VOLUME |
|------|-------------|-------------|-----------|----------------|------------------|
| 43 | Domestic | 01/01 | 12/31 | .04 | |
| 04 | STOCKWATER | 01/01 | 12/31 | 0.025 | |

| + | - | TOTAL DIV. RATE | - | + | - | TOTAL DIV. VOLUME | - | + | - | TOTAL DIV. CAPACITY | - | + | - | TOTAL CONSUMPTIVE USE | - | + | - | KW USAGE | - | + |
|---|---|-----------------|---|---|---|-------------------|---|---|---|---------------------|---|---|---|-----------------------|---|---|---|----------|---|---|
| | | 0.040 | | | | | | | | | | | | 0.0 | | | | | | |

| TWN | RNG | SEC | TRACT | LOT | ACRES | CODE | DESCRIPTION | COUNTY |
|-----|-----|-----|------------------|-----|-------|------|-------------|-------------|
| 12S | 25E | 8 | SW SW | | | 43 | DOMESTIC | (31) CASSIA |
| 12S | 25E | 8 | ~~NW NE~~ | | | 04 | STOCKWATER | (31) CASSIA |
| | | | SW SW | | | | | |

+ - - DIVERSION MEANS - WELL - 250' WITH 1.5 HP PUMP.

+ - - NON-IRRIGATION USE - D/1 HOUSE, S/2 TO 10 CATTLE & HORSES.

+ - - OTHER RIGHTS FOR SAME USE - NOT SPECIFIED

| + | - | REMARKS | + |
|---|---|-------------------|---|
| | | NO REMARKS FOUND. | |

+ - - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.

+ - - - - - CONDITIONS OF APPROVAL - - - - - +
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - +

+ - - - - DECREE DEFENDANT - - - +

+ - DECREE DATE - +

+ - - AUDIT FIELDS - 05/09/89 WORSTELL

0070000000
MICROFILMED
OCT 27 1994

AJ5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

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WATER RIGHT NUMBER - A45-10490

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - - COMMENTS - - - - - +
NO COMMENTS FOUND

+ - - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - - +

| | | | | | |
|-----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| COURT REPORT FILING | - 00/00/0000 | FIELD INSPECTION MADE | - 00/00/0000 | CIVIL CASE NUMBER | - 39576 |
| OBJECTION FILED DATE | - 00/00/0000 | FIELD INSPECTION FLAG | - | OLD CASE NUMBER | - |
| RESPONSE FILED DATE | - 00/00/0000 | VERIFIED DATE | - 00/00/0000 | OLD JUDICIAL DISTRICT | - |
| CLAIM RECEIVED DATE | - 05/25/1989 | LAST AMENDED DATE | - 00/00/0000 | TEMPORARY RIGHT | - P |
| PROOF DUE DATE | - 00/00/0000 | PROOF MADE DATE | - 00/00/0000 | WATER DISTRICT | - |
| LICENSED DATE | - 00/00/0000 | RECEIPT NUMBER | - S007312 | FEDERAL/STATE INDICATOR | - S |
| CLAIMS TAPE ERROR FLG | - | PDU OWNERSHIP FLAG | - Y | PRESUMPTION FLAG | - |
| FEE EXEMPT FLAG | - | NAME CONNECTOR | - | NOTICE OF ERROR FLAG | - |

12525-E683000 ~~1540000~~

DATA ENTRY
ENTERED 11-27-91
CHECKED 2/6/93

"Verified By"
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
OCT 22 1991

CERTIFIED
OCT 28 1991
WATER EXAMINER

PROOF
SEP 16 1991