

IDAHO DEPARTMENT OF WATER RESOURCES

RIGHT NUMBER: 1-35AK

NAME AND ADDRESS: JERRY BROWN
177 N 4700 E
RIGBY ID 83442

POINT OF DIVERSION:

PURPOSE AND
PERIOD OF USE:

QUANTITY

0.250 CFS
56.00 AFY

T04N R40E S29 NENE 14.00

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Use of water under this water right will be regulated by the watermaster of State Water District No. 1.



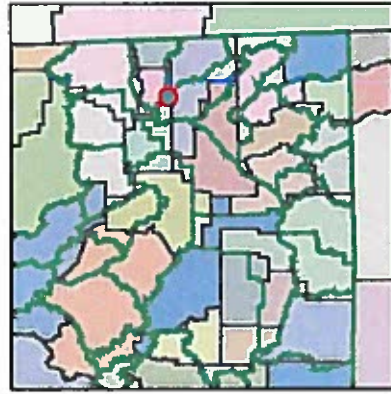
Idaho Department of Water Resources

SRBA Recommendation:

1-35AK

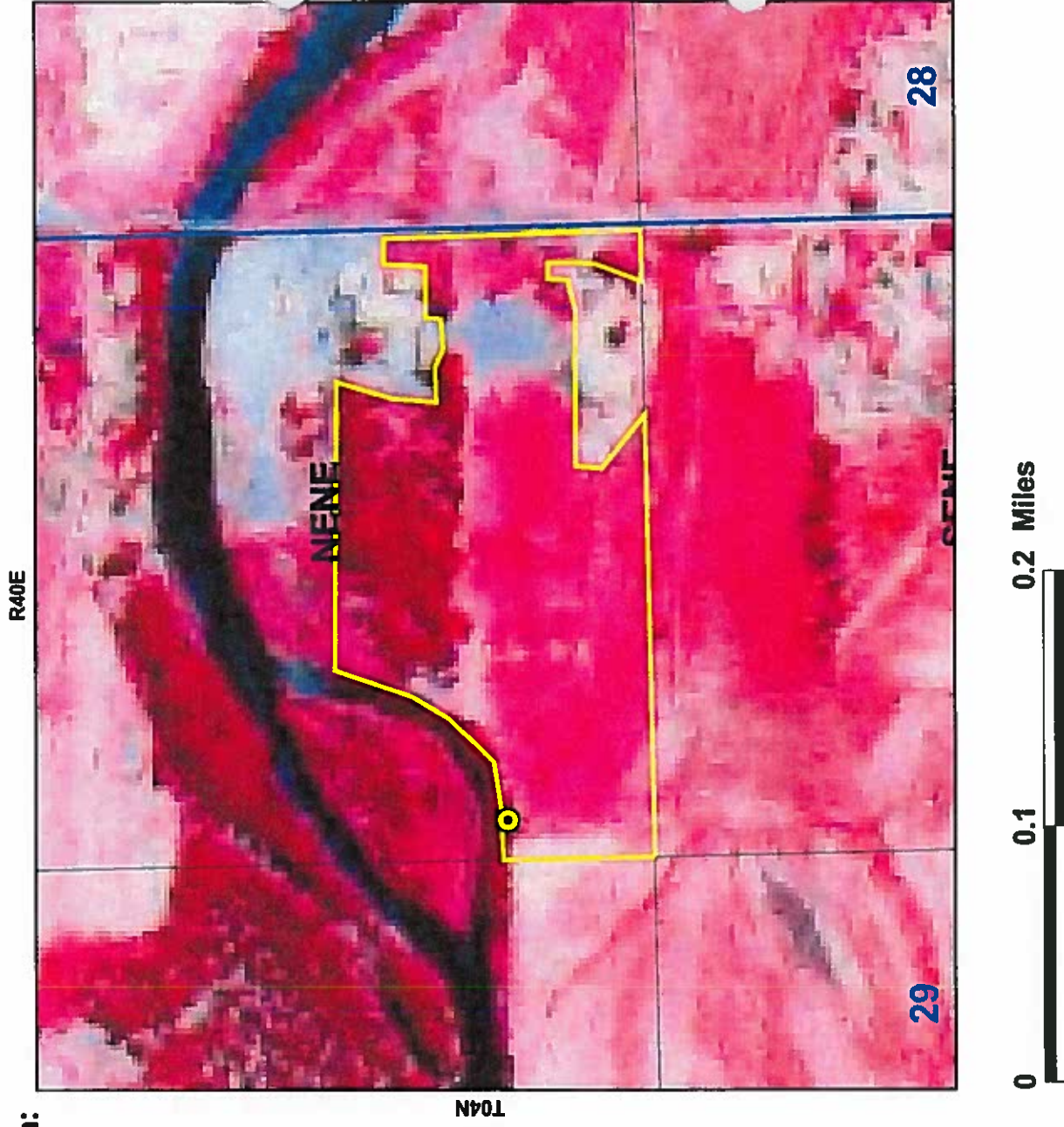
Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Jefferson County
IDWR Basin 1

Prepared by M. Holliday
On Tuesday, June 13, 2006
1987/88 Aerial Photography



Notes

Claim A01-35 AK

1/ GPS data - 0679906 File name - A0135AK
2679906 0285971 GPS Tag # A0009093
USR 1385758

2/ Exam done on 4-1-04 with claimant, Jerry Brown.

3/ Point of Diversion is a pump in the
Great Feeder to sprinkler lines. (15hp)

4/ Exam done by Harold W. Jones of Water
Rights Contracting Services

PROFILED

SCANNED
OCT 07 2004

A01-00035 AK

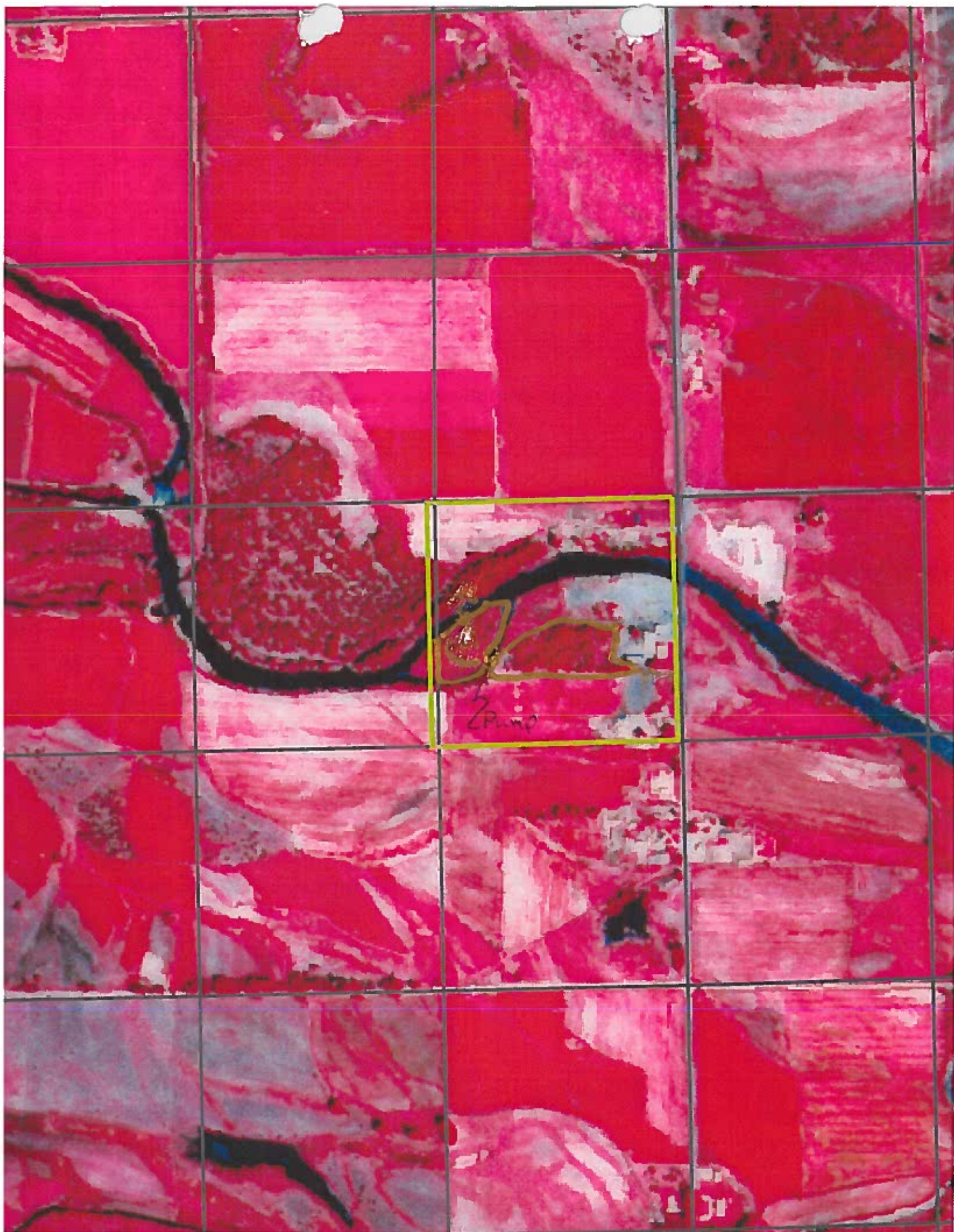


GPS Tag

15hp pump in Dry Bed

PROFILED

SCANNED
OCT 07 2004



SCANNED

AUG 1 2001

JANUARY 25, 1995

JERRY BROWN
177 N 4700 E
RIGBY ID 83442

RE: TRANSFER

Dear Mr. Brown:

Our office has received notice of your approved transfer #4152 of water right #01-00035AK. The Snake River Basin Adjudication claim filed on this right has been amended pursuant to the approved transfer.

Please review the enclosed notice carefully and if you have any questions about any of the items, please contact our office. If you agree with the items on the notice, please place the copies with your records.

Respectfully submitted,

Gregory J Taylor
Sr. Water Resource Agent
Adjudications Bureau

GJT:sc

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Region Hybrid.

TRANSFER OF WATER RIGHT

TRANSFER NO. 4152
WATER RIGHT NO. 01-00035AK

RECEIVED

DEC 29 1993

Department of Water Resources
Eastern District Office

This is to certify that: JERRY E BROWN
177 N 4700 E
RIGBY ID 83442

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	04/01 to 10/31	0.25 CFS	56.0 AF

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

Priority: 06/01/1885

LOCATION OF POINT(S) OF DIVERSION: NENE , Sec. 29, Township 04N, Range 40E
JEFFERSON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04N	40E	29	NENE	14		14
Total number of acres irrigated:						14

CONDITIONS/REMARKS:

- EXP 1. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
2. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
3. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
5. 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.

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TRANSFER NO. 4152
WATER RIGHT NO. 01-00035AK

CONDITIONS/REMARKS:

6. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

Dated this 18th day of November, 1993.

A. Glen Saxton
Chief, Water Alloc. Bureau

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B. CHANGES IN NATURE OF USE

1 New Nature of Use

Amount
(cfs/ac-ft)

Hours/days/year

Period of Use

PART 3

Transfer No.

Page _____ of _____

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

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

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.

(Signature of Applicant)

BETTY J. THOMPSON, NOTARY PUBLIC
RESIDING AT (NOTARY PUBLIC)
IDAH0

MY COMMISSION EXPIRES: 6-30-94

My commission expires _____

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____

Date _____

5-17-93

Prelim. check by _____

Fee _____

50% - \$018599

Received by _____

Date _____

5-17-93

Published in _____

Copies of protest forwarded by _____

Hearing held by _____

Date _____

Watermaster recommendation requested on _____

Recommended for _____

☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 623/01-00035X which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Snake River tributary to Columbia River

4. Date or priority 6/1/1885

5. Water is used for the following purpose:

amount 2.00 cfs for Irrigation purposes from Not Listed to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 2.00 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
			NW	35	4N	40E	Jefferson	Ross and Rand Canal

8. 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	
4N	40E	27									A	A							

Total acres _____

9. Describe any other water rights used for the same purpose as described above _____

PART 2

Transfer No. _____

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.)

1. amount 0.50 cfs for Irrigation purposes from 4-1 to 10-31
 amount (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount (cfs/ac-ft) _____ for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	%	%	Sec.	Twp.	Rge.	County	Local name for diversion
			NW 35	4N	40E	Jefferson	Ross + Rand Canal

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE %	NW %	SE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	Totals
4N	40E	27											14

Total acres 14

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

1. amount 1.50 cfs for Irrigation purposes from 4-1 to 10-31
 amount (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount (cfs/ac-ft) _____ for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	%	%	Sec.	Twp.	Rge.	County	Local name for diversion
			NW 35	4N	40E	Jefferson	Ross + Rand Canal

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE %	NW %	SE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	Totals
4N	40E	27											

Total acres _____

S.O. 11-1-93

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4652

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Jerry E. Brown Phone 538-7349Post Office address 177 N. 4700 E. Rigby, ID 83442

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 Applicant accomplished transfer through his efforts in 1966 but no formal transfer was recorded with IDWR. See Great Feeder records attached.

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

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|-----------------|-------------------|-----------------------|-------------------|----------------------------|
| <u>01-00035</u> | <u>06/01/1885</u> | <u>0.50</u> | <u>Irrigation</u> | <u>4/1</u> to <u>10/31</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
2. Total amount of water being transferred 0.50 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Snake River tributary to Columbia River
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NE	29	4N	40E	Jefferson	(pump)

5. 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	
4N	40E	29	14																14

MICROFILMED
NOV 05 1996Total acres 14

PART 1

6. General Information:

a. Description of diversion system _____

Pump in Great Feeder to sprinkler.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or _____

N/A 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: _____

The original place of use _____ reflected by claim A01-00035X is only _____

52 acres and still has 1.50cfs of the original right to try and claim.

d. Remarks: _____

Ross and Rand ditch has claimed all of 01-00035X via adjudication claim. I think the Great Feeder records show this to be in error. This filing is being made so WD#01 can deliver my portion.

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 _____

AUG 17 2001

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: A01-00035AK
Date Received: 7/ 6/1989
Receipt No: E019223
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JERRY BROWN 208-538-7349
Address: 177 N 4700 E
RIGBY ID 83442

2. Date of Priority: JUN 1, 1885

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
04N	40E	29	NE	NE	NE		JEFFERSON

5. Description of diverting works:
PUMP IN GREAT FEEDER TO SPRINKLERSL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.250		

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

8. Total consumptive use is 35.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04N	40E	29	NE	NE		IRR	14.0
Section Acres							14.0

10. Place of Use: Continued

Total Acres 14.0

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

REXBURG IRRIGATION CO.

Decree Plaintiff

TETON IRRIGATION CANAL CO.

vs

Decree Defendant

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: _____

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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

Renumbered A01-00035AK

Ident. Number: ~~A01-00035Y~~

Date Received: 9/28/1993

Receipt No: E019223

Received By: HWT

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JERRY BROWN 208-538-7349
Address: 177 N. 4700 E.
RIGBY ID 83442

2. Date of Priority: JUN 1, 1885

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
04N	40E	29	NE	NE			JEFFERS

5. Description of diverting works:
PUMP IN GREAT FEEDER TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.250		

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

8. Total consumptive use is 35.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	40E	29	NE	NE		IRR	14.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	14.0
					Total Acres	14.0

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/16/1910

REXBURG IRR. CO.
Decree Plaintiff

TETON IRRIG. CO.
vs Decree Defendant

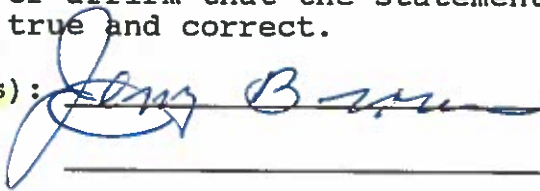
16. Signature(s)

(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: 10-7-93
Date:

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APR 08 1994

State of Idaho)
County of JEFFERSON) SS.

Subscribed and sworn (or affirmed) before me this 7th day
of OCTOBER 19 93

Wesley F. ...
Notary Public

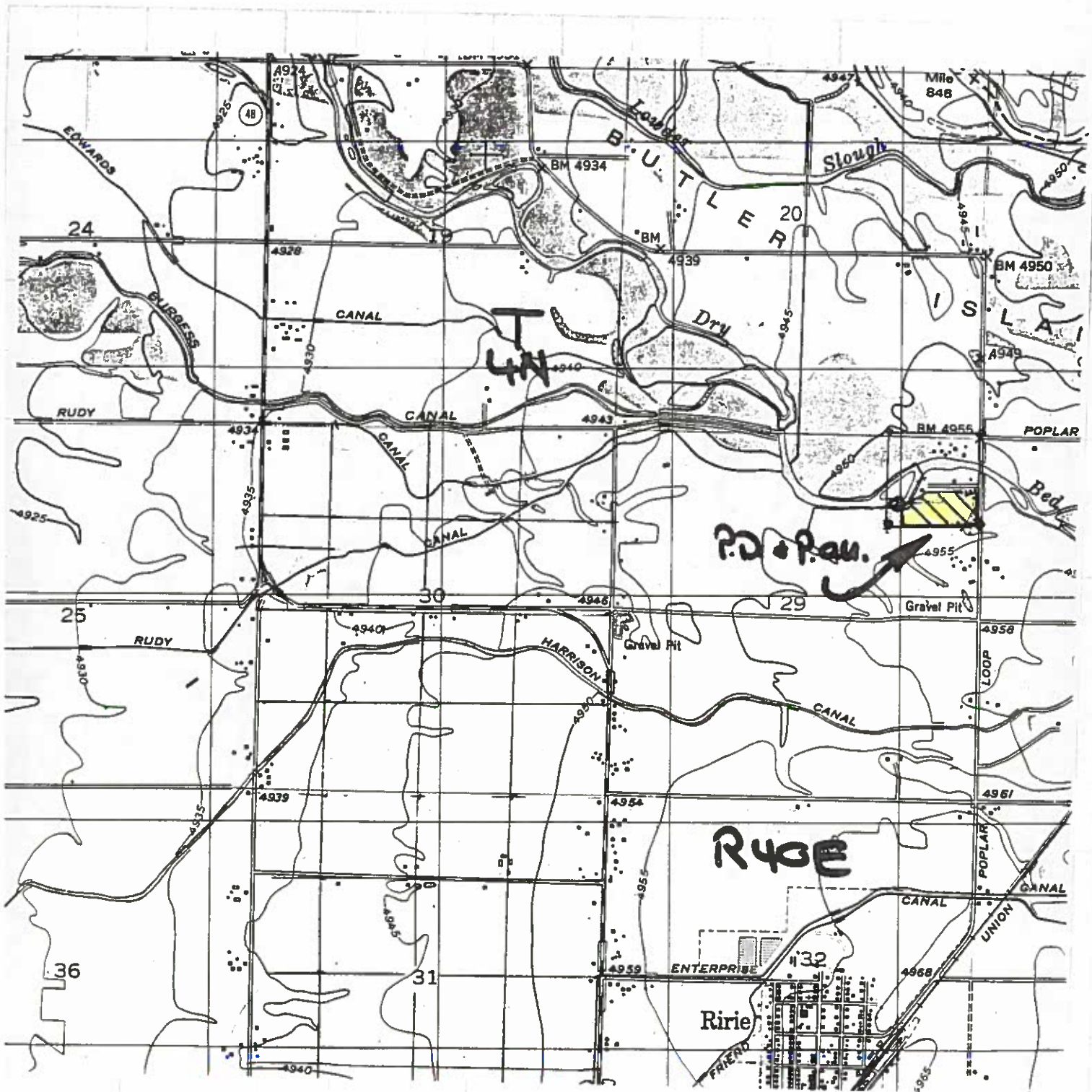
Seal

Residing at Paris

My Commission Expires 4-1-94

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- 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.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

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APR 08 1994