

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

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

11/14/2006

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:

Water right number: 1-295

JAMES CLARE REED

4869 E 150 N

RIGBY ID 83442

Telephone Number: (208)538-7106

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:

YES I AGREE with this proposed recommendation: no changes need to be made.

DATE: 11-22-06

SIGNATURE:

James Clare Reed
JAMES CLARE REED

Please print your name:

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

KMD
12/17



Idaho Department of Water Resources

SRBA Recommendation:

1-35AJ

1-230

1-295
(Irrigation)

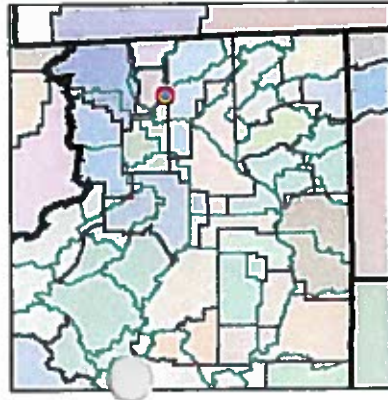
Point of Diversion

Place of Use

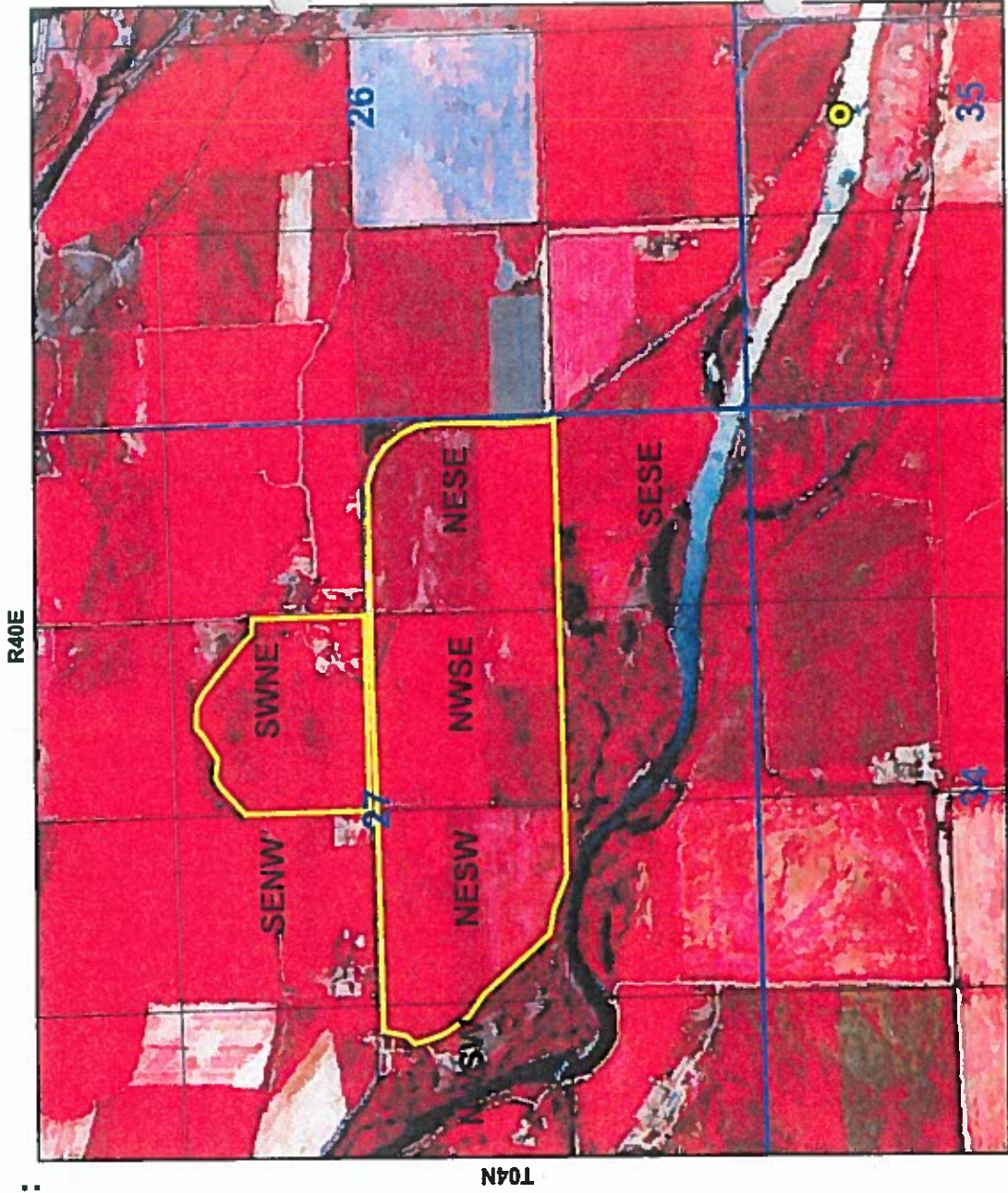
Townships

PLS Sections

Quarter Quarters



Jefferson County
IDWR Basin 1



Prepared by K. Moore
On Wednesday, October 18, 2006
1987/88 Aerial Photography

Stone vs.

Empty

from the findings of Fact and conclusions of law heretofore made in this cause, the Court makes the following Judgment and

Decree:

1 295

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, that the plaintiff is the owner of and entitled to the use of One Hundred Sixty-seven miners' inches, or three and thirty-four one-hundredths cubic feet per second of time, of the waters of the South Fork of Snake River for irrigation and domestic purposes; that plaintiff's right to the use of said waters is hereby determined and confirmed; that plaintiff's priority right to the use of said waters is hereby

fixed as of June 1st 1888; and that plaintiff's right to the use of said waters is adjudged and decreed to be appurtenant to the following described real estate, all lying and being in the county of Jefferson, State of Idaho, and more particularly described as follows:

The North one-half of the southeast quarter, and commencing at the southwest corner of the northeast quarter of section 27 Township four north of range 40 E. B. M., and running thence east 80 rods, thence north 51 rods, thence northwesterly to a point 74 rods north and 40 rods east of the southwest corner of the northeast quarter; thence southwesterly to a point 51 rods north of the southwest corner of the northeast quarter, thence south 51 rods to the place of beginning, containing 111 $\frac{1}{4}$ acres.

Done and dated in open court at St. Anthony, Fremont County, State of Idaho, on this 28 day of February, A. D. 1920.

James G. Gwinn,

Judge of the District Court of the Ninth Judicial District of the State of Idaho.

Filed for record at the request of C. A. Bandel at 12:30

N $\frac{1}{2}$ SE and
hind S of
creek in
SWNE $\frac{1}{4}$

80 Acres
+ 31.25
111.25

Notes

Claims A01-230, -295 & A01-35X

1/ I met with claimant James C. Reed
on 3-30-2004 for a place of use
verification exam.

2/ I also GPS the headgate of the Ross &
Rand Canal which transports these rights
out of the Great Feeder Canal.

3/ GPS data - 0684118 File name - ROSIRAN
0284572

GPS Tag #
A0009091

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

5/ Map & photo in claim file A01-00230

SCANNED

NOV 10 2004

PROFILED

SCANNED

AUG 22 2001

E003956

11/10/88
11:57:33

REED, JAMES CLARE

ADJUDICATION FEE

0410162 9337 6490

\$368.00

\$368.00

CHECK 1476

WR/NO: A25-11105 A25-11107 A01-00035X A01-00230 A01-00295

Idaho Department of Water Resources

Region: EASTERN

Signature: Ernest Carlson

Number changed from A25-11104.

MICROFILMED
OCT 19 1992

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME	<u>REED</u>	CLAIM	INT. NO.	<u>A01-00295</u>
DATE RECEIVED	<u>11/10/88</u>	CK #	AMOUNT \$	

	YES	NO	Required Info?
1. Is the name and address complete with zip code?	<u>X</u>		*
2. Is a priority date entered?	<u>X</u>		*
Is the priority date acceptable in view of mandatory filing dates?	<u>X</u>		*
See Adjudication Memos #1 and #4 to determine if a Permit is required.	<u>X</u>		*
3. (a) Is a source entered?	<u>X</u>		*
(b) Is a tributary to entered? (if required)	<u>X</u>		
4. Is the legal description of the p.d. sufficient?	<u>X</u>		*
5. Is there a description of the diverting works?	<u>X</u>		
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.	<u>X</u>		*
Is the period of use included?	<u>X</u>		
Is a quantity claimed for each use?	<u>X</u>		*
7. Is a total quantity claimed entered?	<u>X</u>		
8. If required is a consumptive use entered?	<u>X</u>		
Is the consumptive use correct?	<u>X</u>		
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.	<u>X</u>		*
10. Is (are) the place(s) of use and purpose(s) indicated?	<u>X</u>		*
11. Is (are) the county(ies) entered?	<u>X</u>		
12. Is the ownership of p.u. checked?	<u>X</u>		
13. Are other water rights listed or "none" indicated?	<u>X</u>		
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	<u>X</u>		
15. Is the basis of the claim indicated?	<u>X</u>		
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)	<u>X</u>		
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.	<u>X</u>		*
18. Has the claim been signed, sealed, and dated by a notary?	<u>X</u>		*
19. Was this claim filed on time, or was an extension granted?	<u>X</u>		*
20. Is the fee enclosed correct?	<u>X</u>		*
21. If this claim is based on an existing water right, has the identification number been entered?	<u>X</u>		
22. Should this claim be data entered?	<u>X</u>		

Claim checked by: TO Date: 4/21/89
Claim must be returned to claimant: (Yes) X (No)
Claimant must be notified of modifications: X (Yes) (No)

Receipt Prepared by: _____ Date: _____
Claim data entered by: _____ Date: _____
Sent to claimant by: _____ Date: _____
Checked by: _____ Date: _____

Comments: WRONG IDENT. NO. ORIGINALLY ASSIGNED.

MICROFILMED

OCT 19 1992

RECEIVED
AUG 22 2001
OCT 08 1993

Department of Water Resources
Eastern District Office

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: A01-00295
Date Received: 11/10/1988
Receipt No: E003956
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: JAMES CLARE REED 208-538-7125
Address: 4869 E. 150 N.
RIGBY ID 83442

2. Date of Priority: JUN 1, 1888

3. Source: SNAKE RIVER, DRY BED Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	40E	35	SE	NE	NW		JEFFERS

5. Description of diverting works:
HEADGATE/DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	3.340		

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

8. Total consumptive use is 504.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/200 BEEF

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	40E	27	NE	SW		IRR	40.0
			NW	SW		IRR	12.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0

A0100295



10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	40E	27	SW	~~SE~~ <i>for</i> <i>NE</i>	IRR	36.0
Section Acres						168.0
Total Acres						168.0

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:
A01-00035X AND A01-00230

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 2/28/1920

STONE

Decree Plaintiff

EMPY.

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 X 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):

James Clare Reed

Date: 10-7-93

Date: _____

MICROFILMED

State of Idaho)
County of JEFFERSON) SS.

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

Marilyn McMan
Notary Public

Seal

Residing at Rice

My Commission Expires 4-1-94

original no. A25-11104
X

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: A01-00295
Date Received: 11/10/1988
Receipt No: E003956
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES CLARE REED
Address: 4869 E. 150 N.
RIGBY, ID

208-538-7125

83442

2. Date of Priority: JUN 01, 1888

3. Source: SNAKE RIVER, DRY BED

Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	40E	35	SE	NE	NW		JEFFERSON

5. Description of diverting works:
HEADGATE/DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.340		

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

A.F.A.

8. Total consumptive use is 100.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/200 BEEF

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04N	40E	27	NE	SE		IRR	40.0
Section Acres							40.0

A01-00295

Page 1

Date: 04/21/89

MICROFILMED
OCT 19 1992

10. Place of Use: Continued

Total Acres 40.0

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: 2/28/1920

STONE

Decree Plaintiff

vs

EMPY.

Decree Defendant

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: A01-00295 39576

Ident. Number ~~75-11704~~

Date Received 11-10-88

Receipt Number E003956

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) JAMES CLARE REED Phone (28) 5387125

Mailing Address 4869E 150 N. Rigby, Idaho Zip 83442

2. Date of Priority (Only one (1) per claim) 06/01/1888

3. Source of water supply (a) SNAKE RIVER via Great Feeder Canal
which is tributary to (b) Columbia River ROSS + RANDS Canal

4. a. Location of existing point of diversion is: Township 4N Range 40E Section 35,
SE 1/4 of NE 1/4 of NW 1/4, Govt. Lot, Beise B.M., County of Jefferson

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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.

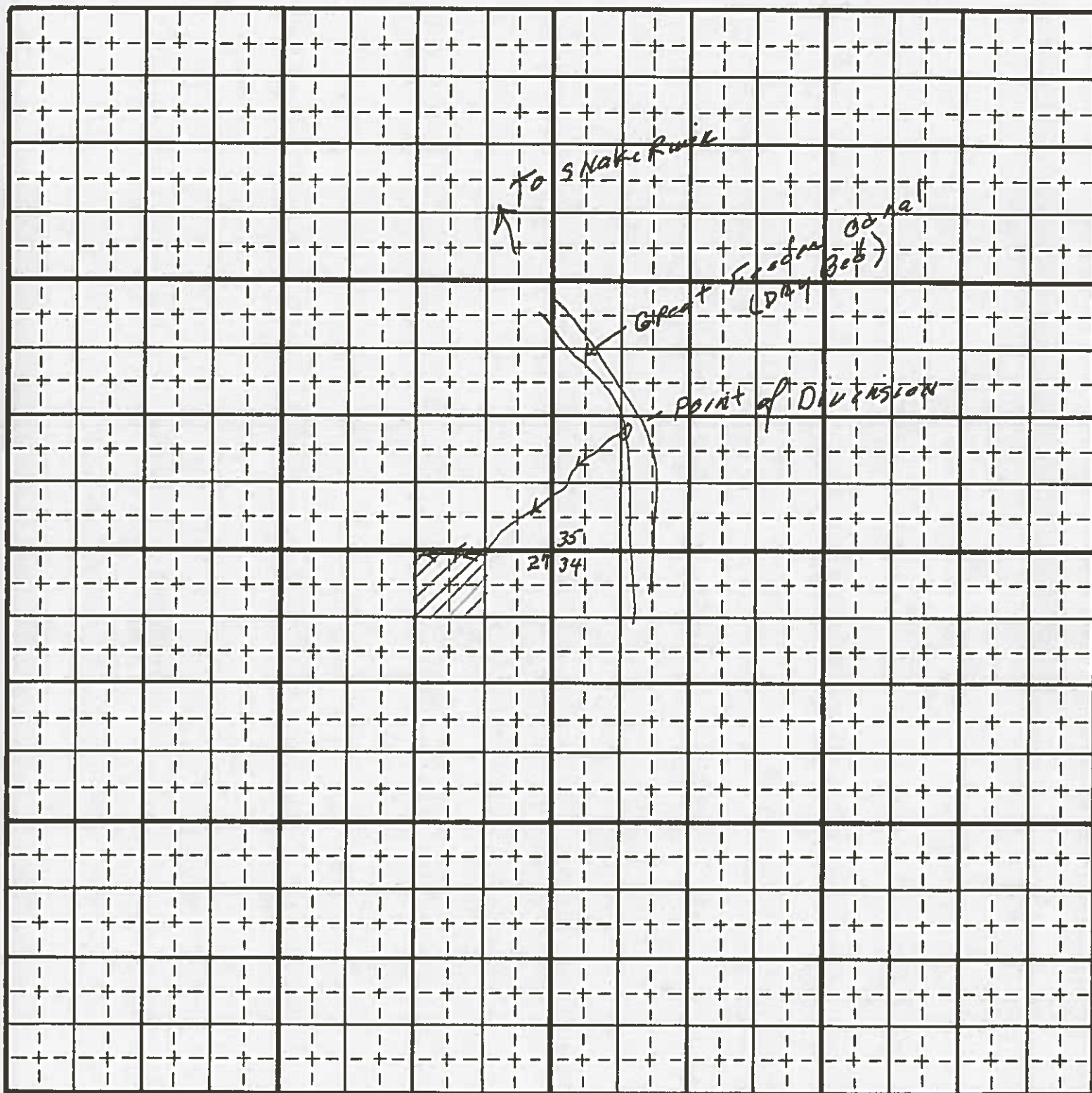
A ditch (canal - ROSS + RANDS)
With concrete headgate is taken from the
Great Feeder Canal (dry bed) which is taken
FROM THE SNAKE RIVER

MICROFILMED

OCT 19 1992

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name

Reed

Ident No.

Copies: White-State, Yellow-Claimant

MICROFILMED

OCT 19 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from April to Nov. amount 3,340 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 3,340 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 100 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Beef Live Stock 200 head

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
4 N	40 E	27													40				

Total number of acres irrigated 40

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

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

or None (☒)

14. Remarks:

Last Name REED Ident No. _____

MICROFILMED

OCT 19 1992
Copies: White, Blue, Yellow, Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree ☒
If applicable provide IDWR Water Right Number 01-00295
Court _____ Case Number _____ Decree Date 02/28/1920
Plaintiff vs 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 do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) *James C. Reed* Date 11-10-88

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ Title _____ of _____ Organization _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

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

Subscribed and sworn (or affirmed) before me this 10th day of Nov 1988

SEAL

Notary Public *Betty J. Thompson*
Residing at *Idaho Falls*
My Commission Expires 6-94

Please Print Name

17. Notice of Appearance:
Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____
Address _____
Date _____

MICROFILMED
OCT 19 1992

Last Name REED Ident. Number _____

Copies White-State, Yellow-Claimant