

11/17/2006

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

RIGHT NUMBER: 1-310A
NAME AND ADDRESS: SUSAN HORNER
3144 E 12 N
IDAHO FALLS ID 83402
SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER
QUANTITY: 0.170 CFS
PRIORITY DATE: 04/01/1939
POINT OF DIVERSION:
T04N R37E S35 NENE Within JEFFERSON County
PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.170 CFS

PLACE OF USE: IRRIGATION in JEFFERSON County

T04N R37E S35	SESW	0.90	T04N R37E S35 Lot 8 SESW	1.60
T04N R37E S35 Lot 8 SWSE		3.10		

5.6 ACRES TOTAL

This right is limited to the irrigation of 4.7 acres within the place of use described above in a single irrigation season.

Right Nos. 1-194G and 1-310A are limited to the irrigation of a combined total of 28 acres 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered from Great Western Canal through Bear Island North and Bear Island West Pumps.

This right is a split from former right 1-310J.

11/20/2006

**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: 1-310A

SUSAN HORNER

3144 E 12 N

IDAHO FALLS ID 83402

Telephone Number: (208)522-8867

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: 11-29-06 SIGNATURE: Susan Horner

Please print your name: SUSAN HORNER

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

11/29/06



Idaho Department of Water Resources

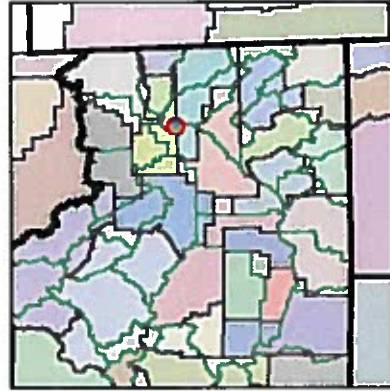
SRBA Recommendation:

1-310A

(Irrigation)

Legend

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



Jefferson County
IDWR Basin 1



0.8 Miles

0.4

0

Prepared by A. Golart
On Monday, November 13, 2006
2004 Aerial Photography

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

RECEIVED

MAR 08 2004

Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
_____	<u>A01-0194B</u>	<u>N</u>	_____	_____	_____
_____	<u>A01-0310A</u>	<u>N</u>	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a **USDA Farm Service Agency AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

Name and Address of Former
Owner/Claimant(s)

Lloyd or Margaret Keating
5433 N. 55th E. Idaho Falls, ID 83401

New Owner/Claimant(s)

SUSAN J. HORNER

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

3144 E. 12 N.

City, State and ZIP Code

IDAHO FALLS, ID 83402

New Telephone Number

208 522-8867

Date you acquired the property

5-02-03

SCANNED

NOV 10 2004

PROFILED

FIRST AMERICAN TITLE

RI24069

WARRANTY DEED**322233**For Value Received **Margaret C. Keating**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

J. Susan Horner, a widowwhose address is: **3144 East 12 North, Idaho Falls, ID 83402**

Hereinafter called the Grantee, the following described premises situated in Jefferson County, Idaho, to-wit:

Beginning at the Witness Corner to the Meander Corner that is approximately 900 feet West of the West Bank of the Snake River common to Section 35, Township 4 North, Range 37 E.B.M., Jefferson County, Idaho, in Section 2, Township 3 North Range 37 E.B.M., Jefferson County, Idaho; running thence N. 89°48' E. along the Section line 75 feet; thence N. 27°21' E. 326.05 feet; thence N. 52°00'33" E. 481.08 feet; thence N. 32°02'23" W. 720.29 feet; thence S. 57°57'37" W. 316.05 feet to the True Point of Beginning; running thence S. 57°57'37" W. 13.95 feet to the intersection of a 50 foot radius curve which tangent bears S. 4°49'49" W.; thence following said curve to the right 117.09 feet which subscribes a central angle of 134°10'11"; thence S. 49°00' W. on a radial line from said curve 566.11 feet; thence S. 4°49'40" E. 182.23 feet; thence S. 24°52'30" E. 156.19 feet; thence N. 57°16'20" E. 709.96 feet; thence N. 23°37'03" W. 378.54 feet to the True Point of Beginning

Instrument # 322233
RIGBY, JEFFERSON, IDAHO
2003-05-02 03:01:00 No. of Pages: 1
Recorded for : FIRST AMERICAN TITLE
CHRISTINE BOULTER Fee: 3.00
Ex-Officio Recorder Deputy
Index to: WARRANTY DEED

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner 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 Grantor will warrant and defend the same from all claims whatsoever.

Dated: 2003

Margaret C. Keating
Margaret C. Keating

STATE OF IDAHO
)ss.
COUNTY OF JEFFERSON

On this 2nd day of May, 2003, before me Katie Jo Becker, personally appeared Margaret C. Keating, known or identified to me (or proved to me on the oath of), to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that she executed the same.

Katie Jo Becker
Notary Public of Idaho
Residing at Rexburg, Idaho
Commission Expires: 11/08/05

RECEIVED BY
ASSESSOR
For PLATTING
Date 5/2/03 Time 3:01

SCANNED
NOV 10 2004
PROFILED

Notes

Claims A01-310A + A01-194B

1/ P.O.U. verification exam done on March 4, 2004
with new owner, Susan Horner.
A change of ownership form was given to
Mrs. Horner with instructions.

2/ Water is re-lifted from New Sweden Canal
via pump at north edge of property.

3/ I am looking for other rights on parcel
8195A, which is also owned by Mrs. Horner.

4/ This exam was done by Harold G. Jones
of Water Rights Contracting Services.

5/ Map in file A01-310A

6/ Susan Horner
3144 E 12th North
Idaho Falls, ID.

Phone # 522-8867-H
542-5900-W

7/ See overlap of P.O.U. in claim
A01-194G, H.W. water users.

Transfer # 2187 = 4.19 cfs # 2343 = 1.08 cfs # 2764 = 0.77 cfs
2678 = 0.07 # 2963 = 0.19 TOTAL = 5.6 cfs

6.0 cfs (decreed)

0.4 cfs

= 0.466 cfs

SCANNED

5.62 acres

NOV 10 2004

0.0936 cfs

- 5.6

0.4 cfs (remaining)

4.7 acres @ 0.3636 cfs/acre = 1.71 cfs

7 cfs

Decreed POU
1939
165.02
acres



1-310A POU
4.7 acres
within Decreed POU.

4.7 acres * $\phi. \phi 3636 \frac{\text{cfs}}{\text{acre}} = \phi. 17 \text{ cfs.}$

<u>Basin</u>	<u>Sequence</u>	<u>Suffix</u>	<u>Priority</u>	<u>Date</u>	<u>Owner(s)</u>	<u>Claimed Rate</u>	<u>REC (cfs)</u>
1	310	A		4/1/1939	HORNER, SUSAN (Cur	0.29	0.17
1	310	D		4/1/1939	BEAR ISLAND WATER /	1.08	1.08
1	310	F		4/1/1939	BLACK, FARRELL K (Cu	0.07	0.07
1	310	K		4/1/1939	RICE, KATHIE L (Curre	0.19	0.19
1	310	L		4/1/1939	PERCIN, MARY (Current	0.03	disallow
1	10395			4/4/1939	THOMPSON, CHERYL A	0.22	0.14
1	10518			4/1/1939	ZIEGLER, DANIEL (Cur	0.2	0.2
1	10519			4/1/1939	BROWN, LLOYD C (Curi	2.93	2.11
TOTAL			6.0cfs Decreed			5.01	3.96

Sections , 14, 15, 9, 16, 17 and 20, To hip 3
North, Range 38 E.B.M., Bonneville County, Idaho.

N. REBECCA HOLDEN

1 0310 Trans
#2187

That Rebecca Holden shall have the right to divert and use 6.0
cubic feet of water per second at the following point of diversion
and upon the following described lands:

Point of Diversion

Northwest Quarter of Section 35 and the Northeast
Quarter of Section 36, Township 4 North, Range 37 E.B.M.

Lands to Which Appurtenant

Lots 6, 7 and 8, in Section 35, and Lot 4 in Section 36,
Township 4 North, Range 37 E.B.M. Jefferson County, Idaho
and Lot 7 of Section 2, Township 3 North, Range 37 E.B.M.
in Bonneville County, Idaho.

O. WILLIAM S. HOLDEN

1 0311

That William S. Holden shall have the right to divert and use
8.0 cubic feet of water per second at the following point of
diversion and upon the following described lands:

Point of Diversion

Southwest Quarter of the Southeast Quarter of Section
24 and in the Southwest Quarter of the Northwest
Quarter of Section 25, all in Township 1 North Range 44 E.B.M.

Lands to Which Appurtenant

SW $\frac{1}{4}$ SE $\frac{1}{4}$ less Road and Tract 2, Section 24, Township 1 N.
North Range 44 E.B.M.

NW $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$ lying east and south of Palisades
Creek, Section 25, Township 1 North, Range 44 E.B.M.

SW $\frac{1}{4}$ NW $\frac{1}{4}$ east of county road less Tracts 3, 5, and 6
Section 25, Township 1 North, Range 44 E.B.M.

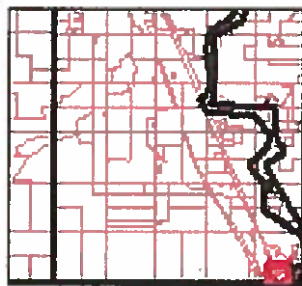
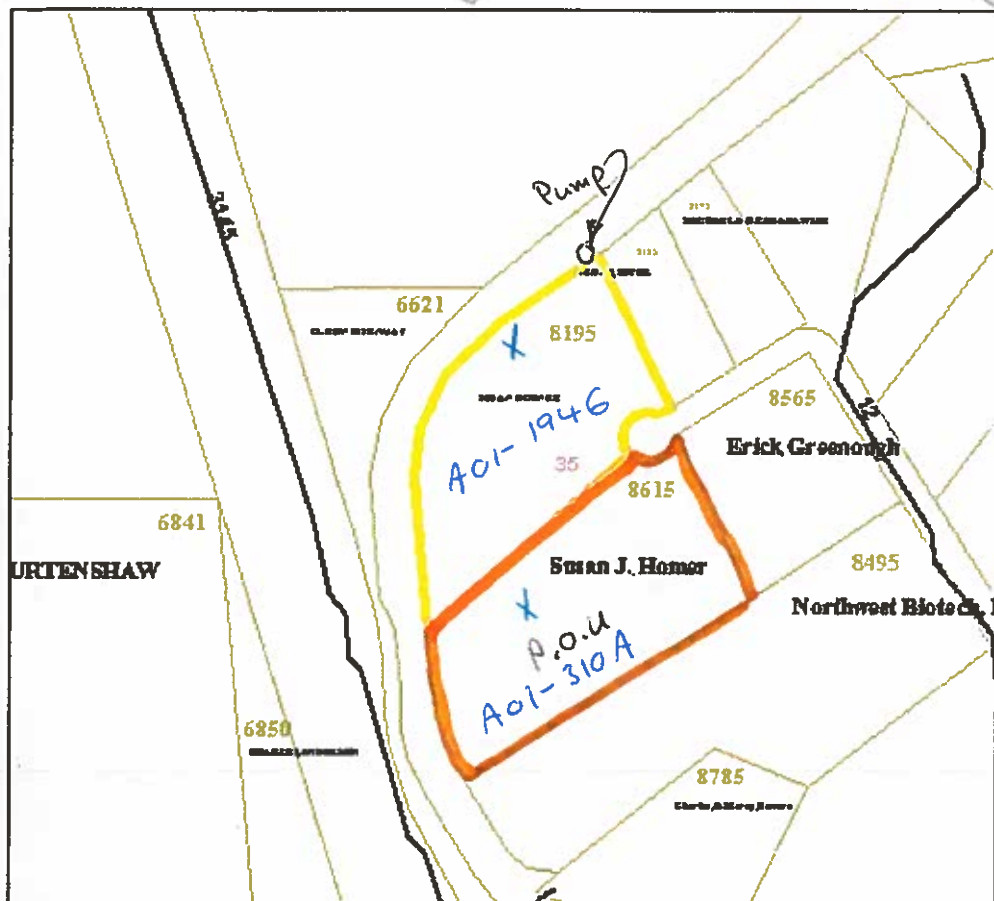
SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 25, Township 1 North, Range 44 E.B.M.

NE $\frac{1}{4}$ SE $\frac{1}{4}$ Less 6.75 acres, SE $\frac{1}{4}$ NE $\frac{1}{4}$ lying SE of County road
Less Tract 1, Section 26, Township 1 North, Range
44 E.B.M., all in Bonneville County, Idaho.

P. IDAHO IRRIGATION DISTRICT

1 0312

MAY 13 1996



T.04N
Sec.36

R.37E



- Parcels
- Selected Parcel
- Tax lots
- Lots
- City Streets and no parcel available
- Roads
- Railroads

1:4800

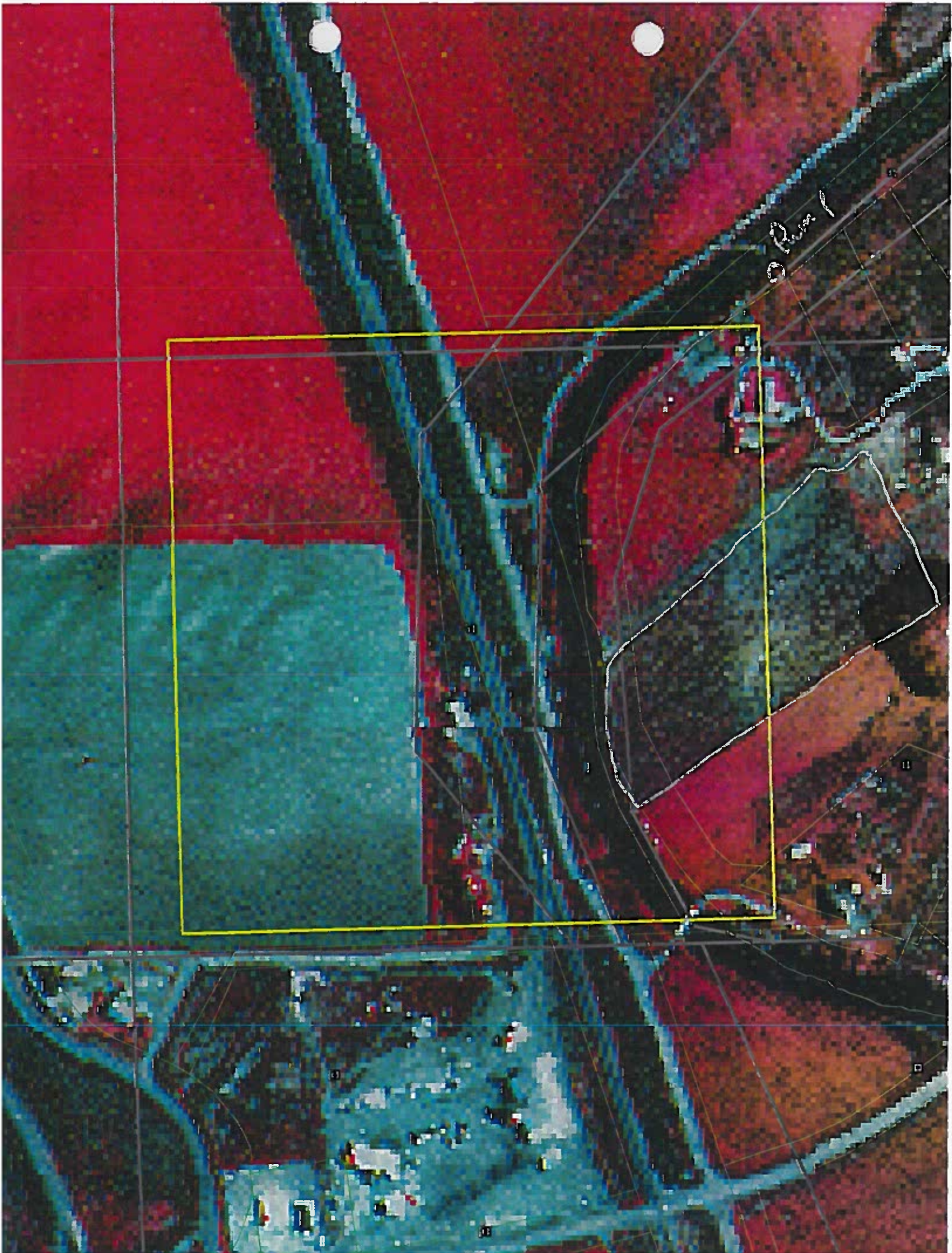


THIS DRAWING IS TO BE USED FOR
REFERENCE PURPOSES ONLY. THE
COUNTY IS NOT RESPONSIBLE FOR ANY
INACCURACIES CONTAINED HEREIN.

SCANNED

NOV 10 2004

PROFILED



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 1-310A
Date Received: 10/21/1988
Receipt No: E003429
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

SUSAN HORNER Phone: (208)522-8867
3144 E 12 N
IDAHO FALLS ID USA 83402

2. Date of Priority: 04/01/1939

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	Type
04N	37E	35	NE NE NE	JEFFERSON	

5. Description of diverting works:

HEADGATE OF THE GREAT WESTERN CANAL

6. Water is used for the following purposes:

Purpose	From To	C.F.S.	(or) A.F.A
IRRIGATION	4/01 11/01	0.29	

7. Total Quantity Appropriated is:
0.29 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
04N	37E	35	SE SW	IRRIGATION	6.7
				Section Acres	6.7

SCANNED
NOV 10 2004

Total Acres 6.7

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

SCANNED

NOV 10 2004

AUG 22 2011

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: A01-00310A
Date Received: 10/21/1988
Receipt No: E003429
Received By: S.m.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LLOYD KEATING 208-524-2685
Address: 5433 N 55TH E 83401
IDAHO FALLS, ID
AND/OR
Name: MARGARET KEATING 208-524-2685
Address: 5433 N 55TH E 83401
IDAHO FALLS, ID

2. Date of Priority: APR 01, 1939

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	37E	35	NE	NE	NE		JEFFERSON

5. Description of diverting works:
HEADGATE OF THE GREAT WESTERN CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.290		

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

8. Total consumptive use is 16.7 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	37E	35	SE SW		IRR	6.7
Section Acres						6.7
Total Acres						6.7

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:
A01-00194B

14. Remarks:

15. Basis of Claim: DECREED
Case Number: 6117
Court : 7TH
Decree date: 3/12/1969

ABERDEEN SPRINGFIELD CANAL CO.
Decree Plaintiff

vs

HENRY EAGLE
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): Margaret C. Leatney Date: 10/21/88

Date: _____

State of Idaho)
County of Bonner Co) SS.

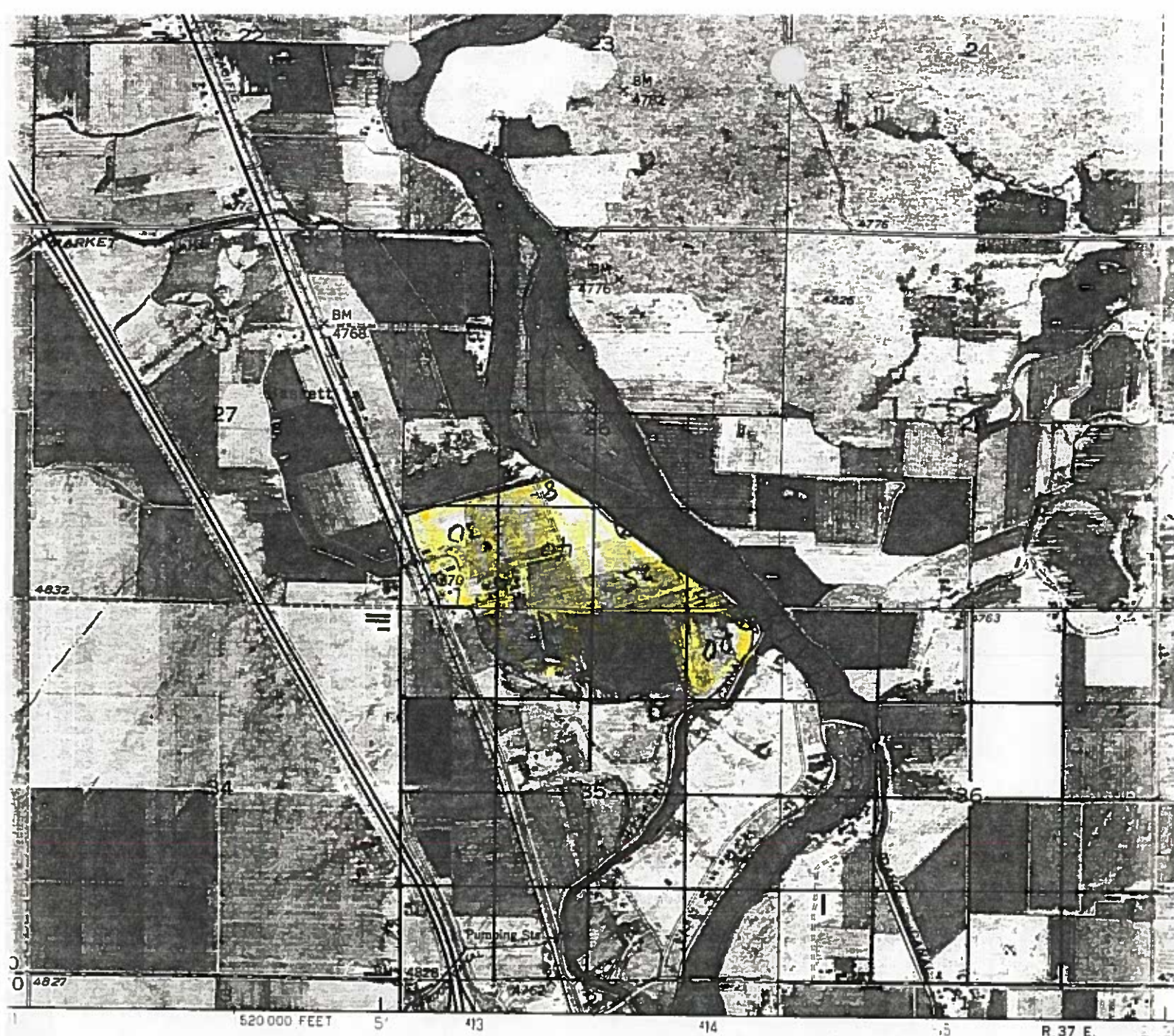
Subscribed and sworn (or affirmed) before me this 21 day
of October 19 88

Betty J. Thompson
Notary Public

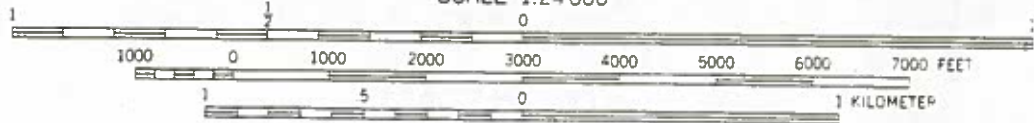
Seal

Residing at Idaho Falls

My Commission Expires 6/30/1994



SCALE 1:24 000



NORTH

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U. S. GEOLOGICAL SURVEY, MENLO PARK, CALIF. 94025

MICROFILMED
OCT 19 1992

A01-00310A

Copies Of These Maps Can Be Obtained
At Bonneville Blue Print Boise Idaho