

11/13/2006

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

RIGHT NUMBER: 1-363
NAME AND ADDRESS: THEO HANSON
3810 E 850 N
RIGBY ID 83442
EDWIN E HANSON
3810 E 850 N
RIGBY ID 83442

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER
Water is delivered from the Dry Bed.

QUANTITY: 4.800 CFS

PRIORITY DATE: 06/01/1888

POINT OF DIVERSION:
T04N R38E S1 NWSE 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	4.800 CFS
STOCKWATER	11/01 11/30	2.000 CFS

PLACE OF USE: IRRIGATION in JEFFERSON County

T04N R38E S01 Lot 3 NENW	29.00	T04N R38E S01	SENW	36.00
T04N R38E S01	NESW 1.00	T05N R38E S36	SESW	5.70

STOCKWATER same as IRRIGATION

71.7 ACRES TOTAL

Right Nos. 01-257 and 01-363 are limited to the irrigation of a combined total of 71.7 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

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

Water is delivered through Ellis Canal.

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



Idaho Department of Water Resources

SRBA Recommendation:

1-257

1-363

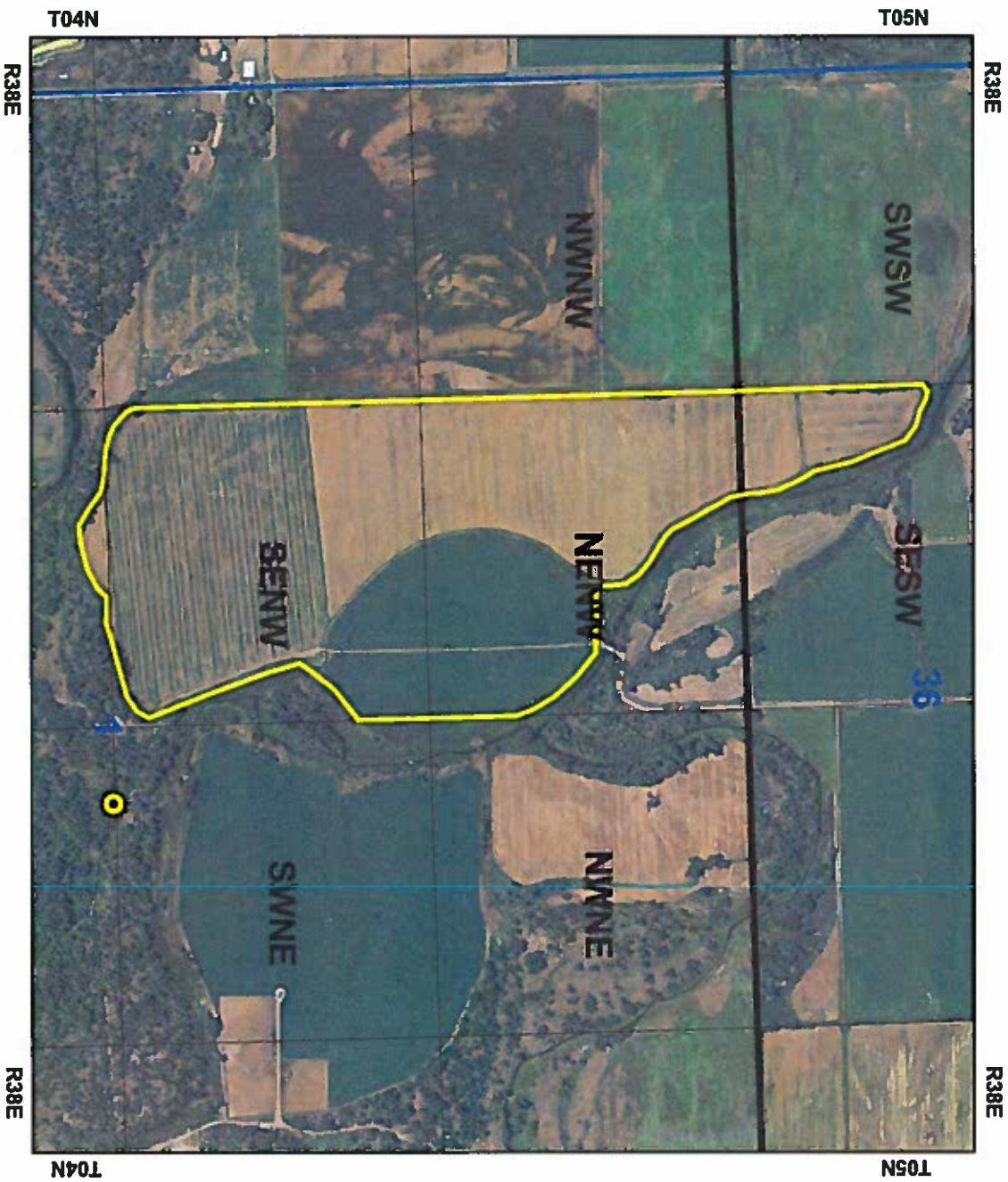
(Irrigation)

Legend

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



Jefferson County
IDWR Basin 1





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

August 23, 2006

Re: Supporting documentation for Stock Water or Ground Water Recharge

Dear Claimant:

Over the past several months, numerous meetings have taken place with individuals and representatives of water delivery organizations in the upper Snake River Valley and the Idaho Department of Water Resources (IDWR) concerning claims for the non-irrigation season diversion of stock water and ground water recharge. In response to these meetings the following criteria were identified for evaluating and recommending these two uses.

- The claimant will have to provide documentation that verifies a historical practice of diverting water during the non-irrigation season for the purpose of providing stock water and ground water recharge. An example would be copies of the minutes for a water delivery organization referencing the diversion of water for these two uses. This information also will be used to help establish the priority date of the use.
- The claimant needs to provide copies of records showing the quantity of water historically diverted during the non-irrigation season. These records will be used as a basis for recommending the diversion rates for these two uses.
- The claimant will have to provide documents, written statements and/or affidavits from individuals who have witnessed the non-irrigation season diversion of water. These individuals need to provide a historical perspective based on actual observation.

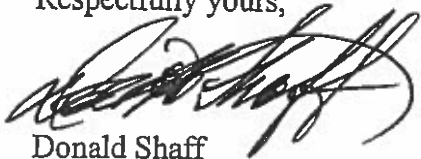
Claimants need to assess their historic diversion requirements for stock water and ground water recharge. The quantity of water claimed for non-irrigation season stock water should be the amount needed to reach the end of the delivery system plus provide drinking water for stock. Claimants should not rely upon ground water recharge as a use to supplement the stock water in order for water to reach the end of the delivery system. *Claimants holding Winter Water Savings contracts may have lost their right to divert water for 150 days between November 1 and April 30 through either abandonment or forfeiture or may have a modified season of use depending on a case-by-case review of the facts.*

For some claimants, amending claims, or filing new claims, to reflect the historic quantity for stock water will result in a substantial filing fee (\$200 per cfs). This fee is not refundable, which emphasizes the importance of providing documentation that supports the claimed uses.

If you or the organization you represent have already amended one or more claims and provided the documentation identified above, you may disregard this letter. Individuals or organizations

wishing assistance in amending their claims or filing additional claims should call the Eastern Region office at (208) 525-7161 by September 1, 2006 to make an appointment.

Respectfully yours,

A handwritten signature in black ink, appearing to read 'Donald Shaff', written over a horizontal line.

Donald Shaff
Adjudication Bureau Chief, IDWR

Enclosure: SRBA claim proof report

cc: Ernest Carlsen, IDWR



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

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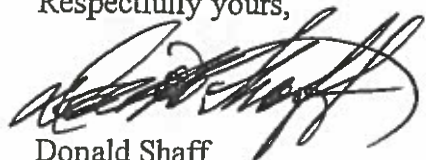
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Respectfully yours,



Donald Shaff
Adjudication Bureau Chief, IDWR

Enclosure: SRBA claim proof report

cc: Ernest Carlsen, IDWR

Notes

A01-00363

1/ Exam was done on 5-5-04 with
Claimant, Ted Hanson. (phone 313-6754 cell)

2/ Headworks of the Ellis ditch is the P.O.D.
water is redirected to ditches & flood
irrigation on the place of use

3/ GPS data 2666673 File # 01-362
1391334 GPSTag # A0012282

4/ GPS data also applies to Bramwell Ditch which
is adjacent to the Ellis ditch.

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

PROFILE

SCANNED

NOV 22 2004

A01-00363



GPS
Tag

Ellis ditch off Great Feeder

Bramwell ditch is next to it.

I used the same GPS point for both.

Jeff

SCANNED

NOV 22 2004

PROFILE

A
N

701-00363
Hanson Place of Use



State of Idaho

SCANNED

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

January 18, 1990

Ellis-Bramwell Ditch Co.
c/o Edwin E. Hanson
3810 E. 850 N.
Rigby, ID 83442

RE: Amended Water Right Notices of Claim
A01-00257, A01-00300, A01-10215.

Dear Mr. Hansen:

Enclosed are the amended Notices of Claim changing the names and the places of use for the notices previously submitted by you, Theo Hanson, and Jerry Becker, as requested.

I combined the original notices A01-00362 and A01-00362 onto a single Notice of Claim, A01-10215, since they both had the same priority date of June 1, 1888. The three enclosed Notices of Claim must be signed in Item #16 by an officer of the Ellis-Bramwell Ditch Company, notarized, and returned to the Idaho Department of Water Resources (IDWR) before they become permanent record changing the original notices.

Also as requested, I researched to see if anyone has filed an adjudication notice on the A.E. Bramwell Decreed Right, 01-0293, (Feb. 20, 1909) for 15.6 cfs. I could not find any recorded claim in the computer for either the entire right nor a portion thereof.

If you have any questions, please give me a call at 1-525-7161.

Sincerely,

Tony Olenichak
Senior Water Right Agent

Enclosure

MICROFILMED

OCT 19 1992

10/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME ELLIS DINO CLAIM ID 1 T. NO. A01-00363

DATE RECEIVED 11-29-88 CK # 425 AMOUNT \$ 476.50

	YES	NO
1. Is the name and address complete with zip code?	☒	☐
2. Is a priority date entered?	☒	☐
Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued? A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.		
3. (a) Is a source entered?	☒	☐
(b) Is a tributary to entered? (if required)	☒	☐
4. Is the legal description of the p.d. sufficient?	☒	☐
5. Is there a description of the diverting works?	☒	☐
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.	☒	☐
Is the period of use included?	☒	☐
Is a quantity claimed for each use?	☒	☐
7. Is a total quantity claimed entered?	☒	☐
8. If required is a consumptive use entered?	☒	☐
Is the consumptive use correct?	☒	☐
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.	☒	☐
10. Is (are) the place(s) of use entered?	☒	☐
11. Is (are) the county(ies) entered?	☒	☐
12. Is the ownership of p.u. checked?	☒	☐
13. Are other water rights listed or "none" indicated?	☒	☐
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.)	☒	☐
15. Is the basis of the claim checked?	☒	☐
16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)	☒	☐
Has the claim been signed, sealed, and dated by a notary?	☒	☐
Was this claim filed on time, or was an extension granted?	☒	☐
Is the fee enclosed correct?	☒	☐
If this claim is based on an existing water right, has the identification number been entered?	☒	☐
Should this claim be receipted and data entered?	☒	☐

Claim checked by: [Signature]

Comments: _____

MICROFILMED

OCT 19 1992

4607

SCANNED

AUG 24 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: A01-00363
Date Received: 11/29/1988
Receipt No: E004607
Received By: _____

RECEIVED

APR 27 1989

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

313-6754

1. Name: EDWIN E HANSON
Address: 3810 E 850 N
RIGBY, ID

208-745-6482

83442

OR

Name: THEO HANSON
Address: 3810 E 850 N
RIGBY, ID

208-745-6482

83442

2. Date of Priority: JUN 01, 1888

3. Source: GREAT FEEDER - ELLIS DITCH Trib. to: SOUTH FORK/SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	38E	1		NE	SE		JEFFERSON

5. Description of diverting works:
DAM ON GREAT FEEDER WITH 14' HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.800		
STOCKWATER	11/01	11/30	2.000		

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

A.F.A.

8. Total consumptive use is 235.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 700 HEAD RANGE CATTLE

A01-00363

Page 1

Date: 02/28/89

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OCT 19 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	38E	1	NE	NW		IRR	32.0
			SE	NW		IRR	40.0
			NE	SW		IRR	12.0
						Section Acres	84.0
05N	38E	36	SE	SW		IRR	10.0
						Section Acres	10.0
						Total Acres	94.0

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:
BASIS OF CLAIM 01-0363

15. Basis of Claim: DECREED
Water Right Number: 010363
Case Number:
Court :
Decree date: 5/12/1925

JOHN ELLIS
Decree Plaintiff

vs

CLYDE BALDWIN/WM/DIST.#36, IDA
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 X 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): Edwin E. Hanson Date: 25-apr-89

Date: _____

State of Idaho)
County of Jefferson) SS.

Subscribed and sworn (or affirmed) before me this 25 day

of April 19 89

Louis D. Walker
Notary Public

Seal

Residing at Menon

My Commission Expires June 16, 1992.

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:

A01-00363 39576

Ident. Number

A-25-146-25

Date Received

11-29-80

Receipt Number

E00 4607

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

A0100363



Please type or print clearly

ELLIS DITCH

1. Name of Claimant (s) Edwin E. or Theo Hanson Phone (208) 745-6482

Mailing Address 3810 E. 850 N. Rigby, Idaho Zip 83442

2. Date of Priority (Only one (1) per claim) June 1, 1888

3. Source of water supply (a) Great Feeder - Ellis Ditch
which is tributary to (b) South Fork of Snake River4. a. Location of existing point of diversion is: Township 4 N Range 38 EBM Section 1 ,
NE 1/4 of SE 1/4 of ---- 1/4, Govt. Lot, ---- B.M., County of Jefferson

Additional points of diversion if any: none

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 of5. 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. Dam on Great Feeder with 14' headgate
Ditch running diagonally across NW 1/4 of SE 1/4 of section 1, Twp 4N, Rge 38 EBN
carrying Bramwell and Ellis Ditch water to property irrigated.

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OCT 19 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4-1 to 11-1 amount 4.8 or _____

For Livestock water purposes from 11-1 to 11-30 amount 2.0 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 4.8 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 2,016.6 235 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stockwater, 700 hd. range cattle

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	
4N	38EBM	1					32			40	12								84
5N	38EBM	36												10					10

Total number of acres irrigated 94

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 X 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 (X)

14. Remarks: Basis of Claim 01-0363

Last Name Hanson Ident No. _____

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OCT 19 1992

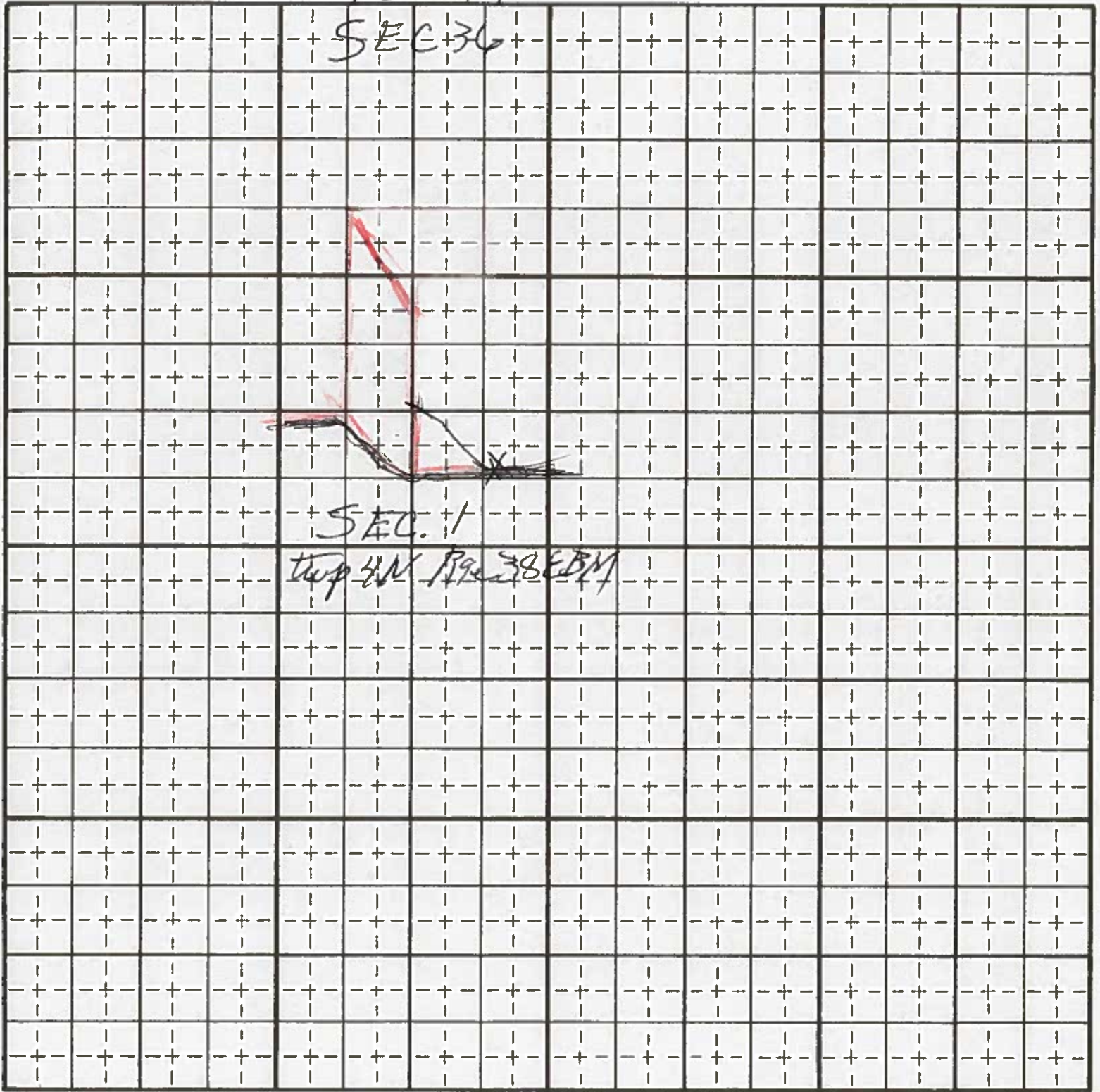
Copies: White - State, Yellow - Claimant

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

Scale: 2 inches equals 1 mile

X point of Diversion

Twp 5N R9e38EBM



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OCT 19 1992

Copies: White-State, Yellow-Claimant

Last Name Hanson

Ident No. _____

2

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree x

If applicable provide IDWR Water Right Number 01-0363

Court Ninth Judicial District Ct Case Number _____ Decree Date 5-12-1925
June 1, 1888

Plaintiff vs Defendant John Ellis vs Clyde Baldwin, watermaster Water Dist # 36, Idaho

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 x 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) Edwin E. Hanson Date Nov 28, 1988

_____ 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 _____ of _____

Title

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 29th day of Nov 19 88

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 Hanson Ident. Number _____

Copies White-State, Yellow-Claimant