

11/17/2006

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

RIGHT NUMBER: 1-10395
NAME AND ADDRESS: JOHN A THOMPSON
88 N 3167 E
IDAHO FALLS ID 83402
CHERYL A THOMPSON
88 N 3167 E
IDAHO FALLS ID 83402

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER
QUANTITY: 0.140 CFS
PRIORITY DATE: 04/04/1939
POINT OF DIVERSION:

T04N R37E S36 NWNW Lot 4 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	0.140 CFS

PLACE OF USE: IRRIGATION in JEFFERSON County

T04N R37E S35	NENE	0.70	T04N R37E S35 Lot 6 NENE	0.80
T04N R37E S36 Lot 4 NWNW	2.20	T04N R37E S36 Lot 4 SWNW	0.40	

4.1 ACRES TOTAL

This right is limited to the irrigation of 3.8 acres within the place of use described above in a single irrigation season.

Right Nos. 1-10395 and 1-10396 are limited to the irrigation of a combined total of 4.1 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.

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

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

April 4, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

LYNDA & CLIFF BRIGHTON
68 N 3167 E
IDAHO FALLS ID 83402

THE "NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP" FOR 01-10395,
01-10396 HAS BEEN RETURNED FOR THE FOLLOWING ITEM(S):

___ FEE OF \$25.00 PER WATER RIGHT per Idaho Code 42-248 and 42-1409(6)

X SIGNATURE

X COPY OF DEED, TITLE POLICY, CONTRACT OF SALE, OR OTHER
LEGAL DOCUMENT indicating your ownership of the property and water
rights in question,

___ LEGAL DESCRIPTION OF PROPERTY

___ PLAT OF PROPERTY OR SURVEY MAP (usually on file with the county)

___ USDA FARM SERVICE AGENCY (FORMERLY ASCS) AERIAL PHOTO
with irrigated acres outlined and point(s) of diversion clearly marked.

PLEASE ENCLOSE THE REQUESTED ITEM(S) AND RESUBMIT THE
ENTIRE PACKET TO :

Jennifer Crabtree
Idaho Department of Water Resources
900 N. Skyline Dr.
Idaho Falls, ID 83402



Idaho Department of Water Resources

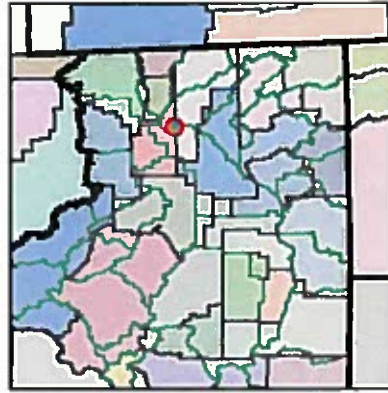
SRBA Recommendation:

1-10395

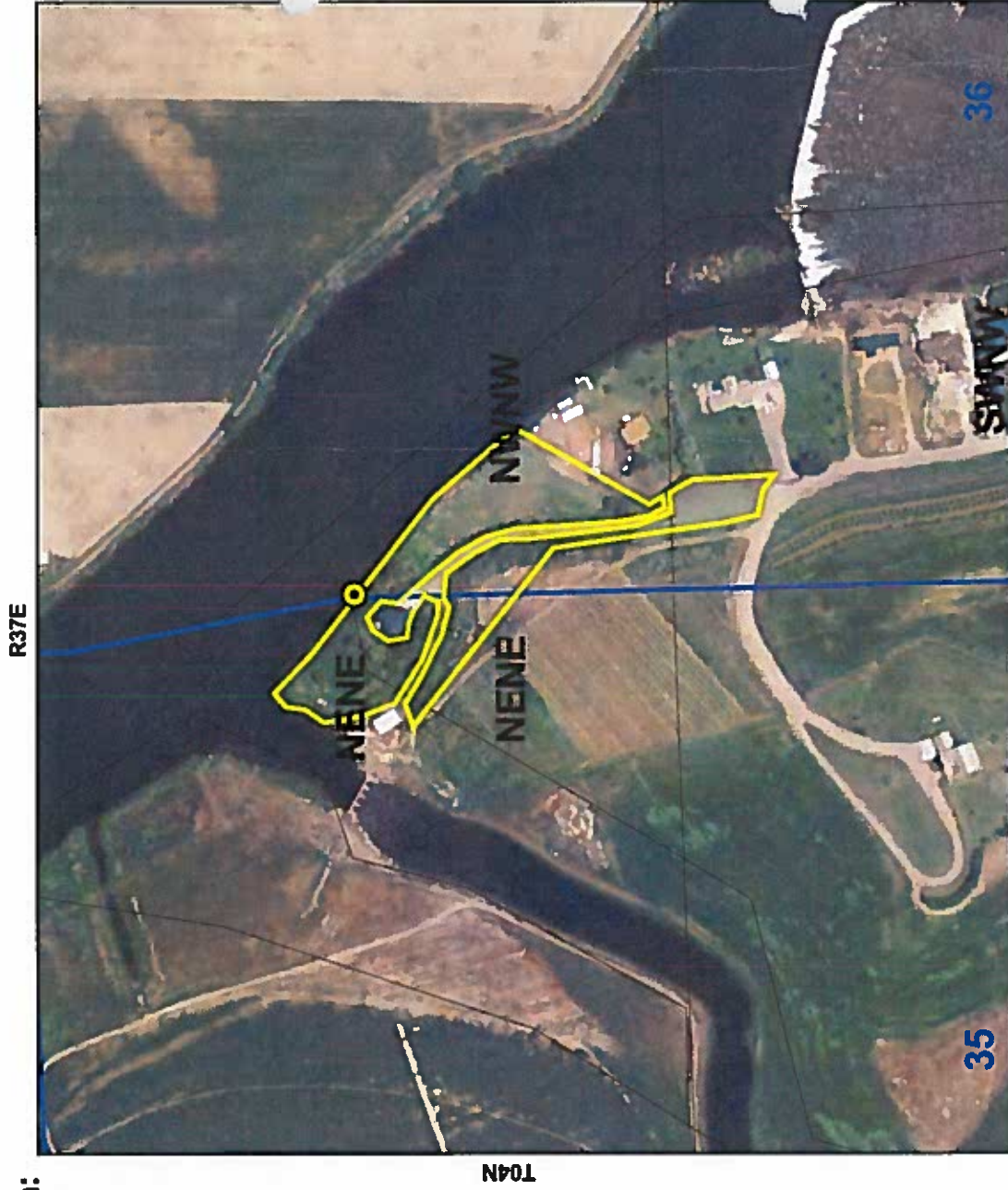
(Irrigation)

Legend

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



Jefferson County
IDWR Basin 1



0 0.1 0.2 Miles

Prepared by A. Golar
On Monday, November 20, 2006
2004 Aerial Photography

Notes

$$\frac{6. \phi \text{ cfs}}{165. \phi 2 \text{ acres}} = \frac{\phi. \phi 3636 \text{ cfs}}{\text{acre}} \times 3.8 \text{ acres} = \phi. 138 \text{ cfs}$$

(within device /)
transfer pool

<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 (Curr	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 (Curren	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 (Curr	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

Thompson POU
3.8 acres within
decree/transfer POU

T-2187

Decree POU
165.02 acres.

$\frac{6.7 \text{ cfs}}{165.02 \text{ acres}} = \phi. \phi 3636 \text{ cfs/acre}$ x $3.8 \text{ acres} = \phi. 138 \text{ cfs}$



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

FEB 1 1978

To Change the Point of Diversion and/or the Place of Use

APPROVED

Name of applicant David W. &/or Mina E. Jones Phone 228-6141Post office address Rt. #1, Box 117, Roberts, ID 83444

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree to Rebecca Holden (01-0310, Civil Case No. 6117)in case of Aberdeen Springfield Canal Co. vs Henry Eagledated 3-12-69 in 7th Judicial Dist. county of Fremont

(Name of court)

b. License No. _____ issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant

Applicant has a contract to purchase a portion of the lands that the decree is appurtenant to.3. Source of water Snake River tributary to Columbia4. Date of priority Apr. 1, 1939

5. Water is used for the following purposes:

amount 6.0 for irrigation purposes from * to *

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____

(month/day - both dates inclusive)

6. Total amount of water under right: a. 6.0 cubic feet per second&/or
b. _____ acre feet per annum7. Location of original point of diversion is * % of NW % of Section 35Township 4N Range 37E, B.M., in Jefferson CountyAdditional points of diversion, if any (*) NE 1/4, Sec. 36, T. 4N, R. 37E, B.M., JeffersonCounty. Geographically, the old point of diversion, (Bear Island pump station)8. Lands irrigated or place of use: was actually located in SWNW, Sec. 36, T. 4N, R. 37E,

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	37E	2		X				(Lot 7)											2.27
4N	37E	35	X		X	X		(Lot 6)											39.12
		35									(Lot 7)			X	X				47.05
		35									(Lot 8)					X	X		49.93
		36		(Lot 4)				X	X										26.65

Total number of acres to be irrigated 165.02

*Not stated in decree

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

1. Amount of water: a. 4.19 cubic feet per second &/or
b. _____ acre feet per annum
2. Point of diversion * $\frac{1}{4}$ NW $\frac{1}{4}$, Section 35 Township 4N
Range 37E, B.M., Jefferson County
Additional points (*) $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36, T. 4N, R. 37E, B.M., Jefferson County

3. Place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4N	37E	35	7.15		2.43	36.94									20.5	18.74	7.35	.89	104.01
		36					3	8.05			.24								11.29

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE 115.3

1. Change in point of diversion

- a. Amount of water to be diverted 4.19 c.f.s. &/or _____ acre feet
- b. Point(s) of diversion NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 35 Township 4N
Range 37E, B.M., Jefferson County
Additional points _____

- c. Description of diverting works pump, motor and sprinkler system

- d. Describe the reasons for applying for a change in the point(s) of diversion _____
Applicant is replacing a flood irrigation system of ditches with a sprinkler delivery system. The point of diversion is being moved to increase the efficiency of the system.

2. Change in place of use NO CHANGE

- a. Describe the lands or place of use to which the right will be transferred:

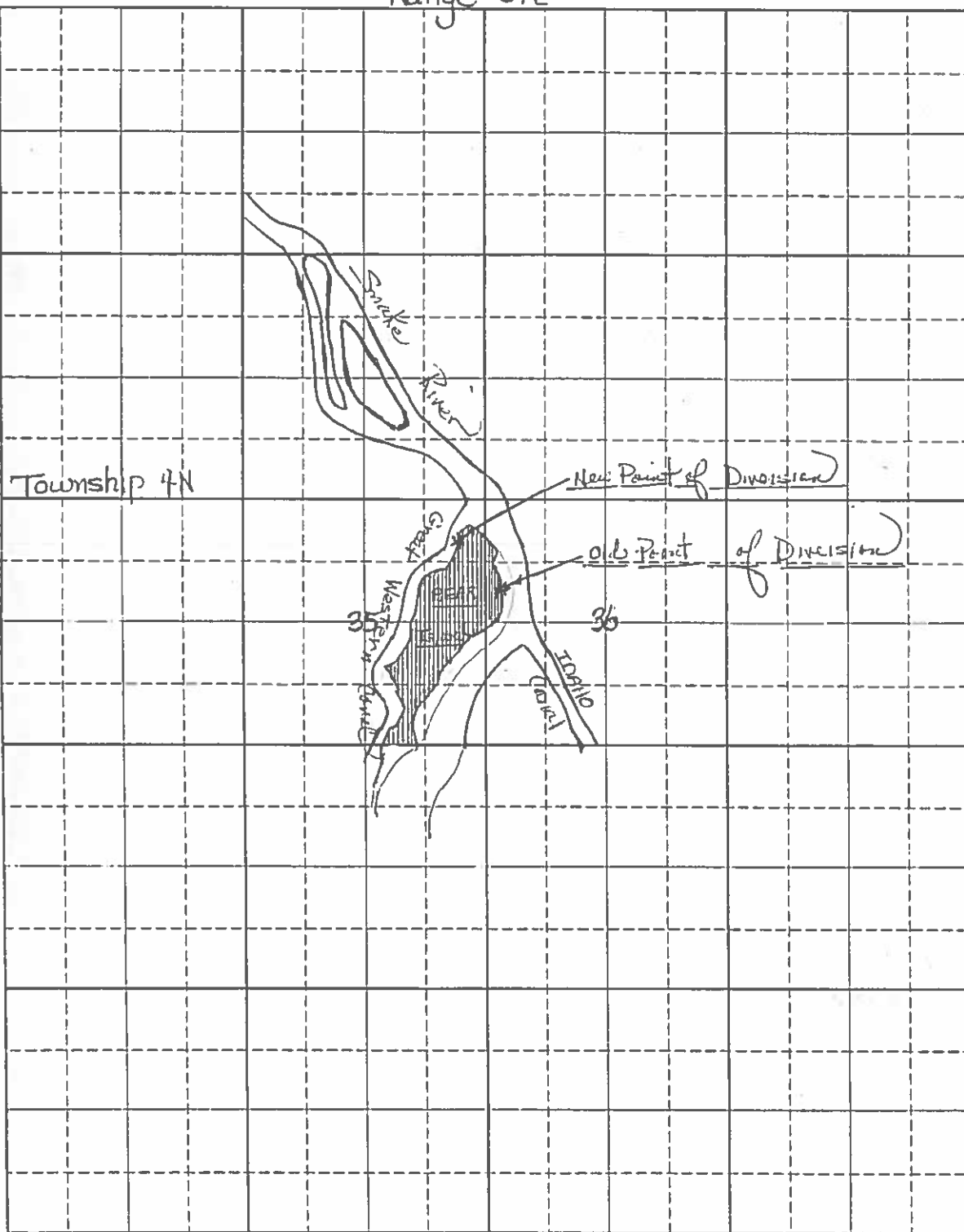
TWP	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

*Not stated in decree

Total number of acres to be irrigated _____

- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.

Range 37E



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

AUG 27 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 01-10395
Date Received: 2/15/01
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JOHN A THOMPSON Phone: (208) 552-5337

88 N 3167 E
IDAHO FALLS ID USA 83402

CHERYL A THOMPSON Phone: (208) 552-5337

88 N 3167 E
IDAHO FALLS ID USA 83402

2. Date of Priority: 04/04/1939

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:

PUMP WITH DRAWING FOOT. 4 INCH PIPE AND SMALLER.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.F
IRRIGATION	04/01	10/31	0.22	

7. Total Quantity Appropriated is:
0.22 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	NE	NE	IRRIGATION	2
					Section Acres	2
04N	37E	36	NW	NW	IRRIGATION	3
			SW	NW	IRRIGATION	1
					Section Acres	4
					Total Acres	6

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:

PUMP WITH DRAWING FOOT FROM THE SNAKE RIVER ABOVE THE DIVERSION OF THE NEW SWEDEN DIVERSION AND THE HEAD OR MAIN GATE. SYSTEM USES 4 INCH PIPE AND SMALLER AND A SYSTEM OF FLOOD AND SPRINKLERS. PUMP IS NEAR/AT/OR ON SECTION LINE, SECTIONS 36 & 35.

THIS CLAIM IS FOR A PORTION OF 01-00310A AND B AND C OWNED/CLAIMED BY DAVID AND MINA JONES, PORTIONS MAY ALSO HAVE BEEN CLAIMED BY BEAR ISLAND WATER ASSOCIATIONS, AND LLOYD AND SHANNON BROWN.

15. Basis of Claim: Decreed

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

~~01-10395~~ 01-10395

Date Received

2-14-2001

Receipt Number

E026475

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) JOHN A. AND/OR CHERYL A. THOMPSON Phone (208) 552-5337Mailing Address 88 N 3167E, IDAHO FALLS ID Zip 834022. Date of Priority (Only one (1) per claim) 04/01/19393. Source of water supply (a) SNAKE RIVER
which is tributary to (b) COLUMBIA RIVER4. a. Location of existing point of diversion is: Township 4 N Range 37E Section 35,
NE 1/4 of NE 1/4 of NE 1/4, Govt. Lot, _____ 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.

PUMP WITH DRAWING
FOOT FROM THE SNAKE RIVER ABOVE THE DIVERSION
OF THE NEW SWEDEN DIVERSION AND HEAD OR MAIN GATE.
SYSTEM USES 4 INCH PIPE AND SMALLER, AND A
SYSTEM OF FLOOD AND SPRINKLERS. PUMP IS
NEAR/AT/OR ON SECTION LINE, SECTIONS 36, 35.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 4/1 to 10/31 amount 0.22 ^{cfs} or 0.15 ^{cfs}

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.22 ^{cfs} (cfs) and/or (b) _____ (acre feet)

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

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

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	37E	35	2																2
4N	37E	36						4	4										4

Total number of acres irrigated 6

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.
PORTION OF DECREE RIGHT (OLD) # 10194 DATE 06/01/1896 or None ()

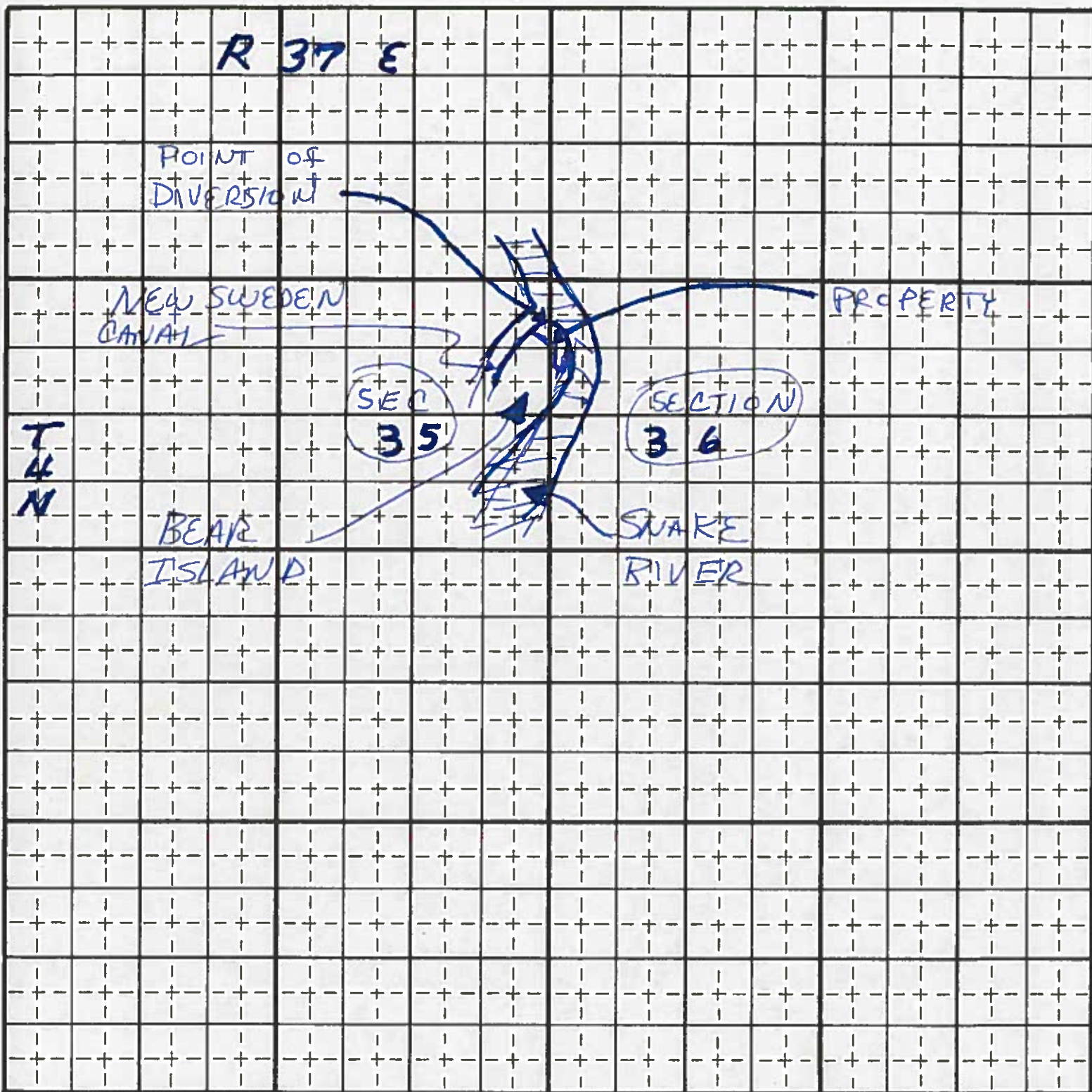
14. Remarks: NOTE: THIS CLAIM IS FOR A PORTION OF D1-00310 A AND B AND C OWNED/CLAIMED BY DAVID AND MINA JONES, PORTIONS MAY ALSO HAVE BEEN CLAIMED BY BEAR ISLAND WATER ASSOCIATIONS, AND LLOYD AND SHANNON BROWN.

SEE T2187

Last Name THOMPSON Ident No. 01-06310 (PART) 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



Last Name

THOMPSON

Ident No.

01-0034

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree ☒
If applicable provide IDWR Water Right Number 01-00310 (Part) T 2188
Court _____ Case Number _____ Decree Date _____
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) *[Signature]* Date 14 FEB 2001

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

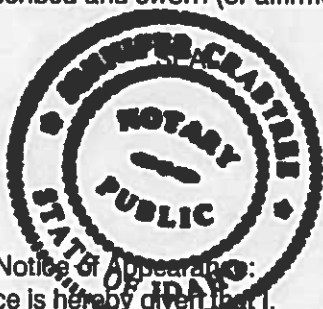
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or Bismarck)
County of Idaho) SS.

Subscribed and sworn (or affirmed) before me this 14th day of February 2001



Notary Public Jennifer Crabtree

Residing at Idaho Falls, Idaho

My Commission Expires 9/23/03

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 _____

Last Name Thompson Ident. Number 01-00310 (Part)

Copies White-State, Yellow-Claimant