

10/03/2006

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

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RIGHT NUMBER: 1-10428  
NAME AND ADDRESS: STEPHANIE AVERY  
1881 W 113 N  
IDAHO FALLS ID 83402  
JEFF AVERY  
1881 W 113 N  
IDAHO FALLS ID 83402

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER  
QUANTITY: 0.021 CFS  
PRIORITY DATE: 06/01/1884  
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          | 0.021 CFS       |

PLACE OF USE: IRRIGATION Within BONNEVILLE County

|               |      |      |               |      |       |
|---------------|------|------|---------------|------|-------|
| T03N R37E S14 | NWNE | 7.80 | T03N R37E S14 | SWNE | 12.00 |
|---------------|------|------|---------------|------|-------|

19.8 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 19.8 acres in a single irrigation season. Combined Right Nos.: 1-10420, 1-10422, 1-10424, 1-10426, 1-10428, 1-10430, 1-10432, 1-10434, and 1-10436.

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 Kennedy Ditch.

This right is a split from former right 1-113E.

10/03/2006

**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: 1-10428

STEPHANIE AVERY  
1881 W 113 N  
IDAHO FALLS ID 83402  
Telephone Number: (208)523-3663

JEFF AVERY  
1881 W 113 N  
IDAHO FALLS ID 83402  
Telephone Number: (208)523-3663

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: 11-28-06 SIGNATURE: 

Please print your name: JEFF AVERY

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

WAT  
12/11



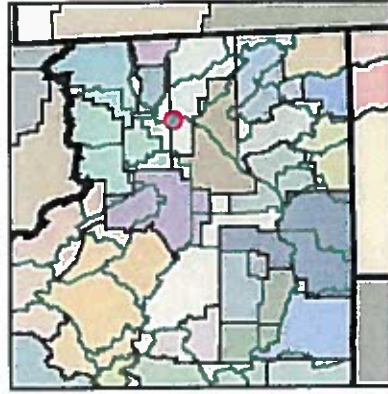
# Idaho Department of Water Resources

Right Nos.:

1-10420, 1-10422,  
1-10424, 1-10426,  
1-10428, 1-10430,  
1-10432, 1-10434,  
and 1-10436

## Legend

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



Bonneville County  
IDWR Basin 1



0.4 Miles

0.2

0

Prepared by M. Holliday  
On Wednesday, October 4, 2006  
1987/88 Aerial Photography



State of Idaho

## DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

February 6, 2004

JEFF & STEPHANIE AVERY  
1881 W 113 N  
IDAHO FALLS ID 83402

RE: CHANGE IN OWNERSHIP FOR BASIN 01 CLAIMS

Dear Mr. & Mrs. Avery:

The request for Change in Ownership for a portion of the above-referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants. Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

|                       |                                        |
|-----------------------|----------------------------------------|
| 01-10000A split into: | 01-10419 (Stoddard) & 01-10420 (Avery) |
| 01-10001A split into: | 01-10421 (Stoddard) & 01-10422 (Avery) |
| 01-10002A split into: | 01-10423 (Stoddard) & 01-10424 (Avery) |
| 01-10003A split into: | 01-10425 (Stoddard) & 01-10426 (Avery) |
| 01-10004A split into: | 01-10427 (Stoddard) & 01-10428 (Avery) |
| 01-10005A split into: | 01-10429 (Stoddard) & 01-10430 (Avery) |
| 01-10006A split into: | 01-10431 (Stoddard) & 01-10432 (Avery) |
| 01-10007A split into: | 01-10433 (Stoddard) & 01-10434 (Avery) |
| 01-10009A split into: | 01-10435 (Stoddard) & 01-10436 (Avery) |

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

*Jennifer Crabtree*

Jennifer Crabtree  
Technical Records Specialist

PROFILED

JAN 11 2005

# STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

### NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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<br>Right No(s). | Adjudication<br>Claim No(s). | Split    | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split    |
|-----------------------|------------------------------|----------|-----------------------|------------------------------|----------|
|                       | <u>7A-10000A</u>             | <u>Y</u> | <u>Thru</u>           | <u>A01-10007A</u>            | <u>Y</u> |
|                       | <u>A01-10009A</u>            | <u>Y</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)

Ray Stoddard  
1881 W. 113 N. Idaho Falls, ID 83402

New Owner/Claimant(s)

Jeff + Stephanie Meyer  
Name Connector (Check one: [ ] and, [ ] or, [ ] and/or)

New Mailing Address

1881 W 113 North Idaho Falls ID  
83402

City, State and ZIP Code

New Telephone Number

(208) 523-3663

Date you acquired the property

8-1-2003

SCANNED

JAN 11 2005

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 1-10428  
Date Received: 2/4/2004  
Receipt No:  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

A0110428



1. Name of Claimant(s)

STEPHANIE AVERY Phone: (208)523-3663  
1881 W 113 N  
IDAHO FALLS ID USA 83402

JEFF AVERY Phone: (208)523-3663  
1881 W 113 N  
IDAHO FALLS ID USA 83402

2. Date of Priority: 06/01/1884

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 AND CANAL.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 04/01 | 11/01 | 0.021  |            |

7. Total Quantity Appropriated is:  
0.021 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 |
|----------|-------|---------|----------------|-----|-------|
|----------|-------|---------|----------------|-----|-------|

03N

37E 14

NW NE  
SW NE

IRRIGATION 10  
IRRIGATION 13

Section Acres 23

Total Acres 23

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 01-10004A.

15. Basis of Claim: Decreed