

09/26/2006

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

RIGHT NUMBER: 22-4094

NAME AND ADDRESS: SETH WOOD FARMS INC
C/O DAVID WOOD
280 SHOSHONE AVE
REXBURG ID 83440

SOURCE: MOODY CREEK

TRIBUTARY: TETON CREEK

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/01/1910

POINT OF DIVERSION:
T05N R41E S3 SESWSW Within MADISON County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	DOMESTIC	01/01 12/31	0.040 CFS
PLACE OF USE:	<u>DOMESTIC Within MADISON County</u>		
	T05N R41E S03 SWSW		

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.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

9-26-06 - Called David wife gave me cell
313-44005

- Recommending as de minimus for now
- can change if he calls back
and we need to change it.

TC

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Seth Wood Farms, Inc.

(Name of Claimant)

166 S. Center, Rexburg, ID 83440

(Mailing Address)

Telephone No. 356-3427

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) May 1, 1910

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Moody Creek . . . tributary to Teton River, N. Fork of Snake River

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Icfs, gpdf, AFA]		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity - 1	cfs	Use domestic	Period of Use From 1/1	To 12/31	
Quantity		Use	Period of Use From	To	
Quantity		Use	Period of Use From	To	
Quantity		Use	Period of Use From	To	
Quantity		Use	Period of Use From	To	

- (4) 1 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

SW 1/4 SW 1/4, Sec. 3 Twp. 5 N., Rge. 41 E.B.M., County of Madison

Additional points of diversion

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities be as specific as possible. Describe any changes in the system and give the date of the change. 5 h.p. pump and 3" pipeline with 15,000 gallons of storage in two under-ground cement cisterns.

- (f) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

No. of acres _____

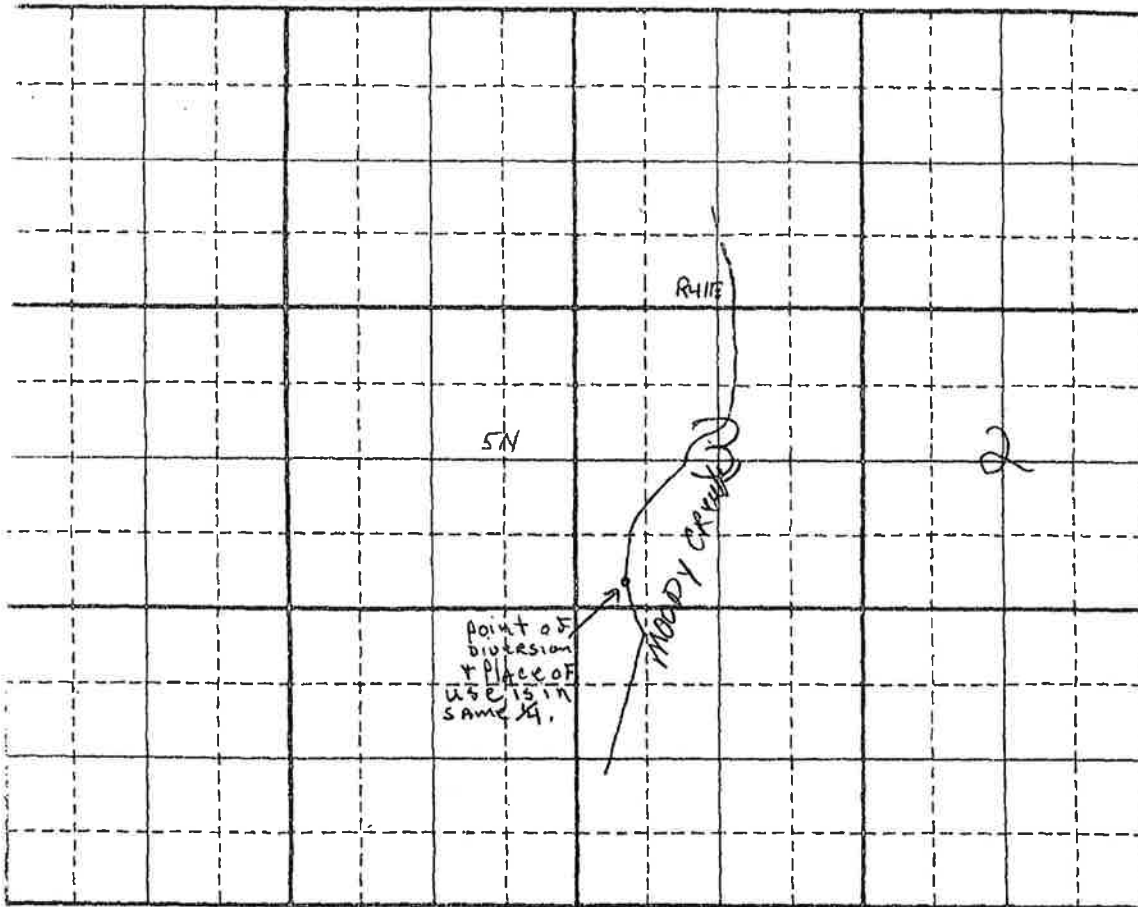
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Water is being used for domestic use; irrigation of lawn, trees and shrubbery, and in potato cellar humidifiers.

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization:

MICROFILMED

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)

County of Malheur) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 29 day of March, 1983.

Seth Wood Pres,
(Claimant)

Mary Smith
Notary Public
Residing at Boise, Idaho

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by CW Date 4-29-83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by HW Date 5-2-83 claimant by: _____
\$20.00 fee received by CW Date 5-2-83 #28130
Published in Standard Journal
Dates 5/12 & 5/19/83

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 22-4094
Date Received: 9/7/2006
Receipt No: **EO 32211**
Received By: **KCW**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

SETH WOOD FARMS INC Phone: (208)356-7103
C/O DAVID WOOD
280 SHOSHONE AVE
REXBURG ID USA 83440

2. Date of Priority: 05/01/1910

3. Source: MOODY CREEK Trib. to: TETON CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	41E	3	SW SW	MADISON	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
DOMESTIC	01/01	12/31	0.1	

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

8. Total consumptive use:

9. Non-irrigation uses:
Number of homes: 1

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
05N	41E	3	SW SW	DOMESTIC	

11. Place of use in counties: MADISON

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Statutory Claim

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: 1

For Organizations:

I do solemnly swear or affirm that I am President of
Title

Seth Wood Farms, Inc, that I have signed the foregoing
Organization

document in the space below as President of
Title

Seth Wood Farms, Inc and that the statements contained in the
Organization

foregoing document are true and correct. Dale D. Wood
Signature of Authorized Agent

Pres Seth Wood Farms, Inc.
Title and Organization

Sept 7-06
Date

State of Idaho)

County of Bonnaville)

SS.

Subscribed and sworn (or affirmed) before me this 07 day

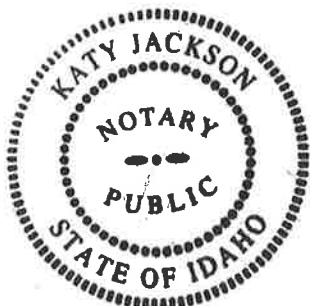
of September 2006

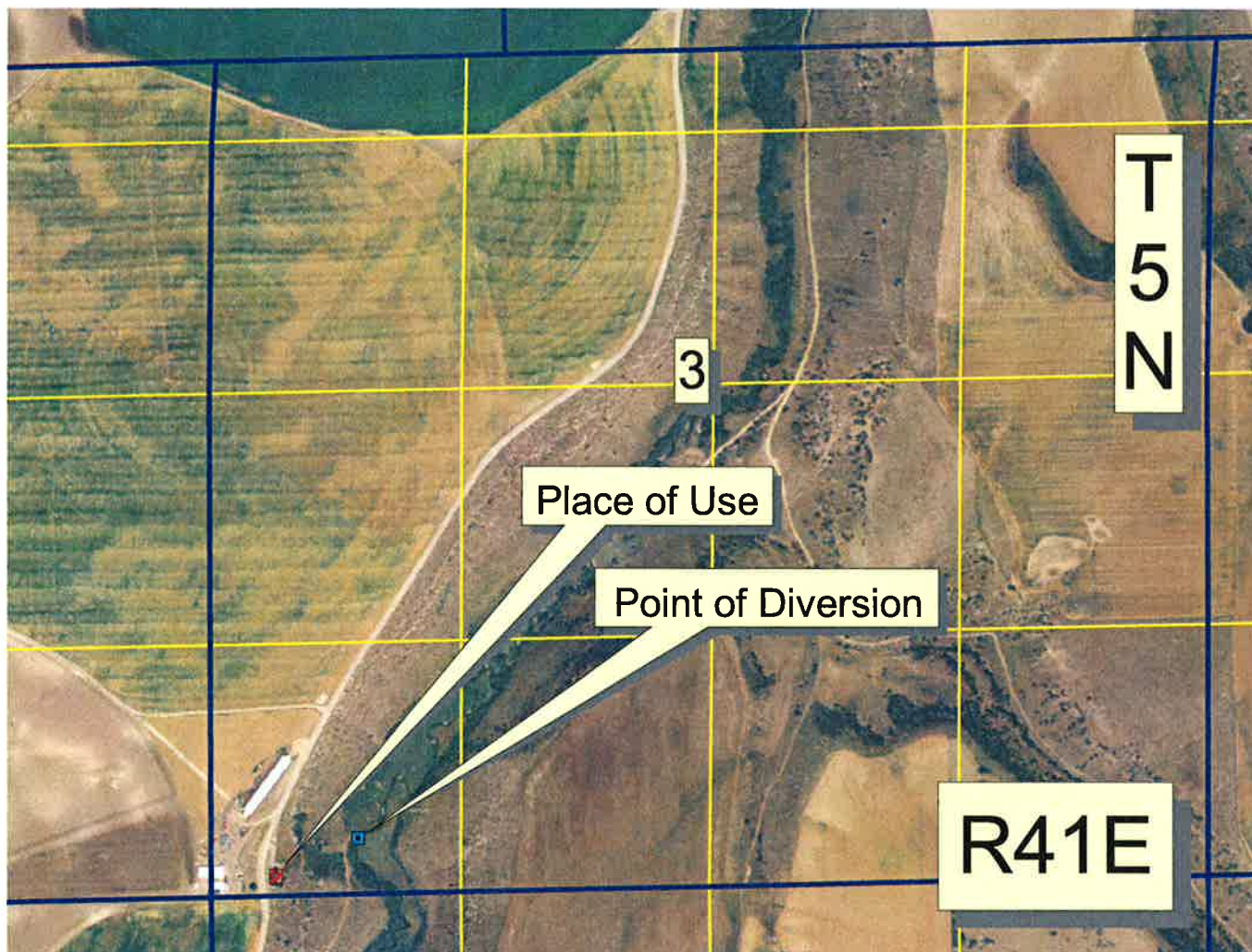
Katy Jackson

Notary Public

Residing at Idaho Falls

My commission Expires 3/31/2011





0.3 0 0.3 0.6 Miles

 **Sections**
 **GCDB05N41E GCDB**
 **Claim POD**

