

02/02/2006

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

RIGHT NUMBER: 22-10221
NAME AND ADDRESS: MARYANNA FARRER
4864 S HWY 191
REXBURG ID 83440

CARL R FARRER
4864 S HWY 191
REXBURG ID 83440

SOURCE: GROUND WATER
QUANTITY: 0.040 CFS
1.200 AFY
PRIORITY DATE: 06/01/1919
POINT OF DIVERSION:

TRIBUTARY:

T05N R39E S14 SWSW Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
COMMERCIAL	01/01 12/31	0.040 CFS 1.20 AFY
DOMESTIC	01/01 12/31	0.020 CFS

PLACE OF USE: COMMERCIAL Within MADISON County
T05N R39E S14 SWSW
DOMESTIC Within MADISON County
T05N R39E S14 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 for domestic use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use
Use: Buisness and one home

Conf #5600

01/30/2006

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-10221
NAME AND ADDRESS: MARYANNA FARRER
4864 S HWY 191
REXBURG ID 83440

CARL R FARRER
4864 S HWY 191
REXBURG ID 83440

SOURCE: GROUND WATER
QUANTITY: 0.040 CFS
~~2.00 AFY~~ 1.2

TRIBUTARY:

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

PRIORITY DATE: 06/01/1919
POINT OF
DIVERSION: T05N R39E S14 SWSW Within MADISON County
PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
COMMERCIAL	01/01 12/31	0.040 CFS 1.20 AFY
DOMESTIC	01/01 12/31	0.020 CFS ~~0.80 AFY~~

PLACE OF USE: COMMERCIAL Within MADISON County
T05N R39E S14 SWSW
DOMESTIC Within MADISON County
T05N R39E S14 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.

? N10.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Use:

Corrected 2-2-06 TB

PROFILED
SCANNED

SEP 08 2004

Maryanna Farrer
4864 S Hwy 191
Rexburg, Idaho 83440

Here is a copy
of the 2 pages
you requested.
Mott doesn't
remember anything
dated about like in
your search.
Beth Davis -
Grace Anderson's daughter
The two pages mentioned are pages 147 and 148
from the book "The way he went" by Grace B
Anderson.
We are still trying to find evidence of an earlier
date.
We are going to have access to some marker family
records in the next month or two.
I thought I should send this to let you know
we are working on it.

Department of Water Resources
Eastern Region

SEP 07 2004

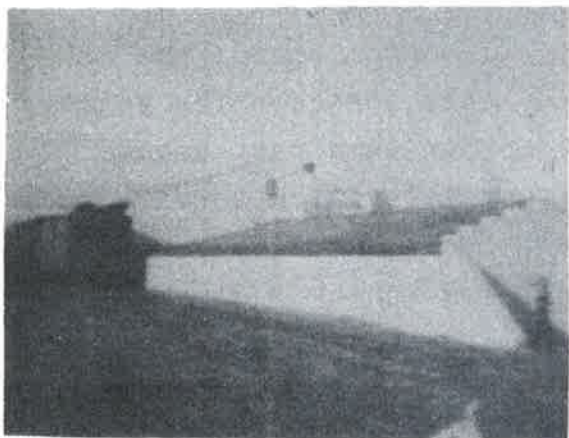
RECEIVED

Grace B Anderson
8821 Castleberry Road
Apex N.C. 27502

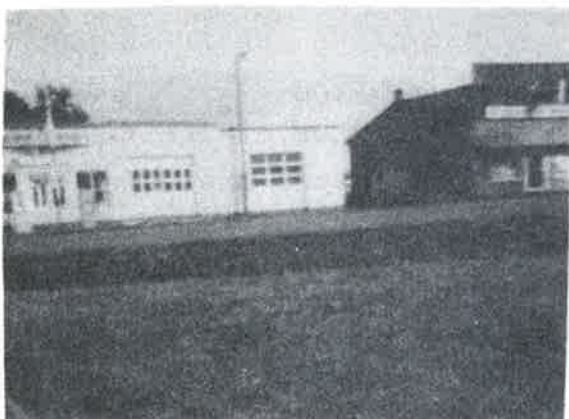
Byper

5N396

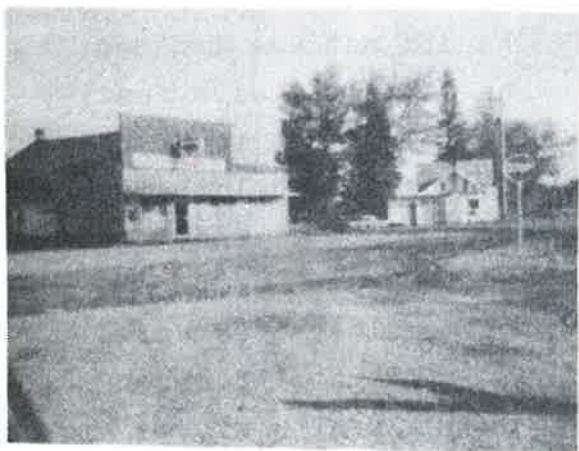
0-10021



Thornton Co-op potato cellar.



The Thornton Service Station.



The Thornton store.

While Dan's family was changing; so was the little town of Thornton.

About 1943 and 1944, a co-op potato cellar was added here; but Dan did not raise potatoes for them because of the Anderson Brothers' cellar.

In 1949, W. I. Thompson added a gas and service station to the buildings of our little town. Then a few years later, he added three huge gas and fuel storage tanks.

A new postoffice building was built by Allen Marler during 1953. He moved the postoffice out of the store and sold the store.

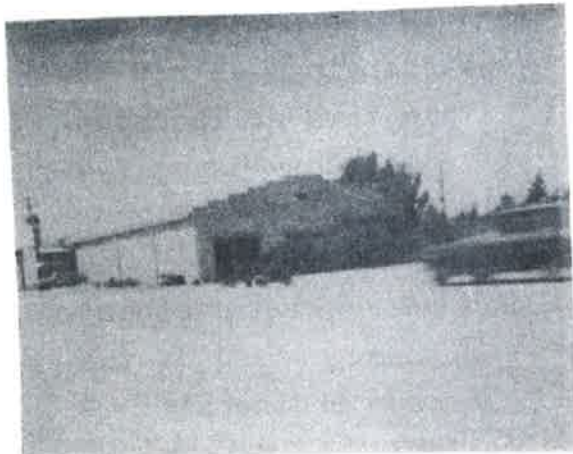
The store has changed hands several times but has remained in the same building. It has been owned by Dick Powell, Garnet Lewis, Steve Higley, Larry Evans and now by Mr. and Mrs. Howell since Allen sold it.

In 1959, a cafe was

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SCANNED

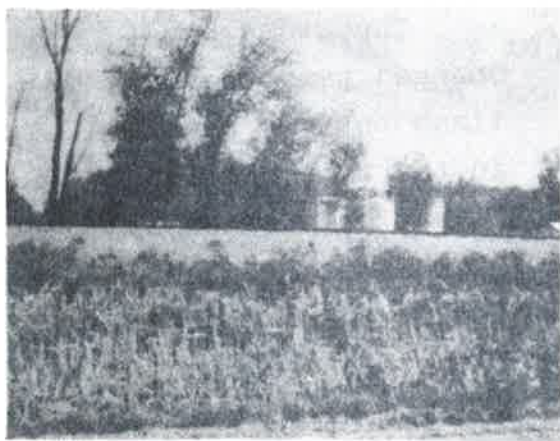
SEP 08 2004



The Wilcox potato cellar.



The Wilcox potato storage cellar. Picture taken over the train tracks.



The Thompson gas and fuel tanks. Picture taken from over the tracks.

built in part of the Thornton store; but it only lasted a few years. Then this part became a television service shop for almost two years. It was run by Wesley Hansen.

Later, the post-office was moved back into the store and the postoffice building was sold to Verral Lyman and Orval Wiley to become a television repair shop.

During all of this building up of the town of Thornton, there had been some new laws made and the old saloons had disappeared. Dan was a friend of one of the keepers; and when they were quitting, he asked for one of the old cast-iron spittoons. Although he did not use tobacco, he said it always fascinated him how the tobacco chewers could be such good shots as they spat at the spittoon. The saloon later burned.

The old Anderson and Galbraith stores and the dance halls have gone by fire. The old black-

PROFILED

SCANNED

SEP 08 2004

Claim no. A22-10221

Claimant Contact Log

Date	Remarks	Agent initials
5 Jan 05	356-3874 13:37 no answer	Bac
31 May 05	356-3874 Have been trying to get EOR, but they can do is 1959 documentation of restaurant, have sent in documentation. Well has traffic fire around it, Thornton Merc, 7 AM - 5 PM.	Bac
2 June 05	field inspection w/ Mrs. Farnes.	Bac

Contacts Data Entry Form

Claim Number: A22-10221

<u>Owner Type</u>	<u>Full Name</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
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Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Name connector: and _____, or _____, and/or _____.

Representing Attorney: _____ Phone No.: _____

Accompanied By: _____ Phone No.: _____

Relationship to Claimant: _____ Date of Field Exam: _____

Discussion of right origin and split history. Questions and problems.

Claimant says she has already mailed EOP
to IDWR. Bac

Reviewer: _____ Date: _____

Priority Date Data Entry FormClaim Number: A22-10221

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: _____ Recommended Basis: _____

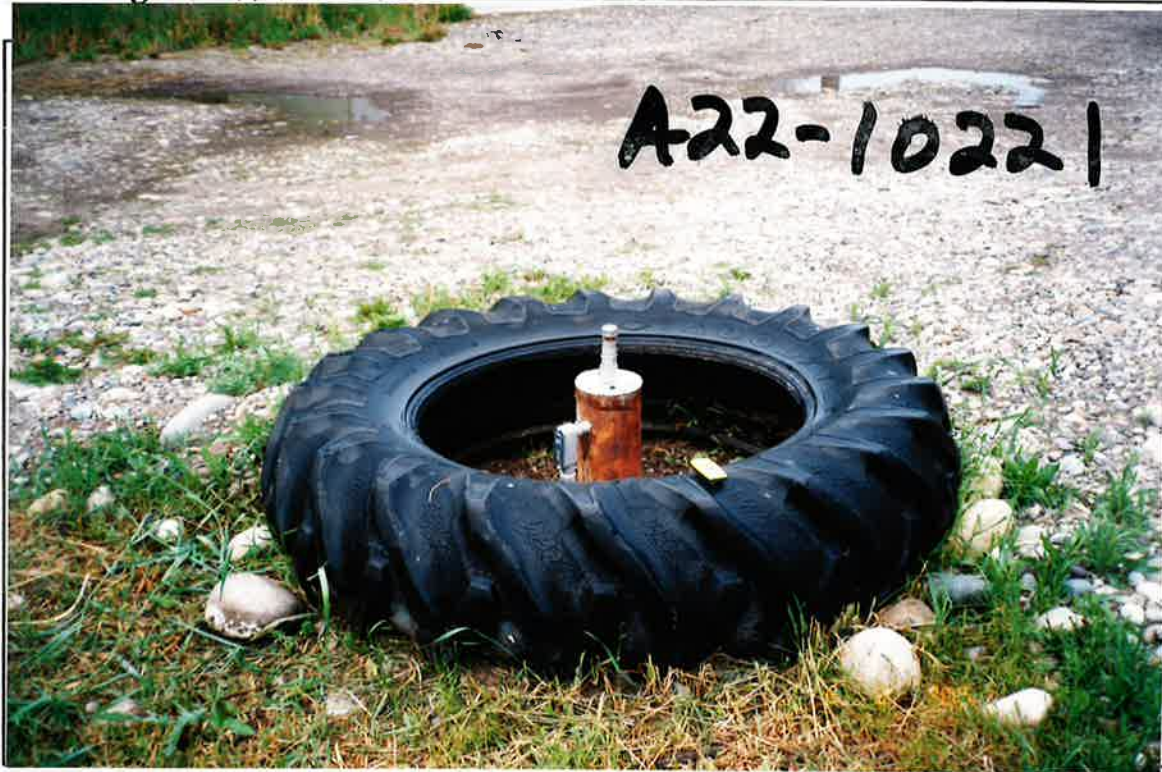
Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

Owner has mailed to IDWR documentation of pump repair
or replacement from 1959, or of restaurant. Still looking
for other EDP. bac 2 June 05

Reviewer: _____

Date: _____

Water Right No(s). A 22-10221



GPS DATA:

Tag # F 0007979 Location: small pipe on top of well

Diversion Data:

Source: _____ Trib to: _____

MOTOR

Make: Neyers Model: _____ Hp: _____
SN: _____

PUMP

Make: _____ Model: _____ Disch: _____
SN: _____

NOTES:

Fuse box has 20 amp breaker. Motor control has no tag or horsepower identification. See photo. Bac 2 June 05

Field Exam Date: _____ Agent: _____

Point of Diversion andClaim Number: A22-10221Water Right Point(s) of diversion and Source.

Water Right Point of Diversion: T _____, R _____, Sec. _____

Source: _____ Tributary _____

Water Right Point of Diversion: T _____, R _____, Sec. _____

Source: _____ Tributary _____

Claimed Point(s) of Diversion and Source.

Twp Rge Sec Gov Lot QQQ of QQ of Q County

| | | | | | |

| | | | | | |

| | | | | | |

Recommended Point(s) of Diversion and Source.

Twp Rge Sec Gov Lot QQQ of QQ of Q County

| | | | | | |

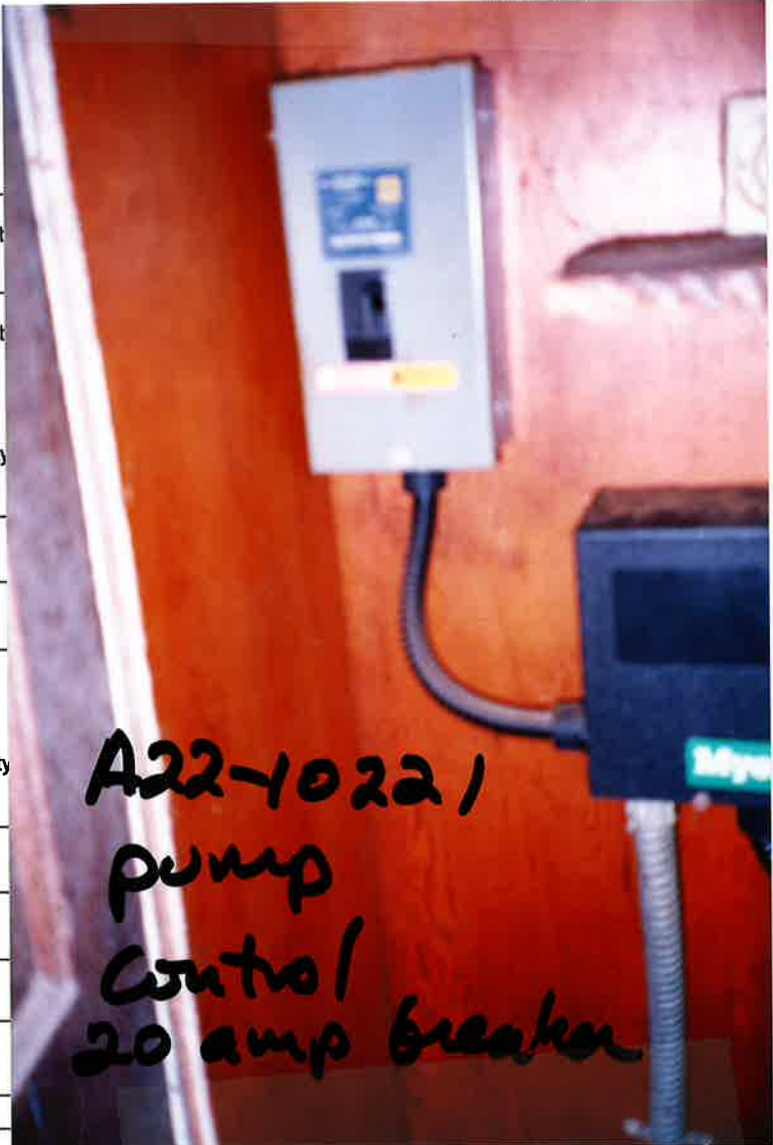
| | | | | | |

| | | | | | |

| | | | | | |

Other rights from this POD? _____

Transfers Pending or approved: _____

Document how the POD and Source were verified:GPS Waypoint 2, 2673494E 1397545 N IDTM 83.Original well was underneath the store NE of this location.5N 39E 14 NW SW SW Bdc

Reviewer: _____ Date: _____

Place Of Use Data Entry Form

Claim Number: A22-10221Claimed Place Of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

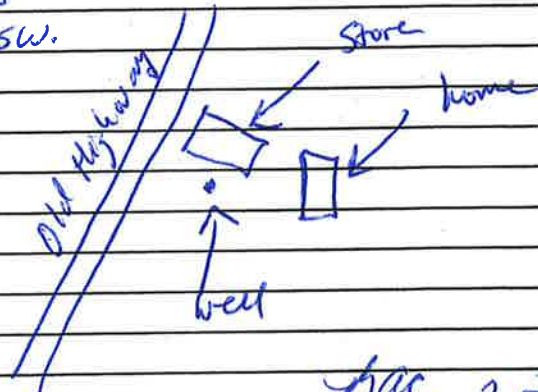
Total acres _____

Pending or approved Transfers: _____

Overlapping rights: _____

Document how the POU was verified:

Field inspection • Use well GPS to
 Orient w/ map. S N 39 E 14 SWSW.



DAC 2 June 05

Reviewer: _____ Date: _____

Season of Use and Quantity Data Entry Form

Claim Number: 422-10221Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

claimed rate should be adequate for small restaurant & home.
Bak. 2 June 05

NOG
N11

Reviewer: _____

Date: _____

June 4, 2004

**CARL OR MARYANNA FARRER
4864 S HWY 191
REXBURG ID 83440**

RE: EVIDENCE OF PRIORITY FOR SRBA WATER RIGHT CLAIM 22-10221

Dear Claimant (s):

The Idaho Department of Water Resources is nearing the end of water rights review in Basin 22, the Teton River drainage. The Notice(s) of Claim identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). The Notice of Claim indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Claim. The date the water was first put to beneficial use, known as the priority date, has not been confirmed by License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

Your claim, as referenced above, claims a Priority Date of JUN 1 1919, from GROUNDWATER.

It is important that each element of the Notice of Claim be verified. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

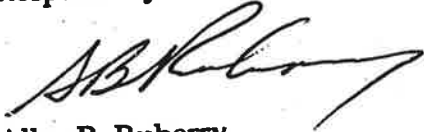
For your reference, I have provided a printout of your Notice of Claim and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence which are acceptable and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date**". **PLEASE READ THE ENCLOSED PAMPHLET.**

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other elements of the Notice of Claim have been or soon will be conducted by Department personnel.

.....
The Department will not recommend the Notice of Claim be decreed by the court if evidence of a priority date is not submitted. The Notice of Claim will be disallowed.
.....

Please submit documentation supporting the priority date within 30 days of the date of this letter, referencing all documents with the corresponding claim number. If you have any questions not covered by this letter or the enclosed pamphlet, please feel free to contact this office.

Respectfully submitted,

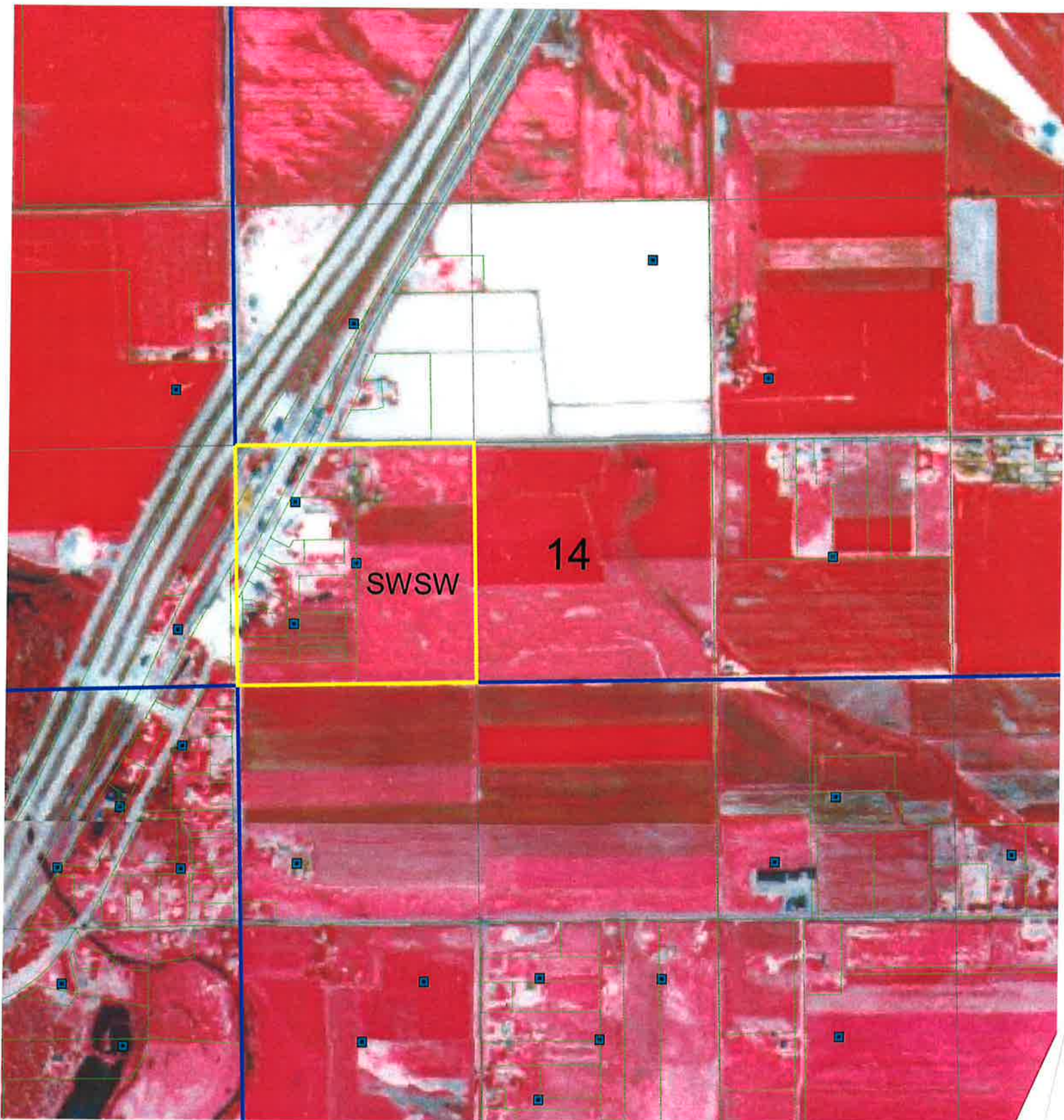


Allen B. Ruberry
Sr. Water Resource Agent
Adjudication Bureau

cc: File

Enclosure: Brochure on "Evidence of Priority"

22-10221



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: A22-10221
Date Received: 7/18/1988
Receipt No: E000739
Received By: HWS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CARL R. FARRER 208-356-3874
Address: 4864 S. HYWAY 191
REXBURG, ID 83440
OR
Name: MARYANNA FARRER 208-356-3874
Address: 4864 S. HYWAY 191
REXBURG, ID 83440

A2210221



2. Date of Priority: JUN 01, 1919

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	39E	14	SW	SW			MADISON

5. Description of diverting works:
WELL AND PUMP TO COMMERCIAL BUSINESS AND ONE HOME.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
COMMERCIAL	01/01	12/31	0.040		
DOMESTIC	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
COMMERCIAL AND DOMESTIC

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	39E	14	SW	SW		COMMER	
			SW	SW		DOMEST	

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:
NONE

14. Remarks:
COMMERCIAL BUSINESS ESTABLISHED IN 1919 WHEN BUILDING ERECTED.

15. Basis of Claim: BENEFICIAL USE

A 15' sandpoint is also located in
yard of home.

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): x Maryanna M Farver Date: x July 22, 1988

Date: _____

State of Idaho

County of Madison)

SS.

Subscribed and sworn (or affirmed) before me this 22nd day

of July 19 88

Seal

H. Easton Lawrence
Notary Public

Residing at Replung, Idaho

My Commission Expires 2-25-92