

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):

22-11169

Point(s) of Diversion:

T5N, R39E

Sec. 3 NESESW

Place of Use: (parts of)

T5N, R39E

Sec. 3 SESW

LEGEND



Point of Diversion



SESE

Place of Use



Section



Quarter-Quarter



GIS Place of Use Illustration
1967/1968 NAPP Photography
Prepared by: A. Ruberry
Date: September 2005

Claim no. A221169

Claimant Contact Log

Date Remarks Agent initials

8/5/2004 Received Evidence of Priority
Mr. Hall brought a n^o old Abstract back to
office & copied 2 pages with the legal
description & date. Said they had a hard
day. Well when they started the home
stand. Water is down just a few feet (NFO)

8/10/2004 12:35 pm 356-0505 Thursday PM early afternoon
address is correct.

8/12/2004 14:00 field exam, Mr. Hall was present.

Mr. Hall doesn't have livestock right now but he
says he has in the past & intends to in the future. fac

Receipt B001604 - Paid \$5700 - No N - - Remarks

Contacts Data Entry Form

Water Right No. 02211169

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	Boyd	R. Hall				
Name connector: and		or				
Current Owner						
Current Owner						

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

Directions to Property (if different from above) and/or update owner information:

B.H. Claron

Very early priority date for Ground water?
2/19/04 Priority EVIDENCE REQUEST SENT

PAID \$57⁰⁰ - IRRIG CLAIM OR 1⁰⁰ AC - GO FIDING \$57⁰⁰?

RECOMMEND AS CLAIMED w/ PRIORITY EVIDENCE. MEASUREMENTS NOT REQUIRED.

FE per/pou CONVIANCE/SYSTEM

Reviewer: _____

Date: _____

Priority Date Data Entry Form

Claim Number: A 2211169

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: 7 July 1892 Claimed Basis: B.U.Recommended Priority Date: _____ Recommended Basis: B.U.☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

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

B.U. ClaimSee A1 Rubens notes re: Abstract.

9/29/05 Priority claimed as 1892 from groundwater.
Q: Documents presented support purchase of land - No
mention of use of water for irrig or other uses -
Q: FFSO, how was irrig water taken from well
There were no pumps - Oh whatever

Priority advanced to 1900. Rubens vs. John Ocasio
Although GW was not addressed by the decree 1910.
Allowing years for development.

Reviewer: _____

Date: _____

Water Right No(s). A2211169



GPS DATA:

Tag # A0012204 Location: well casing

Diversion Data:

Source: Ground Water Trib to: Bac 8/12/04

MOTOR

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

PUMP

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

NOTES:

Field Exam Date: _____ Agent: _____

Point of Diversion and Source Data Entry Form

Claim Number: A2211169

Water Right Point of Diversion: T____, R____, Sec.____,____,____,____. County:_____

Source:_____ Tributary:_____

Claimed Point of Diversion: T 514, R 37E, Sec. 3, NW, SE, SW. County: Madison

Source: Ground Water Tributary:_____

Recommended Point of Diversion: T____, R____, Sec.____,____,____,____. County:_____

Source:_____ Tributary:_____

____ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						

Other rights from this POD? GPS Tag # A0012204

Document how the POD and Source were verified and/or Pump and Motor data:

GPS coordinates Waypoint 42 2672306 NE
1400923 ENIDTM
Bac 8/12/04

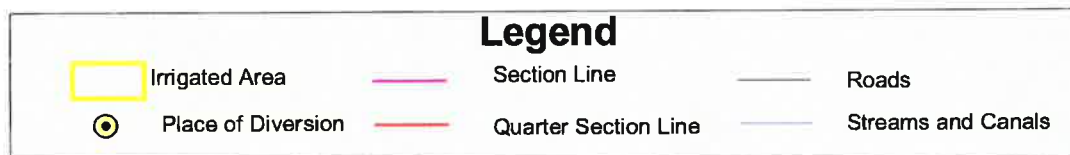
Transfers Changing POD _____

Reviewer: _____

Date: _____

Water Right Claim Number 22-11169
Township , 5N39E

07/16/2001



SPATIAL
DYNAMICS

A22-11169 8/12/2004



pool looking
E NE from
pool location



pool looking
NW from
North side of
house

Period of Use and Quantity Data Entry Form

 Claim Number: A2211169
☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water 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
Irrigation	4/1	11/1	.02 cfs	
Stock Water	1/1	12/31	.02 cfs	
Domestic	1/1	12/31	.04 cfs	

Overall Diversion Rate .080 cfs

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:

Mr. Hall says they have had 2 plans to
have horses again, just don't have any right now.
Bac 8/12/04

Reviewer: _____

Date: _____

Received
Evidence
dated on

February 19, 2004

**BOYD R HALL
2537 S 4000 W
REXBURG ID 83440**

RE: EVIDENCE OF PRIORITY FOR SRBA WATER RIGHT CLAIM 22-11169

Dear Claimant (s):

The Idaho Department of Water Resources is nearing the end of water rights review in Basin 23, the Swan Valley area. 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 July 7, 1892, from a well.

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 required 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".

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.

ABSTRACT OF TITLE

PREPARED BY

Rexburg Abstract Company

SUCCESSOR TO ORIGINAL MADISON ABSTRACT CO., LTD.

REXBURG, IDAHO

TO

[Commencing at a point Twenty-seven and one-half ($27\frac{1}{2}$) rods North of the Southwest corner of Section Three (3), Township Five (5) North, Range Thirty-nine (39) East, Boise Meridian, in Madison County, State of Idaho, as per the recorded plat thereof, and running thence East One Hundred Twenty (120) rods; thence South Sixty-three and two-thirds ($63\frac{2}{3}$) rods; thence West One Hundred Sixty (160) rods; thence North Sixty-three and two-thirds ($63\frac{2}{3}$) rods; thence East Forty (40) rods to the place of beginning.] Said land being parts of the S $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 3; SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 4; NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 9 and N $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 10 all in Twp. 5 N., R. 39 E., B.M.

LANIE M. H EILESON FORSYTH.

RECEIVED
FEB 10 1932
REXBURG
IDAHO

APPLICATION NO.	A 75321
NAME	Carl Hall
ADDRESS	Idaho

3-2

FEB 1

Rexburg Abstract Company

SUCCESSOR TO MADISON ABSTRACT CO., LTD.
BONDED ABSTRACTERS OF TITLE
TO LANDS IN MADISON COUNTY

Instrument No. ~~~~~ Bingham.

Entry No. 2.

Receipt No. 1422,
Application No. 3330.
Receiver's Office, Blackfoot, Idaho.
W. H. Danilson, Receiver,
Grantor,

to

William G. Kimball,
Grantee.

Final Receiver's Receipt.

Recorded October 18th, 1892,
at 11:20 A. M

IN BOOK 5 of Deeds,
page 185.

DATED October 3rd, 1892,

CONS. \$6.00

No. of Witnesses ~~~~~

Acknowledged. ~~~~~

Received of William G. Kimball the sum of \$6.00 being the balance due of payment required by law for the entry of --- south half south west quarter of section three (3) south east quarter of south east quarter of section four (4) and North west quarter North west quarter of section ten in township Five N of Range Thirty nine E containing one hundred and sixty-acres under section 2291 of the Revised Statutes of the United States.

W. H. Danilson, Receiver.

Transcribed from Book O of Deeds, page 80, Bingham County Records.
Transcribed from Book B of Deeds, page 122, Fremont County Records.

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: A22-11169
Date Received: 8/23/1988
Receipt No: E 001604
Received By: TO

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BOYD R. HALL
Address: 2537 S. 4000 W.
REXBURG, ID

208-356-0505

83440

2. Date of Priority: JUL 07, 1892

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	39E	3	NW	SE	SW		MADISON

5. Description of diverting works:
WELL/PUMP/PIPES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.020		
STOCKWATER	01/01	12/31	0.020		
DOMESTIC	01/01	12/31	0.040		

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

A.F.A.

8. Total consumptive use is 2.5 Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE S/5 HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	39E	3				STOCK	

A22-11169

Page

1

Date: 08/23/88

A2211169



MICROFILMED

NOV 06 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	39E	3	SE	SW	DOMEST IRR	1.0
					Section Acres	1.0
					Total Acres	1.0

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:

15. Basis of Claim: BENEFICIAL USE

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: 0

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): *Bord R. Hay* Date: 8-23-88

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 23rd day
of Aug 19 88 *Valerie Wray*
Notary Public

Seal

Residing at *Idaho Falls*
My Commission Expires *5/29/99*