

09/02/2005

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

RIGHT NUMBER: 22-11197

NAME AND ADDRESS: FRANK L JENKINS
256 W 4 S
REXBURG ID 83440

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS
2.400 AFY

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

PRIORITY DATE: 06/06/1980

POINT OF DIVERSION:

T05N R40E S15 SESESE 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 1.20 AFY
COMMERCIAL	01/01 12/31	0.040 CFS 1.20 AFY

PLACE OF USE: COMMERCIAL Within MADISON County

T05N R40E S15 SESE

DOMESTIC Within MADISON County

T05N R40E S15 SESE

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

09/06/2005

**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: 22-11197

FRANK L JENKINS
256 W 4 S
REXBURG ID 83440

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: _____ SIGNATURE: _____

Please print your name: _____

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

NOT MAILED!
MISTAKENLY WITHHELD
FROM ESPA MAILING.
DO NOT MAIL PER ERNIE.
KMJ 02/24/2005

Water Right No(s). A2211197

See attached photos

GPS DATA:

Tag # A0000265 Location: attached to well - GPS 2673351
GPS file # 221119 1397519

Diversion Data:

Source: Groundwater Trib to: _____

MOTOR

Make: N/A Model: _____ Hp: N/A

SN: _____

Domestic well - probably 1 1/2 hp submersed pump

PUMP

Make: N/A Model: _____ Disch: _____

SN: _____

NOTES:

Old house gone Mini-Mart came in during 1980. Recommend 1980 priority
date and 0.04 cfs limited to 2500 gpd for commercial use.

Advised claimant Frank Jenkins of probable recommendation
Claimant wants new address on claim - 4865 South Jenkins Lane
Rexburg, ID 83440

Field Exam Date: 3-9-2005 Agent: 2kljms

N/D

N/12

C/A

Changes in TSN 1108 $\Rightarrow$ Addition in TSN 1239E

Townsite - Place of use

A22-11197 - Mini-Mart adjacent to Thornton

Photo-looking NW





photo looking west

A22-11197 - well site

T5N, R.39E

15

po.D

po.u



February 19, 2004

**FRANK JENKINS
256 W 4 S
REXBURG ID 83440**

RE: EVIDENCE OF PRIORITY FOR SRBA WATER RIGHT CLAIM 22-11197

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 June 6, 1898, 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.

.....
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 the 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,

Nick L. Olson
Special Contract Agent
Adjudication Bureau

cc: File

Enclosure: Brochure on "Evidence of Priority"
Notice of Claim (copy)

Claim no. A2211197

Claimant Contact Log

Date **Remarks** **Agent initials**

2/19/04 Priority Evidence Request Sent

Contacts Data Entry Form

Water Right No. 12211197

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	FRANK JENKINS					
Name connector: and						
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. U. Claim

Commercial + Domestic. Home + Mini Mart Store

Sand point + well on one system

priority DATE WAS BASED ON WHEN TOWNSHIP

OF TOWNSHIP WAS ESTABLISHED.

N06

N11

FE pod/pou

CONFORMANCE/SYSTEM

Reviewer: _____

Date: _____

Claim Number: A 2211197

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: 6 June 1898 Claimed Basis: B.U.

Recommended Priority Date: _____ Recommended Basis B.4

 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:

P. 11 Claim

Reviewer: _____

Date: _____

Point of Diversion and Source Data Entry Form

Claim Number: A2211197

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

Source: _____ Tributary: _____

Claimed Point of Diversion: T 5N, R 40E Sec. 15, SE, SE, SE. 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? CPS Tag #

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

Transfers Changing POD _____

Reviewer: _____

Date: _____

Place Of Use Data Entry Form

Claim Number: A2211197☐ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
5N	40E	15	SESE		Madison			Domestic
11	11	11	SESE		11			Commercial

Total Acres _____

Recommended Place of Use

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

Total Acres _____

Document how the POU was verified:

Transfers Changing POU _____

Reviewer: _____

Date: _____

Period of Use and Quantity Data Entry Form

Claim Number:

A2211197☐ 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
Commercial	1/1	12/31	130 CFS	
Domestic	1/1	12/31	1040 CFS	

Overall Diversion Rate 130 CFS

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

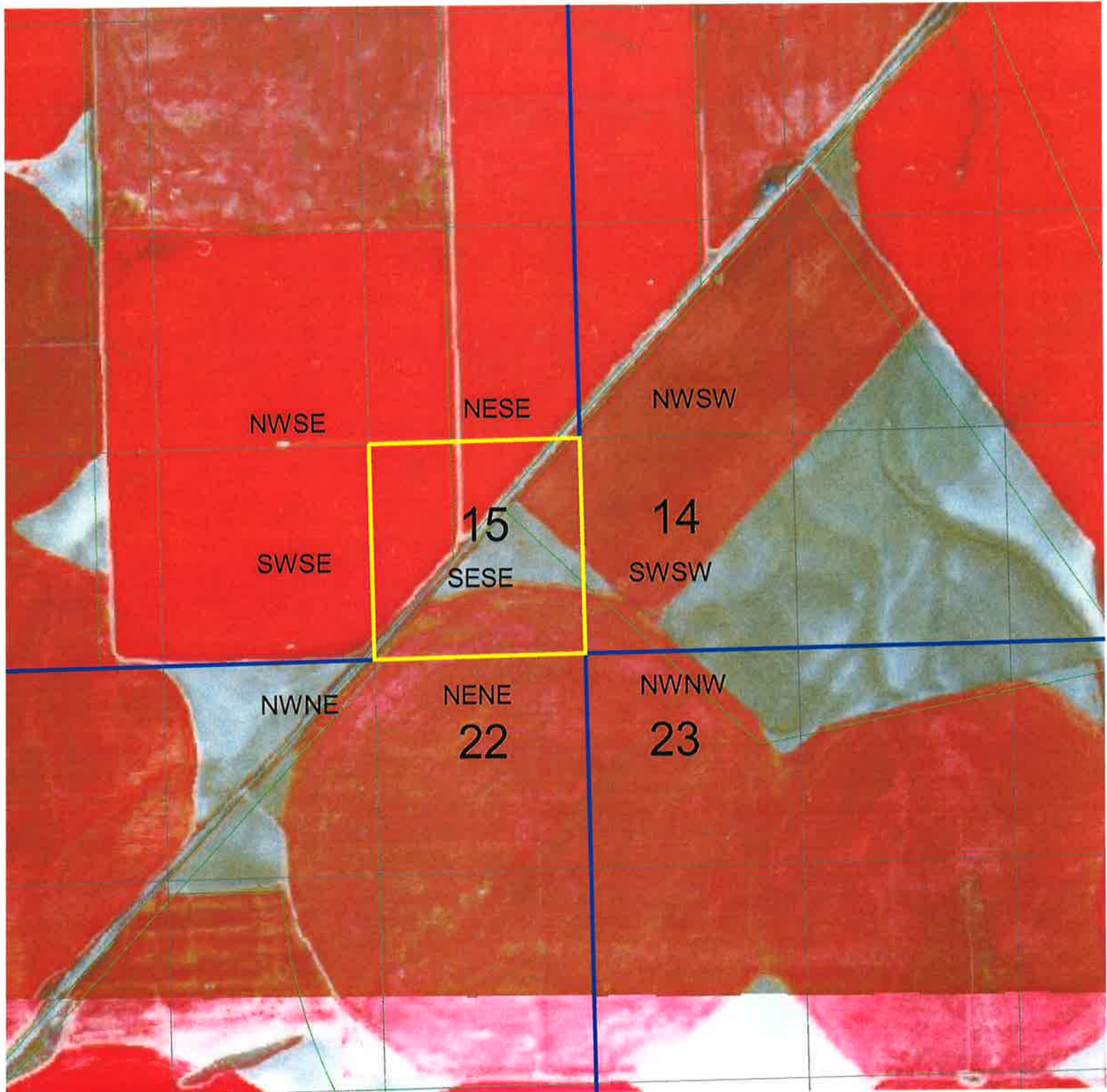
Document how the Period of Use and/or Diversion Rate were verified:

IDWR STD. SOU 1/1 — 12/31 commercial + Dom

Reviewer: _____

Date: _____

22-11197



WRONG MAP!

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: A22-11197
Date Received: 8/24/1988
Receipt No: E001632
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRANK L. JENKINS
Address: 256 W. 4 S.
REXBURG, ID

83440

2. Date of Priority: JUN 06, 1898

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	40E	15	SE	SE	SE		MADISON

5. Description of diverting works:

SAND POINT AND WELL ON COMMON SYSTEM DELIVER WATER TO A (CONTIUED

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
COMMERCIAL	01/01	12/31	0.130		

7. Total Quantity Appropriated is:

0.130 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

ONE HOME & WATER USED IN CONJUNCTION WITH MINI-MART STORE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05N	40E	15	SE	SE		DOMEST	
			SE	SE		COMMER	

A22-11197

Page

1

Date: 08/24/88

A2211197



MICROFILMED

NOV 06 1992

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:

PRIORITY DATE BASED ON WHEN THE TOWNSITE OF THORNTON WAS
ORIGINALLY ESTABLISHED, AND THE USES THAT EXISTED AT THE
TIME.

***** MEMO *****
THE CLAIMANT DID NOT KNOW HOW MUCH WATER WAS USED BY HIS
BUSINESS. THE QUANTITY SHOWN ON THE CLAIM WAS OBTAINED
FROM CALCUTIONS BASED ON A 3 HP. PUMP AND 35 PSI.

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: _____

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): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

A22-11197

Date Received

23 Aug 1988

Receipt Number

E001632

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Frank L. Jenkins Phone () _____

Mailing Address 256 W. 4th, Rexburg, ID Zip 83440

2. Date of Priority (Only one (1) per claim) June 6, 1898

3. Source of water supply (a) groundwater
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 5N Range 40E Section 15,
SE 1/4 of SE 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of Madison

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.

sand point & well below
water to a commercial business; pipe through a conn-
system. Well has a 3 hp. submersible pump. There is a
11 hp. pump on the sand point

MICROFILMED

NOV 06 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Domestic purposes from Jan 1 to Dec 31 amount 0.04 or _____

For Commercial purposes from Jan 1 to Dec 31 amount 0.13 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.13 (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.) one home & water used in conjunction with minier

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	
5N	40E	15																	9c

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? Madison

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.
_____ or None (X)

14. Remarks: Priority date based on when the townsite of Thornton was originally established, and the uses that existed at the time

MICROFILMED
NOV 06 1992

Last Name Jenkins Ident No. A22-11197

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 _____
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 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Frank Jenkins Date Aug 23-88
_____ 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 _____)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 23 day of Aug 19 88

SEAL

Notary Public Ernest Carver

Residing at Idaho Falls, ID

My Commission Expires 2314 June 1994

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 _____

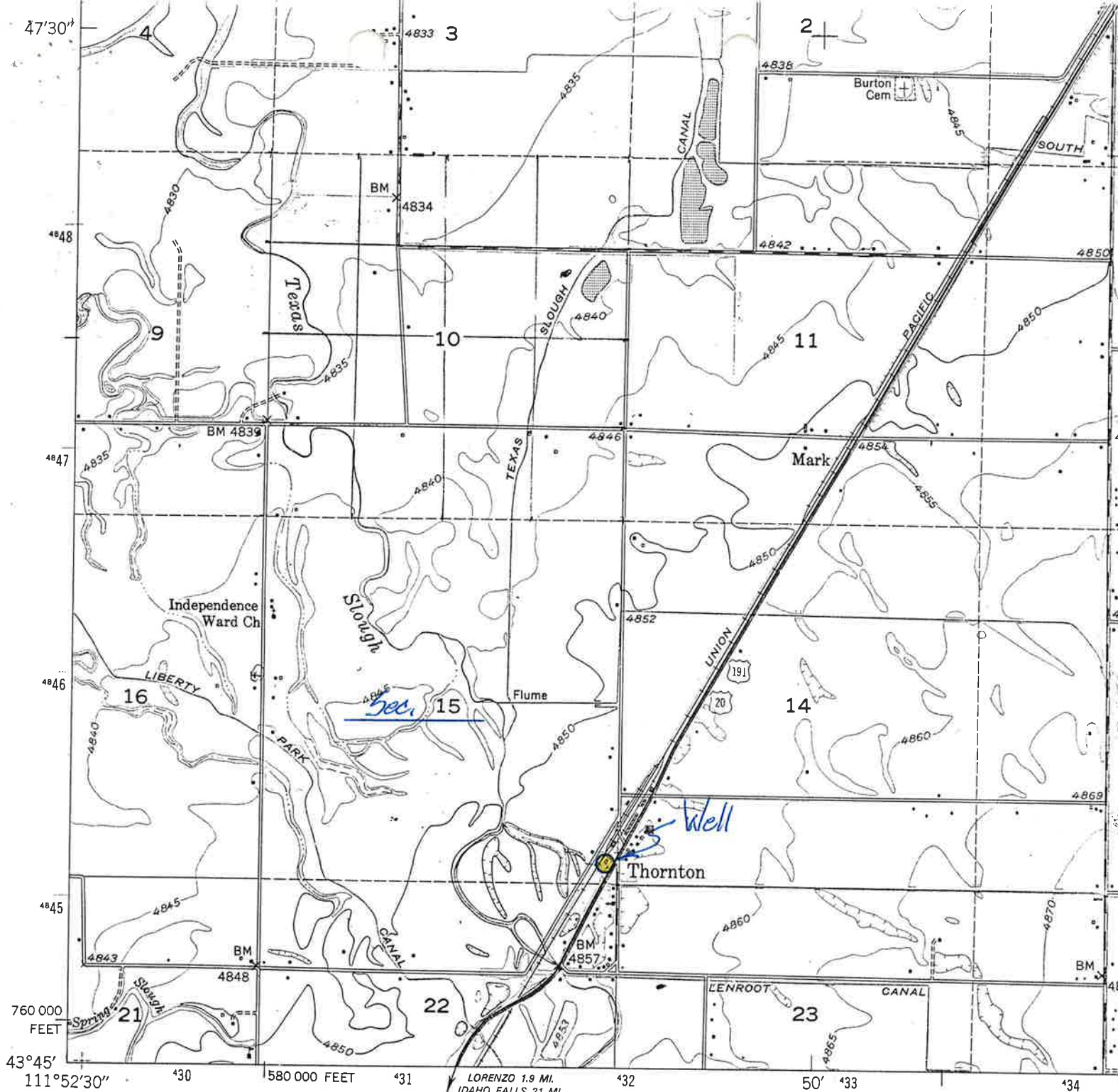
Address _____

Date _____

MICROFILMED
NOV 06 1992

Last Name Jenkins Ident. Number A22-11197

Copies White-State, Yellow-Claimant



(RIGBY)
3671 M NW

Mapped, edited, and published by the Geological Survey

Control by USGS and NOS/NOAA

Culture and drainage by multiplex methods
from aerial photographs taken 1946

Topography by plane-table methods 1949

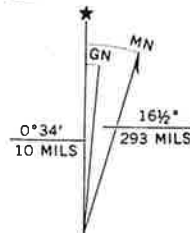
Polyconic projection. 1927 North American datum
10,000-foot grid based on Idaho coordinate system,
east zone

1000-meter Universal Transverse Mercator grid ticks,
zone 12, shown in blue

To place on the predicted North American Datum 1983
move the projection lines 12 meters north and
65 meters east as shown by dashed corner ticks

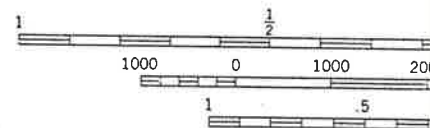
Red tint indicates areas in which only landmark buildings are shown

A22-11197



UTM GRID AND 1979 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET

Purple tint indicates extension of urban areas



MICROFILMED

NOV 06 1992

CONTC
NATIONAL GEO

THIS MAP COMPLIES WITH
FOR SALE BY U. S. GEOLOGICAL SURVEY,
A FOLDER DESCRIBING TOPOGRAPHY