

04/29/2003

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

RIGHT NUMBER: 23-10203
NAME AND ADDRESS: EDWARD R STONER
PO BOX 176
IRWIN ID 83428

MARY T STONER
PO BOX 176
IRWIN ID 83428

SOURCE: UNNAMED STREAM TRIBUTARY: PALISADES CREEK
QUANTITY: 0.030 CFS
PRIORITY DATE: 10/10/1969

POINT OF DIVERSION:

T01N R44E S35 NENENW Within BONNEVILLE County Source: UNNAMED STREAM

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.030 CFS

PLACE OF USE: IRRIGATION Within BONNEVILLE County
T01N R44E S35 NENW 1.0

1 ACRES TOTAL

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: Beneficial Use

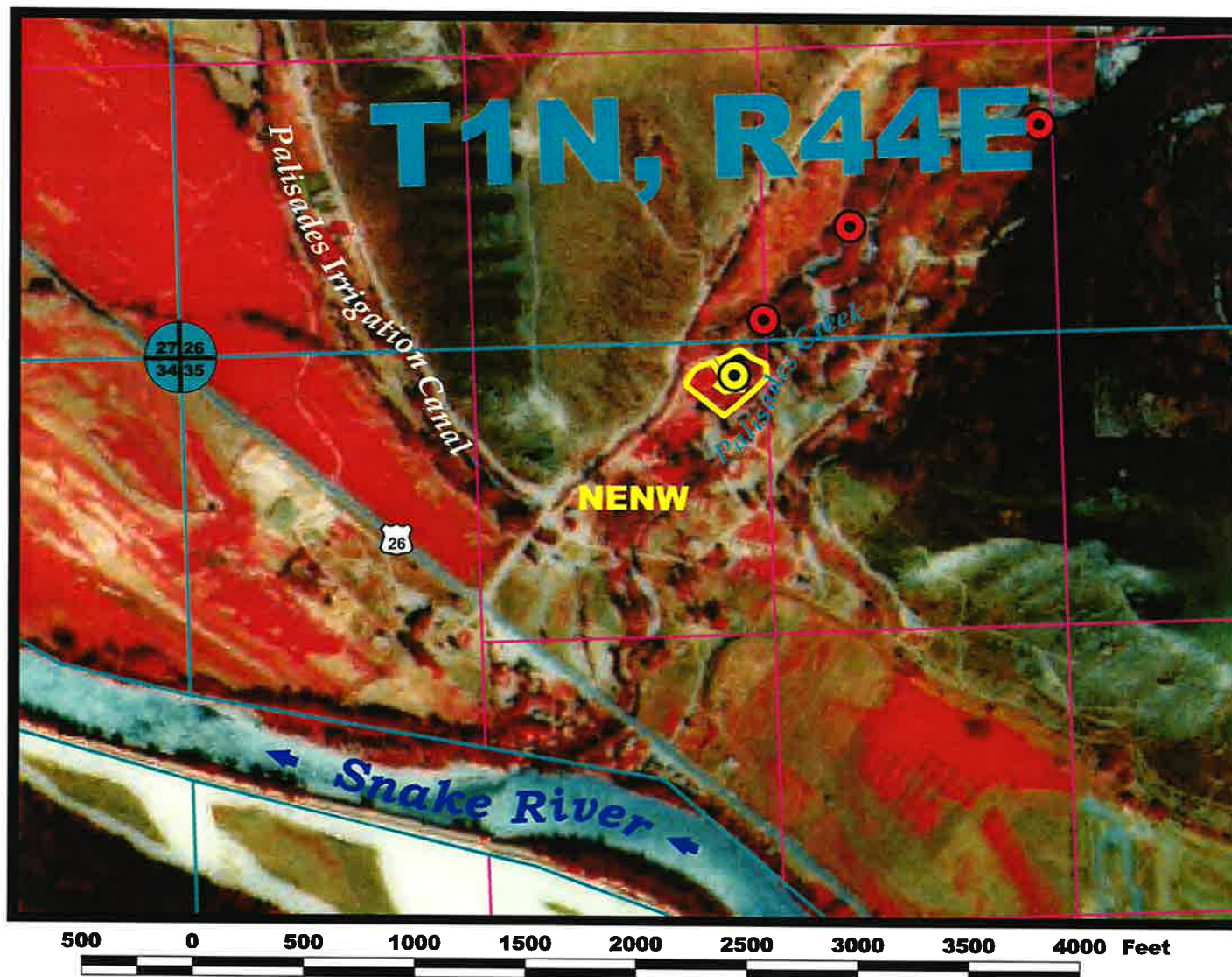


SCANNED
JUL 20 2004

State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):
23-10203

Place of Use: T1N, R44E
(part of) Sec. 35 NENW

Point(s) of Diversion: T1N, R44E
Sec. 35 NENENW



LEGEND

- Point of Diversion**
- SESE** **Place of Use**
- Section**
- Quarter-Quarter**

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: April 2003

23-10203

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

Bu -

Quinn - out of Town - Chas Stonor @ Timberline Lodge
IS A GRANDSON -

FB: OWNER, iris system, source:

Date: _____

SCANNED
JUL 20 2004

Priority Date Data Entry Form

Claim Number: _____

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: 10/10/1969 Claimed Basis: BURecommended Priority Date: 10/10/1969 Recommended Basis: BU☐ 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:

1994 Letter (Notarized) discusses development
of ponds for fish, ducks, and irrigation in Oct
1968. "Still being used..." as such -

why then claim 1969 if use started in 1968?



Point of Diversion and Source Data Entry Form

Claim Number: _____

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

Source: _____ Tributary: _____

Claimed Point of Diversion: T 1N, R 44E, Sec. 35, NE, NE, NW. County: BONNESource: UNNAMED STREAM Tributary: PALISADES CK

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	OOQ of QQ of Q	County	Source
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____

Other rights from this POD? GPS'd spg - No TAG

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

CLAIMS UNNAMED STREAM LOTTER (OR PRIORITY)
DISCUSSES "THE SPRING FOR IRRIGATION..."
USES HAND PUMP FOR IRRIG. (STORED FOR WINTER)
ONE POND ON SITE - Photo

SPRING OR
STREAM?

Transfers Changing POD _____

Reviewer: _____

Date: _____

Place Of Use Data Entry Form

Claim Number: _____

_____ Use Claimed POU as Recommended POU

Claimed 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
1N	44E	35	NBNW		BONN		1	PRIG.

Total Acres _____

Document how the POU was verified:

RECOMMEND ONLY PRIG. - FISH AND DUCKS
BENEFIT ANYWAY.

Any stock USE? NONE CLAIMED

Transfers Changing POU _____

Reviewer: _____

Date: _____

Period of Use and Quantity Data Entry Form

Claim Number: _____

☐ 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
IRRIG	4/1	11/01	0.03	
AESTHETIC	1/1	12/31	0.04	

 Overall Diversion Rate _____ Overall Diversion Volume 0.07

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIG.	4/15	10/31	0.03	

 Overall Diversion Rate _____ Overall Diversion Volume 0.03

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

Recommend only irrig or Irr @ 0.03 cfs
SOU to Dept. STD 4/15 to 10/31.
MEASURE NOT RECD < 0.20 cfs CLAIMED.

WHAT IS THE
 DEPT Policy for
 AESTHETIC USE?
 No!

Reviewer: _____

Date: _____

RECEIVED

NOV 04 1994

Department of Water Resources
Eastern District Office

Mary T. Stoner
P.O. Box 176
Irwin, Id. 83428
October 31, 1994

State of Idaho
Department of Water Resources
900 N. Skyline Dr.
Idaho Falls, Id. 83402-1718

Dear Mr. Carlson;

This letter is in response to your notice of a need for a Evidence of Priority for our water rights claim.

The property in question with claim number A23-10203 was purchased in July of 1968 from Glen and Fay Park. We developed the fish and duck pond and used the spring for irrigation of the grounds in October of 1968. To date this water is still being used for the original purposes.

Enclosed is a copy of our deed with the purchase date. Also below are the notarized signatures of persons who personally observed the development and use of this spring over the last 25 years.

Fay Park - Previous owner and present neighbor.

Fay Park

Mary T. Stoner - Present owner.

Mary T. Stoner

Sincerely

Mary T. Stoner

Mary T. Stoner

Above signature known to me Personally

Daniel P. Traugott

Notary Public

1-19-96

MICROFILMED
NOV 07 1996

11-12-13-14

assigns of the respective parties hereto.

IN WITNESS WHEREOF, the said parties to this agreement have hereunto signed their names the day and year first above written.

Glen J. Park
GLEN J. PARK

Fay M. Park
FAY M. PARK

Sellers

Edward R. Stoner, Jr.
EDWARD R. STONER, JR.

Mary T. Stoner
MARY T. STONER

Buyers

STATE OF IDAHO)
County of Bonneville) ss.

On this 1122 day of July, 1968, before me, the undersigned, a notary public in and for said state, personally appeared GLEN J. PARK and FAY M. PARK, his wife and EDWARD R. STONER, JR. and MARY T. STONER, his wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Paul L. Heasler
Notary Public
Residing at Palmer, Idaho
My commission expires 8-8-69



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

OCT 4 1989

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

COPY

Date: October 2, 1989

John D. Hansen
P.O. Box 51718
Idaho Falls, ID 83405-1718

RE: Edward and Mary Stoner's Notices of a Water Right Claim
Returned

Dear Mr. Hansen:

The Idaho Department of Water Resources (IDWR) is returning your check #02926 (\$76.00) and Edward and Mary Stoner's Notices of Claim to a Water Right because of insufficient fees. The IDWR cannot process the notices until the appropriate fees are submitted. The filing fee a domestic notice is \$25.00. The filing fee for an irrigation/aesthetic notice is \$50.00, plus \$1.00 per irrigated acre, plus \$100.00 per cfs claimed for aesthetic purposes. The total filing fee for the two notices is \$80.00.

Please return the notices with the appropriate fee within 30 days of the date of this letter. Failure to return the notices within the 30-day period may result in an assessment of an additional \$50.00 late-fee for each notice.

If you have any further questions, please call Tony Olenichak, Water Right Agent, at 1-525-7161.

Sincerely,

Tony Olenichak
for Ernest Carlsen

Ernest Carlsen
Adjudication Supervisor

Enclosure

MICROFILMED

NOV 6 1992

Log for claim 23-10203

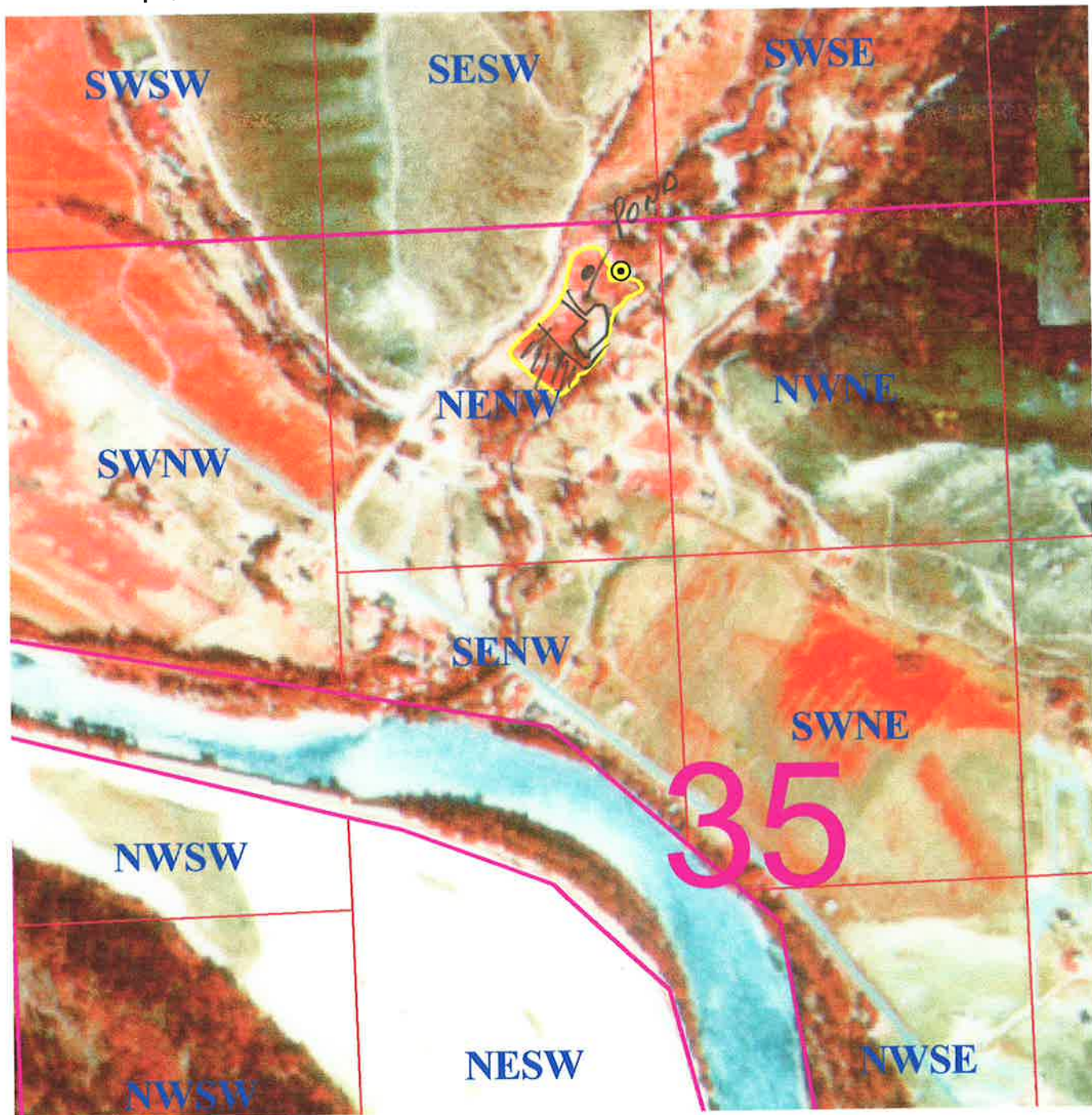
Spatial Dynamics LTD

6/13/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
01n44e	35	NENW	1	3.1	
Totals:			1	3.1	

Water Right Claim Number 23-10203
Township , 1N44E

06/13/2001



SPATIAL
DYNAMICS

4/22/03
JBR

NO LATE FEE IF RECEIVED \$55
BY 11/2/89

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: A23-10203

Date Received: 9/11/1989

Receipt No: 5010977

Received By: ret

RECEIVED
SEP 29 1989

Department of Water Resources
Eastern District Office
**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: MARY T. STONER 208-483-4192
Address: P.O. BOX 176
IRWIN, ID 83428

AND/OR
Name: EDWARD R. STONER 208-483-4192
Address: P.O. BOX 176
IRWIN, ID 83428

2. Date of Priority: OCT 10, 1969

3. Source: UNNAMED STREAM Trib. to: PALISADES CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	44E	35	NE	NE	NW		BONNEVILLE

5. Description of diverting works:
HAND-DUG CANAL TO FIRST POND, INTO CULVERT TO SECOND POND, ROCKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.030		
AESTHETIC	01/01	12/31	0.040		

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

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

9. Non-irrigation uses:
A/FISH & DUCK POND

A23-10203

Page 1

Date: 09/11/89

A2310203



MICROFILMED

NOV 06 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	44E	35	NE		NW		IRR	1.0
			NE		NW		AES	

Section Acres 1.0

Total Acres 1.0

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:

WELL FOR DOMESTIC PURPOSES (A23-10204)

14. Remarks:

WATER USED FOR AESTHETIC PURPOSES WAS ORIGINALLY USED FOR HOUSEHOLD. THE NATURE OF USE HAS SINCE CHANGED FROM DOMESTIC TO USING THE WATER STRICTLY FOR SMALL PONDS FOR FISH AND DUCKS AS WELL AS CONTINUING TO USE THE WATER FOR THE ORIGINAL IRRIGATION PURPOSE.

15. Basis of Claim: BENEFICIAL USE

MICROFILMED

NOV 06 1952

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: One Map

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): Mary T. Stoner Date: 9-11-89
Ed Stoner Jr. Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 11th day
of September 19 89 Helen Harrington
Notary Public

Seal

Residing at Helen Harrington, Notary Public
Residing at Boise, Idaho
My Commission Expires December 1, 1994



and published by the Geological Survey
in cooperation with the U.S. Forest Service

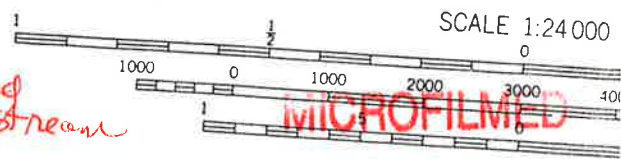
Photograph prepared from 1:80,000-scale
aerial photographs taken September 2, 1974

on 10,000-foot grid ticks: Idaho coordinate
zone (transverse Mercator)
the Universal Transverse Mercator grid ticks,
1927 North American datum

very transformed by scanning techniques
produce double or mismatched images.

NE 1/4 NE 1/4 NW 1/4

spring - unnamed stream
to ponds



NOV 06 1992