

03/18/2004

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

RIGHT NUMBER: 23-10857

NAME AND ADDRESS: CAROL E ASHMENT  
639 CHAPEL RD  
PO BOX 205  
IRWIN ID 83428

THERON R ASHMENT  
639 CHAPEL RD  
PO BOX 205  
IRWIN ID 83428

SOURCE: PALISADES CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 6.400 CFS

USE OF THIS RIGHT WITH RIGHT NO. 23-00106B IS LIMITED TO A TOTAL  
COMBINED DIVERSION RATE OF 10.2 CFS.

PRIORITY DATE: 06/01/1898

POINT OF DIVERSION:

T01N R44E S26 SWSWSE Within BONNEVILLE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 4/01 11/01           | 6.400 CFS       |

PLACE OF USE: IRRIGATION Within BONNEVILLE County

|               |      |      |               |      |      |
|---------------|------|------|---------------|------|------|
| T01N R44E S08 | NESW | 36.0 | T01N R44E S08 | NWSW | 40.0 |
| T01N R44E S08 | SWSW | 32.0 | T01N R44E S08 | SESW | 38.0 |
| T01N R44E S08 | NWSE | 26.0 | T01N R44E S08 | SWSE | 25.0 |

197 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 23-00106B IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 197.0 ACRES IN A SINGLE  
IRRIGATION SEASON.

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: Decreed

03/18/2004

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

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RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT  
TO SECTION 42-1425, IDAHO CODE.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM PALISADES  
IRRIGATION COMPANY.

WATER IS DELIVERED THROUGH THE PALISADES IRRIGATION CANAL  
SYSTEM.

RIGHT NO. 23-00106B IS ALSO DIVERTED THROUGH POINT OF DIVERSION  
DESCRIBED ABOVE.

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 23-00044 and  
23-00057.

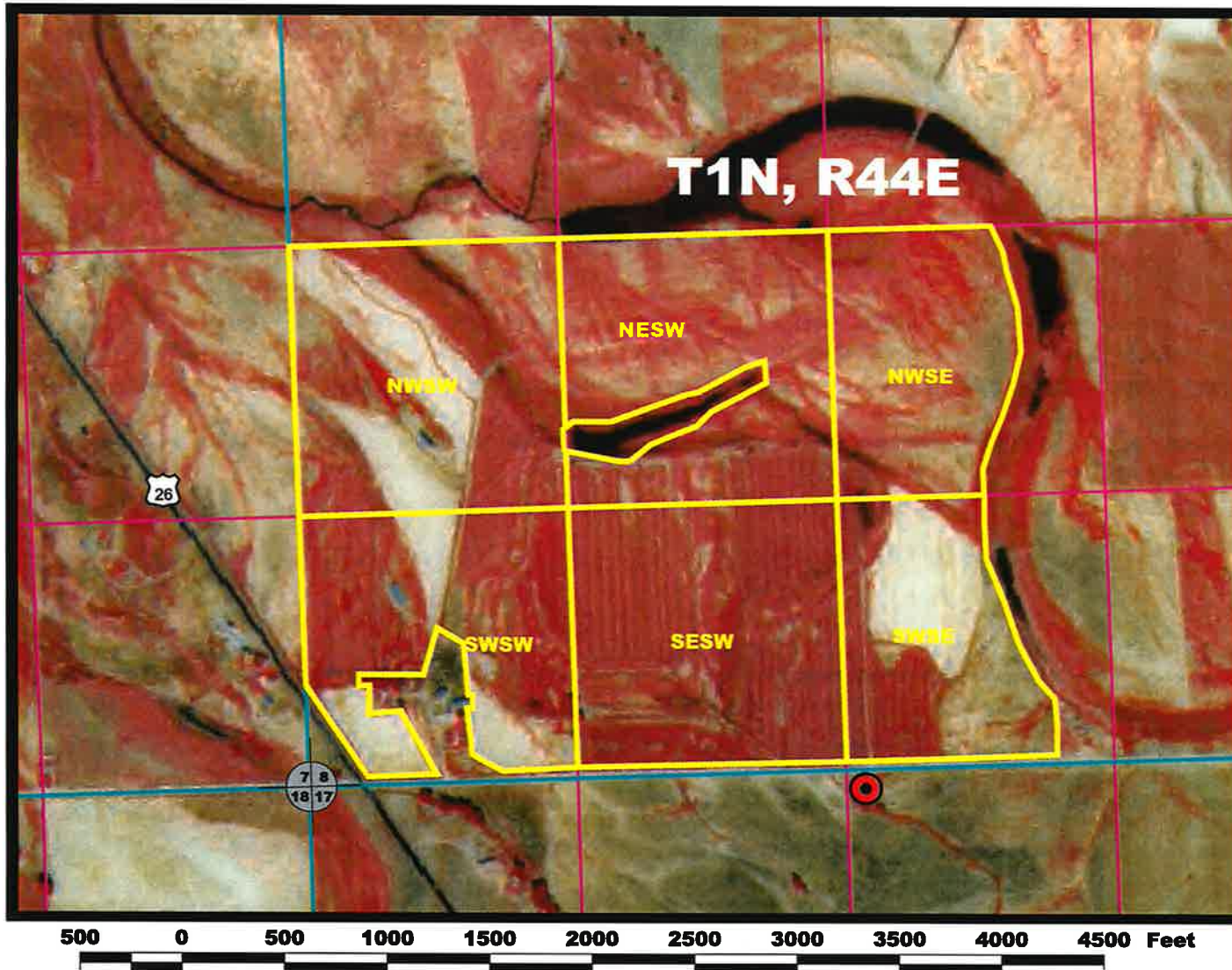


SCANNED  
JUL 23 2004

# State of Idaho

Department of Water Resources

Eastern Region



## Water Right(s):

23-00106B,  
23-10857

## Place of Use: (parts of)

T1N, R44E  
Sec. 8 SW, W2SE

## Point(s) of Diversion:

T1N, R44E  
Sec. 26 SWSWSE

**NOTE: Delivery is through The  
Palisades Irrig. Co. Canal system**

## 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: March 2004

02/04/2004

**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: 23-10857

CAROL E ASHMENT  
639 CHAPEL RD  
PO BOX 205  
IRWIN ID 83428  
Telephone Number: (208)483-3823

THERON R ASHMENT  
639 CHAPEL RD  
PO BOX 205  
IRWIN ID 83428  
Telephone Number: (208)483-3823

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

*CONVERT LOCATED AS SHOWN ON MAP*

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: 3-16-04 SIGNATURE: *Theron Ashment*

Please print your name: \_\_\_\_\_

IDWR Regional Office,

*3/18/04 All Corrected*

*ASR*

SCANNED  
JUL 23 2004

## Contacts Data Entry Form

Water Right No. 23-10857

| Owner Type                                        | Full Name            | Address | City  | State         | Zip | Phone |
|---------------------------------------------------|----------------------|---------|-------|---------------|-----|-------|
| Current Owner                                     | <u>THERON ASHMEY</u> |         |       |               |     |       |
| Name connector: and _____, or _____, 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:

THIS A COMBINED RIGHTS CLAIM. COMBINOS 23-44  
@ 3.2 cfs AND 23-57 @ 3.2 cfs  
DESCRIBED UNDER REYBURG IRRIG. CO. vs TETON IRRIG. CO.  
1910, AS #'S 169 (BOTH), @ 160<sup>EA</sup> OF PALISADES CR, TO:  
23-44 - W. JOHNSON, J.W. MCKAY, S. WEEKS JR., JUNE 1, 1898  
23-57 - S. WEEKS JR., JUNE 1, 1898

Remark  
P15

FS INDICATED: PULL, POD, Delivery / System Operatg Pts.  
POD From Palisade Irrigation Canal To pou 15 Irrigation  
Ditch. APPROX 10 AC. Flood Irrig. Remainder SPRINKLED

Reviewer: \_\_\_\_\_

Date: \_\_\_\_\_

All Rights Combined From Palisade Irr. Canal

## Priority Date Data Entry Form

Claim Number: \_\_\_\_\_

Water Right Priority Date: \_\_\_\_\_ Water Right Basis: \_\_\_\_\_

Claimed Priority Date: JUNE 01, 1898 Claimed Basis: DECREESRecommended Priority Date: 6/01/1898 Recommended Basis: "☐ 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:

23-44 = 6/01/189823-57 = 6/01/1898CLAIM MATCHES DECREES ON BOTH23-00044\*3.2 cfs 6/01/1898PALISADES CKPOLI: TIN R44E SEC. 8, 16 & 2123-00057\*3.2 cfs 6/01/1898PALISADES CKPOLI: TIN R44E SEC. 8, 16 & 21T. ASHMENT23-108576.4 cfs 6/01/1898PALISADES CKPOLI: TIN R44E SEC. 8SW 1/4, W 2 SE

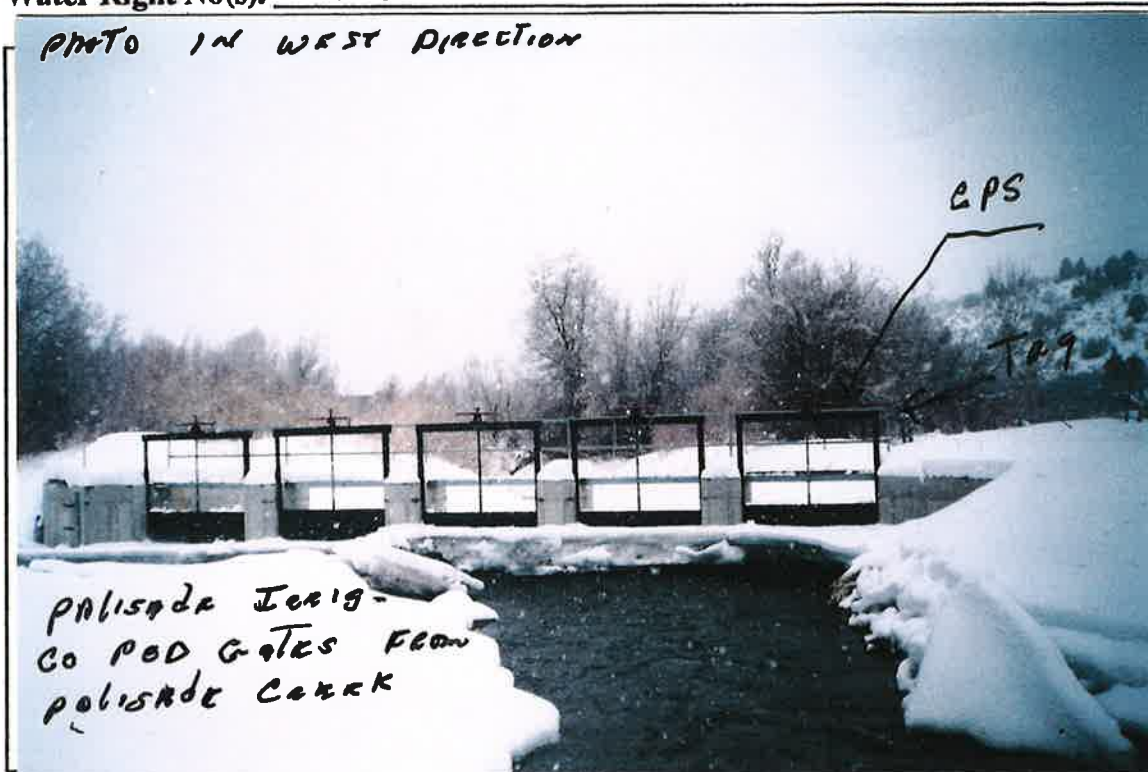
P15

Reviewer: \_\_\_\_\_

Date: \_\_\_\_\_

Water Right No(s). A 2300104

PHOTO IN WEST DIRECTION



**GPS DATA:**

Tag # 40009534 Location: ON END OF #1 GATE

**Diversion Data:**

Source: Palisade Creek Trib to: SNAKE RIVER

**MOTOR**

Make: N.A. Model: \_\_\_\_\_ Hp: \_\_\_\_\_  
SN: \_\_\_\_\_

**PUMP**

Make: NA Model: \_\_\_\_\_ Disch: \_\_\_\_\_  
SN: \_\_\_\_\_

**NOTES:**

GPS + TAG ARE ON #1 gate AS  
photo shows. NORTH Gate

Field Exam Date: 28 JAN 2004 Agent: Nick Olson

## 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. 26, SW, SW, SW. County: BONNSource: PALISADES CK Tributary: SNAKE RIVER, So. Fork.

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? A0009534 ON HANDWHEEL FRAME.

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

POD NOT ADDRESSED BY DECREE. CLAIMED POD IS THE  
 HEADING OF THE PALISADES IRRIG CO. @ SWSWSB SEC. 26 T1N R44E.  
 DELIVERY THROUGH PALISADES IRRIG CO. CANAL  
 P.O.D. PALISADE IRRIGATION Co 3 p.d. from Canal. All Rights are  
 Co mingled To Same P.O.D.

Remark EXP.

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 |
|-----|-----|-----|-------------------|---|--------|---------|------------------|----------------|
| 1N  | 44E | 8   | SW                |   | Benn.  |         | 154 <sup>0</sup> | Pring.         |
|     |     |     | W <sup>2</sup> SE |   | "      |         | 69 <sup>0</sup>  | Pring.         |
|     |     |     |                   |   |        |         |                  |                |
|     |     |     |                   |   |        |         |                  |                |
|     |     |     |                   |   |        |         |                  |                |
|     |     |     |                   |   |        |         |                  |                |

Total Acres 223<sup>0</sup>

## Recommended Place of Use

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

Total Acres \_\_\_\_\_

Document how the POU was verified:

POU NOT ADDRESSED BY DECREE. POU Au Rts w/ Ac Limits.

C#5

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   | 11/1 | 6.4  |        |
|           |       |      |      |        |
|           |       |      |      |        |

Overall Diversion Rate \_\_\_\_\_

Overall Diversion Volume \_\_\_\_\_

## Recommended Period of Use and Diversion Rate

| Water Use | Start | End   | Rate | Volume |
|-----------|-------|-------|------|--------|
| IRrig.    | 4/15  | 10/31 | 6.4  |        |
|           |       |       |      |        |
|           |       |       |      |        |

Overall Diversion Rate \_\_\_\_\_

Overall Diversion Volume \_\_\_\_\_

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

SOU NOT ADDRESSED BY DECREE. RECOMMEND 4/15 TO 10/31

AS DEPT. STD. FOR ARIZ.

Q OF 6.4 COMBING 23-44 @ 3.2 cfs (160") AND 23-57 @ 3.2 cfs (160")

AS DECREED. COMBINED USE REMARKS APPLY w/ Q Limits. Remark  
And Ac Limits

Reviewer: \_\_\_\_\_

Date: \_\_\_\_\_

OCTOBER 26, 1992

THERON R ASHMENT  
PO BOX 205  
IRWIN ID 83428

RE: RENUMBERED NOTICE

Dear Mr. Ashment:

The Department has changed the identification number for Notice of Claim #A23-00044. The new number is #A23-10857. We have also modified receipt #M003990 to reflect the new number.

A copy of the receipt and the Notice of Claim is enclosed for your records.

Respectfully submitted,

Ernest Carlsen  
Water Rights Supervisor, Adjudications

EC:sc

Enclosure

MICROFILMED  
DEC 09 1992

8/23/1989

ASHMENT, THERON OR CAROL

ADJUDICATION FEE

410162

9337

6490

423.00

CHECK

914

\$423.00

Water Right Numbers

A23-10153

A23-10152

A23-10151

A23-10857

A23-00106B

Region: MOBILE I

Signature: Therla Cor

10/20/92

Renumbered from A23-00044

MICROFILMED

DEC 09 1992

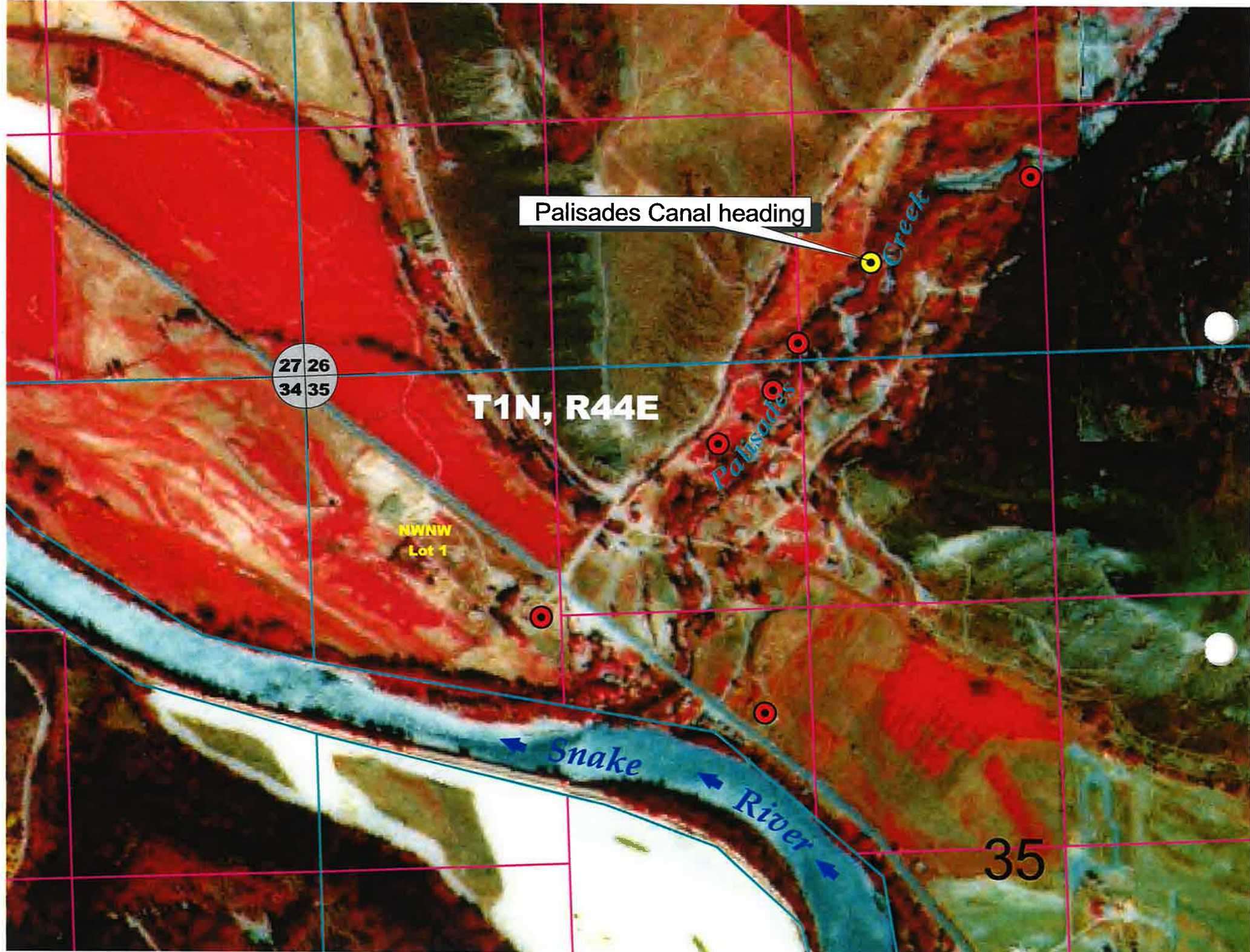
Log for claim 23-10857

Spatial Dynamics BTD

6/15/01

| TR      | SEC | QQ   | Acres<br>Claimed | Acres<br>Found | COMMENT |
|---------|-----|------|------------------|----------------|---------|
| 01n44e  | 8   | NESW | 40               | 38             |         |
| 01n44e  | 8   | NWSW | 40               | 39             |         |
| 01n44e  | 8   | SWSW | 35               | 37             |         |
| 01n44e  | 8   | SESW | 39               | 38             |         |
| 01n44e  | 8   | NWSE | 34               | 31             |         |
| 01n44e  | 8   | SWSE | 35               | 32             |         |
| Totals: |     |      | 223              | 215            |         |

P15- 23-44 & 23-57



Palisades Canal heading

27 26  
34 35

T1N, R44E

NWNW  
Lot 1

Palisades  
Creek

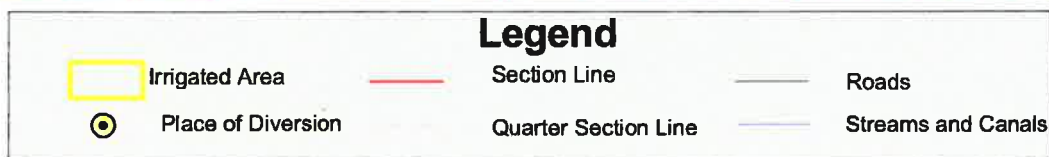
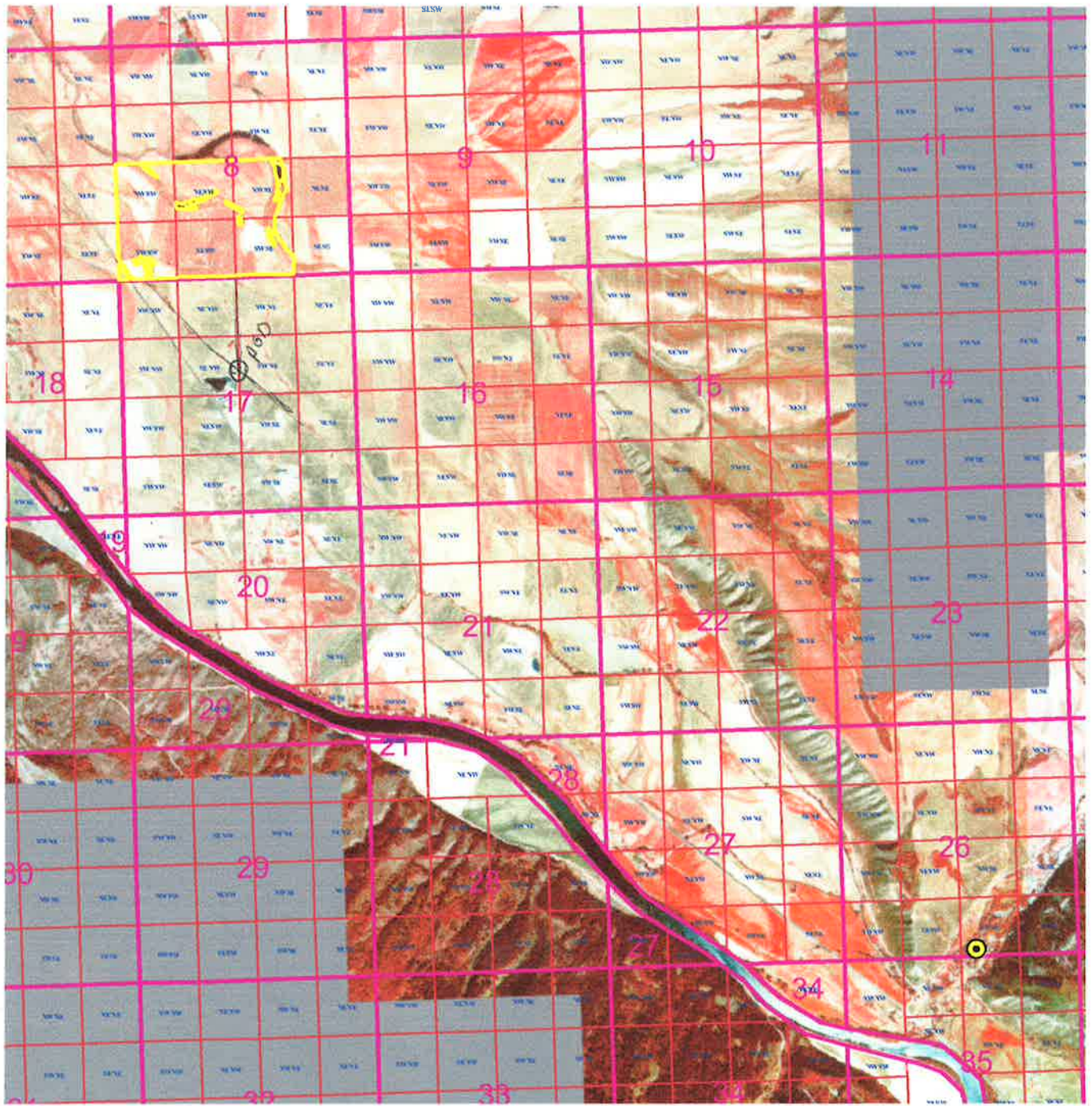
Snake

River

35

# Water Right Claim Number 23-10857 Township, 1N44E

06/15/2001



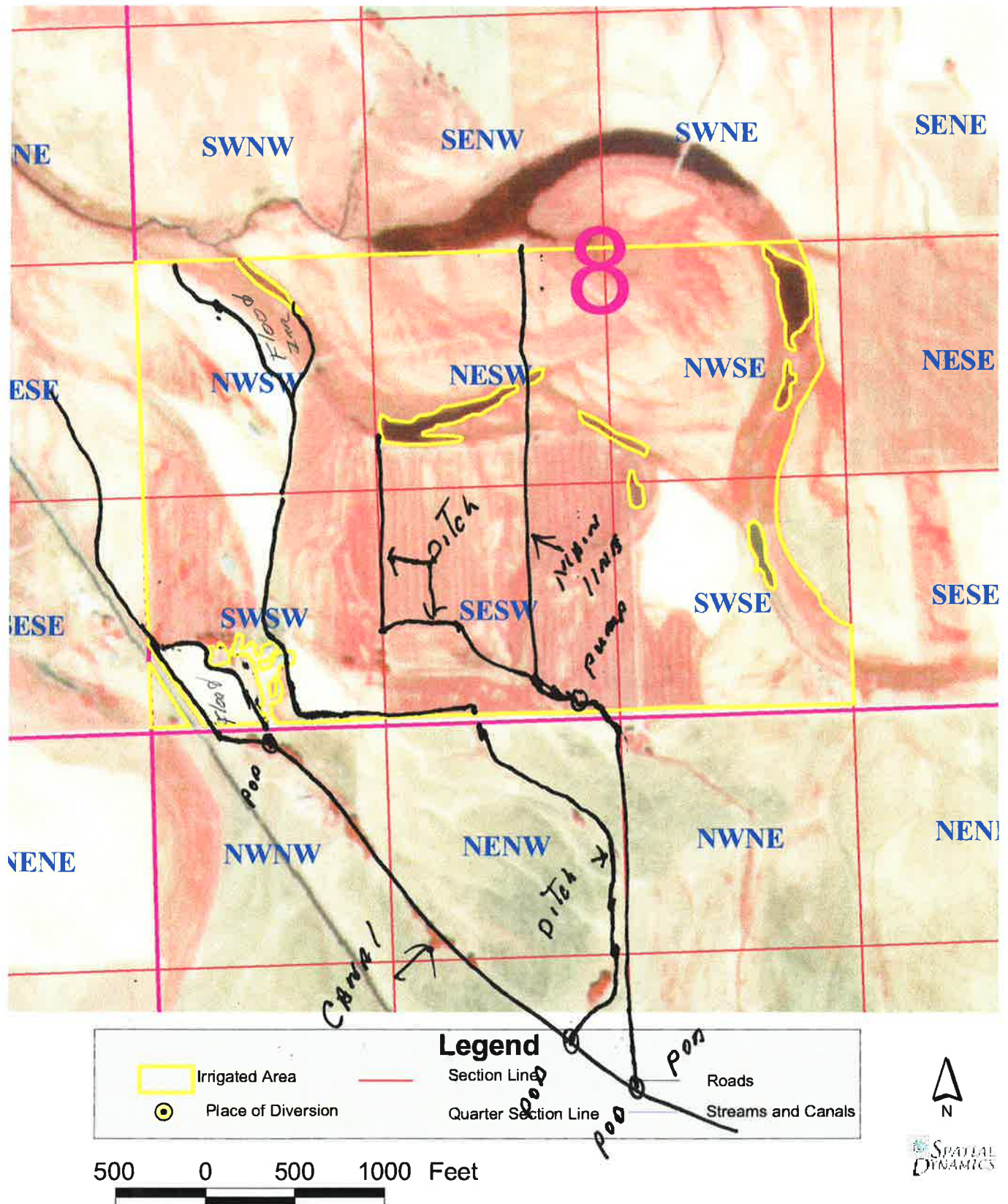
2200 0 2200 4400 Feet



SPATIAL  
DYNAMICS

Water Right Claim Number 23-10857  
Township, 1N44E

06/15/2001



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

*Renumbered: A23-10857*  
Ident. Number: ~~A23-00044~~ *10/24/92*  
Date Received: 8/23/1989 *SL*  
Receipt No: *MOO 3990*  
Received By: *JPL*

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: THERON R. ASHMENT 208-483-3823  
Address: 639 CHAPEL RD. P. O. BOX 205  
IRWIN, ID 83428

AND/OR

Name: CAROL E. ASHMENT 208-483-3823  
Address: 639 CHAPEL RD. P. O. BOX 205  
IRWIN, ID 83428

2. Date of Priority: JUN 01, 1898

3. Source: PALISADES CREEK Trib. to: SNAKE RIVER, SOUTH 1

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County     |
|----------|-------|---------|--------|--------|--------|-----|------------|
| 01N      | 44E   | 26      | SW     | SW     | SE     |     | BONNEVILLE |

5. Description of diverting works:  
CONCRETE DIV. STRUCTURE IN CK. TO PALISADES IRR. CO. TO SWAN VALL

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 6.400 |      |        |

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

8. Total consumptive use is 557.5 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

10. Place of Use:

| Township      | Range | Section | 1/4 of 1/4 | Lot | Use | Acres |
|---------------|-------|---------|------------|-----|-----|-------|
| 01N           | 44E   | 8       | NE         | SW  | IRR | 40.0  |
|               |       |         | NW         | SW  | IRR | 40.0  |
|               |       |         | SW         | SW  | IRR | 35.0  |
|               |       |         | SE         | SW  | IRR | 39.0  |
|               |       |         | NW         | SE  | IRR | 34.0  |
|               |       |         | SW         | SE  | IRR | 35.0  |
| Section Acres |       |         |            |     |     | 223.0 |
| Total Acres   |       |         |            |     |     | 223.0 |

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:  
A23-00106B

14. Remarks:  
THIS IS A COMBINED RIGHT. 3.2 CFS FROM 23-0044 AND 3.2 CFS. FROM  
23-0057. CLAIMANTS PROPERTY PAPERS SHOWED TWO 6/1/1898 RTS.  
FOR 3.2 CFS. EACH.

15. Basis of Claim: DECREED  
Case Number:  
Court :  
Decree date:

REXBURG IRRIG. CO. ET AL  
Decree Plaintiff

vs

TETON IRRIG. CANAL CO. ET AL  
Decree 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 no 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): Theron R. Ashment Date: 8-23-89

\_\_\_\_\_  
Date: \_\_\_\_\_

State of Idaho )  
County of Pomeroy ) SS.

Subscribed and sworn (or affirmed) before me this 23 day

of Aug 19 89

Seal

John Paul Corbin  
Notary Public

Residing at Pom. Id

My Commission Expires 4/2/94