

04/07/2004

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

RIGHT NUMBER: 23-75

NAME AND ADDRESS: ALTON S JACOBSON
HC 34 BOX 4
IRWIN ID 83428

SOURCE: PALISADES CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 2.890 CFS

PRIORITY DATE: 05/20/1889

POINT OF DIVERSION:

T01N R44E S26 SWSWSE Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

2.890 CFS

PLACE OF USE:

IRRIGATION Within BONNEVILLE County

T01N R44E S27	SWNE	39.0	T01N R44E S27	SWNW	27.0
T01N R44E S27	SENE	3.0	T01N R44E S27	NESW	2.5
T01N R44E S27	NWSE	26.0	T01N R44E S27 Lot 5 SWSE		0.8

98.3 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: Decreed

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

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 CANAL.

WATER IS DELIVERED THROUGH PALISADES IRRIGATION CANAL.

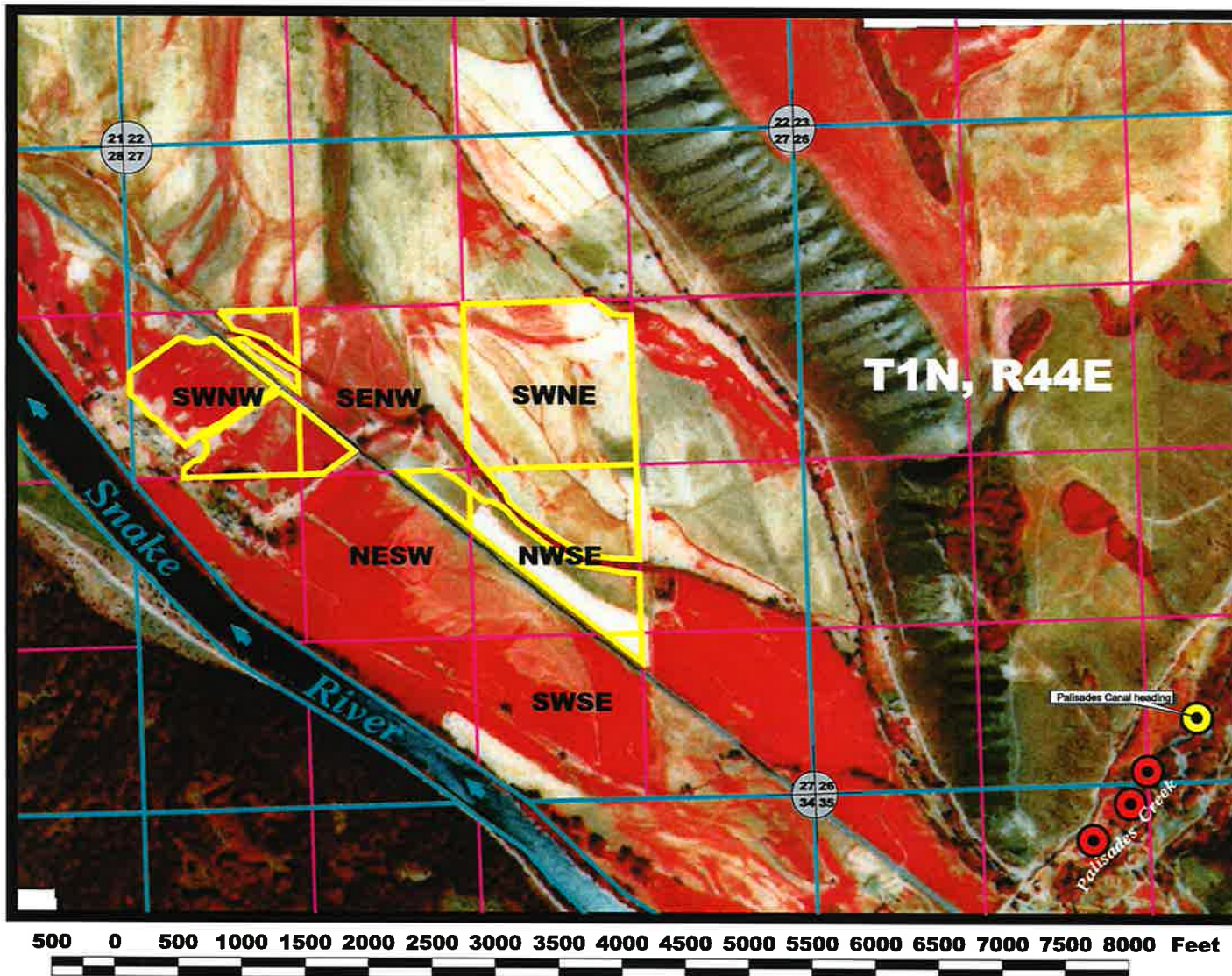


JUL 08 2004
SCANNED

State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):
23-00075

Place of Use: (parts of)
T1N, R44E
Sec. 27 S2NW, NESW,
W2SE, SWNE.

Point(s) of Diversion:
T1N, R44E
Sec. 26 SWSWSE

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 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

November 30, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

RUTH JACOBSON
3560 SWAN VALLEY HWY
IRWIN ID 83428

RE: Notice of Change of Water Right Ownership (NCO) for 23-75A and Notice of Completed Administrative Proceeding (NCAP)

Mrs. Jacobson:

On November 22, 2004, the Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Crabtree

Technical Records Specialist

Enclosure

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Water Rights: 23-75A

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party
- ☐ I.C. § 42-222 transfer
 - ☐ point of diversion ☐ place of use
 - ☐ period of use ☐ nature of use
 - ☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 11/29/04

Ernest Carlson

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on Dec 3, 2004, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
DORALD JACOBSON (DECEASED)

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
RUTH JACOBSON
3560 SWAN VALLEY HWY
IRWIN ID 83428

4. One copy to:

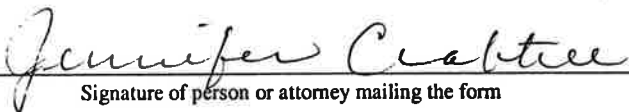
Each party in the subcase, or attorney of record
N/A

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

DELOG
JC
11-23-04

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	23-75A				

2. The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE**. See instructions for fee amounts. 0

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Dorald L. Jacobson

4. New Owner/Claimant(s)

Ruth M. Jacobson

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

3560 Swan Valley Hwy

City, State and ZIP Code

Irwin ID 83428-5001

New Telephone Number

() _____

5. Date you acquired the property

RECEIVED

NOV 22 2004

Department of Water Resources
Eastern Region

needs
NCAP

copy 1
deed
certificate

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in Item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7.

Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Rick S. Jacobson

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

Contacts Data Entry Form

Water Right No. 23-75

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	ALTON JACOBSON					
Name connector: and _____, or _____, and/or _____	DEVON (SON)					
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:						
DECREED UNDER ROXBURG Irrig. Co. vs TETON Irrig Co.						
1910, AS # 66, TO ANTON NELSON, 5/20/1889, PALISADES CK						
180" (3.6 cfs).						
SPLIT BY ADJUDICATION AS:						
RUTH JACOBSON 23-00075A @ 0.83 cfs on 35 ² AC						
RECOMMENDED AS 0.83 cfs on 27 ² AC						
0.83 cfs AS: 2 ⁷ AC @ 0.02 = 0.54 cfs, 0.29 cfs CONVEYANCE LOSS						
ALTON JACOBSON 23-00075 @ 3.60 cfs on 117 ² AC						
RECOMMEND AS 2.77 cfs on 92 ² AC						
2.77 cfs AS: 92 ² AC @ 0.02 = 1.84 cfs, 0.93 cfs CONVEYANCE LOSS						
RECOMMENDATIONS FOR BU AND CONVEY LOSS						
DECREED Rt, 23-00075 / 75 IS CLAIMED IN-FULL.						
4/17/03 RE: POD, CONVEYANCES, POD						
Reviewer: _____ Date: _____						

SCANNED

JUL 08 2004

Claim Number: _____

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: 2/20/1989 Claimed Basis: 26 USC 80D

Recommended Priority Date: 5/20/1889 Recommended Basis Discovered

 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:

MARCHOS DECEBOS

Reviewer: _____

Date: _____

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____, R____, Sec.____,____,____,____. County: _____

Source: _____ 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
IN	44E	26		SW 1/4 SE	BONN	PAUSAOGS CK
GPS Coordinates: 43.3801				-111.2378		
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						

c03

Other rights from this POD? _____

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

GPS TAG # A0012494 - This is the PAUSAOGS Spring
CANAL HEADING.

APPARENTLY, THE POD HAS CHANGED DUE TO CK PROBLEMS
ALTHOUGH NOT ADDRESSED BY DECREE.

c03

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
IN	44E	27	SWNW		BONN			Pring
			SENW					
			SWNE					
			NWSE					
			SWSE					
			NESW					

Total Acres _____

Document how the POU was verified:

SEE GIS - CORRELATED POU by $\approx 6^{\circ}$ AC FOR NDE BASED ON
FSA MAP OF POU.

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
	4/1	11/1	36	

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Parag	4/15	10/31	2.77	
			2.89	per NOR

Overall Diversion Rate _____ Overall Diversion Volume _____

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

Q of 2.77 cfs allows 0.93 cfs as conveyance loss.
SOL to Dept STD of 4/15 TO 10/31. CORRECTED SOL per NOR

Also has PARAGSOL Parag Shards

Reviewer: _____

Date: _____

Log for claim 23-00075

Spatial Dynamics LTD

5/30/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
01n44e	27	SWNE	37	40	
01n44e	27	SWNW	22	6.5	
01n44e	27	SENE	17	35	
01n44e	27	NESW	5	3.3	
01n44e	27	NWSE	32	30	
01n44e	27	SWSE	4	1	
Totals:			117	115.8	

Water Right Claim Number 23-00075
Township , 1N44E

05/30/2001



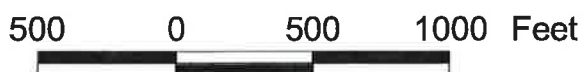
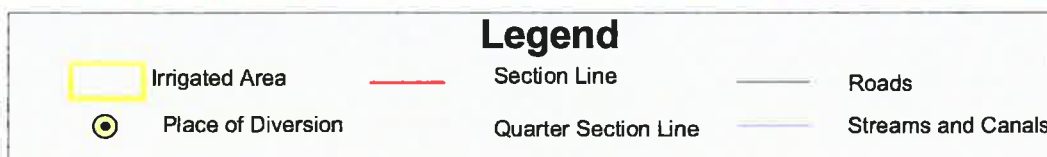
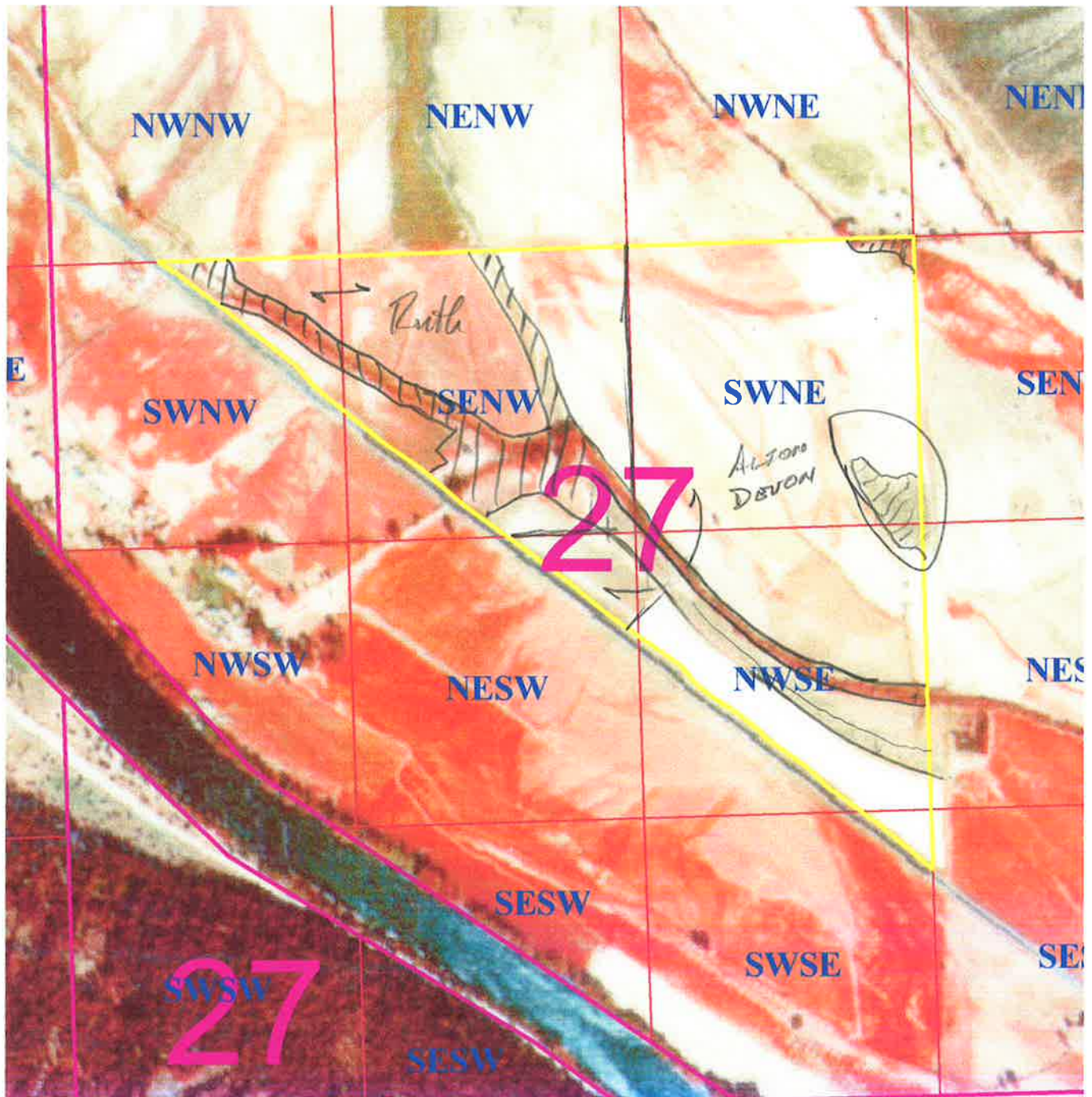
Legend		
	Irrigated Area	 Section Line
	Place of Diversion	 Roads
		 Streams and Canals
		 Quarter Section Line



SPATIAL
DYNAMICS

Water Right Claim Number 23-00075
Township, 1N44E

05/30/2001



SPATIAL
DYNAMICS

4/17/03
MAR

04/29/2003

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: 23-75

ALTON S JACOBSON

HC 34 BOX 4

IRWIN ID 83428

Telephone Number: (208)483-3835

RECEIVED

APR 02 2004

Department of Water Resources
Eastern Region

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:

Connect ROW per ASCS (FSA) MAP

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: *w/o Signature*

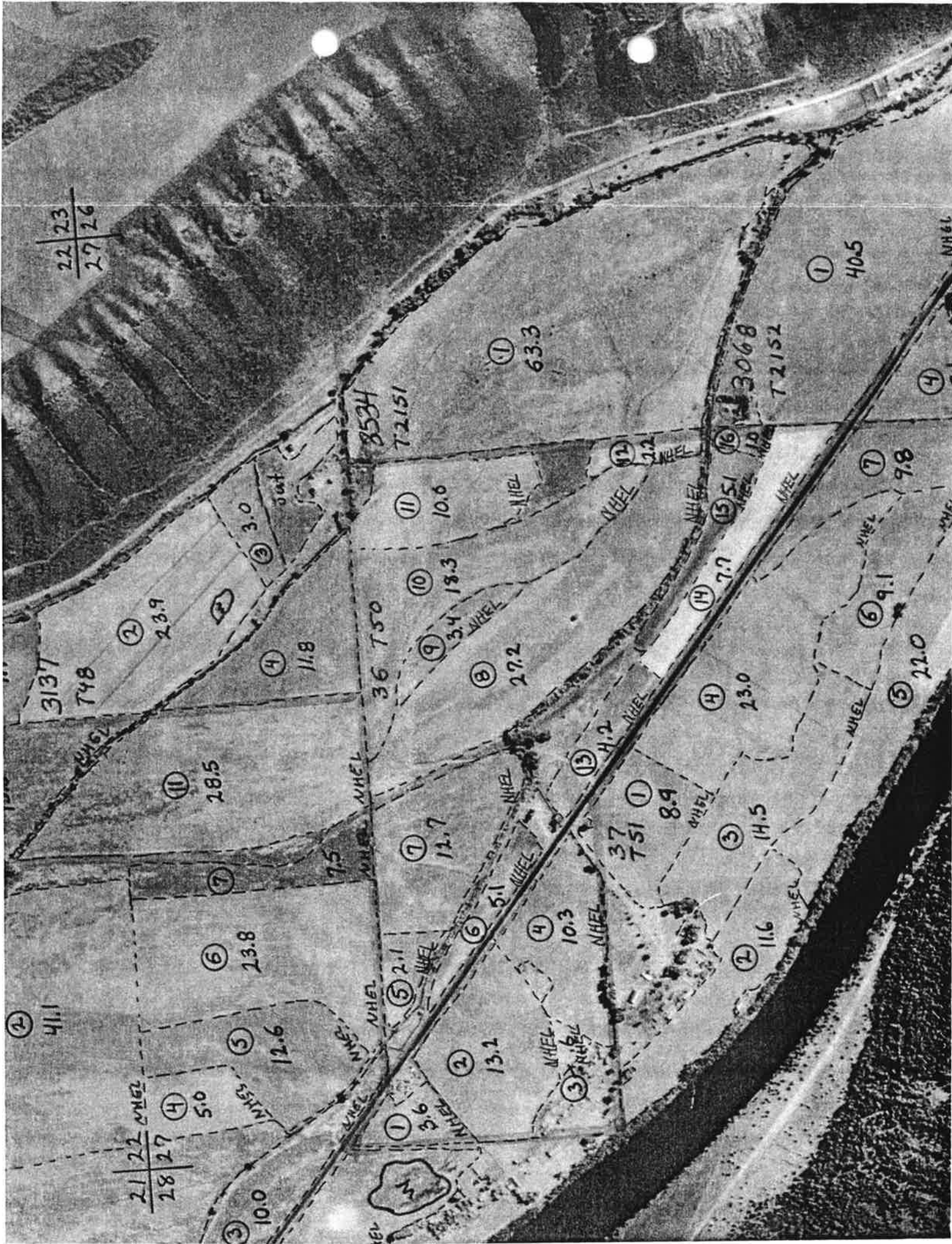
Please print your name: _____

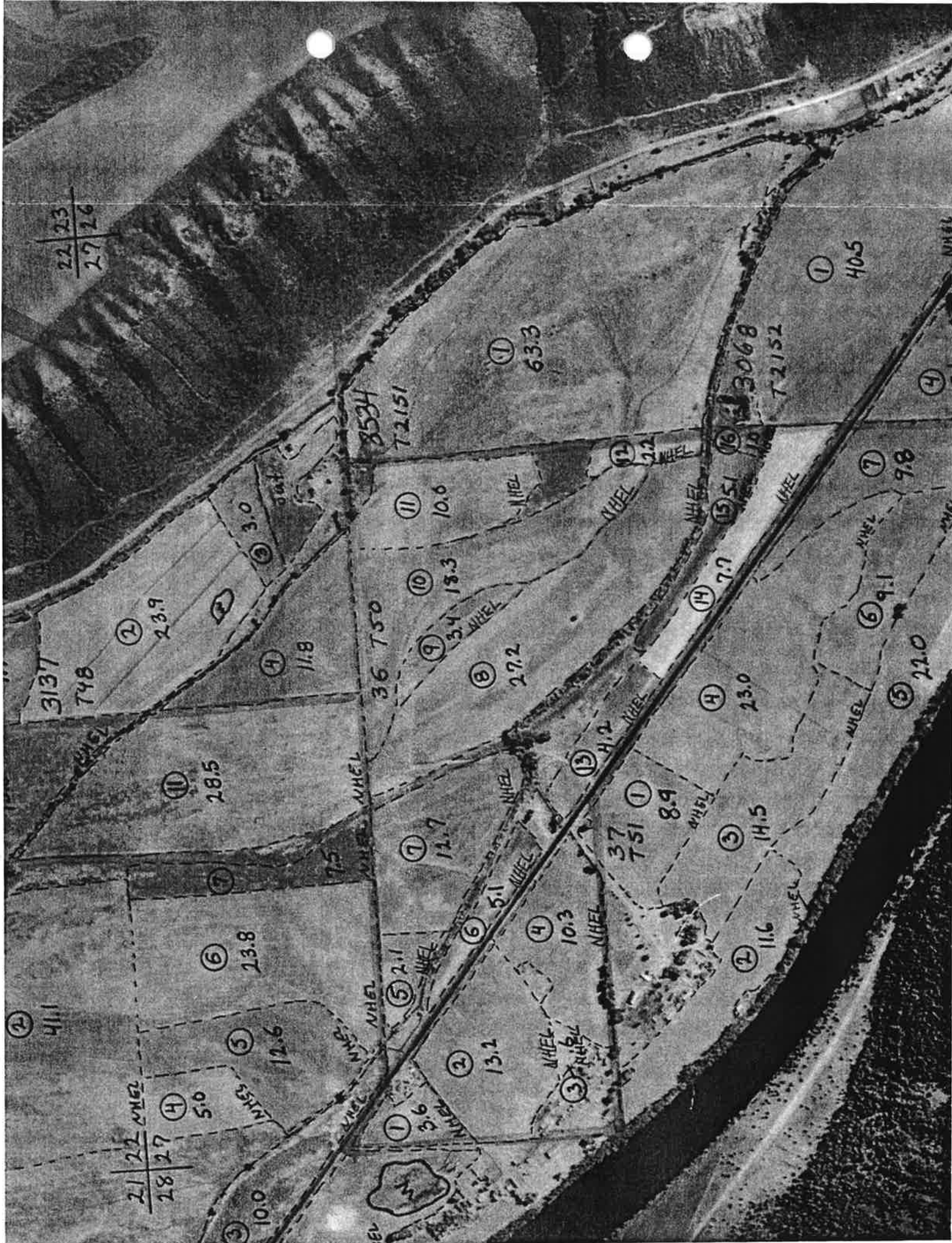
IDWR Regional Office,

*4/7/04 Correct per map. Also connect Q and seal
to Dept Std. Approx. Parsons Energy Center Use.*

[Signature]







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: A23-00075
Date Received: 6/13/1989
Receipt No: E009054
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: ALTON S. JACOBSON 208-483-3835
Address: HC 34 BOX 4
IRWIN, ID 83428

2. Date of Priority: MAY 20, 1889

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

4. Point of Diversion:

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

5. Description of diverting works:
DELIVERED BY THE PALISADES CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S. (or)	A.F.A.
IRRIGATION	04/01	11/01	3.600	

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

8. Total consumptive use is 292.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	44E	27	SW	NE		IRR	37.0
			SW	NW		IRR	22.0
			SE	NW		IRR	17.0
			NE	SW		IRR	5.0

A23-00075

Page 1

Date: 12/29/89

MICROFILMED
NOV 07 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	44E	27	NW	SE		IRR	32.0
			SW	SE		IRR	4.0
Section Acres							117.0
Total Acres							117.0

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:
NONE

14. Remarks:

ORIGINAL CLAIM AMENDED 12/29/89 TO REMOVE ACREAGE CLAIMED ON
NOTICE A23-00075A BY DONALD/RUTH JACOBSON. THE ACREAGE FEE
PREVIOUSLY PAID FOR THIS CLAIM UNDER RECEIPT #E009054 WAS
APPLIED TO NOTICE A23-00075A.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

REXBURG IRRIG. CO. ET AL
Decree Plaintiff

vs

TETON IRRIGATION CANAL CO ET A
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 _____ 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): *Alton Jacobson* Date: 12-29-89
_____ Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 29th day
of December 19 89 *Anthony J. Clements*
Notary Public

Seal

Residing at *Lobo Falls*
My Commission Expires 9/12/1994

202⁰⁹ X

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: A23-00075

Date Received: 6/12/1989

Receipt No: E009054

Received By: AB #227^a

#6610

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ALTON S. JACOBSON
Address: HC 34 BOX 4
IRWIN, ID

208-483-3835

83428

2. Date of Priority: MAY 20, 1889

3. Source: PALISADES CREEK

Trib. to: SNAKE RIVER, SOUTH FORK

4. Point of Diversion:

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

5. Description of diverting works:
DELIVERED BY THE PALISADES CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.600		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	44E	27	SW	NE		IRR	40.0
			SW	NW		IRR	29.0
			SE	NW		IRR	40.0
			NE	SW		IRR	5.0

A23-00075

Page 1

Date: 06/12/89

MICROFILMED

NOV 07 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	44E	27	NW	SE		IRR	34.0
			SW	SE		IRR	4.0
Section Acres							152.0
Total Acres							152.0

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:
NONE

14. Remarks:

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

REXBURG IRRIG. CO. ET AL
Decree Plaintiff

vs

TETON IRRIGATION CANAL CO ET A
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 _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 2

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): Alton S. Jacobson Date: 6-12-1989
_____ Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 12th day
of June 1989

Anna Breen
Notary Public

Seal

Residing at Boise Idaho
My Commission Expires 12/7 1994

MICROFILMED
NOV 07 1992

630 000
FEET

43°22'30"



111°15'

750 000 FEET

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

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

Projection and 10,000-foot grid ticks: Idaho coordinate
system, east zone (transverse Mercator)
1,000-metre Universal Transverse Mercator grid ticks,
zone 12. 1927 North American datum

NORTH



48°03'00"N.

43°22'30"

47°00'00"E.

111°15'

1 MILE
7000 FEET
KILOMETRE

MICROFILMED
NOV 6 7 1992

A23-00075

SWAN VALLEY, IDA
N4322.5-W11115/7.5
1974

ADVANCE PRINT