

09/17/2004

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

RIGHT NUMBER: 25-139
NAME AND ADDRESS: KENT SPERRY
46 N 4300 E
RIGBY ID 83442
JOHN SPERRY
601 ANNIS HWY
RIGBY ID 83442-1221

SOURCE: WILLOW CREEK TRIBUTARY: SNAKE RIVER
QUANTITY: 1.800 CFS
PRIORITY DATE: 05/01/1888
POINT OF DIVERSION:

T03N R39E S15 NWSE Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.800 CFS

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T03N R39E S15	SWNE	0.8	T03N R39E S15	SENE	27.0
T03N R39E S15	NESW	18.0	T03N R39E S15	SESW	38.0
T03N R39E S15	NESE	38.0	T03N R39E S15	NWSE	29.0
T03N R39E S15	SWSE	39.0	T03N R39E S15	SESE	39.0

228.8 ACRES TOTAL

Use of this right with Right No. 25-63 is limited to the irrigation of a combined total of 120 acres in a single irrigation season.

Use of the rights listed below is limited to the irrigation of a combined total of 228.8 acres in a single irrigation season. Combined Right Nos.: 25-63, 25-139, and 25-14122.

This right is limited to the irrigation of 120 acres within the place of use described above 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

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 Farmers Friend Irrigation Co.

The following rights are diverted through point of diversion described above: 25-63, 25-139, and 25-14122.

Water Right 25-139

PROFILED

1

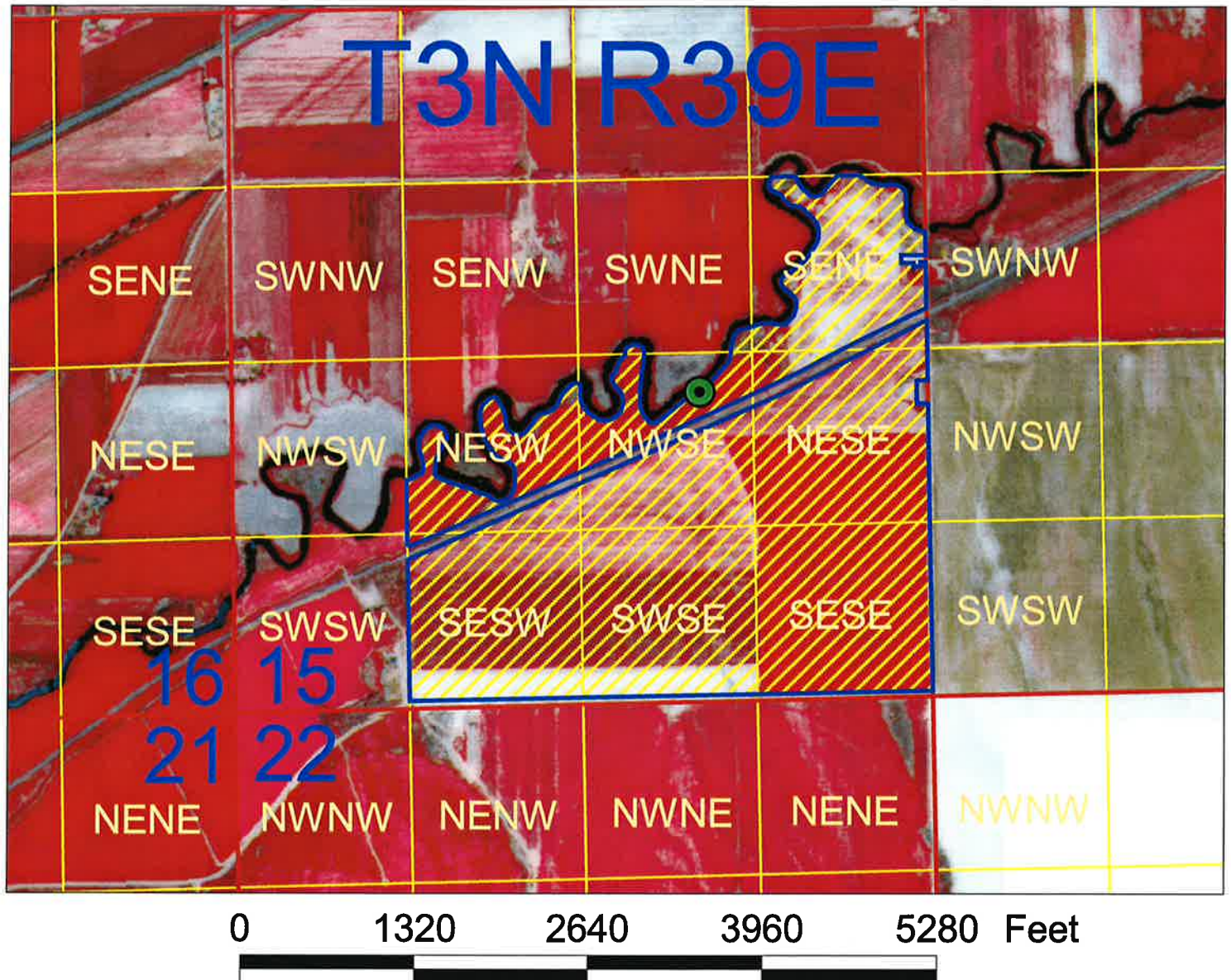
SCANNED

SEP 24 2004



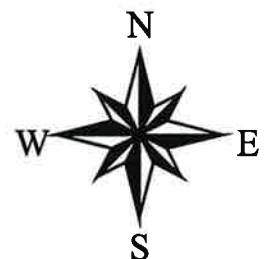
Department of Water Resources

Claim No.: 25-00139



- Point of diversion
- Place of use
- Sections
- QQ

PROFILED



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by M. Holliday
Date: September 2004

MH

09/17/2004

**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: 25-139

KENT SPERRY

46 N 4300 E

RIGBY ID 83442

Telephone Number: (208)745-7158

JOHN SPERRY

601 ANNIS HWY

RIGBY ID 83442-1221

Telephone Number: (208)523-0225

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:

X I AGREE with this proposed recommendation: no changes need to be made.

DATE: 10-26-04 SIGNATURE: Kent Sperry

Please print your name: Kent Sperry

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

RECEIVED

NOV 08 2004

Department of Water Resources
Eastern Region

RECEIVED
NOV 01 2004

Water Right Report 25-139

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MARY C MANN
	. ZZ

Status: Active

<u>Source</u>	<u>Tributary</u>
WILLOW CREEK	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/	to /	1.800 CFS	
DOMESTIC	/	to /		
STOCKWATER	/	to /		
		Total Diversion:	1.800 CFS	

WILLOW CREEK NE1/4SW1/4 Sec. 20, Twp 03N, Rge 39E, B.M.
BONNEVILLE County

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
03N	39E	15				X											X	X	

DOMESTIC same as IRRIGATION
STOCKWATER same as IRRIGATION

Conditions of Approval:

1. General FLOOD RIGHT.
P/D NOT GIVEN IN DECREE. SOURCE WD01. P/U INCOMPLETE.
AC. IRR. NOT STATED.

Comments:

Dates and Other Information:

PROFILED
SCANNED

SEP 24 2004

A25-00139 10/15/03

Please see A25-00063

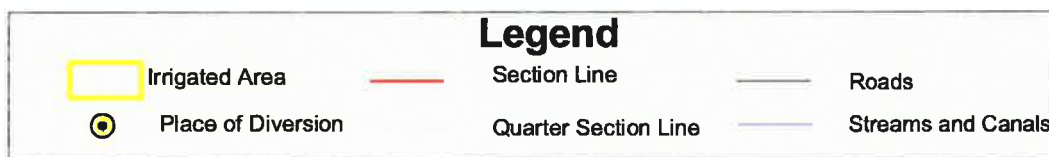
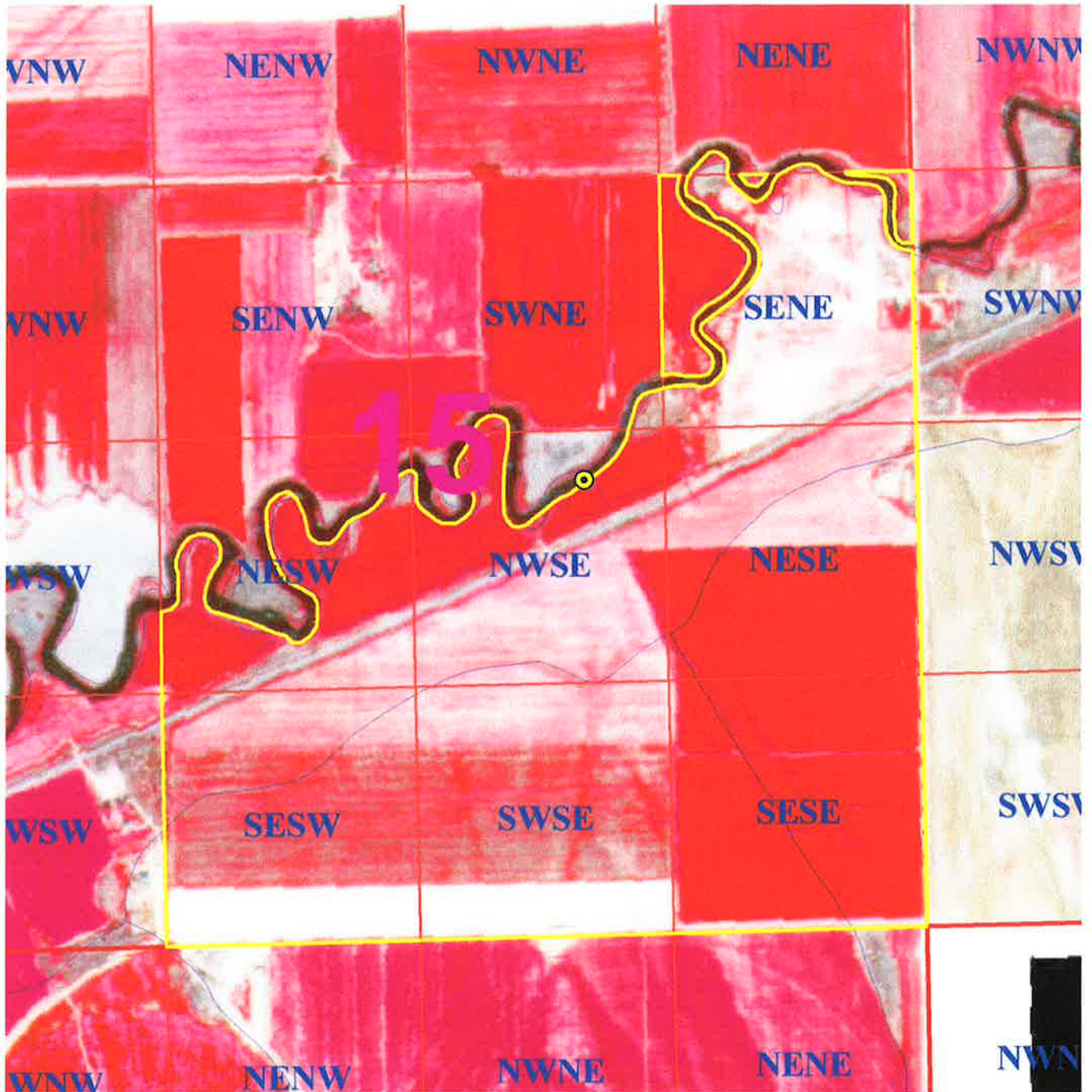
Water Resources
Field Services
208 663 4667

PROFILED

SCANNED
SEP 24 2004

Water Right Claim Number 25-00139
Township , 3N39E

11/28/2000



SPATIAL
DYNAMICS



PROFILED

SCANNED
SEP 24 2004

AJ5809NP
No. A25-00139

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/24/00
PAGE: 42

Point(s) of Diversion: T03N R39E S15 NWSE BONNEVILLE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE												
				NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM		
								:					:					:					:					:
03N	39E	15	:					35	:					:	19			40	:	38	34	40	40	:	246.0			
																							TOTAL ACRES	246.0				

POU County: BONNEVILLE

Non-Irrigation Uses: NONE

Other Rights: SHARES IN FARMERS FRIEND

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A25-00063

Other Water Rights Listing Overlapping Place(s) of Use:

A01-00061 A01-00248 A01-10200 A01-10201 A01-10202 A01-10203 A25-00057 A25-00059 A25-00063 A25-13497

Remarks: GEN ALSO RT A25-00063

Dates: Exam Made Date: Verified Date: 03/05/1985 Objection Filed Date:

Misc: Water District Number: 01 Field Inspection Flag:
Presumption Flag:

Audit: 09/15/89 JONES 03/29/95 POST-STD

PROFILED
SCANNED

SEP 24 2004

AJ5809NP
No. A25-00139

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/24/00
PAGE: 41

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOHN SPERRY 10669 N 95 E IDAHO FALLS ID 83401 (208) 523-0225	05/01/1888	IRRIGATION	04-01 11-01	1.800 CFS	
				TOTAL DIVERSION:	1.800 CFS	
				CONSUMPTIVE USE:		615.00 AFA
C	KENT SPERRY 46 N 4300 E RIGBY ID 83442 (208) 745-7158					
Water Source: WILLOW CREEK		Tributary to: SNAKE RIVER		Stage: DECREED		

PROFILED
SCANNEL

SEP 24 2004

SCANNED

JUL 25 1989

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: A25-00139
Date Received: 9/15/1989
Receipt No: 200595
Received By: HWS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN SPERRY 208-523-0225
Address: 10669 N. 95 E.
IDAHO FALLS, ID 83401
OR
Name: KENT SPERRY 208-745-7158
Address: 46 N. 4300 E.
RIGBY, ID 83442

2. Date of Priority: MAY 01, 1888

3. Source: WILLOW CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	39E	15	NW	SE			BONNEVILLE

5. Description of diverting works:
PUMP IN CREEK TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.800		

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

8. Total consumptive use is 615.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A25-00139

Page 1

Date: 09/15/89

MICROFILMED
NOV 06 1992

A2500139



10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
03N	39E	15	SE		NE		IRR	35.0
			NE		SW		IRR	19.0
			SE		SW		IRR	40.0
			NE		SE		IRR	38.0
			NW		SE		IRR	34.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	246.0
							Total Acres	246.0

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:
SHARES IN FARMERS FRIEND

14. Remarks:
ALSO RT A25-00063

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 7/20/1901

EAGLE ROCK & WILLOW CR. WATER
Decree Plaintiff

vs

HENRY KIEFER 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 X 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): *John Perry* Date: *9-15-89*

Date: _____

State of Idaho)
County of *Bonneville*) SS.

Subscribed and sworn (or affirmed) before me this *15th* day

of *Sept* 19 *89*

Charles Alroy
Notary Public

Seal

Residing at *Idaho Falls*

My Commission Expires *5/29/91*

A25-00129

