

01/02/2004

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

RIGHT NUMBER: 34-7431
NAME AND ADDRESS: GARY L KIMBALL
PO BOX 273
MACKAY ID 83251

LINDA L KIMBALL
PO BOX 273
MACKAY ID 83251

SOURCE: BIG LOST RIVER TRIBUTARY: SINKS
QUANTITY: 0.780 CFS
564.700 AFY
PRIORITY DATE: 05/30/1983
POINT OF DIVERSION:
T07N R24E S18 NESESE Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
RECREATION	01/01 12/31	0.780 CFS 564.70 AFY

PLACE OF USE: RECREATION Within CUSTER County

T07N R24E S17	SWSW	T07N R24E S18	SESE
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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.

Use of water under this water right will be regulated by the watermaster of State Water District No. 34, BIG LOST RIVER DISTRICT.

EXPLANATORY MATERIAL: License

A MEASURING DEVICE OF A TYPE APPROVED BY THE DEPARTMENT SHALL BE MAINTAINED AT THE POINT OF DIVERSION.

Use of water under this right shall be non-consumptive.

Prior to the diversion and use of water under this right, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.

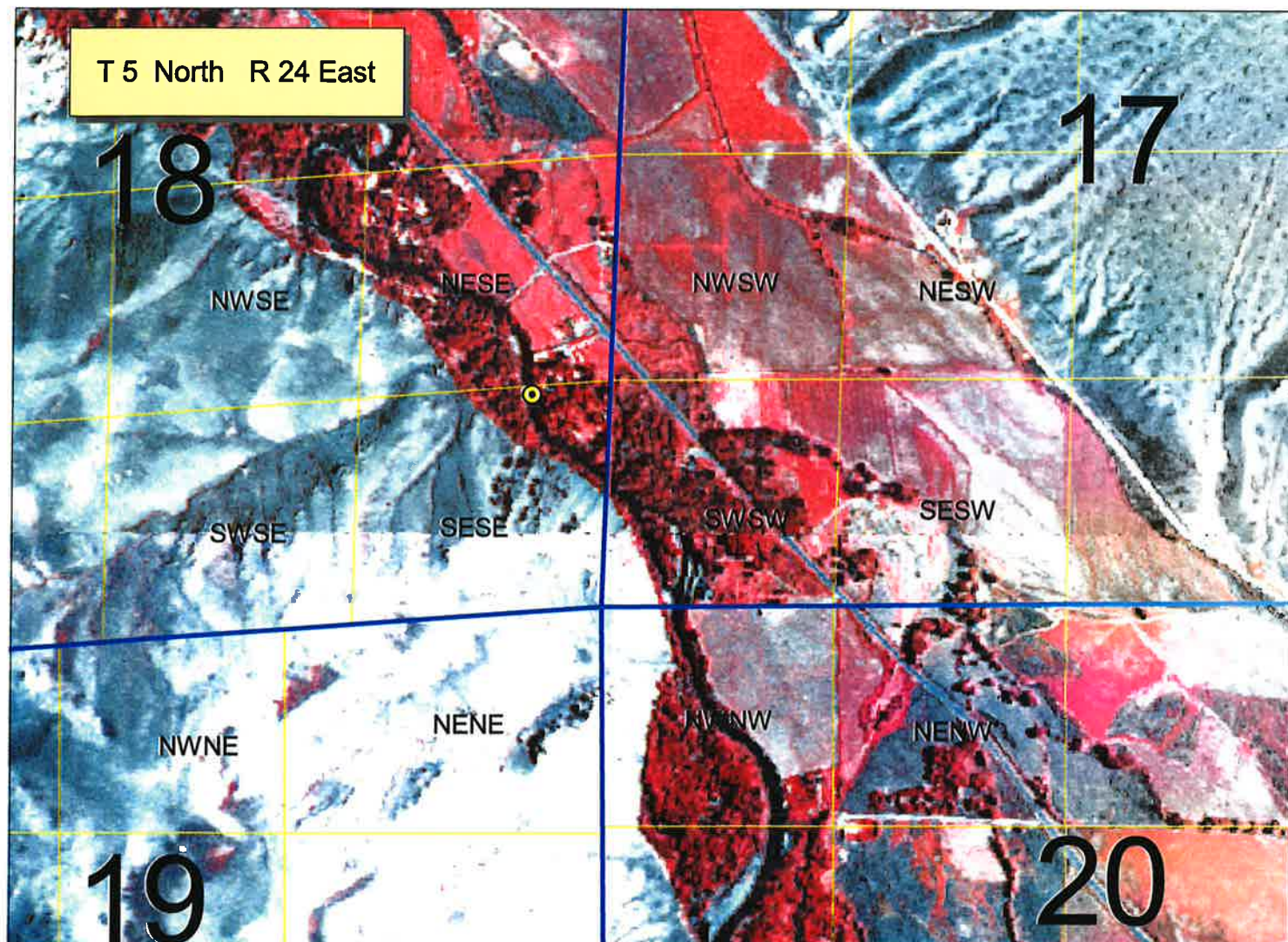


State of Idaho

Division of Water Resources

Eastern Region

Water Right(s): 34-07431



1320 0 1320 Feet



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

SCANNED
FEB 06 2008



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by R. Mikesell
Date: January 2004

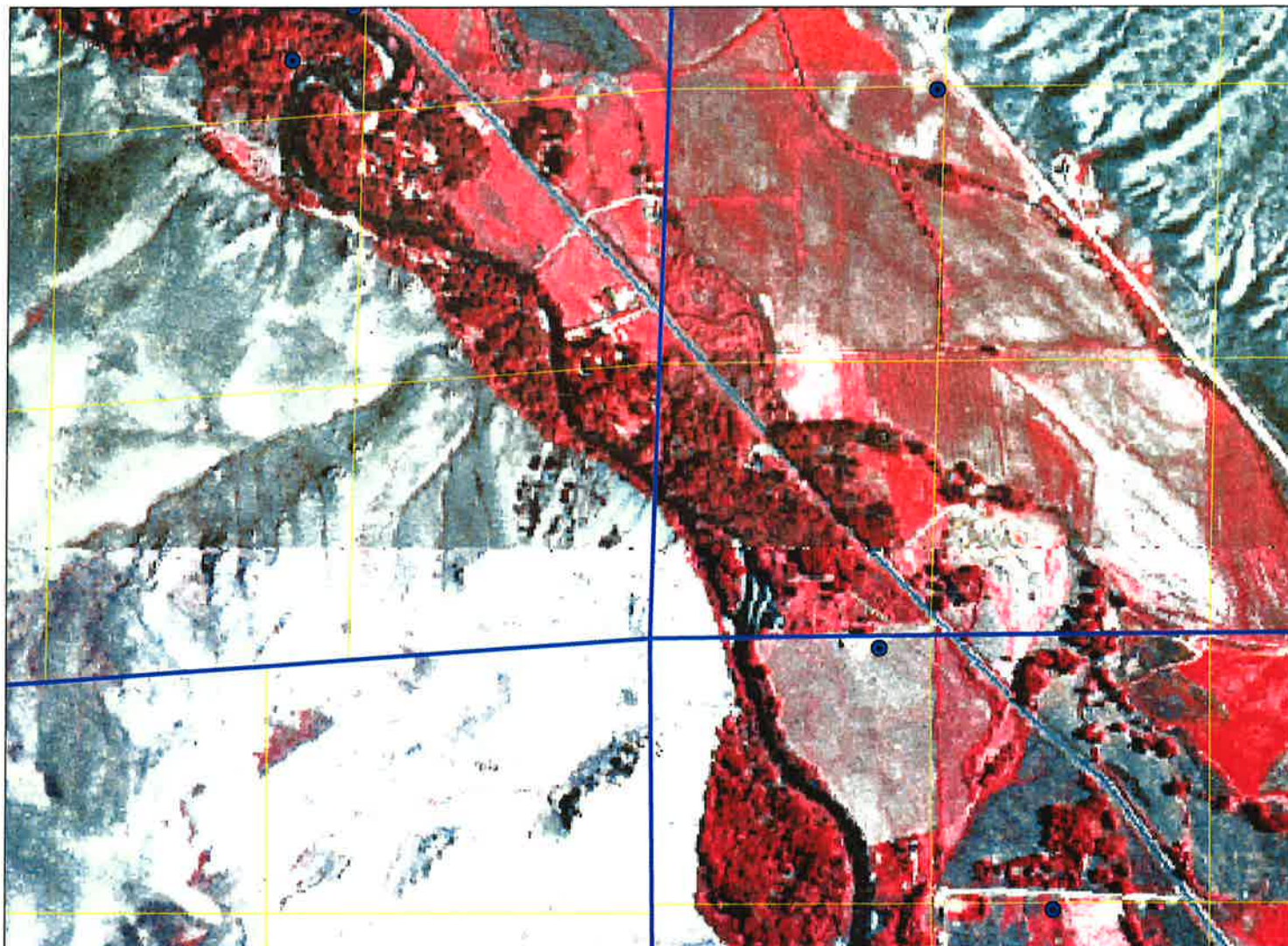


State of Idaho

Division of Water Resources

Eastern Region

Water Right(s): 34-7431



Sections
POD - AJ RecRecommendation POD
QQ

500 0 500 1000 1500 Feet

SCANNED
FEB 06 2003

GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by R. Mikesell
Date: September 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 2, 2001

Gary L. Kimball
P.O. Box 273
Mackay, ID 83251

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #34-7431

Dear Claimant:

Your Notice of Claim to a Water Right was received from the SRBA Court recently. We have enclosed a data-entered copy of your claim. We have also enclosed your receipt #C052895 for the filing fees. Please retain these documents for your records.

Your Notice of Claim will be investigated and reported to the Court in a future supplemental Director's Report. Please contact me at 208/327-7932 if you have any questions.

Please notify us in writing if your address changes or if there is a change in ownership of your property and water right.

Sincerely,

Donald V. Shaff, Manager
Adjudication Technical Section

DS:ss:region
Enclosure:

Data-entered Copy of Claim
Receipt #C052895

SCANNED

FEB 06 2003

RECEIVED

MAR 26 2001

Department of Water Resources

2001 MAR 22 PM 4:17

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

)

Subcase 34-07431

)

Case No. 39576

)

ORDER GRANTING MOTION TO FILE
LATE NOTICE OF CLAIM

)

On November 24, 2000, Claimant Gary Kimball filed a *Motion to File Late Notice of Claim*. A hearing was held on the *Motion* March 22, 2001. This *Motion* complied with all procedural requirements under *SRBA Administrative Order 1*, and no objections were made to this late Notice of Claim.

THEREFORE, IT IS ORDERED, that the *Motion to File a Late Notice of Claim* for water right 34-07431 is **granted**.

The original Notice of Claim, as well as any attached filing fees, and a copy of this *Order* will be forwarded to the Idaho Department of Water Resources for further action.

IT IS SO ORDERED.

Dated March 22, 2001.



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

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 34-7431
Date Received: 11/21/00
Receipt No: C052895
Received By: J. Mear

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

MAR 26 20

Department of Water Resources

1. Name of Claimant(s)

GARY L KIMBALL Phone: (208)588-3080

PO BOX 273
MACKAY ID USA 83251

LINDA L KIMBALL Phone: (208)588-3080

PO BOX 273
MACKAY ID USA 83251

2. Date of Priority: 05/30/1983

3. Source: BIG LOST RIVER Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
07N	24E	18	NE SE SE	CUSTER

5. Description of diverting works:

CONCRETE HEADGATE, OPEN DITCH TO POND.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A.
RECREATION	01/01	12/31	0.78	564.7

7. Total Quantity Appropriated is:
0.78 C.F.S. and/or 564.7 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

SCANNED
FEB 06 2003

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07N	24E	17	SW	SW	RECREATION	
07N	24E	18	SE	SE	RECREATION	

11. Place of use in counties: CUSTER

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Permit

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): Gary S. Kimball Date: 11-21-00

Date:

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 21st
of November 2000

Jennifer Crabtree

Notary Public

Residing at Idaho Falls Idaho

My commission Expires 9/23/03



SCANNED
FEB 06 2003

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 34-07431

Date of Priority: May 30, 1983

Maximum Diversion Rate: 0.78 CFS

Maximum Diversion Volume: 564.7 AF

Comes now JOYCE D AITKEN
RIVER ACRES
PO BOX 25
MACKAY ID 83251

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 34-07431, and requests that the permit be changed as follows:

Source: BIG LOST RIVER tributary to SINKS

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
RECREATION	01/01 to 12/31	0.78 CFS	564.7 AF

LOCATION OF POINT(S) OF DIVERSION: NESESE, Sec. 18, Township 07N, Range 24E
CUSTER County

PLACE OF USE: RECREATION

TWN RGE SEC

07N 24E	17	SWSW
	18	SESE

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Mackay, Idaho, this 21 day of November, 2000.

Gary J Kimball
(Signature)

FEB 06 2003