

01/07/2005

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

RIGHT NUMBER: 25-280B
NAME AND ADDRESS: JEAN EAMES
640 N 3200 E
MENAN ID 83434

ROBERT W EAMES
640 N 3200 E
MENAN ID 83434

SOURCE: SPRING CREEK TRIBUTARY: SNAKE RIVER
QUANTITY: 2.160 CFS
PRIORITY DATE: 06/01/1890
POINT OF DIVERSION:

T05N R38E S32 NWNWNW Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	2.160 CFS

PLACE OF USE: IRRIGATION Within JEFFERSON County

T04N R37E S02 Lot 1 NENE	31.0	T04N R37E S02	SWNE	20.0
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51 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

Use of this right is combined with water from Long Island Irrigation Company.

THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 25-258C, 25-262, 25-14049, 25-280A, AND 25-280B.

09/15/2004

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

RIGHT NUMBER: 25-280B
NAME AND ADDRESS: JEAN EAMES
640 N 3200 E
MENAN ID 83434

ROBERT W EAMES
640 N 3200 E
MENAN ID 83434

SOURCE: SPRING CREEK TRIBUTARY: SNAKE RIVER
QUANTITY: 1.530 CFS
PRIORITY DATE: 06/01/1890
POINT OF DIVERSION:

T05N R38E S32 NWNWNW Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.530 CFS

PLACE OF USE: IRRIGATION Within JEFFERSON County

T04N R37E S02 Lot 1 NENE	31.0	T04N R37E S02	SWNE	20.0
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51 ACRES TOTAL

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VOID

03/04/2004

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

RIGHT NUMBER: 25-280B
NAME AND ADDRESS: JEAN EAMES
640 N 3200 E
MENAN ID 83434

ROBERT W EAMES
640 N 3200 E
MENAN ID 83434

SOURCE: SPRING CREEK TRIBUTARY: SNAKE RIVER
QUANTITY: 1.320 CFS
PRIORITY DATE: 06/01/1890
POINT OF DIVERSION:

T05N R38E S32 NWNWNW Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.320 CFS

PLACE OF USE: IRRIGATION Within JEFFERSON County

T04N R37E S02 Lot 1 NENE	24.0	T04N R37E S02	SWNE	20.0
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44 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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VOID

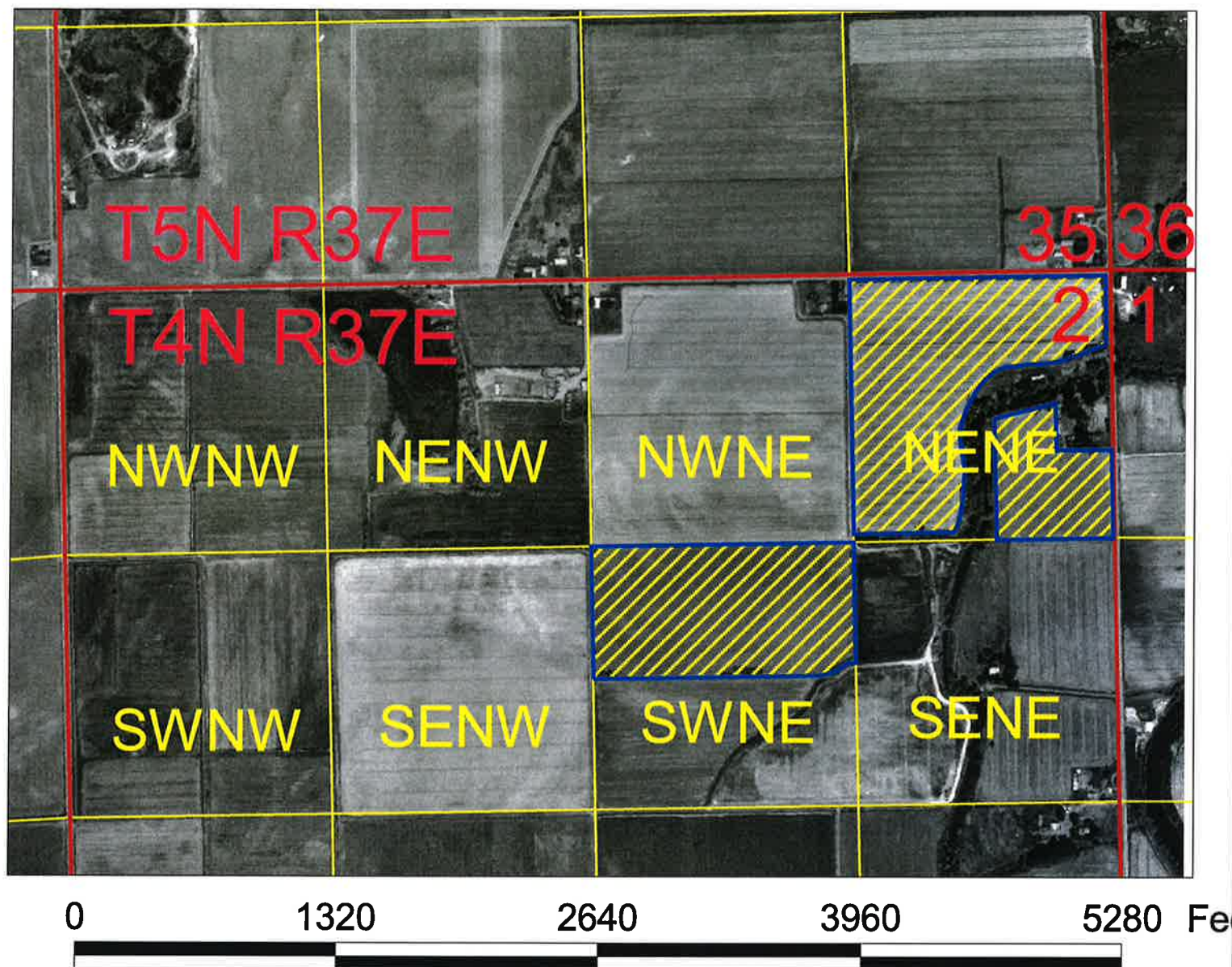
PROFILE
SCANNED

SEP 08 2004



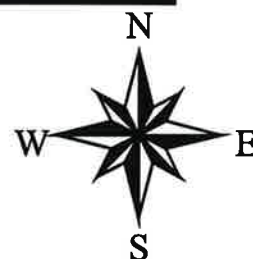
Department of Water Resources

Claim No.: 25-00280B



- Place of Use
- Sections
- QQ

PROFILED

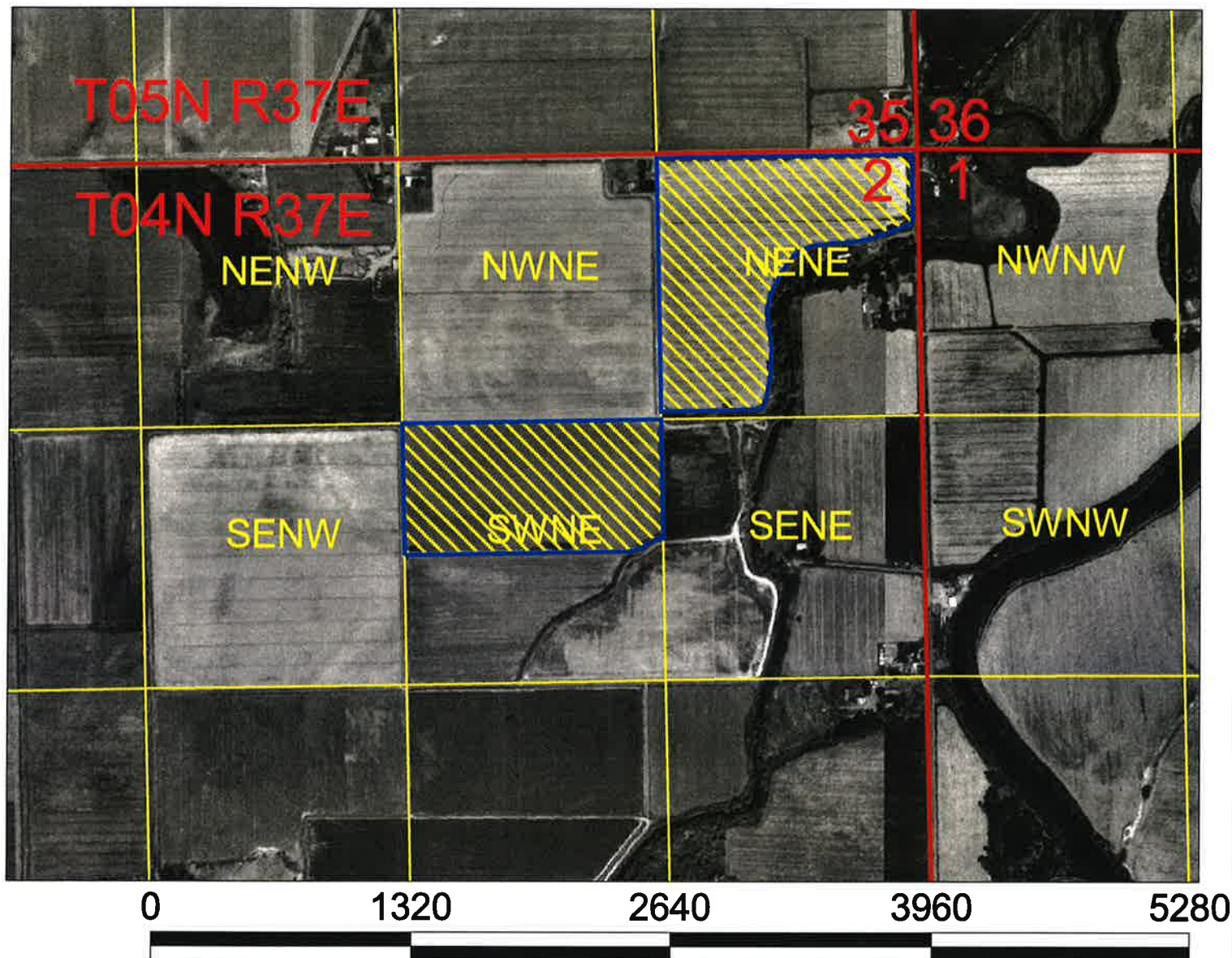


GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by M. Holliday
Date: September 2004



Department of Water Resources

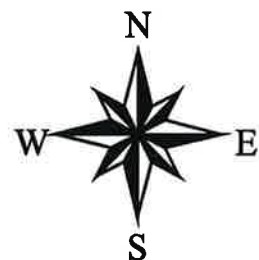
Claim No.: 25-00280B



-  Place of Use
-  Sections
-  QQ

SCANNED
SEP 08 2004

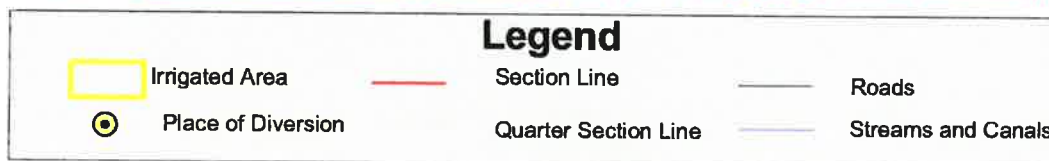
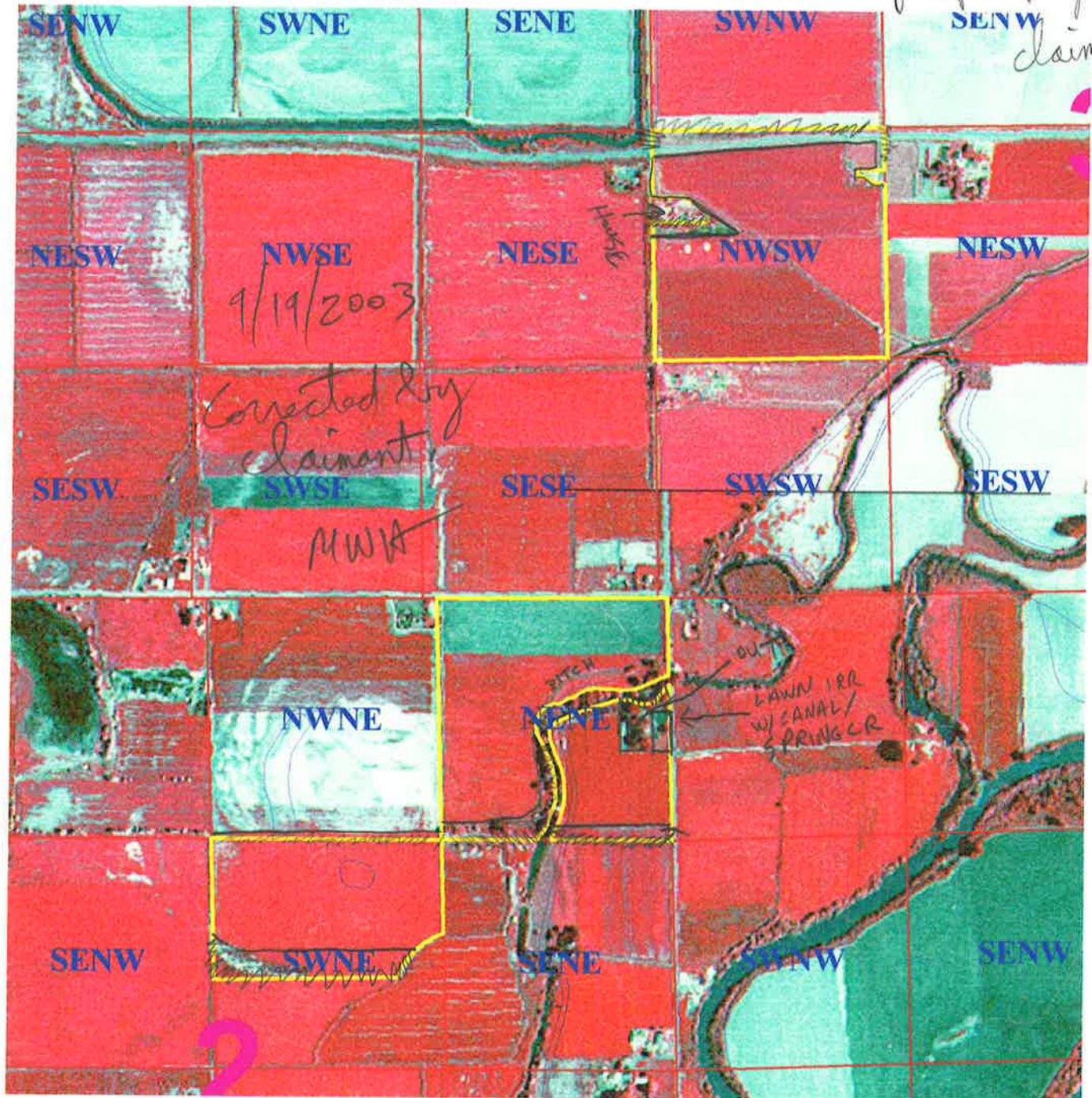
PROFILED



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

Water Right Claim Number 25-00280B
Townships , 5N37E, 4N37E

NWSW of 36 is not
12/20/2000 covered by Spring or decree.
per claimant.



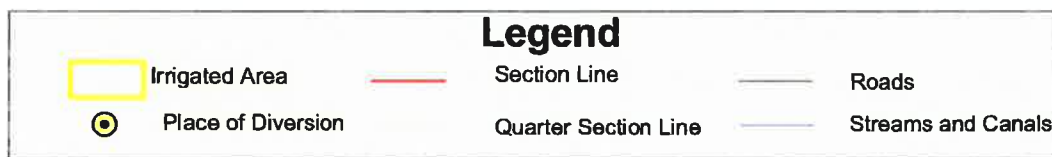
800 0 800 1600 2400 Feet

SPATIAL DYNAMICS



Water Right Claim Number 25-00280B
Townships , 5N37E, 4N37E

12/20/2000



2000 0 2000 4000 6000 Feet

SPATIAL
DYNAMICS



CONVEYANCE LOSS - WORSTELL

NAME OF DITCH: eames

BY: DJ

DATE: 01/00/00

REACH	LENGTH (FT)	AVE WIDTH (FT)	SEEPAGE (FT/DAY)	WORSTELL LOSS (CFS)	DELIVERY (CFS)	DELIVERY LEFT (CFS)	LOSS FACTOR	DELIVERY LOSS (CFS)	FLOW (CFS)
1	15000	5.0	0.75	0.71	4.80	4.80	0.1480	0.71	5.51
2				0.00		0.00	0.0000	0.00	0.00
3				0.00		0.00	0.0000	0.00	0.00
4				0.00		0.00	0.0000	0.00	0.00
5				0.00		0.00	0.0000	0.00	0.00
6				0.00		0.00	0.0000	0.00	0.00
7				0.00		0.00	0.0000	0.00	0.00
8				0.00		0.00	0.0000	0.00	0.00
9				0.00		0.00	0.0000	0.00	0.00
10				0.00		0.00	0.0000	0.00	0.00
11				0.00		0.00	0.0000	0.00	0.00
12				0.00		0.00	0.0000	0.00	0.00
13				0.00		0.00	0.0000	0.00	0.00
14				0.00		0.00	0.0000	0.00	0.00
15				0.00		0.00	0.0000	0.00	0.00
16				0.00		0.00	0.0000	0.00	0.00
17				0.00		0.00	0.0000	0.00	0.00
18				0.00		0.00	0.0000	0.00	0.00
19				0.00		0.00	0.0000	0.00	0.00
20				0.00		0.00	0.0000	0.00	0.00
TOTALS	15000			0.71	4.80			0.71	

REACH = SECTION OF CHANNEL

LENGTH = LENGTH OF REACH, THE CHANNEL CAN BE DIVIDED INTO EQUAL LENGTH REACHES
OR ACTUAL LENGTHS BETWEEN DELIVERY POINTS

AVE WIDTH = AVERAGE TOP WIDTH OF WATER SURFACE IN REACH

SEEPAGE = SOIL SEEPAGE RATE OF REACH

WORSTELL LOSS = CONVEYANCE LOSS IN REACH BASED ON WORSTELL METHOD

DELIVERY = TOTAL DELIVERIES IN REACH

DELIVERY LEFT = SUM(DELIVERIES OF CURRENT AND REMAINING REACHES)

LOSS FACTOR = WORSTELL LOSS/DELIVERY LEFT

DELIVERY LOSS = SUM(LOSS FACTORS OF CURRENT AND PREVIOUS REACHES) X DELIVERY;
REPRESENTS THE LOSSES ASSIGNED TO THE DELIVERIES IN THE REACH;
IF MULTIPLE RIGHTS WITHIN REACH, DELIVERY LOSSES SHOULD BE
PRORATED BASED ON SIZE OF DELIVERY FOR EACH RIGHT WITHIN REACH

FLOW = TOTAL FLOW AT BEGINNING OF EACH REACH

Surface Irrigation System Graded Border Field Evaluation Worksheet

Land user Robert Eames Field Office Rigby
 Field name/number T-1742
 Observer H. Johnson Date 12-6-04

Field Data Inventory:

Field Number 1-5 Area 50.7 acres
 Crop Alfalfa Root zone depth 5 ft MAD 50 %
 Stage of crop _____

Soil series name 2, 4 Annis Silty Clay, Annis Silty Clay loam

Depth	Texture	AWC (in)*	SWD (%)*	SWD (in)*
<u>1</u>	<u>Silty Clay Loam</u>	<u>2.4</u>	<u>50%</u>	<u>1.2</u>
<u>2</u>		<u>2.4</u>	<u>↓</u>	<u>1.2</u>
<u>3</u>		<u>2.4</u>		<u>1.2</u>
<u>4</u>		<u>2.4</u>		<u>1.2</u>
<u>5</u>		<u>2.4</u>	<u>↓</u>	<u>1.2</u>
Total		<u>12 in.</u>		

MAD, in = MAD % x total AWC, in = 50% x 12 = 6 in

Comments about soils: Soils generally deep fine textured
with little to no rock present.

Annual net irrigation requirement, NIR (from irrigation guide) 19.00 in

Type of delivery system and size (gated pipe, turnouts, siphon tubes)
Earthen ditch w/ Siphon tubes.

Border spacing 75', Strip width 72', Wetted width 72'
 Length 1300' Typical irrigation set time 6 hr, 6 Tubes/land.
 Typical Flow 4.8 cfs/border Irrigation Frequency 15 days
 Typical number of irrigation's per year 4 Timing _____
1 irrig./cutting + 1 at end., 3 crops + 1 = 4

Field Observations:

Evenness of water spread across border Spreads good - no ponding

Ponding (within or at end of borders) Little at ends.

Runoff from field (estimated percent of inflow) None - all contained

Crop uniformity Very Good.

Other observations _____

NOTE: MAD = Management allowed deficit AWC = Available water capacity SWD = Soil water deficit

Gross Water Application:

$$\text{Gross Application} = ((\underline{4.8} \text{ cfs flow/border}) \times (\underline{6} \text{ hr/irrigation}) \times (\underline{4} \text{ \# of} \\ \text{Irrigations/season})) / ((\underline{75} \text{ Border width ft}) \times (\underline{1300} \text{ Border length (ft)})) = \underline{51.4} \text{ ac-in.}$$

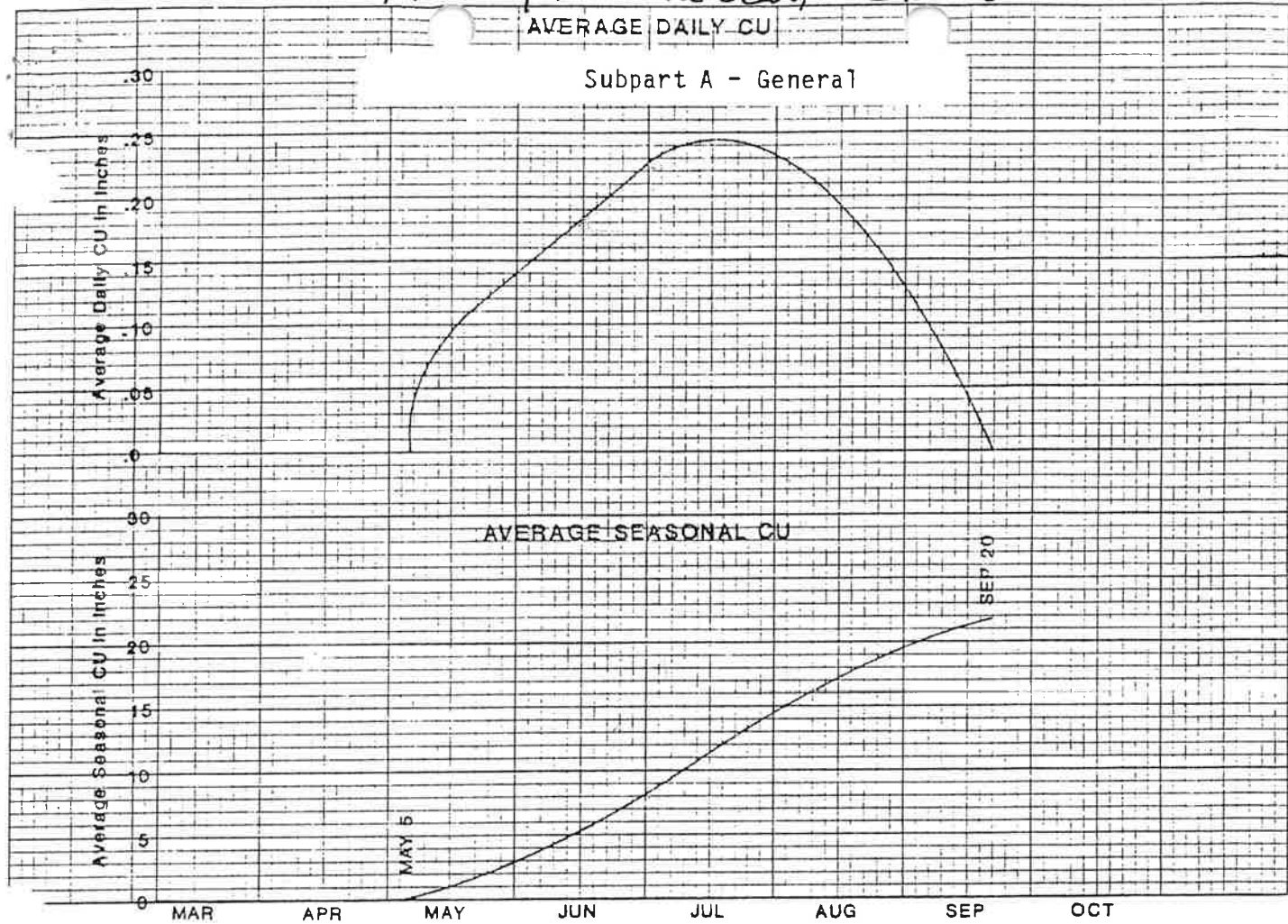
$$\frac{115.2}{2.24 \text{ ac.}} = 51.4$$

$$\text{Altitude Net irrig. requirement} = \frac{19.0 \text{ in.}}{51.4} = 37\% \text{ efficiency}$$

- * Streamflow - 4.8. cfs. is for 1 border(land). Irrigates 2 lands per sat normally. Streamflow is a combined flow of 7 water users on the Fames lateral. Stream has to be traded between all users on a rotation basis.

AVERAGE DAILY CU

Subpart A - General



SOIL SERIES	SOIL DEPTH-INCHES	MAXIMUM CROP ROOTING DEPTH/INCHES	TOTAL AVAILABLE SOIL WATER HOLDING CAPACITY-INCHES
STAGE OF GROWTH	STRESS POINT IN % OF TOTAL WATER HOLDING CAPACITY		DEPTH OF UNRESTRICTED ROOT ZONE
Vegetative stage first 35 days of new stand	60%		.5 - 1.0 ft.
Vegetative stage 35-90 days - new stand	50%		1.0 - 1.5 ft.
Vegetative stage 90 days to dormancy	50%		1.5 - 3.0 ft.
Established stands	Early season, 40 % High use periods, 60% Late season, 40% Ck soil moisture at 1/3 root depth		5.0 - 8.0 ft.
CRITICAL GROWTH PERIOD	SYMPTOMS OF MOISTURE STRESS		GENERAL GUIDES
Seedling & immediately after cuttings.	Bluish-green color, then wilting.		Irrigate just prior to cutting. Avoid over-irrigation. Deep irrigating to fill root zone should be done in spring & fall where natural precipitation is not adequate.

Surface Irrigation System Graded Border Field Evaluation Worksheet

Land user Robert Farnes Field Office Rigby
 Field name/number T-1742
 Observer H. Johnson Date 11-24-04

Field Data Inventory:

Field Number 1-5 Area 50.7 acres
 Crop Barley Root zone depth 4 ft MAD _____ %
 Stage of crop _____

Soil series name 2, 4 2 Annis Silty Clay, 4 Annis silty clay loam

Depth	Texture	AWC (in)*	SWD (%)*	SWD (in)*
<u>1'</u>	<u>Silty Clay</u>	<u>2.4 in./ft.</u>	<u>50%</u>	<u>1.2</u>
<u>2'</u>	<u>Silty Clay Loam</u>	<u>2.4 in.</u>	<u>↓</u>	<u>1.2</u>
<u>3'</u>		<u>2.4 in.</u>	<u>↓</u>	<u>1.2</u>
<u>4'</u>		<u>2.4 in.</u>	<u>↓</u>	<u>1.2</u>
Total		<u>9.6 in</u>		<u>4.8</u>

MAD, in = MAD % x total AWC, in = 50% x 9.6 in = 4.8 in

Comments about soils: Soils generally are deep fine textured with little to no rock present.

Annual net irrigation requirement, NIR (from irrigation guide) 12.54 in

Type of delivery system and size (gated pipe, turnouts, siphon tubes)

Earthen Ditch w/ Siphon tubes.

Border spacing 75', Strip width 72', Wetted width 72',
 Length 1300' Typical irrigation set time 6 hr,
 Typical Flow 4.8 cfs/border Irrigation Frequency 20-25 days
 Typical number of irrigation's per year 2-3 Barley Timing _____

Field Observations:

Evenness of water spread across border Spreads good - Even

Ponding (within or at end of borders) Little

Runoff from field (estimated percent of inflow) None - all contained.

Crop uniformity Good.

Other observations _____

NOTE: MAD = Management allowed deficit AWC = Available water capacity SWD = Soil water deficit

Gross Water Application:

Gross Application = ((4.8 cfs flow/border) x (6 hr/irrigation) x (3 # of Irrigations/season)) / ((75 Border width ft) x (1300 Border length (ft))) = 39 ac-in

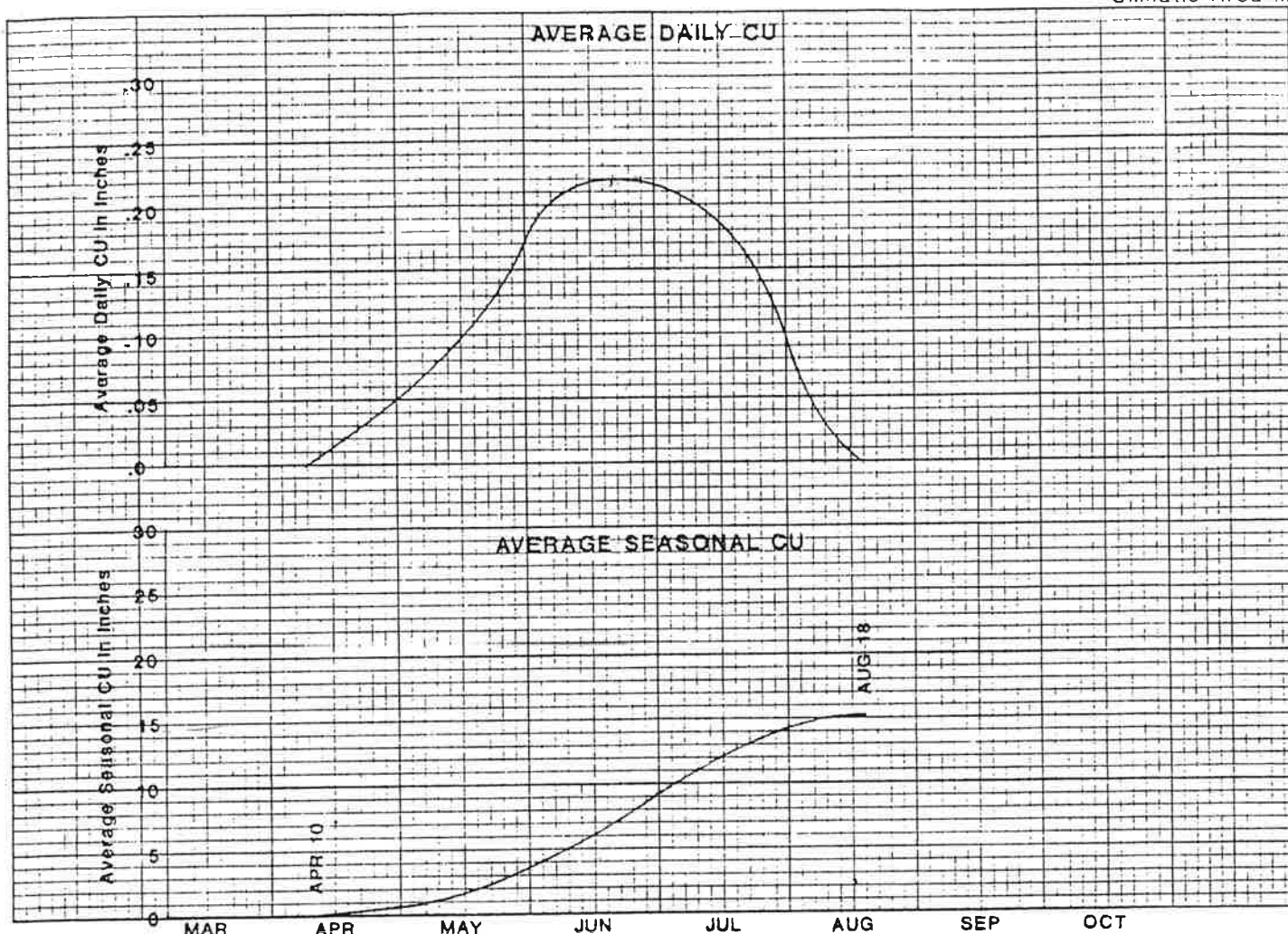
$$\frac{72}{97,500}$$

$$\frac{86.4}{2.24 \text{ ac.}} = 38.6$$

$$\frac{\text{Net. irrig. requirement} = 12.54 \text{ in. Water}}{\text{Actual} = 39} = 32\% \text{ efficiency.}$$

Subpart A - General GRAIN

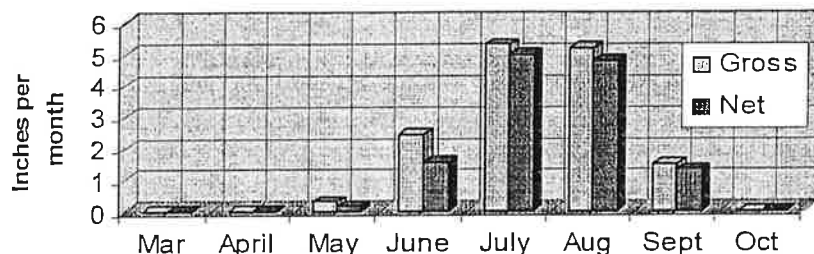
Climatic Area III



SOIL SERIES	SOIL DEPTH-INCHES	MAXIMUM CROP ROOTING DEPTH-INCHES	TOTAL AVAILABLE SOIL WATER HOLDING CAPACITY-INCHES
STAGE OF GROWTH	STRESS POINT IN % OF TOTAL WATER HOLDING CAPACITY		DEPTH OF UNRESTRICTED ROOT ZONE
Vegetative stage first 35 days	45%		1.0 - 1.5 ft.
Reproductive stage	65%		2.0 - 3.0 ft.
Maturity	20% Ck soil moisture at 1/3 root depth		3.0 - 4.0 ft.
CRITICAL GROWTH PERIOD	SYMPTOMS OF MOISTURE STRESS		GENERAL GUIDES
Boot, bloom and early stage. Malting barley, soft dough stage.	Dark green color, then firing of lower leaves.		Restrict moisture to 45% early in yr. to encourage stooling prior to boot stage. Irrigate to field capacity. Last irrigation after plant has reached late dough stage may decrease grain yields. A small grain as a nurse crop, irrigate for needs or grass or alfalfa seedlings.

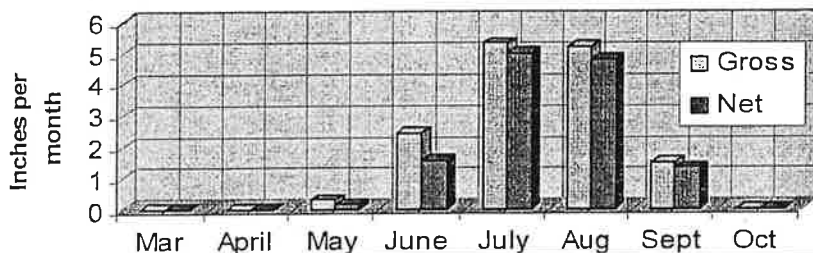
**Table 4-9 Estimated Seasonal and Monthly Consumptive Use of Crops
for Climatic Zone III**

CORN, FIELD



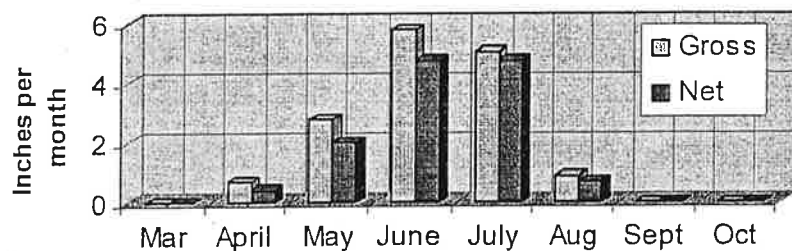
		<u>GROSS</u>	<u>NET</u>
Spring date	May 25	0.32	0.18
	June	2.45	1.56
	July	5.28	4.96
	August	5.19	4.78
Fall Date	Sept. 12	1.48	1.32
Seasonal Totals		14.72"	12.80"

CORN, SWEET



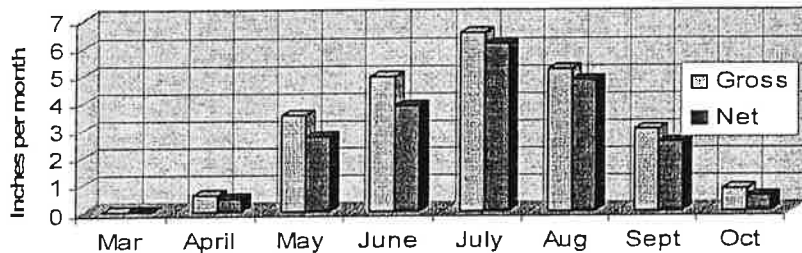
		<u>GROSS</u>	<u>NET</u>
Spring date	May 27	0.21	0.13
	June	2.76	1.83
	July	6.10	5.74
Fall Date	August 25	4.15	3.83
Seasonal Totals		13.22"	11.53"

GRAIN

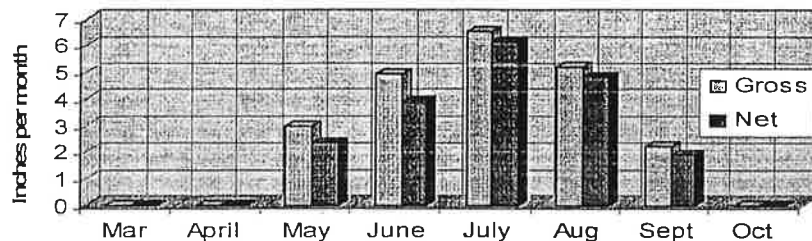


		<u>GROSS</u>	<u>NET</u>
Spring date	April 10	0.69	0.42
	May	2.78	1.98
	June	5.79	4.72
	July	5.04	4.73
Fall Date	August 18	0.88	0.69
Seasonal Totals		15.18"	12.54"

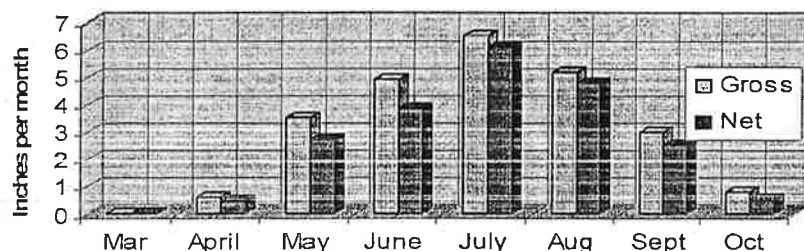
GRASS SEED AND GRASS PASTURE



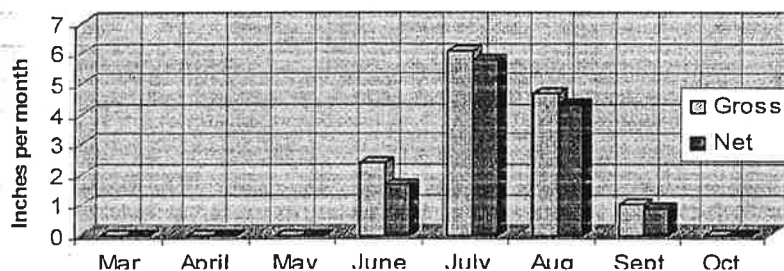
		<u>GROSS</u>	<u>NET</u>
Spring date	April 20	0.63	0.48
	May	2.19	2.13
	June	4.02	2.96
	July	5.39	5.06
	August	4.46	4.06
	Sept.	2.65	2.21
Fall Date	Oct. 15	0.79	0.58
Seasonal Totals		20.13"	17.48"

**Table 4-9 Estimated Seasonal and Monthly Consumptive Use of Crops
for Climatic Zone III****ALFALFA, ALFALFA SEED AND CLOVERS**

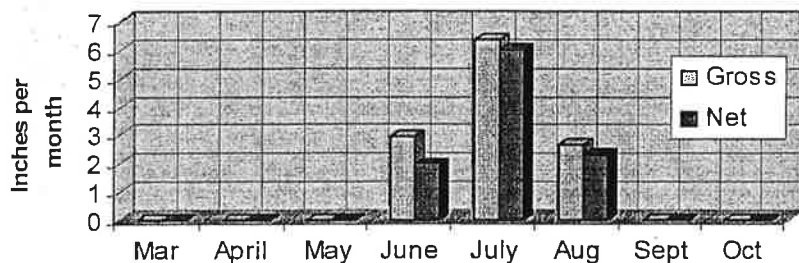
		<u>GROSS</u>	<u>NET</u>
Spring date	May 5	2.98	2.32
	June	4.94	3.88
	July	6.51	6.13
	August	5.19	4.78
Fall Date	Sept. 20	<u>2.21</u>	<u>1.89</u>
Seasonal Totals		21.83"	19.00"

ALFALFA GRASS

		<u>GROSS</u>	<u>NET</u>
Spring date	April 20	0.63	0.48
	May	3.53	2.75
	June	4.94	3.88
	July	6.51	6.13
	August	5.19	4.78
	Sept.	3.01	2.55
Fall Date	Oct. 15	<u>0.79</u>	<u>0.58</u>
Seasonal Totals		24.60"	21.15"

BEANS, DRY

		<u>GROSS</u>	<u>NET</u>
Spring date	June 4	2.36	1.66
	July	6.04	5.73
	August	4.70	4.30
Fall Date	Sept. 12	<u>1.01</u>	<u>0.86</u>
Seasonal Totals		14.11"	12.55"

BEANS, GARDEN

		<u>GROSS</u>	<u>NET</u>
Spring date	June 1	2.93	1.99
	July	6.35	5.99
Fall Date	August 15	<u>2.67</u>	<u>2.30</u>
Seasonal Totals		11.95"	10.28"

STATE OF IDAHO,

County of Bonneville

} ss.

On this 20th day of July

the undersigned J. W. EAMES

, a Notary Public in and for said State, personally appeared

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

in the year 1972, before me

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

Notary Public for the State of Idaho,
Residing at Idaho Falls, Idaho.

No. _____

WARRANTY DEED

(FORM No. 300)

TO

Dated _____, 19____

STATE OF IDAHO,

} ss.

County of _____

I hereby certify that this instrument was filed for record at request of _____

at _____ minutes past _____ o'clock _____ M., this _____ day of _____, 19____, in my office, and duly entered in Book _____ of _____ at page _____

Ex-Officio Recorder.

By _____ Deputy.

Fees, \$ _____

Mail to _____

WARRANTY DEED

THIS INDENTURE, made this 20th day of July, 1972, between J. W. EAMES, a widower,

of _____, County of Jefferson, State of Idaho, the part Y of the first part and ROBERT W. EAMES and JEAN E. EAMES, his wife,

County of Jefferson, State of Idaho, the parties of the second part,

WITNESSETH, that the said part Y of the first part, for and in consideration of the sum of TEN AND NO/100 (\$10.00) - - Dollars lawful money of the United States of America and other good and valuable considerations to him in hand paid by the parties of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and by these presents, does grant, bargain, sell and convey and confirm unto the said parties of the second part, and to their heirs and assigns, forever, all the following described real estate, situated in _____, County of Jefferson, State of Idaho, to-wit:

Lot One (1) and the North Half of the Southwest Quarter of the Northeast Quarter (N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section Two (2), Township Four (4) North, Range Thirty-seven (37), East of the Boise Meridian; together with 108 inches of water decreed to William Eames by decree recorded in Book 12 of Judgments, Page 41, Jefferson County, Idaho records

EXCEPTING AND RESERVING to first party a life estate in and to the frame house situate on said premises and now occupied by first party.

THIS DEED IS GIVEN SUBJECT TO all taxes and water assessments for the year 1972 and thereafter.

183712

12 Jan 1977
10:17 a.m.
Robert J. Barnes
\$2.00 kls
OK Jones

PLATTED BY

Assessor

By Rud

Deputy

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents, issues and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity of the said part Y of the first part.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises together with the appurtenances unto the parties of the second part, and to their heirs and assigns forever. And the said part Y of the first part, and his heirs, the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns, against the said party of the first part, and his heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, the said part Y of the first part has hereunto set his hand and seal the day and year first above written.

-- Executed and Delivered in the Presence of --

J. W. Eames
J. W. Eames

[SEAL]

[SEAL]

R. W. Eames, a bachelor

WARRANTY DEED. Inst. No. 31146.

Dated, June 1st, 1926.

-To-

Recorded, July 12, 1926 at 9:05 A.M.

J. W. Eames and Leotta Eames,
his wife.

Book 93 of Deeds, Page 457,
Records of Jefferson County, Idaho.
Book of, Page

Signed:

*Original deed
shows Leotta*

Consideration, \$ 1.00-

Acknowledged: July 10, 1926 before A. C. Cordon, Notary
Public for Idaho, residing at Rigby, Idaho.
SEALED.

Granting Words: Grant, bargain, sell, convey and confirm.

Covenants: Warrant and defend.

Description and Remarks

Lot 1, and the $N\frac{1}{2}$ of the $SW\frac{1}{4}$ of
the $NE\frac{1}{4}$ of Section 2, in Township 4
North, Range 37 East of the Boise Mer-
idian, together with 108 inches of water
decreed to William Eames by decree rec-
orded in Book 12 of Judgments, page 41,
Jefferson County, Idaho records.

R. W. Eames, an unmarried man, and J. W. Eames and Leota Eames, husband and wife.

-To-

The Federal Land Bank of Spokane, a corporation.

MORTGAGE.

Inst. No. 24628.

Dated, Nov. 15, 1923.

Recorded, Nov. 24, 1923, 4:15 P.M.

Book 71 of Mtgs., Page 540.

Book ____ of _____, Page ____

Consideration, \$ 4500.00.

Signed: as recite.

Acknowledged: as recite, Nov. 24, 1923, before A.C. Gordon, Notary Public, Jefferson County, Idaho. (Seal). Residing at Rigby.

Granting Words: Grant, bargain, sell, convey and warrant.

Description and Remarks

All of Lot 1 and the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Sec. 2, Twp. 4 N.R. 37 E.B.M., Jefferson County, Idaho.

Together with the tenements, hereditaments, rights, privileges and appurtenances, now or hereafter belonging to or used in connection with the above described premises, and all watering and irrigating apparatus and fixtures, now or hereafter belonging to or used in connection with the above described premises; and together with all waters and water rights of every kind and description and how-ever evidenced or manifested, which now or hereafter may be appurtenant to said premises or any part thereof, or incident to the ownership thereof, or any part thereof, or used in connection therewith; and together with all the rents, issues and profits of the mortgaged property.

Note for \$4500.00, even date herewith, with interest from date until maturity at 5 $\frac{1}{2}$ % per annum, payable semi-annually, on the whole of said principal sum from time to time remaining unpaid, both principal and interest being payable on an amortization plan in installments as in the said promissory note provided, said note matures in 34 $\frac{1}{2}$ years from date hereof, unless matured sooner by extra payments on account of principal.

JEFFERSON TITLE & ABSTRACT CO.

NO. 6.

William Eames and Ella
Eames, husband and wife.

-To-

R. W. Eames and J. W. Eames.

WARRANTY DEED

Inst. No. 24885

Dated, Nov. 1, 1923.

Recorded, Jan. 2, 1924, 9:20 A.M.

Book 87 of Deeds, Page

Book _____ of _____, Page _____

Consideration, \$ 6000.00.

Signed: William Eames.
Ella Eames.

\$6.00 I.R.S. Cancelled.

Acknowledged: as recite, Nov. 28, 1923, before A.O. Gordon,
Notary Public, Jefferson County, Idaho. (Seal). Residing at Rigby.

Granting Words: Grant, Bargain, Sell, Convey and Confirm.

Description and Remarks

All of Lot 1 and the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Sec. 2, Twp.
4 N.R. 37 E.B.M., Jefferson County, Idaho.

Also 215 inches of water decreed to William Eames
for the above described land by the District Court
of the 6th Judicial District of Idaho in and for
Fremont County in the Case of the Rexburg Irrigation
Company et als., Plaintiff's versus Teton Irrigation
Canal Company, et als., Defendants.

Rexburg Irrigation Company,
et al. Plaintiffs.

-vs-

Teton Irrigation Canal
Company, et al, Defendants.

DECREE # 37990

Dated, Dec. 16, 1910,
Recorded, Aug. 12, 1912,
Book "B" Judgments, page 449 Fremont,
Book 12 Judgments, page 41, Jeff. Co.
County, District Court Records.

This cause coming on to be heard this Dec. 16, 1910, upon the report of F. J. Cowen, Referee heretofore appointed for the purpose of taking the testimony and making recommendations as to findings of fact, conclusions of law and decree, to be entered herein, and the said F. J. Cowen, having filed his report of the testimony taken and his recommendations as to findings of fact and conclusions of law which have heretofore been adopted, and the respective plaintiffs and defendants and cross-complainants appearing herein by their respective counsel, and the Court being fully informed and advised in the premises and having ordered that judgment be entered in accordance with the report and recommendation of the said Referee, wherefore, by reason of the law and the report and findings of fact and conclusions of law aforesaid,

It is ordered, adjudged and decreed that the several parties, plaintiffs and defendants herein named, do have judgment respectively for the right to use, for irrigation and other purposes, the following number of inches of water, each 50 inches thereof to be equivalent to a flow of 1 cubic foot per second, as prescribed by the law of Idaho from the waters of the Snake River and its tributaries, situated in the Counties of Fremont and Bingham, State of Idaho, their properties to date from the time hereinafter named, to-wit:-

Eames, William,
240 inches, June 1, 1890, Spring Creek, and other decrees not pertaining to this abstract, property, - NE 1/4 Sec. 2 Twp. 4 N.R. 37 E.B.M., containing 160 acres.

It is further ordered and adjudged that the following amounts set opposite the names of the respective parties to this action shall be paid by the said respective parties to the Clerk of this Court as costs herein, and the same shall be and are hereby declared to be a lien upon the real property of the said respective parties and upon the lands to which the rights herein are decreed to be appurtenant respectively, and execution may issue for any one or more of such amounts and against any one or more of such parties as may be delinquent in the payment thereof upon application of an attorney of record to this action, and the order taxing costs heretofore made in this action is hereby modified to conform herewith, to-wit:

Eames, William, ----- \$10.80.

CLAIMANT CONTACT

11/19/2004 9:46 AM

I talked with Bob Eames regarding his notice of error reply. I explained that the water right was appurtenant to the land described in the decree and that I would not be able to alter my recommendation unless he could do the following:

1. Demonstrate that the portion of the right decreed to the SENE east of the drain had been moved to his property, and
2. Demonstrate that his land required more than 0.03 cfs per acre for effective irrigation.

SCANNED
DEC 01 2004

PROFILED

MH
09/15/2004

**NOTICE OF ERROR
REPLY**

RECEIVED
NOV 15 2004
Department of Water Resources
Eastern Region

RECEIVED
NOV - 5 2004
DEPARTMENT OF
WATER RESOURCES

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: 25-280B

JEAN EAMES
640 N 3200 E
MENAN ID 83434
Telephone Number: (208) 754-4209

ROBERT W EAMES
640 N 3200 E
MENAN ID 83434
Telephone Number: (208) 754-4209

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

I disagree with the reduction in the CFS of water from the original amount that was decreed to the land by court ruling in 1890. Moreover, I am not willing to accept a reduction in the amount of CFS of water to which I am legally entitled.

2. Describe the changes you wish to make in the proposed recommendation:

In our opinion the amount of water should be restored to the amount that was decreed by the court in 1890. My share of the William Eames decree is 2.16 CFS and the Water Resource Department has reduced it to 1.53 CFS.

3. Give a brief explanation as to why you disagree with these portions:

The decision made by the court in 1890 should not be overturned by anything except another court ruling. We contend that the original decision should be upheld.

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

DATE: _____ SIGNATURE: _____

Please print your name: _____

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

SCANNED
NOV 08 2004

25-280

WILLIAM EAMES

4.80 CFS

6/1/1890

SPRING CR

4N 37E 2 NE 1/4

160 AC

0.03 CFS/AC

4.8 CFS DECREED

4.3 CFS CLAIMED

160 AC DECREED

163 AC CLAIMED

25-280 A

GREG EAMES

2.14 CFS

64 AC

25-280 B

ROBERT EAMES

2.16 CFS

99 AC

PROFILED
SCANNED

SEP 08 2004

OCTOBER 1, 1993

ROBERT W EAMES
640 N 3200 E
MENAN ID 83434

RE: RENUMBERED NOTICE

Dear Mr. Eames:

The Department has changed the identification number for Notice of Claim #A35-00006B. The new number is #A25-00280B. We have also modified receipt #E003229 to reflect the new number.

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

Respectfully submitted,

Ernest Carlsen
Water Rights Supervisor, Adjudications

EC:sc

Enclosure

MICROFILMED

APR 12 1994

Inter department Memo.

Oct 10, 1992.

FROM: ERNIE

TO: CHARLIE

- Back in July, ~~you~~ in response to my request you renumbered right 35-00006 to 25-00277. In trying to update the NJ data base I found an exist notice for A25-00277 which referenced a 1919 decree entitled John R. Scott vs. Elden Merrill. The file on this decree ~~contain~~ contained the attached abstract. ~~It appears from this abstract that I've~~ The WR data base does not show any of these numbers for the rights listed on the abstract. At any rate ~~there are~~ It appears 35-00006 may need a different Basin 25 number. (25-00280?).

Appreciate your help in this matter.

TWX

Ernie.

MICROFILMED
DEC 09 1992
MICROFILMED
APR 12 1994

E003229

10/17/1988

EAMES, ROBERT W.

ADJUDICATION FEE

410162

9337

6490

199.00

CHECK

1885

\$199.00

A25-00280B

Water Right Numbers

A35-10099

A35-10100

-

-

Region: EASTERN

Signature: _____

J. Cox

Remembered from

A 35-00006 B

MICROFILMED

APR 12 1994

AJ5809NP
No. A25-00280B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/26/00
PAGE: 54

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROBERT W EAMES	06/01/1890	IRRIGATION	04-01 11-01	2.160 CFS	
C	JEAN EAMES					
	640 N 3200 E					
	MENAN ID 83434					
	(208) 754-4209					
				TOTAL DIVERSION:	2.160 CFS	
				CONSUMPTIVE USE:		247.50 AFA

Water Source: SPRING CREEK

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion:

T05N R38E S32

NWNW

JEFFERSON County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE																							
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM																		
04N	37E	2	:	40		20														:	60.0																		
05N	37E	36	:																	:	39.0																		
																				:	39	:											:	99.0					
																				:		:	TOTAL ACRES															:	

POU County: JEFFERSON

Non-Irrigation Uses: NONE

Other Rights: LONG ISLAND IRR. CO.

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A25-00258C A25-00258E A25-00258F A25-00262 A25-00280A

Other Water Rights Listing Overlapping Place(s) of Use:
A01-00109G A01-00110E A01-00111E A01-00112E A01-00113E A01-00114C A01-00115S A01-00317 A25-00280A A35-00006A
A35-00006B

Remarks: GEN THIS CLAIM IS FOR 108 MINERS INCHES OF DECREED RIGHT 35-0006.
THE PLACE OF USE HAS BEEN EXPANDED TO INCLUDE SECTION 36, T5N,
R37E, TO SUPPLEMENT WATER FROM LONG ISLAND IRRIGATION COMPANY.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

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

Audit: 10/01/93 COX 03/29/95 POST-STD

PROFILED
SCANNED

SEP 08 2004

Handwritten signatures and initials:
J. Eames
J. Eames
J. Eames
J. Eames
J. Eames

SCANNED

JUL 2 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 to: A25-00280B

Ident. Number: ~~A35-00006B~~

Date Received: 10/17/1988

Receipt No: E003229

Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: ROBERT W. EAMES 208-754-4209
Address: 640 N. 3200 E.
MENAN ID 83434

OR

Name: JEAN EAMES 208-754-4209
Address: 640 N. 3200 E.
MENAN ID 83434

2. Date of Priority: JUN 1, 1890

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	38E	32		NW	NW		JEFFERSON

5. Description of diverting works:
15 H.P. PUMP TO EAMES LATERAL DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.160		

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

8. Total consumptive use is 247.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

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DEC 09 1982

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	37E	2	NE	NE		IRR	40.0
			SW	NE		IRR	20.0
					Section Acres		60.0
05N	37E	36	NW	SW		IRR	39.0
					Section Acres		39.0
					Total Acres		99.0

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:
LONG ISLAND IRR. CO.

14. Remarks:

THIS CLAIM IS FOR 108 MINERS INCHES OF DECREED RIGHT 35-0006.
THE PLACE OF USE HAS BEEN EXPANDED TO INCLUDE SECTION 36, T5N,
R37E, TO SUPPLEMENT WATER FROM LONG ISLAND IRRIGATION COMPANY.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/16/1910

REXBURG IRR. CO. ET AL
Decree Plaintiff

TETON IRR. CANAL CO. ET AL
vs
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: _____

~~MICROFILMED
DEC 89 1992~~

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: A25-00280B~~
~~RENUMBERED: A35-00006B~~
Ident. Number: A35-10098
Date Received: 10/17/1988
Receipt No: E003229
Received By: TO

10/1/93
SC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT W. EAMES
Address: 640 N. 3200 E.
MENAN, ID 83434 208-754-4209
OR
Name: JEAN EAMES
Address: 640 N. 3200 E.
MENAN, ID 83434 208-754-4209

A2500280B



2. Date of Priority: JUN 01, 1890
3. Source: SPRING CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	38E	32	NW	NW			JEFFERSON

5. Description of diverting works:
15 H.P. PUMP TO EAMS LATERAL DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.160		

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

A.F.A.

8. Total consumptive use is 247.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

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DEC 09 1992

MICROFILMED
APR 12 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	37E	2	NE	NE		IRR	40.0
			SW	NE		IRR	20.0
					Section Acres		60.0
05N	37E	36	NW	SW		IRR	39.0
					Section Acres		39.0
					Total Acres		99.0

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:
LONG ISLAND IRR. CO.

14. Remarks:

THIS CLAIM IS FOR 108 MINERS INCHES OF DECREED RIGHT 35-0006.
THE PLACE OF USE HAS BEEN EXPANDED TO INCLUDE SECTION 36, T5N,
R37E, TO SUPPLEMENT WATER FROM LONG ISLAND IRRIGATION COMPANY.

15. Basis of Claim: DECREED
Water Right Number: 0006
Case Number:
Court :
Decree date: 12/16/1910

REXBURG IRR. CO. ET AL
Decree Plaintiff

vs

TETON IRR. CANAL CO. ET AL
Decree Defendant

~~MICROFILMED~~
DEC 09 1987
MICROFILMED
APR 12 1994

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: 1

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): Robert W. Eames Date: 10-17-1988
Jean E. Eames Date: 10-17-1988

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 17th day

of October 19 88

Anthony S. Oleniak
Notary Public

Seal

Residing at Idaho Falls

My Commission Expires 9/12/1994

~~MICROFILMED~~
DEC 09 1992

MICROFILMED
APR 12 1994