

11/15/2004

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

RIGHT NUMBER: 25-170

NAME AND ADDRESS: LAVON FERGUSON
11171 N FERGUSON RD
IDAHO FALLS ID 83401

DEAROLD J FERGUSON
11171 N FERGUSON RD
IDAHO FALLS ID 83401

SOURCE: WILLOW CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 3.200 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/01/1888

POINT OF DIVERSION:

T03N R39E S12 SWSE 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	3.200 CFS
STOCKWATER	04/01 10/31	0.020 CFS

PLACE OF USE:

IRRIGATION Within BONNEVILLE County

T03N R39E S11	SWSE	33.0	T03N R39E S11	SESE	33.0
T03N R39E S14	NENE	36.0	T03N R39E S14	NWNE	34.0

STOCKWATER same as IRRIGATION

136 ACRES TOTAL

Use of this right with Right No. 25-62 is limited to the irrigation of a combined total of 136 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.

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Decreed

Water is delivered through Ferguson Canal.

Stockwater use is for 200 range cattle.

09/13/2004

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

RIGHT NUMBER: 25-170

NAME AND ADDRESS: LAVON FERGUSON
11171 N FERGUSON RD
IDAHO FALLS ID 83401

DEAROLD J FERGUSON
11171 N FERGUSON RD
IDAHO FALLS ID 83401

SOURCE: WILLOW CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 2.040 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/01/1888

POINT OF DIVERSION:

T03N R39E S12 SWSE 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	2.040 CFS
STOCKWATER	04/01 10/31	0.020 CFS

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T03N R39E S11	SWSE	33.0	T03N R39E S11	SESE	33.0
T03N R39E S14	NENE	36.0	T03N R39E S14	NWNE	34.0

STOCKWATER same as IRRIGATION

136 ACRES TOTAL

Use of this right with Right No. 25-62 is limited to the irrigation of a combined total of 136 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.

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

The remainder of this right was forfeited for non-use from 1979 to 1989.

EXPLANATORY MATERIAL: Decreed

Use of this right is combined with water from Farmers Friend Irrigation Co.

Water is delivered through Ferguson Canal.

Stockwater use is for 200 range cattle.

SCANNED

SEP 17 2004

VOID
FILED

Water Right 25-170

1

RM
MH

09/13/2004

**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: 25-170

LAVON FERGUSON
11171 N FERGUSON RD
IDAHO FALLS ID 83401
Telephone Number: (208)522-3127

DEAROLD J FERGUSON
11171 N FERGUSON RD
IDAHO FALLS ID 83401
Telephone Number: (208)522-3127

RECEIVED

OCT 12 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):

OUR WATER PAPER SHOW 3.200 CFS OWNERSHIP FOR Irrig.
0.070 FOR CATTLE

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: _____ SIGNATURE: _____

Please print your name: _____

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

PROFILED

SCANNED

OCT 15 2004



Department of Water Resources

Claim No.: 25-00170



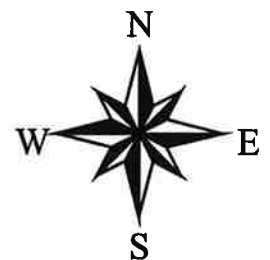
0 1320 2640 3960 5280 Feet



PROFILED

SCANNED

SEP 17 2004



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

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

Water Right Report 25-170

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JAMES BUCK
	, ID

Status: Active

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	/	to /		
IRRIGATION	/	to /	3.200 CFS	
DOMESTIC	/	to /		
		Total Diversion:	3.200 CFS	

Place of Use
IRRIGATION

[illegible]

Conditions of Approval:

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

PROFILED

SCANNED

SEP 17 2004

A25-00170

Summary

9/18/03

Please see A25-00062 for field notes and map. POA & POD appear correct on layout. Note that claim omits POD. See GPS reading on field notes.

Deane A. Connor

SCANNED

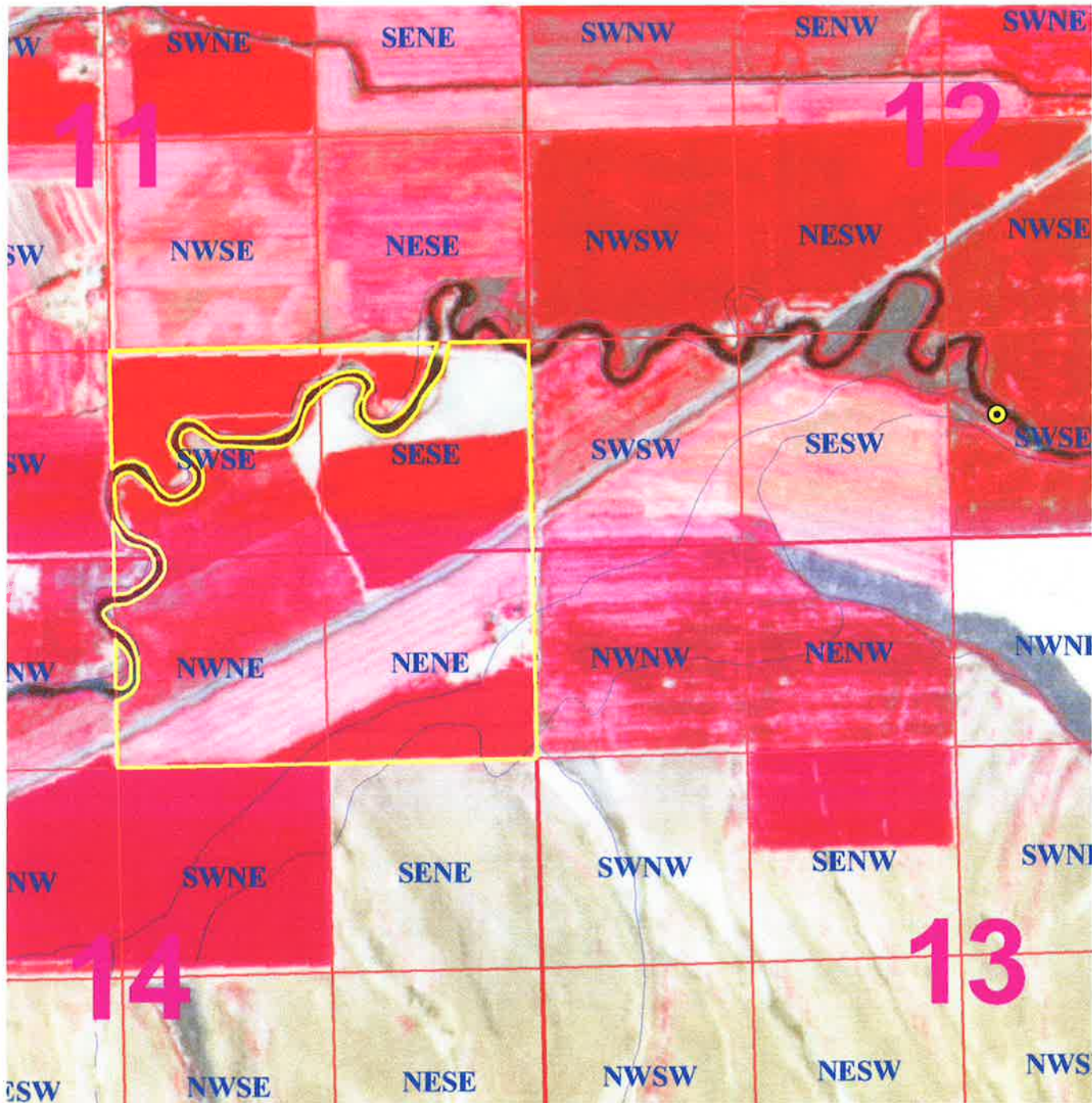
SEP 17 2004

PROFILED

Water Resources
Field Services
208 663 4667

Water Right Claim Number 25-00170
Township , 3N39E

11/28/2000





Irrigated Area



Section Line



Roads



Place of Diversion



Quarter Section Line



Streams and Canals



 SPATIAL DYNAMICS

AJ5809NP
No. A25-00170

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/24/00
PAGE: 48

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DEAROLD J FERGUSON	05/01/1888	IRRIGATION	04-01 11-01	3.200 CFS	
C	LAVON FERGUSON		STOCKWATER	04-01 11-01	0.070 CFS	
	11171 N FERGUSON RD					
	IDAHO FALLS ID 83401					
	(208) 522-3127					
TOTAL DIVERSION:					3.200 CFS	
CONSUMPTIVE USE:						400.00 AFA

Water Source: WILLOW CREEK

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T03N R39E S12 NWSWSE BONNEVILLE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE												
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
03N	39E	11	:					:					:					:						
03N	39E	14	:	40		40		:					:					:						
																						TOTAL ACRES		160.0

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE											
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac	
03N	39E	11	:					:					:					:					
03N	39E	14	:	S		S		:					:					:			S	S	:

POU County: BONNEVILLE

Non-Irrigation Uses: S/ 200 HEAD CATTLE

Other Rights: A25-00062

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A25-00062

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

A01-00061 A01-00248 A01-10200 A01-10201 A01-10202 A01-10203 A25-00056E A25-00061A A25-00062

Remarks: GEN FLOOD RIGHT.

Dates: Exam Made Date: Verified Date: 05/20/1985 Objection Filed Date:

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

Audit: 08/30/89 BAUMHOFF 03/29/95 POST-STD

JUL 25 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

Ident. Number: A25-00170

Date Received: 8/29/1989

Receipt No: 1004068

Received By: B

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DEAROLD J. FERGUSON 208-522-3127
Address: 11171 N. FERGUSON RD.
IDAHO FALLS, ID 83401

OR

Name: LAVON FERGUSON 208-522-3127
Address: 11171 N. FERGUSON RD.
IDAHO FALLS, ID 83401

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

5. Description of diverting works:
HEADGATE-DITCHES FLOOD & 15HP PUMP LATERALS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.200		
STOCKWATER	04/01	11/01	0.070		

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

A.F.A.

8. Total consumptive use is 400.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/ 200 HEAD CATTLE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
03N	39E	11	SW		SE		IRR	40.0
			SW		SE		STOCK	
			SE		SE		IRR	40.0
			SE		SE		STOCK	
							Section Acres	80.0
		14	NE		NE		IRR	40.0
			NE		NE		STOCK	
			NW		NE		IRR	40.0
			NW		NE		STOCK	
							Section Acres	80.0
							Total Acres	160.0

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:
A25-00062

14. Remarks:
FLOOD RIGHT.

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

EAGLE ROCK & WILLOW CK. WATER
Decree Plaintiff

vs

H. 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: 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): Ronald J. Ferguson Date: Aug 29, 1989
Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 29th day
of August 19 89
Notary Public Anna Baunhoff

Seal

Residing at Anna Baunhoff, Notary Public
My Commission Expires Residing at Boise, Idaho
My Commission Expires December 7, 1994

29

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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: A25-00170
Date Received: 8/29/1989
Receipt No: M004068
Received By:

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ACQUIRED UNDER STATE LAW

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Address: 11171 N. FERGUSON RD.
IDAHO FALLS, ID 83401

OR

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Address: 11171 N. FERGUSON RD.
IDAHO FALLS, ID 83401

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	12	NW	SW	SE		BONNEVILLE

5. Description of diverting works:
HEADGATE-DITCHES FLOOD & 15HP PUMP LATERALS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.200		
STOCKWATER	04/01	11/01	0.070		

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

8. Total consumptive use is 400.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/ 200 HEAD CATTLE

A25-00170

A2500170



MICROFILMED
NOV 06 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
03N	39E	11	SW		SE		IRR	40.0
			SW		SE		STOCK	
			SE		SE		IRR	40.0
			SE		SE		STOCK	
			Section Acres					80.0
		14	NE		NE		IRR	40.0
			NE		NE		STOCK	
			NW		NE		IRR	40.0
			NW		NE		STOCK	
			Section Acres					80.0
			Total Acres					160.0

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:
A25-00062

14. Remarks:
FLOOD RIGHT.

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

EAGLE ROCK & WILLOW CK. WATER
Decree Plaintiff

vs

H. KIEFER, ET AL
Decree Defendant

A25-00170

MICROFILMED
NOV 06 1961

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____