

09/17/2004

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

RIGHT NUMBER: 25-63
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: 1.600 CFS

Use of this right with Right No. 25-14122 is limited to a total combined diversion rate of 1.60 cfs.

PRIORITY DATE: 04/01/1884

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	1.600 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. 25-139 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 80 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

Water Right 25-63

PROCESSED
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SEP 22 2004

09/17/2004

IDAHO DEPARTMENT OF WATER RESOURCES
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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 also diverted through point of diversion described above: 25-63, 25-139, and 25-14122.

Right No. 25-14122 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

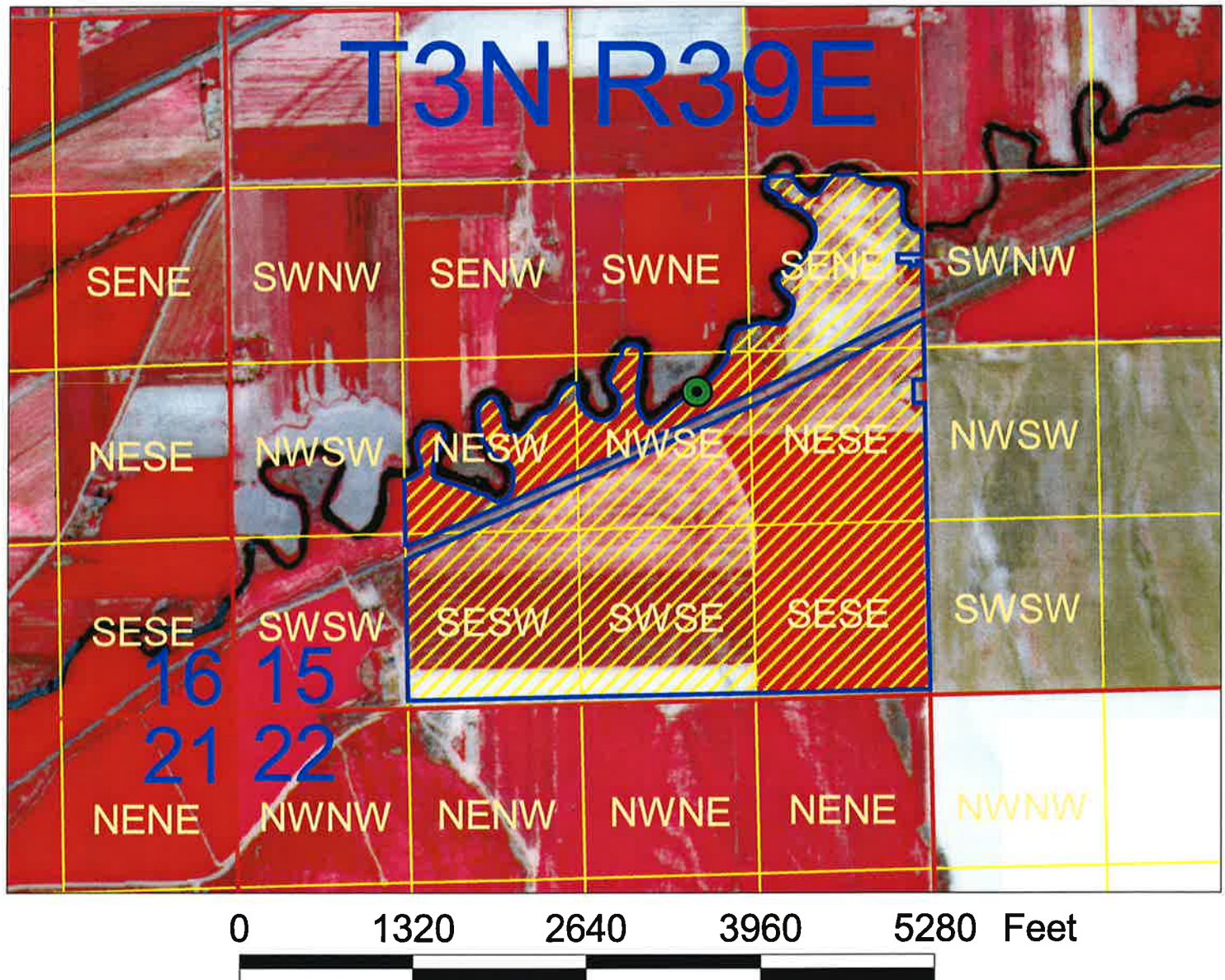
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SEP 22 2004



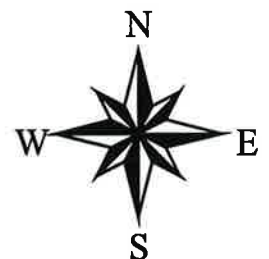
Department of Water Resources

Claim No.: 25-00063



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

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

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: 25-63

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:

☒ 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 11 2004

Water Right Report 25-63

WATER RIGHT NUMBER: 25-63

<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>
DOMESTIC	/	to /		
STOCKWATER	/	to /		
IRRIGATION	/	to /	1.600 CFS	
		Total Diversion:	1.600 CFS	

WILLOW CREEK
BONNEVILLE County

Sec. 12, Twp 03N, Rge 39E, B.M.

Place of Use
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:

Remarks:

1. General P/D NOT GIVEN IN DECREE. SOURCE WD01.
P/U INCOMPLETE IRR. AC. = 120.

Comments:

Dates and Other Information:

~ 80 irrigable acres

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SEP 22 2004

A25-00063 / A25-00139 Summary 10/15/03

- ① Ownership: Correct
- ② POD: 2 pumps @ same location, Layout appears correct. GPS 673,560 E 278,807 N
Waypoint 63. see layout, correction on claim
- ③ POW: Appears to be correct / S. of RR tracks is a hillside, historically was irrigated from now-defunct Farmers' Friend canal on hill. Now sprinkler irrigated.
- ④ Overlap: Farmers Friend.
- ⑤ Photos - see field notes for descriptions,
Four photos

Byron A. Connor

Water Resources
Field Services
208 663 4667

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SEP 22 2004

A25-00063 / A25-00139 field insp 10/13/03

I met w/ Mr. Sperry at the farm.

- 1) Pou / POD on map are correct
- 2) Farmers Friend shares on land
- 3) South of RR tracks is on hill, water is now pumped up. Historically this was gravity irr from old Farmers' Friend canal on hill.
- 4) POD - 2 pumps. GPS 673,560 E 278,807N
Waypoint 63
- 5) Photos - #1 Pou from behind house, east side Pou
#2 Pou from RR tracks @ east side,
looking SW
#3 rotating screen @ POD
#4 pumps @ POD

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A25-00063 / A25-00139 Contact log

9/23/03 9:35 AM 523-0225 disconnected
9:36 AM 745-7158 no answer

9/24/03 19:38 745-7158 no answer

10/10/03 14:50 745-7158 8 AM

Came to 95th South -

North to County line, 4300E Dr

95th East, across hwy 26 - 9/10 mile
red house / shop.

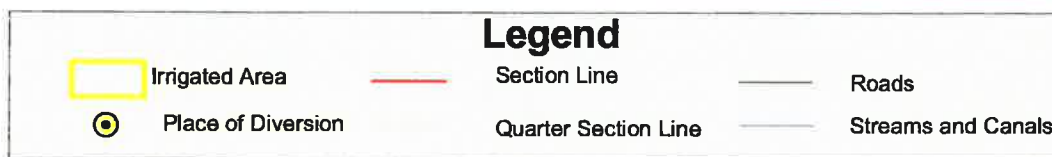
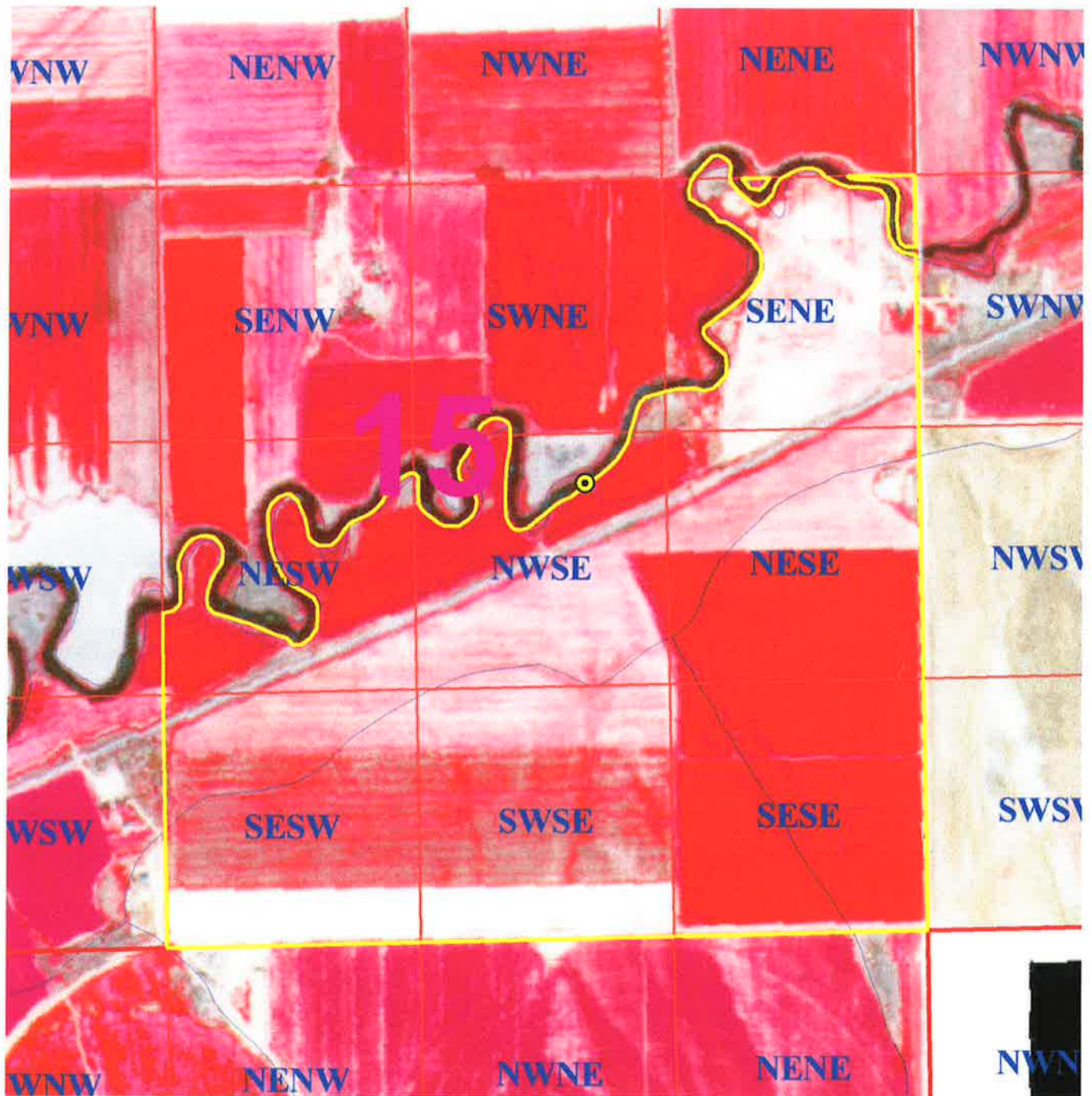
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SEP 22 2004

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Water Right Claim Number 25-00063
Township , 3N39E

11/27/2000



SPATIAL
DYNAMICS



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SEP 22 2004

August 18, 2003

Kent Sperry
46 N 4300 E
Rigby, ID 83442

Re: Water Right Adjudication Claim(s) A25-00063, A25-00139

Dear Water User:

Idaho Department of Water Resources (IDWR) is reviewing claims to water rights in the Snake River Basin Adjudication in your area. Water Resources Field Services has been retained to do field inspections to aid the Department in making correct recommendations to the court. In the next weeks and months I will be contacting you to make an appointment to look at your diversion works and uses of water.

The main purpose of this visit is to locate and photograph the headgate(s), ditches, and irrigated lands. A copy of this letter is being sent to co-claimant John Sperry.

I look forward to helping make sure your water right recommendation is correct. Please contact me if there is a particular time that would be convenient for you. You may call in the evenings, or leave a message on the answering machine.

Sincerely,

Bryce A. Contor

Water Resources
Field Services
208 663 4667

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SCANNED

SEP 22 2004

August 18, 2003

John Sperry
10669 N 95 E
Idaho Falls, ID 83401

Re: Water Right Adjudication Claim(s) A25-00063, A25-00139

Dear Water User:

Idaho Department of Water Resources (IDWR) is reviewing claims to water rights in the Snake River Basin Adjudication in your area. Water Resources Field Services has been retained to do field inspections to aid the Department in making correct recommendations to the court. In the next weeks and months I will be contacting you to make an appointment to look at your diversion works and uses of water.

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Sincerely,

Bryce A. Contor

Water Resources
Field Services
208 663 4667

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SEP 22 2004

AJ5809NP
No. A25-00063

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/24/00
PAGE: 17

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	04/01/1884	IRRIGATION	04-01 11-01	1.600 CFS	
					TOTAL DIVERSION:	1.600 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

Point(s) of Diversion: T03N R39E S15 NWSE 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	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):
A25-00139

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 A25-00139 A25-13497

Remarks: GEN ALSO RT A25-00139

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

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SCANNED

SEP 22 2004

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: A25-00063
Date Received: 9/15/1989
Receipt No: E010595
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: APR 01, 1884

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	39E	12 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	1.600		

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

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

9. Non-irrigation uses:
NONE

A25-00063

Page 1

Date: 09/15/89

A2500063



MICROFILMED

NOV 06 1992

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:

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

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 Sperry Date: 9-15-89
Date: _____

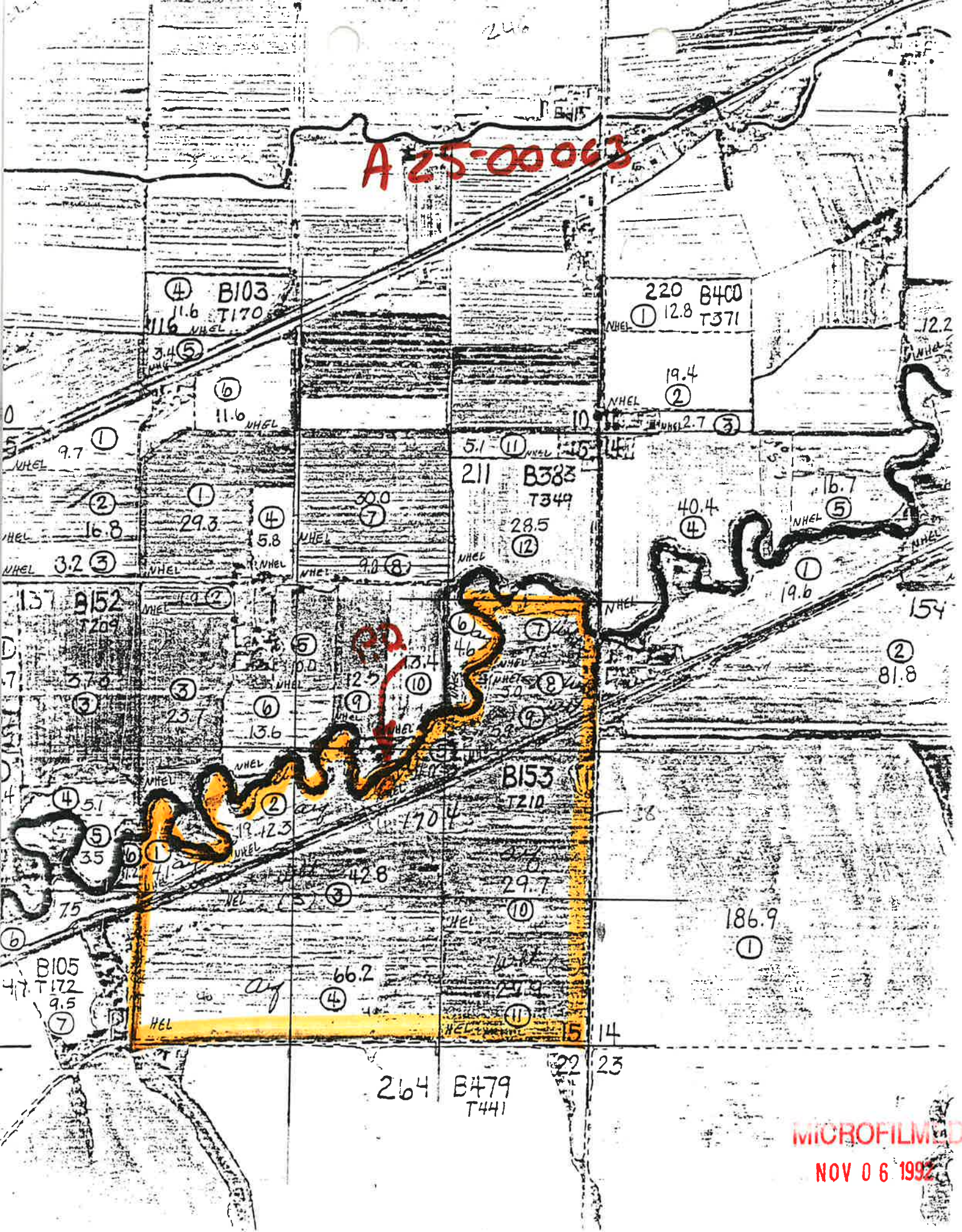
State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 15th day
of Sept 19 89 Gallen Orsief
Notary Public

Seal

Residing at Idaho Falls
My Commission Expires 5/29/1991

246
A 25-00063



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NOV 06 1992