

06/03/2004

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

RIGHT NUMBER: 25-4037

NAME AND ADDRESS: ORSON DALLAS RAYMOND
748 N 3300 E
MENAN ID 83434

SOURCE: SPRING CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.450 CFS

PRIORITY DATE: 06/10/1959

POINT OF DIVERSION:

T05N R38E S30 SENWSE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.450 CFS

PLACE OF USE: IRRIGATION Within JEFFERSON County

T05N R38E S30

SESW

2.7

T05N R38E S30

NWSE

2.7

T05N R38E S30

SWSE

17.0

22.4 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.

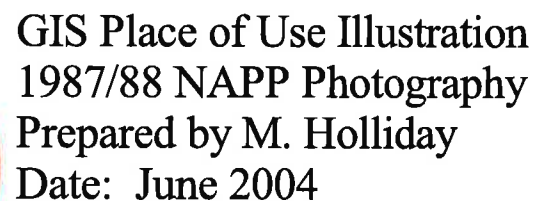
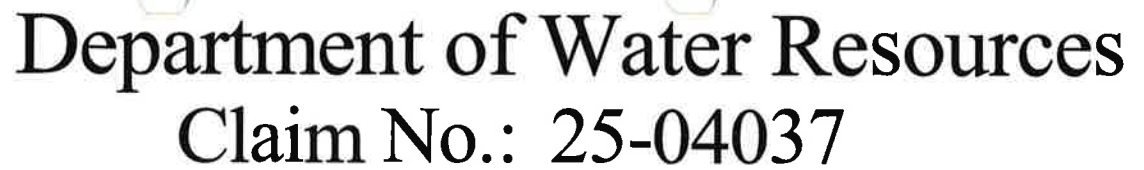
EXPLANATORY MATERIAL: Statutory Claim

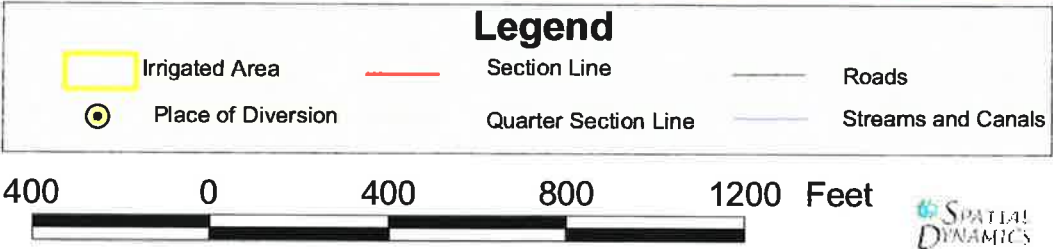
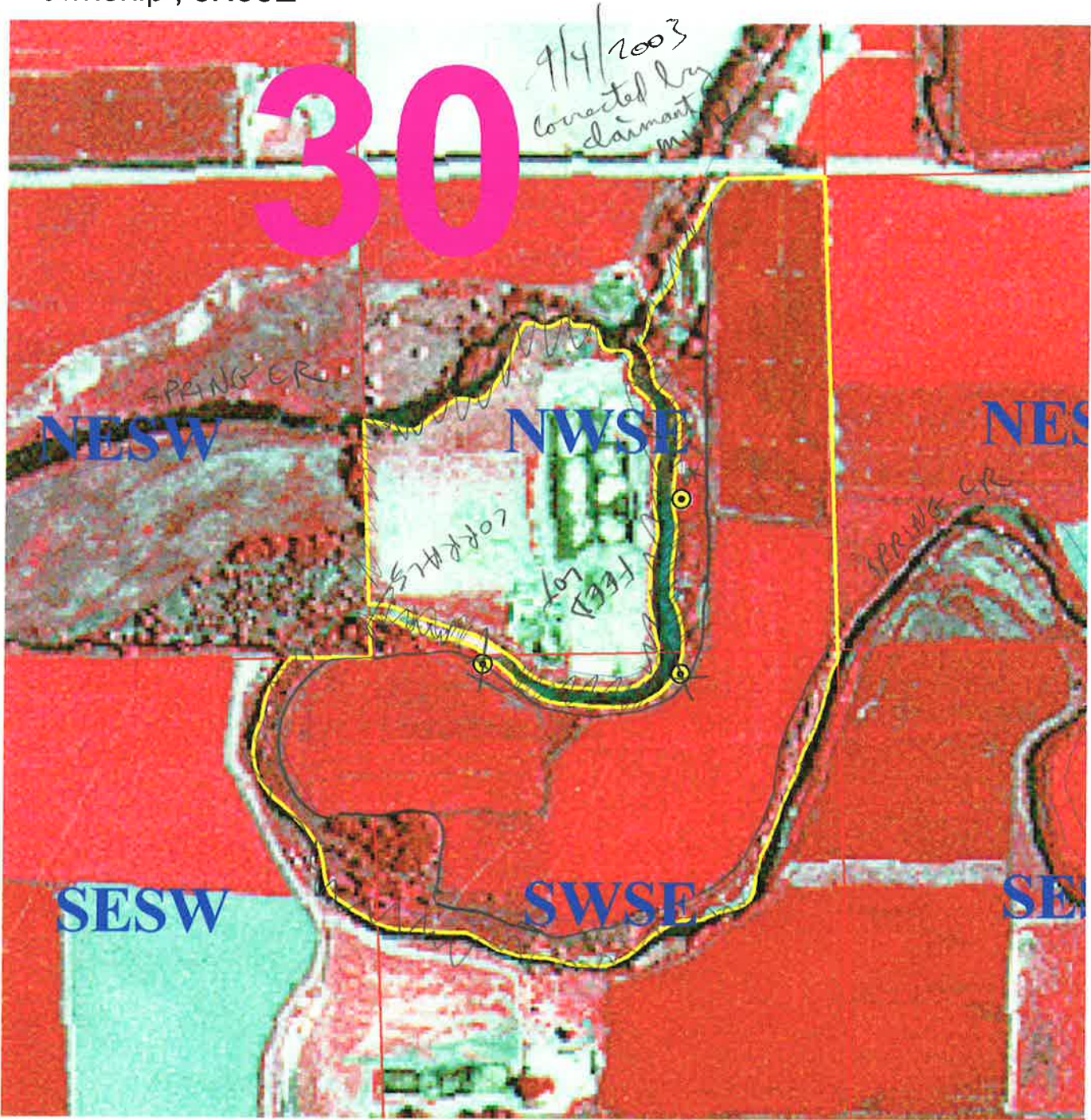
USE OF THIS RIGHT IS COMBINED WITH WATER FROM INDEPENDENT IRRIGATION CO.

Water Right 25-4037

PROFILED
SCANNED

OCT 13 2004





AJ5809NP
No. A25-04037

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/26/00
PAGE: 63

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ORSON DALLAS RAYMOND 748 N 3300 E MENAN ID 83434 (208) 745-4513	06/10/1959	IRRIGATION STOCKWATER	04-01 11-01 01-01 12-31	3.000 CFS 0.200 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:					3.000 CFS	97.50 AFA

Water Source: UNNAMED SPRINGS

Tributary to: SPRING CREEK

Stage: STATUTORY CLAIM

Point(s) of Diversion:

T05N R38E S30

SENWSE

NESWSE

NWSWSE

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			
05N	38E	30	:																	:				
																			04	:	16	19	:	39.0
																			TOTAL ACRES		:	39.0		

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: JEFFERSON

Non-Irrigation Uses: S/ 300 BEEF AND DAIRY CATTLE.

Other Rights: 25-04054

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
25-12245 A25-12245

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

A01-00080 A01-00109G A01-00110E A01-00111E A01-00112E A01-00113E A01-00114C A01-00115S A01-00317 A25-00259
A25-04054 A25-04085 A25-04086

Dates: Exam Made Date: Verified Date: 03/12/1985 Objection Filed Date:

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

Audit: 11/02/88 CARLSEN 03/29/95 POST-STD



6/2/2004



P/D FROM SPRING CR

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6/2/2004

WNW
↑

View of P/D and portable pump.

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OCT 13 2004

To whom it may concern:

The portable pumps used in this reference is used to pump water from springs that raise totally on the farm in question.

I can remember prior to 1955 when the farm was owned by a Gene Jensen who according to county records owned the farm prior to 1955 that a portable pump was being used for irrigation. I observed this myself. We purchased the farm in 1966 from a Rolon Bens according to county records and have used water from this source via portable pump every since that purchase, so this water has been used for irrigation; also stock watering since at least 1955.

The pump is submersed in about 5' of water; is run by tractor PTO through a 12" portable tube to a diversion in the ditch which irrigates the lower part of said farm. I am the present owner of the farm; am 72 yrs. old.

Sincerely
D. Dallas Raymond
2/10/04

Jennifer Crabtree

notary public for state of Idaho

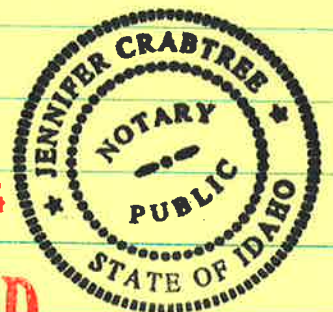
commission expires 9/23/09

today's date: 2-10-04

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Feb 4, 2004

I Emmett Shippen, a neighbor of Dallas Jerald & Nyle Raymond have seen with my own eyes them use a portable Parma pump on the property in question prior to the year of 1971. I also have knowledge that they have used the same pump for several years prior to that on the same property.

Thank you

Emmett Shippen
Emmett Shippen

Subscribed and sworn to before me this 4th day of February, 2005.



Tamara Nield
Notary Public for Idaho

Residing at: *Levorsville*
Commission Expires: *1/31/08*

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I, Emmett Shippen, personally have knowledge that Dallas Raymond + Sons Inc. have used water for the claim purpose on two pumps on said property.

Emmett Shippen

On December 10, 2003, the above-signed, Emmett Shippen appeared before me and signed the above document.



Clark D. Hunter
Notary Residing in Bonneville
County, Idaho.
Commission Expires 8-7-2008

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9/4/2003

25-4037

converted ground in W to feed lot
around time of Teton Flood per
Dallas Raymond. Nyle said this ground
was irrigated for about 5 or 6 years
after flood.

POU map updated by claimant.

Claimant given brochure of evidence
of priority.

Claimant said there was only one P/D
in 1987, as shown on map.

P/D 045 A0006131
N 294283
E 658733

Day on fence 60' W of
P/D.

10/19/2003

Talked w/ Dallas re: EOP. He says he
remembers this pump being used after
the Teton Flood in 1976 and that former
owner used it some before that.

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6/2/2004

Field verified that source is Spring Cr.
Found through conversation with Nyle and Dallas
Raymond that stock is not watered from this source,
but from a sand pit well.

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From WMIS:

A0006131 DIV NAME = PORTABLE

P/D N 294214.70
E 658658.20

ON 7/17/2002 I MEASURED
2240 GPM W/ AA CURRENT
METER.

TRACTOR PTO FROM SLOUGH
IRRIGATED 13.5 AC IN 2002.

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OCT 13 2004

SCANNED

JUL 30 2001

Log for claim 25-04037

Spatial Dynamics CAT

12/22/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
05n38e	30	NWSE	16	28	
05n38e	30	SWSE	19	21	
05n38e	30	SESW	4	4	
Totals:			39	53	

25-04037

May 6, 1991

Orson Dallas Raymond
748 N. 3300 E.
Menan, ID 83434

RE: **Evidence of Priority**

Dear Mr. Raymond:

The Notices of Claim identified with the numbers shown at the end of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notices indicates the water usage are based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date.

For your reference I have provided a printout of your Notices and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date**".

It is our goal to recommend this historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notices have been or soon will be conducted by Department personnel. **But, the Department will not recommend the Notices be decreed by the court if no evidence of a priority date is submitted.**

Please submit the required evidence supporting the priority dates by **June 6, 1991**, referencing all documents with the corresponding Notice numbers. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

MICROFILMED
NOV 10 1992

Orson Dallas Raymond

Page 2

All Notices required to submit this evidence are currently being reviewed for recommendation to the court. Hence, the need for expediency on your part or your agency. Every effort should be made to submit this information within 30 days of the date of this letter.

Respectfully submitted,

Ernest Carlsen
Water right Supervisor, Adjudication

EC:sc

Enclosure: Brochure on "Evidence of Priority"
Proof Report

A25-04054
ORSON DALLAS RAYMOND
748 N. 3300 E.

MENAN ID 83434

A25-04037
ORSON DALLAS RAYMOND
748 N. 3300 E.

MENAN ID 83434

MICROFILMED
NOV 10 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Orson Dallas Raymond

(Name of Claimant)

Route 1, Box 109, Menan, Idaho 83434

(Mailing Address)

Telephone No. 754-4513

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) June 10, 1959

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

unnamed springs tributary to Spring Creek

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>3.00 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>4/1</u>	To <u>11/1</u>
Quantity	<u>1.00 cfs</u>	Use <u>Stockwater</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

- (4) 3.00 cfs TOTAL QUANTITY USED.

(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

NW ¼ SE ¼, Sec. 30 Twp. 5N Rge. 38E B.M., County of Jefferson

Additional points of diversion: SW ¼ SE ¼, Sec. 30, T. 5N, R. 38E.

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. portable tractor pump

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5N	38E	30														12	22		34

No. of acres 34

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Stockwater

NOTE: Include here the type and number of stock watered: 200 head of cattle.

- (7) If you are claiming water as a member of an organization, list name of organization:

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JUL 31 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: A25-04037

Date Received: 11/02/1988

Receipt No: E003736

Received By: EMC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ORSON DALLAS RAYMOND
Address: 748 N. 3300 E.
MENAN, ID

208-745-4513

83434

2. Date of Priority: JUN 10, 1959

3. Source: UNNAMED SPRINGS

Trib. to: SPRING CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	38E	30	SE	NW	SE		JEFFERSON
			NE	SW	SE		JEFFERSON
			NW	SW	SE		JEFFERSON

5. Description of diverting works:
PARMA PUMP, PTO DRIVE, OPEN DISCHARGES INTO DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.000		
STOCKWATER	01/01	12/31	0.200		

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

A.F.A.

8. Total consumptive use is 97.5 Acre Feet Per Annum.

9. Non-irrigation uses:
S/ 300 BEEF AND DAIRY CATTLE.

A25-04037

Page

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Date: 11/02/88

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NOV 10 1992

A2504037

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	38E	30	SE	SW	IRR	4.0
			NW	SE	IRR	16.0
			SW	SE	IRR	19.0
					Section Acres	39.0
					Total Acres	39.0

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:
25-04054

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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): J. Dallas Raymond Date: Nov. 2 1988

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 2 day

of Nov. 19 88

Ernest Carlson
Notary Public

Seal

Residing at Idaho Falls ID

My Commission Expires 14 June 1994

R37E

R38E
T5N

LEWISVILLE QUADRANGLE
IDAHO
7.5-MINUTE SERIES (TOPOGRAPHIC)

