

01/02/2004

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 25-7017A

NAME AND ADDRESS: NANCY DAVISON
238 N 4700 E
RIGBY ID 83442

RANDY LEE DAVISON
238 N 4700 E
RIGBY ID 83442

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.420 CFS
73.500 AFY

PRIORITY DATE: 03/20/1972

POINT OF DIVERSION:

T04N R40E S21 SWNWSW Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 11/01

QUANTITY
0.420 CFS
73.50 AFY

PLACE OF USE: IRRIGATION Within JEFFERSON County

T04N R40E S21 NWSW 21.0

21 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: License

USE OF THIS RIGHT IS COMBINED WITH WATER FROM BUTLER ISLAND
CANAL CO.

Water Right 25-7017A

FILED

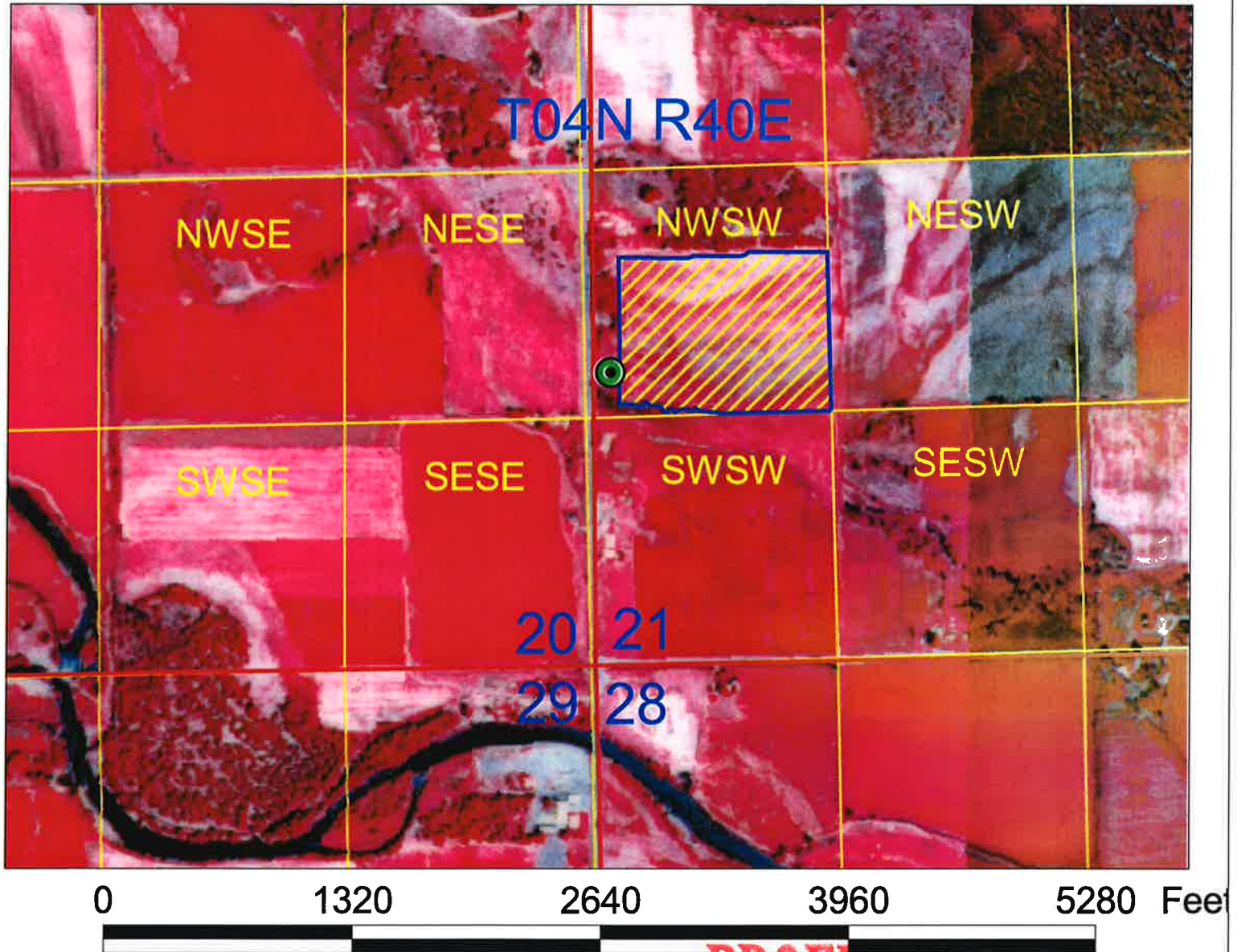
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SCANNED

OCT 01 2004



Department of Water Resources

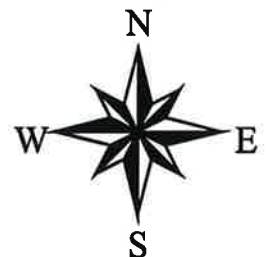
Claim No.: 25-07017A



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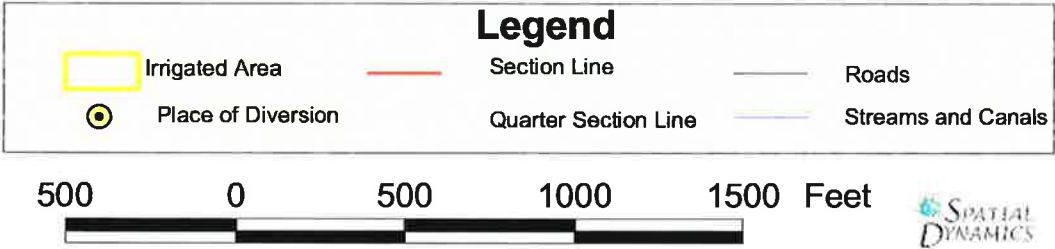


- Point of diversion
- Place of use
- Sections
- QQ

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

Water Right Claim Number 25-07017A
Township , 4N40E

12/26/2000



AJ5809NP
No. A25-07017A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/26/00
PAGE: 81

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RANDY LEE DAVISON	03/20/1972	IRRIGATION	04-01 11-01	0.420 CFS	
C	NANCY DAVISON					
	238 E 4700 N				0.420 CFS	
	RIGBY ID 83442					52.50 AFA
	(208) 538-7425					

TOTAL DIVERSION:
CONSUMPTIVE USE:

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T04N R40E S21

NWSW

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	40E	21	:																	21.0
																			21	
																			TOTAL ACRES	21.0

POU County: JEFFERSON

Non-Irrigation Uses: NONE

Other Rights: NONE

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

25-10345 25-10814 A25-07017B A25-07073A A25-07073D A25-07073E A25-07073F A25-10345 A25-10814 R25-07073A

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

A01-00035AC A01-00231 A01-00301

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 11/17/88 MCC 12/31/90 VERNER 03/29/95 POST-STD

PROFILED

SCANNED

OCT 0 1 2004

238 N 4700 E

From WMS: 25-7017A

A0006102

N 286761.90

E 680297.20

On 6/25/2002, I
measured 278 GPM
during a PCC exam.

PROFILED

SCANNED

OCT 01 2004

Transfer No. 3072
Water Right No. 25-7017STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of UseName of applicant Randy Lee Davison Phone 745-8082
Post Office address Rt. #4, Box 4063 Rigby, ID 83442

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____
(Name)
in case of _____ vs _____
dated in _____ in _____ county of _____
(Name of court)b. License No. 25-7017 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant
Applicant has purchased 21 acres of irrigated ground in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 21; warranty deed provided3. Source of water groundwater tributary to _____4. Date of priority 3-20-1972

5. Water is used for the following purposes:

amount 1.34 cfs for Irrigation purposes from 4/1 to 11/1
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)6. Total amount of water under right: a. 1.34 cubic feet per second
&/or
b. _____ acre feet per annum7. Location of original point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 21
Township 4N Range 40E, B.M., in Jefferson County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4N	40E	21									38	21			8				67

APPROVED

Total number of acres to be irrigated 67

9. Describe any other water rights used for the same purpose as described above _____

Shares for Butler Island Canal10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use? No
If yes, describe in item D. REMARKS

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. 0.42 cubic feet per second &/or
b. _____ acre feet per annum
- ✓ Point of diversion NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 21 Township 4N
Range 40E, B.M., Jefferson County
- Additional points An additional well will be drilled in NW $\frac{1}{4}$ SW $\frac{1}{4}$, to provide for this 21 acres
3. Place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4N	40E	21									21								21

Total number of acres to be irrigated 21

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information
- a. Amount of water to be diverted 0.42 c.f.s. &/or _____ acre feet
- b. Description of diverting works well, pump to sprinkler lines
- c. Describe the reasons for the proposed changes applicant has only purchased 21 acres of right 25-7017 and will drill his own well

2. Change in point of diversion

Point of diversion NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 21 Township 4N
Range 40E, B.M., Jefferson County

Additional points _____

3. Change in place of use

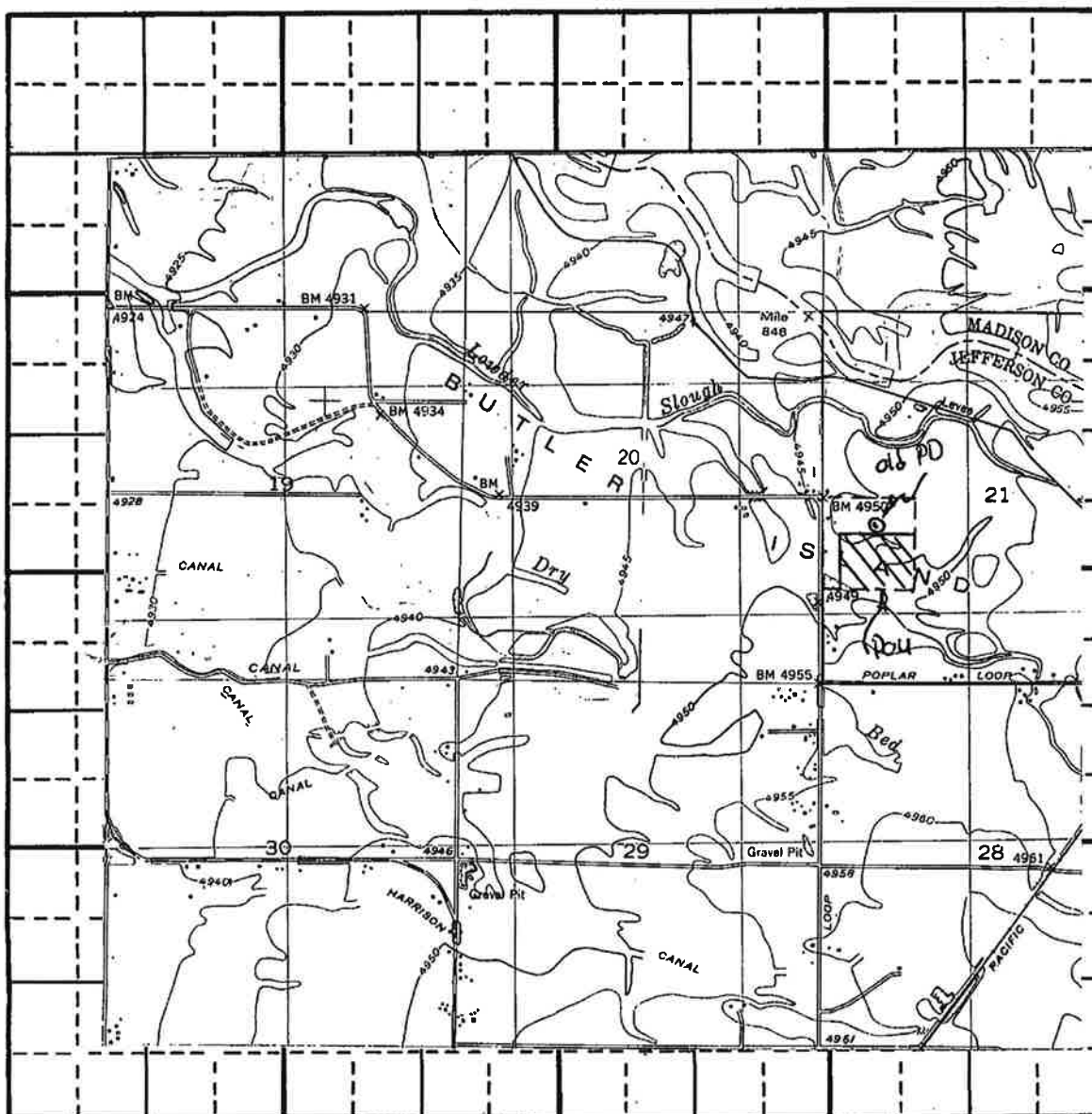
NONE

- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No X. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer

[illegible]

Total number of acres to be irrigated 21

4. Describe any other water rights used for the same purpose as described above. Shares in Butler Island Canal but no ditch available.
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

BYCROF! MED

D. REMARKS

This transfer is to add a well for applicant's 21 acres.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 6th day of September, 1984

(Signature of Applicant)

(Notary Public)

My commission expires 6-15-85

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 25-7017B and said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this 9th day of January, 1985

Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by HWT Date 9-6-84 Protest filed by _____
Prelim. check by BN Fee \$50.00
Receipted by SK Date 9-6-84 #34279
Published in Right Star Copies of protest forwarded by _____
Pub. dates 9-20, 27, 1984 Hearing held by _____ Date _____
Watermaster recommendation requested on _____ Recommended for approval denial
_____ rec'd. by RBC Jim Durr

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 25-7017 Priority March 20, 1972 Amount 1.34 cfs

THIS IS TO CERTIFY, that GALE A. &/or DELILA REED
of Rigby, Idaho, has complied with the terms and conditions of Permit
No. 25-7017 issued pursuant to Application for Permit dated March 20, 1972,
and has submitted proof to the Department of Water Resources on April 29, 1977,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 4.03 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>November 1</u>	at <u>1.34</u> cfs and	<u>235</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 1.34 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
235 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, Twp. 4N,
Rge. 40E, R.M. in the County of Jefferson

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4N	40E	21																	67

Total number of acres irrigated 67

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 30 day of

July, 19 79


Director

SCANNED

JUL 2001

Log for claim 25-07017A

Spatial Dynamics CAT

12/26/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
04n40e	21	NWSW	21	23	POD placement? / Indiscernible
Totals:			21	23	

SCANNED

JUL 9 2001

Rec'd 11-16-88

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: A25-07017A
Date Received: 10/27/1988
Receipt No: E004151
Received By: S.M.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RANDY LEE DAVISON 208-538-7425
Address: 238 E 4700 N
RIGBY, ID 83442
AND/OR
Name: NANCY DAVISON 208-538-7425
Address: 238 E 4700 N
RIGBY, ID 83442

A2507017A



2. Date of Priority: MAR 20, 1972

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	40E	21	NW	SW			JEFFERSON

5. Description of diverting works:
WELL & PUMP TO SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.420		

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

8. Total consumptive use is 52.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A25-07017A

Page 1

Date: 10/27/88

MICROFILMED
NOV 10 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	40E	21	NW SW		IRR	21.0
Section Acres						21.0
Total Acres						21.0

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:
NONE

14. Remarks:

15. Basis of Claim: LICENSE

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):

L. T. Dawson
Nancy M. Dawson

Date:

11/4/88

Date:

11/4/88

State of Idaho)

County of

Bonneville

) SS.

Subscribed and sworn (or affirmed) before me this 4th day

of November 19 88.

Charlene Eaton
Notary Public

Seal

Residing at

Shelley, Idaho

My Commission Expires

Now-expiring