

12/09/2003

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

RIGHT NUMBER: 25-7189

NAME AND ADDRESS: EARL J STACEY
2647 E 81 N
IDAHO FALLS ID 83401

CLARA I STACEY
2647 E 81 N
IDAHO FALLS ID 83401

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS
4.100 AFY

PRIORITY DATE: 04/03/1980

POINT OF DIVERSION:

T03N R38E S22 SESWSW Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.020 CFS 3.50 AFY
DOMESTIC	01/01 12/31	0.020 CFS 0.60 AFY

Domestic use is for 1 home.

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T03N R38E S22 SWSW 1.0

DOMESTIC Within BONNEVILLE County

T03N R38E S22 SWSW

1 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

Water Right 25-7189

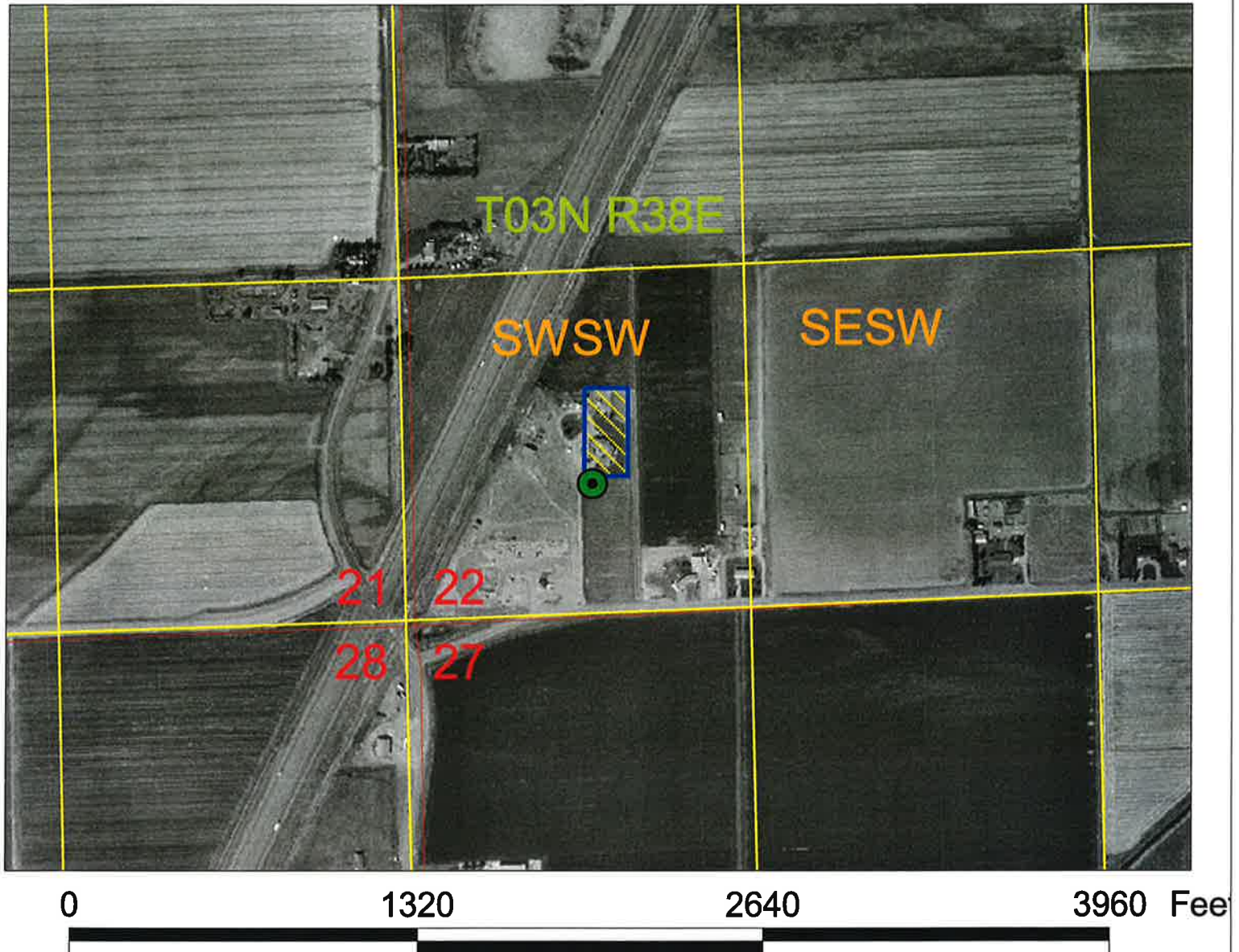
1
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SEP 27 2004



Department of Water Resources

Claim No.: 25-07189



● Point of diversion

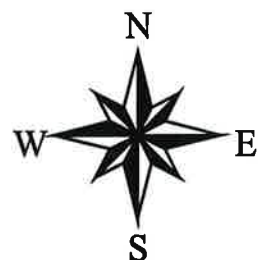
▨ Place of use

□ QQ

□ Sections

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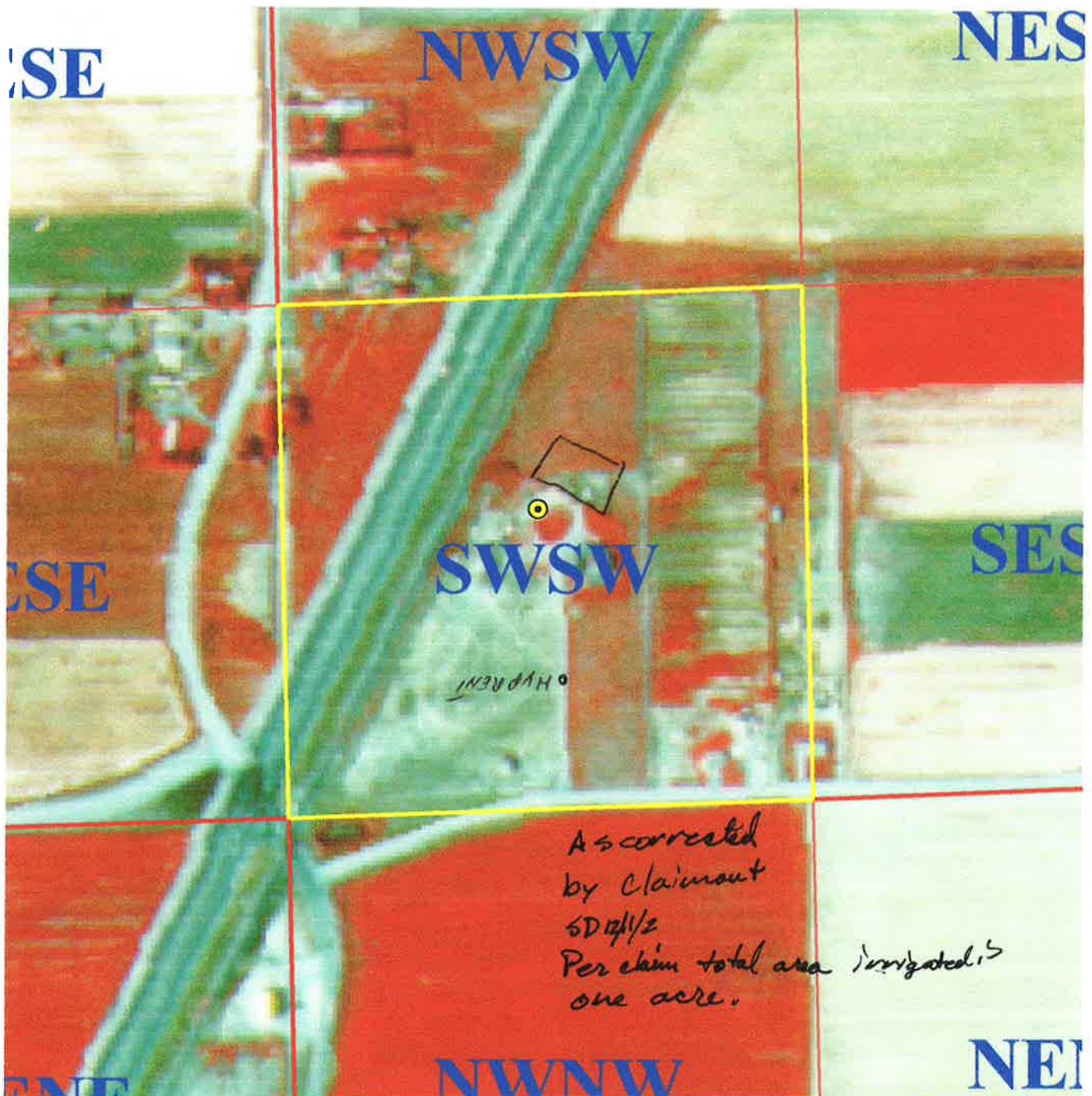
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GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by M. Holliday
Date: December 2003

Water Right Claim Number 25-13760
Township, 3N38E

12/07/2000



300 0 300 600 900 Feet

SPATIAL
DYNAMICS

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RECEIVED

SEP 14 2004

MH

12/09/2003

Department of Water Resources
Eastern Region

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: 25-7189

EARL J STACEY
2647 E 81 N
IDAHO FALLS ID 83401
Telephone Number: (208)522-1560

CLARA I STACEY
2647 E 81 N
IDAHO FALLS ID 83401
Telephone Number: (208)522-1560

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:

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

DATE: 9-14-04 SIGNATURE: E. Jay Stacey
Please print your name: E JAY STACEY

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

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SEP 15 2004

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 25-07189

Priority: April 3, 1980

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:¹

4.1 AF

This is to certify, that BEN BROTHERS
KAREN BROTHERS

RT. 8 BOX 146

IDAHO FALLS, ID 83401

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 3, 1980; and has submitted Proof of Beneficial Use on March 15, 1985. An examination indicates that the works have a diversion capacity of .100 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	0.02 CFS	3.5 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF
	Totals	0.04 CFS	4.1 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 22, Township 03N, Range 38E
BONNEVILLE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N	38E	22	SWSW	1		1

Total number of acres irrigated: 1

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The right to use water confirmed by this license is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to reflect cropping patterns or acceptable standards of water delivery efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 1 home.

MICROFILMED

JUL 17 1989

APR 29 1966

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

Permit No. 25-7189

Phone No. 529-0686

1. Owner: Ben or Karen Brothers Phone No. 529-0686
Current Address: Rt 8 Box 146 Idaho Falls Id 83401
2. Accompanied by: Mr Brothers EXAM. DATE: 15 Aug 1985
Address: Same Phone No. SAME
Relationship to Permit Holder: _____
3. Source: Groundwater tributary to _____

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Sta-Rite	3	Model CP442-8	CAME	

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

- 5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)**

well pump pressure tanks with distribution lines to domestic base, shop building, and office building

6.	Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
	<i>Theoretical</i>						

7. Measurements Theoretical 30 psi ☐ Additional data/computation sheets attached
Static H₂O Level 141'

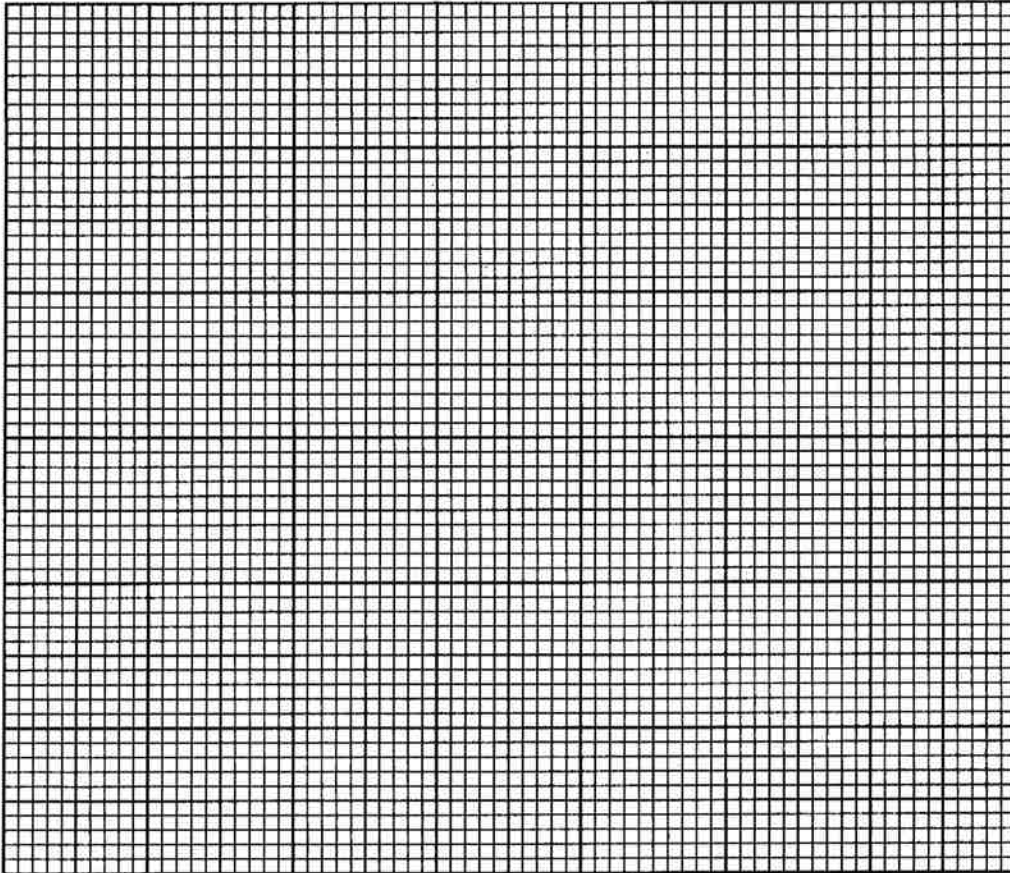
- | 8. Point(s) of Diversion: | Indicate Method of Determination |
|---------------------------|----------------------------------|
|---------------------------|----------------------------------|

[illegible]

- | | | |
|----|------------------|---|
| 9. | Place(s) of Use: | Irrigation - give acres served by system at time of exam.
Indicate Method of Determination |
|----|------------------|---|

[illegible]

10. Other water rights on these lands 01-0241 Progressive Irr. Dist.
11. Other water right diverted from same p.d. NONE
12. **Diverson and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe I.D. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☐ Photo of Diverson & System Attached

☒ Aerial Photo of Place of Use Attached
or Map of Irrigated Acreage Attached

14. Remarks IRRIGATION OF ALL BUT ONE ACRE FROM PROGRESSIVE
IRRIGATION DISTRICT. Only that area that cannot be irrigated with
Progressive Irr. water is irrigated by this system.

15. Recommended Amendments

- ☐ Change P.D. as reflected above
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
☐ Add P.U. as reflected above

- ☒ None
☐ Other

16. Examiner's/Consultant's Signature Keith C Wilson Date 15 Aug 1985

Consultant's License Number _____

IDWR Director's Authorization to Conduct

Beneficial Use Examination _____

Date

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JUL 17 1989

CONSULTANT SEAL



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 23-27



RIGHT ID 25 13760
POD ID 402613
Folder No. A2513760
Claim Status In Use
IDTMEAST 663094
IDTMNORTH 276287
GPSID A0009372

Diversion Description

WELL.

Assumptions

Horse power, pressure head, and elevation head.

Invoice #

2000-055-23-27-0

Phase-0 (No Attention)
Phase-I (Ready to Go to Field)
Phase-II (Site Visit - Data Missing)
Phase-III (Complete w/issuses)

Linked

otos\25-13760-001.JPG

Photos

otos\25-13760-002.JPG

GPS Accuracy (ft)

20 Feet

Date (M/D/Y)

07-23-02

Time

15:36

Flow Rate (CFS)

0.05

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

- ☐ Less than half full
☐ Half full
☐ More than half full
☐ Full

Diameter 0

Depth 0

☐ Rectangular Channel

Width 0

Depth 0

Flow Calculation

☐ Continuity

Velocity

0

☐ Orifice

(Use only for head over a pipe flowing full with free discharge)

Depth of Water above orifice centerline 0

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe 0

Width of weir 0

☐ Manning

(If used, include photo of representative channel section)

Channel Slope 0

Channel Description	
Concrete lined	.016
Smooth earth	.025
Earth	.033
Rough bed, weeds on sides	.04
Smooth natural stream	.033
Rough natural stream	.1

Pumped System

☒

HP 1

Pressure Head (psi) 30

Elevation Head (ft) 50

Motor Mfg

Motor Serial #

Pump Type Submersible

Pump Mfg

Pump Serial#

New Contact Information

☐

New Contact Comments

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FOLDER NO. A2513760

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SEP 27 2004

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appears to duplicate 25-7189
which is in the name of
Ben + Karen Brothers

Need mandatory
permit letter
for inv.

> 1963

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SEP 27 2004

(c) 220-1560

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	EARL J STACEY	04/03/1980	IRRIGATION	04-15 10-15	0.040 CFS	
C	CLARA I STACEY		STOCKWATER	01-01 12-31	0.020 CFS	
	2647 E 81 N		DOMESTIC	01-01 12-31	0.020 CFS	
	IDAHO FALLS ID 83401					
	(208) 522-1560					
TOTAL DIVERSION:					0.040 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T03N R38E S22 SWSW BONNEVILLE 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	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	SUM		
03N	38E	22	:	:	:	:	:	:	:	:	:	:	:	1.0		
TOTAL ACRES													1.0			

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE				
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac			
03N	38E	22	:	:	:	:	:	:	:	:	:	:	:			

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE				
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac			
03N	38E	22	:	:	:	:	:	:	:	:	:	:	:			

POU County: BONNEVILLE

Non-Irrigation Uses: DOMESTIC, 1 HOME; STOCKWATER, 5 HORSES, 3 COWS

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
25-13084 A25-13084

Other Water Rights Listing Overlapping Place(s) of Use:
A25-1338820

Remarks: GEN SEE WATER RIGHT #25-07189

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

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SEP 27 2004

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 25-7189
Date Received: 12/9/2003
Receipt No:
Received By:

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

1. Name of Claimant(s)

EARL J STACEY Phone: (208)522-1560

2647 E 81 N
IDAHO FALLS ID USA 83401

CLARA I STACEY Phone: (208)522-1560

2647 E 81 N
IDAHO FALLS ID USA 83401

2. Date of Priority: 04/03/1980

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	38E	22	SW SW	BONNEVILLE	

5. Description of diverting works:

WELL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	0.04	
STOCKWATER	01/01	12/31	0.02	
DOMESTIC	01/01	12/31	0.02	

7. Total Quantity Appropriated is:
0.04 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

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SEP 27 2004

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	38E	22	SW	SW	IRRIGATION	1
			SW	SW	DOMESTIC	
			SW	SW	STOCKWATER	
					Section Acres	1
					Total Acres	1

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:

14. Remarks:

Domestic use is for 1 home.

Stockwater use is for 5 horses and 3 cows.

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): _____ Date: _____

_____ Date:

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this
of _____ 20____

Notary Public

Residing at _____

My commission Expires _____

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SEP 27 2004

AUG 03 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: A25-13760

Date Received: 10/19/1994

Receipt No: E 020411

Received By: SC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EARL J STACEY 208-522-1560
Address: 2647 E 81 N
IDAHO FALLS ID 83401

AND/OR

Name: CLARA I STACEY 208-522-1560
Address: 2647 E 81 N
IDAHO FALLS ID 83401

2. Date of Priority: APR 3, 1980

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	38E	22		SW	SW		BONNEVILLE

5. Description of diverting works:
WELL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.040		
DOMESTIC	01/01	12/31	0.020		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME; STOCKWATER, 5 HORSES, 3 COWS

ENCLOSURE

NOV 13 1994

A2513760

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	38E	22	SW	SW		IRR	1.0
			SW	SW		DOMEST	
			SW	SW		STOCK	

Section Acres 1.0

Total Acres 1.0

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:
NONE

14. Remarks:
SEE WATER RIGHT #25-07189

15. Basis of Claim: BENEFICIAL USE

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): E. Jay Stacy Date: 10-19-94

Date: _____

RECEIVED
NOV 19 1994

State of Idaho)
County of Bonnaville) SS.

Subscribed and sworn (or affirmed) before me this 19 day
of Oct 19 94

Betty J. Thompson
Notary Public

Seal



Residing at BETTY J. THOMPSON, NOTARY PUBLIC
RESIDING AT BONNAVILLE, IDAHO
My Commission Expires NOV 13 2000

MICROFILMED

NOV 13 1994