

01/23/2004

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

RIGHT NUMBER: 25-7261
NAME AND ADDRESS: BRENDA DANIEL
113 N 3700 E
RIGBY ID 83442

DAVID S DANIEL
113 N 3700 E
RIGBY ID 83442

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

PRIORITY DATE: 10/08/1981

POINT OF DIVERSION:

T04N R38E S27 SESE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS 0.20 AFY
DOMESTIC	01/01 12/31	0.040 CFS 1.20 AFY
IRRIGATION	04/01 11/01	0.040 CFS 7.00 AFY

PLACE OF USE: IRRIGATION Within JEFFERSON County

T04N R38E S27 SESE 2.0

STOCKWATER same as IRRIGATION

DOMESTIC same as IRRIGATION

2 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

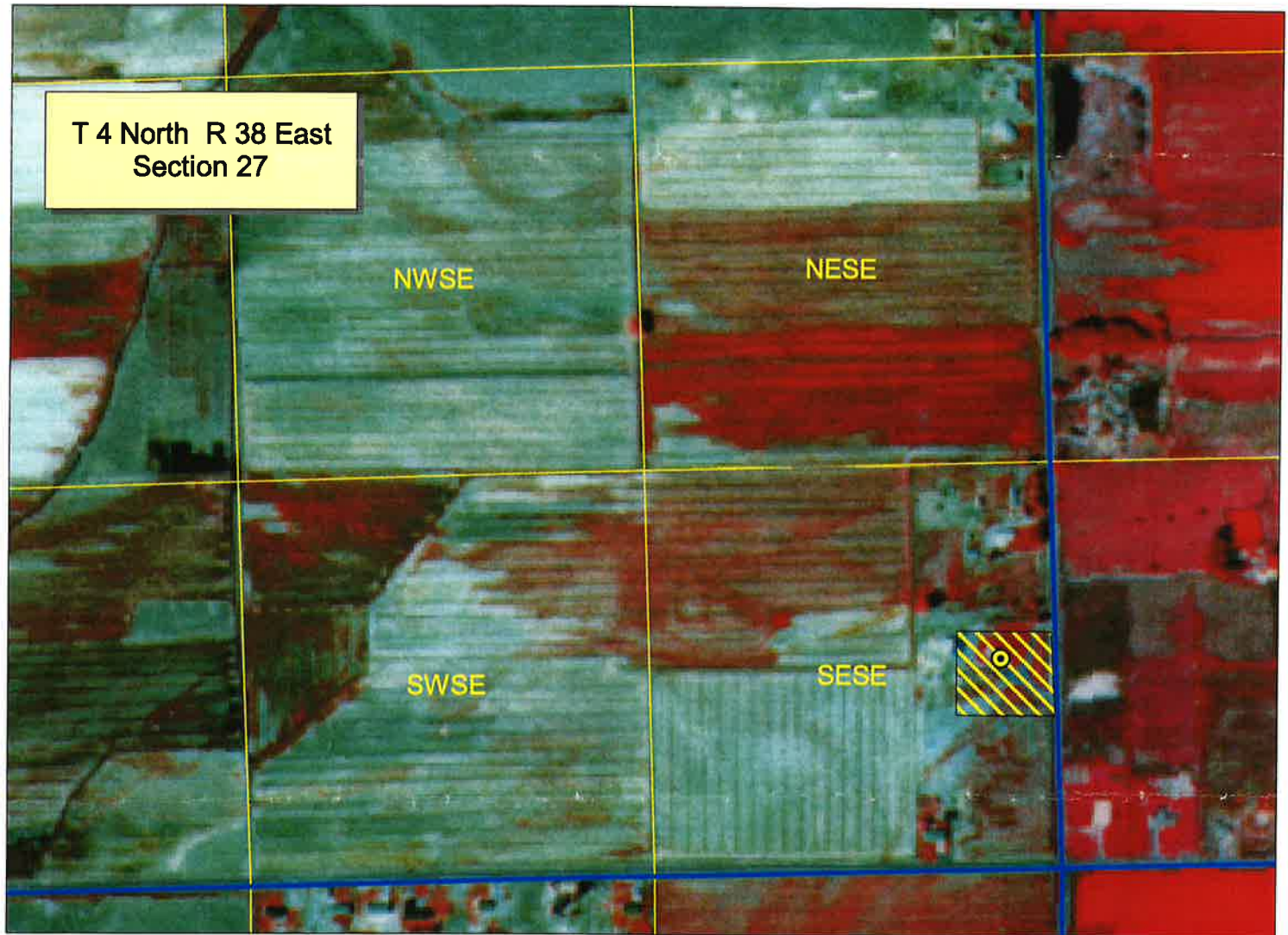


State of Idaho

Division of Water Resources

Eastern Region

Water Right(s): 34-07261



1320 0 1320 Feet

- ⊙ Point of Diversion
- ▨ Place of Use
- ▭ Section
- ▭ Quarter Quarter



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by R. Mikesell
Date: January 2004

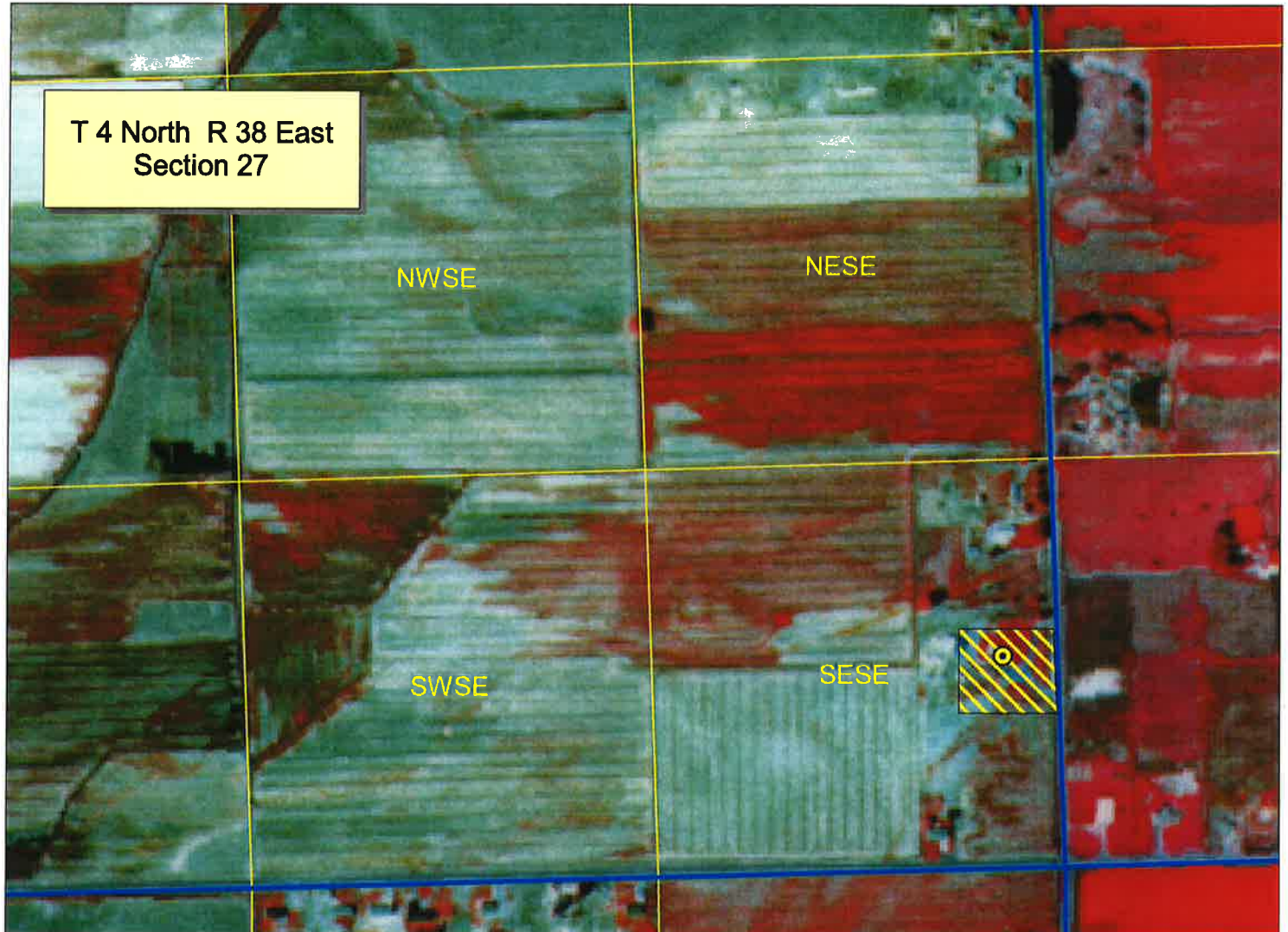


State of Idaho

Division of Water Resources

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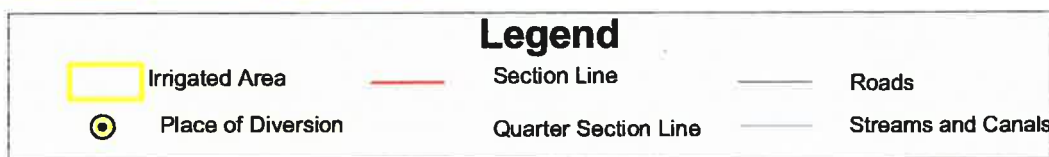
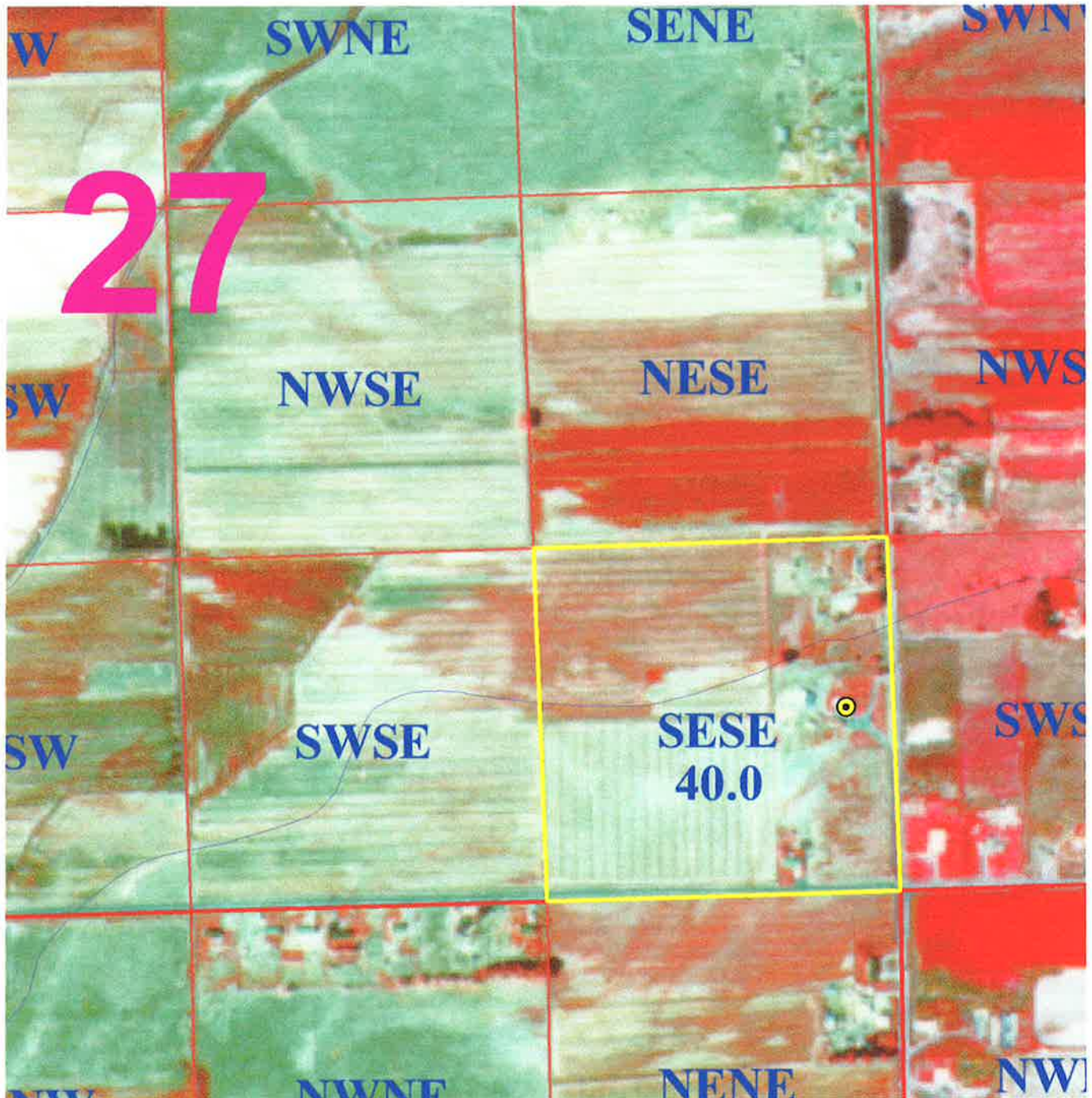
SCANNED
AUG 12 2004



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by R. Mikesell
Date: January 2004

Water Right Claim Number 25-07261
Township , 4N38E

12/13/2000



400 0 400 800 1200 Feet



 SPATIAL
DYNAMICS



RECEIVED

DEC 13 2004

01/23/2004

NOTICE OF ERROR
REPLY

Department of Water Resources
Eastern Region

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: 25-7261

BRENDA DANIEL
113 N 3700 E
RIGBY ID 83442
Telephone Number: (208) 745-8287

DAVID S DANIEL
113 N 3700 E
RIGBY ID 83442
Telephone Number: (208) 745-8287

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Place of use 2 Acres

2. Describe the changes you wish to make in the proposed recommendation:

*When this was filed, I was told that it was for 3 acres.
I wish to change it from 2 Acres to the 3 acres*

3. Give a brief explanation as to why you disagree with these portions:

*To agree with the size of the acreage around
the house - the initial portion sold when the house was
built about 1973*

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

DATE: *11/15/04*

SIGNATURE:

Brenda B Daniel

Please print your name:

BRENDA B DANIEL

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

SCANNED
DEC 07 2004

01/23/2004

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

RIGHT NUMBER: 25-7261
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113 N 3700 E
RIGBY ID 83442

DAVID S DANIEL
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RIGBY ID 83442

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

PRIORITY DATE: 10/08/1981

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T04N R38E S27 SESE Within JEFFERSON County

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PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
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DOMESTIC	01/01 12/31	0.040 CFS 1.20 AFY
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2 ACRES TOTAL

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EXPLANATORY MATERIAL: BASIS OF CLAIM - License

SCANNED
DEC 07 2004

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AUG 11 2001

Log for claim 25-07261

Spatial Dynamics CAT

12/13/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
04n38e	27	SESE	2	40	Indiscernible
Totals:			2	40	

AJ5809NP
No. A25-07261

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/26/00
PAGE: 97

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DAVID S DANIEL	10/08/1981	IRRIGATION	04-01 11-01	0.040 CFS	7.00 AFA
C	BRENDA DANIEL		STOCKWATER	01-01 12-31	0.020 CFS	0.20 AFA
	113 N 3700 E		DOMESTIC	01-01 12-31	0.040 CFS	1.20 AFA
	RIGBY ID 83442					
	(208) 745-8287					
				TOTAL DIVERSION:	0.040 CFS	
				CONSUMPTIVE USE:		5.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T04N R38E S27

SESE

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	38E	27	:											:							:	02	2.0
																						TOTAL ACRES	2.0

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

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

POU County: JEFFERSON

Non-Irrigation Uses: DOMESTIC - 1 HOME, STOCKWATER - 10 CATTLE/HORSES

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
25-10754 25-11776 A25-10754 A25-11776

Other Water Rights Listing Overlapping Place(s) of Use:
A01-00029 A01-00031 A01-00032 A01-00033 A01-00117P A01-00249 A01-00353 A01-10093 A25-04271

Dates: Exam Made Date: Verified Date: 09/11/1985 Objection Filed Date:

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

Audit: 10/25/88 MCC 03/29/95 POST-STD

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 25-7261 Priority October 8, 1981 Amount 0.04 cfs

THIS IS TO CERTIFY, that Brenda &/or David S. Daniel
of Rigby, Idaho, has complied with the terms and conditions of Permit
No. 25-7261 issued pursuant to Application for Permit dated October 8, 1981,
and has submitted proof to the Department of Water Resources on February 12, 1982,
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 0.04 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
Irrigation	from <u>April 1</u> to <u>November 1</u>	at <u>0.04</u> cfs and	<u>7.0</u> acre feet
Stockwater	from <u>January 1</u> to <u>December 31</u>	at <u>0.02</u> cfs and	<u>0.2</u> acre feet
Domestic (1 Unit)	from <u>January 1</u> to <u>December 31</u> (both dates inclusive)	at <u>0.04</u> cfs and	<u>1.2</u> acre feet

Subject, however, to the condition that no more than 0.04 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
8.4 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 27,

Twp 4N, Rge 38E 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	38E	27																2	2

Total number of acres irrigated 2

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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, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 7TH day of September, 19 84.

Acting for the Director

Norman C. Young

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

25-7261

Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:			
☐ Telephone call made: (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date 12 Aug 1982 Accompanied by Mrs. Daniel Total Q measured 0.04 cfs ✓
If source is surface water, estimate total flow of source _____
Methods of measurement Bucket + Stopwatch Meets Permit requirements? _____

Measurement calculations:

$$5 \text{ gal in } 18 \text{ sec} = \frac{5}{18} \times \frac{60 \text{ sec}}{1 \text{ min}} = 16.7 \text{ gpm} = 0.04 \text{ cfs} \checkmark$$

$$V_{irr} = 2ac \times 3.5 = 7 \text{ af} \checkmark$$

$$V_{irr} = 0.04 \times 1.9875 \times 214 = 16.4 \text{ af} \checkmark$$

$$\text{Irrigation } 2ac \times 0.02 \text{ cfs/af} = 0.04 \text{ cfs}$$

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
		SUBMERSABLE		Pump				

System Description Well pump to mainline to distribution system to stock troughs and single domestic hose

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

USE
IRRIGATION ✓
Stockwater ✓
Domestic (one unit) ✓

Irrigation requirement = 3.5 ✓AFA/Acre 214 ✓

Q (cfs)

V (afa)

FROM

TO

0.04 cfs ✓

7.0 ✓

4/1 ✓

11/1 ✓

0.02 cfs ✓

0.4 0.2

1/1 ✓

12/31 ✓

0.04 cfs ✓

1.2 ✓

1/1 ✓

12/31 ✓

permit allows for only 10 ✓
hd. horses - allow only 0.2 AF

Total

0.04 ✓

8.6 8.4

Remarks

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TOWNSHIP
4
NORTH

27

RANGE
38
EAST

PLACE OF USE AND POINT OF DIRECTION.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Drenda D. Daniel
(Applicant)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT **APPROVED**

To appropriate the public waters of the State of Idaho

1. Name of applicant Brenda &/or David S. Daniel Phone 745-8287
Post office address Rt. #1, Box 162-W, Rigby, Idaho 83442

2. Source of water supply ground water which is a tributary of _____

3. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 27 Township 4N
Range 38E B.M. Jefferson County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.06 for Irrigation purposes from 4/01 to 11/01 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.04 for Domestic purposes from 1/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.02 for Stockwater purposes from 1/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 0.12 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well, pump and distribution lines to
home and sprinkler system

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir
capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 6 inches; proposed depth of well is 150 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial
use is 1 years (minimum 1 year -- maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 27 Township 4N
Range 38E B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered 10 head horses

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water one.

(5) If water is to be used for other purposes describe: _____

SCANNED

AUG 8 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: A25-07261
Date Received: 10/25/1988
Receipt No: E003493
Received By: S.M.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DAVID S. DANIEL 208-745-8287
Address: 113 N 3700 E
RIGBY, ID 83442
AND/OR
Name: BRENDA DANIEL 208-745-8287
Address: 113 N 3700 E
RIGBY, ID 83442



2. Date of Priority: OCT 08, 1981

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	38E	27	SE	SE			JEFFERSON

5. Description of diverting works:
WELL, PUMP & 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	0.040		7.00
STOCKWATER	01/01	12/31	0.020		0.20
DOMESTIC	01/01	12/31	0.040		1.20

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

8. Total consumptive use is 5.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC - 1 HOME, STOCKWATER - 10 CATTLE/HORSES

A25-07261

Page 1

Date: 10/25/88

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NOV 07 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	38E	27	SE	SE		IRR	2.0
Section Acres							2.0
Total Acres							2.0

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: -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): Brenda B. Daniel Date: Oct 25, 1988

Date: _____

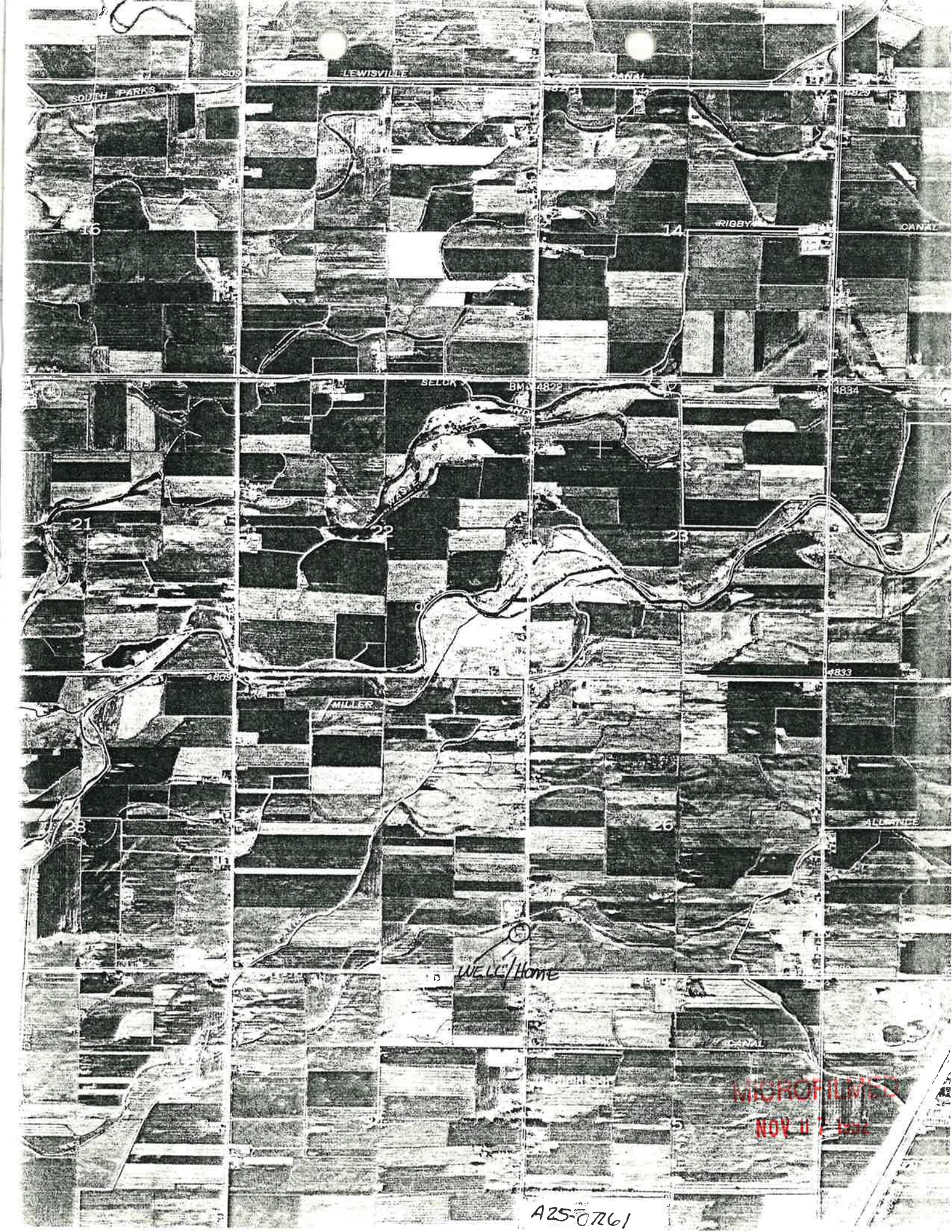
State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 25 day
of October 19 88

Betty J. Thompson
Notary Public

Seal

Residing at Idaho Falls
My Commission Expires 6/30/1994



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NOV 11 1982

A25-0761