

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

1

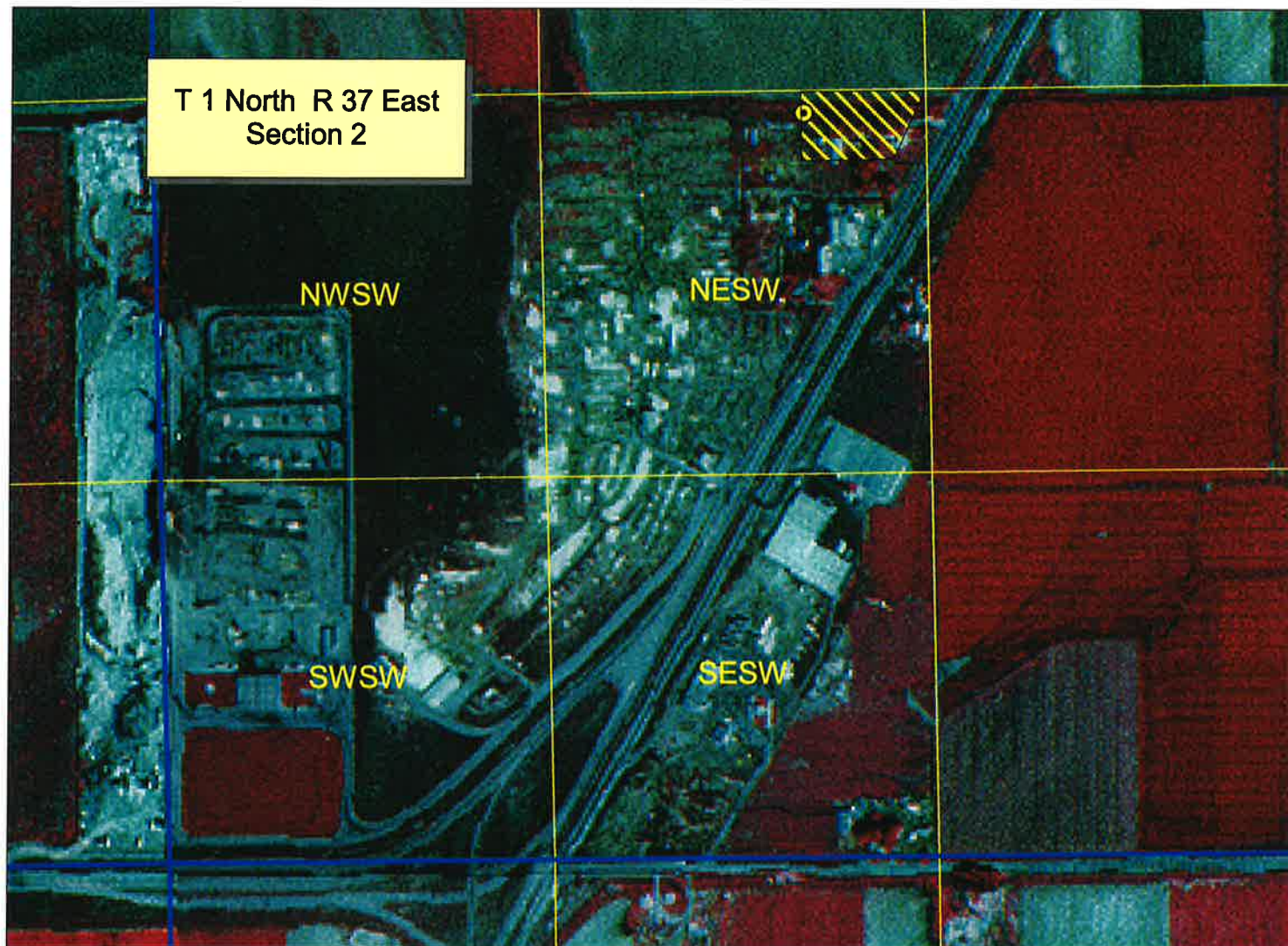


# State of Idaho

## Division of Water Resources

### Eastern Region

Water Right(s): 34-07303



1320 0 1320 Feet

- Section
- Point of Diversion
- Place of Use
- Quarter Quarter



AUG 12 2004  
GIS Place of Use Illustration  
1987/1988 NAPP photography  
Prepared by R. Mikesell  
Date: January 2004

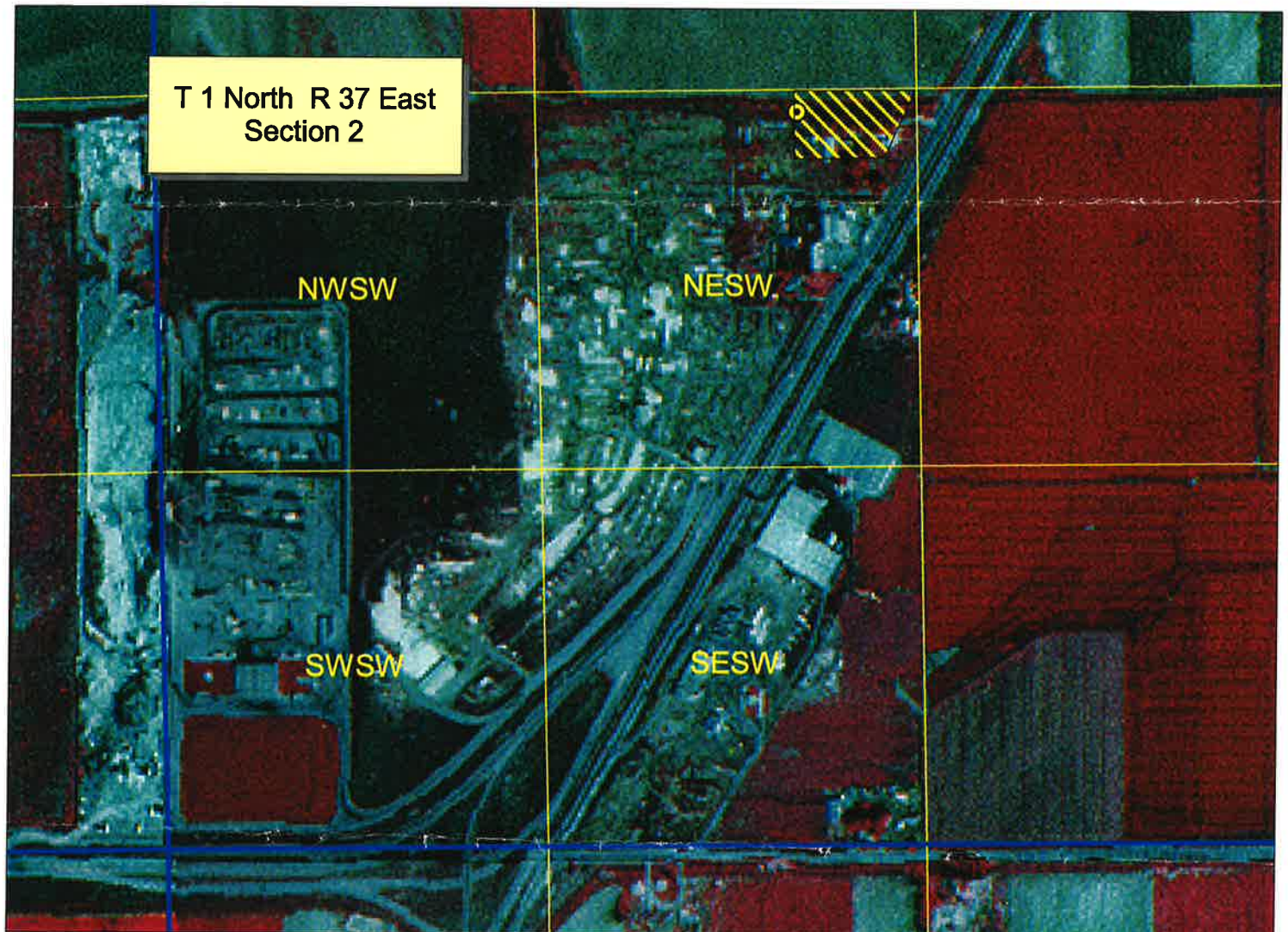


# State of Idaho

## Division of Water Resources

### Eastern Region

Water Right(s): 34-07303



1320 0 1320 Feet

- Section
- Point of Diversion
- Place of Use
- Quarter Quarter

SCANNED  
SEP 13 2004

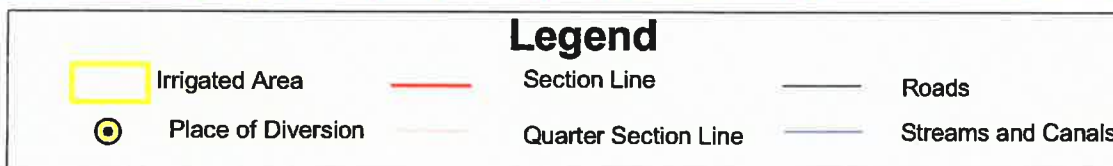
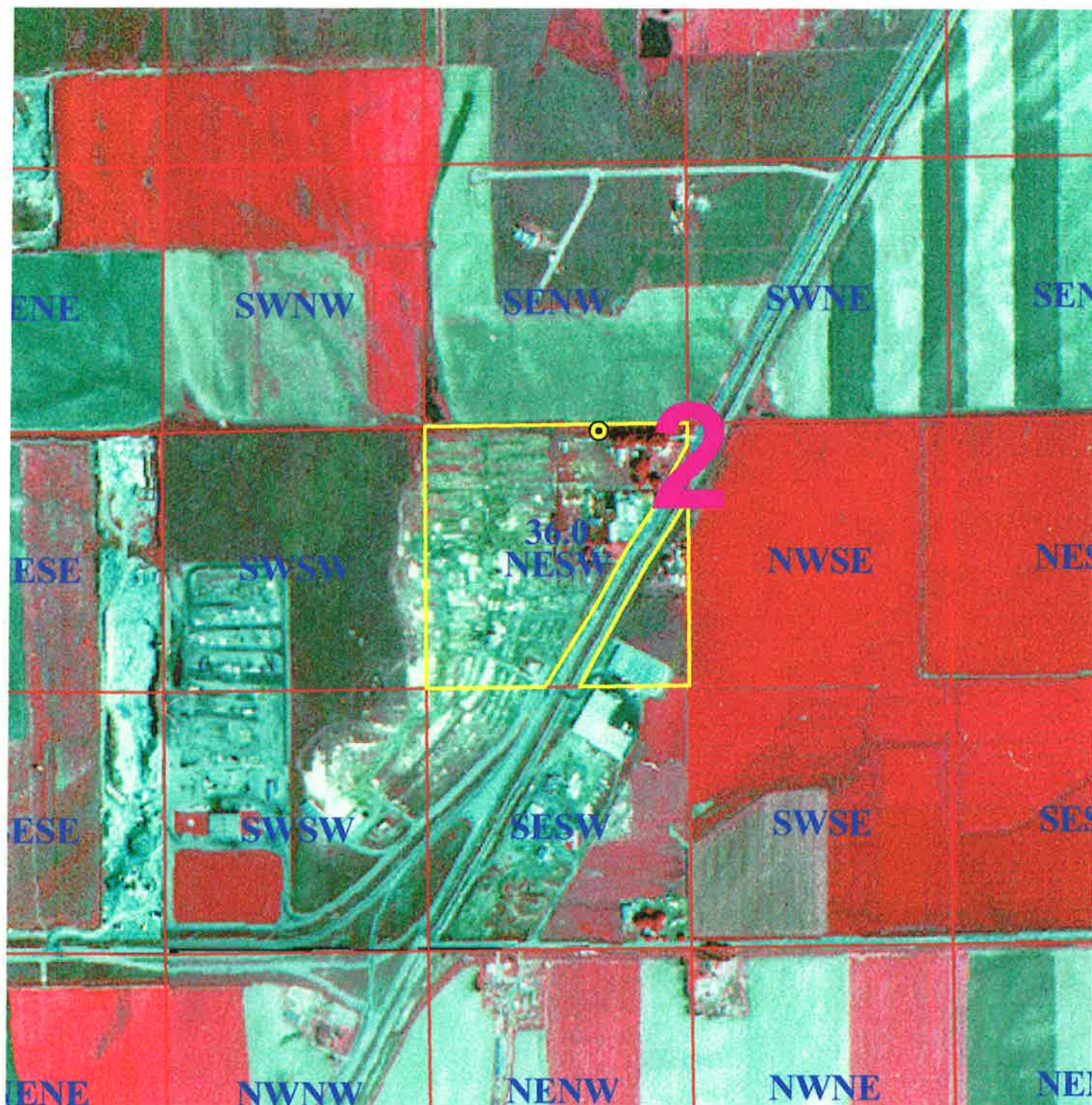
PROFILED



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

Water Right Claim Number 25-07303  
Township , 1N37E

12/08/2000



SPATIAL  
DYNAMICS



LM  
01/23/2004

**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: 25-7303

JOHN CROOK  
DBA TOWN & COUNTRY GARDENS  
5800 S YELLOWSTONE HWY  
IDAHO FALLS ID 83402

TOWN & COUNTRY GARDENS  
C/O JOHN CROOK

~~RT 9 BOX 85~~ 446 Springwood Lane  
IDAHO FALLS ID ~~83402~~  
83404

RECEIVED  
SEP 1 0 2004

Department of Water Resources  
Eastern Region

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: 2 Sept. 2004

SIGNATURE: \_\_\_\_\_

Please print your name: \_\_\_\_\_

*John Crook*  
John Crook

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

SCANNED

SEP 13 2004

PROFILED

01/23/2004

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

RIGHT NUMBER: 25-7303  
NAME AND ADDRESS: JOHN CROOK  
DBA TOWN & COUNTRY GARDENS  
5800 S YELLOWSTONE HWY  
IDAHO FALLS ID 83402  
  
TOWN & COUNTRY GARDENS  
C/O JOHN CROOK  
RT 9 BOX 85  
IDAHO FALLS ID 83402

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.150 CFS  
20.20 AFY

PRIORITY DATE: 02/01/1983

POINT OF DIVERSION:  
T01N R37E S2 NESW 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          | 0.040 CFS<br>7.00 AFY  |
| COMMERCIAL            | 01/01 12/31          | 0.070 CFS<br>12.00 AFY |
| DOMESTIC              | 01/01 12/31          | 0.040 CFS<br>1.20 AFY  |

PLACE OF USE: IRRIGATION Within BONNEVILLE County  
T01N R37E S02 NESW 2.0  
COMMERCIAL Within BONNEVILLE County  
T01N R37E S02 NESW  
DOMESTIC Within BONNEVILLE County  
T01N R37E S02 NESW

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: BASIS OF CLAIM - License

SCANNED

SEP 13 2004

PROFILED



State of Idaho

## DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

February 28, 2003

Dear Claimant in the Snake River Basin Adjudication (SRBA):

About 13 years ago you or your predecessor filed with the Idaho Department of Water Resources a claim to water right in the Snake River Basin. The investigation phase of this process is now focused on your area, Basin 25.

You are invited to attend a **public meeting to be held on March 10 at 7:00 p.m. in the West Coast/Red Lion Hotel, 475 River Parkway, Idaho Falls, Targhee and Bonneville Rooms.** The purpose of this meeting is for (1) the Department to update you on how the adjudication process works, and (2) for you, the claimant, to express concerns or discuss problems relating to water delivery in your area. This will help us to understand from an historical perspective the use and delivery of your water right.

Throughout this summer our adjudication staff, primarily from our Eastern Regional Office but also at times from Boise, will be contacting various water users in Basin 25. We ask for your cooperation in this process – the better we understand your water rights the better chance of you receiving an accurate decree from the SRBA Court that fully describes your water rights.

This investigation effort is being conducted by an experienced and successful staff. During recent years, this staff has accurately investigated and reported water rights in neighboring basins including the Big Lost River, the Little Lost River, Birch Creek, Camas Creek and the Portneuf River.

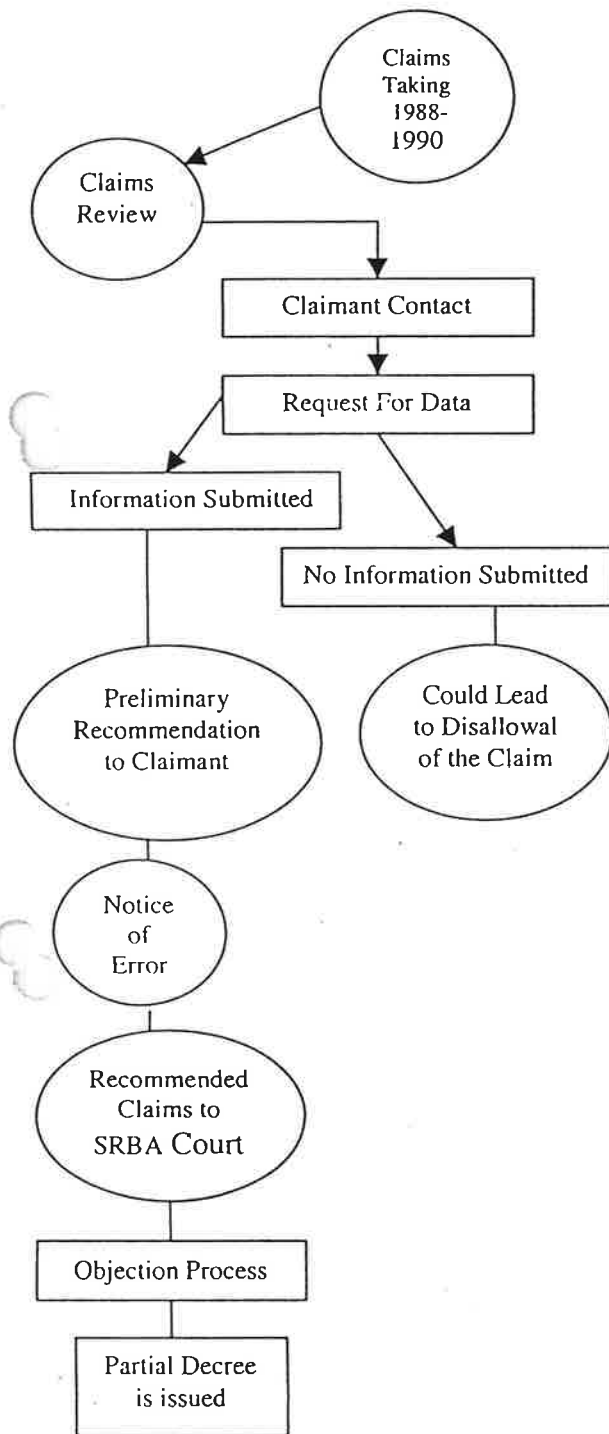
Please contact the Idaho Falls Office with any questions.

Sincerely,

Ernest Carlsen  
Adjudication Supervisor, Eastern Region

Enclosure: Information Brochure





## Questions and Answers:

Q: Why now? I adjudicated my water rights in 1989.

A. You filed your claims in 1989. Now we are investigating those claims to make accurate recommendations to the Fifth District Court.

Q: If I furnish more information will you take away my water right?

A. The State does not want your water right. We ask for additional information so that we may make accurate recommendations of Beneficial Uses of the water rights. Our schedule is very tight – we need the info ASAP.

Q: How much more money do you want?

A. You paid for your claim in 1989, or so. There might be additional fees only in extenuating circumstances, such as additional acres or new claims.

Q: How come you want me to file another claim?

A. If we suggest you file additional claims it means we have found

additional uses of water to which you may be entitled, or we have identified additional acres.

Q: What about my Domestic well and Stockwater?

A. There is no statutory requirement to file either; but IDWR accepts your Domestic and/or Stockwater claims.

## The Tools We Use:

In the evaluation of water right claims and preparation of recommendations the adjudication staff utilize:

- State-of-the-art computer technology.
- High resolution 1987 NAPP photography to identify the place of use.
- Global Positioning System (GPS) used to pin-point points of diversion or detail significant features.
- Prior decrees, licenses and transfers.
- Water measurements for claims based on beneficial use.
- Watermaster records
- Historical records
- Claimant input and participation

SCANNED

AUG 9 1 2001

Log for claim 25-07303

Spatial Dynamics CAI

12/8/00

| TR             | SEC | QQ   | Acres<br>Claimed | Acres<br>Found | COMMENT                        |
|----------------|-----|------|------------------|----------------|--------------------------------|
| 01n37e         | 2   | NESW | 2                | 36             | POD placement? / Indiscernible |
| <b>Totals:</b> |     |      | 2                | 36             |                                |

| OWNER<br>CODE    | NAME & ADDRESS             | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|----------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | JOHN CROOK                 | 02/01/1983       | IRRIGATION | 04-01 11-01           | 0.040 CFS         | 7.00 AFA            |
|                  | DBA TOWN & COUNTRY GARDENS |                  | COMMERCIAL | 01-01 12-31           | 0.070 CFS         | 12.00 AFA           |
|                  | 5800 S YELLOWSTONE HWY     |                  | DOMESTIC   | 01-01 12-31           | 0.040 CFS         | 1.20 AFA            |
|                  | IDAHO FALLS ID 834020000   |                  |            |                       |                   |                     |
| TOTAL DIVERSION: |                            |                  |            |                       | 0.150 CFS         | 20.20 AFA           |

C TOWN & COUNTRY GARDENS  
C/O JOHN CROOK  
RT 9 BOX 85  
IDAHO FALLS ID 834020000

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T01N R37E S02 NESW BONNEVILLE County

Place of use Legal Description for: IRRIGATION

| NE          |     |   |  | NW |   |   |  | SW |   |   |  | SE |   |   |     |     |
|-------------|-----|---|--|----|---|---|--|----|---|---|--|----|---|---|-----|-----|
| T           | R   | S |  | T  | R | S |  | T  | R | S |  | T  | R | S |     | SUM |
| 01N         | 37E | 2 |  |    |   |   |  |    |   |   |  |    |   |   |     | 2.0 |
| TOTAL ACRES |     |   |  |    |   |   |  |    |   |   |  |    |   |   | 2.0 |     |

Place of use Legal Description for: COMMERCIAL

| NE  |     |   |  | NW |   |   |  | SW |   |   |  | SE |   |   |  |  |
|-----|-----|---|--|----|---|---|--|----|---|---|--|----|---|---|--|--|
| T   | R   | S |  | T  | R | S |  | T  | R | S |  | T  | R | S |  |  |
| 01N | 37E | 2 |  |    |   |   |  |    |   |   |  |    |   |   |  |  |

Place of use Legal Description for: DOMESTIC

| NE  |     |   |  | NW |   |   |  | SW |   |   |  | SE |   |   |  |  |
|-----|-----|---|--|----|---|---|--|----|---|---|--|----|---|---|--|--|
| T   | R   | S |  | T  | R | S |  | T  | R | S |  | T  | R | S |  |  |
| 01N | 37E | 2 |  |    |   |   |  |    |   |   |  |    |   |   |  |  |

POU County: BONNEVILLE

Non-Irrigation Uses: C/GREENHOUSE.

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):  
25-13134 A25-13134

Other Water Rights Listing Overlapping Place(s) of Use:  
A01-00075Z0 A01-00076Z0 A01-00312Z0 A01-00368Z0 A01-00369Z0 A01-00370Z0 A25-00224Z0

Remarks: GEN CORRECTED ADDRESS TO D.E. STANDARDS 09/13/94 SS.

AJ5809NP  
No. A25-07303

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/24/00  
PAGE: 144

=====

|        |                 |                |                       |
|--------|-----------------|----------------|-----------------------|
| Dates: | Exam Made Date: | Verified Date: | Objection Filed Date: |
|--------|-----------------|----------------|-----------------------|

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

|        |                   |                   |                   |                   |
|--------|-------------------|-------------------|-------------------|-------------------|
| Audit: | 04/13/89 OLENICHA | 04/19/89 THOMPSON | 02/07/91 THOMPSON | 02/13/91 THOMPSON |
|        | 09/13/94 SSHERMAN | 03/29/95 POST-STD |                   |                   |

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
LICENSING REPORT

RECEIVED

AUG 21 1986

25-7303

Permit No.

Department of Water Resources

## 1. Measurement Calculations

a) Field Measurement Calculations (Include theoretical capacities and system capacity)

THEORETICAL

$$\frac{5 \text{ HP } 8.814 \text{ , } 81 \text{ cfs}}{20 \text{ psi } (2.31) + 160} = .17 \text{ cfs} \checkmark$$

IRRIGATION

$$\left[ \frac{2.5 \text{ gal}}{22.2 \text{ sec}} + \frac{2.5 \text{ gal}}{21.5 \text{ sec}} + \frac{2.5 \text{ gal}}{13.0 \text{ sec}} \right] \times \frac{1 \text{ cfs}}{7.48 \text{ gal/sec}} = .06 \text{ cfs} \checkmark$$

COMMERCIAL

$$\left[ \frac{2.5 \text{ gal}}{7.8 \text{ sec}} + \frac{2.5 \text{ gal}}{22.4 \text{ sec}} + \frac{2.5 \text{ gal}}{27.4 \text{ sec}} \right] \times \frac{1 \text{ cfs}}{7.48 \text{ gal/sec}} = .07 \text{ cfs}$$

$$\text{Domestic} = .04 \text{ cfs}$$

$$\text{Total} = .17 \text{ cfs}$$

I would recommend the permitted amount

b) Volume Calculations for Irrigation: OF .04 cfs Domestic .07 commercial

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 2 \times 3.5 = 7 \text{ ac-ft} \checkmark$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .04 \times 214 \times 1.9835 = 17 \text{ ac-ft} \checkmark$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 7 \text{ ac-ft} \checkmark$$

c) Volume Calculations for Other Uses:

$$V_{Dom} = 1 \text{ UNIT} \times 1.2 \text{ ac-ft} = 1.2 \text{ ac-ft} \checkmark$$

$$V_{Com} = .07 \text{ cfs} \times \frac{1.98 \text{ AF}}{\text{cfs day}} \times \frac{8 \text{ hrs}}{\text{day}} \times \frac{1 \text{ day}}{24 \text{ hrs}} \times \frac{260 \text{ days}}{1 \text{ year}} = 12.0 \text{ ac-ft} \checkmark$$

V<sub>com</sub> figured from formula III-14

## 2. Overlap Review

a) Other water rights with same place of use: NONEb) Other water rights with same point of diversion: NONE

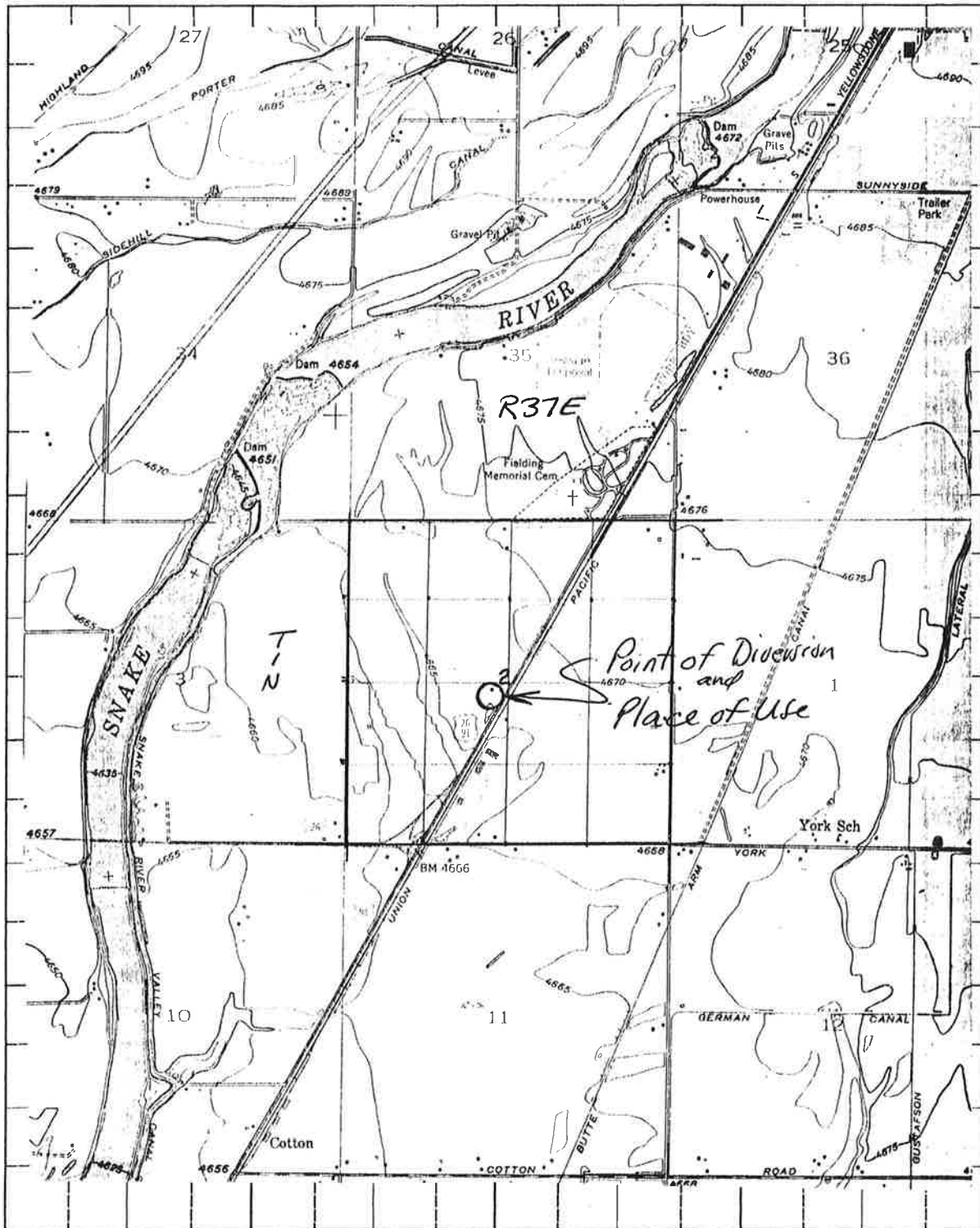
c) Analysis:

## Department of Water Resources

Permit No. 25-7363

- [illegible]

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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.

*John T. Cook*  
(Applicant)

RECEIVED  
JAN 10 1968  
IDAHO DEPT. OF AGRICULTURE

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Howard or John Crook dba Town & Country Gardens Phone 522-5247  
Post office address Rt. #9, Box 85, Idaho Falls, ID 83401  
2. Source of water supply groundwater which is a tributary of \_\_\_\_\_  
3. Location of point of diversion is NE  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of Section 2 Township 1N  
Range 37E B.M. Bonneville County, additional points of diversion if any: \_\_\_\_\_

4. Water will be used for the following purposes:

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

Amount 0.07 for commercial purposes from 1/1 to 12/31 (both dates inclusive)  
(cfs or acre-feet per annum)

Amount 0.04 for irrigation purposes from 3/15 to 11/15 (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. 0.15 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, pressure tanks  
with distribution lines to single domestic house and commercial greenhouse

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 200 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 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: NE  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of Section 2 Township 1N  
Range 37E 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 \_\_\_\_\_

(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: commercial use for greenhouse

MICROFILMED

**State of Idaho**  
**Department of Water Resources**

**WATER RIGHT LICENSE**

License of Water Right No. 25-7303 Priority February 1, 1983 Amount 0.15 cfs

THIS IS TO CERTIFY, that Howard or John Crook dba Town & Country Gardens  
of Idaho Falls, Idaho, has complied with the terms and conditions of Permit  
No. 25-7303 issued pursuant to Application for Permit dated February 1, 1983,  
and has submitted proof to the Department of Water Resources on September 16, 1985,  
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 0.17 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  |
| Commercial           | from <u>January 1</u> to <u>December 31</u> | at <u>0.07</u> cfs and | <u>12.0</u> acre feet |
| Domestic<br>(1 Unit) | from <u>January 1</u> to <u>December 31</u> | at <u>0.04</u> cfs and | <u>1.2</u> acre feet  |

(both dates inclusive)

Subject, however, to the condition that no more than 0.15 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  
20.2 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SW $\frac{1}{4}$  Section 2,  
Twp 1N, Rge 37E in the County of Bonneville

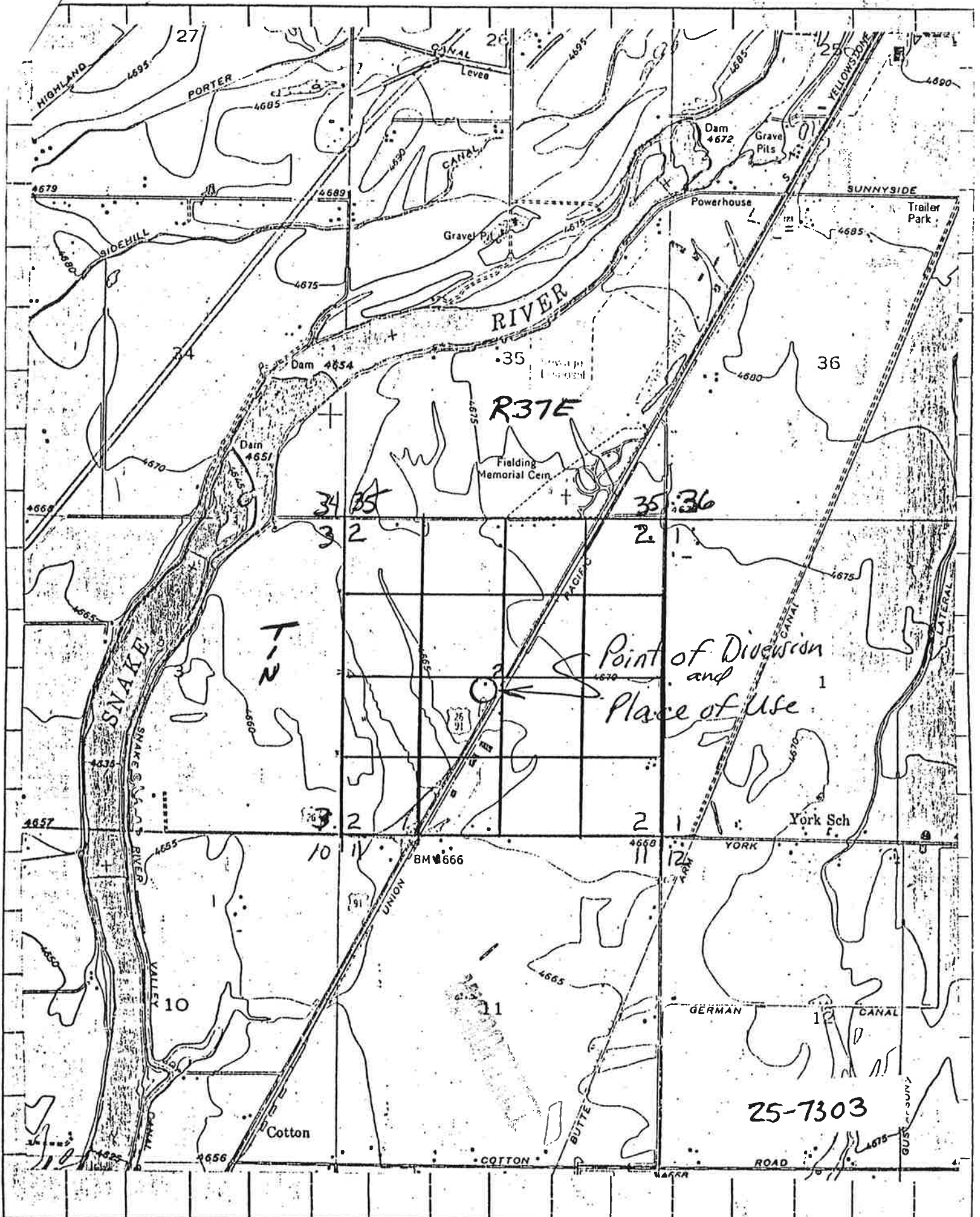
Description and location of place of use:

| 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 $\frac{1}{4}$ |        |
| 1N   | 37E   | 2    |                  |                  |                  |                  |                  |                  |                  |                  | 2                |                  |                  |                  |                  |                  |                  |                  | 2      |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

Total number of acres irrigated 2

Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

25-7303



10/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME CROOK CLAIM I T. NO. A25-07303

DATE RECEIVED 4/13/89 CK # \_\_\_\_\_ AMOUNT \$ \_\_\_\_\_

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | YES                                        | NO                                  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|-------------------------------------|
| 1. Is the name and address complete with zip code?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <input checked="" type="checkbox"/>        | <input type="checkbox"/>            |
| 2. Is a priority date entered?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <input checked="" type="checkbox"/>        | <input type="checkbox"/>            |
| <p>Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?<br/>A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.</p> |                                            |                                     |
| 3. (a) Is a source entered?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <input checked="" type="checkbox"/>        | <input type="checkbox"/>            |
| (b) Is a tributary to entered? (if required)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | N/A <input checked="" type="checkbox"/>    | <input type="checkbox"/>            |
| 4. Is the legal description of the p.d. sufficient?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <input checked="" type="checkbox"/>        | <input type="checkbox"/>            |
| 5. Is there a description of the diverting works?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <input checked="" type="checkbox"/>        | <input type="checkbox"/>            |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.                                                                                                                                                                                                                                                                                                                              | <input checked="" type="checkbox"/>        | <input type="checkbox"/>            |
| Is the period of use included?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <input checked="" type="checkbox"/>        | <input type="checkbox"/>            |
| Is a quantity claimed for each use?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <input checked="" type="checkbox"/>        | <input type="checkbox"/>            |
| 7. Is a total quantity claimed entered?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <input checked="" type="checkbox"/>        | <input type="checkbox"/>            |
| 8. If required is a consumptive use entered?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | N/A <input checked="" type="checkbox"/>    | <input type="checkbox"/>            |
| Is the consumptive use correct?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | N/A <input checked="" type="checkbox"/>    | <input checked="" type="checkbox"/> |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.                                                                                                                                                                                                                                                                                                                 | N/A <input checked="" type="checkbox"/>    | <input type="checkbox"/>            |
| 10. Is (are) the place(s) of use entered?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <input checked="" type="checkbox"/>        | <input type="checkbox"/>            |
| 11. Is (are) the county(ies) entered?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <input checked="" type="checkbox"/>        | <input type="checkbox"/>            |
| 12. Is the ownership of p.u. checked?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <input checked="" type="checkbox"/>        | <input type="checkbox"/>            |
| 13. Are other water rights listed or "none" indicated?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <input checked="" type="checkbox"/>        | <input type="checkbox"/>            |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)                                                                                                                                                                                                                                                                                                                                                                                  | N/A <input checked="" type="checkbox"/>    | <input type="checkbox"/>            |
| 15. Is the basis of the claim checked?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <input checked="" type="checkbox"/>        | <input type="checkbox"/>            |
| 16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)                                                                                                                                                                                                                                                                                                | <input checked="" type="checkbox"/>        | <input type="checkbox"/>            |
| Has the claim been signed, sealed, and dated by a notary?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <input checked="" type="checkbox"/>        | <input type="checkbox"/>            |
| Was this claim filed on time, or was an extension granted?                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <input checked="" type="checkbox"/>        | <input type="checkbox"/>            |
| Is the fee enclosed correct?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Exempt <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| If this claim is based on an existing water right, has the identification number been entered?                                                                                                                                                                                                                                                                                                                                                                                                                                           | N/A <input checked="" type="checkbox"/>    | <input type="checkbox"/>            |
| Should this claim be receipted and data entered?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <input checked="" type="checkbox"/>        | <input type="checkbox"/>            |

Claim checked by: TO **MICROFILMED**

Comments: (8) CONSUMPTIVE USE HIGH (16) ORGANIZATION SIGNATURE  
NEEDED? **NOV 07 1992**

E006654

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: A25-07303  
Date Received: 4/03/1989  
Receipt No: E006654  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: JOHN CROOK  
Address: DBA TOWN & COUNTRY GARDENS  
5800 S. YELLOWSTONE HWY  
IDAHO FALLS, ID 83402-0000

Name: DBA TOWN & COUNTRY GARDENS  
Address: RT. 9, BOX 85  
IDAHO FALLS, ID 83402-0000

2. Date of Priority: FEB 01, 1983

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

|          |       |         |        |        |     |     |            |
|----------|-------|---------|--------|--------|-----|-----|------------|
| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County     |
| 01N      | 37E   | 2       | NE     | SW     |     |     | BONNEVILLE |

5. Description of diverting works:  
WELL, PUMP, TANKS & LINES

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   |
| COMMERCIAL | 01/01 | 12/31 | 0.070 |      | 12.00  |
| DOMESTIC   | 01/01 | 12/31 | 0.040 |      | 1.20   |

7. Total Quantity Appropriated is:  
0.150 C.F.S. (and/or) 20.20 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
C/GREENHOUSE.

A25-07303

Page 1

Date: 04/19/89

A2507303



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10. Place of Use:

2-7-91 / D.E. / 90

| Township | Range | Section | 1/4 of        | 1/4 | Lot | Use    | Acres |
|----------|-------|---------|---------------|-----|-----|--------|-------|
| 01N      | 37E   | 2       | NE            | SW  |     | COMMER |       |
|          |       |         | NE            | SW  |     | DOMEST |       |
|          |       |         | NE            | SW  |     | IRR    | 2.0   |
|          |       |         | Section Acres |     |     |        | 2.0   |
|          |       |         | Total Acres   |     |     |        | 2.0   |

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:

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): \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho )  
County of \_\_\_\_\_ ) SS.

Subscribed and sworn (or affirmed) before me this \_\_\_\_\_ day  
of \_\_\_\_\_ 19 \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Seal

Residing at \_\_\_\_\_  
My Commission Expires \_\_\_\_\_

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

A25-07303

Date Received

4/3/89

Receipt Number

E006654

NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

RECEIVED

APR 3 1989

Department of Water Resources  
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) John F. Crook dba Town & Country Gardens Phone (208) 522-5247  
Mailing Address 5800 So. Yellowstone Hwy. Idaho Falls ID Zip 83402

2. Date of Priority (Only one (1) per claim) Feb. 1, 1983

3. Source of water supply (a) groundwater  
which is tributary to (b) \_\_\_\_\_

4. a. Location of existing point of diversion is: Township 1N Range 37E Section 2,  
NE 1/4 of SW 1/4 of \_\_\_\_\_ 1/4, Govt. Lot, \_\_\_\_\_ B.M., County of Bonneville

Additional points of diversion if any: \_\_\_\_\_

b. If instream flow, beginning point of claimed instream flow is:

Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4,

Govt. Lot \_\_\_\_\_ B.M., County of \_\_\_\_\_

ending point is: Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_

\_\_\_\_\_ 1/4, Govt. Lot \_\_\_\_\_ B.M., County of \_\_\_\_\_

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Well (6" diam., 200' depth), pump, pressure tanks, with distribution lines to sage domestic house and commercial greenhouse and nursery.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from April 1 to Nov. 1 amount .04 or 7.0  
 For Commercial purposes from Jan. 1 to Dec. 31 amount .07 or 12.0  
 For Domestic purposes from Jan. 1 to Dec. 31 amount .04 or 1.2  
 For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) .15 (cfs) and/or (b) \_\_\_\_\_ (acre feet)

8. Total consumptive use claimed is 20.2 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Commercial Greenhouses - 10,000 Sq. ft., Commercial Plant Nursery -

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

| TWP        | RNG         | SEC      | NE 1/4 |       |       |       | NW 1/4 |       |       |       | SW 1/4         |       |       |       | SE 1/4 |       |       |       | Totals   |
|------------|-------------|----------|--------|-------|-------|-------|--------|-------|-------|-------|----------------|-------|-------|-------|--------|-------|-------|-------|----------|
|            |             |          | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4          | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 |          |
| <u>1 N</u> | <u>37 E</u> | <u>2</u> |        |       |       |       |        |       |       |       | <u>2</u>       |       |       |       |        |       |       |       | <u>2</u> |
|            |             | <u>2</u> |        |       |       |       |        |       |       |       | <u>D&amp;C</u> |       |       |       |        |       |       |       |          |
|            |             |          |        |       |       |       |        |       |       |       |                |       |       |       |        |       |       |       |          |
|            |             |          |        |       |       |       |        |       |       |       |                |       |       |       |        |       |       |       |          |
|            |             |          |        |       |       |       |        |       |       |       |                |       |       |       |        |       |       |       |          |
|            |             |          |        |       |       |       |        |       |       |       |                |       |       |       |        |       |       |       |          |
|            |             |          |        |       |       |       |        |       |       |       |                |       |       |       |        |       |       |       |          |
|            |             |          |        |       |       |       |        |       |       |       |                |       |       |       |        |       |       |       |          |

Total number of acres irrigated 2

11. In which county (ies) are lands listed above as place of use located? Bonneville

12. Do you own the property listed above as place of use? Yes ☒ No ☐  
 If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

or None ☒

14. Remarks:

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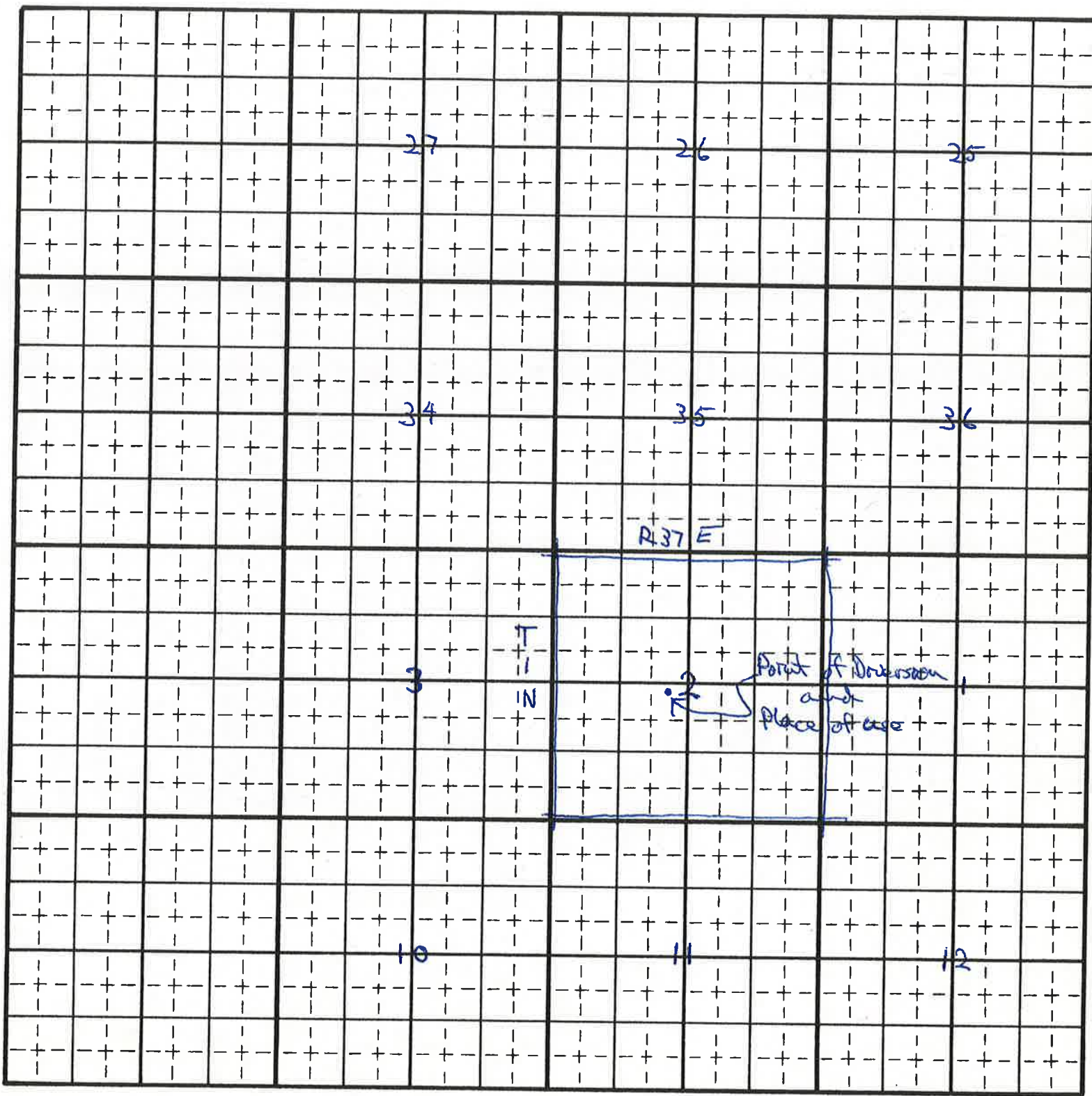
NOV 07 1992

Last Name Crook Ident No. \_\_\_\_\_

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



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Last Name

Crook

Ident No.

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use \_\_\_\_\_ Posted Notice \_\_\_\_\_ License ☒ Permit \_\_\_\_\_

Decree \_\_\_\_\_  
If applicable provide IDWR Water Right Number 25-7303  
Court \_\_\_\_\_ Case Number \_\_\_\_\_ Decree Date \_\_\_\_\_  
Plaintiff vs 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 ☒  
wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 0  
**For Individuals:** I do solemnly swear or affirm that the statements contained in the foregoing document are true  
and correct.  
Signature of Claimant (s) John D. Crook Date March 30, 1989  
\_\_\_\_\_  
Date \_\_\_\_\_

**For Organizations:** I do solemnly swear or affirm that I am \_\_\_\_\_  
of \_\_\_\_\_, that I have signed the foregoing  
document in the space below as \_\_\_\_\_ of \_\_\_\_\_  
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent \_\_\_\_\_  
Title and Organization \_\_\_\_\_ Date \_\_\_\_\_

State of Idaho/or \_\_\_\_\_ )  
County of Bonneville ) SS.

Subscribed and sworn (or affirmed) before me this 30th day of March 19 89

SEAL Notary Public Charles Lane  
Residing at Idaho Falls Idaho  
My Commission Expires 1-17-94  
Please Print Name

17. Notice of Appearance:  
Notice is hereby given that I, \_\_\_\_\_ will be acting as attorney at law on behalf  
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above  
should be mailed to me at the address listed below.

Signature \_\_\_\_\_  
Address \_\_\_\_\_  
Date \_\_\_\_\_

Last Name Crook Ident. Number \_\_\_\_\_

MICROFILMED  
NOV 07 1992  
Copies White-State, Yellow-Claimant