

12/11/2003

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

RIGHT NUMBER: 25-10609

NAME AND ADDRESS: BARTLEY STOWELL
3863 E 300 N
RIGBY ID 83442

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.140 CFS
20.000 AFY

13,000 The quantity of water under this right for domestic use shall not exceed
gallons per day.

PRIORITY DATE: 06/30/1940

POINT OF DIVERSION:

T04N R38E S13 SWSWSE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
IRRIGATION	04/01 10/31	0.100 CFS 20.00 AFY

Domestic use is for 1 home.

PLACE OF USE: DOMESTIC Within JEFFERSON County

T04N R38E S13 SESE

IRRIGATION Within JEFFERSON County

T04N R38E S13 SESE 5.0

5 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.

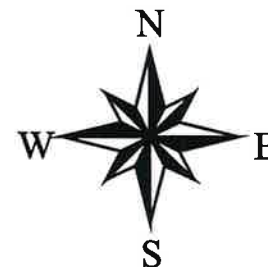
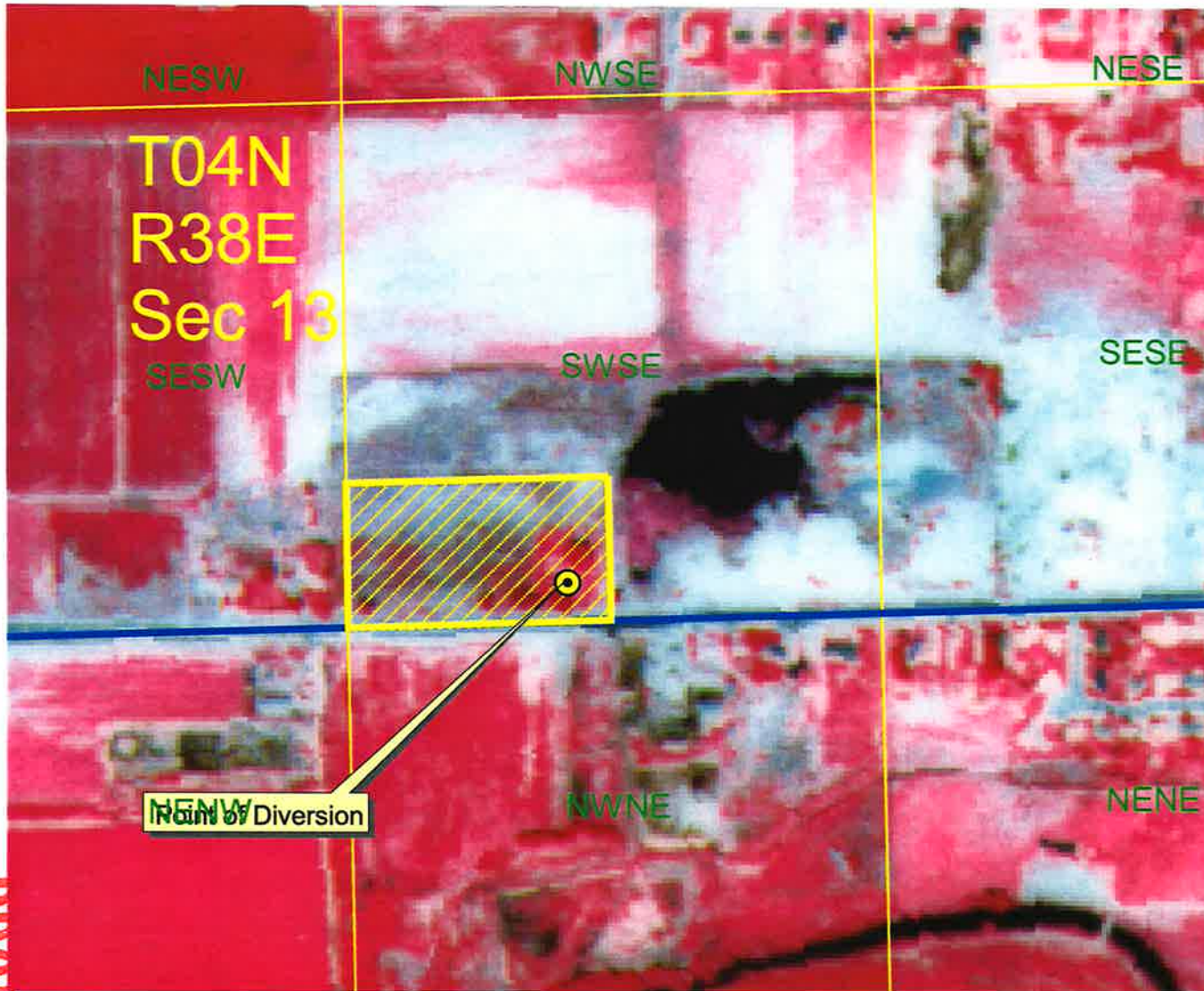
The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use

Water Right 25-10609

SCANNED
1
NOV 05 2004
PROFILED

25-10609



0.1 0 0.1 0.2 Miles

PROFITED

SCANNED
NOV 05 2004

mt
12/11/2003

**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: 25-10609

BARTLEY STOWELL

3863 E 300 N

RIGBY ID 83442

Telephone Number: (208)745-7327

RECEIVED

SEP 22 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:

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

DATE:

SEPT 15-04

SIGNATURE:

Bartley Stowell

Please print your name:

BARTLEY Stowell

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

PROFILED

SCANNED

SEP 22 2004



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 23-27



RIGHT ID 25 10609

POD ID 126840

Folder No. A2510609

Claim Status In Use

IDTMEAST 666874

IDTMNORTH 287549

GPSID A0011950

Diversion Description

65 FT DEEP WELL & PUMP. Located in the middle of Mr. Stowell's property (next to garden area).

Assumptions

Assume original diversion description information is accurate. Pressure 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/issues)

Linked

photos\25-10609-001.JPG

photos\25-10609-003.JPG

photos\25-10609-005.JPG

Photos

photos\25-10609-002.JPG

photos\25-10609-004.JPG

GPS Accuracy (ft)

16 Feet

Date (M/D/Y)

07-03-02

Time

13:20

Flow Rate (CFS)

0.09

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

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 2

Pressure Head (psi) 30

Elevation Head (ft) 65

Motor Mfg

Motor Serial #

Pump Type Submersible

Pump Mfg

Pump Serial#

New Contact Information ☐

New Contact Comments

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intrepid technology & resources
incorporated

FOLDER NO.

A2510609

NOV 05 2004

PROFILED

About 1940

I Fern Griffin lived across the road from the White family. which was $\frac{1}{2}$ mile west of Rigby, on the north side.

we watered horse & watering trough with a pump. On the ^{south} side of small 4 room house.

I knew the family that lived there after I got married in 1940.

They had a small garden with some pasture & hay. I remember the water for watering the five acres farm.

Fern Griffin

July 13, 2003

Fern Griffin

Oct 3, 2003

LISA ELLIS
NOTARY PUBLIC
STATE OF IDAHO

Lisa Ellis

LISA ELLIS, NOTARY PUBLIC
RESIDING AT: RIGBY, IDAHO
MY COMMISSION EXPIRES: 11/21/2008

SCANNED

NOV 05 2004

PROFILED

A note from...

Edythe Casper

To Whom it may concern:

I grew up on a farm west of Rigby and attended school there until I graduated in 1944. My sister and I rode the school bus that picked up children who lived on the property now owned by Bart Stowell and in the home across the road.

When my sister and I were in grade school we were allowed to walk home on the last day of school. That was an adventure for us, and we stopped at friends' homes along the way. One friend was Elaine White who lived on the property that is now Bart's. I'm sure we got drinks of water there

so I know they had a well. That seems to be the question Bart is trying to resolve.

There was definitely a well on that property then - the late 1930's that was used to water the 5-acre pasture and field.

Edythe Bright Casper

Aug 2, 2003

LISA ELLIS
NOTARY PUBLIC
STATE OF IDAHO

Lisa Ellis

LISA ELLIS, NOTARY PUBLIC
RESIDING AT: RIGBY, IDAHO
MY COMMISSION EXPIRES: 11/21/2008

Our friend was Elaine White who lived on the property that is now Bart's. I'm sure we got drinks of water there

SCANNED

NOV 05 2004

PROFILED

RIGBY, IDAHO April 6, 1980

M.

Eugene Stowell

5 day 2nd date

IN ACCOUNT WITH

A. C. MORRIS & SONS
WELL DRILLERS
PUMPS & PRESSURE SYSTEMS
RIGBY, IDAHO

RIGBY PHONE 745-6045

IDAHO FALLS PHONE 522-8412

80	Ft. of Drilling	480.00
70	Ft. of Casing, Size <u>6 5/8 O.S.</u>	420.00
	Couplings	
1	Drive Shoe	45.00
	Welding and Cutting	
1	Setting Machine over old well	00.00
✓	Pump Labor	06.00
	Moving	
	Repair on old well	
	Sales Tax	13.95
	TOTAL CHARGE	958.95

REMARKS: _____

TERMS: The undersigned hereby acknowledges that the drilling was completed and materials used as above set forth and hereby accepts the well as satisfactory.

Also the undersigned has read the terms of this agreement and it is expressly understood that the amounts

hereinbefore set for are due _____ and the balance of \$ _____

due _____

In case it is deemed necessary to place this agreement with an agent for collection the undersigned agrees to pay a reasonable collector's fee, court costs, together with legal interest.

Eugene Stowell

THIS INDENTURE made this 20th day of May, 1985,

between KATHLEEN S. LUNDBERG

of Idaho Falls

County of Bonneville

State of Idaho

the party of the first part and

BARTLEY H. STOWELL, a married man

County of Jefferson

State of Idaho

the party of the second part

WITNESSETH that the party of the first part, for and in consideration of the sum of ONE and no/100

lawful money of the United States of America and other good and valuable consideration to party of the first part in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever QUITCLAIM, unto the said party of the second part, and to party of the second part's heirs and assigns, forever, all the following described real estate, situated in County of Jefferson, State of Idaho, to-wit:

Commencing at the Southwest corner of the Southeast Quarter of Section 13, Township 4 North, Range 38, East of the Boise Meridian, and running thence East 40 rods; thence North 20 rods; thence West 40 rods; thence South 20 rods to the place of beginning.

3863 E. 300 N.

TOGETHER, with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents, issues and profits thereof;

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances, unto the said party of the second part, and to party of second part's heirs and assigns forever.

In construing this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal the day and year first above written.

Kathleen S. Lundberg

Kathleen S. Lundberg

STATE OF IDAHO

County of Bonneville

On this 20th day of May

in the year 1985, before me

the undersigned

Kathleen S. Lundberg, a Notary Public in and for said State, personally appeared

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

PLATTED BY
DAVID KINGHORN, ASSESSOR

Wendy K. Nelson
Notary Public for the State of Idaho,
Residing at Idaho Falls, Idaho.
My commission expires: 5/3/91



Recorded at Request of JENKINS LAW OFFICE, Mail
Address 243 West 2nd North, Rigby, Idaho 83442

QUIT-CLAIM DEED

Bartley Stowell a married man grantor, of Je
State of Idaho, hereby QUIT-CLAIM(S) TO "The Bart
and Nedine M. Stowell Living Trust, Bartley H. St
M. Stowell, Trustees, Executed April 25, 1991" gr
sum of ten dollars \$10 and other consideration, th
described tract of land in Jefferson County, State
Commencing at the Southwest corner of the Southea
section 13, Township 4 North, Range 38, East of th
Meridian, and running thence East 40 rods; thence
thence West 40 rods; thence South 20 rods to the p
beginning.

Witness the hand of said grantors this 29th of April
one thousand nine hundred and ninety-one (1991).

Bartley Stowell

Nedine M. Stowell
James M. Stowell

Signed in the presence of:

STATE OF IDAHO)

COUNTY OF Bonneville)

On the 29th day of April, 1991
personally appeared before me Bartley Stowell & Nedine M. Stowell
the signer(s) of the foregoing Quit-Claim Deed, who
acknowledged to me that he/she/they executed the sa

My Commission Expires: 4-25-97

Residing in: Idaho Falls

NOTARY PUBL

RECE
ASSE
For P
D

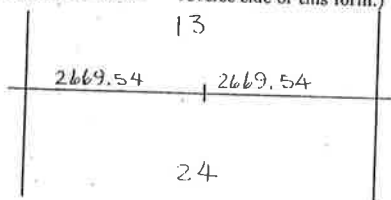
13.47.386

CORNER PERPETUATION AND FILING RECORD

(In compliance with Title 55, Chapter 16, Sections 1601-1612, CORNER PERPETUATION AND FILING ACT).

1. DESCRIPTION OF CORNER EVIDENCE FOUND AND ORIGINAL RECORD, IF KNOWN. Date of work Nov 24, 1976 $\frac{13}{24} \frac{1}{4}$ T 4 N R 38 E B M

2. SKETCH, WITH COURSE AND DISTANCE TO ADJACENT CORNERS, IF DETERMINED IN THIS SURVEY. (Sketch may be pasted or drawn on reverse side of this form.)

3. DESCRIPTION OF MONUMENT AND ACCESSORIES ESTABLISHED TO PERPETUATE THE ORIGINAL LOCATION OF THIS CORNER. Date of work Nov. 24 1976Set iron rod with aluminum cap 4" above ground
4 feet off North shoulder of paved road.

Garth R. Cunningham, Registered Land Surveyor or Professional Engineer, State of Idaho, hereby certify that I have carefully performed or reviewed the work done on a diagrammed corner as reported in this Corner Perpetuation and Filing Record, and do approve same.

Date Nov. 30, 1976

Garth R. Cunningham
REGISTERED LAND SURVEYOR
STATE OF IDAHO
No. 227

Registration No. 227

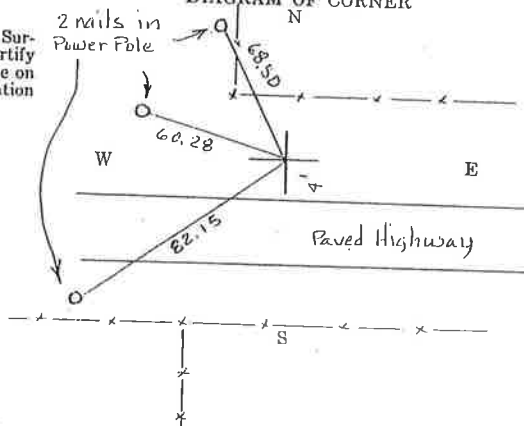
Place signature over PE or LS stamp or seal)

Office of Clerk and Recorder, County of Jefferson Inst. NO. 183161
is "Corner Record" was filed for record on the 3 day of Dec, 1976, was noted on cross-index plat and is assigned Page No. 22, in Book No. 1
Index No. 123 T. 4N R. 3E B.M.

Robert J. Barnes
County Official

FORM 1 (CORNER RECORD)

DIAGRAM OF CORNER



For Commercial or Industrial Service Requiring an Extension

The undersigned, called Customer, agrees to use and UTAH POWER & LIGHT COMPANY called Company, agrees to supply electric service to the amount of 5 kilowatts or approximately 120 Amps, 1 phase for GEN service at RD 1 Richley County.

under Company's Schedule No. 23 Tariff No. 16 to a period of 1 year.

An extension as defined in Electric Service Regulation No. 10 is necessary to meet customer's requirements. (a) In consideration of the special investment by the Company to supply service hereunder, customer guarantees not minimum annual payments for service under the provisions of said Regulation No. 10 in the sum of \$ 180.15 payable each year for five years beginning with commencement of service or sixty days after the extension is completed, whichever occurs first, without regard to the amount of electric energy actually consumed.

(b) The Company acknowledges receipt from the Customer of \$ 667.00 which sum has been advanced and will be credited in accordance with said Electric Service Regulation No. 10. Customer agrees to conform to and abide by the Schedules hereinafter designated including the provisions of Company's Electric Service Regulations, making all payments thereby required, including all minimum charges. Said Schedules and Electric Service Regulations are hereby made a part hereof.

*Cash Report No. _____ Dated _____

Dated 5-6-80

Recommended [Signature]
UTAH POWER & LIGHT COMPANY

By [Signature] Division Manager

Customer [Signature]

Name <u>BARTLEY STOEHL</u>		Dum. <u>5685</u> Acc. <u>108500</u>	
Address <u>RD 1</u>		Error <u>26</u> No. <u>32103</u>	
DBA _____		Comm. <u>✓</u> Unch. _____	
Type of Business <u>Domestic Well Site</u>		Sch. No. <u>23</u> Term. _____	
Mailing Address <u>414 Church St. Richley</u>		KW <u>5</u> Vols. <u>120/120</u>	
Work Required <u>30 pole in line trans. & service & mtr.</u>		Domestic Mtr. <u>✓</u>	
Taxable _____ Exempt _____ Checked By _____		Vol. <u>Non</u> <u>✓</u>	
GAR <u>195</u> Cash Advance <u>667.00</u>		Meter No. _____	
Order No. _____		Location _____	
Service Deposit Date _____		Reading _____	
Cert. No. _____		Am. _____	
Special Paragraphs or Credit Information			
Customer _____			

April 29, 1991

Bartley Stowell
243 W. 2nd N.
Rigby, ID 83442

RE: **Evidence of Priority**

Dear Mr. Stowell:

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

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

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

MICROFILMED

NOV 09 1992

Bartley Stowell

Page 2

Please submit the required evidence supporting the priority date by **May 29, 1991**, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

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

Respectfully submitted,

Ernest Carlsen
Water right Supervisor, Adjudication

EC:sc

Enclosure: Brochure on "Evidence of Priority"
Proof Report

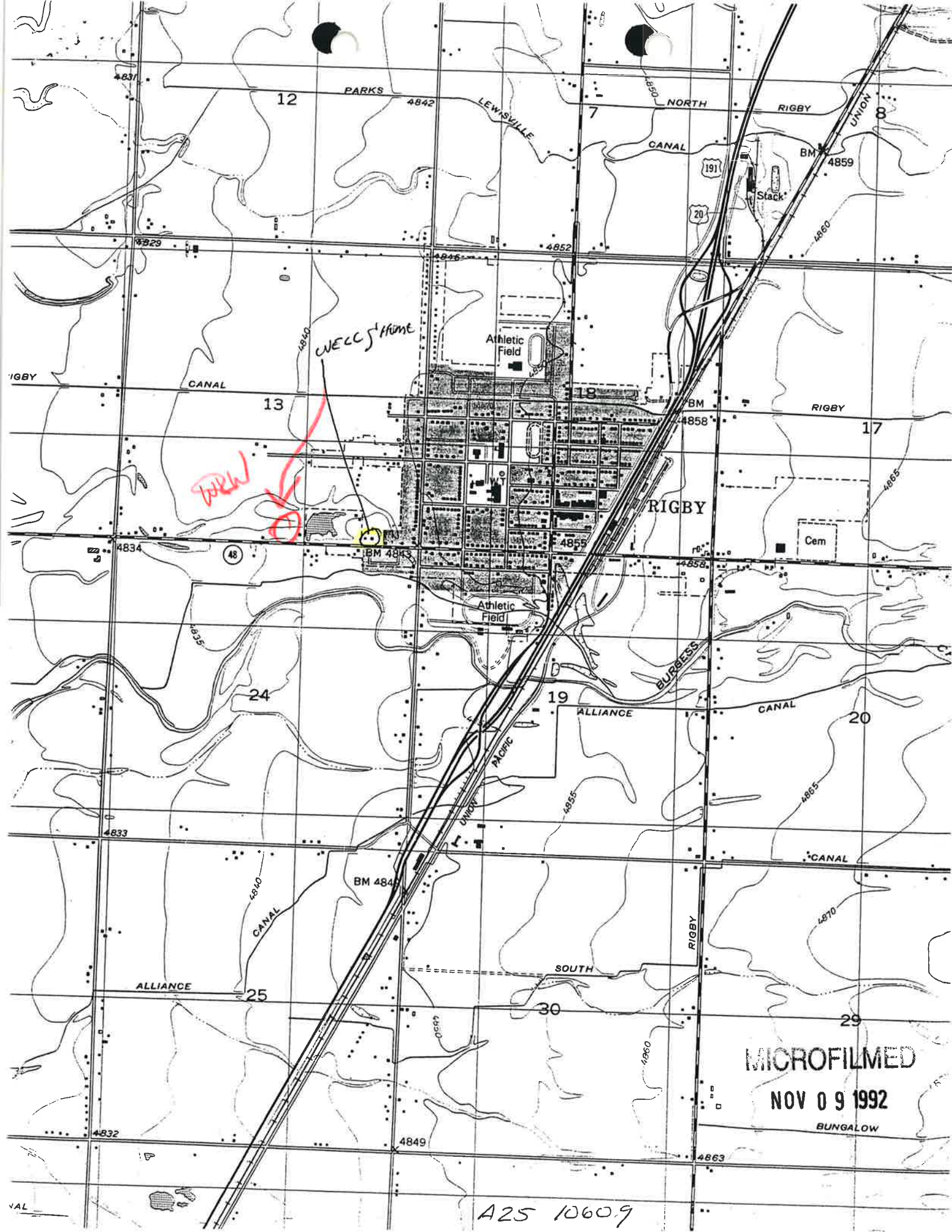
A25-10609
BARTLEY STOWELL
243 W 2ND N

RIGBY

ID 83442

MICROFILMED

NOV 09 1992



MICROFILMED

NOV 09 1992

BUNGALOW

A25 10609

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 25-10609
Date Received: 10/17/1988
Receipt No: E003225
Received By:

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

1. Name of Claimant(s)

BARTLEY STOWELL Phone: (208)745-7327

243 W 2ND N
RIGBY ID USA 83442

2. Date of Priority: 06/30/1921

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	38E	13	SW <u>SE SW</u> SE	JEFFERSON	

5. Description of diverting works:

65 FT DEEP WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	~~0.06~~ <u>0.10</u>	
DOMESTIC	1/01	12/31	0.04	

7. Total Quantity Appropriated is:

~~0.1~~ 0.14 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	38E	13	SE	SE	DOMESTIC	
04N	38E	13	SE	SE	IRRIGATION	5.0
TOTAL ACRES						5.0

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:

14. Remarks:

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

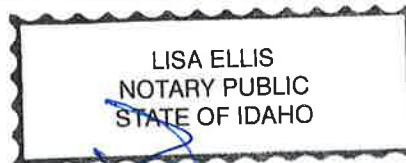
For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Betty Howell Date: 9-5-03
September 5, 2003 Date:

State of Idaho)
 County of Jefferson) SS.

Subscribed and sworn (or affirmed) before me this
 of Sept 5 2003



Lisa Ellis
 Notary Public

Residing at Rigby
 My commission Expires November 2, 2008

SCANNED
 NOV 05 2004

AJ5809NP
No. A25-10609

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/26/00
PAGE: 118

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BARTLEY STOWELL 243 W 2ND N RIGBY ID 83442 (208) 745-7327	06/30/1921	IRRIGATION DOMESTIC	04-01 11-01 01-01 12-31	0.060 CFS 0.040 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:					0.100 CFS	7.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T04N R38E S13

SWSESE

JEFFERSON County

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	:
04N	38E	13	:															:
			:															:

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

POU County: JEFFERSON

Non-Irrigation Uses: DOMESTIC - 1 HOME

Other Rights: NONE.

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

A01-00116T A01-00117Z A01-00118T A01-00152 A01-00153 A01-00154 A01-00155 A01-00252

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

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

Audit: 10/17/88 MCC 03/29/95 POST-STD

SCANNED

AUG 6 2000

SCANNED

AUG 01 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: A25-10609
Date Received: 10/17/1988
Receipt No: E003221
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BARTLEY STOWELL
Address: 243 W 2ND N
RIGBY, ID

208-745-7327

83442

2. Date of Priority: JUN 30, 1921

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4	of	1/4	of	1/4	Lot
04N	38E	13	SW		SE		SE	

County
JEFFERSON

5. Description of diverting works:
65 FT DEEP WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31			
IRRIGATION	04/01	11/01			
			0.040		
			0.060		

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

A.F.A.

8. Total consumptive use is

7.5 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC - 1 HOME

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	38E	13	SE		SE		DOMEST	

11. Place of use in counties: JEFFERSON

A25-10609

Page 1

Date: 10/17/88

A2510609



MICROFILMED

NOV 09 1992

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: 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): Bartley Howell Date: 10-17-88

Date: _____

State of Idaho)
County of Bonner) SS.

Subscribed and sworn (or affirmed) before me this 17 day
of October 19 88

Betty J. Thompson
Notary Public

Seal

Residing at John Falls
My Commission Expires 6-94

