

05/24/2004

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

RIGHT NUMBER: 25-10975

NAME AND ADDRESS: ERROL W TIBBITTS
4190 E 500 N
RIGBY ID 83442

SOURCE: UNNAMED SLOUGH TRIBUTARY: SNAKE RIVER

QUANTITY: 1.000 CFS
The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 07/10/1910

POINT OF DIVERSION:
T05N R39E S29 NWSE Lot 12 Within JEFFERSON County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.000 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION Within JEFFERSON County

T05N R39E S29 Lot 12 NWSE	23.0	T05N R39E S29 Lot 5 SWSE	17.0
T05N R39E S29 Lot 15 SWSE	10.0		

STOCKWATER Within JEFFERSON County

T05N R39E S29 Lot 12 NWSE		T05N R39E S29 Lot 15 SWSE	
---------------------------	--	---------------------------	--

50 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 stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use

SLOUGH IS BACKED UP AT P/D IN ORDER TO RAISE WATER TABLE FOR SUB-IRRIGATION.

SOURCE IS KNOWN LOCALLY AS GORHAM SLOUGH.

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

Stockwater use is for 200 range cattle.

SCANNED

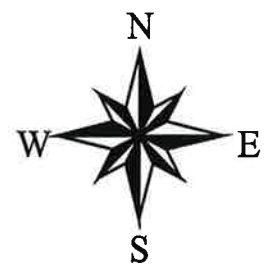
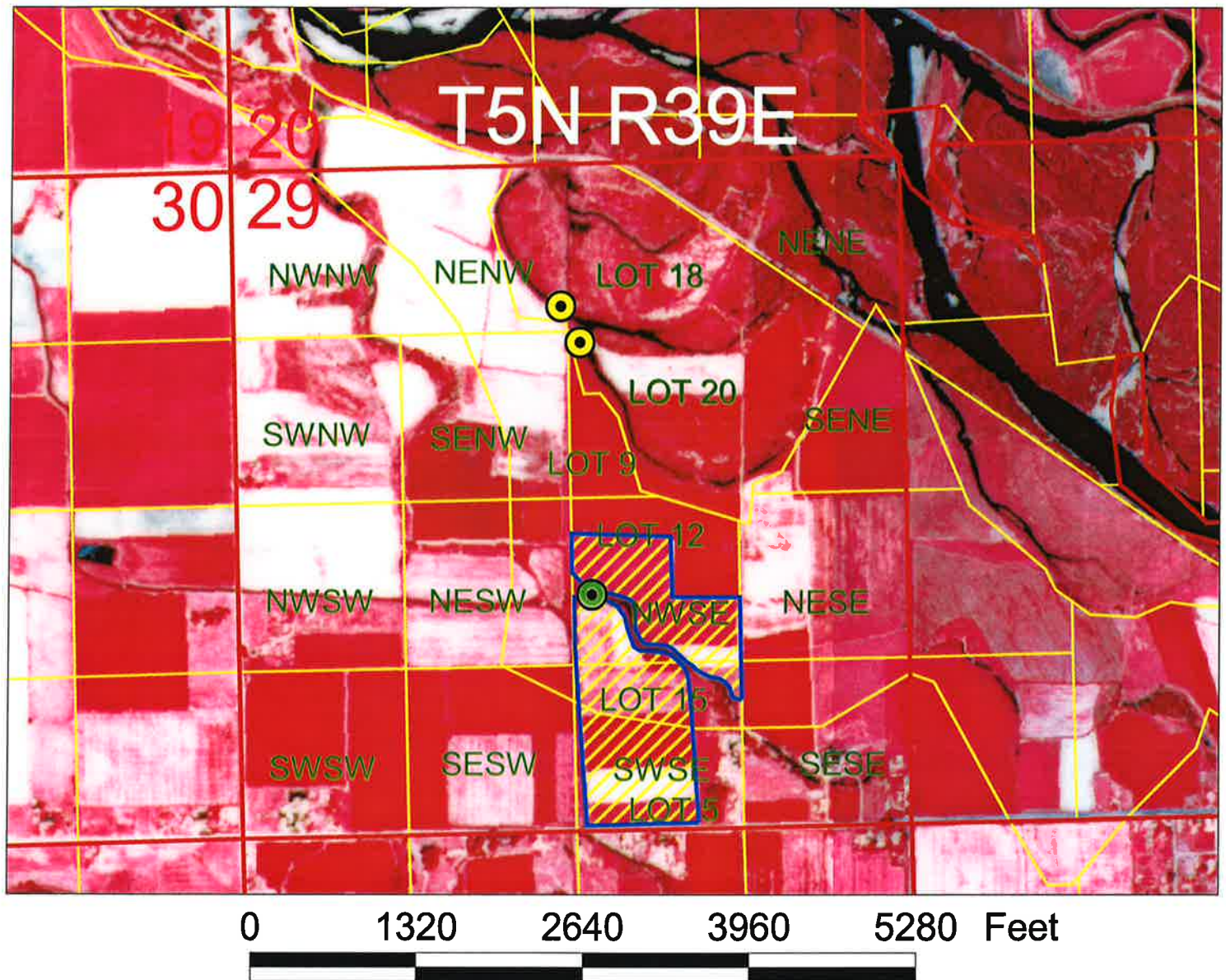
NOV 5 0 2004

PROFILED



Department of Water Resources

Claim No.: 25-10975



- Point of diversion
- ▨ Place of Use
- Sections
- QQ

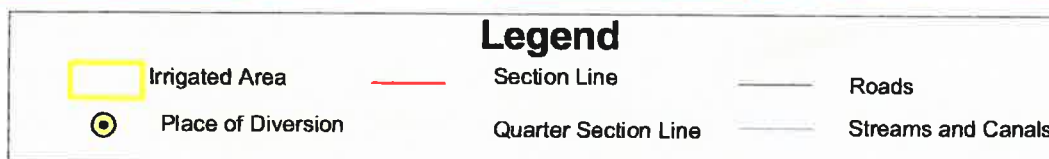
SCANNED
NOV 5 0 2004

PROFILED

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

Water Right Claim Number 25-10975
Township , 5N39E

12/27/2000



SPATIAL
DYNAMICS

AJ5809NP
No. A25-10975

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/26/00
PAGE: 124

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ERROL W TIBBITTS 4190 E 500 N RIGBY ID 83442 (208) 745-8410	07/10/1910	IRRIGATION STOCKWATER	04-15 11-15 01-01 12-31	1.560 CFS 0.050 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:					1.560 CFS	130.00 AFA

Water Source: GORHAM SLOUGH

Tributary to: SNAKE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T05N R39E S29 NWSE SWSE NWSESE 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
05N	39E	29	:															15	37	52.0
TOTAL ACRES																			52.0	

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	
05N	39E	29	:															S	S	

POU County: JEFFERSON

Non-Irrigation Uses: STOCK WATER - 200 RANGE CATTLE

Other Rights: ISLAND IRRIGATION CANAL CO.

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
25-10971 25-10972 A25-10971 A25-10972

Other Water Rights Listing Overlapping Place(s) of Use:
A01-00081C A01-00082C A01-00083X A01-00117F A01-00118F A01-04005 A25-10973

Remarks: GEN CHANGED OWNERSHIP 12/19/96/JT/EC
*AMENDED CLAIM TO SHOW 3 POINTS OF DIVERSION INSTEAD OF FIVE PTS.

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

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

Audit: 02/06/89 THOMPSON 02/13/91 THOMPSON 03/29/95 POST-STD 12/19/96 JTHOMPSO
04/20/98 GTAYLOR

SCANNED

AUG 10 '2001

*common name for drought
described sub irrigation*

RECEIVED

SEP 16 2004

05/25/2004

MH

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: 25-10975

ERROL W TIBBITTS

4190 E 500 N

RIGBY ID 83442

Telephone Number: (208)745-8410

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: 9-15-04 SIGNATURE: Errol W. Tibbitts
Please print your name: ERROL W. TIBBITTS

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

PROFILED

SCANNED

SEP 17 2004

9/30/2003

25-10975

Met with claimant. No way to measure.
Enrol is claiming sub water which he
says is necessary in order to achieve
maximum benefit from his Island
canal shares. All of the ground
claimed for 25-10975 is also irrigated
with Island Irrigation Canal.

Point where Gorham Slough is dammed
to increase sub!

082 N 294633
E 669716

Claimant says this is the only P/D.

SCANNED

NOV 5 0 2004

PROFILED



BOFILED

SCANNED
NOV 5 0 2004

9/30/2003 Point where Jordan Lough is backed up
to rise the out in the area. Looking SE
at slough.

SCANNED

AUG 01 2001

Log for claim 25-10975

Spatial Dynamics CAT

12/27/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
05n39e	29	NWSE	15	24	POD placement?
05n39e	29	SWSE	37	25	GCDB irregular due to river
05n39e	29	SWSE	0	13	
Totals:			52	62	



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

DECEMBER 19, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ERROL W TIBBITTS
4190 E 500 N
RIGBY ID 83442

RE: CHANGE IN OWNERSHIP FOR A25-10971, -10972, -10973
AND -10975

Dear Mr. Tibbitts:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed are copies of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep these Notices for your records.

Respectfully submitted,

Jo Thompson
Adjudication Secretary

Enclosure: Notices of Claim

OKAY EMC
18 DEC 96

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right Number(s) _____
Adjudication Claim Number(s) ^{#s} A^{R-}25-10971, A^{R-}25-10972, A^{R-}25-10973, A^{R-}25-10974
2. The following **REQUIRED** information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) ERROL W TIBBITTS WAYNE TIBBITTS
4. New Owner/Claimant(s) ERROL W. TIBBITTS
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address 4190 E. 500 N.
City, State and ZIP Code RIGBY, IDAHO 83442
New Telephone Number (208) 745 - 8410
5. Date you acquired the property _____
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres actually irrigated _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) [Signature] Date 12-18-96
Date _____
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

April 29, 1991

Errol W. Tibbitts
4190 E. 500 N.
Rigby, ID 83442

RE: **Evidence of Priority**

Dear Mr. Tibbitts:

The Notice(s) of Claim identified with the number(s) shown at the end of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice(s) indicates the water usage are 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(s) 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(s) have been or soon will be conducted by Department personnel. But, the Department will not recommend the Notice(s) be decreed by the court if no evidence of a priority date is submitted.

MICROFILMED

NOV 10 1992

Errol Tibbitts

Page 2

Please submit the required evidence supporting the priority date(s) by **May 29, 1991**, referencing all documents with the corresponding Notice number(s). 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

A25-10973
ERROL W TIBBITTS
4190 E 500 N

RIGBY ID 83442

A25-10975
ERROL W TIBBITTS
4190 E 500 N

RIGBY ID 83442

MICROFILMED

NOV 10 1992

25-10973
+ 10975

May 22, 1991
State of Idaho
County of Jefferson

The undersigned being first duly sworn states:

That my father and mother (Lorenzo Edwin and Mary A. Tibbitts) began receiving beneficial use of water as described in Water Rights Claim #'s A25-10975 and A25-10973 on July 10, 1910. This continued beneficial use passed on to Wayne E. Tibbitts through a Homestead Deed dated 10-11-35 and a Gift of Deed dated 11-22-40 and continual beneficial use of the water has been utilized by Wayne E. Tibbitts to date as described in the above stated Water Rights Claims.

My age at the date of this signing is 88.


Wayne E. Tibbitts
May 22, 1991

STATE OF IDAHO
County of Jefferson

On this 22 day of MAY, 1991, before me ERROL W. TIBBITTS a Notary Public in and for said State, personally appeared WAYNE E. TIBBITTS known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same. IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.


Notary Public for the State of Idaho
Residing at _____, Idaho
Commission ERROL W. TIBBITTS, NOTARY PUBLIC
RESIDING AT RIGBY, IDAHO
COMMISSION EXPIRES 9-15-91



MICROFILMED
NOV 10 1992

May 22, 1991
State of Idaho
County of Jefferson

The undersigned being first duly sworn states:

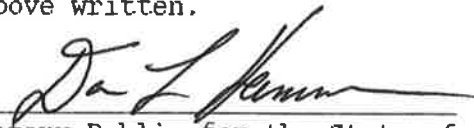
That I am aware of Wayne Tibbitts having received beneficial use of subwater for subirrigation and stock water purposes as described in Water Rights Claims #'s A25-10973 and A25-10975 which has been continual to date. This use has passed to Errol W. Tibbitts through my mother's Will which gave me a 1/2 undivided interest in our farm as of 11-19-67. Also, I purchased riparian land from BLM as of 6-23-78.

My age at the date of this signing is 53.


Errol W. Tibbitts
May 22, 1991

STATE OF IDAHO
County of Jefferson

On this 22nd day of May, 1991, before me DAVID L. HAMMOND a Notary Public in and for said State, personally appeared ERROL W. TIBBITTS known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same. IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.


Notary Public for the State of Idaho
Residing at Rigby, Idaho
Commission expires 12-8-92

MICROFILMED

NOV 10 1992

JEFFERSON TITLE AND ABSTRACT CO.

A 25 - 10975

R. BOWERMAN,
ST. ANTHONY, IDAHO

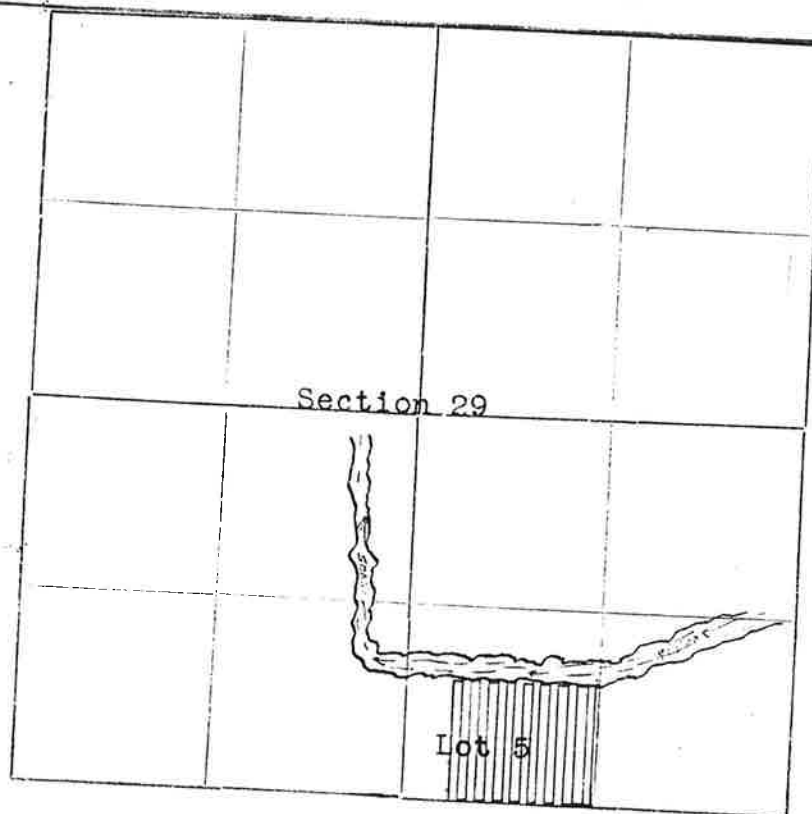
RIGBY, IDAHO

ABSTRACT OF TITLE
TO

Beginning at the South-east corner of Lot Five (5), Section Twenty-nine (29), Township Five (5) North, Range Thirty-nine (39) East of the Boise Meridian, running thence west 65 rods, thence north to the South Bank of the South Fork of Snake River, thence easterly along said river bank to the east boundary of said Lot Five (5), thence south to the place of beginning.

MICROFILMED

NOV 10 1992



This is a Plat of the
property described in the
Caption of this Abstract.

@@@°°°°°@@@
@@@
°
°

JEFFERSON TITLE AND ABSTRACT COMPANY
RIGBY, IDAHO

MICROFILMED

NOV 10 1992

United States of America

To

Albert Wakefield.

Grantors

Grantees

Char. of Instrument Patent.

Date of Inst. February 25, 1887.

Date of Record September 8, 1887.

Book 38 of Pats. Page 161.

No. of Instrument

Consideration, \$

Are Signatures Sealed? G.L.O.

Names of Witnesses

Date of Acknowledgment

Before Whom Acknowledged?

Is Wife Separately Examined in Acknowledgment

Granting Words

Covenant, if any

Description and Remarks

Lot 5, together with other
property in Sec. 29, Twp. 5 North,
Range 39, East of the Boise Meridian.

Transcribed from Book "A" of
Patents at page 321, records of
Fremont County, Idaho.

MICROFILMED
NOV 10 1992

Jefferson Title and Abstract Co., Inc.,
Rigby, Idaho

H. J. Hasbrouck,

To

Geo W. Marler.

Grantors

Grantees

Char. of Instrument Release.

Date of Inst. January 1910.

Date of Record January 5, 1917.

Book 74 of Rels Page 45.

No. of Instrument 6603.

Consideration, \$ 300.

Are Signatures Sealed? Yes.

Names of Witnesses One witness.

Date of Acknowledgment January 11, 1910.

Before Whom Acknowledged? J. M. Adams, N. P., Bingham County, Idaho. Seal.

Is Wife Separately Examined in Acknowledgment

Granting Words Hereby released and satisfied in full.

Covenant, if any

Description and Remarks

Releases mortgage dated January
18, 1907, shown of record in Book
"M" of Mtges., at page 287, records
of Fremont County, Idaho.

Jefferson Title and Abstract Co., Inc.,

Rigby, Idaho

NO. (37)

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NOV 10 1992

BOOK 4 of 1917 Page 42
Date of Record 1917
Date of 1917
Office of Recorder, Jefferson

within abstract, and that there are no tax sales of said land unredeemed, and that no tax deeds have been given thereon except as stated below.

Dated at Rigby, Idaho, this the 8th day of January 1917 @ 5 o'clock, P.M.
JEFFERSON TITLE AND ABSTRACT COMPANY,

By

G. Waters

Secretary.

REMARKS CONCERNING TAXES

Taxes are paid up to and including 1916.

JUDGMENTS

I HEREBY CERTIFY, That there are no judgments, suits pending or liens of any kind against any of the within named grantees, which are liens on the land described herein

Since date of last certificate.

in any Court of Record in Jefferson County.

Dated at Rigby, Idaho, this the 8th day of January 1917 @ 5 o'clock, P.M.
JEFFERSON TITLE AND ABSTRACT COMPANY,

By

G. Waters

Secretary.

CERTIFICATE OF ABTRACTER

STATE OF IDAHO,

County of Jefferson.

ss.

I, the undersigned, do hereby certify that the foregoing one sheets contain a full and correct abstract of all conveyances or other instruments of writing now on record in the office of the County Recorder in and for said County and State, which in any way affect the title of the above described real estate. Since date of last certificate.

WITNESS my hand, this the 8th day of January 1917 @ 5 o'clock, P.M.

JEFFERSON TITLE AND ABSTRACT COMPANY,

By

G. Waters

(35)

MICROFILMED
NOV 10 1992

10/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME

TIBBITTS

CLAIM II

P. NO.

A25-10975

DATE RECEIVED

11-03-88

CK #

2538

AMOUNT \$

289

YES

NO

1. Is the name and address complete with zip code?

/

2. Is a priority date entered?

/

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?

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.

3. (a) Is a source entered?

/

(b) Is a tributary to entered? (if required)

N/A

4. Is the legal description of the p.d. sufficient?

/

5. Is there a description of the diverting works?

/

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.

/

Is the period of use included?

/

Is a quantity claimed for each use?

/

7. Is a total quantity claimed entered?

/

8. If required is a consumptive use entered?

N/A

/

Is the consumptive use correct?

N/A

/

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

/

10. Is (are) the place(s) of use entered?

/

11. Is (are) the county(ies) entered?

/

12. Is the ownership of p.u. checked?

/

13. Are other water rights listed or "none" indicated?

/

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

/

15. Is the basis of the claim checked?

/

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?)

/

Has the claim been signed, sealed, and dated by a notary?

/

Was this claim filed on time, or was an extension granted?

/

Is the fee enclosed correct?

Exempt

/

If this claim is based on an existing water right, has the identification number been entered?

N/A

/

Should this claim be receipted and data entered?

/

Claim checked by:

[Signature]

Comments:

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NOV 10 1992

SCANNED

AUG 0 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: **A25-10975**
Date Received: 11/ 3/1988
Receipt No: E003779
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: ERROL W TIBBITTS
Address: 4190 E 500 N
RIGBY ID 83442 208-745-8410

2. Date of Priority: JUL 10, 1910

3. Source: GORHAM SLOUGH Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	39E	29	NW	SE			JEFFERSON
			SW	SE			JEFFERSON
			NW	SE			JEFFERSON

5. Description of diverting works:
DIRT DAM, RESERVOIR, HEADGATE TO PROVIDE SUB IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	11/15	1.560		
STOCKWATER	01/01	12/31	0.050		

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

8. Total consumptive use is 130.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCK WATER - 200 RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	39E	29	NW	SE		IRR	15.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	39E	29	NW	SE	STOCK	
			SW	SE	IRR	37.0
			SW	SE	STOCK	
					Section Acres	52.0
					Total Acres	52.0

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:
ISLAND IRRIGATION CANAL CO.

14. Remarks:
CHANGED OWNERSHIP 12/19/96/JT/EC
*AMENDED CLAIM TO SHOW 3 POINTS OF DIVERSION INSTEAD OF FIVE PTS.

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): David J. Smith Date: 4-20-98

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 20 day
of April 19 98

[Signature]
Notary Public

Seal

Residing at Regby, Id
My Commission Expires 2/26/2002

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: **A25-10975**
Date Received: 11/ 3/1988
Receipt No: E003779
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: ERROL W TIBBITTS
Address: 4190 E 500 N
RIGBY ID

208-745-8410

83442

2. Date of Priority: JUL 10, 1910

3. Source: GORHAM SLOUGH

Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	39E	29					JEFFERSON
			NW	SE			JEFFERSON
			SW	SE			JEFFERSON
			SW	SE			JEFFERSON
			NW	SE	SE		JEFFERSON

5. Description of diverting works:

DIRT DAM, RESERVOIR, HEADGATE TO PROVIDE SUB IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	11/15	1.560		
STOCKWATER	01/01	12/31	0.050		

7. Total Quantity Appropriated is:

1.560 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

130.0 Acre Feet Per Annum.

9. Non-irrigation uses:

STOCK WATER - 200 RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05N	39E	29	NW		SE		IRR	15.0
			NW		SE		STOCK	
			SW		SE		IRR	37.0
			SW		SE		STOCK	
							Section Acres	52.0
							Total Acres	52.0

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:
ISLAND IRRIGATION CANAL CO.

14. Remarks:
CHANGED OWNERSHIP 12/19/96/JT/EC

15. Basis of Claim: BENEFICIAL USE

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: A25-10975
Date Received: 11/03/1988
Receipt No: E003779
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ERROL W TIBBITTS
Address: 4190 E 500 N
RIGBY, ID 83442 208-745-8410

AND

Name: WAYNE E TIBBITTS
Address: RIGBY, ID 83442

2. Date of Priority: JUL 10, 1910

3. Source: GORHAM SLOUGH Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	39E	29					JEFFERSON
			NW	SE			JEFFERSON
			SW	SE			JEFFERSON
			SW	SE			JEFFERSON
		NW	SE	SE			JEFFERSON

5. Description of diverting works:
DIRT DAM, RESERVOIR, HEADGATE TO PROVIDE SUB IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	11/15	1.560		
STOCKWATER	01/01	12/31	0.050		

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

8. Total consumptive use is 130.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCK WATER - 200 RANGE CATTLE
A25-10975 Page 1

Date: 02/06/89

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	39E	29	NW	SE		IRR	15.0
			NW	SE		STOCK	
			SW	SE		IRR	37.0
			SW	SE		STOCK	
						Section Acres	52.0
						Total Acres	52.0

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:
ISLAND IRRIGATION CANAL CO.

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): _____ 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 H 25-10975Date Received 11-03-88Receipt Number E003779

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

A2510975



Please type or print clearly

1. Name of Claimant (s) Errol W. and Wayne E. Tibbitts Phone (208) 745-8410
745-7550
Mailing Address 4190 East 500 North, Rigby, Idaho Zip 83442

2. Date of Priority (Only one (1) per claim) JUL 10, 1910 EWT

3. Source of water supply (a) Gorham Slough
which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 5 North Range 39 East Section 29,

1/4 of SW 1/4 of SE 1/4, Govt. Lot, B.M., County of Jefferson
AND NW 1/4 of SE 1/4, County of Jefferson.

Additional points of diversion if any: _____

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

Township 5N Range 39E Section 29, 1/4 of SW 1/4 of SE 1/4,
AND NW 1/4 of SE 1/4,
Govt. Lot _____ B.M., County of Jefferson

ending point is: Township 5N Range 39E Section 29, XW 1/4 of SW 1/4 of
SE 1/4, Govt. Lot _____ B.M., County of Jefferson
AND NW 1/4 of SE 1/4,
County of Jefferson.

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. dirt dam, reservoir, headgate to
provide sub-irrigation

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4-15 to 11-15 amount 1.56 or _____

For Stock water ^{EWS} purposes from 1-1 ^{EWS} to 12-31 ^{EWS} amount .05 ^{EWS} or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.56 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 130 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) stock water - 200 range cattle

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	
5N	39E	29													~~15~~	~~15~~	~~37~~	~~37~~	52
															~~8~~	S	D&S	~~8~~	

Total number of acres irrigated 52

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

12. Do you own the property listed above as place of use? Yes x 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.
Island Irrigation Canal Co. or None ()

14. Remarks:

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NOV 10 1992

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

8E R39E

RIGBY ORTHOPHOTOQUAD
IDAHO



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NOV 10 1992

1. USE Y STOCK W'EL
SE¹/₄SW¹/₄SE¹/₄ Section 29
T 5N R 39E

UNNAMED SLOUGH
TRIBUTARY TO SNAKE RIVER
PT. OF DIVERSION

SW¹/₄SE¹/₄ and the NW¹/₄SE¹/₄
Section 29, T 5N R 39E

sub-irrigation

37 ac	SW ¹ / ₄ SE ¹ / ₄	Section 29
15 ac	NW ¹ / ₄ SE ¹ / ₄	Section 29
52 ac	total	

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____

If applicable provide IDWR Water Right Number _____
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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____

Date November 3, 1988

Date 11/3/88

For Organizations: I do solemnly swear or affirm that I am _____

Title _____

of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

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 Idaho)
County of Jefferson) SS.

Subscribed and sworn (or affirmed) before me this 3rd day of November 19 88

SEAL

Notary Public _____

Residing at Idaho Falls, Idaho

My Commission Expires May 23, 1994

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 _____ Ident. Number _____

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Copies White-State, Yellow-Claimant