

12/16/2003

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

RIGHT NUMBER: 25-10004
NAME AND ADDRESS: LEDA S JONES
3205 CENTRAL AVE
IDAHO FALLS ID 83401

MAIBEN S JONES
3205 CENTRAL AVE
IDAHO FALLS ID 83401

M DUANE JONES
3711 SILVERWOOD CIRCLE
IDAHO FALLS ID 83406

SOURCE: SPRING TRIBUTARY: SELLARS CREEK
QUANTITY: 0.040 CFS
PRIORITY DATE: 05/01/1888
POINT OF DIVERSION:

T02S R40E S9 NESWNE Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.020 CFS
IRRIGATION	04/15 10/31	0.020 CFS

PLACE OF USE: DOMESTIC Within BINGHAM County

T02S R40E S09 SWNE

IRRIGATION Within BINGHAM County

T02S R40E S09	SWNE	0.2	T02S R40E S09	SENE	0.8
---------------	------	-----	---------------	------	-----

1 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Beneficial Use

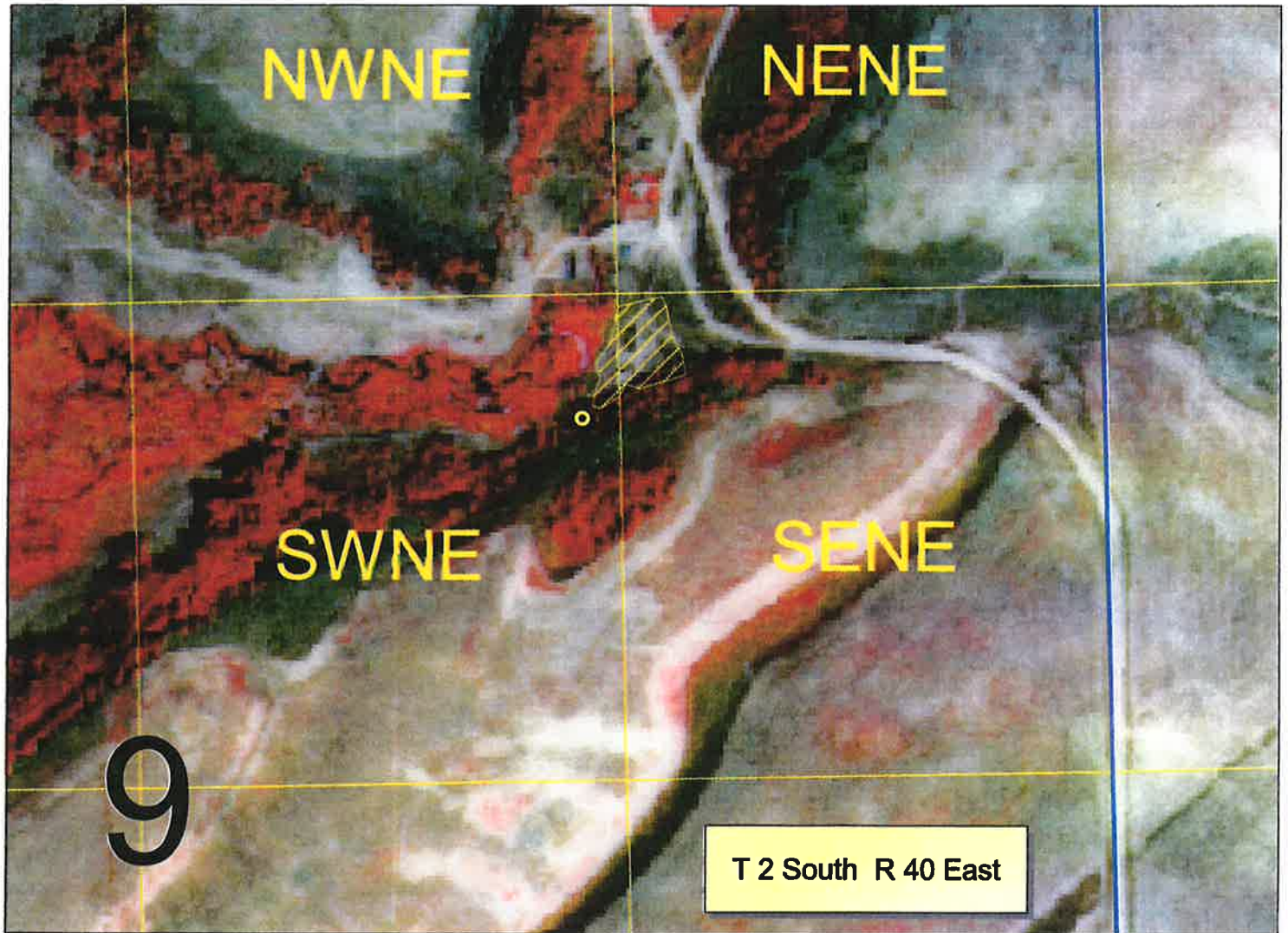


State of Idaho

Division of Water Resources

Eastern Region

Water Right(s): 25-10004



1320 0 1320 Feet

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

SCANNED
SEP 08 2004

PROFILED



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by R. Mikesell

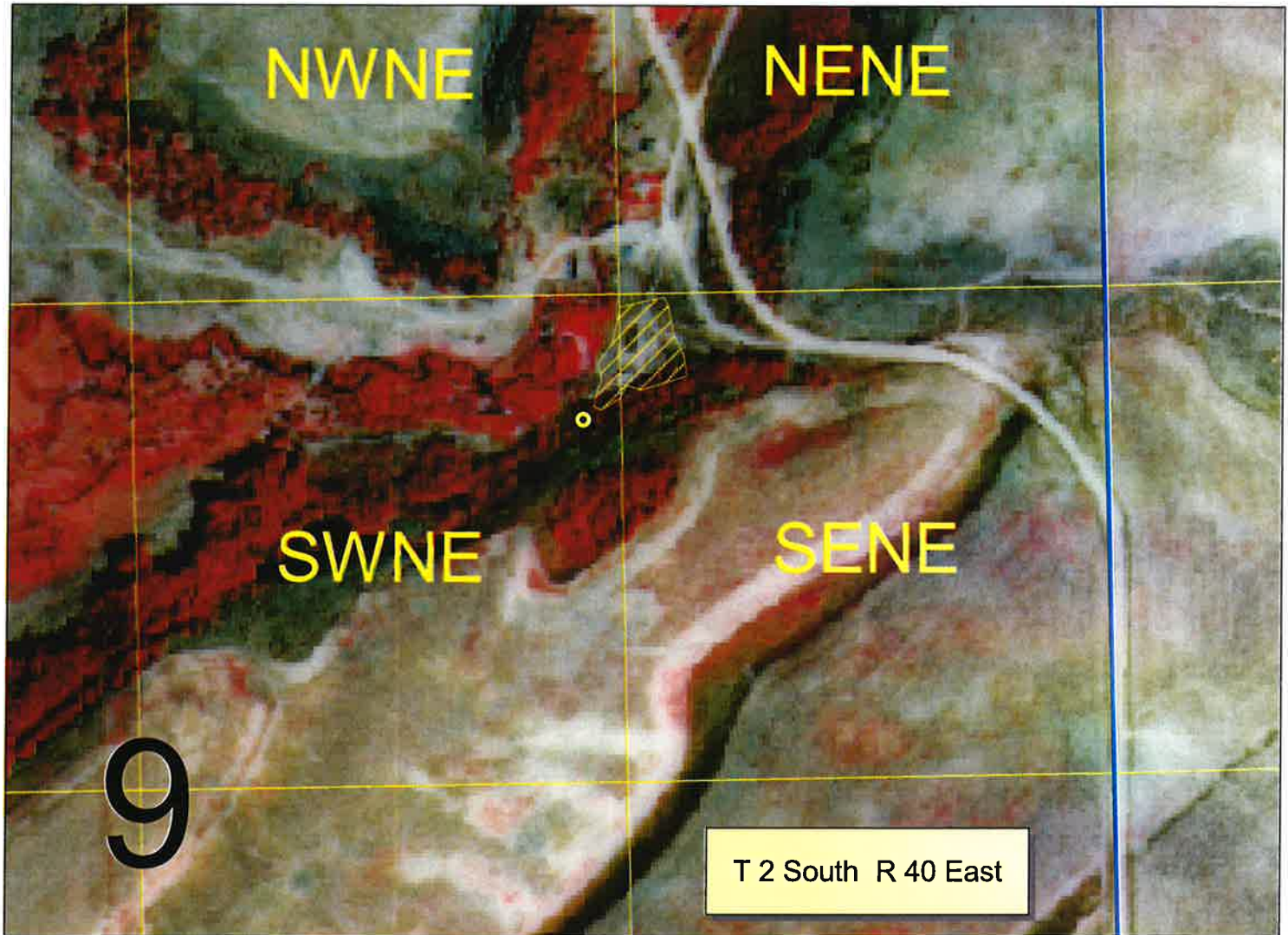


State of Idaho

Division of Water Resources

Eastern Region

Water Right(s): 25-10004



1320 0 1320 Feet

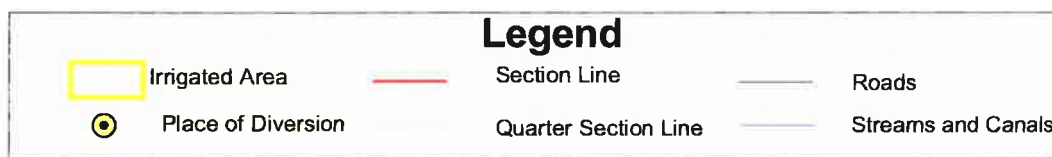
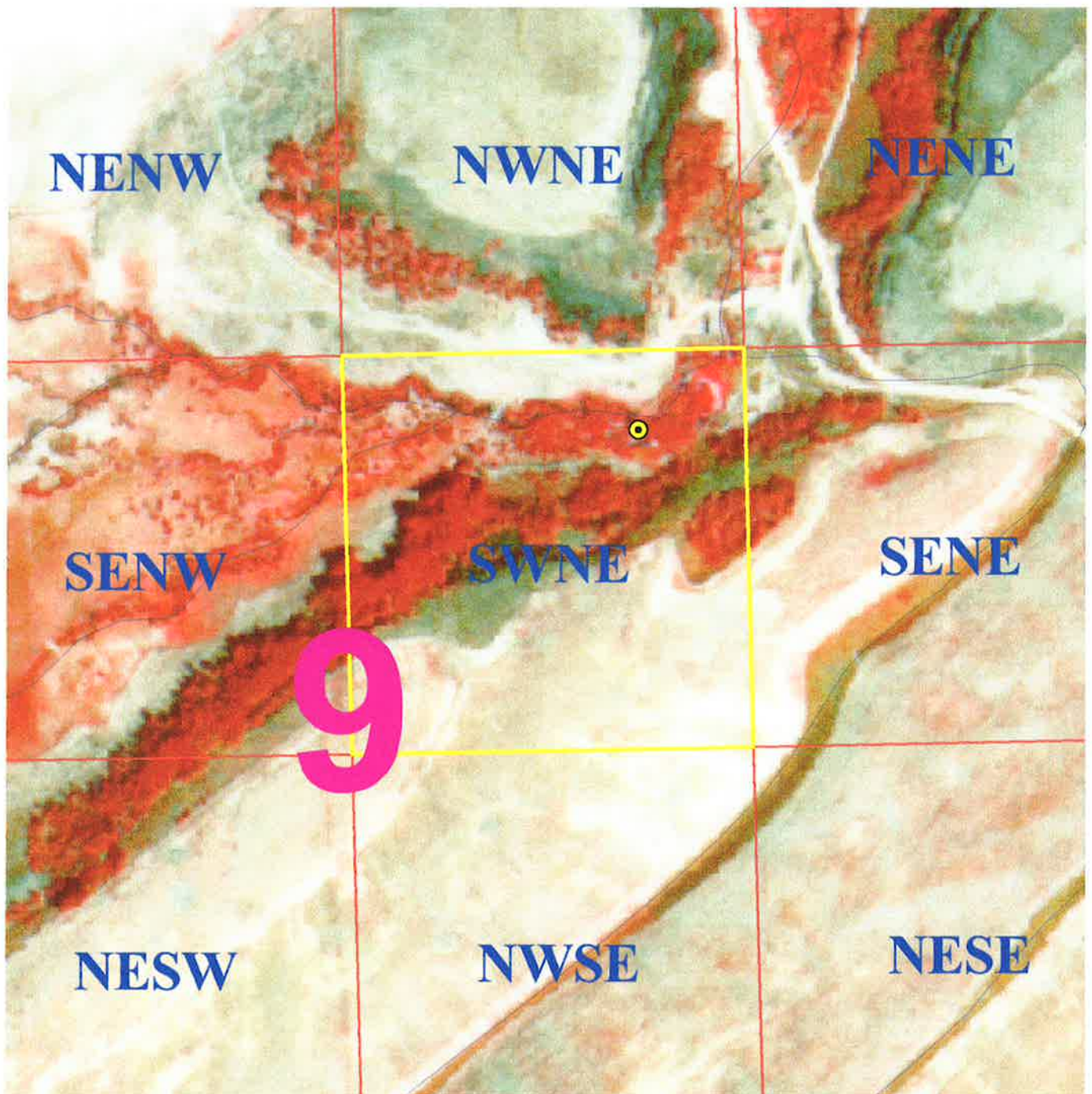
- Place of Use
- Point of Diversion
- Section
- Quarter Quarter



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by R. Mikesell
Date: December 2003

Water Right Claim Number 25-10004
Township , 2S40E

11/15/2000

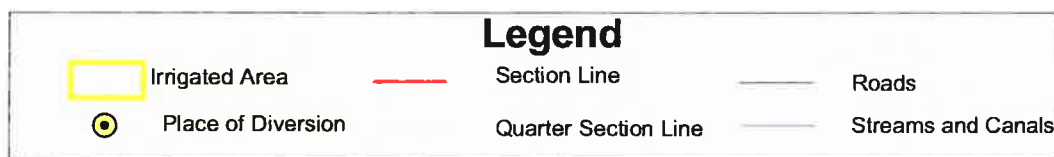
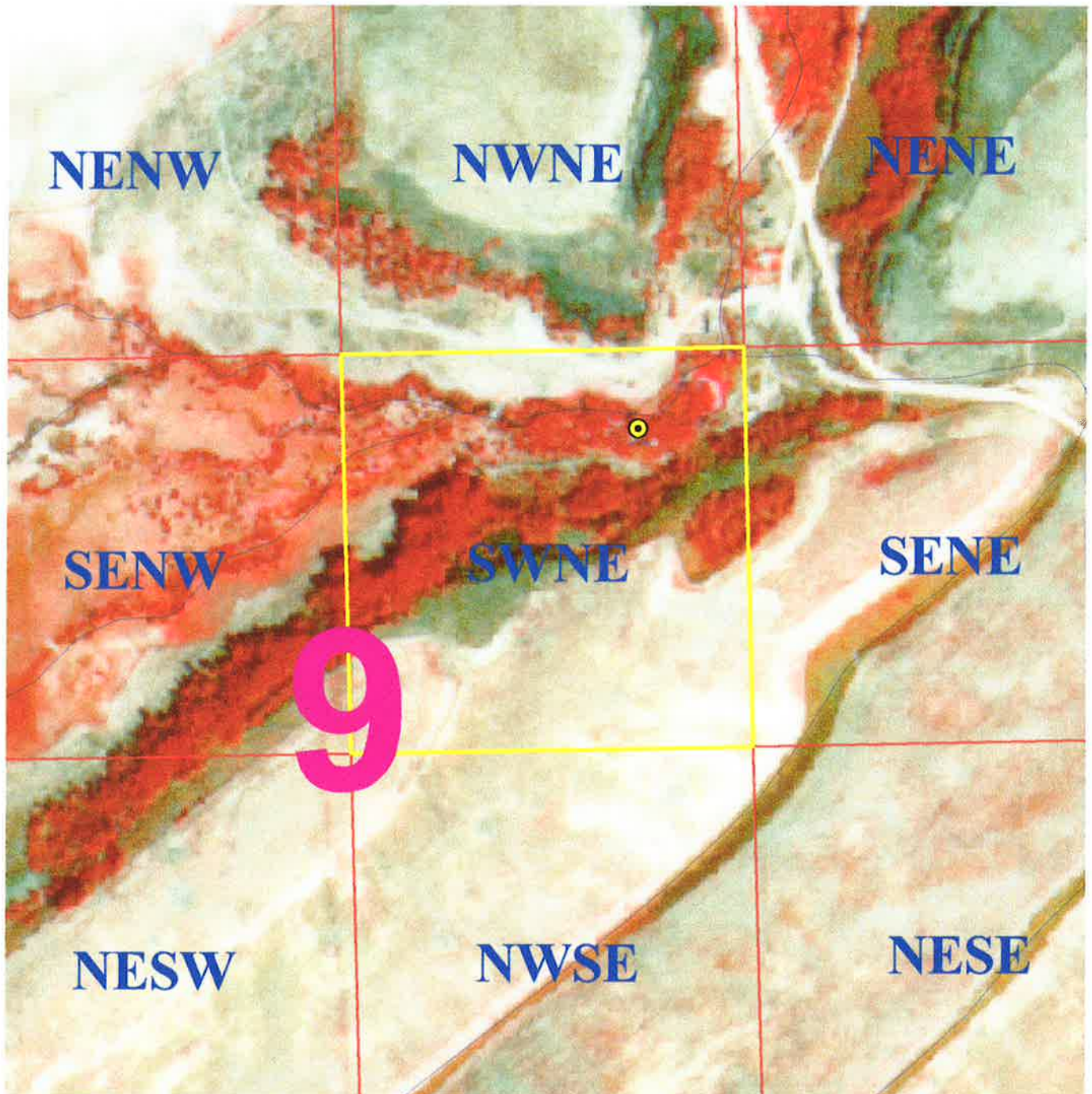


 SPATIAL DYNAMICS



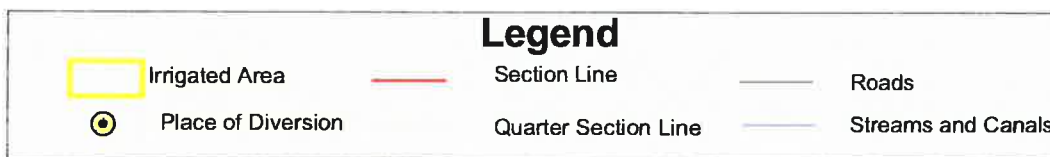
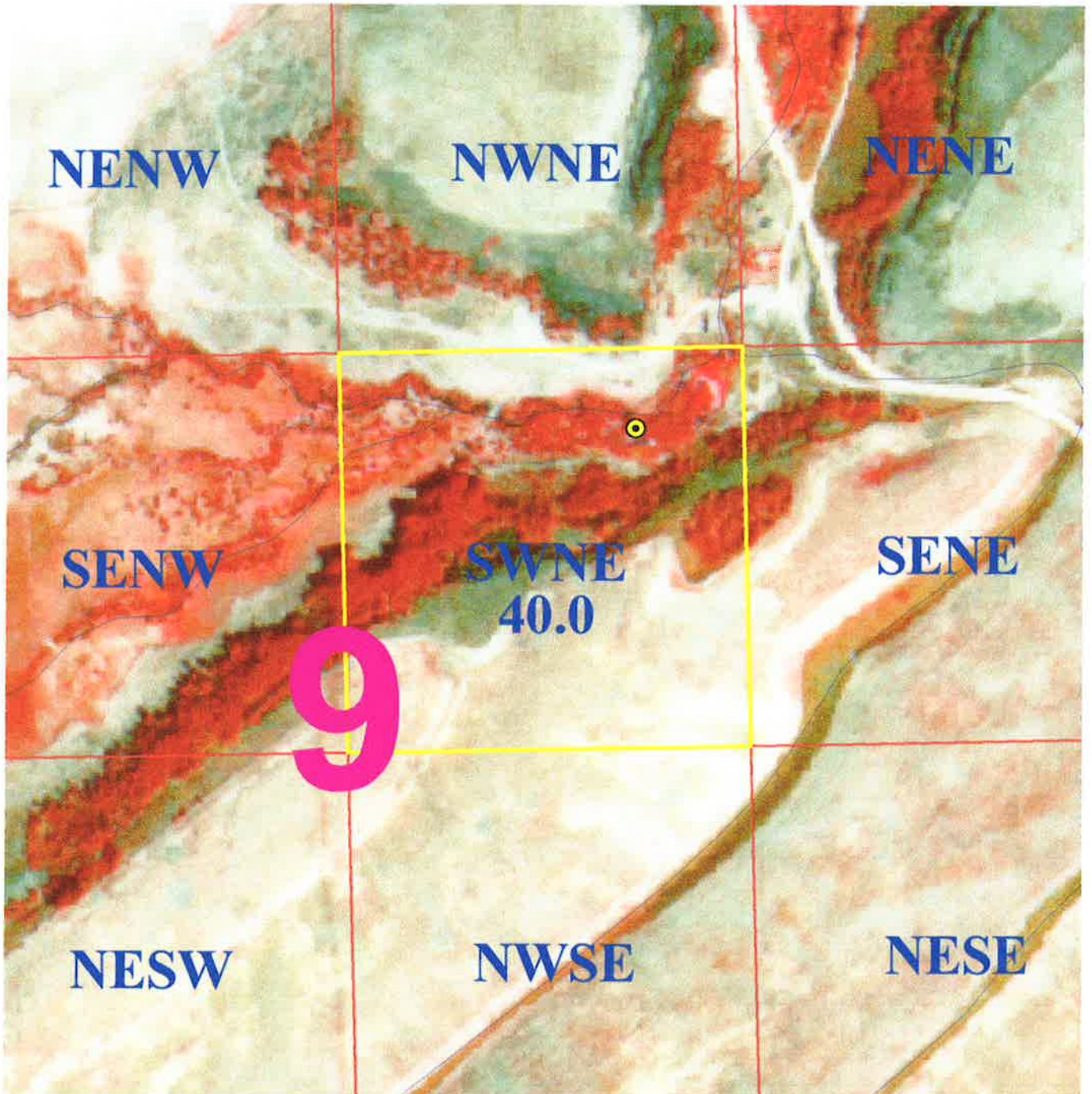
Water Right Claim Number 25-10004
Township , 2S40E

11/15/2000



Water Right Claim Number 25-10004
Township , 2S40E

11/15/2000





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 21, 2005

RE: Water Rights in Reporting Area 14, Basin 25
Snake River Basin Adjudication (SRBA)

Dear Water Right Claimant(s):

Please find enclosed the Idaho Department of Water Resources recommendations for your water right claim(s) in Basin 25 for part of the Upper Snake River drainage basin. We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) other recommended right(s) in your area. Water rights for nearly all domestic and/or stockwater rights were recommended separately in an earlier report, and most of those now have been decreed by the SRBA Court.

Note that you have until June 22, 2005, in which to review your water rights or those of other claimants and to file any objection to our recommendations. Information on the other water rights can be found at the county courthouses in Blackfoot, Idaho Falls, Rigby, and Soda Springs, and at all the Idaho Department of Water Resources offices (see addresses in enclosures).

If the SRBA Court does not receive an objection to our recommendation from you and no other party objects to your water right, your water right will be decreed early next year as recommended. You will receive your decree from the SRBA Court.

Completion of the SRBA is important for the future of water management in Idaho. We invite you to contact our regional offices with any questions you have about your water right(s) or this adjudication process.

Sincerely,

Karl J. Dreher
Director

Enclosures

PROFILED

SCANNED
MAR 02 2005

25-10004

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 25-10004

NAME AND ADDRESS: LEDA S JONES
3205 CENTRAL AVE
IDAHO FALLS ID 83401

MAIBEN S JONES
3205 CENTRAL AVE
IDAHO FALLS ID 83401

M DUANE JONES
3711 SILVERWOOD CIRCLE
IDAHO FALLS ID 83406

SOURCE: SPRING

TRIBUTARY: SELLARS CREEK

QUANTITY: 0.040 CFS

PRIORITY DATE: 05/01/1888

POINT OF
DIVERSION: T02S R40E S9 NESWNE Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.020 CFS
IRRIGATION	04/15 10/31	0.020 CFS

PLACE OF USE: IRRIGATION Within BINGHAM County

T02S R40E S09	SWNE	0.2	T02S R40E S09	SENE	0.8
<u>DOMESTIC Within BINGHAM County</u>					
T02S R40E S09	SWNE				

1 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

PROFILED

SCANNED

MAR 02 2005

Dept. of Water Resources
Adjudication Bureau
P. O. Box 5720
Boise, ID 83720-0098

RETURN TO
RECEIVED
NOT KNOWN

25-10004
~~25-10004~~
~~25-10004~~

RECEIVED
FEB - 8 2005
DEPARTMENT OF
WATER RESOURCES

RETURN TO
RECEIVED
NOT KNOWN

RETURN TO
RECEIVED
NOT KNOWN
CHURCH OF JESUS CHRIST
PO BOX 26
RIGBY ID 83454

PROFILE

SCANNED
MAR 02 2005

DAHC 83402

SERVICE
REQUESTED

1428 P83523907
8987501.06 AUG 27 2004
5257 MAIL FROM ZIP CODE 83402



MAIBEN S JONES
3205 CENTRAL AVE

LEDA S JONES
3205 CENTRAL AVE
IDAHO FALLS ID 83401

RECEIVED

SEP 08 2004

Department of Natural Resources
Eastern Region

25-10004

25-4026

25-10410

Retn'd NOE

to: David & Larue Jones

980 E Curling
Borise ID
83702

RECEIVED

SEP 08 2004

Department of Natural Resources
Eastern Region

FOE
2/31

JC
9/13/04

PROFILED

SCANNED

SEP 13 2004

RECEIVED

RECEIVED

Ryan

SEP 07 2004

12/16/2003

Department of Water Resources
Eastern Region

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: 25-10004

LEDA S JONES
3205 CENTRAL AVE
IDAHO FALLS ID 83401
Telephone Number: (208)523-1472

MAIBEN S JONES
3205 CENTRAL AVE
IDAHO FALLS ID 83401
Telephone Number: (208)523-1472

M DUANE JONES
3711 SILVERWOOD CIRCLE
IDAHO FALLS ID 83406
Telephone Number: (208)522-5985

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: 8-30-04

SIGNATURE: M.D. Jones

Please print your name: M. Duane Jones

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

SCANNED

SEP 08 2004

PROFILED

12/16/2003

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

RIGHT NUMBER: 25-10004
NAME AND ADDRESS: LEDA S JONES
3205 CENTRAL AVE
IDAHO FALLS ID 83401

MAIBEN S JONES
3205 CENTRAL AVE
IDAHO FALLS ID 83401

M DUANE JONES
3711 SILVERWOOD CIRCLE
IDAHO FALLS ID 83406

SOURCE: SPRING TRIBUTARY: SELLARS CREEK

QUANTITY: 0.040 CFS

PRIORITY DATE: 05/01/1888

POINT OF DIVERSION:
T02S R40E S9 NESWNE Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.020 CFS
IRRIGATION	04/15 10/31	0.020 CFS

PLACE OF USE: IRRIGATION Within BINGHAM County
T02S R40E S09 SWNE 0.2 T02S R40E S09 SENE 0.8
DOMESTIC Within BINGHAM County
T02S R40E S09 SWNE

1 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

SCANNED

SEP 08 2004

PROFILED



Spring used for Domestic Use and irrigation for 1 acre
↑
2 hares



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,

A handwritten signature in cursive script that reads "Ernest Carlsen".

Ernest Carlsen
Adjudication Supervisor, Eastern Region

Enclosure: Information Brochure



Dear sirs:

Please be advised of my change of address from 1020 12 St.
To 3711 Silverwood Circle Idaho Falls Idaho 83406.

Thank you for making this change.

25-4026
25-10004
25-10410

M.D. Jones

M. Duane Jones

*done
JC
7/15/02*

RECEIVED
JUL 16 2002
Department of Water Resources
Eastern Region

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
900 N. SKYLINE DR.
IDAHO FALLS, IDAHO 83402

Dear Mr. Jones,

**We have received the notification that you sent us about
your address change and have updated our information
to match the new address. Thank you for your help.**

Sincerely,

Jacqueline Murphy

SCANNED

AUG 0 200

Log for claim 25-10004

Spatial Dynamics CAT

11/15/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
02s40e	9	SWNE	1	40	Indiscernible
Totals:			1	40	

AJ5809NP
No. A25-10004

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/18/00
PAGE: 59

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MAIBEN JONES	05/01/1888	IRRIGATION	05-01 10-01	0.020 CFS	
C	LEDA JONES		DOMESTIC	01-01 12-31	0.020 CFS	
	3205 CENTRAL AVE					
	IDAHO FALLS ID 83401					
	(208) 523-1472			TOTAL DIVERSION:	0.040 CFS	
				CONSUMPTIVE USE:		2.50 AFA

C M DUANE JONES
1020 12TH STREET
IDAHO FALLS ID 83404
(208) 522-5985

Water Source: SPRING

Tributary to: SELLARS CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: T02S R40E S09 NESWNE BINGHAM County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
02S	40E	9	:				01	:					:					:					:	1.0
																							TOTAL ACRES	1.0

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
02S	40E	9	:				D	:					:					:					:	

POU County: BINGHAM

Non-Irrigation Uses: DOMESTIC USE AT TWO HOMES.

Other Rights: NONE.

Other Water Rights Listing Overlapping Place(s) of Use:
A25-04026

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:	
		Presumption Flag:	
Audit:	04/08/88 MCC	05/18/88 NOYES	03/29/95 POST-STD

RECEIVED

MAY - 9 1991

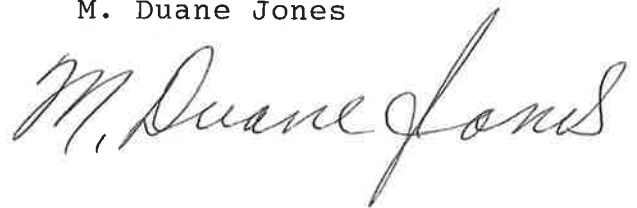
Department of Water Resources
Eastern District Office

As pertains to water right claim #A 25 1 0004. I hereby certify that the spring in question was a part of the original ranch of one Kellis Sellers who squated on Sellers Creek, and developed an irrigation system in the year 1888.

With the advent of the homestead act this property was filed on by Spencer Williams and a patent was issued in 1908 to said Spencer Williams.

Said spring has been the source of water supply to two homes, continuously since that time.

M. Duane Jones



PERSONALLY APPEARED BEFORE ME THE ABOVE NAMED M. DUANE JONES KNOWN OR PROVED TO ME TO BE THE SAME PERSON WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE ACT AND DEED.

SUBSCRIBED AND SWORN TO BEFORE ME THIS 9TH DAY OF MAY, 1991.



NOTARY PUBLIC OR OFFICIAL

IDAHO FALLS, IDAHO

MY COMMISSION EXPIRES OCTOBER 20, 1993

MICROFILMED

NOV 07 1992

April 25, 1991

NOTICE OF CLAIM A25-10004

Maiben Jones
Box 591
Idaho Falls, Id 83405

RE: **Evidence of Priority**

Dear Mr. Jones:

The Notice(s) of Claim identified with the number shown above you name has been filed in the Snake River Basin Adjudication (SRBA). The Notice(s) 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(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 6 7 1992

Maiben Jones

Page 2

Please submit the required evidence supporting the priority date(s) by **May 28, 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

MICROFILMED

NOV 07 1992

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: A25-10004
Date Received: 4/08/1988
Receipt No: E000078

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MAIBEN JONES *Decased* 208-523-1472
Address: 3205 CENTRAL AVE.
IDAHO FALLS, ID 83401
AND/OR
Name: LEDA JONES *Decased* 208-523-1472
Address: 3205 CENTRAL AVE.
IDAHO FALLS, ID 83401
AND/OR
Name: M. DUANE JONES 208-522-5985
Address: ~~1020 12TH STREET~~ 3711 Silverwood Cir
IDAHO FALLS, ID 834046

A2510004



2. Date of Priority: MAY 01, 1888
3. Source: SPRING Trib. to: SELLARS CREEK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02S	40E	9	NE	SW	NE		BINGHAM

5. Description of diverting works:
HEADBOX TO PIPELINE TO TWO HOMES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.020		
IRRIGATION	05/01	10/01	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC USE AT TWO HOMES.

A25-10004 Page 1 Date: 04/08/88

MICROFILMED
NOV 07 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02S	40E	9	SW SW	NE NE	IRR DOMEST	1.0
Section Acres						1.0
Total Acres						1.0

11. Place of use in counties: BINGHAM

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
Water Right Number:

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): M. Dwyer Jones Date: 4-8-88
_____ Date: _____

State of Idaho)
County of Donnerstag) SS.

Subscribed and sworn (or affirmed) before me this 8th day
of April 19 88 Valleen Wray
Notary Public

Seal

Residing at Idaho Falls
My Commission Expires 5/29/1991

REPROFILMED
NOV 6 1988