

03/29/2004

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

RIGHT NUMBER: 25-11617

NAME AND ADDRESS: ELLSWORTH PRODUCE
C/O ELMER ELLSWORTH
PO BOX 9
LEWISVILLE ID 83431

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS
10.000 AFY

PRIORITY DATE: 12/31/1950

POINT OF DIVERSION:

T04N R38E S5 SENE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
COMMERCIAL

PERIOD OF USE
01/01 12/31

QUANTITY
0.166 CFS
10.00 AFY

PLACE OF USE: COMMERCIAL Within JEFFERSON County
T04N R38E S05 SENE

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

Water Right 25-11617

SCANNED
NOV 01 2005

August 18, 2003

Elmer Ellsworth Produce
PO Box 9
Lewisville, ID 83431

Re: Water Right Adjudication Claim(s) A25-11617

Dear Water User:

Idaho Department of Water Resources (IDWR) is reviewing claims to water rights in the Snake River Basin Adjudication in your area. Water Resources Field Services has been retained to do field inspections to aid the Department in making correct recommendations to the court. In the next weeks and months I will be contacting you to make an appointment to look at your diversion works and uses of water.

The purpose of this letter will be to locate and photograph the wells and review the historical use of water.

I look forward to helping make sure your water right recommendation is correct. Please contact me if there is a particular time that would be convenient for you. You may call in the evenings, or leave a message on the answering machine.

Sincerely,

Bryce A. Contor

SCANNED
AUG 17 2004
NOV 01 2016

Field Exam Summary A25-11617**2/16/2004**

Bryce Contor

Water Resources Field Services

General Comments

I made two visits. On the first visit, I forgot to double-check the claim file. The plant manager did not realize there were two wells, so I missed one.

Ownership

Appears to be correct.

POD

Legal description appears to be correct. There are two wells located in the basement of the building. What I have called in the notes "the south well" is about 30 feet inside the wall (SW) from GPS location Waypoint 8, 660,731 E 291,460 N IDTM. The building apparently is oriented more to the west than to the northwest. This well is close to the front of the big double doors, on the right.

The well I have called the north well is about 10 feet inside the wall (NE) from GPS location waypoint 15, 660,693 E 291,452 N.

POU

Appears to be correct.

Overlap

None noted.

Conflict

None noted.

Priority

Affidavit states "In or about 1950." I propose 12/31/1950.

Quantity

Please see attached calculations and *.jpg of field notes. Claim is for 0.04 cfs but field exam found 0.166 cfs. I have mailed an amended claim (see letter and

*.jpg). If the amended claim is filed I propose 0.166 cfs and 10.0 acre feet. If the amended claim is not filed, I propose 0.04 cfs and 4.0 acre feet ($0.04 \text{ ft}^3/\text{second} \times 1200 \text{ hours} \times 3600 \text{ seconds/hour} \times 1 \text{ acre foot} / 43560 \text{ ft}^3$).

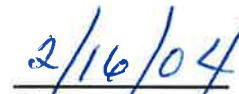
Water Use

Commercial for fresh-pack potato operation.

List of Photos

A25-11617_1.jpg	Well and pump labeled "South Well." This photo is in the January 2004 folder. The others are in the February folder.
A25-11617_2.jpg	Nameplate on motor at south well (also in Jan. folder)
A25-11617_3.jpg	Looking SW at POU.
A25-11617_4.jpg	Well and pump labeled "North Well"
A25-11617_5.jpg	Looking NW at POU.
A25-11617_Field_Notes.jpg	Field notes
A25-11617_Amended_1.jpg	Copy of amended claim mailed to Mr. Ellsworth
A25-11617_Amended_2.jpg	Copy of amended claim


Bryce A. Contor


Date

Water Resources Field Services

1571 N. 1100 E.
Terreton, ID 83450
208-663-4667

February 16, 2004

Elmer Ellsworth DBA Ellsworth Produce
PO Box 9
Lewisville ID 83431

Re: Water Right Claim A25-11617

Dear Mr. Ellsworth:

Today I looked at the wells and pumps for the fresh-pack potato shed you own in Lewisville. This is for your water right claim in the Snake River Basin Adjudication.

It looks like the plant actually uses more water than the claim requests. The enclosed "Amended Claim" form corrects this oversight. If you would like to claim the full amount of water that the pumps produce, please sign this before a notary and mail it to IDWR at:

IDWR
Attn: Michael Holliday
900 N Skyline Ste A
Idaho Falls ID 83402

If you want to take it in to IDWR, there is a notary there who can help you with the signatures. There is a fee of \$12.60 for the additional claimed diversion rate.

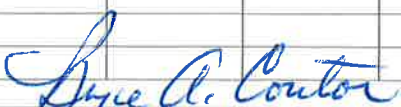
Please call me at 681 9100 if you have questions.

Sincerely,

Bryce A. Contor
Enclosure

SCANNED
NOV 01 2016

A25-11617 Water Use Calculations.				
1) Pump capacity.				
South pump has a 3 hp GE motor. It is a centrifugal pump drawing from a sandpoint well with an 1 1/4" pipe discharge. The horse-power based calculation is:				
Formula	$\text{GPM} = \frac{\text{Water HP} \times 3960}{\text{(Total Dynamic Head)}}$			
Water HP =	Motor HP X efficiency			
	3 x	0.6 =	1.8	
TDH	Lift	20	(This is a surface-mount centrifugal lift can't be higher than 25 feet)	
	Friction	5		
	Pressure	92.4	40 psi X 2.31	
	TDH	117.4	feet	
Calculated GPM:	61			
This is unreasonable for a 1 1/4 discharge pipe.				
Alternate calculation: Maximum velocity in the pipe is probably 7 to 8 ft/second. Use 8 ft/second				
Diameter	1.25 inches			
Radius	0.625 inches			
Radius (ft)	0.052083			
Area	0.008522 ft ² (pi times radius squared)			
Q = Velocity X Area				
	0.068 ft ³ /second			
	31 gallons/minute			
North pump. Motor had no nameplate but physically it is similar in size to the motor on the south pump. The pump itself is larger and the discharge pipe is 1 1/2 inch. I apply the velocity calculation:				
Diameter	1.5 inches			
Radius	0.75 inches			
Radius (ft)	0.0625			
Area	0.012272 ft ² (pi times radius squared)			
Q = Velocity X Area				
	0.098 ft ³ /second			
	44 gallons/minute			

Total Q =	0.166	ft ³ /second						
2) Volume Calculations								
When I arrived the north pump was running, and it ran for five or ten minutes while I took photographs and made notes (I had to go out to the car for flash batteries & I assume it continued to run while I was out). Just before I planned to time its operation, it shut off. I waited for half an hour and it never came on. Based on this I estimate it runs 10 minutes out of every 45 minutes, or 13.33333 minutes/hour. Because I don't know how long the pump had been running when I arrived, I double this estimate to avoid injuring the claimant: 26.66667 minutes/hour.								
The south pump was off when I started timing, it cycled twice during the half hour I timed it, so that should be a good representation. It ran 25 min 6 seconds of 30 min, or 50.2 minutes/hour								
The plant personnel told me the plant runs 200 days a year, average six hours/day.								
Plant hours:								
	Hours	x	Days	=	Total Hours			
	6	x	200	=	1200			
South pump volume:								
	Hours	x	min/hr	x	60 sec/min	=	seconds	
	1200	x	50.2	x	60	=	3614400	
	seconds	x	ft ³ /sec	=	ft ³	=	acre feet	
	3614400	x	0.068	=	246418.7	=	5.66	
North pump volume:								
	Hours	x	min/hr	x	60 sec/min	=	seconds	
	1200	x	26.66667	x	60	=	1920000	
	seconds	x	ft ³ /sec	=	ft ³	=	acre feet	
	1920000	x	0.098	=	188495.6	=	4.33	
Total volume:	9.98	acre feet						
Total rate:	0.166	ft ³ /s						
								
Bryce A. Contor					2/16/04			

A25-11617 Review/Contact log

1) EOP 12/31/1950 note "in or about"

2) Calculate water use - 0.04 possibly inadequate?
Consider pump capacity -

1/19/04 754-0447 1212 Diamond Brand -
No connection to Ellsworth -

Current owner is Ellsworth, looked for 5
yrs then purchased

3 hp 6E motor - centrifugal pump - 1 1/4" discharge

6PS reading outside of building

~ 35' NE of well

Waypoint 8 660731E 291460N

SCANNED

May 23, 1991

State of Idaho
Department of Water Resources
150 Shoupe Ave. Suite 15
Idaho Falls, ID 83402

RECEIVED

MAY 24 1991

RE: Water Right #A25-11617

Department of Water Resources
Eastern District Office

Affidavit

To whom it may concern:

This is to verify that groundwater has been pumped for use in fresh packaging of potatoes at the location currently operated by Elmer Ellsworth dba Ellsworth Produce in or about the year 1950.

Two wells were drilled to provide the needed water to wash potatoes for consumer packaging. The original establishment was built by L.F. Gneiting and his sons. Being one of L.F. Gneiting's sons and having worked at the above mentioned location, I have personal knowledge of the use of this water and its associated right.

Sincerely,

Richard Gneiting

Richard Gneiting

Notary: *Marla Briggs*
Residing at: *Lewistown, Idaho*
My Commission Expires: *June 11, 1993*

MICROFILMED
NOV 11 1992



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

May 1, 1991

Elmer Ellsworth
DBA Ellsworth Produce
P.O. Box 9
Lewisville, ID 83431

RECEIVED

MAY 24 1991

Department of Water Resources
Eastern District Office

RE: Evidence of Priority

Dear Mr. Ellsworth:

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.

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NOV 11 1992

Elmer Ellsworth

Page 2

Please submit the required evidence supporting the priority date by **June 3, 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

A25-11617
ELMER ELLSWORTH DBA ELLSWORTH P
P.O. BOX 9

LEWISVILLE ID 83431

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NOV 11 1992

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	MAXIMUM DIVERSION	STAGE
A25-11617	ELMER ELLSWORTH DBA ELLSWORTH PRODUCE P.O. BOX 9 LEWISVILLE ID 83431	01/01/1950	COMMERCIAL	01-01 12-31	0.04 CFS	BENEFICIAL USE

0.04 CFS TOTAL
0.00 AFA TOTAL

SOURCE: GROUNDWATER
OTHER RIGHTS: NONE
CONDITIONS OF APPROVAL:

TRIBUTARY:

REMARKS: WATER RIGHT USED FOR WASHING POTATOES FOR FRESH PACKING

POINT OF DIVERSION:
T04N R38E S05 SENE

PLACE OF USE: COMMERCIAL
T04N R38E S05 SENE

DO NOT FILM

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NOV 11 1992

10/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME ELLS WOOD PRODUCER CLAIM I F. NO. A25-11617

DATE RECEIVED 11-29-88 CK # 19967 AMOUNT \$ 229⁰⁰

	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)	☐	☐
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?	☐	☐
Is the consumptive use correct?	☐	☐
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.	☒	☐
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.)	☒	☐
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?	☒	☐
If this claim is based on an existing water right, has the identification number been entered?	☒	☐
Should this claim be receipted and data entered?	☒	☐

Claim checked by:

MICROFILMED
NOV 11 1992

Comments: LETTER REQUESTING MAP

30917

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 25-11617
Date Received: 11/29/1988
Receipt No: E004603
Received By:

Amended

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Amended

1. Name of Claimant(s)

ELLSWORTH PRODUCE Phone: (208)754-0447

C/O ELMER ELLSWORTH
PO BOX 9
LEWISVILLE ID USA 83431

2. Date of Priority: 01/01/1950

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	5	SE NE	JEFFERSON	

5. Description of diverting works:

21' DEPTH(2 WELLS) USED JOINTLY WASHING POTATOES IN WAREHOUSE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
COMMERCIAL	01/01	12/31	0.166	10

7. Total Quantity Appropriated is:
0.04 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	5	SE NE	COMMERCIAL	

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:

WATER RIGHT USED FOR WASHING POTATOES FOR FRESH PACKING

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 Organizations:

I do solemnly swear or affirm that I am _____ of
Title

_____, that I have signed the foregoing

Organization
document in the space below as _____ of

Title
_____ and that the statements contained in the

Organization
foregoing document are true and correct. _____

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this

of _____ 20__

Notary Public

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

A25-11617

Date Received

2-20-04

Receipt Number

E 029546AMENDED

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

Please type or print clearly

1. Name of Claimant (s) Elmer Ellsworth DBA Ellsworth Produce Phone (208) 754 0447

Mailing Address

PO Box 9 Lewisville ID

Zip

834312. Date of Priority (Only one (1) per claim) Jan 01, 19503. Source of water supply (a) Ground Water

which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 4N Range 38 E Section 5,_____ 1/4 of SE 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of _____

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. 21' Depth (2 wells) usedjointly washing potatoes in warehouse

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NOV 01 2016

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Commercial purposes from 1/1 to 12/31 amount 0.166 or 10.0

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.166 (cfs) and/or (b) 10.0 (acre feet)

8. Total consumptive use claimed is _____ 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; washing of potatoes for fresh packing

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>4N</u>	<u>38E</u>	<u>5</u>				<u>C</u>													

Total number of acres irrigated _____

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. _____ or None ()

14. Remarks: This amended claim reflects the field exam of 2/16/2004. Please see claim file.

Last Name Ellsworth Ident No. A25-11617

Copies: White -State, Yellow-Claimant

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 _____ 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) Edward L. Ellsworth Date 2-20-04

_____ Date _____

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.

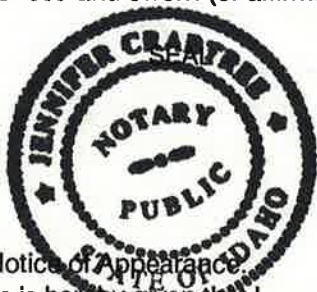
Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)

County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 20th day of February 19 2004



Notary Public Jennifer Crabtree

Residing at Idaho Falls

My Commission Expires 9/23/09

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 Ellsworth Ident. Number A25-11617

SCANNED
NOV 01 2016

Copies White-State, Yellow-Claimant

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: A25-11617
Date Received: 11/29/1988
Receipt No: E004603
Received By: Coded Jr

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ELMER ELLSWORTH DBA ELLSWORTH PRODUCE 208-754-0447
Address: P.O. BOX 9
LEWISVILLE, ID 83431
2. Date of Priority: JAN 01, 1950
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	38E	5	SE	NE			JEFFERSON
5. Description of diverting works:
21' DEPTH(2 WELLS) USED JOINTLY WASHING POTATOES IN WAREHOUSE
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
COMMERCIAL	01/01	12/31	0.040		
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:
COMMERCIAL; WASHING OF POTATOES FOR FRESH PACKING
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	38E	5	SE	NE		COMMER	
11. Place of use in counties: JEFFERSON

A25-11617

Page 1

Date: 02/14/89

MICROFILMED
NOV 11 1992

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

NONE

14. Remarks:

WATER RIGHT USED FOR WASHING POTATOES FOR FRESH PACKING

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 A25-11617
Date Received 11-29-88
Receipt Number E004603

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

A2511617



Please type or print clearly

1. Name of Claimant (s) ELMER ELLSWORTH Phone 208 754-0447
DBA ELLSWORTH PRODUCE
Mailing Address P.O. Box 9 Lewisville, ID Zip 83431

2. Date of Priority (Only one (1) per claim) JANUARY 1, 1950

3. Source of water supply (a) Groundwater
which is tributary to (b) -

4. a. Location of existing point of diversion is: Township 4N. Range 38 Section 5,
_____ 1/4 of SE 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of JEFFERSON

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. 21 feet depth

2 wells are adjacent to each other and are used
jointly in washing and fluming potatoes in the warehouse.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

For Commercial purposes from JAN 1. to Dec 1. amount 0.02 or 0.04 (cfs) (acre feet)

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from 6-7-8 to _____ amount _____ or _____

7. Total quantity claimed (a) 0.02 0.04 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ 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 - Washing of Potatoes for fresh Packing

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>4N</u>	<u>38</u>	<u>5</u>				<u>0</u>													

Total number of acres irrigated None

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. _____ or None (X)

14. Remarks: Water right used for washing Potatoes for fresh packing

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Last Name Ellsworth Ident No. _____

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Scale: 2 inches equals 1 mile

A 16x16 grid of squares. Each square contains a crosshair pattern formed by two perpendicular dashed lines intersecting at the center. The grid is composed of 16 columns and 16 rows of these squares.

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15. Basis of Claim (check one) Beneficial Use ☒ 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 _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 3

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

Signature of Claimant (s) Elmer H. Ellsworth Date 11-29-88

_____ Date _____

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 _____)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this 29 day of November 19 88

SEAL

Notary Public Marla Briggs

Residing at Lewisville Id.

My Commission Expires June 11, 1993

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 Ellsworth Ident. Number _____

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