

02/11/2004

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

RIGHT NUMBER: 25-7081
NAME AND ADDRESS: JOHN STIBAL
440 AMY LN
IDAHO FALLS ID 83401

BRIAN SNOKE
480 AMY LN
IDAHO FALLS ID 83406

ROBERT I JONES
370 AMY LN
IDAHO FALLS ID 83406

KENNETH ANSELM
510 AMY LN
IDAHO FALLS ID 83406

JACOB JOHNSTON
400 AMY LN
IDAHO FALLS ID 83406

SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 0.190 CFS
6.000 AFY

PRIORITY DATE: 01/28/1976

POINT OF DIVERSION:
T02N R38E S22 NENE Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.190 CFS 6.00 AFY
Domestic use is for 5 homes.		

PLACE OF USE: DOMESTIC Within BONNEVILLE County
T02N R38E S22 NENE

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: License

Water Right 25-7081

SCANNED
NOV 12 2004
FILED

JUL 25 2001

DATA ENTRY BY CH

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: A25-07081
Date Received: 9/07/1989
Receipt No: E010169
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN STIBAL
Address: 440 AMY LANE
IDAHO FALLS, ID 83401
AND
Name: JACOB JOHNSTON
Address: 400 AMY LANE
IDAHO FALLS, ID 83406
AND
Name: KENNETH ANSELM
Address: 510 AMY LANE
IDAHO FALLS, ID 83406
AND
Name: ROBERT I. JONES
Address: 370 AMY LANE
IDAHO FALLS, ID 83406
AND
Name: BRIAN SNOKE
Address: 480 AMY LANE
IDAHO FALLS, ID 83406

208-529-5977

A2507081



2. Date of Priority: JAN 28, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	38E	22	NE	NE			BONNEVILLE

5. Description of diverting works:
WELL AND PUMP FOR 5 RESIDENCES

A25-07081

Page 1

Date: 09/26/89

MICROFILMED
NOV 10 1992

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.190		6.00

7. Total Quantity Appropriated is:

0.190 C.F.S. (and/or) 6.00 A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

D/5 HOMES

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	38E	22	NE	NE	DOMEST	

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:

NONE

14. Remarks:

LICENSE 25-7081

LOTS 8, 9, 10, 11, & 12, BLK. 1 IN MOUNTAIN VIEW ADDITION,
DIVISION NO. 2

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME STIBALCLAIM IDENT. NO. A25-07081DATE RECEIVED 9/17/89

CK # _____

AMOUNT \$ _____

YES NO Required Info?

1. Is the name and address complete with zip code? X --- *
2. Is a priority date entered? X --- *
- Is the priority date acceptable in view of mandatory filing dates? X --- *
- See Adjudication Memos #1 and #4 to determine if a Permit is required. X --- *
3. (a) Is a source entered? X --- *
- x (b) Is a tributary to entered? (if required) N/A X --- *
4. Is the legal description of the p.d. sufficient? X --- *
5. Is there a description of the diverting works? X --- *
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. X --- *
- Is the period of use included? X --- *
- Is a quantity claimed for each use? X --- *
7. Is a total quantity claimed entered? X --- *
- x 8. If required is a consumptive use entered? N/A X --- *
- x Is the consumptive use correct? N/A X --- *
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 X --- *
10. Is (are) the place(s) of use and purpose(s) indicated? X --- *
11. Is (are) the county(ies) entered? X --- *
12. Is the ownership of p.u. checked? X --- *
- x 13. Are other water rights listed or "none" indicated? X --- *
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 X --- *
15. Is the basis of the claim indicated? X --- *
- x 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A X --- *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. X --- *
18. Has the claim been signed, sealed, and dated by a notary? X --- *
19. Was this claim filed on time, or was an extension granted? X --- *
20. Is the fee enclosed correct? Exempt X --- *
- x 21. If this claim is based on an existing water right, has the identification number been entered? N/A X --- *
22. Should this claim be data entered? X --- *

Claim checked by: TO Date: 9/11/89Claim must be returned to claimant: --- (Yes) X (No)Claimant must be notified of modifications: X (Yes) --- (No) CF

Receipt Prepared by: _____

Date: _____

Claim data entered by: _____

Date: _____

Sent to claimant by: _____

Checked by: _____

Date: _____

Comments: Modification letter to each claimant9-10-90- NO DEV Sent. I couldn't see a problemMICROFILMED
NOV 10 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

A25-07081

Date Received

9-7-89

Receipt Number

ED10169

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly JOHN STIBAL, JACOB JOHNSTON1. Name of Claimant (s) KENNETH ANSELME, ROBERT L JONES, & BRIAN SNOKE Phone (208) 529-5977Mailing Address 400 AMY LANE Zip 83406
IDAHO FALLS, IDAHO2. Date of Priority (Only one (1) per claim) JAN 28, 19763. Source of water supply (a) GROUNDWATER
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 2N Range 38E Section 22,
_____ 1/4 of NE 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of BONNEVILLE

Additional points of diversion if any: _____

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

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

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

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.DOMESTIC WELL AND PUMP FOR 5 RESIDENCES

MICROFILMED
NOV 10 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For DOMESTIC purposes from JAN 1 to DEC 31 amount 0.19 or 6.00

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .19 (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.) DOMESTIC 5 HOMES

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	
2N	38E	22	D																

Total number of acres irrigated _____

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

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: LICENSE NO. 25-7081 5 HOUSES

MICROFILMED
NOV 10 1992

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

[illegible]

MICROFILMED

NOV 10 1952

Ident No.

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number 25-7081
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 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) Jacob E. Johnston Date Aug 9, 1989
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 9th day of August 1989

SEAL

Notary Public Phyllis J. Sawyer

Residing at Idaho Falls, Idaho

My Commission Expires 8-24-94

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

MICROFILMED
NOV 10 1992

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 25-7081
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) X. Poay G. Stibal Date 8/25/89

_____ 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 Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 25th day of August 19 89

SEAL

Notary Public Shirley Wadsworth

Residing at Edwards Falls, Idaho

My Commission Expires 9-4-93

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 _____

MICROFILMED
NOV 10 1992

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 25-7081
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) X [Signature] Date 8/24/89

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 Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 24th day of August 19 89

SEAL

Notary Public [Signature]

Residing at 240 Debracker Idaho Falls, ID

My Commission Expires 6-4-94

Please Print Name

17. Notice of Appearance:

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

Signature [Signature] N/A SS

Address 510 Amy Lane, Idaho Falls, ID 83406

Date 8/24/89

MICROFILMED
NOV 10 1992

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 25-7081
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) X Robert J. Limer

Date 8-26-89

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 _____

Title _____

of _____

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 26th day of August 19 89

SEAL

Notary Public Katherine Simpson

Residing at Blackfoot, Idaho

My Commission Expires 5-6-91

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 _____

MICROFILMED
NOV 10 1992

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 257081
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) X Jean Snoke Date 8-24-89

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 24th day of August, 19 89

SEAL

Notary Public Connie Moore

Residing at Idaho Falls, Idaho

My Commission Expires 7/8/94

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

MICROFILMED
NOV 10 1992

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

N.E. cor. Sec. 22
T2N R38 E.B.M.
(brass cap)



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 28, 2003

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

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

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

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

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

Please contact the Idaho Falls Office with any questions.

Sincerely,

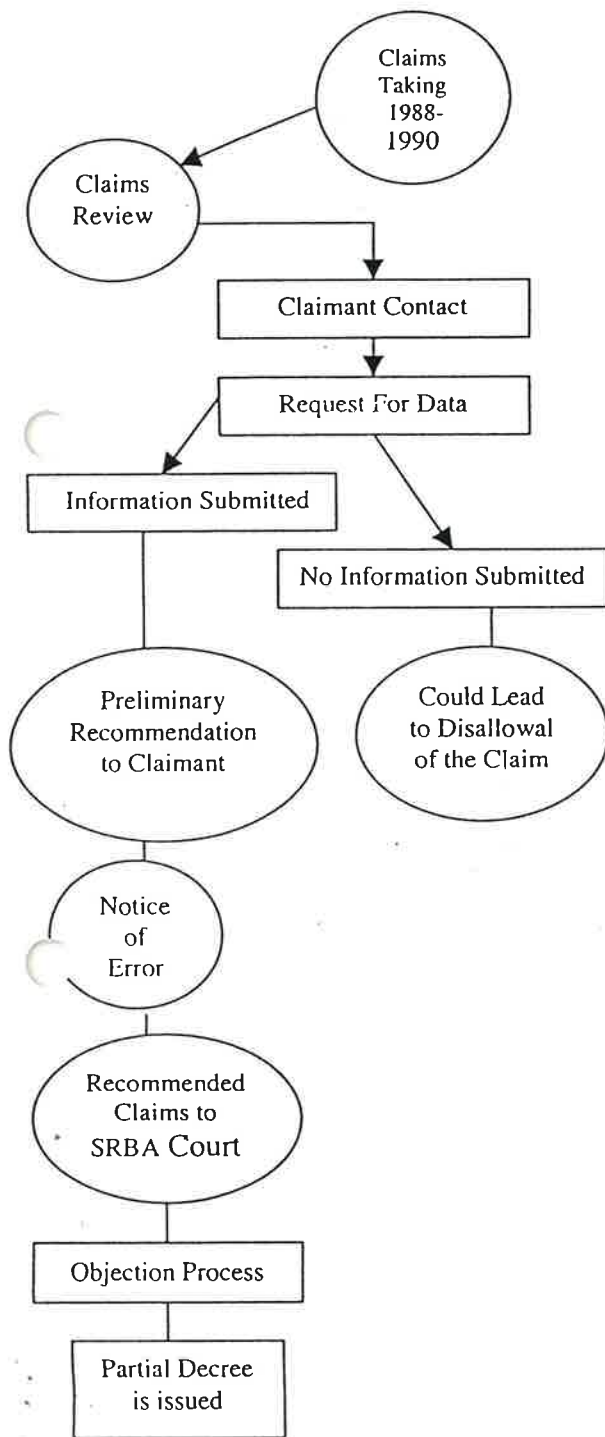
Ernest Carlsen
Adjudication Supervisor, Eastern Region

Enclosure: Information Brochure



SCANNED

NOV 12 2004
PROFILED



Questions and Answers:

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

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

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

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

Q: How much more money do you want?

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

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

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

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

Q: What about my Domestic well and Stockwater?

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

The Tools We Use:

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

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

SCANNED
NOV 12 2004

PROFILED