

01/22/2004

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

RIGHT NUMBER: 25-7036

NAME AND ADDRESS: J & K ESTATES WATER CO INC  
C/O LEWIS BIRD PRES  
PO BOX 50171  
IDAHO FALLS ID 83405

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.300 CFS  
88.800 AFY

PRIORITY DATE: 06/13/1973

POINT OF DIVERSION:

T03N R38E S29 SESW Within BONNEVILLE County  
T03N R38E S29 SWSE Within BONNEVILLE County  
T03N R38E S29 SWSE Within BONNEVILLE County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

1.300 CFS  
88.80 AFY

Domestic use is for 74 homes.

PLACE OF USE: DOMESTIC Within BONNEVILLE County

T03N R38E S29

SESW

T03N R38E S29

SWSE

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

2 P/D IN SWSE, S29, T03N, R38E.

RIGHT NO. 25-7242 IS ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.

Water Right 25-7036

PROFILED  
SCANNED

NOV 01 2004

State of Idaho  
Department of Water Resources



# WATER RIGHT LICENSE

License No. **25-7036** Priority **06/13/1973** Amount **1.30 CFS** **88.80 AF**

THIS IS TO CERTIFY, that **J. & K. WATER CORP.**

of **IDAHO FALLS, IDAHO 83401**, has complied with the terms and conditions of  
Permit No. **25-7036** issued pursuant to Application for Permit dated **06/13/1973**, and has  
submitted proof to the Department of Water Resources on **07/10/1978**, that he has applied water to a  
beneficial use; and examination by the Department indicates that the works have a capacity for the  
**DIVERSION OF 1.3 CFS** of water from **GROUNDWATER**  
tributary to \_\_\_\_\_, and that the permit holder has  
applied to a beneficial use and established a right to use water as follows:

| RATE OF DIVERSION | VOLUME                | BENEFICIAL USE  | PERIOD OF USE        |
|-------------------|-----------------------|-----------------|----------------------|
| <b>1.30 CFS</b>   | <b>88.8 ACRE FEET</b> | <b>DOMESTIC</b> | <b>01/01 - 12/31</b> |

Location of point of diversion: **TRACT. SESW SEC. 29 TWP. 03N RGE. 38E**  
**TRACT. SWSE SEC. 29 TWP. 03N RGE. 38E**

Location of place of use:

| TWP.       | RGE.       | SEC.      | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |          | SE¼ |     |          |     | TOTALS |
|------------|------------|-----------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|----------|-----|-----|----------|-----|--------|
|            |            |           | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼      | NE¼ | NW¼ | SW¼      | SE¼ |        |
| <b>03N</b> | <b>38E</b> | <b>29</b> |     |     |     |     |     |     |     |     |     |     |     | <b>D</b> |     |     | <b>D</b> |     |        |
|            |            |           |     |     |     |     |     |     |     |     |     |     |     |          |     |     |          |     |        |
|            |            |           |     |     |     |     |     |     |     |     |     |     |     |          |     |     |          |     |        |
|            |            |           |     |     |     |     |     |     |     |     |     |     |     |          |     |     |          |     |        |
|            |            |           |     |     |     |     |     |     |     |     |     |     |     |          |     |     |          |     |        |

REMARKS: **2 P/D IN SESW, S29, T03N, R38E.**

Total number of acres irrigated \_\_\_\_\_

**D/74 HOMES.**

NOTE: Modifications to or variance from the use of water as shown on this license must be made in accordance with Section 2-222, Idaho Code, or the applicable Idaho law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho this **24** day of **DECEMBER**, 19 **80**.

  
Director

DET HCY

SCANNED

JUL 25 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: A25-07036  
Date Received: 6/13/1989  
Receipt No: 6009065  
Received By: SN

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: J. & K. ESTATES WATER CO., INC. ✓ 208-523-0326  
Address: C/O LEWIS BIRD, PRES.  
P.O. BOX 50171  
IDAHO FALLS, ID 83405

2. Date of Priority: JUN 13, 1973 ✓

3. Source: GROUNDWATER ✓ Trib. to:

4. Point of Diversion: ✓

|          |       |         |        |        |        |     |            |
|----------|-------|---------|--------|--------|--------|-----|------------|
| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County     |
| 03N      | 38E   | 29      | NE     | SE     | SW     |     | BONNEVILLE |
|          |       |         | NW     | SW     | SE     |     | BONNEVILLE |

5. Description of diverting works:  
SEE REMARKS

6. Water is used for the following purposes:

|          |       |       |       |      |        |
|----------|-------|-------|-------|------|--------|
| Purpose  | From  | To    | C.F.S | (or) | A.F.A. |
| DOMESTIC | 01/01 | 12/31 | 1.300 |      | 88.8   |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses: ✓  
D/74 HOMES.

10. Place of Use: ✓

|          |       |         |        |        |     |        |       |
|----------|-------|---------|--------|--------|-----|--------|-------|
| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use    | Acres |
| 03N      | 38E   | 29      | SE     | SW     |     | DOMEST |       |

A25-07036

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Date: 06/13/89

MICROFILMED  
NOV 10 1992

A2507036



10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use    | Acres |
|----------|-------|---------|------------|-----|--------|-------|
| 03N      | 38E   | 29      | SW SE      |     | 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: ✓

APPLICATION FOR PERMIT 25-07242 FOR ADDITIONAL 26D & IRR.

14. Remarks:

THERE ARE 3 WELLS WHICH SERVE THE SUBDIVISION. TWO WELLS IN THE SW1/4 SE1/4 SEC. 29 ARE WITHIN THE SAME WELL HOUSE. WELL NO. 2 30HP SUBMERSIBLE W/ 245' PUMP DEPTH, WELL NO. 3 HAS A 40HP SUBMERSIBLE PUMP IN A 285' PUMP DEPTH X 8" WELL. WELL IN SE1/4 SW1/4 HAS A 15HP SUBMERSIBLE PUMP IN 186' X 8" WELL WELLS PUMP INTO 6000 GALLON STORAGE TANKS TO COMMON MAINLINE DELIVERY SYSTEM TO 100 HOMES.

15. Basis of Claim: LICENSE ✓

MICROFILMED  
NOV 11 1992

(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.

: 06/13/89  
MICROFILMED  
NOV 10 1992

T3N  
R38  
E

POINT OF  
DIVERSION  
WELL #1

POINT OF DIVERSION  
WELLS 2 1/2, 3

N↑

| KATHLEEN STREET                                   |        |        |        |        |        |        |        |  |  |  |  |
|---------------------------------------------------|--------|--------|--------|--------|--------|--------|--------|--|--|--|--|
| 6865 ●                                            | ● 6866 | 6963 ● | ● 6862 | 6865 ● | ● 6864 | 6867 ● | ● 6866 |  |  |  |  |
| 6827 ●                                            | ● 6828 | 6831 ● | ● 6830 | 6837 ● | ● 6836 | 6839 ● | ● 6838 |  |  |  |  |
| 6799 ●                                            | ● 6796 | 6799 ● | ● 6798 | 6809 ● | ● 6808 | 6811 ● | ● 6810 |  |  |  |  |
| 6767 ●                                            | ● 6764 | 6769 ● | ● 6768 | 6781 ● | ● 6780 | 6783 ● | ● 6782 |  |  |  |  |
| 6733 ●                                            | ● 6732 | 6739 ● | ● 6738 | 6753 ● | ● 6752 | 6755 ● | ● 6754 |  |  |  |  |
| 6705 ●                                            | ● 6700 | 6709 ● | ● 6708 | 6725 ● | ● 6724 | 6727 ● | ● 6726 |  |  |  |  |
| 6677 ●                                            | ● 6672 | 6677 ● | ● 6676 | 6697 ● | ● 6696 | 6699 ● | ● 6698 |  |  |  |  |
| 6649 ●                                            | ● 6640 | 6647 ● | ● 6646 | 6669 ● | ● 6668 | 6671 ● | ● 6670 |  |  |  |  |
| 6621 ●                                            | ● 6610 | 6617 ● | ● 6616 | 6639 ● | ● 6638 | 6641 ● | ● 6642 |  |  |  |  |
| 6593 ●                                            | ● 6582 | 6587 ● | ● 6586 | 6613 ● | ● 6612 | 6615 ● | ● 6614 |  |  |  |  |
| 6555 ●                                            | ● 6550 | 6557 ● | ● 6556 | 6585 ● | ● 6584 | 6587 ● | ● 6586 |  |  |  |  |
| 6525 ●                                            | ● 6520 | 6527 ● | ● 6526 | 6557 ● | ● 6556 | 6559 ● | ● 6558 |  |  |  |  |
| T-757                                             | 6529 ● | 6529 ● | ● 6528 | 6531 ● | ● 6530 |        |        |  |  |  |  |
| 65 ft (TOWER ROAD)                                |        |        |        |        |        |        |        |  |  |  |  |
| JENNIFER LANE DEREK LANE ORLINDA LANE ALBERT LANE |        |        |        |        |        |        |        |  |  |  |  |

SE 1/4 of SW 1/4 of SW 1/4  
(SW 1/16 sec)

RECORDED

J&K ESTATES



