

06/30/2004

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

RIGHT NUMBER: 25-14023

NAME AND ADDRESS: LOMBARD LAND & LIVESTOCK LLC
3590 N BALLANTYNE LN
EAGLE ID 83616

SOURCE: UNNAMED STREAM TRIBUTARY: GRAYS LAKE

QUANTITY: 0.160 CFS
The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 10/09/1901

POINT OF DIVERSION:
T03S R43E S27 SESWSE Within BONNEVILLE County
T03S R43E S34 NENWNE Within BONNEVILLE County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	05/01 10/31	0.160 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION Within BONNEVILLE County
T03S R43E S34 NWNE 8.0
STOCKWATER Within BONNEVILLE County
T03S R43E S27 SWSE T03S R43E S34 NWNE

8 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

PROFILED

Water Right 25-14023

1

SCANNED

OCT 15 2004

MH

06/30/2004

**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.

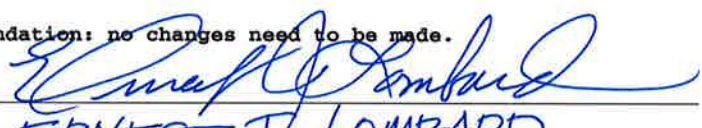
YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 25-14023
LOMBARD LAND & LIVESTOCK LLC
3590 N BALLANTYNE LN
EAGLE ID 83616
Telephone Number: (208) 863-9777

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: 11.22.04 SIGNATURE: 
Please print your name: ERNEST J. LOMBARD

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

RECEIVED
NOV 29 2004

Department of Water Resources
Eastern Region

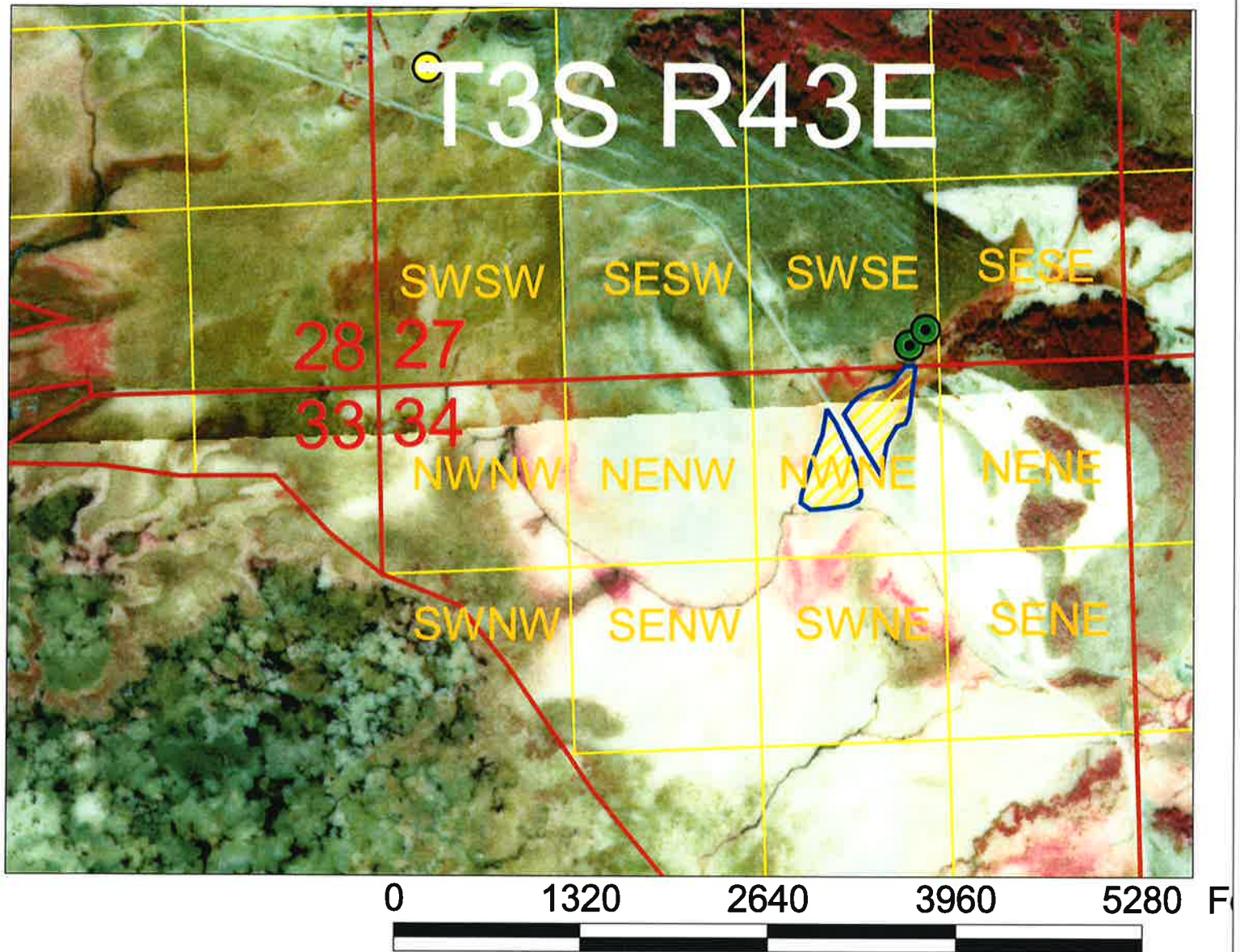
SCANNED
DEC 03 2004

PROFILED



Department of Water Resources

Claim No.: 25-14023



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



SCANNED

OCT 15 2004

PROFILED

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

THE UNITED STATES OF AMERICA

To all to whom these presents shall come, Greeting:

Know all men, that

John R. Madison

has deposited in the General Land Office of the United States a Certificate of the Survey of the

Office at Lincoln, Nebraska, whereby it appears that full payment has been made by the said

John R. Madison

of the Congress of the 24th of April, 1890, entitled "An Act making further provision for the sale of the Public Lands," and the act supplemental thereto, for the purpose of making further provision for the sale of the Public Lands, that certain

of the Public Lands, situated in the State of Nebraska, containing forty acres

more or less, situated in the State of Nebraska, containing forty acres

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PH. 939-3311

Lombard New Claim Summary 11/11/03

General Comments Please see A25-00229 for comments regarding all Lombard claims.

This is a beneficial use claim for a right originally served by a ditch that split from the creek further east & came around the hill on the N of the Pond, crossed the road, and watered lands SW of the road. This has not been used for a number of years but where the creek enters the Lombard property the creek has been spread by leveling up a tractor & it appears to be able to water the claimed Pond. It crosses under the road via culvert & again is spread on the SW side of the road. The creek is dry now but this looks like an ongoing practice when there is water.

POD Waypoint 029 is where the creek comes into the property & is first spread, Waypoint IDTM 711,799 E 227,930 N
Waypoint 30 is a second spreading location, 711,764 E 227,896 N

Lombard New Claim Summary p2 11/11/08

POU See sketch on map in A25-00229.

Overlap None

Conflict None apparent unless USFWS has a competing claim.

Quantity No calculations done - channel is flat & wide & determining typical water depth is very difficult. Stream appears adequate to irr. this acreage when it is flowing.

Water Use Irrigation

List of Photos

PROFILED

Lombard New Claim - 1. jpg POU from the east side

Lombard New Claim - 2. jpg " " "

Lombard New Claim - 3. jpg POU from east of POU.

The fence is the boundary of POU, where the channel goes under the fence is GPS waypoint 029.

Lombard New Claim - 4. jpg. POU S. West of road

Ernie Lombard New claim 10/22/03

Dams up stream to spread in triangle
East of Road, cross under road also

POD where creek comes into property

Waypoint 029

711,799 E 227,930

Waypoint 030 second place where
water is spread.

711,764 E 227,896 N

2 photos of POD from East

1 of POD

1 of West POD.

1/13/2004

In June of 1935 I personally observed the irrigation of pasture and the watering of sheep on the land described as T03S R43E 34 NWNE. This land belonged to John P. Madsen. I was cutting fence posts for John at the time.

Robert A. Collins
1-13-04

The above person, Robert A.
Collins, appeared before
Jennifer Crabtree on 1-13-04

Jennifer Crabtree
notary public
expires 9/23/09



25-14023

Idaho Department Of Water Resources
Adjudication Bureau
Boise, Idaho 83720-9000

November 28, 2003

To Whom It May Concern:

I Tessie Lombard have lived in Idaho most of my life. I will be ninety-seven years old on Dec 12, 2003. When I married Ernest A. Lombard in 1939 I was introduced to the Grays Lake Valley. I have lived there during the summer since that time. Over the years my husband and I acquired a number of properties at the north end of Grays Lake. Namely the original Herman Wakeman Ranch, the Moses Wakeman Ranch and the John Madsen Ranch.

The one thing that I noted (saw) on my first visit to the valley in 1939 was how green it was and the irrigation-taking place on each of the above-mentioned properties.

I told my husband if we ever get a chance during our lifetime we should buy each of these ranches. We did just that buying from the original homesteaders heirs. I have had a good life mostly because of my love for Gray's Lake and the ranches around it. My property there is now in the hands of my children.

Tessie Lombard

Tessie Lombard

witnessed by

Roscoe E. Patton
11-28-03

ROSCOE E. PATTON
Notary Public
State of Idaho

*my Commission expires
JULY 18, 2006*

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 25-14023
Date Received: 1/12/2004
Receipt No: E029461
Received By: JC

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

1. Name of Claimant(s)

LOMBARD LAND & LIVESTOCK LLC Phone: (208) 863-9777
3590 N BALLANTYNE LN
EAGLE ID USA 83616

2. Date of Priority: 11/12/1900

3. Source: UNNAMED STREAM Trib. to: GRAYS LAKE

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03S	43E	27	SW SE	BONNEVILLE	

5. Description of diverting works:

CANVAS DAM IN STREAM SPREAD WATER ON IRRIGATED PASTURE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.24	
STOCKWATER	01/01	12/31	0.02	

7. Total Quantity Appropriated is:
0.24 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
03S	43E	27	SW SE	IRRIGATION STOCKWATER	1
				Section Acres	1
03S	43E	34	NW NE	STOCKWATER IRRIGATION	7

Section Acres 7
Total Acres 8

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:

14. Remarks:

25-12923 irrigates adjacent lands.

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 DIRECTOR/PRESIDENT of

LOMBARD LAND & LIVESTOCK

Title

Organization that I have signed the foregoing

document in the space below as DIRECTOR/PRESIDENT of

LOMBARD LAND & LIVESTOCK

Title

Organization and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent

DIRECTOR/PRESIDENT

Title and Organization

01-13-04

Date

State of Idaho)

County of Bonneville)

SS.

Subscribed and sworn (or affirmed) before me this 13th

of Jan 2004

Jennifer Crabtree

Notary Public

Residing at Idaho Falls, ID

My commission Expires 9/23/09

