

06/23/2004

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

RIGHT NUMBER: 25-11859

NAME AND ADDRESS: N DEE MORGAN
135 N 4500 E
RIGBY ID 83442

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.240 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 06/10/1942

POINT OF DIVERSION:

T04N R39E S25 SENESE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	1/01 12/31	0.040 CFS
STOCKWATER	1/01 12/31	0.200 CFS
Domestic use is for 1 home.		
Stockwater use is for 150 dairy cattle, 200 range cattle, 200 hogs.		

PLACE OF USE: DOMESTIC Within JEFFERSON County

T04N R39E S25 NESE

STOCKWATER Within JEFFERSON County

T04N R39E S25 NESE

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 IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Beneficial Use

PARCEL NO. RP04N39E259022 STOCKWATER, 150 DAIRY, 200 RANGE,
200 HOGS

Water Right 25-11859

SCANNED

NOV 17 2004

PROFILE



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

SCANNED

MAR 02 2005

PRO

25-11859

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

RIGHT NUMBER: 25-11859

NAME AND ADDRESS: N DEE MORGAN
135 N 4500 E
RIGBY ID 83442

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.240 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED
13,000 GALLONS PER DAY.

PRIORITY DATE: 06/10/1942

POINT OF
DIVERSION: T04N R39E S25 SENESE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	1/01 12/31	0.040 CFS
STOCKWATER	1/01 12/31	0.200 CFS
Domestic use is for 1 home.		
Stockwater use is for 150 dairy cattle, 200 range cattle, 200 hogs.		

PLACE OF USE: STOCKWATER Within JEFFERSON County
T04N R39E S25 NESE
DOMESTIC Within JEFFERSON County
T04N R39E S25 NESE

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 IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

PARCEL NO. RP04N39E259022 STOCKWATER, 150 DAIRY, 200 RANGE,
200 HOGS

PROF

SCANNED
MAR 02 2005

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



NOT DELIVERABLE
AS ADDRESSED
UNABLE TO FORWARD

NOT DELIVERABLE
AS ADDRESSED
UNABLE TO FORWARD

N DEE MORGAN
135 N 4500 E
RIGBY ID 83442

PROFILE

SCANNED
MAR 02 2005

25-11859

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - AUDIT FIELDS = 01/13/89 THOMPSON 10/10/89 REFUNDML

- - -COMMENTS- -
NO COMMENTS FOUND

+ - - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA -

COURT REPORT FILING	-	00/00/0000	FIELD INSPECTION MADE	-	00/00/0000	CIVIL CASE NUMBER	-	39576
OBJECTION FILED DATE	-	00/00/0000	FIELD INSPECTION FLAG	-		OLJ CASE NUMBER	-	
RESPONSE FILED DATE	-	00/00/0000	VERIFIED DATE	-	00/00/0000	OLJ JUDICIAL DISTRICT	-	
CLAIM RECEIVED DATE	-	12/05/1988	LAST AMENDED DATE	-	00/00/0000	TEMPORARY RIGHT	-	P
PROOF DUE DATE	-	00/00/0000	PROOF MADE DATE	-	00/00/0000	WATER DISTRICT	-	
LICENSED DATE	-	00/00/0000	RECEIPT NUMBER	-	E004914	FEDERAL/STATE INDICATOR	-	S
CLAIMS TAPE ERROR FLG	-		PDU OWNERSHIP FLAG	-	Y	PRESUMPTION FLAG	-	
FEE EXEMPT FLAG	-		NAME CONNECTOR	-				

P2 SE SE
P4 SE SE

DATA ENTRY

ENTERED

CHECKED

CERTIFIED

APR 25 1951

WATER EXAMINER

DATA ENTRY

ENTERED 4-3-24/PS

CHECKED 6/11/94

Verified By

☐ Topo Map/Ortho-PQ
☐ ASCS Map
☐ Watermaster Records
☐ NAPP Photos
☐ Field Exam
☐ Other (See Remarks)
☐ County Records
☐ Witness Statement
☐ Project Records
☐ IDWR Records

VERIFIED

APR - 1991

MICROFILMED

NOV 12 1950

PREFIX TRANSLATION: ADJUDICATION CLAIM

```
+-----+-----+-----+-----+-----+-----+-----+-----+-----+-----+
                                     - COMMENTS -
                                     NO COMMENTS FOUND
```

+ - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - -

04N39E259022

1992

ENTERED
CHECKED

Verified By
 Topo Map/Ortho-PQ
 ASOS Map
 Watermaster Records
 Notes
 Field Notes
 Comments (Remarks)
 Watermaster
 Field Notes
 IDWR Records

VERIFIED
FEB 09 1994

FEB 18 1954

WATER EXAMINER

OLD (O) NUMBER -

+ - - - - - ADDRESS - - - - - +

STATE- ID ZIP- 83442

PHONE - 208-538-7981

+ - - - STATUS - - - - +

+ - - - - - - - - - - TRIBUTARY - +

+ - - - - - - - - - - TRIBUTARY - +

04N 39E 25 SE NE SE (51) JEFFERSON

0.200
0.040

(51) JEFFERSON
(51) JEFFERSON

+ - - OTHER RIGHTS FOR SAME USE - NONE

----- CONDITIONS OF APPROVAL -----
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE DEFENDANT - - - +

+ - DECREE DATE - +
00/00/0000

WATER RIGHT NUMBER - A25-11859

PREFIX TRANSLATION: ADJUDICATION CLAIM

CLO (D) NUMBER -

+ - - - - LAST NAME - - - - + + - FIRST NAME - - + + - - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
MORGAN

N. DEE

1 - 135N 4500 E

2 -

3 -

CITY- RIGBY

STATE- ID ZIP- 83442

PHONE - 208-538-7981

+ - - PRIORITY DATE - - + + - - - REGION - - - + + - - - STAGE - - - + + - - - STATUS - - - - +
06/10/1942 ERROR IN REGION J - BENEFICIAL USE+ - - - - SOURCE - - - - - + + - - - - - TRIBUTARY - - - - - +
GROUNDWATER+ - - - - POINT OF DIVERSION - - - - - +
TWN RNG SEC TRACT LOT RFLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)
04N 39E 25 SE NE SE (51) JEFFERSON+ - - - - WATER USE - - - - - +
CODE DESCRIPTION PERIOD FROM PERIOD TO DIVERSION RATE DIVERSION VOLUME
04 - STOCKWATER 01/01 12/31 0.200
43 - DOMESTIC 01/01 12/31 0.040+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +
0.240 0.0+ - - - - PLACE OF USE - - - - - +
TWN RNG SEC TRACT LOT ACRES CODE DESCRIPTION COUNTY
04N 39E 25 NE SE 04 STOCKWATER (51) JEFFERSON
04N 39E 25 *NESE* 43 DOMESTIC (51) JEFFERSON

+ - - DIVERSION MEANS - 108'; 1/2HP PUMP; MAINLINE TO SINGLE DOMESTIC

+ - - NON-IRRIGATION USE - DOMESTIC; 5/150 DAIRY CATTLE; 200 RANGE CATTLE; 200 HOGS

+ - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - REMARKS - - - - - +
NO REMARKS FOUND.+ - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.+ - - - - CONDITIONS OF APPROVAL - - - - - +
NO CONDITIONS OF APPROVAL FOUND.+ - - - - DECREE PLAINTIFF - - - + + - - - - DECREE DEFENDANT - - - + + - DECREE DATE - +
00/00/0000

SCANNED

JUL 25 2001

825 +

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: A25-11859
Date Received: 11/21/1988
Receipt No: E004914
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: N. DEE MORGAN 208-538-7981
Address: 135N 4500 E
RIGBY, ID 83442

2. Date of Priority: JUN 10, 1942

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|---------|
| 04N | 39E | 25 | SE | NE | SE | | JEFFERS |

5. Description of diverting works:
108'; 1/2HP PUMP; MAINLINE TO SINGLE DOMESTIC

6. Water is used for the following purposes:

| Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| STOCKWATER | 01/01 | 12/31 | 0.200 | | |
| DOMESTIC | 01/01 | 12/31 | 0.040 | | |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC; 5/150 DAIRY CATTLE; 200 RANGE CATTLE; 200 HOGS

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
|----------|-------|---------|--------|--------|-----|-----------------|-------|
| 04N | 39E | 25 | NE | SE | | DOMEST
STOCK | |

A25-11859

Page 1

Date: 01/13/89

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NOV 11 1992



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:

NONE

14. Remarks:

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 _____

| | | | |
|--|--|---|-----------------------------|
| CLAIMANT'S NAME <u>MORGAN, N. DEE</u> | | CLAIM IDENT. NO. <u>A25-11859</u> | |
| DATE RECEIVED <u>11/21/88</u> | | CK # <u>140</u> | AMOUNT \$ _____ |
| | | YES ☒ | NO ☐ |
| Is the name and address complete with zip code? | | ☒ | ☐ |
| 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. ☒ | | | |
| (a) Is a source entered? | | ☒ | ☐ |
| (b) Is a tributary to entered? (if required) N/A ☒ | | ☐ | ☐ |
| Is the legal description of the p.d. sufficient? | | ☒ | ☐ |
| Is there a description of the diverting works? | | ☒ | ☐ |
| 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? | | ☒ | ☐ |
| Is a total quantity claimed entered? | | ☒ | ☐ |
| If required is a consumptive use entered? N/A ☒ | | ☐ | ☐ |
| Is the consumptive use correct? N/A ☒ | | ☐ | ☐ |
| 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, each household must file a separate claim. See Adjudication Memo # 4. | | ☒ | ☐ |
| Is (are) the place(s) of use entered? | | ☒ | ☐ |
| Is (are) the county(ies) entered? | | ☒ | ☐ |
| Is the ownership of p.u. checked? | | ☒ | ☐ |
| Are other water rights listed or "none" indicated? | | ☒ | ☐ |
| 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 ☒ | | ☐ | ☐ |
| Is the basis of the claim checked? | | ☒ | ☐ |
| 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? N/A ☒ | | ☐ | ☐ |
| Should this claim be receipted and data entered? | | ☒ | ☐ |

Claim checked by:

MICROFILMED
NOV 11 1988

Comments: _____

A25-11859-4914

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEMCIVIL CASE NUMBER: 39576 ²⁵Identification No. A25-11859
Date Received 11/21/88
Receipt Number E004914NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

RECEIVED

NOV 21 1988

Department of Water Resources
Eastern District Office

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) N. DEE Morgan Phone (208) 538-7981Mailing Address 135 N 4500 E Rigby Idaho Zip 834422. Date of Priority (Only one per claim) JUNE 10 - 1942 Month/Day/Year3. Source of water supply (Check one) (☒ Groundwater or Other () (a) _____

which is tributary to (b) _____ Name or kind of source

4. Location of point of diversion is: Township 4 N Range 39 E B MSection 25, SE 1/4 of NE 1/4 of SE 1/4, Govt. Lot _____, BM.,

County of _____

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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. 108 FT WELL 5 hp pump MAINLINE TO SINGLE DOMESTIC

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Domestic purposes from 1-1 ^{Month/Day} to 12-31 ^{Month/Day} amount 0.04 ^(cfs)
(Both dates are inclusive)
For STOCK WATER purposes from 1-1 to 12-31 amount 00.207. Total quantity claimed 0.24 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) D/I, 5/150 DAIRY CATTLE 200 RANGE CATTLE 200 hogs

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NOV 11 1988

10. Place of use is: Township: 4N Range 39EBM

Section 25, NE 1/4 of SE 1/4, Govt. Lot _____, B.M.,

County of JEFFERSON for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any _____

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 _____ 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.

NONE

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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) N Du Morgan Date 11-17-88

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____, Title _____, that I have signed the foregoing

document in the space below as _____ Organization _____

_____ Title _____ Organization _____

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

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)

County of JEFFERSON) SS.

Subscribed and sworn (or affirmed) before me this 17th day of November 19 88

SEAL

Notary Public Alfred J. Thompson

Residing at Boise

My Commission Expires 4-1-94

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NOV 11 1992

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant