

04/14/2004

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

RIGHT NUMBER: 25-12274

NAME AND ADDRESS: NEWEL J BOWDEN
12291 E RIRIE HWY
RIRIE ID 83443

BARBARA L BOWDEN
12291 E RIRIE HWY
RIRIE ID 83443

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 12/31/1949

POINT OF DIVERSION:

T03N R40E S6 NWNESE Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.040 CFS

PLACE OF USE: DOMESTIC Within BONNEVILLE County

T03N R40E S06

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.

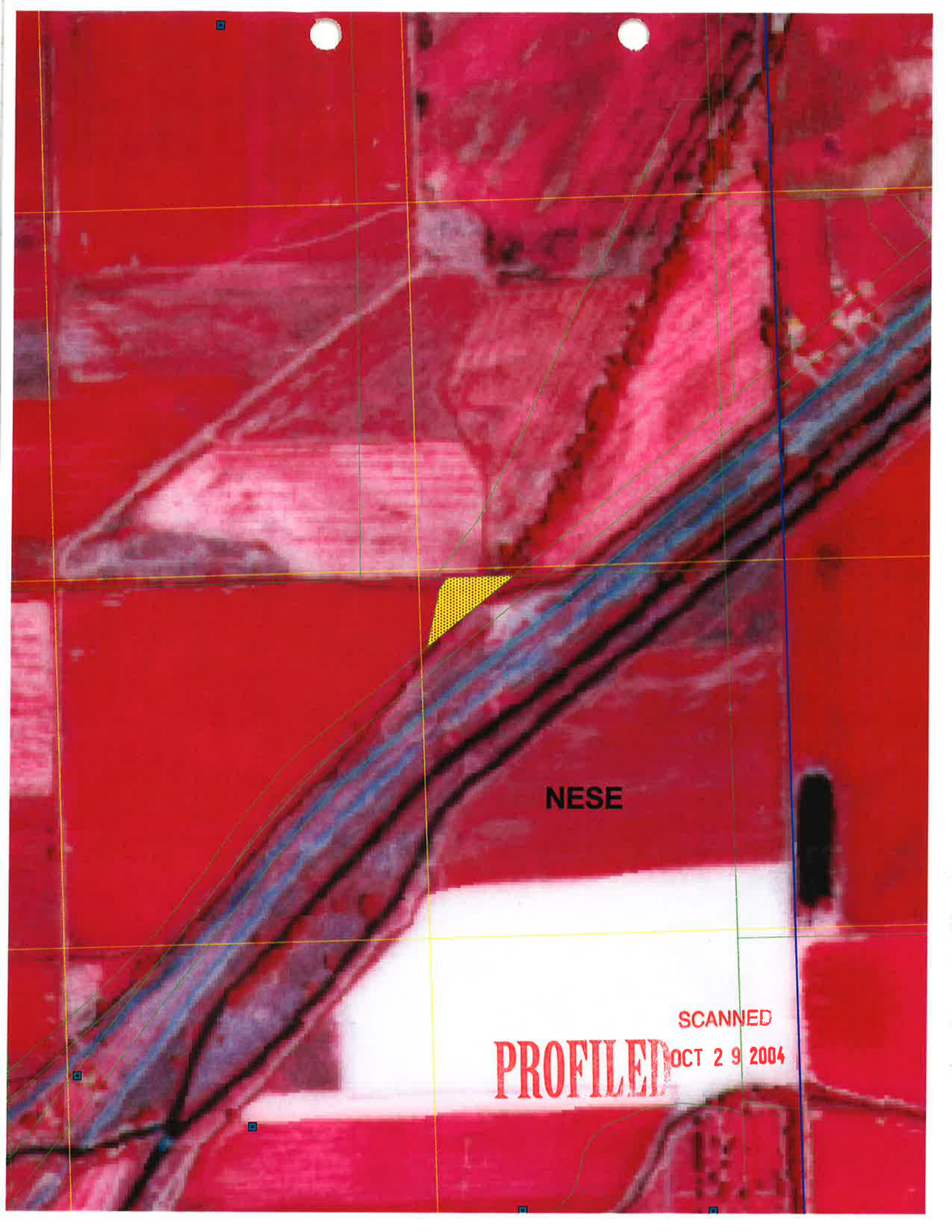
EXPLANATORY MATERIAL: Beneficial Use

Water Right 25-12274

FILED

1
SCANNED

OCT 29 2004



NESE

SCANNED
OCT 29 2004
PROFILED

1/26/2004
Phone call from Barbara

Newel Died.

SCANNED

OCT 29 2004

This was a grocery store
then a Bar in the 1980s

Just recommend the
domestic / one home
13000 gal/day if
no evidence is

submitted. **PROFILED**

DAVE C.

AUG 8 3 2001

May 1, 1991

Newel J. Bowden
231 E. Maple
Shelley, ID 83274

RE: **Evidence of Priority**

Dear Mr. Bowden:

The Notice of Claim identified with the numbes 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.

new ADDRESS

12291 E RIRIE HWY

RIRIE, ID 83443

538-6225

POB/POH

should be sec 6

NESE

MICROFILMED

NOV 11 1992

Newel J. Bowden

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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

A25-13274
NEWEL J. BOWDEN
BARBARA L. BOWDEN
231 E. MAPLE
SHELLEY

JN 83274

MICROFILMED
NOV 11 1992

AUG 03 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: A25-12274
Date Received: 4/10/1989
Receipt No: E006786
Received By: *[Signature]*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NEWEL J. BOWDEN 208-357-7825
Address: 231 E. MAPLE
SHELLEY, ID 83274

OR
Name: BARBARA L. BOWDEN 208-357-7825
Address: 231 E. MAPLE
SHELLEY, ID 83274

2. Date of Priority: DEC 31, 1949

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	40E	6	SW	SE			BONNEVILLE

5. Description of diverting works:
WELL AND PUMP FOR BAR AND LOUNGE AND ONE TRAILER.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
COMMERCIAL	01/01	12/31	0.020		
DOMESTIC	01/01	12/31	0.020		

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:
D/ONE TRAILER, C/BAR AND LOUNGE.

A25-12274

Page 1

Date: 04/10/89

NESE

A2512274



MICROFILMED

NOV 11 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	40E	6	SW	SE		DOMEST	
			SW	SE		COMMER	

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:
N/A

14. Remarks:
PRIORITY DATE IS BEST ESTIMATE.

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): X *James J. Boudreau* Date: X *4-10-1989*
Date: _____

State of Idaho)
County of Bonneville) ss.

Subscribed and sworn (or affirmed) before me this 10th day
of April 19 89 *Betty J. Thompson*
Notary Public

Seal



Residing at BETTY J. THOMPSON, NOTARY PUBLIC
RESIDING AT LEANS FALLS, IDAHO
My Commission Expires 6-30-94

X 94

A 25-12274

T3N

R39E

R40E

