

02/25/2004

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

RIGHT NUMBER: 25-13873

NAME AND ADDRESS: DEAROLD J FERGUSON
11171 N FERGUSON RD
IDAHO FALLS ID 83401

LAVON FERGUSON
11171 N FERGUSON RD
IDAHO FALLS ID 83401

SOURCE: SPRING

TRIBUTARY: DEEP CREEK

QUANTITY: 0.070 CFS

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

PRIORITY DATE: 10/01/1921

POINT OF DIVERSION:

T02N R41E S16 SWNENW Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	05/01 12/15	0.070 CFS

PLACE OF USE: STOCKWATER Within BONNEVILLE County

T02N R41E S16	NENW	T02N R41E S16	NWNW
---------------	------	---------------	------

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 NOS. 02N41E160002, 02N41E167201 STOCKWATER, 200 CATTLE,
1000 SHEEP

Water Right 25-13873

SCANNED
NOV 17 2004
PROFIL

02/25/2004

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T02N R41E S16	NENW	T02N R41E S16	NWNW
---------------	------	---------------	------

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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 NOS. 02N41E160002, 02N41E167201 STOCKWATER, 200 CATTLE,
1000 SHEEP

SCANNED

SEP 22 2004

FILED

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: A23-10174

Date Received: 8/29/1989

Receipt No: 1004068

Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DEAROLD J. FERGUSON 208-522-3127
Address: 11171 N. FERGUSON RD.
IDAHO FALLS, ID 83401

OR

Name: LAVON FERGUSON 208-522-3127
Address: 11171 N. FERGUSON RD.
IDAHO FALLS, ID 83401

2. Date of Priority: OCT 01, 1921

3. Source: SPRING Trib. to: DEEP CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	41E	16	SW	NE	NW		BONNEVILLE

5. Description of diverting works:
CULVERT IN SPRING- FENCED FROM ANIMALS - TO DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	05/01	12/15	0.070		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/ 200 CATTLE OR 1000 SHEEP

A2513873



10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
02N	41E	16	NE		NE		STOCK	
			NW		NE		STOCK	
			SW		NE		STOCK	
			SE		NE		STOCK	
			NE		NW		STOCK	
			NW		NW		STOCK	
			SW		NW		STOCK	
			SE		NW		STOCK	
			NE		SW		STOCK	
			NW		SW		STOCK	
			SW		SW		STOCK	
			SE		SW		STOCK	
			NE		SE		STOCK	
			NW		SE		STOCK	
			SW		SE		STOCK	
			SE		SE		STOCK	

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:

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

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): Harold J. Ferguson Date: Aug 29, 1989
Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 29th day
of August 19 89

Anna Baunhoff
Notary Public

Seal

Residing at _____

My Commission Expires Anna Baunhoff, Notary Public

Residing at Boise, Idaho
My Commission Expires December 7, 1994

WATER RIGHT NUMBER - A23-10174

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (O) NUMBER -

+ - - - - LAST NAME - - - - - +

+ - FIRST NAME - - - +

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

*** C - CURRENT OWNER ***

FERGUSON

DEAROLD J.

1 - 11171 N. FERGUSON RD.

2 -

3 -

CITY- IDAHO FALLS

STATE- ID ZIP- 83401

PHONE - 208-522-3127

1 - 11171 N. FERGUSON RD.

2 -

3 -

CITY- IDAHO FALLS

STATE- ID ZIP- 83401

PHONE - 208-522-3127

FERGUSON

LAVON

+ - - PRIORITY DATE - - - +

10/01/1921

+ - - - REGION - - - +

15 EASTERN

+ - - - STAGE - - - +

J - BENEFICIAL USE

+ - - - STATUS - - - +

+ - - - - SOURCE - - - - - +

SPRING

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

DEEP CREEK

+ - - - - TOWN RANG SEC TRACT LOT ACRES COUNTY

+ - - - - POINT OF DIVERSION - - - - - +
STREAM INDEX (BLANK IF NO INDEX CODE)

02N 41E 15 SW NE NW

(19) BONNEVILLE

+ - - - - CODE DESCRIPTION

PERILO FROM PERILO TO

+ - - - - DIVERSION RATE DIVERSION VOLUME

04 - STOCKWATER

05/01

12/15

0.070

+ - TOTAL DIV. RATE - +
0.070

+ - TOTAL DIV. VOLUME - +

+ - TOTAL DIV. CAPACITY - +

+ - TOTAL CONSUMPTIVE USE - +

+ - KW USAGE - +

0.0

+ - - - - TOWN RANG SEC TRACT LOT ACRES PLACE OF USE CODE

+ - - - - DESCRIPTION

+ - - - - COUNTY

02N 41E 15

15

NE NE

15

15

04

STOCKWATER

(19) BONNEVILLE

02N 41E 15

15

NW NE

15

15

04

STOCKWATER

(19) BONNEVILLE

02N 41E 15

15

SW NE

15

15

04

STOCKWATER

(19) BONNEVILLE

02N 41E 15

15

NE NW

15

15

04

STOCKWATER

(19) BONNEVILLE

02N 41E 15

15

NW NW

15

15

04

STOCKWATER

(19) BONNEVILLE

02N 41E 15

15

SW NW

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15

04

STOCKWATER

(19) BONNEVILLE

02N 41E 15

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NE SW

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04

STOCKWATER

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STOCKWATER

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04

STOCKWATER

(19) BONNEVILLE

02N 41E 15

15

NW SW

15

15

04

STOCKWATER

(19) BONNEVILLE

02N 41E 15

15

SW SW

15

15

04

STOCKWATER

(19) BONNEVILLE

02041E160002

7201

MICROFILMED

NOV 07 1996

73

WATER RIGHT NUMBER - 426-10174 PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - DIVERSION MEANS - CULVERT IN SPRING- FENCED FROM ANIMALS - TO DITCH.

+ - - NON-IRRIGATION USE - S/ 200 CATTLE OR 1000 SHEEP

+ - - 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

+ - - AUDIT FIELDS - 09/29/89 SAUNDHOF

+ - - 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	-	OLD CASE NUMBER	-
RESPONSE FILED DATE	- 00/00/0000	VERIFIED DATE	- 00/00/0000	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 00/00/0000	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	- 0000000	FEDERAL/STATE INDICATOR	- S
CLAIMS TYPE ERROR FLG	-	POU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
REC EXEMPT FLAG	-	NAME CONNECTOR	- 58	NOTICE OF ERROR FLAG	-

02N 41E 16 0002
02N 41E 16 7201

DATA ENTRY
ENTERED
CHECKED
v2

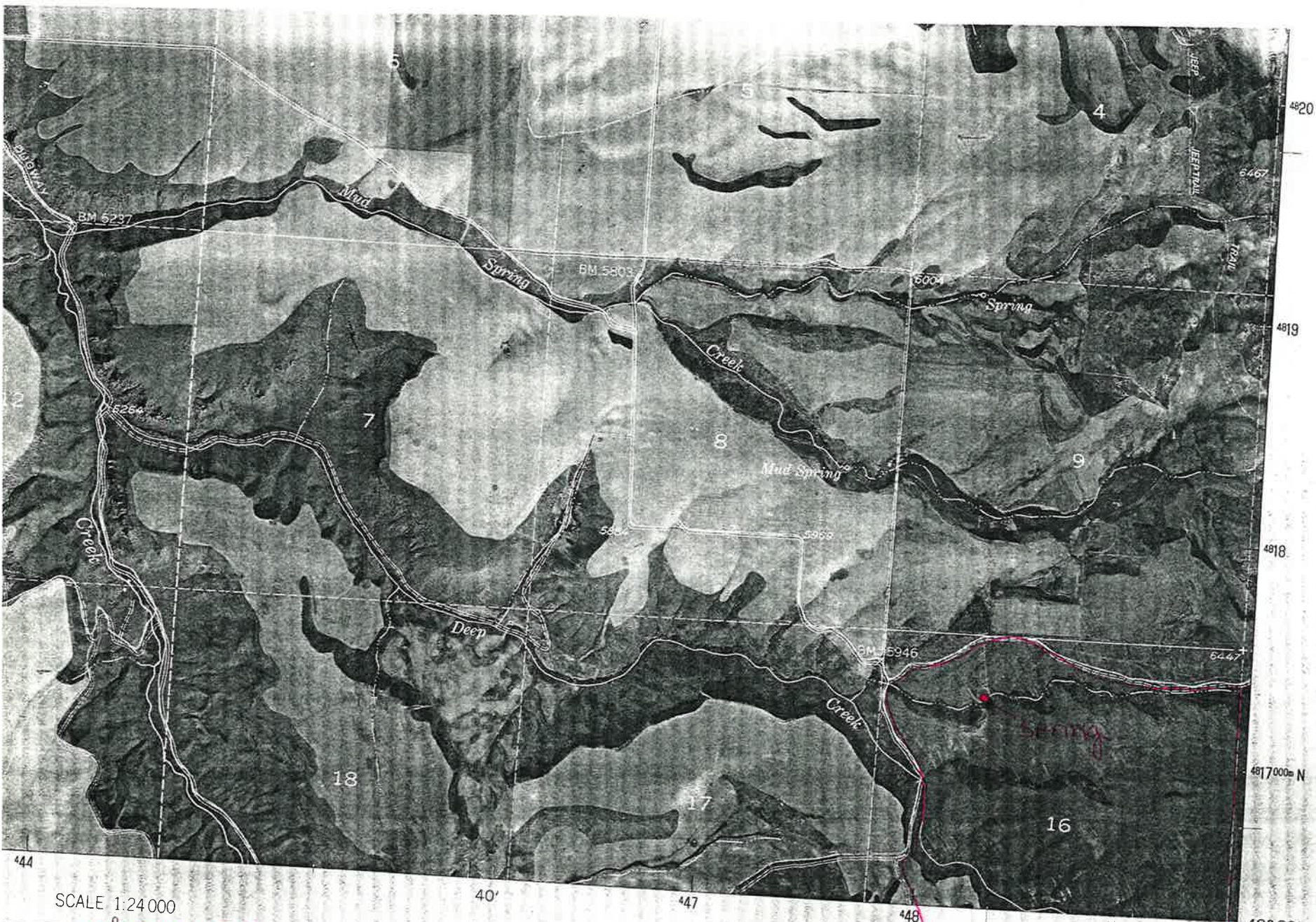
Verified By
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
NOV 3 0 1993

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

DATA ENTRY
ENTERED 1-24-93
CHECKED 5-11-94

CERTIFIED
JAN 18 1994
VERIFIED
JAN 9 1994
WATER EXAMINER



SCALE 1:24 000

40'

47

48

449000m E

111° 37' 30"

43° 30'

MICROFILMED

NOV 06 1992

1 MILE

1 KILOMETER

2N 41E Sec 16

A23-10174

AJ0749NP
No. A25-13873

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 03/11/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DEAROLD J FERGUSON	10/01/1921	STOCKWATER	05-01 12-15	0.07 CFS	
C	LAVON FERGUSON					
	11171 N FERGUSON RD					
	IDAHO FALLS ID 83401					
	(208) 522-3127					
				TOTAL DIVERSION:	0.07 CFS	

Water Source: SPRING

Tributary to: DEEP CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:

T02N R41E S16

SWNE

BONNEVILLE County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
02N	41E	16	:	S		S		S		S		S		S		S		S		:

POU County: BONNEVILLE

Non-Irrigation Uses: S/ 200 CATTLE OR 1000 SHEEP

Other Rights: NONE

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

AJ0749NP
No. R25-13873

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 03/11/98
PAGE: 1

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	11171 N FERGUSON RD					
	IDAHO FALLS ID 83401					
	(208) 522-3127					
				TOTAL DIVERSION:	0.07 CFS	

Water Source: SPRING

Tributary to: DEEP CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:

T02N R41E S16

SWNENW

BONNEVILLE County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
02N	41E	16	:																	:
			:																	:

POU County: BONNEVILLE

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

Remarks: EXP PARCEL NOS. 02N41E160002, 02N41E167201
STOCKWATER, 200 CATTLE, 1000 SHEEP

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 17, 1998

DEAROLD J FERGUSON
11171 N FERGUSON RD
IDAHO FALLS ID 83401

RE: RENUMBERED NOTICE

Dear Mr. Ferguson:

The Department has changed the identification number for Notice of Claim #A23-10174. The new number is #A25-13873. We have also modified receipt #M004068 to reflect the new number.

A copy of the receipt and the Notice of Claim are enclosed for your records.

Respectfully submitted,

Autumn Jones
Records Clerk
Adjudication Bureau

Enclosure: Notice #A25-13873
Receipt #M004068

cc: file

02/25/2004

**NOTICE OF ERROR
REPLY**

RECEIVED

SEP 15 2004

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 ~~reconsider~~ **DEPARTMENT OF**
recommendation or you want to let IDWR know that you agree with its recommendation. **WATER RESOURCES**

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 25-13873

DEAROLD J FERGUSON
11171 N FERGUSON RD
IDAHO FALLS ID 83401
Telephone Number: (208)522-3127

LAVON FERGUSON
11171 N FERGUSON RD
IDAHO FALLS ID 83401
Telephone Number: (208)522-3127

RECEIVED

SEP 20 2004

Department of Water Resources
Eastern Region

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: 9-10-04 SIGNATURE: [Signature]

Please print your name: Kym Ferguson

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

SCANNED

SEP 22 2004

PROFILED