

04/14/2004

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

RIGHT NUMBER: 25-11546
NAME AND ADDRESS: KENT GNEITING
546 N 3400 E
LEWISVILLE ID 83431
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: 01/31/1953
POINT OF DIVERSION:
T04N R38E S5 NWNWSW Within JEFFERSON County
T04N R38E S5 NWNWSW Within JEFFERSON County
PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
Domestic use is for 1 home.		

PLACE OF USE: DOMESTIC Within JEFFERSON County
T04N R38E S05 NWSW

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

PROFILED

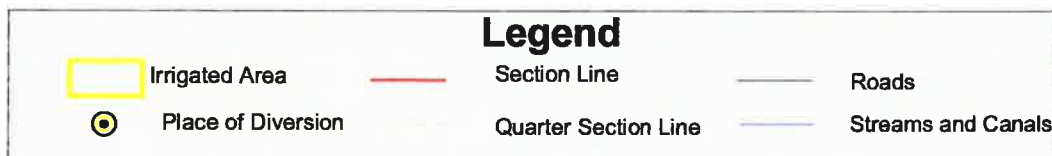
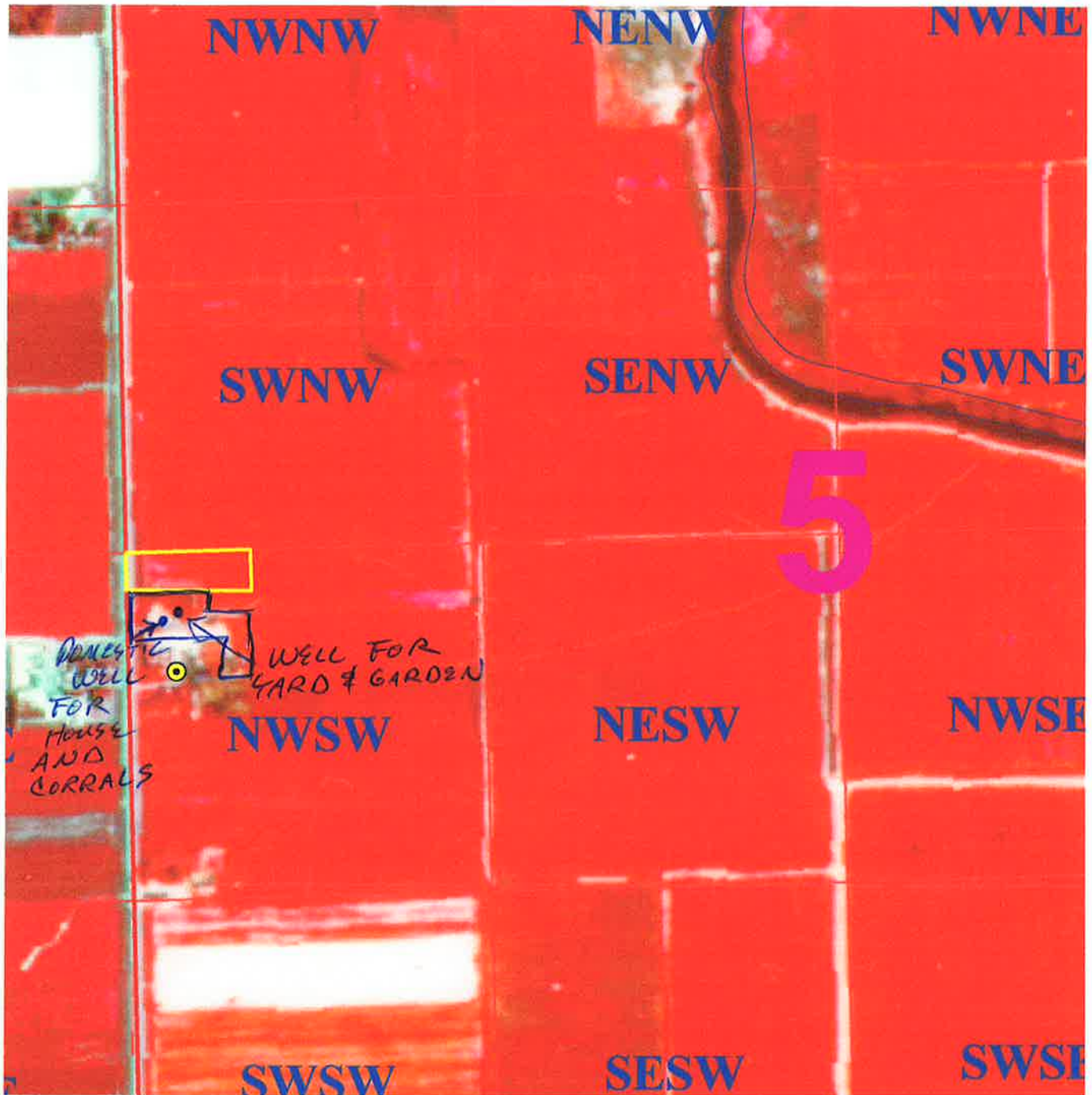
Water Right 25-11546

1
SCANNED

NOV 01 2004

Water Right Claim Number 25-11546
Township , 4N38E

12/29/2000



SPATIAL
DYNAMICS





State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 21, 2002

RE: Investigation of Water Right Claims in the Snake River Basin Adjudication

Dear Claimant:

The Idaho Department of Water Resources (IDWR) is commencing its Snake River Basin Adjudication (SRBA) investigation of water rights in the Blackfoot River, Willow Creek and South Fork of the Snake River Drainages. This investigation is a major effort, and IDWR has hired a contractor, Intrepid Engineering Services, to assist us with this task.

The purpose of this letter is to advise you that personnel from Intrepid will make an effort to contact claimants to arrange for conducting a field investigation and obtain information about your water use. IDWR requests that you provide Intrepid with access to your water diversion system so that their personnel can conduct this field examination. Intrepid will be gathering information on the rate of flow, diversion location and place of use of your water rights. Information collected during this process will be reported to IDWR and used by a Senior Water Resource Agent to prepare a recommendation on the water right.

The process of adjudicating water rights is straightforward for most people, resulting in the issuance of decreed water rights. Experience has shown that water users who work with our agency early in the process to ensure that their recordings are correct have a better experience than those who wait until IDWR has filed its findings with the SRBA Court. Thus, we encourage you to work with our staff and with Intrepid to ensure that the results accurately reflect your water uses.

If you have sold your property, we request that you forward this letter to the purchaser. The new owner is responsible for advising IDWR of the change in ownership so future correspondence will be mailed to the correct party. If you are unable to forward this letter, please send any information regarding a new owner to our Eastern Regional Office located at 900 N Skyline Dr, Idaho Falls, ID, 83402, Attention: Jennifer Crabtree (208) 525-7161.

Sincerely,

Ernest Carlsen
Adjudication Section Supervisor
Eastern Regional Office

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RECEIVED

JUL 03 2002

Department of Water Resources
Eastern Region

NOV 01 2004

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28in is 2 HP well for in which is not currently
being used. Down is being ungrated out
1 HP house well.

7/2/2003

pic 1754



7/23/02

Mr. Gneiting's well is located in basement room which is covered in a foot of sub-water at this time. He asked if we could come back in the fall when the water has left.

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7/2/2003
GPS gathered at well in yard
photo taken of well #1754
source not home
Left for wife w/ neighbors
address in 546 N 3400 E, LEWISVILLE, ID 83431
GPS coordinates
E 0659394
N 0291294
25-11546



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 23-27



RIGHT ID 25 11546

POD ID 198444

Folder No. A2511546

Claim Status Not In Use

IDTMEAST

IDTMNORTH

GPSID

Diversion Description

1 HP 40' DEEP DOM. WELL & 2 HP 40' DEEP IRRIG.

NOTE: Mr. Knetting's basement room where POD is located is flooded with about a foot of sub water. He asked if IDWR could return in the Fall when the water subsides.

Assumptions

POD in use but currently out of commission.

Invoice #

2000-055-23-27-0

Phase-0 (No Attention)
Phase-I (Ready to Go to Field)
Phase-II (Site Visit - Data Missing)
Phase-IV (Total Complete)

Linked

Photos

GPS Accuracy (ft)

Date (M/D/Y)

Time

Flow Rate (CFS)

0.00

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

- ☐ Less than half full
- ☐ Half full
- ☐ More than half full
- ☐ Full

Diameter 0

Depth 0

☐ Rectangular Channel

Width 0

Depth 0

Flow Calculation

☐ Continuity

Velocity 0

☐ Orifice

(Use only for head over a pipe flowing full with free discharge)

Depth of Water above orifice centerline 0

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe 0

Width of weir 0

☐ Manning (If used, include photo of representative channel section)

Channel Slope

Channel Description

Concrete lined	.016
Smooth earth	.025
Earth	.033
Rough bed, weeds on sides	.04
Smooth natural stream	.033
Rough natural stream	.1

Pumped System

HP 0

Pressure Head (psi)

Elevation Head (ft)

Motor Mfg

Motor Serial #

Pump Type

Pump Mfg

Pump Serial#

New Contact Information

New Contact Comments

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FOLDER NO. A2511546

May 1, 1991

Kent Gneiting
543 N. 3400 E.
Roberts, ID 83444

RE: Evidence of Priority

Dear Mr. Gneiting:

The Notices of Claim identified with the numbers shown at the end of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notices indicates the water usage are 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 Notices 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 Notices have been or soon will be conducted by Department personnel. **But, the Department will not recommend the Notices be decreed by the court if no evidence of a priority date is submitted.**

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Kent Gneiting

Page 2

Please submit the required evidence supporting the priority dates by **June 3, 1991**, referencing all documents with the corresponding Notice numbers. 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

A25-11546
KENT GNEITING
543 N. 3400 E.

ROBERTS ID 83444

A25-11547
KENT GNEITING
543 N. 3400 E.

ROBERTS ID 83444

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NOV 11 1992

10/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME ONEITING, L IT CLAIM ID# NO. A25-11546DATE RECEIVED 11/28/88 CK # _____ AMOUNT \$ _____ YES _____ NO _____1. Is the name and address complete with zip code? ☒ YES ☐ NO2. Is a priority date entered? ☒ YES ☐ NO

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.

3. (a) Is a source entered? ☒ YES ☐ NO(b) Is a tributary to entered? (if required) ☒ YES ☐ NO4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO5. Is there a description of the diverting works? ☒ YES ☐ NO6. 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. ☒ YES ☐ NOIs the period of use included? ☒ YES ☐ NOIs a quantity claimed for each use? ☒ YES ☐ NO7. Is a total quantity claimed entered? ☒ YES ☐ NO8. If required is a consumptive use entered? ☒ YES ☐ NOIs the consumptive use correct? ☒ YES ☐ NO9. 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, see Adjudication Memo # 4. ☒ YES ☐ NO10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO11. Is (are) the county(ies) entered? ☒ YES ☐ NO12. Is the ownership of p.u. checked? ☒ YES ☐ NO13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO14. 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.) ☒ YES ☐ NO15. Is the basis of the claim indicated? ☒ YES ☐ NO16. 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?) ☒ YES ☐ NOHas the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NOWas this claim filed on time, or was an extension granted? ☒ YES ☐ NOIs the fee enclosed correct? ☒ YES ☐ NOIf this claim is based on an existing water right, has the identification number been entered? ☒ YES ☐ NOShould this claim be receipted and data entered? ☒ YES ☐ NOClaim checked by: TO

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Comments: ITEM #2 : APPLY LAST DAY OF MONTH. ITEM #10 : CODE NOV 11 1992DOMESTIC & IRR. P/U IN TWP 4N, R6E 38E, SEC 5 NW 1/4 OF SW 1/4.
(AMOUNTS ARE HIGH).

SCANNED

AUG 01 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: A25-11546
Date Received: 11/28/1988
Receipt No: E004520
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KENT GNEITING 208-754-4505
Address: 543 N. 3400 E.
ROBERTS, ID 83444

2. Date of Priority: JAN 31, 1953

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	38E	5	NW	NW	SW		JEFFERSON

5. Description of diverting works:
1 HP 40' DEEP DOM. WELL & 2 HP 40' DEEP IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.060		
IRRIGATION	04/01	11/01	0.180		

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:
D/1 HOUSEHOLD

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	38E	5	NW	SW		IRR	1.0
			NW	SW		DOMEST	

Section Acres 1.0

A25-11546

Page 1

Date: 02/22/90

A2511546



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10. Place of Use: Continued

Total Acres 1.0

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 _____

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

725-11546

Date Received

11-28-88

Receipt Number

E004520

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

DA09

Please type or print clearly

1. Name of Claimant (s)

KENT ONEITING

Phone 208 754-4505

Mailing Address

543N 3400 E ROBERTS, IDAHO

Zip 83444

2. Date of Priority (Only one (1) per claim)

1953 (JANUARY)

3. Source of water supply (a)

GROUND WATER

which is tributary to (b)

4. a. Location of existing point of diversion is: Township

4N

Range

38E

Section

5

NW 1/4 of NW 1/4 of SW 1/4, Govt. Lot,

B.M., County of

JEFFERSON

Additional points of diversion if any:

2 hp pump 30 ft EAST OF 1 hp domestic

b. If instream flow, beginning point of claimed instream flow is:

Township

Range

Section

1/4 of

1/4 of

1/4,

Govt. Lot

B.M., County of

ending point is: Township

Range

Section

1/4 of

1/4 of

1/4 of

1/4, Govt. Lot

B.M., County of

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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.

well & 2 hp 40 ft deep domestic
deep irrigation

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Domestic purposes from 1-1 to 12-31 amount 0.06 or .5

For Irrigation purposes from 4-1 to 11-1 amount 0.18 or 1

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.24 (cfs) and/or (b) 1.5 (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Domestic, 1 household

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
4N	38E	5																	1

Total number of acres irrigated 1

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.
_____ or None (X)

14. Remarks:

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Last Name GNEITING Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

Diagram illustrating a flow diversion on a grid background.

The diagram shows a vertical line and a horizontal line intersecting. The horizontal line is labeled "Flow of DIVERSION" with an arrow pointing right. The vertical line is labeled "RGE 38 E BM" and "SEE 5" with an arrow pointing down. The text "TWP 4N" is written to the left of the vertical line.

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Last Name GNEITING Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Kent Sweiting Date 11-1-88

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

State of Idaho/or _____)
County of Jefferson) SS.

Subscribed and sworn (or affirmed) before me this 1 day of November 19 88

SEAL

Notary Public Larry D. Walker

Residing at Minon

My Commission Expires June 16, 1992

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name GWEITING Ident. Number _____

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Copies White-State, Yellow-Claimant