

06/21/2004

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

RIGHT NUMBER: 25-12098

NAME AND ADDRESS: AFTON JANE BROWN
3528 E 300 N
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: 04/01/1900

POINT OF DIVERSION:

T04N R38E S21 NWNENW Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.200 CFS
DOMESTIC	01/01 12/31	0.040 CFS

Domestic use is for 2 homes.

Stockwater use is for 300 dairy cows.

PLACE OF USE: STOCKWATER Within JEFFERSON County

T04N R38E S21 NENW

DOMESTIC Within JEFFERSON County

T04N R38E S21 NENW

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

STOCKWATER, 300 DAIRY COWS PARCEL NO. RP04N38E210750

Water Right 25-12098

SCANNED

1
NOV 17 2004

FILED

425-22
SCANNED

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: A25-12098
Date Received: 11/30/1988
Receipt No: E005368
Received By: _____

RECEIVED

APR 30 1992

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: AFTON JANE BROWN 208-754-4201
Address: 3528 E. 300 N.
RIGBY, ID 83442
2. Date of Priority: APR 01, 1900
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	38E	21	NW	NE	NE		JEFFERSON
5. Description of diverting works:
WELL AND PUMP
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.080		
STOCKWATER	01/01	12/31	0.200		
7. Total Quantity Appropriated is:
0.280 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
D/2 HOUSEHOLD, S/300 DAIRY COWS.
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	38E	21	NE	NE		DOMEST	
			NE	NE		STOCK	

A25-12098

Page 1

Date: 07/28/89

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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

All residences listed in item #9 are owned by Afton Jane Brown.

14. Remarks: Less than 13,000 gallons per day used by Afton Jane Brown.

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: ONE

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):

Afton Jane Brown

Date: April 28, 1992

Afton Jane Brown

Date: 4-28-1992

State of Idaho)

) SS.

County of JEFFERSON)

Subscribed and sworn (or affirmed) before me this 28th day

of APRIL 19 92

Aaron Jensen
Notary Public

Seal

Residing at Boise, Idaho

My Commission Expires 1997

MAY 20, 1992

AFTON JANE BROWN
3528 E 300 N
RIGBY ID 83442

RE: NOTICE OF CLAIM A25-12098

Dear Ms. Brown:

Please find enclosed a Notice of Claim prepared with information from your original Notice.

Before the Claim can be processed, we need additional information from you.

Item #9 indicates the Notice is for more than one residence. Though a Notice of Claim can be accepted for multiple residences, they must all be owned by the same party. To claim the residences listed in Item #9, you must state in Remarks, Item #14, that all of them are owned by you. Notices of Claim for homes with different owners must be filed by each owner.

Information on the Notice indicates you are claiming 0.28 cfs in Item #7. Although you may claim this amount, you must state in Remarks, Item, #14, that you use less than 13,000 gallons per day.

If, in fact, you own both homes and use less than 13,000 gpd, note this in remarks, sign the form in the presence of a Notary and return it to us. There would be no extra charge.

If the homes are owned by separate individuals and/or you use greater than 13,000 gallons per day, you will need to fill out the "long form" enclosed and return it to us with a check for \$53.00.

The filing fees for this form are as follows:

Long form fees.....	\$50.00
\$100.00 per cfs.....	<u>\$28.00</u>
TOTAL.....	\$78.00
MINUS \$25.00 paid on	
Receipt	- \$25.00
BALANCE.....	\$53.00

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NOV 11 1992

AFTON BROWN
PAGE - 2 -

The Department has been directed to return incomplete claims, so if the Notice is not returned to this office by May 20, 1992 with the correct information and/or proper fees, your original Notice will be returned to you and it will no longer be a part of the Snake River Basin Adjudication.

Please do not hesitate to contact this office if you have any questions regarding this matter 525-7161.

Respectfully submitted,

Gregory J. Taylor
Senior Water Right Agent, Adjudications

GT:jt

Enclosure

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3-25-92 -p

I spoke to Alton & told
her the claim was filed
on the wrong form &
to file the claim she
needed to file the long
form with 853 add'l
fee. She said that's a
bunch of B.S.!! and then
she hung up.

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Send letter.
Claim should be filed
on a long form.

~~we need~~
long form fee 50.00
\$100. per CFS 28.00
total 78.00

Receipt No: F005368-2500

we need additional
fee of \$53.00

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NOV 1 1 1992

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - R25-12098

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
BROWN

AFTON JANE

1 - 3528 E 300 N
2 -
3 -

City- RIGBY
Phone - 208-754-4201

State- ID Zip- 83442

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
04/01/1900 ERROR IN REGION J - BENEFICIAL USE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

04N 38E 21 NW NE (51) JEFFERSON

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
43 - DOMESTIC		01/01	12/31		0.080	
04 - STOCKWATER		01/01	12/31		0.200	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.280 0.0

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
04N	38E	21	NW NE			04	STOCKWATER	(51) JEFFERSON
04N	38E	21	NW NE			43	DOMESTIC	(51) JEFFERSON

Total Acres:

+ - - Diversion Means - WELL AND PUMP

+ - - Non-Irrigation Use - 2 HOMES

+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +

EXP STOCKWATER, 300 DAIRY COWS
PARCEL NO. RP04N38E210750

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found

AJ0743NP
(OD-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

01/12/98 10:17:27
Page 2

Water right number - R25-12098

Prefix Translation: RESEARCH

+ - - - - 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.

+ - - - Decree Plaintiff - - - +

+ - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - - - Comments - - - - - +

No Comments Found

+ - - Audit Fields - - +

01/12/98 DSMITH

+ - - - - 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	- 01/12/1998	Old Judicial District	-
Claim Received Date	- 11/30/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- E005368	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

AJ5856NP

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

DATE: AUG-22-1997

PAGE: A-25

RIGHT NUMBER: 25-12098

NAME & ADDRESS: AFTON JANE BROWN
3528 E 300 N ✓
RIGBY ID 83442

SOURCE: GROUNDWATER

QUANTITY: 0.28 CFS

PRIORITY DATE: 04/01/1900

POINT OF DIVERSION: T04N R38E S21

~~NW NE~~
~~NW NE~~

Within JEFFERSON County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.2 CFS
	DOMESTIC D/2 HOUSEHOLD, S/300 DAIR	01-01 12-31	0.08 CFS

PLACE OF USE:

STOCKWATER
T04N R38E S21

Within JEFFERSON County
~~NW NE~~ NW NE

DOMESTIC
T04N R38E S21

Within JEFFERSON County
~~NW NE~~ NW NE

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

RP 04N38E210750

SCANNED

NOV 17 2004

PROFILED

Verified by

Smith

Date:

9-24-97

Verification Source:

Alpha Index & Plat map

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 A25-12098Date Received 9/30/88Receipt Number E005368

NOTICE 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. Filing fee \$25

Department of Water Resources
Eastern District Office

RECEIVED

NOV 30 1988

Please type or print clearly

1. Name of Claimant (s) Afton Jane Brown Phone (208) 754-4201Mailing Address 3528 E 300 N Rigby Idaho Zip 834422. Date of Priority (Only one (1) per claim) April 1, 19003. Source of water supply (a) Groundwater
which is tributary to (b) 4. Location of point of diversion is: Township 4 N Range 38 E
Section 21, NW 1/4 of NE 1/4 of NE 1/4, Govt. Lot , B.M.,
County of JeffersonAdditional 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. 150 foot depth
water piped & pumped to Barn, Stockwaters & Two
(2) House holds

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

(Both dates are inclusive) (cfs)
For Domestic purposes from Jan 1 to Dec 31 amount .08For Stockwater purposes from Jan 1 to Dec 31 amount .207. Total quantity claimed .28 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of livestock) Two (2) House holds 300 Dairy Cows

A2512098



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NOV 1 1988

10. Place a "D" for domestic and "S" for stockwater use in the corresponding place of use below.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4
4N	38E	21	~~D~~ S															

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 X 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 ()

14. Remarks: _____

15. Basis of Claim (check one) Beneficial Use X 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 X 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) Opton Jane Brown Date 11-16-88
_____ 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 _____ of _____

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 16 day of November 19 88

SEAL

Notary Public Charles J. Mahoney

Residing at 450 1st St. Idaho Falls, ID

My Commission Expires 1-11-92

Last Name _____ Ident No. _____

Copies White-State, Yellow-Claimant

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NOV 11 1992

10/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME BROWN, AFTON JANE CLAIM IDENT. NO. A25-12098 SPJ
EV

DATE RECEIVED 11/30/88 CK # 3038 AMOUNT \$ 25⁰⁰

1. Is the name and address complete with zip code? ☒ YES ☐ NO
2. 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) ☐ N/A ☒ YES ☐ NO
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO
5. Is there a description of the diverting works? ☒ YES ☐ NO
6. 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 ☐ NO
- Is the period of use included? ☒ YES ☐ NO
- Is a quantity claimed for each use? ☒ YES ☐ NO
7. Is a total quantity claimed entered? ☒ YES ☐ NO
8. If required is a consumptive use entered? ☐ N/A ☒ YES
- Is the consumptive use correct? ☐ N/A ☒ YES
9. 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. ☐ N/A ☒ YES
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO
11. Is (are) the county(ies) entered? ☒ YES ☐ NO
12. Is the ownership of p.u. checked? ☒ YES ☐ NO
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO
14. 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 ☒ YES
15. Is the basis of the claim indicated? ☒ YES ☐ NO
16. 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 ☐ NO
- Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO
- Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO
- Is the fee enclosed correct? ☐ Exempt ☒ YES ☐ NO
- If this claim is based on an existing water right, has the identification number been entered? ☐ N/A ☒ YES
- Should this claim be receipted and data entered? ☒ YES ☐ NO

SS-7-28-89

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Claim checked by: TO NOV 11 1992

Comments: