

IDAHO DEPARTMENT OF WATER RESOURCES

RIGHT NUMBER: 25-12207

NAME AND ADDRESS: DARLENE MADSEN
PO BOX 243
RIGBY ID 83442

PETE MADSEN
PO BOX 243
RIGBY ID 83442

PURPOSE AND
PERIOD OF USE:

PLACE OF USE: DOMESTIC Within JEFFERSON County
T04N R38E S13 NWNW

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.

EXPLANATORY MATERIAL: Beneficial Use

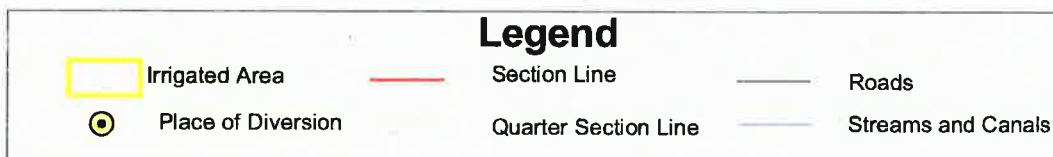
PROPERTY RURAL ADDRESS IS 382 N 3800 E.

Water Right 25-12207

1
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OCT 29 2004

Water Right Claim Number 25-12207
Township , 4N38E

01/03/2001



SPATIAL
DYNAMICS



Water Right Claim Number 25-12207
Township , 4N38E

01/03/2001



 Irrigated Area

 Place of Diversion

 Section Line

 Quarter Section Line

 Roads

 Streams and Canals

Legend



AJ5809NP
No. A25-12207

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/26/00
PAGE: 151

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	PETE MADSEN	06/23/1922	IRRIGATION	04-01 11-01	0.050 CFS	
C	DARLENE MADSEN		DOMESTIC	01-01 12-31	0.020 CFS	
	PO BOX 243					
	RIGBY ID 83442					
	(208) 745-6975					
				TOTAL DIVERSION:	0.050 CFS	
				CONSUMPTIVE USE:		4.40 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T04N R38E S13 NWNW

JEFFERSON County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
04N	38E	13	:							01										:	1.7
																				TOTAL ACRES	1.7

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
04N	38E	13	:							D										:	

POU County: JEFFERSON

Non-Irrigation Uses: D/1 HOUSE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
25-11874 25-12261 A25-11040 A25-11874 A25-12261

Other Water Rights Listing Overlapping Place(s) of Use:
A01-00116T A01-00117Z A01-00118T A01-00152 A01-00153 A01-00154 A01-00155 A01-00252

Remarks: GEN P/D AND P/U IN LOT 1, BLOCK 1 OF JG-ZUNDEL SUBDIVISION.
RURAL ADDRESS IS 382 N 3800 E

Dates: Exam Made Date: Verified Date: 02/13/1991 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 02/22/89 OLENICHA 02/08/91 THOMPSON 02/13/91 THOMPSON 03/29/95 POST-STD

NOT DELIVERABLE
AS ADDRESSED,
UNABLE TO FORWARD

8937 00.600 AUG 27 2004
5218 MAILED FROM ZIP CODE 83402

25-12207

NOE

returned:

resent to:

Lydia Lynch

9531 S. 400 W

Dexburg ID 83440

jc
9/3/04

PETE MADSEN

DANIEL MADSEN
PO BOX 243
RIGBY ID 83442

NOT DELIVERABLE
AS ADDRESSED,
UNABLE TO FORWARD

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SEP 13 2004

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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

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MAR 02 2005

25-12207

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

RIGHT NUMBER: 25-12207
NAME AND ADDRESS: DARLENE MADSEN
PO BOX 243
RIGBY ID 83442

PETE MADSEN
PO BOX 243
RIGBY ID 83442

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.020 CFS
The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 12/31/1985

POINT OF
DIVERSION: T04N R38E S13 SWNNW 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	0.020 CFS
Domestic use is for 1 home.		

PLACE OF USE: DOMESTIC Within JEFFERSON County
T04N R38E S13 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: BASIS OF CLAIM - Beneficial Use
PROPERTY RURAL ADDRESS IS 382 N 3800 E.

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MAR 02 2005

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

all 2000
2000-2001

DARLENE MADSEN

PETE MADSEN
PO BOX 243
RIGBY ID 83442

NOT DELIVERABLE
AS ADDRESSED
UNABLE TO FORWARD

NOT DELIVERABLE
AS ADDRESSED
UNABLE TO FORWARD

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MAR 02 2005

25-12207

• See what evidence of
priority can come up with.

• Recommend reduced out
15 to 165 ac.

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OCT 29 2004

LYDIA

~~29-4441~~
~~ZUNDEL~~

~~745 0446~~

RP 004500010010A

1.15 ac

(c) 390-0695
JIM



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

November 6, 2003

LYDIA LYNCH
AKA MAGNOLIA LLC OR JGZ SUBDIVISION
9531 S 400 W
REXBURG ID 83440

Re: Adjudication claim for a water right no. 25-12207 and change of ownership.

Dear Ms Lynch,

A recent review of your file for the above referenced adjudication claim indicates lack of evidence to support a recommendation of the irrigation portion of the water right in the Snake River Basin Adjudication (SRBA). By lack of evidence, it is meant that some form of evidence would be required to show that the groundwater development for irrigation occurred prior to March 25, 1963.

As an alternative, it may be possible to obtain a water right for irrigation by filing an application for permit with proof that the appropriation of ground water was made prior to November 19, 1987. The department has allowed pre-1987 development to be filed with the condition that it will be assigned a priority date coincident to the date for which the application is filed. For your convenience, I have included a copy of an application form along with instructions. The fee for making the application is \$100.

Failure to provide the required evidence on the adjudication claim will result in a recommendation for the SRBA court that will NOT include the irrigation portion of your claim. It will only include the domestic portion. However, if you should choose, the application for permit, barring protest, may prove successful for obtaining the water right for irrigation.

A second matter, the original claim for a water right was made in the name of Pete and Darlene Madsen. If this property is now owned by you, an LLC, or other entity, it required that a change of ownership to this claim to a water right be processed. Since the claim is undergoing SRBA review, THERE IS NO COST to process the form. We only ask that you provide a copy of the appropriate documentation that was used for the property transaction (i.e. warranty deed, bill of sale, etc.).

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If you require any assistance, have any further questions in this regard or would like to discuss, please feel free to call me at 525-7161. I would be more than happy to assist you.

Sincerely,



W. Roger Warner

Water Right Supervisor – Eastern Region

Enclosure: forms for application for permit
Change of ownership form

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7/10/03 WFW.
looking east

PROFILED

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OCT 29 2004

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7/10/03 w/ps
looking east





7/10/03 WPR

looking NE

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7/10/03 WRW

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OCT 29 2004

25-12207

7/7/2003

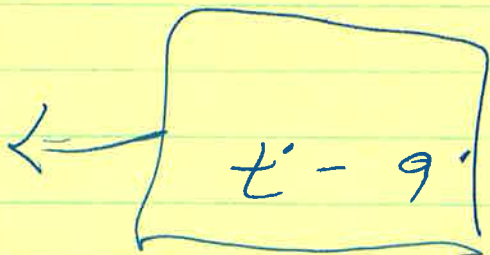
Dave Duncan, owner of home just south of cleared lot, said that Lydia at Westmark is fighting the new survey. Need to sort change of ownership to LYDIA LYNN.

9531 S 400 W

REXBURG 83440.

7/9/2003 Told to Lydia. He is the owner of the property. He cannot physical address according to the claim is 302 N 3800 E.

1.15 acres. - 1/2



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1/28/2004 Told with Jim Dyck. He said he would call back to let me know whether or not he would amend his claim to 0.04 ac. I told him he would need to file a separate claim for variation if he can show that the ground was irrigated as groundwater 1900-1963. He then went on the property in 1985. Recommended domestic w/ 1985 priority.



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
May 21, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

²
JGV SUBDIVISION
MAGNOLIA LLC
PO BOX 346
RIGBY ID 83442

RE: CHANGE IN OWNERSHIP FOR 25-12207

Dear Sir or Madam:

It has come to our attention that you may have recently purchased a tract of land in Bonneville County. The property to which I am referring was most recently owned by Pete Madsen. The legal description is as follows:

4N, 38E, 13, NWNW

This property was filed on in the Snake River Basin Adjudication (SRBA), and we recommend that if, in fact, you now own the property in question, you file a "Change in Ownership" with this department in order that we may send all further correspondence to the appropriate owner(s).

Enclosed is a Change in Ownership form. Please fill out the form completely, sign and date it and return it to my attention along with a "copy" of your Warranty Deed and legal description of the property you have purchased.

If you have questions regarding this matter, please call 525-7161.

Respectfully submitted,

Jennifer Crabtree
Technical Records Specialist
Enclosure(s)

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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

February 28, 2003

Dear Claimant in the Snake River Basin Adjudication (SRBA):

About 13 years ago you or your predecessor filed with the Idaho Department of Water Resources a claim to water right in the Snake River Basin. The investigation phase of this process is now focused on your area, Basin 25.

You are invited to attend a **public meeting to be held on March 10 at 7:00 p.m. in the West Coast/Red Lion Hotel, 475 River Parkway, Idaho Falls, Targhee and Bonneville Rooms.** The purpose of this meeting is for (1) the Department to update you on how the adjudication process works, and (2) for you, the claimant, to express concerns or discuss problems relating to water delivery in your area. This will help us to understand from an historical perspective the use and delivery of your water right.

Throughout this summer our adjudication staff, primarily from our Eastern Regional Office but also at times from Boise, will be contacting various water users in Basin 25. We ask for your cooperation in this process – the better we understand your water rights the better chance of you receiving an accurate decree from the SRBA Court that fully describes your water rights.

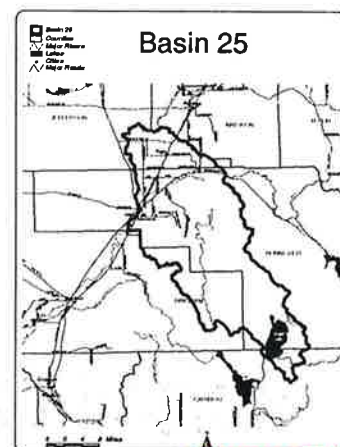
This investigation effort is being conducted by an experienced and successful staff. During recent years, this staff has accurately investigated and reported water rights in neighboring basins including the Big Lost River, the Little Lost River, Birch Creek, Camas Creek and the Portneuf River.

Please contact the Idaho Falls Office with any questions.

Sincerely,

Ernest Carlsen
Adjudication Supervisor, Eastern Region

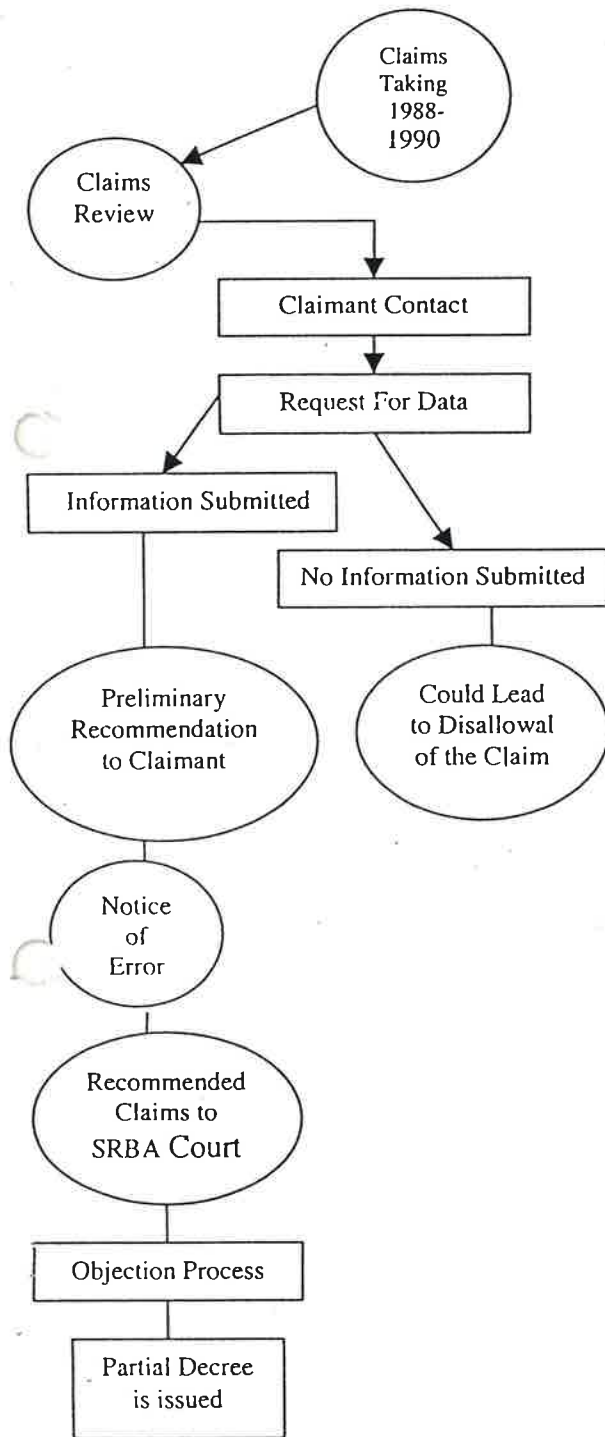
Enclosure: Information Brochure



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Questions and Answers:

Q: Why now? I adjudicated my water rights in 1989.

A. You filed your claims in 1989. Now we are investigating those claims to make accurate recommendations to the Fifth District Court.

Q: If I furnish more information will you take away my water right?

A. The State does not want your water right. We ask for additional information so that we may make accurate recommendations of Beneficial Uses of the water rights. Our schedule is very tight – we need the info ASAP.

Q: How much more money do you want?

A. You paid for your claim in 1989, or so. There might be additional fees only in extenuating circumstances, such as additional acres or new claims.

Q: How come you want me to file another claim?

A. If we suggest you file additional claims it means we have found

additional uses of water to which you may be entitled, or we have identified additional acres.

Q: What about my Domestic well and Stockwater?

A. There is no statutory requirement to file either; but IDWR accepts your Domestic and/or Stockwater claims.

The Tools We Use:

In the evaluation of water right claims and preparation of recommendations the adjudication staff utilize:

- State-of-the-art computer technology.
- High resolution 1987 NAPP photography to identify the place of use.
- Global Positioning System (GPS) used to pin-point points of diversion or detail significant features.
- Prior decrees, licenses and transfers.
- Water measurements for claims based on beneficial use.
- Watermaster records
- Historical records
- Claimant input and participation

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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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Memo to File: The following letter date November 6, 2002, was sent out to the claimants and no response was received back to Intrepid.

November 6, 2002

Dear Sir or Madam:

Intrepid Technology and Resources, Inc. (ITR) has been contracted by the Idaho Department of Water Resources (IDWR) to verify information in the State's records regarding the enclosed claim(s). This letter is being sent to the address of record for the enclosed claim(s).

In June or July of 2002, ITR employees visited the point(s) of diversion for the claim(s) in question. The purpose of this letter is to follow up on that visit, and ask for your input to verify the boundary of the area irrigated by each point of diversion. IDWR has supplied the enclosed maps and/or aerial photographs. The points of diversion (wellheads, dams, etc.) are indicated as circles. The irrigated areas are traced with bright yellow lines.

Please take the time to review the map, and correct any inaccuracies by marking changes on the map, and sending the map and claim file back to us in the enclosed postage-paid envelope.

If the claim is no longer in use, please note it on the claim file and return it to us in the enclosed envelope.

This applies only to the enclosed claim file. Water rights or claims not included with this package will be dealt with separately. Please DO NOT mark wells, diversions, or irrigated areas not specifically addressed in this package.

If you have any questions about the letter itself or how to respond, please call Doug Larsen or myself at 208-529-5337. We will be happy to discuss it with you.

Sincerely,

Shaun Dustin, PE
Intrepid Technology & Resources, Inc.

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OCT 29 2004

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IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 23-27



RIGHT ID 25 12207
POD ID 150646
Folder No. A2512207
Claim Status In Use
IDTMEAST 665877
IDTMNORTH 288830
GPSID A0011975

Diversion Description

WELL/PUMP. POD located behind small shed, behind mobile home.

Assumptions

Horse power, pressure head, and elevation head.

Invoice

2000-055-23-27-0

Phase-0 (No Attention)
Phase-I (Ready to Go to Field)
Phase-II (Site Visit - Data Missing)
Phase-III (Complete w/issues)

Linked

photos\25-12207-001.JPG photos\25-12207-003.JPG

Photos

photos\25-12207-002.JPG photos\25-12207-004.JPG

GPS Accuracy (ft)

14 Feet

Date (M/D/Y)

07-15-02

Time

12:30

Flow Rate (CFS)

0.05

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 0

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 1

Pressure Head (psi) 30

Elevation Head (ft) 50

Motor Mfg

Motor Serial #

Pump Type Submersible

Pump Mfg

Pump Serial#

New Contact Information ☒

New Contact Comments

New owner is Todd Morris.

renter

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OCT 29 2004

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FOLDER NO. A2512207

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Log for claim 25-12207

Spatial Dynamics CAT

1/3/01

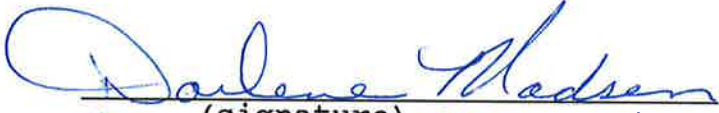
TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
04n38e	13	NWNW	1	40	POD placement? / Indiscernible
Totals:			1	40	

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AUG 02 2001

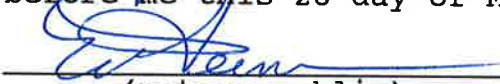
STATEMENT TO ACCOMPANY EVIDENCE OF PRIORITY
DATE FOR CLAIM A25-12207

According to the best information we have available, the well claimed under A25-12207 has been in use since 1922. Originally this well supplied water to the home south of our present home. As the document from the Jefferson County Records office shows, this home was in place in 1898 but we aren't sure whether or not a well was drilled and in use at that time. We are basing the 1922 priority date on information we received from a previous owner, Jack Zundel. We purchased the well and the surrounding property in 1985 and put our mobile home on the lot at that time. The owners of the original homestead have drilled their own well and have discontinued use of our well. We are claiming that the original water right developed under this well transferred to our newer home.


(signature)

DARLENE MADSEN

Subscribed and sworn to before me this 28 day of May, 1991


(notary public)

Residing at Idaho Falls, Idaho.
My commission expire August 22, 1994.

MICROFILMED

NOV 11 1992

From County Tax Records.

IDAHO RESIDENTIAL PROPERTY RECORD

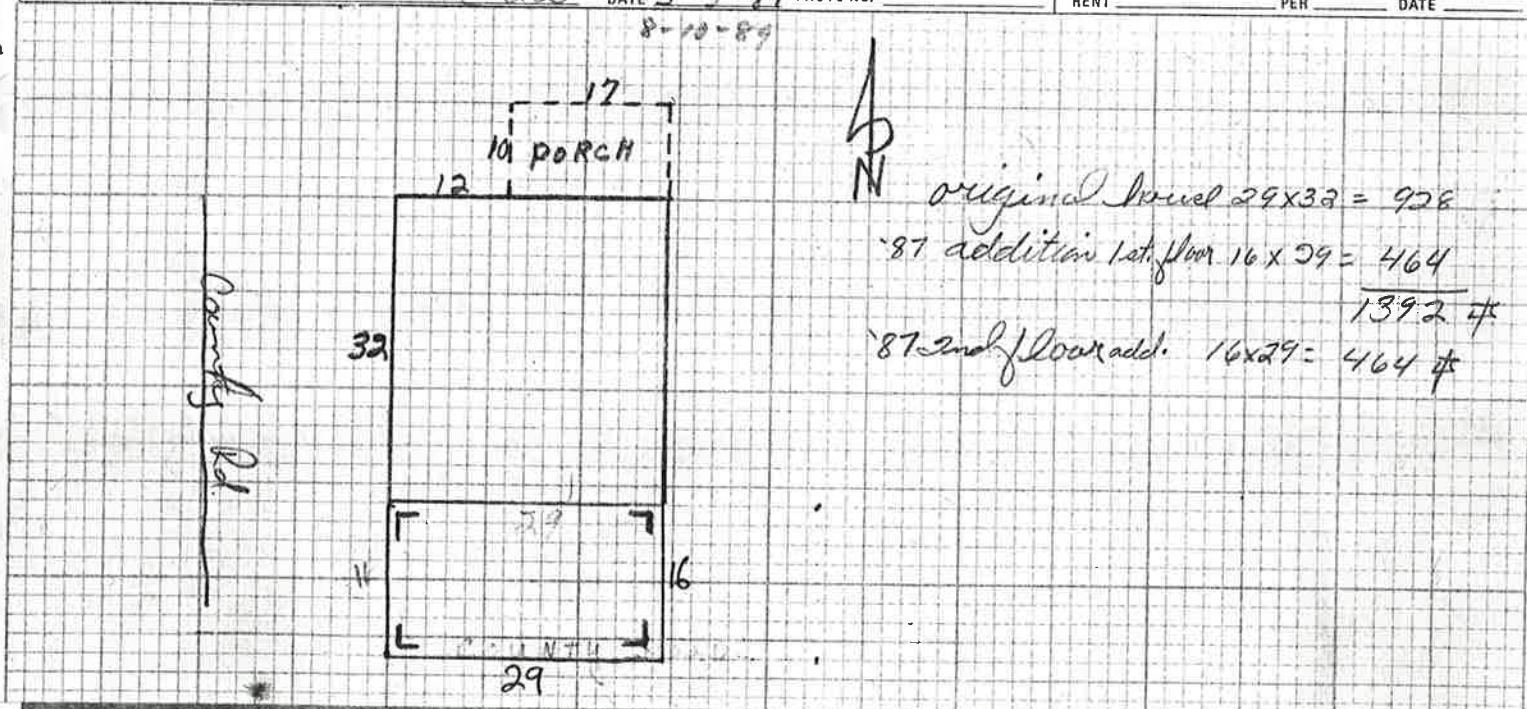
Name/ RP04N38E133375A 10-00
DUNCAN, DAVID & SANDY
380 N 3800 E
RIGBY, IDAHO 83442

MISCELLANEOUS DATA		VALUES SUMMARY	
CLASS	2	YEAR	YEAR
USE CODE	34113	RESIDENCE	\$
MARKET GRADE	34	GARAGE	\$
SHAPE CODE	A	CARPORT	\$
YEAR BUILT	1898	OTHER IMPROVE.	\$
YEAR REMODELED	1947	TOTAL IMPROVE.	\$
EFFECTIVE AGE		LAND	\$
ZONING CODE		MARKET VALUE	\$
DATE OCCUPIED			
PREBUILT	YES NO	PURCHASE INFORMATION	
BUILDING PERMIT		PRICE	DATE
INTERIOR INSPECT.		PRICE	DATE
UNDER CONSTRUCT		PRICE	DATE
% COMPLETE	%	RENT	PER DATE
PHOTO NO.			

Legal L RP04N38E133375A 10-00
TAX 86, SEC 13,
TWP 4 NORTH RGE 38 EEM

Property Address 380 N 3800 E

INSPECTED BY _____ DATE _____
COMPUTED BY _____ DATE _____
CERTIFIED APPRAISER E. H. DATE 11-2-83
ASSESSOR _____ DATE _____
REINSPECTION PE-LW DATE 5-5-89



LAND INFORMATION														
01 NEIGHBORHOOD		02 OFF-SITE IMPROVEMENTS		03 TOPOGRAPHY		04 WATER FRONT PROPERTY		05 ON-SITE UTILITIES						
01 Urban	05 Zoned 2	01 Street	04 Asphalt/Concrete	01 Low	01 Lake	06 Beach	01 Electricity	05 Public Water						
02 Suburban	06 Stable	01 None	05 Gravel/Dirt	02 Level	02 River/Creek	None P F A G E	02 Gas	06 Private Well						
03 Rural	07 Improving	02 Public Access	06 Sidewalks	03 Moderate Slope	03 Accretion	7 Grade	03 Underground Elect/Telephone	07 Public Sewer						
04 Recreational	08 Declining	03 Private Access	07 Curb/Gutters	04 Sleep Slope	04 Bluff Land	P F A G E	04 Cable TV	08 Septic System						
90		90		90	05 Flood Plain	90	90							
06 SUBJECT DIMENSIONS		07 SITE INFORMATION		08 REMARKS										
Eff. Frontage 140.88 Depth 329.20'		1 Location F (A) G												
Other 1.097 Acres		2 Amenities F (A) G												
		3 Landscaping F (A) G												
		4 Detriments (Few) Many None												
09 COMPOSITE ADJUSTMENT					10 SITE ADJUSTMENTS									
CAT	LOC	CLASS	TYPE	UNIT	QTY	COST	BASE VALUE	01 Location	10 Access	20 View	30 Topography	40 Width	TOTAL	EXT.
12	19C	0438	5600	9C	1.000		5600	50 Depth	60 Plottage	70 Beach	80 Corner	90	FACTOR	VALUE
APPRaisal DATE: 02-22-89							APPRaiser: BE							
							LAND VALUE \$							

MICROFILMED

NOV 11 1982

May 1, 1991

Pete Madsen
P.O. Box 243
Rigby, ID 83442

RE: Evidence of Priority

Dear Mr. Madsen:

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.**

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NOV 11 1992

Pete Madsen

Page 2

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

A25-12207
PETE MADSEN
DARLENE MADSEN
P.O. BOX 243
RIGBY

ID 83442

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NOV 11 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

A25-12207

Date: February 22, 1989

Pete and Darlene Madsen
P.O. Box 243
Rigby, ID 83442

RE: Water Right Claim Returned

Dear Mr. and Mrs. Madsen:

The Idaho Department of Water Resources (IDWR) is returning your checks #4352 (\$25.00), #4409 (\$26.00), and Notice of Claim to a Water Right because of insufficient information. All items on the claim form must be correctly completed and fees submitted before the IDWR can process the claim (Note: All four pages of the long form and correct fees were not resubmitted).

Instead of having you complete the items on the forms that are incorrect or incomplete, I have typed up a Notice of Claim with the information previously submitted. Please review the typed claim for accuracy, sign it (your signatures must be notarized), and return it to the IDWR with the appropriate filing fee within 30 days of the date of this letter.

The filing fee for an irrigation claim is \$50.00 plus \$1.00 per irrigated acre. The fee for your 1.75-acre irrigation claim (rounded to the nearest acre) is \$52.00. Only \$51.00 was submitted. Please include the total filing fee of \$52.00 when you resubmit the claim.

Failure to resubmit the claim and appropriate filing fees within the 30-day period may result in an assessment of an additional \$50.00 late-fee. If you have any questions, please call the IDWR at (208)-525-7161.

Sincerely,

Tony Olenichak
Water Rights Agent, SR

MICROFILMED
NOV 11 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

RECEIVED

FEB 21 1989

Department of Water Resources
Eastern District Office

Date: January 30, 1989

Pete and Darlene Madsen
P.O. Box 243
Rigby, ID 83442

RE: Water Right Claim Returned

Dear Mr. and Mrs. Madsen:

The Idaho Department of Water Resources (IDWR) is returning your checks #4352 (\$25.00), #4409 (\$26.00), and Notice of Claim to Water Right because of insufficient fees and information. The IDWR cannot process the claim until it is filled out completely and the appropriate fees are submitted.

In my letter, dated 12/30/88, I informed you that you needed to complete a "long" claim form (black ink) if you are claiming more than 1/2 acre of irrigation in connection with your domestic use. The fee for the irrigation claim is \$50.00 plus \$1.00 per irrigated acre.

On the long form you submitted, there is 1 3/4 of irrigation claimed. You also indicated you wish to receive copies of the docket sheet. The fee for the 1.75 acre irrigation claim (rounded to the nearest acre) is \$52.00. The fee for the annual subscription to the docket sheet is \$7.50. The total fee for the claim and docket sheet is \$59.50. Also, your signatures must also be notarized on the form.

Please return the notarized long form with the \$59.00 filing fee to the IDWR within 30-days. Failure to return the corrected claim and fees within the 30-day period will result in an assessment of an additional \$50.00 late-fee.

If you have any further questions, please call the IDWR at 1-525-7161.

Sincerely,

Tony Olenichak
Tony Olenichak
Water Rights Agent, SR

*The form for subscription for docket sheet was put in by mistake
Called your office 2/14/89
to clear this matter*

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NOV 11 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

Date: December 30, 1988

Pete or Darlene Madsen
P.O. Box 243
Rigby, ID 83442

RE: Water Right Claim Returned

Dear Mr. and Mrs. Madsen:

The Idaho Department of Water Resources (IDWR) is returning your check #4352 and Notice of Claim to a Water Right because of insufficient information. All items on the claim form must be correctly completed and fees submitted before the IDWR can process the claim.

Please correct the items identified below and return the form to the IDWR within 45 days of the date of this letter. Failure to submit the required information and filing fees within this 45-day period may result in an assessment of a late-fee. If you need to make changes to the claim, please sign and notarize a new claim form since it is incorrect to change a notarized document.

- Wrong Form Filed: The definition of Domestic purposes includes up to 1/2 acre of lawn and garden irrigation. If you claim more than 1/2 acre of irrigation, you must complete the enclosed "long" form and list the Domestic and Irrigation purposes separately. Please refer to the enclosed instructions. The filing fee for the "long" form is \$50.00, plus \$1.00 per irrigated acre (\$51.00 total filing fee).

If you have any questions, please call the IDWR at (208)-525-7161.

Sincerely,

Tony Olenichak
Water Rights Agent, SR

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NOV 11 1992

PETE OR DARLENE MADSE
SSN 519-46-5975 SSN 499-40-1416
P. O. BOX 243 PH. 745-6975
RIGBY, ID 83442

4352

PAY TO THE
ORDER OF

WESTARK
FEDERAL CREDIT UNION

REXBURG OFFICE
P.O. BOX 699
REXBURG, IDAHO 83400

MEMO

⑆324173079⑆60 652686⑆ 4352

92-7307 05
3241

CT OF THE
FALLS

BER: 39576

RECEIVED

WATER RIGHT

NOV 23 1988

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

Please type or print clearly

1. Name of Claimant (s) PETE OR DARLENE MADSEN Phone (208) 745-6975

Mailing Address P.O. Box 243 RIGBY ID Zip 83442

2. Date of Priority (Only one (1) per claim) JUNE-23-1922

3. Source of water supply (a) Groundwater
which is tributary to (b) SNAKE RIVER BASIN WATER SYSTEM

4. Location of point of diversion is: Township 4 Range 38
Section 13 1/4 of 1/4 of 1/4, Govt. Lot _____, B.M.,

County of Jefferson

Additional points of diversion if any: Lot-1 Block 1 of JG-Zundel Subdivision

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.

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 January 1st to December 31 amount 0.05

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed _____ (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of
livestock) 1 Domestic 1 Acre lawn & Garden.

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Copies: White State, Yellow Claimant

SCANNED

AUG 03 2001

NO LATE FEE IF RECEIVED

BY 3/27/89

x.d.

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: A25-12207

Date Received: 11/23/1988

Receipt No: E006238

Received By: _____

MAR 20 1989

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PETE MADSEN 208-745-6975
Address: P.O. BOX 243
RIGBY, ID 83442

OR

Name: DARLENE MADSEN 208-745-6975
Address: P.O. BOX 243
RIGBY, ID 83442

2. Date of Priority: JUN 23, 1922

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	38E	13	NW	NW	NW	2-8-91 80/20E	JEFFERSON

5. Description of diverting works:
WELL/PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.020		
IRRIGATION	04/01	11/01	0.050		

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

A.F.A.

8. Total consumptive use is 4.4 Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE

A25-12207

Page 1

Date: 02/22/89

A2512207



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10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	38E	13	NW NW		IRR DOMEST	1.7
			2-8-91-80/DE			
				Section Acres		1.7
				Total Acres		1.7

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: RURAL ADDRESS IS: 382 N 3800 E 2-8-91/80/DE
P/D AND P/U IN LOT 1, BLOCK 1 OF JG-ZUNDEL SUBDIVISION.

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: _____

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): Darlene Madson Date: 3-17-89

California _____ Date: _____

State of Idaho)

County of San Bernardino) SS.

Subscribed and sworn (or affirmed) before me this 17 day

of March 19 89

[Signature]
Notary Public

Seal

Residing at Needles, Ca

My Commission Expires 12-3-91

