

12/09/2003

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

RIGHT NUMBER: 25-14019

NAME AND ADDRESS: ALMA A HUBBARD
PO BOX 341
GRACE ID 83241

SOURCE: SPRING TRIBUTARY: MEADOW CREEK

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 01/01/1891

POINT OF DIVERSION:
T05S R42E S2 NESWSE Within CARIBOU County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
Stockwater use is for 600 range cattle.		

PLACE OF USE: STOCKWATER Within CARIBOU County
T05S R42E S02 SWSE

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 25-14019

SCANNED

OCT 21 2004

1

FILED

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 25-14019
Date Received: 12/9/2003
Receipt No:
Received By:

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

1. Name of Claimant(s)

ALMA A HUBBARD Phone: (208)425-3366

PO BOX 341
GRACE ID USA 83241

2. Date of Priority: 01/01/1891

3. Source: SPRING Trib. to: MEADOW CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05S	42E	2	NE SW SE	CARIBOU	

5. Description of diverting works:

PIPED OVER MEADOW CREEK, UNDER HIGHWAY, STEEL TROUGH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.14	

7. Total Quantity Appropriated is:

0.14 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
05S	42E	2	SW SE	STOCKWATER	

SCANNED

OCT 21 2004

FILED

11. Place of use in counties: CARIBOU

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

THIS RENUMBERED CLAIM WAS ORIGINALLY FILED AS 27-11319.

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
of _____ 20____

Notary Public

Residing at _____

My commission Expires _____

15 West Center Street
Soda Springs, ID 83276
(208) 547-3993
(208) 547-3939 FAX

Idaho Department of Water Resources

Memo

To: Michael Holliday
From: Barbara Payne
Date: 10/17/2003
Re: Claim 27-11319

Hi Mike,

I am forwarding the copy of the enclosed letter that was directed to Alma A. Hubbard from the A.G.'s office. When we requested the A.G. to send Mr. Hubbard a letter, it was assigned to Basin 27. However, now it has been renumbered to Basin 25 and Cindy Bird ask that I forward this to you so that it can be added to the file.

Thanks.



Barbara

Enclosure

RECEIVED
OCT 20 2003
Department of Water Resources
Eastern Region

SCANNED
OCT 27 2004

PROFILED

Notes

• 27-11318 & 27-11319

10/10/03 Please verify the ownership of this *as claimed* property. If the evidence of priority letter dated 5-15-03 went to the correct owner then refer to Candice Vicki Music to send a letter requesting evidence.

If the owner is different please resend letter with response date requirement.

10-7-03 Address in PO Box 341 Glencoe, IL 603241

10-7-03 Sent Vicki an email requesting evidence of priority letter he sent. BT

SCANNED

OCT 27 2004

PROFILED

[illegible]

Name connector: and _____, or _____, and/or _____

Current Owner _____

Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

Directions to Property (if different from above) and/or update owner information:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears slightly aged or off-white. There is no handwriting or other markings on the page.

Reviewer: _____

Date: _____

SCANNED
OCT 27 2004

PROFILED

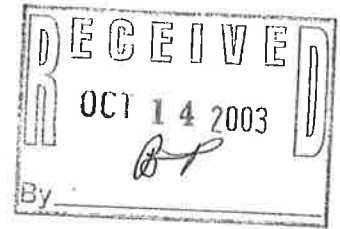


STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WARDEN
October 7, 2003

RECEIVED

OCT 20 2003

Department of Water Resources
Eastern Region



Alma A. Hubbard
P. O. Box 341
Grace, ID 83241

remembered 25-11319

(INCORRECT)

RE: SRBA Claim No. 27-11317 and 27-11319

Dear Alma Hubbard:

I am the Deputy Attorney General assigned to represent the Idaho Department of Water Resources in Basin 27 in the Snake River Basin Adjudication.

The Department of Water Resources has previously contacted you regarding the need for priority evidence for your SRBA claim nos. 27-11317 and 27-11319. However, the Department has not received the information requested. I have enclosed a brochure that discusses the type of evidence that can be helpful in proving the priority date for a water right claim.

In order to make a complete and accurate recommendation of your water rights, each element of the water right must be proven. At this time, the Department will not be recommending your water rights as claimed because you have not provided proof of priority for your claim.

Please contact Cindy Bird at the Soda Springs Office for the Idaho Department of Water Resources at 208-547-3993 or you can contact me directly at 208-327-5404.

Very truly yours,

CANDICE M. McHUGH
Deputy Attorney General
Idaho Department of Water Resources

Enclosure

cc: Cindy Bird

SCANNED

OCT 27 2004

PROFILED



Close

From: Music, Vicky
To: Payne, Barbara
Cc:

Subject: RE: Claims 27-11317 & 27-11319

Sent: 10/7/2003 2:18 PM

Importance: Normal

no problem. I do the letters, forward to Candice for signature, she forwards to legal secretary for mailing. if you do not receive the letters, please let me know so I can have Patsy copy you.

Vicky L. Music
Office of the Attorney General
Paralegal - IDWR
(208) 327-7928

Confidentiality Notice: This e-mail may contain confidential and privileged information exempt from disclosure under applicable law. This message is intended only for the use of the individual or individuals identified above. If you have received this message by mistake, please notify the sender immediately by replying to this message. Please delete the message from your system and do not review, disclose, copy, or distribute any information contained or attached to the message. Thank You.

-----Original Message-----

From: Payne, Barbara
Sent: Tuesday, October 07, 2003 2:05 PM
To: Music, Vicky
Cc: Bird, Cindy
Subject: Claims 27-11317 & 27-11319

Hi Vicky,

This claimant, Alma A. Hubbard, was sent a letter of Evidence of Priority on May 15, 2003 with a response date of June 30, 2003 on both claims. We have not heard from him. I checked with our County's Assessor and was advised that on 27-11317 no ground is claimed as being irrigated. The claimed use on 27-11319 is stockwater.

We sent the letter to the same address as the assessor's office. That address is P. O. Box 341, Grace, ID 83241.

Cindy would like your office to send a letter requesting evidence. If there is a problem, please let me know. Otherwise, I will assume when you send him a letter you will also copy our office. Thanks for the push.

Barbara :-}

SCANNED

OCT 27 2004

PROFILED



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Alma Hubbard
P.O. Box 341
Grace, Idaho 83241

May 15, 2003

Re: Evidence of Priority

Claim No.(s) A27-11317 & A27-11319

Dear Claimant (s):

The Idaho Department of Water Resources has begun its water right review in Basin 27. The Notice(s) of Claim identified with the number shown above, has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". 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. As the claimant, you are responsible for submitting the necessary proof to support the priority date.

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have enclosed 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 the entire 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".

SCANNED

OCT 27 2004

PROFILED

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible.

.....
The Department cannot recommend the court decree the Notice if no evidence of a priority date is submitted.
.....

Please submit the documentation supporting the priority date by **June 30, 2003**, referencing **all documents with the corresponding Notice number.** If you have any questions not covered by this letter, please feel free to contact me at 547-3993.

Respectfully,

Cindy E. Bird
Adjudication Bureau

Enclosure: Brochure on "Evidence of Priority"
Adjudication Claim Report

SCANNED

OCT 27 2004

PROFILED

AJ5530NF

BOARD DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: AUG-19-1997
PAGE: A-32

RIGHT NUMBER: 27-11319

NAME & ADDRESS: ALMA A HUBBARD
743 HUBBARD ROAD
GRACE ID 83241

SOURCE: SPRING

TRIBUTARY: MEADOW CREEK

QUANTITY: 0.14 CFS

PRIORITY DATE: 01/01/1991

POINT OF DIVERSION: TUSSE R42E S02

NEEWS

Within CARIBOU County

PURPOSE AND
PERIOD OF USE:PURPOSE OF USE
STOCKWATER S/600 CATTLEPERIOD OF USE
01-01 12-31QUANTITY
0.14 CFS

PLACE OF USE:

STOCKWATER
TUSSE R42E S02Within CARIBOU County
NEWS

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

Fort Hall Project

PROFILED

SCANNED
SEP 28 2005

SCANNED

JUL 13 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: ~~A27-11319~~ *Renumbered to 25-14019*

Date Received: 1/25/1990

Receipt No: M005595

Received By: RAH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ALMA A. HUBBARD
Address: 745 HUBBARD ROAD
GRACE, ID

208-425-3366

83241

2. Date of Priority: JAN 01, 1891

3. Source: SPRING

Trib. to: MEADOW CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	42E	2	NE	SW	SE		CARIBOU

5. Description of diverting works:
PIPED OVER MEADOW CK, UNDER HIGHWAY, STEEL TROUGH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.140		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
S/600 CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05S	42E	2	SW	SE		STOCK	

11. Place of use in counties: CARIBOU

A27-11319

Page

1

Date: 01/25/90

SCANNED

SEP 28 2005

PROFILED

MICROFILMED

NOV 13 1992

A2711319



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: 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): Alma A. Hubbard Date: 1/25/90

Date: _____

State of Idaho)
County of Caribou) SS.

Subscribed and sworn (or affirmed) before me this 25th day
of January 19 90

Helen Harrington
Notary Public

Seal

Helen Harrington, Notary Public
Residing at Residing at Boise, Idaho
My Commission Expires December 1, 1994

PROFILED

SCANNED
SEP 28 2005

MICROFILMED

NOV 13 1992



T5S
R 42E
Sec. 2

1-1-1871
A27-11319

POD: NE SW SE
POU: SW SW SE

T4S

T5S

47 61000m.N.
43°00'

4 59000m.E. 111°30'

5/600
PROFILED

SCANNED ^{peep} over MICROFILMED ^{let to}
SEP 28 2005
Nov 13 1992

TRAUC

file

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

RIGHT NUMBER: 25-14019

NAME AND ADDRESS: ~~ALMA A HUBBARD~~
~~PO BOX 341~~
~~GRACE ID 83241~~

UNITED STATES OF AMERICA,
ACTING THROUGH THE AREA DIRECTOR, PORTLAND AREA OFFICE
BUREAU OF INDIAN AFFAIRS
911 N.E. 11th AVE.
PORTLAND, OR 97232

SOURCE: SPRING TRIBUTARY: MEADOW CREEK

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 01/01/1891

AAH

MS CB EWC

POINT OF
DIVERSION: T05S R42E S2 NESWSE Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	01/01 12/31	0.020 CFS

Stockwater use is for 600 range cattle.

PLACE OF USE: STOCKWATER Within CARIBOU County
T05S R42E S02 SWSE

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

RECEIVED
JUN 27 2006
BLM ISO M2

CERTIFICATE OF MAILING

I certify that on _____, 2006 mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

3. Copies to all parties to the subcase (insert names and addresses):

U.S., Department of Justice
550 West Fort Street, MSC 033
Boise, Idaho 83724

Alma A. Hubbard
P.O. Box 341
Grace, ID 83241

Signature of person or attorney mailing the form

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

Subcase No. 25-14019

Standard Form 5

STIPULATED ELEMENTS
OF A WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

Alma A. Hubbard

Alma A. Hubbard

Alma A. Hubbard

1-25-06

Date

OBJECTOR:

United States of America

Larry A. Brown

Attorney, U.S. Department of Justice

Date

IDWR CONCURRENCE:

Chris M. Bromley
Chris M. Bromley
Deputy Attorney General
Idaho Dept. Wtr. Resc.

1/31/06

Date

IDWR CONCURRENCE:

Ernest M. Carlson
Ernest M. Carlson
Water Rights Supervisor
Dept. of Water Resources

1-31-06

Date