

03/24/2005

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

RIGHT NUMBER: 75-7161
NAME AND ADDRESS: ROBERT K JONES
2169 ELMORE
POCATELLO ID 83201

ANN L JONES
2169 ELMORE
POCATELLO ID 83201

SOURCE: NORTH FORK SALMON RIVER TRIBUTARY: SALMON RIVER
QUANTITY: 0.040 CFS
3.200 AFY
PRIORITY DATE: 10/31/1979
POINT OF DIVERSION:

T25N R21E S11 SENE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.030 CFS 3.00 AFY
STOCKWATER	01/01 12/31	0.020 CFS 0.20 AFY

PLACE OF USE: IRRIGATION Within LEMHI County
T25N R21E S11 SENE 1.0
STOCKWATER Within LEMHI County
T25N R21E S11 SENE

1 ACRES TOTAL

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.

EXPLANATORY MATERIAL: License

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT NO.:

75-7161

T25N R21E S11

LEGEND

⊙ Point(s) of Diversion

□ Place(s) of Use

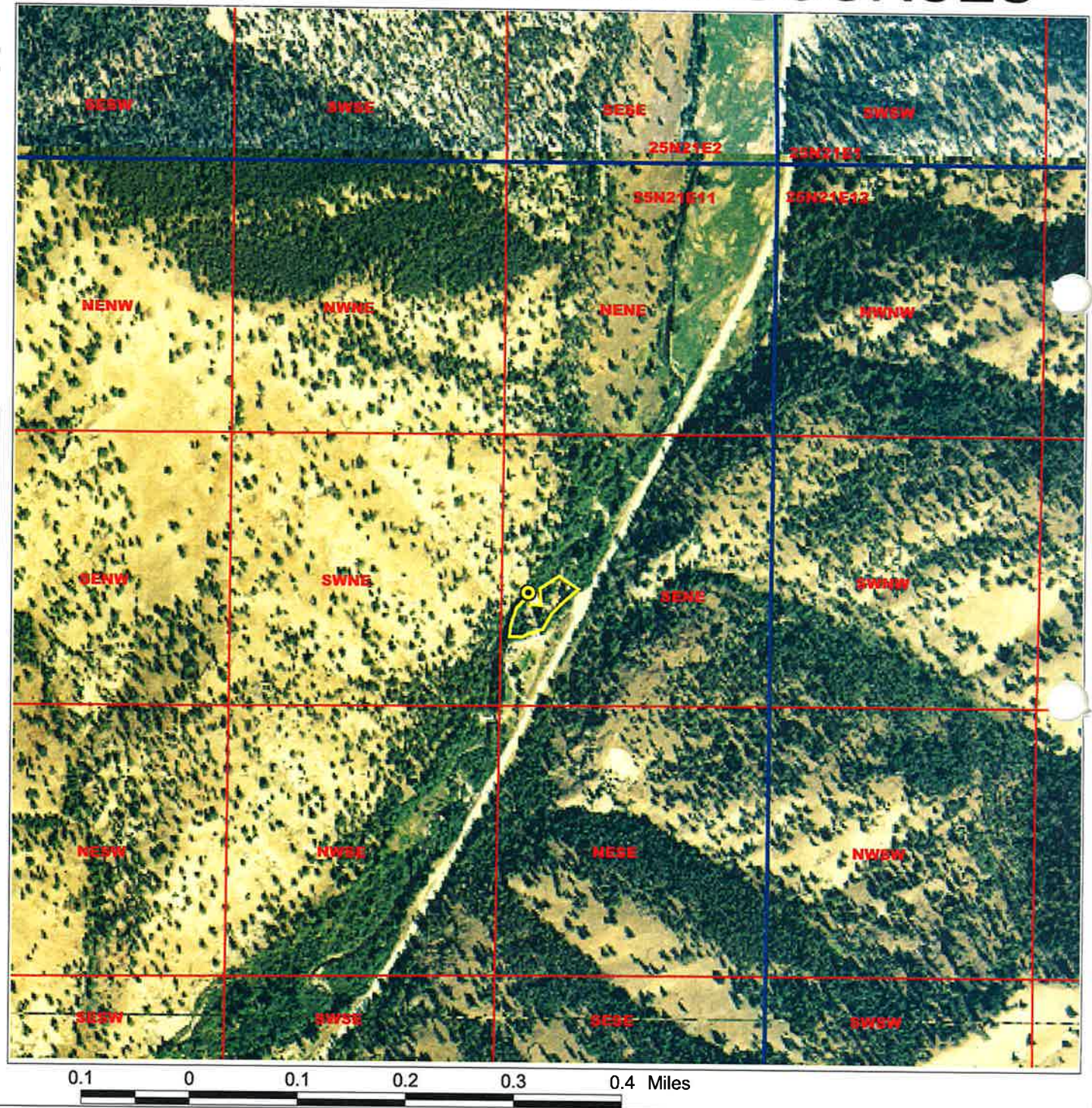
□ Quarter Quarter Lines

□ Section Lines

IMAGE 1991 True Color



Prepared By: Danielle Favreau
March 23, 2005





Idaho Department of Water Resources

SRBA Recommendation:

75-7161
(Irrigation)

Legend

- ⊙ Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Lemhi County
IDWR Basin 75



0 0.1 0.2 Miles

Prepared by M. Ciscell
On Monday, November 20, 2006
2004 Aerial Photography

Point of diversion and Place of use shown in yellow are not accurate.



Point of diversion

Area of application

11/20/2006

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 12/13/2006

Water right number: 75-7161

ROBERT K JONES
2169 ELMORE
POCATELLO ID 83201
Telephone Number: (208) 238-7634

ANN L JONES
2169 ELMORE
POCATELLO ID 83201
Telephone Number: (208) 238-7634

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE:

12/4/06

SIGNATURE:

Robert K Jones

Please print your name:

Robert K Jones

IDWR Regional Office, 7600 Mineral Drive, Suite 100, Coeur D' Alene, ID 83815, 2087622800

RECEIVED

DEC 13 2006

IDWR/North



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

December 12, 2007

RE: 75-7161 Objection

ROBERT K AND ANN L JONES
2169 ELMORE
POCATELLO, ID 83201

Dear Mr. and Mrs. Jones,

I have reviewed your objection. It appears to me that the point of diversion and the place of use as currently recorded reflect the photograph supplied with the objection. This change does not result in a change in the elements of the water rights as listed on the recommendation. I have enclosed a copy of a map displaying the current place of use and point of diversion. If this is satisfactory to you please consider withdrawing your objection. If you have any questions or concerns please contact me at the number listed below.

Respectfully Submitted,

Nate Arave
Water Resource Agent
Idaho Department of Water Resources
900 N. Skyline Drive Suite A
Idaho Falls, Id 83402-1718
(208)-525-7161 ext. 2248

RECEIVED

AUG 27 2007

DEPARTMENT OF
WATER RESOURCES

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

A. Subcase

75-7161

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name:

Robert K & Ann L Jones

Address:

2169 Elmore

Pocatello, ID 83201

Daytime Phone:

208-526-6431

Name & Address of Attorney, if any:

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name:

Robert K Jones

Address:

2169 Elmore

Pocatello, ID 83201

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☒ **Point of Diversion**
Should be: As shown Pictorally on attached Photo
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: As shown Pictorally on attached Photo
10. ☐ **I object because:**
☐ This water right Should not exist.

☒ This water right was not recommended, but Should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTIONS(S):** The Quarter Quarter description is accurate, however the provided Photo of Point of diversion & Place of use are not.

F.

VERIFICATION (must be completed)

State of Idaho)
County of Burnock)ss.

Robert K Jones, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

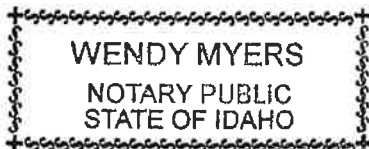
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Robert K Jones
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

August 17, 2007



Wendy Myers
Notary Public for Idaho
Residing at: Pocatello, ID
My Commission Expires: 2/3/2012

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on August 22, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Robert K Jones
Address: 2149 Elmore
Pocatello, Id 83201

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449

Ann L Jones
Signature of objector or attorney
mailing on Objector's behalf



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 24, 2003

ROBERT K & ANN L JONES
2169 ELMORE
POCATELLO ID 83201

RE: NOTICE(S) OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE(S) OF CLAIM TO A WATER RIGHT 75-7161

Dear Mr. & Mrs. Jones:

The request for Change of Water Right Ownership concerning the above-referenced Notice(s) of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with listing the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Respectfully yours,

Kristen Forsgren
Office Specialist 1

Enclosure

OK JC
11-21-03

RECEIVED
OCT 10 2003

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Department of Water Resources
Incomplete forms will be returned. Eastern Region

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
\$25 - 75-4081					
	75-7161				

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts. \$25 -
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s) Mary Hoover
987 Lower Mill Cr Rd Hamilton,
MT 59840
4. New Owner/Claimant(s) Robert K Jones and Ann L Jones
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address 2169 Elmore
- City, State and ZIP Code Pocatello, Id 83201
- New Telephone Number (208) 238-7634
5. Date you acquired the property October 3, 2003

WARRANTY DEED

256217

Order No.:307031949L-G

FOR VALUE RECEIVED

Mary A. Hoover, an single person

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Robert K. Jones and Ann L. Jones, Husband and Wife

whose current address is

2990 Highway 93 North Gibbonsville, ID 83463

the grantee(s), the following described premises, in Lemhi County, Idaho, TO WIT:

State of Idaho) SS No. _____
 County of Lemhi)
 This instrument was filed for record at the request
 of Alliance
 at 3:45 clock pm 3 Oct 2003
 and duly filed and indexed in the records of Lemhi
 County Terri J. Marlon
 Ex-Officio Recorder
 By KB Deputy
 Fee 6.-
 Return to _____

A FRACTION OF H.E.S. NO. 648, UNSURVEYED SECTION 11, T. 25 N., R. 21 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT CORNER NO. 3 OF SAID H.E.S. 648 FROM WHICH CORNER NO. 4 OF SAID H.E.S. 648 BEARS S. 36° 08' 00" E. THE BASIS OF BEARING OF THIS DESCRIPTION; RUN THENCE S. 31° 01' 51" W. ALONG LINE 3-2 OF SAID H.E.S. NO 648, 997.74 FEET TO THE POINT OF BEGINNING.

THENCE S. 31° 01' 51" W. ALONG LINE 3-2 OF SAID H.E.S. NO. 648, 500.95 FEET;

THENCE S. 64° 47' 24" E., 367.50 FEET TO THE INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY OF HIGHWAY 93 NORTH;

THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING THREE (3) COURSES;

(1)N. 26° 11' 15" E., 368.95 FEET; (2)N. 63° 48' 45" W., 10.00 FEET; (3)N. 26° 11' 15" E., 129.28 FEET;

THENCE LEAVING SAID RIGHT-OF-WAY N. 64° 46' 39" W., 315.19 FEET TO THE POINT OF BEGINNING.

SUBJECT TO AN INGRESS AND EGRESS EASEMENT 20 FEET WIDE, 10 FEET ON BOTH SIDES OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SE CORNER OF THE ABOVE DESCRIBED PARCEL; RUN THENCE N. 26° 11' 15" E. ALONG SAID WESTERLY RIGHT-OF-WAY, 140.46 FEET TO THE POINT OF BEGINNING.

THENCE N. 54° 14' 17" W., 37.35 FEET;

THENCE S. 30° 17' 53" W., 95.15 FEET;

THENCE S. 53° 42' 01" W., 48.53 FEET;

THENCE S. 84° 18' 00" W., 19.19 FEET TO THE POINT OF TERMINUS.

THE SIDE LINES OF SAID INGRESS AND EGRESS SHOULD BE PROLONGED OR SHORTENED TO CONFORM WITH THE GRANTOR'S AND GRANTEE'S BOUNDARY LINES.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 10/01/2003

Mary A. Hoover

256217

State of Idaho

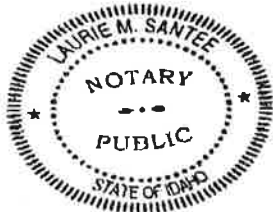
)
) ss.

County of Lemhi

On this Oct 3, 2003, before me, a Notary Public in and for said state, personally
appeared Mary A. Hoover

known or identified to me to be the person(s) whose name(s) subscribed to the within instrument, and acknowledged
to me that he/she/they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above
written.



Laurie M. Santee
Notary Public for the State of Idaho
Residing at: Salmon
Commission Expires: 6-19-2007

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 75-7161
Date Received: 3/6/1990
Receipt No: E012228
Received By:

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

1. Name of Claimant(s)

ROBERT K JONES Phone: (208) 238-7634
2169 ELMORE
POCATELLO ID USA 83201

ANN L JONES Phone: (208) 238-7634
2169 ELMORE
POCATELLO ID USA 83201

2. Date of Priority: 10/31/1979

3. Source: SALMON RIVER NORTH FORK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
25N	21E	11	SE NE	LEMHI	

5. Description of diverting works:

PUMP IN RIVER TO PLACES OF USE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.03	
STOCKWATER	1/01	12/31	0.02	

7. Total Quantity Appropriated is:
0.04 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
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OCT 1 1990

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: A75-07161

Date Received: 2/21/1990

Receipt No: 5012228

Received By: 5012239 3.6-90

MAR 6 1990

Department of Water Resources
Eastern District Office

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

1. Name: MARY HOOVER 208-865-2229
Address: H C 10 BOX 37
NORTH FORK, ID 83466

OR

Name: JOHN HOOVER 208-865-2229
Address: H C 10 BOX 37
NORTH FORK, ID 83466

2. Date of Priority: OCT 31, 1979

3. Source: SALMON RIVER, NORTH FORK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
25N	21E	11	SE	NE			LEMHI

5. Description of diverting works:
PUMP IN RIVER TO PLACES OF USE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.030		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 2.5 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCK-UP TO 10 HEAD

A75-07161

Page 1

Date: 02/21/90

MICROFILMED

DEC 15 1992



10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
25N	21E	11	SE SE	NE NE	IRR STOCK	1.0
Section Acres						1.0
Total Acres						1.0

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:
A75-04081 ON ADJACENT HOME

14. Remarks:

15. Basis of Claim: LICENSE

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): Mary A. Hoover Date: 2-21-90

Date: _____

State of Idaho)
County of Bennett) SS.

Subscribed and sworn (or affirmed) before me this 21st day
of Feb 19 90
Betty J. Thompson
Notary Public

Seal

Residing at BETTY J. THOMPSON, NOTARY PUBLIC
RESIDING AT IDAHO FALLS, IDAHO
My Commission Expires EXPIRATION EXPIRES: 6-30-94

MICROFILMED
DEC 15 1992

25N	21E	11	SE	NE	IRRIGATION	1
			SE	NE	STOCKWATER	
					Section Acres	1
					Total Acres	1

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: License