

12/11/2006

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

RIGHT NUMBER: 67-7017

NAME AND ADDRESS: JACKS BROTHERS
HC 70 BOX 2470
2174 OLD HWY
MIDVALE ID 83645

SOURCE: UNNAMED STREAM

TRIBUTARY: BEAVER CREEK

QUANTITY: 0.310 CFS

PRIORITY DATE: 08/20/1968

POINT OF DIVERSION:

T13N R03W S9 NESWSE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 11/01	0.310 CFS

The use of water for irrigation under this right may begin as early as March 15 , provided other elements of the right are not exceeded. The use of water before April 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in WASHINGTON County

T13N R03W S09 SWSE 16.00

16 ACRES TOTAL

This right is limited to the irrigation of 15.7 acres within the place of use described above in a single irrigation season.

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: BASIS OF CLAIM - License

Use of this right is combined with water from Middle Valley Ditch Company.



Idaho Department of Water Resources

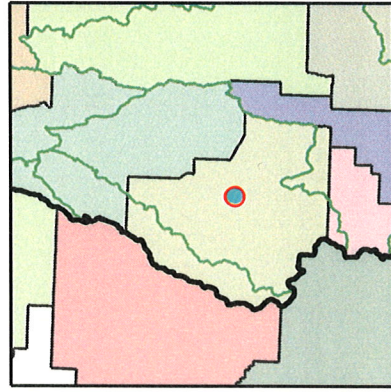
SRBA Recommendation:

67-7017

(Irrigation)

Legend

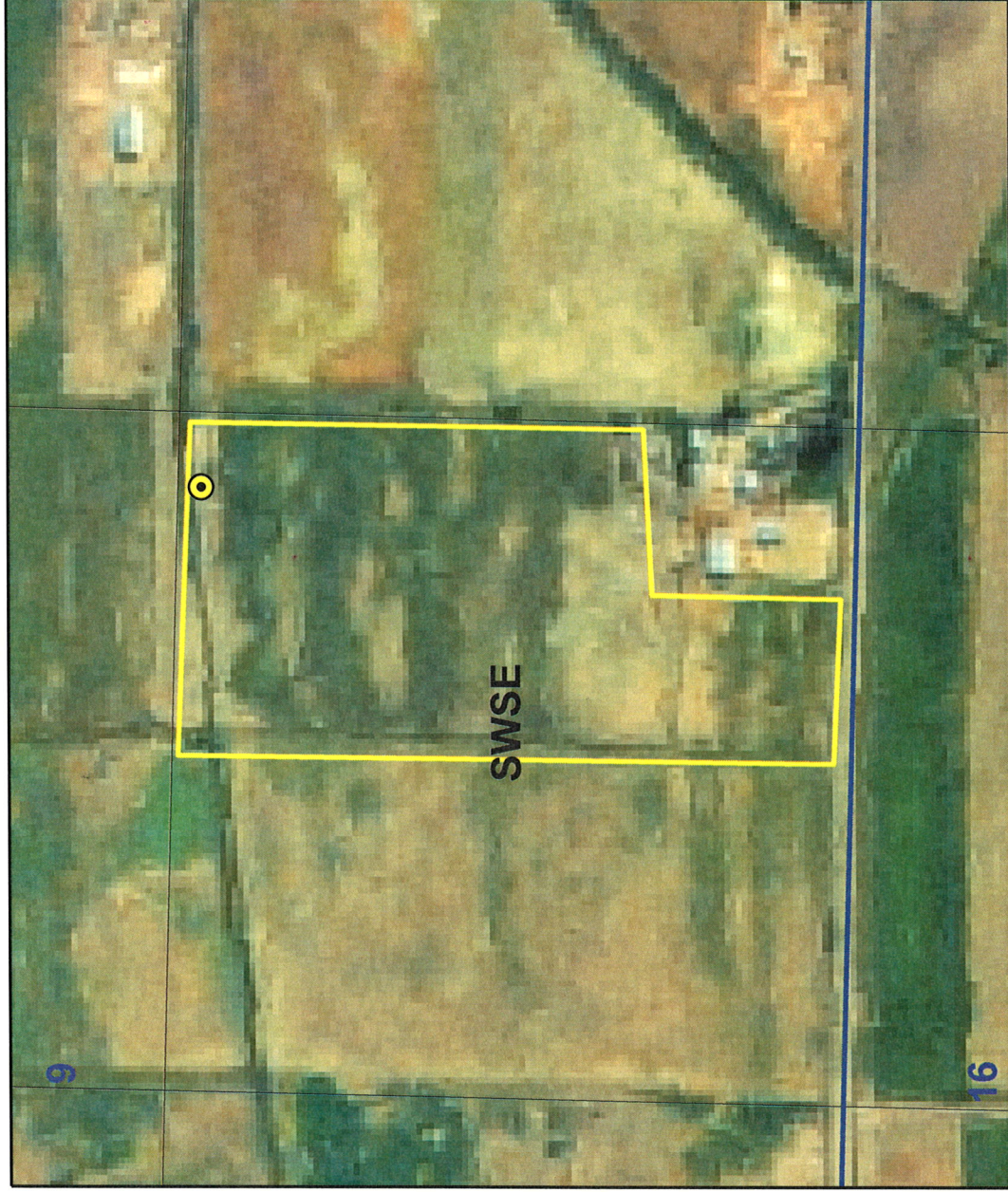
- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Washington County
IDWR Basin 67



R03W



0 0.1 0.2 Miles

0

0.1

0.2 Miles

Prepared by J. Dean
On Monday, December 11, 2006
1987/88 Aerial Photography

11/14/2006

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: December 8, 2006

Water right number: 67-7017

JACKS BROTHERS
HC 70 BOX 2470
2174 OLD HWY
MIDVALE ID 83645
Telephone Number: (208)355-2433

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Location of the point of diversion (pump)

2. Describe the changes you wish to make in the proposed recommendation:

Correct location

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: _____

SIGNATURE: _____

Jacks Bros by V. Jensen

Please print your name: _____

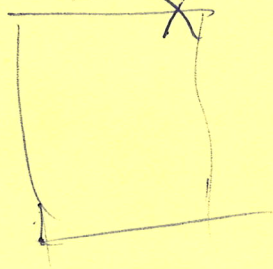
IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

corrected POD location in data i shape. yd 12/11/06

Point of Diversion
wrong.
Burb in Donnygo
field.

Point of Diversion
wrong. should be
in north East corner
of this place

At Beaver Creek





Idaho Department of Water Resources

SRBA Recommendation:

67-7017

(Irrigation)

Legend

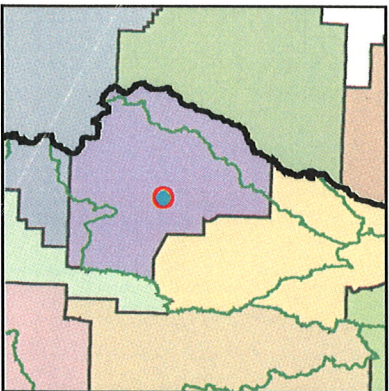
 Point of Diversion

 Place of Use

 Townships

 PLS Sections

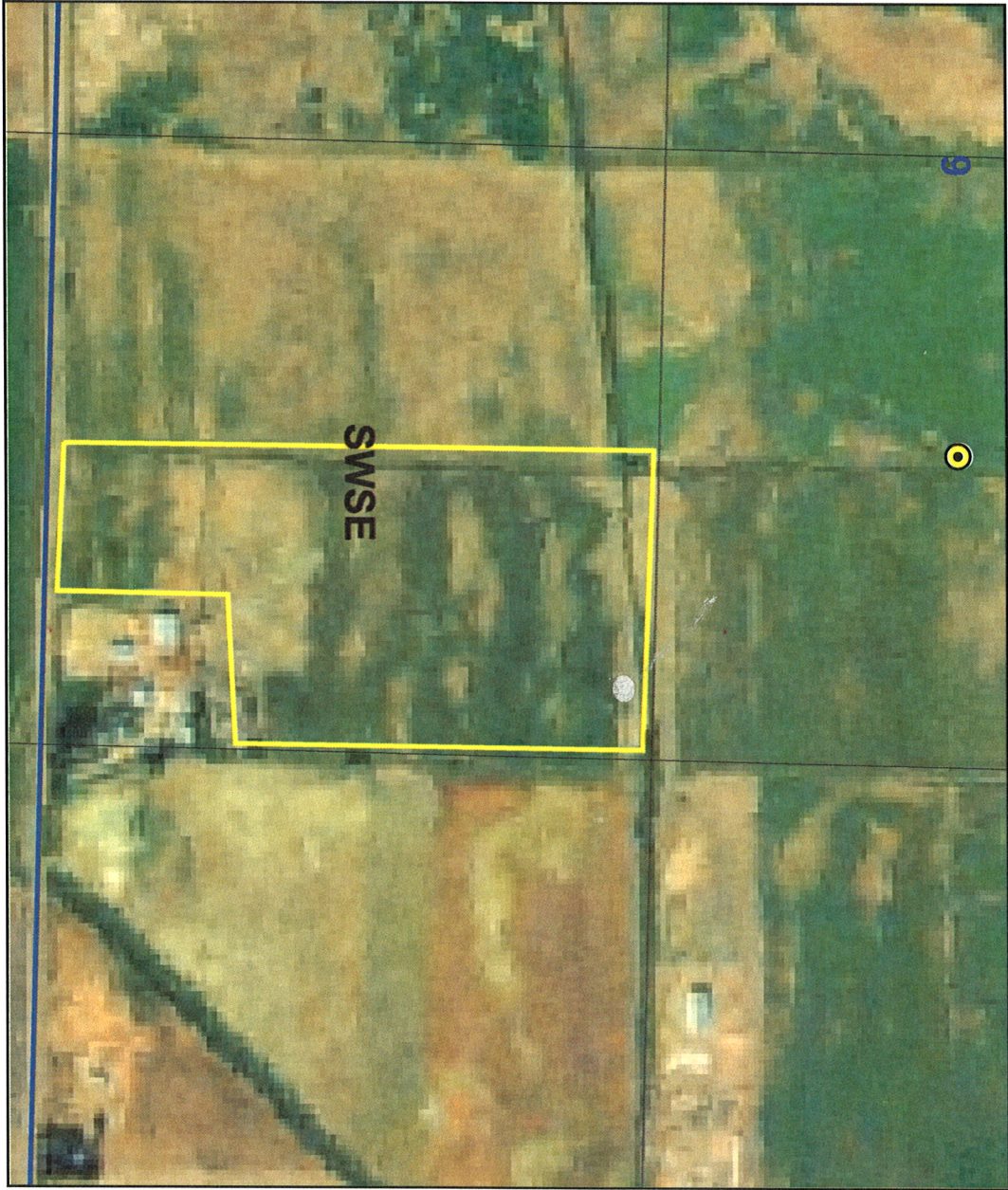
 Quarter Quarters



Washington County
IDWR Basin 67



T13N



0

0.2

0.4 Miles

Prepared by IDWR State Office
On Wednesday, November 15, 2006
1987/88 Aerial Photography

06/14/2006

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

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HC 70 BOX 2470
2174 OLD HWY
MIDVALE ID 83645

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TRIBUTARY: BEAVER CREEK

QUANTITY: 0.310 CFS

PRIORITY DATE: 08/20/1968

POINT OF DIVERSION:

T13N R03W S9 NWSE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

4/01 11/01

0.310 CFS

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earlier

than the date a partial decree is entered for this right.

PLACE OF USE:

IRRIGATION Within WASHINGTON County

T13N R03W S09 SWSE 16.00

16 ACRES TOTAL

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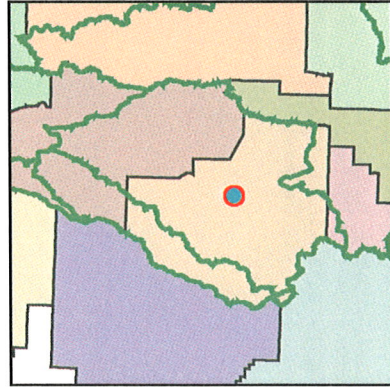
Idaho Department of Water Resources

SRBA Recommendation:

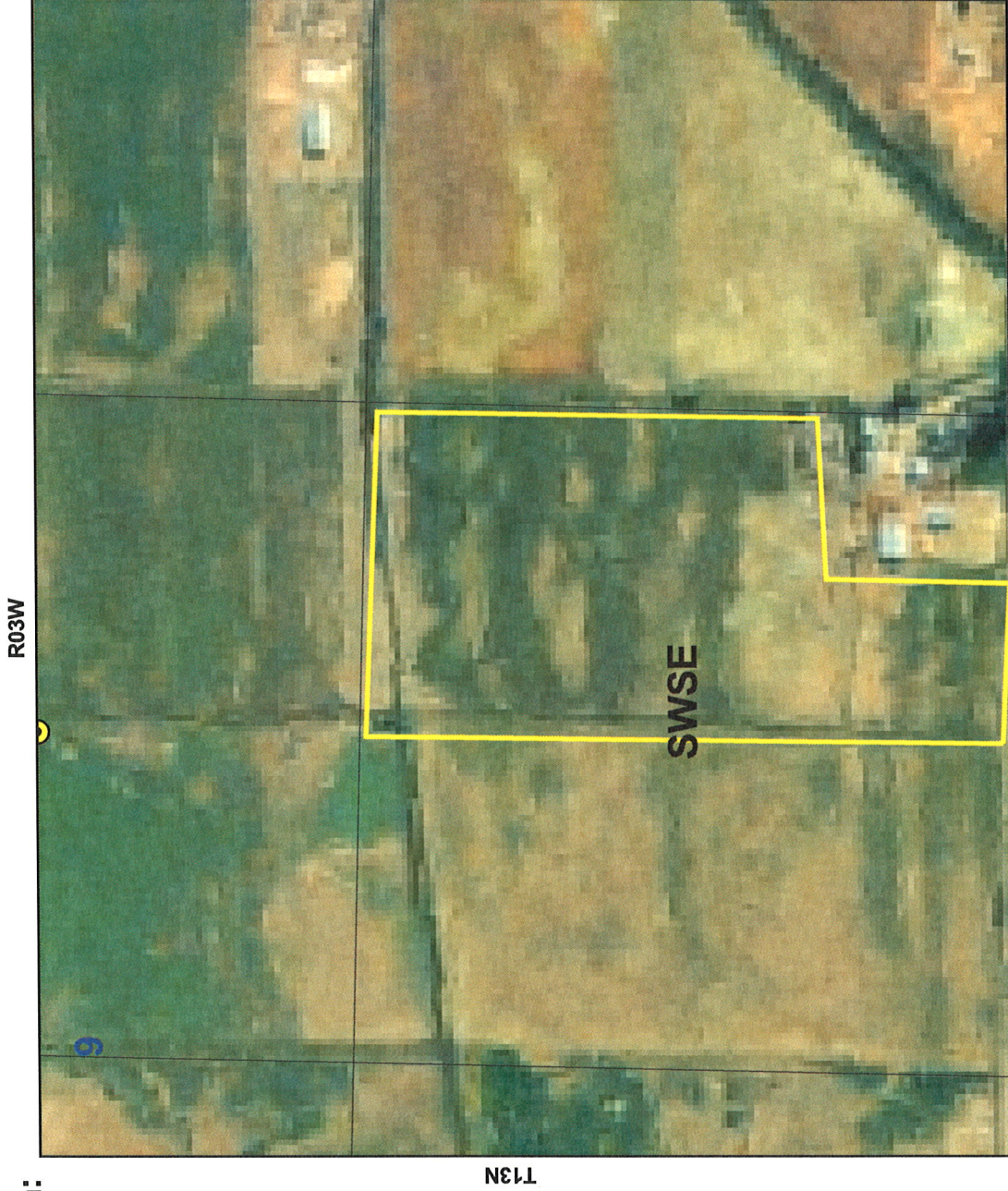
67-7017

Legend

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



Washington County
IDWR Basin 67



Prepared by M. Mount
On Wednesday, June 14, 2006
1987/88 Aerial Photography

Claim NOTES

Will prob. see/hear for someone during
obj. period -

Rec'd as licensed

claimed a different pon, pod, &
source. - also on a tax lot
that shows Beryl Williams as
the landowner.

Need to find out when the changes
occurred! if < 1987 accompl. A
if > 1987 need transfer

will also need proof of land
ownership for the claimed pon

The licensed pon shows

Alan Jacks as tax lot owner.

2174 Old Hwy Rd., Middle, ID

* is also serviced by Middle V. Ditch 83645

6/14/06

mmount

Beryl Williams

Jacks Bids.

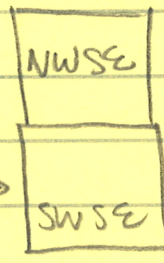
claim

NWSE →

SWSE POD

lic. in the →

SWSE



NWSE POD

call and ask when changed

POD & POD 208 355 - 2433 ~~NO~~ ANS

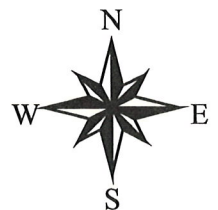
Alan Jacks ??

Idaho Department of Water Resources



Claim Number: 67-7017

- 67_7017_rec_pod.shp
- 67_7017_rec_pou.shp
- Washington taxlots
- GCDB13N03W GCDB
- 06_07fe.shp
- Muir_allison_pous.shp
- Index_100k_naip.shp



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: A67-07017

Date Received: 9/27/1989

Receipt No:

Received By: M004707
075

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JACKS BROTHERS
Address: HC 70 BOX 2470
2174 OLD HIGHWAY
MIDVALE, ID 83545
208-355-2433

2. Date of Priority: AUG 20, 1968

3. Source: BEAVER CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13N	03W	9	NE	SW	SE		WASHINGTON

5. Description of diverting works:
DIRECT PUMP OUT OF BEAVER CREEK, 4" SUCTION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.310		

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

8. Total consumptive use is 55.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NA

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13N	03W	9	NW	SE		IRR	16.0
Section Acres							16.0

A67-07017

Page 1

Date: 09/27/89

SCANNED
MAY 10 2004

MICROFILMED

OCT 02 1992

10. Place of Use: Continued

Total Acres 16.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
MIDDLE VALLEY DITCH COMPANY

14. Remarks:
AC. IRR. = 15.7.

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: 0

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): *[Signature]* Date: X
Jackson Bros by Vernon Jackson Date: *9/27/89*

State of Idaho)
County of *Washington*) SS.

Subscribed and sworn (or affirmed) before me this *27* day
of *Sept* 19 *89* *[Signature]*
Notary Public

Seal

Residing at *BRUCE A. SCHULD, NOTARY PUBLIC*
My Commission Expires *RESIDING AT BOISE, IDAHO*
MY COMMISSION EXPIRES APRIL 11, 1995

State of Idaho
Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 67-7017 Priority August 20, 1968 Amount 0.31 cfs

THIS IS TO CERTIFY, that PAUL JACKS & SONS

of Midvale, Idaho, has complied with the terms and conditions of Permit No. 67-7017 issued pursuant to Application for Permit dated August 20, 1968, and has submitted proof to the Department of Water Administration on September 14, 1972, that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 0.53 cfs of water from an unnamed stream, tributary to Beaver Creek, and that the permit holder has applied to a beneficial use & established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>Nov. 1</u>	at <u>0.31</u> cfs and	<u>63 acre feet or</u>
	from _____ to _____	at _____ cfs and	<u>4.0 af per acre</u>
	from _____ to _____	at _____ cfs and	

(Both dates inclusive)

Subject, however, to the condition that no more than 0.31 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 63 acre feet per year, and waters to be diverted within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 9, Twp. 13 N, Rge. 3 W, B.M. in the County of Washington

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
13 N	3 W	9															15.7		15.7

Total number of acres irrigated 15.7

A measuring device of a type approved by this Department shall be permanently maintained as part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 21 day of January, 19 74.

Director

67-7017

R. 3 W

47-7017

T.
13
N

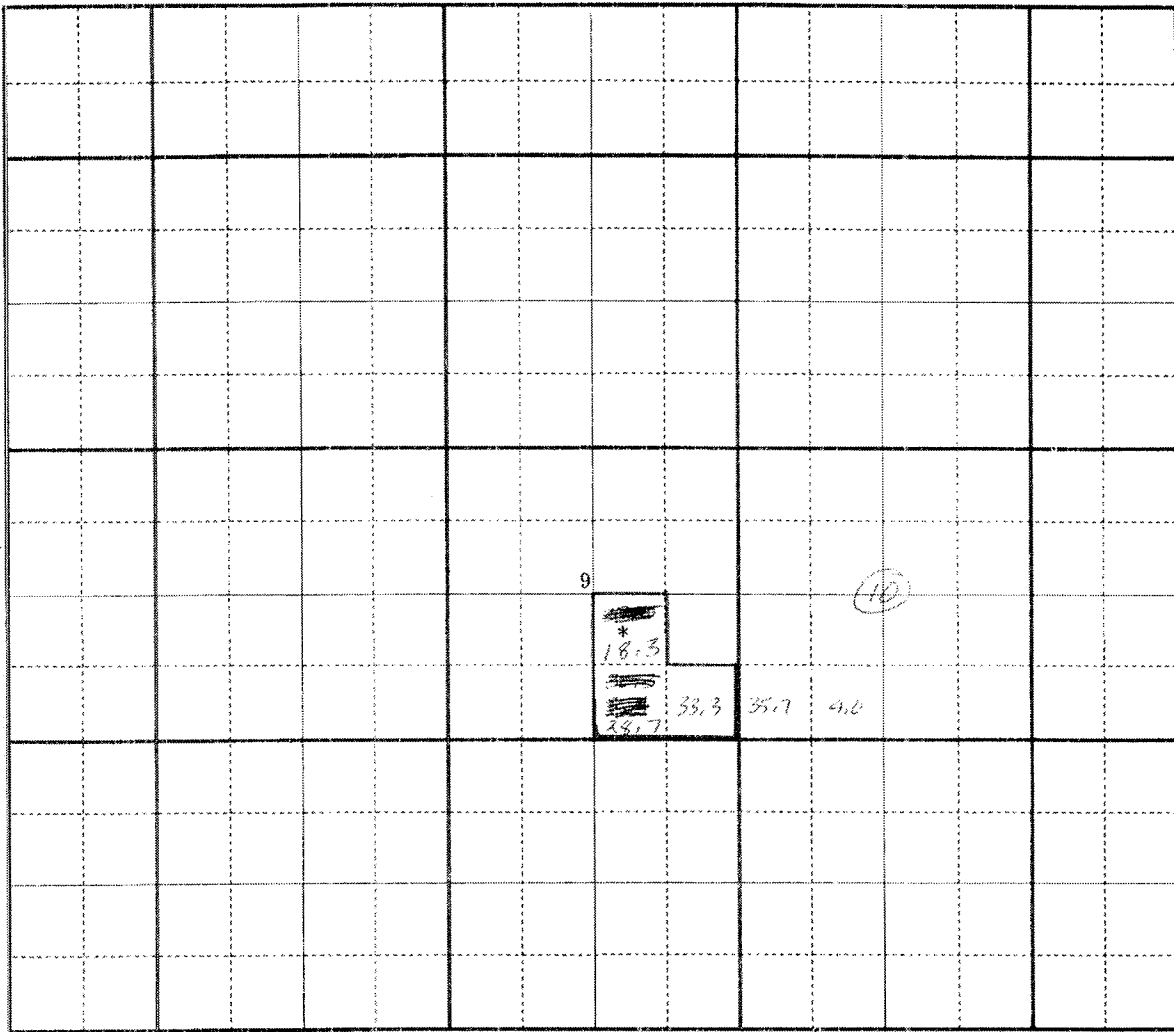


Diagram of System

Handwritten notes:

- 1. 18.3
- 2. 33.3
- 3. 35.7
- 4. 4.0
- 5. 28.7
- 6. 18.3
- 7. 33.3
- 8. 35.7
- 9. 4.0
- 10. 28.7

[illegible]