

11/03/2006

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

RIGHT NUMBER: 67-7288

NAME AND ADDRESS: TIMOTHY J HOHS
3060 FRUITVALE-GLENDALE RD
FRUITVALE ID 83621

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS
1.200 AFY

PRIORITY DATE: 09/27/1976

POINT OF DIVERSION:

T17N R01W S2 SWSE Within ADAMS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

1/01 12/31

0.040 CFS

1.20 AFY

Domestic use is for 1 home.

PLACE OF USE: DOMESTIC in ADAMS County

T17N R01W 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that TIMOTHY J. HOHS
of Fruitvale, Idaho, has complied with the terms and conditions of Permit
No. 68-7288 issued pursuant to Application for Permit dated September 27, 1976,
and has submitted proof to the Department of Water Resources on December 14, 1976,
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 0.04 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Subject, however, to the condition that no more than 0.04 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 for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 1.2 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, Twp. 17N, Rge. 1W, B.N. _____ in the County of Adams

[illegible]

Director

1. Name of permit holder Timothy J. Hohs

Post office address Box 52, Fruitvale, ID 83620 Phone 253-4441

Person to contact _____ Phone _____

- Other uses:

Permit No. 67-7288
Examination for b/u

- Township 17N N/S, Range 1W E/W, B.M., Section 2, Subdivision SW $\frac{1}{4}$ SE $\frac{1}{4}$, Adams County
 Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____ County
 Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____ County

Other Points of Diversions:

Description of diverting works: submersible pump 100' down, 6" pipe

Measuring device required: yes ☐ no ☒

- [illegible]

TOTAL ACREAGE

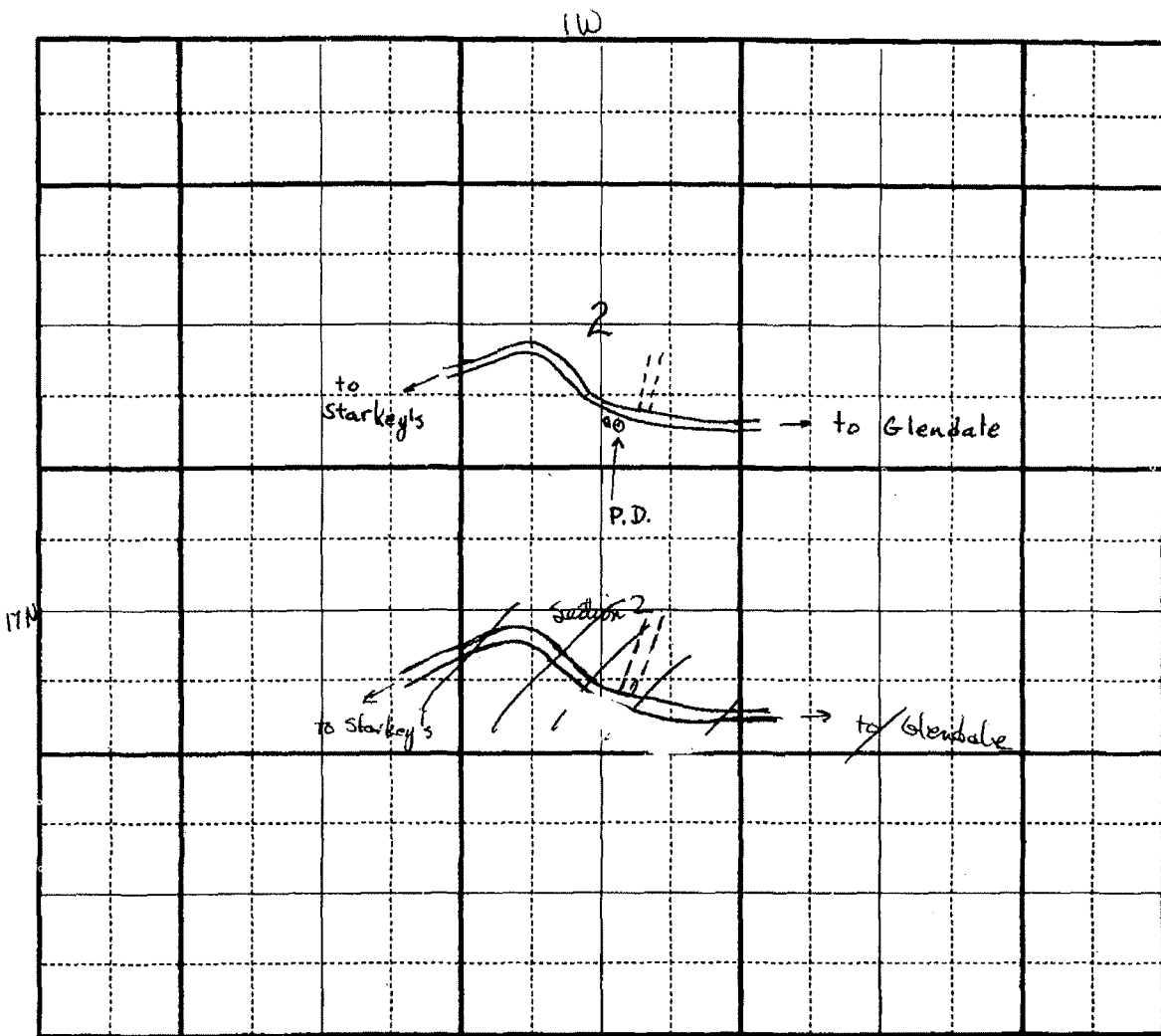


Diagram of System

DATE OF EXAM 2-11-77

ACREAGE
Found less than 1/2
Recommended 1/2

Irrigation Requirement _____ Ac Ft/Ac

USE
Irrigation Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Domestic Q = 0.04 c.f.s. V = 1.2 AF/Ann. from Jan 1 to Dec 31
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

Name source: _____
Twp. _____ N/S, Rge _____ E/W, B.M., Sec _____, Sub _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no X

Name source exchanged with: _____
Twp. _____ N/S, Rge _____ E/W, B.M., Sec _____, Sub _____ 1/4 _____ 1/4 _____
County _____

Point of injection: _____
Twp. _____ N/S, Rge _____ E/W, B.M., Sec _____, Sub _____ 1/4 _____ 1/4 _____
County _____

Point of exchange: _____
Twp. _____ N/S, Rge _____ E/W, B.M., Sec _____, Sub _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 0.04 Method of measurement estimate

Total Q recommended 0.04 Meter No. _____ Type _____ Condition _____

Total V recommended 1.2 AFA

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None X

MEASUREMENT CALCULATION:

SYSTEM DESCRIPTION:
6" well, 1/2 h.p. pump, pressure tank & pipe.

REMARKS:

Examiner's Signature William A. Mac Alester III Date 2-11-77

Checked by LYL Date 2-24-77

Approved by _____ Date _____

Identification No. _____

Application No. 67-2288

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT**

APPROVED

**To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)**

1. Name of applicant TIMOTHY J. HOHS Phone: 253 4441
 post office address Box 52 FRUITVALE, IDAHO 83620
2. Source of water supply GROUND WATER which is a tributary of _____
as per telephone conversation with county assessor
3. a. Location of point of diversion is SW 1/4 of SE 1/4 of Section 2 Township 17N 10-4-76
 Range 1W B.M. ADAMS County; additional points of diversion if any: EEB

- b. If water is not consumed, it will be discharged into A SEPTIC SYSTEM at a point in _____ 1/4
 of _____ 1/4 of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:

Amount .04 for DOMESTIC purpose from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
 Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
 Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

- a. .04 cubic feet per second and/or
 b. _____ acre feet per annum.

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. PIPES (PLUMBING),
WELL PUMP 10 gal/min

- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
 capacity _____ acre feet, materials used in storage dam: _____

Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)

- c. Proposed well diameter is 6 inches; proposed depth of well is 101 feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
 is IT IS DONE years. ALLOW: 1 year

- b. Estimated construction cost is \$ 200000

8. Description of proposed uses:

- a. If water is not for irrigation: as per telephone conversation with county
assessor 10-4-76 EEB

- (1) Give the place of use of water: SW 1/4 of SE 1/4 of Section 2 Township 17N
 Range 1W B.M. _____

- (2) Amount of power to be generated: _____ hp under _____ feet of head.

- (3) List number of each kind of livestock to be watered 1 CAT 1 HORSE

- (4) Name of municipality to be served _____, or number of families to be
 supplied with domestic water ONE

- (5) If water is to be used for other purposes describe: _____

[illegible]

Total number of acres to be irrigated_____

c. Describe any other water rights used for the same purposes as described above. _____

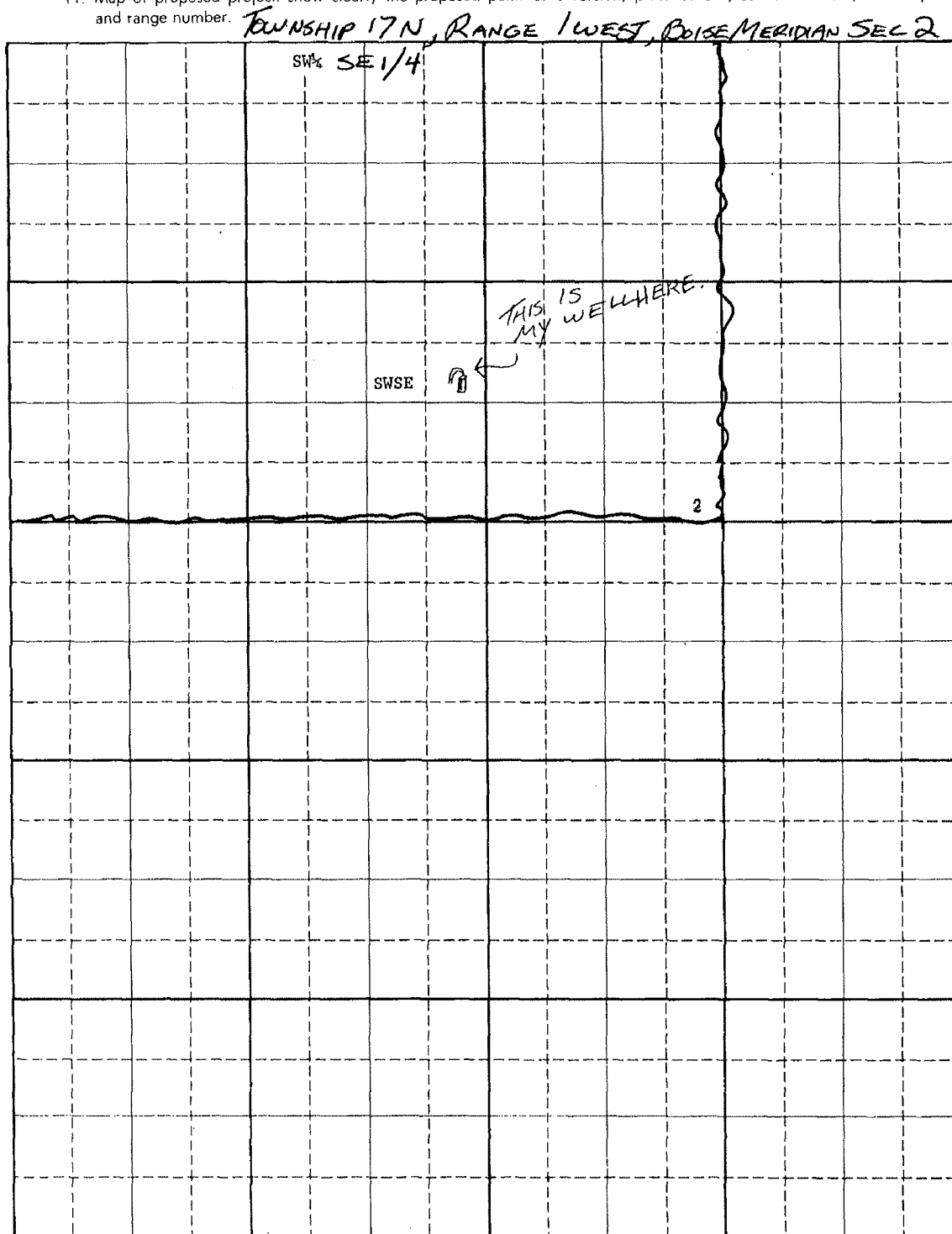
9. a. Who owns the property at the point of diversion me (applicant)

b. Who owns the land to be irrigated or place of use me (applicant)

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 1/8 inches equal 1 mile
8

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Timothy V. Hols
(Applicant)

Proposed Priority 9-27-76

Received by rf Date 9-27-76 Time 10:30
Preliminary check by SS Fee \$ 10.00
Receipted by rf Date 10-4-76 # 5157
Publication prepared by rf Date 10-7-76
Published in Adams County Leader
Publication dates Oct 14 + 21
Publication approved rf Date 10-28-76
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by rf

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 67-7288, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 1977.
- c. Other: _____

2. Denial of said application is for the following reasons: _____

Witness my hand this 4 day of November, 1976.

R. Karl Higin
Director

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: **A67-07288**
Date Received: 12/19/1989
Receipt No: W007191
Received By: _____

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

1. Name: TIMOTHY J HOHS 208-253-4324
Address: BOX 52
FRUITVALE ID 83620

2. Date of Priority: SEP 27, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
17N	01W	2	NE	SW	SE		ADAMS

5. Description of diverting works:
125' WELL, 6" CASING, SUBMERSIBLE PUMP, PIPE TO HOUSE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		1.20

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) 1.20 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	01W	2	SW	SE		DOMEST	

11. Place of use in counties: ADAMS

SCANNED
MAY 10 2004

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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: 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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number A67-07288Date Received 12-19-89Receipt Number W007191

RECEIVED

DEC 19 1989

NOTICE OF CLAIM
TO A
WATER RIGHTDepartment of Water Resources
Western Regional Office

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day. Filing fee \$25

Fruitvale

Please type or print clearly

1. Name of Claimant (s) TIMOTHY J. HONS Phone (208) 2534324Mailing Address P.O. Box 52 Zip 836202. Date of Priority (Only one (1) per claim) 9/27/763. Source of water supply (a) WELL
which is tributary to (b) _____4. Location of point of diversion is: Township 17N Range 1W
Section 2, NE 1/4 of SW 1/4 of SE 1/4, Govt. Lot _____, B.M.,
County of ADAMS

Additional 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. WELL, 6" CASING, 125' DEEP,
SUBMERSIBLE PUMP, PIPE TO HOUSE6. Water is claimed for the following: (Limited to Domestic and/or Stockwater only. See Instructions)
(Both dates are inclusive) (cfs)
For DOMESTIC purposes from 1/1 to 12/31 amount .04
For _____ purposes from _____ to _____ amount _____7. Total quantity claimed .04 (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) 1 HOME

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[illegible]

21
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Copies White-State, Yellow-Claimant
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Water Right Number - 67-07288

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***
HOHS

TIMOTHY J.

1 - BOX 52

2 -

3 -

City- FRUITVALE

Phone -

State- ID Zip- 83620

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
09/27/1976 14 WESTERN L - LICENSE

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

Point of Diversion							Diversion Name	Diversion Rate	Diversion No.
Twn	Rng	Sec	Tract	Lot	RFlg	County			
17N	01W	2	SW SE		(3)	ADAMS			

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
43 - DOMESTIC		01/01	12/31		0.040	1.20

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.040 1.20

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
17N	01W	2	SW SE			43	DOMESTIC	(3) ADAMS

+ - - Diversion Means - WELL & PUMP.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

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Proof Due Date	- 12/01/1977	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 11/04/1976	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 01/01/1900	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 04/08/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 09/26/1983	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000	Presumption Flag	-		

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ADJUDICATION CLAIM REVIEW CHECKLIST

12-1-92

CLAIMANT'S NAME Hoke, Timothy J.CLAIM IDENT. NO. AL67-07288DATE RECEIVED 12-19-89 RECEIPT # 000719 FEE PAID \$ 25.00 FEE REQ'D \$ 25.00

	YES	NO	Require Info?
1. Is the name and address complete with zip code?	<u>X</u>	<u> </u>	*
2. Is a priority date entered?	<u>X</u>	<u> </u>	*
Is the priority date acceptable in view of mandatory filing dates?	<u>X</u>	<u> </u>	*
See Adjudication Memos #1 and #4 to determine if a Permit is required.			
3. (a) Is a source entered?	<u>X</u>	<u> </u>	*
(b) Is a tributary to entered? (if required) N/A <u>X</u>	<u> </u>	<u> </u>	
4. Is the legal description of the p.d. sufficient?	<u>X</u>	<u> </u>	*
5. Is there a description of the diverting works?	<u>X</u>	<u> </u>	
6. Are the water uses appropriate for the form?	<u>X</u>	<u> </u>	*
The short form is limited to D/S uses. Other uses must be filed on the long form. Note: If stockwater stor. or instream stockwater are filed on the short form & all items complete, do not return claim.			
Is the period of use included?	<u>X</u>	<u> </u>	
Is a quantity claimed for each use?	<u>X</u>	<u> </u>	*
7. Is a total quantity claimed entered?	<u>X</u>	<u> </u>	
8. If required is a consumptive use entered? N/A <u>X</u>	<u> </u>	<u> </u>	
Is the consumptive use correct? N/A <u>X</u>	<u> </u>	<u> </u>	
9. Are the non-irrigation uses listed showing # of homes, hd. of stock?	<u>X</u>	<u> </u>	*
If multiple domestic, is single ownership indicated?	<u> </u>	<u> </u>	
10. Is (are) the place(s) of use and purpose(s) indicated?	<u>X</u>	<u> </u>	*
11. Is (are) the county(ies) entered?	<u>X</u>	<u> </u>	
12. Is the ownership of p.u. checked?	<u>X</u>	<u> </u>	
13. Are other water rights listed or "none" indicated?	<u> </u>	<u>X</u>	
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 <u>X</u>	<u> </u>	<u> </u>	
15. Is the basis of the claim indicated?	<u>X</u>	<u> </u>	
16. If the basis of claim is shown as license, permit, or decree is the existing water right no. listed? N/A <u>X</u>	<u> </u>	<u> </u>	
If yes, compare claim w/existing right and attach proof report noting any differences in comments.			
If no, was water right no. found?	<u> </u>	<u> </u>	*
17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal description or name on the claim? N/A <u>X</u>	<u> </u>	<u> </u>	
(If yes, attach a proof report & complete number change)			
NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed.			
18. If the claimant requested a monthly docket sheet, was the fee paid? N/A <u>X</u>	<u> </u>	<u> </u>	
19. Is the claim signed by the claimant, and is the signature appropriate?	<u>X</u>	<u> </u>	*
20. Has the claim been signed, sealed, and dated by a notary?	<u>X</u>	<u> </u>	*
21. Was this claim filed on time?	<u>X</u>	<u> </u>	*
(Check ML3 for date mailed-not all were mailed on the planned date)			
If no, was an extension of time filed & approved?	<u> </u>	<u> </u>	*
22. Is the fee enclosed correct? Exempt <u>X</u>	<u> </u>	<u> </u>	*

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YES NO

23. Is this claim being rejected and returned to claimant?

7

X

24. Can this claim be data entered?

7

X

25. Was claim modified?

7

X

If yes, do modifications require notification to claimant?

Note: Modifications made must be explained in comments stating where the information for any changes was found.

Claim reviewed by: 701

Date 4-14-94

Claim data entered by: 701

Date 6-20-94

IF REQUIRED INFORMATION IS INCOMPLETE SEE INSTRUCTIONS TO DECIDE WHETHER THE CLAIM NEEDS TO BE RETURNED OR IF IT CAN BE MODIFIED. IF IT MUST BE RETURNED INSTRUCTIONS WILL SPECIFY WHICH FORM LETTER TO USE.

Comments: _____

SEARCHED
SERIALIZED
INDEXED
FILED