

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: A37-10117

Date Received: 6/10/1988

Receipt No: 220388

Received By: SLF

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARVIN J. JONES 208-487-2151
Address: 1395 E. 920N.
RICHFIELD, ID 83349

2. Date of Priority: JAN 01, 1959

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04S	20E	19	NE	NW			LINCOLN

5. Description of diverting works:
8' DIA. 1 1/2HP 465' DEEP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
COMMERCIAL	01/01	12/31	0.080		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DAIRY OPERATION

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04S	20E	19	NE	NW		COMMER	

11. Place of use in counties: LINCOLN

A37-10117

Page 1

Date: 06/10/88

MICROFILMED
FEB 24 1993

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

13. Other Water Rights Used:
NO

14. Remarks:
200 HD DAIRY CATTLE

15. Basis of Claim: BENEFICIAL USE
Water Right Number:

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): x Marvin J. Jones Date: x 6-10-88

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 10th day
of June 19 88

Mary A. Baldwin
Notary Public

Seal

Residing at Gooding Id
My Commission Expires 10/16/1992

03/18/2002

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

RIGHT NUMBER: **37-10117**

NAME AND ADDRESS: MARVIN J JONES
1395 E 920 N
RICHFIELD ID 83349

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.02 CFS
1.2 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 12/02/1966

POINT OF DIVERSION:

T04S R20E S19 NWNENW Within LINCOLN 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 1.20 AFY

PLACE OF USE: STOCKWATER Within LINCOLN County

T04S R20E S19 NENW

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

CLAIM NO. 37-10117

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM VERIFICATION EXAM SHEET
FOR DOMESTIC AND STOCKWATER CLAIMS IN PLACE OF A CVR

1. ☒ No Change NAME:☐ NEW OWNER: _____☒ No Change ADDRESS: _____☐ NEW ADDRESS: _____☒ DATA ENTRY STANDARDS CHECKED?2. ☐ No Change - DATE OF PRIORITY: No Field Verification Needed.☒ CHANGE- Priority date, per claimant, is 12-2-1966.
(if the priority date, based on your exam, seems questionable, explain in COMMENTS.) *submitted proof of priority info.*3. ☒ No Change - SOURCE:☐ CHANGE - Different Source found: _____4. ☐ No Change - POINT OF DIVERSION:☒ Point of diversion is different than the claimNew P/D: Twp. _____, Rge. _____, Sec. _____, NW 1/4 _____ 1/4 _____ 1/4

+ Add 10ac

Note: If the 10-acre tract is shown on the claim, then verification of the 10-acre parcel is needed. Otherwise the 10-acre tract is not required, unless the source is a spring.

5. ☐ No Change - DESCRIPTION OF DIVERTING WORKS:☐ Incomplete desc., complete items missing, IF KNOWN.

HP of pump _____ Static water level _____ Well depth _____

Casing size _____ Pumping water level _____ Gravity flow _____

Method of irr. _____

6. ☐ No Change - WATER USES:☒ Different uses, (list uses found).
$$\frac{(8.8)(1.5)(.70)}{465 + (50 \times 2.31)} = 0.016 \text{ cfs}$$
Use Stockwater From 1/1 To 12/31 Amount 0.02 cfs 1.2 af

Use _____ From _____ To _____ Amount _____ cfs _____ af

7. ☐ No Change - TOTAL VOLUME:☒ Change found, The new total is, -- -- -- 0.02 cfs 1.2 af8. N/A *(Vol = stock table est.)*9. ☐ No Change - NON-IRRIGATION USES: Completed on claim *for Date Proven.*☐ Incomplete on claim - Exam found:Domestic - No. of homes _____ Stockwater - No. of head 200

Other: _____

☒ DATA ENTRY STANDARDS (correct to..)

** No GIS Links*

10. ☒ No Change - PLACE OF USE: (If changed, list below.)
Use Twp. Rge. Sec. 1/4, 1/4, 1/4

Stock

11. ☐ Checked: N/A

12. ☐ Checked: N/A

13. ☒ No change - OTHER RIGHTS FOR SAME USE:
☐ CHANGE:

14. ☐ None REMARKS: (copy existing remarks to comments in "R")

☒ Add the following standard remarks:

LIST STANDARD REMARKS FOR THE RECOMMENDATION:

N11 N13 C18

15. ☒ BASIS OF CLAIM VERIFIED AS: D - L - P - S - (J) (circle one)

COMMENTS: (pertinent to field examination)

Proof of Priority was given for 1966, after permit requirement.
Info in the file can support Stockwater use for Small
Dairy operation < 13,000 gpd.

ATTACHMENTS: Attached to This Form. Attachments are in ~~Permit~~ File.

PHOTOS

MAP

SYSTEM DIAGRAM

DATE EXAM CONDUCTED:

N/A "deminimis"

FIELD EXAMINER:

Signature

REVIEWED BY/DATE:

SCU 3/18/02

DATA ENTRY BY/DATE:

SCU 3/18/02

VERIFICATION BY/DATE:

Department of water resources
the well was completed by Dec 2, 1966
and piped in to the house and Barn

Marvin J. Jones



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0001
Phone: (208) 327-7900 FAX: (208) 327-7866 www.idwr.state.id.us

RECEIVED

MAR 15 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

37-10117
MARVIN J JONES
1395 E 920 N
RICHFIELD, ID 83349

March 4, 2002

Re: Evidence of Priority Date for SRBA Claim

RESPONSE DEADLINE
MARCH 29, 2002

Dear Claimant:

The Notice of Claim identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your 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. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, at a later date, conduct reviews and/or field exams for the claims in your area. Since the priority date of a beneficial use water right cannot be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the Department. If you have received this correspondence from the previous owner of the property it is recommended that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Enclosed you will find a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: The Department will not recommend the court decree the notice **as claimed** if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement should be in the form of a notarized affidavit.

Submit the required evidence supporting the priority date by the date shown above, referencing all documents with the corresponding Notice number. If you have questions not covered by this letter or the enclosed pamphlet, please contact the office listed above.

Sincerely,

Steve Clelland
Water Resource Agent, Sr.

Enclosures

3147 the proceeds of foreclosure sale, after being applied to the payment of costs and expenses incident to enforcing or complying with the provisions hereof, any prior liens required by law or a competent court to be so paid, and all indebtedness secured hereby, shall be applied in the following order to the payment of: (a) inferior liens of record required by law or a competent court to be so paid, (b) at the Government's option any other indebtedness of Borrower owing to or insured by the Government, and

- (c) any balance to Borrower;
- (15) as against the indebtedness hereby secured, with respect to said property, and to the extent permitted by law, Borrower hereby relinquishes, waives, and conveys all rights, inchoate or consummate, of descent, dower, curtesy, homestead, valuation, appraisal, redemption, and exemption to which Borrower is or becomes entitled under the laws and constitution of the jurisdiction where said property lies;
- (16) this instrument shall be subject to the present regulations of the Farmers Home Administration, and to its future regulations not inconsistent with the express provisions hereof;
- (17) notices given hereunder shall be sent by certified mail, unless otherwise required by law, addressed, until some other address is designated in a notice so given, in the case of the Government to Farmers Home Administration, United States Department of Agriculture, at Boise, Idaho, and in the case of Borrower to him at his post office address stated above;
- (18) Borrower has assigned or waived or will immediately, on request of the Government, assign or waive in favor of the Government all grazing privileges, permits, licenses, or leases appurtenant to or used in connection with said land, and Borrower further covenants and agrees to procure renewals thereof prior to their expiration and to pay all fees and charges and to perform all acts and do all things necessary to keep and preserve all said grazing rights and all renewals thereof, and in the event of the failure of Borrower to do any of these things the Government may do so on behalf of Borrower, including advancing such sums as may be necessary for this purpose, and such funds advanced shall be secured by this instrument.

IN WITNESS WHEREOF, Borrower has hereunto set Borrower's hand(s) and seal(s), the day and year first above written.

Marvin J. Jones, aka Marvin Jones (Husband)

Elva Lorraine Jones, aka Lorraine Jones (Wife)

STATE OF IDAHO

COUNTY OF LINCOLN

ss:

ACKNOWLEDGMENT

On this 19th day of July, in the year of 1966, before me, the undersigned, a Notary

Public in and for said State, personally appeared MARVIN J. JONES, aka MARVIN JONES and

ELVA LORRAINE JONES, aka LORRAINE JONES, his wife,

known to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that

they executed the same as their free act and deed for the uses, purposes and consideration therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the said date.

(NOTARIAL SEAL)

Notary Public, residing at Phoenix

My commission expires: 7-10-68

REAL ESTATE MORTGAGE FOR IDAHO

(DIRECT LOAN)
(SOIL AND WATERSHED)

M. J. J.

KNOW ALL MEN BY THESE PRESENTS, Dated July 12, 1966 July 12, 1966

WHEREAS the undersigned, MARVIN J. JONES, aka MARVIN JONES, and

ELVA LORRAINE JONES, aka LORRAINE JONES, his wife,

residing in Lincoln County, Idaho, whose post office

address is Box 101, Richfield, in said State, hereinafter called Borrower; are (is) justly indebted to the United States of America, acting through the Farmers Home Administration, United States Department of Agriculture, hereinafter called the Government, as evidenced by one or more certain promissory note(s) or assumption agreement(s), hereinafter called note(s), executed by Borrower and payable to the Government, containing covenants and agreements of Borrower in addition to promise(s) to pay money, and authorizing optional acceleration of the entire indebtedness upon Borrower's breach of any covenant or agreement, said note(s) being described as follows:

<u>Date of instrument</u>	<u>Principal amount</u>	<u>Annual rate of interest</u>	<u>Due date of final installment</u>
<u>July 12, 1966</u> M. J. J.	<u>\$3,750.00</u>	<u>5%</u>	<u>July 12, 2006</u> M. J. J.

NOW, THEREFORE, in consideration of the said indebtedness and to secure the prompt payment thereof and of any advances made hereunder and any renewals and extensions of any debt secured hereby, all with interest, and to secure the performance of every covenant and agreement of Borrower contained herein, in said note(s), or in any supplementary agreement, Borrower does hereby grant, convey, mortgage, and assign unto the Government the following property situated in the State of Idaho,

County(ies) of Lincoln

Township 4 South, Range 20 East of the Boise Meridian. M. J. J.

SECTION 19: NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, E $\frac{1}{2}$ of the NW $\frac{1}{4}$, Lots 1 and 2, and that part of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ and of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ North and West of the Oregon Short Line Railroad, Ketchum Branch, and that part of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ described as follows: Beginning at the Northwest corner of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, thence East 1024 feet, thence diagonally Southwest to the West line of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, 1380 feet, thence North 928 feet to the point of beginning. EXCEPTING THEREFROM a strip of land 80 feet in width for highway purposes as set forth in the following deeds to the State of Idaho:

1. Dated September 16, 1930, across NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 19, Twp. 4 S., R. 20 E.B.M., recorded January 30, 1931 in Book 37 Deeds, Page 14,
2. Dated October 10, 1930, across NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 19, Twp. 4 S., R. 20 E.B.M., recorded January 21, 1931 in Book 37 Deeds, Page 15, and
3. Dated September 12, 1930, across SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 19, Twp. 4 S., R. 20 E.B.M., recorded January 30, 1931 in Book 37 Deeds, Page 16, records of Lincoln County, Idaho.

Together with all water and water rights, ditches and ditch rights

win Jones
East 920 North
Idaho

CERTIFIED MAIL



7099 3220 0002 5794 4436



State of Idaho
Department of Water Resources
1301 North Orchard Street, P.O. Box 83720,
Boise, Idaho 83720-0098

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. 37-10117

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent: Steve Clelland

3/11/2002 11:10 AM

NAME:

RE:

MARVIN JONES

CALLIN/BACK

PRIORITY LETTER

He was asking about the letter and wanted to know if he had the right documentation... I suggested he send in the letter from the VA financing the well construction and also continue to gather additional info as well. I spent some time to explain the SRBA process to him and where he was at this point in time. He believed it was all completed back in 1988. Phone 487-2151.
Claim 37-10117.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866 www.idwr.state.id.us

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KARL J. DREHER
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Sincerely,

Steve Clelland
Water Resource Agent, Sr.

Enclosures

13 18

24 19

37-10117
draft map

POD &
POU