

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 37-21652  
Date Received: 10/10/1989  
Receipt No:  
Received By:

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

1. Name of Claimant(s)

MICHAEL JESSEN  
RT 1 BOX 1215  
FAIRFIELD ID USA 83327

Phone: (208)764-2636

JOHN WHITNEY  
RT 1 BOX 1215  
FAIRFIELD ID USA 83327

Phone: (208)764-2636

2. Date of Priority: 01/01/1880

3. Source: SPRING , SPRING , SPRING , SPRING , SPRING Trib. to: SINKS , SINKS ,  
SINKS , SINKS , SINKS

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot |    |    | County | Type |
|----------|-------|---------|-----------------------|----|----|--------|------|
| 01N      | 15E   | 24      | NW                    | NE | NW | CAMAS  |      |
| 01N      | 15E   | 24      | NW                    | NE | NW | CAMAS  |      |
| 01N      | 15E   | 24      | NW                    | SW | SE | CAMAS  |      |
| 01N      | 15E   | 24      | NE                    | NE | NW | CAMAS  |      |
| 01N      | 15E   | 24      | SW                    | SW | NE | CAMAS  |      |

5. Description of diverting works:

TROUGH IN SW SW NE

6. Water is used for the following purposes:

| Purpose    | From | To    | C.F.S. | (or) A.F.A |
|------------|------|-------|--------|------------|
| STOCKWATER | 1/01 | 12/31 | 0.09   |            |

7. Total Quantity Appropriated is:  
0.09 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 |
|----------|-------|---------|------------|-----|------------|-------|
| 01N      | 15E   | 24      | SW         | SE  | STOCKWATER |       |
|          |       |         | SW         | NE  | STOCKWATER |       |
|          |       |         | NE         | NW  | STOCKWATER |       |

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used:

14. Remarks:

SPRINGS USED THROUGHOUT SECTIONS 19, 29 & 30, T1N R16E AND SECTIONS 02, 11, 13, 14, 24 & 25, T1N R15E.

This right is a split from former right 37-13092 .

15. Basis of Claim: Beneficial Use

02/15/2006

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

RIGHT NUMBER: 37-21652

NAME AND ADDRESS: MICHAEL JESSEN  
RT 1 BOX 1215  
FAIRFIELD ID 83327

JOHN WHITNEY  
RT 1 BOX 1215  
FAIRFIELD ID 83327

SOURCE: SPRING

TRIBUTARY: UNNAMED STREAM

QUANTITY: 0.070 CFS

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

PRIORITY DATE: 01/01/1880

POINT OF DIVERSION:

T01N R15E S24 SWSWNE Within CAMAS County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE  
STOCKWATER

PERIOD OF USE  
01/01 12/31

QUANTITY  
0.070 CFS

PLACE OF USE: STOCKWATER Within CAMAS County

T01N R15E S24 SWNE

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

## Adjudication Claim Notes

**Claim(s): 37-21652**

### Background Data

- Beneficial Use Claim
- Source is Springs tributary to Sinks
- Claimed 0.09 cfs for Stockwater

### Place Of Use Data

Yellow line is the draft Place of Use created by IDWR based on historical data and records.

Yellow dot is draft Point of Diversion created by IDWR based on historical data and records.

Green line is decreed/licensed POU (this may only represent the Quarter-Quarter sections of the decree/license)

### 2004 Aerial Photo



## Notes

### T1N R15E Section 24

- Claim 37-13092 included both undeveloped springs and a stock trough. It was split into 2 rights:
  - 37-21651 for 0.02 cfs for the undeveloped springs (in-stream stockwater)
  - 37-21652 for 0.07 cfs for the stock trough
  
- Data used for review: 1992 & 2004 aerial photos, Camas Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo