

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 23-61

WATER RIGHT NUMBER: 23-61

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	MAX JACOBSON 131 TRIPLE J RD IRWIN, ID 83428 (208)483-3855
Current Owner	SOUTH FORK PINES 1200 QUEENS LN JACKSON, WY 83001 (307) 377-7869
Original Owner	HANNAH BURTON , ID

Priority Date: 05/20/1889

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
PALISADES CREEK	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/31	2.340 CFS	
	<u>Total Diversion:</u>	2.340 CFS	

Location of Point(s) of Diversion

PALISADES CREEK	SW1/4SW1/4SE1/4	Sec. 26, Twp 01N, Rge 44E, B.M.
BONNEVILLE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	44E	27									32.0	13.0		13.0		7.4	36.0		101.4
											L 1		L 4			L 5			

Total Acres: 101.4

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C18 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.
3. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

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Remarks:Comments:

1. aruberry 1/8/2004 OWNERSHIP

Comment: CLAIM OWNED BY SPENCE WARNER BUT HE FAILS TO FILE C/O AND DOCS. RECOMMEND TO ORIGINAL OWNER.

2. aruberry 2/17/2004 CHANGE OWNER

Comment: C/O FILED FEB 17, 2004

3. dcarlson 7/13/2010 3:14:43 PM POD

Comment: PODID 589109 correlated from SpatialDataID 302672 to SpatialDataID 302672

Dates and Other Information:

Licensed Date:

Decreed Date: 1/31/2005

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector:

Water District Number: 01

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant:

Decree Plaintiff:

Civil Case Number: 39576

Judicial District: FIFTH

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	4/9/2003 1:36:38 PM	aruberry			Closed
POD	4/9/2003 1:37:05 PM	aruberry			Closed
POU	4/9/2003 1:58:20 PM	aruberry			Closed
Source	4/9/2003 1:58:21 PM	aruberry			Closed
Season	4/9/2003 1:58:22 PM	aruberry			Closed
Use	4/9/2003 1:58:22 PM	aruberry			Closed
Quantity	4/9/2003 1:58:23 PM	aruberry			Closed
Priority Date	1/8/2004 3:54:45 PM	aruberry			Closed
POD	1/8/2004 3:55:04 PM	aruberry			Closed
POU	1/8/2004 3:56:10 PM	aruberry			Closed
Use	1/8/2004 3:58:42 PM	aruberry			Closed
Season	1/8/2004 3:59:15 PM	aruberry			Closed
Source	1/8/2004 4:10:43 PM	aruberry			Closed

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Quantity	1/8/2004 4:10:44 PM	aruberry	Closed
Summary		01/08/2004 aruberry	Closed

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	4/1/2004 1:35:26 PM	aruberry	Edited shape boundary
POU	4/1/2004 1:37:38 PM	aruberry	Edited PLS
Priority Date	4/9/2003 1:36:39 PM	aruberry	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ?
POD	4/9/2003 1:37:07 PM	aruberry	(Yes) 1. Is the basis of this claim a Decree or License? (No) 4. Does the Decree or License have a POD? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD?
POU	4/9/2003 1:58:21 PM	aruberry	(Yes) 1. Is the basis of this claim a Decree or License?
Source	4/9/2003 1:58:22 PM	aruberry	(Yes) 1. Is the basis of claim Decree or License?
Use	4/9/2003 1:58:23 PM	aruberry	(Yes) 1. Is the basis of this claim a Decree or License?
Season	4/9/2003 1:58:23 PM	aruberry	(Yes) 1. Is the basis of claim Decree or License?
Quantity	4/9/2003 1:58:24 PM	aruberry	(Yes) 1. Is the basis of this claim a Decree or License?
POD	7/13/2010 3:14:12 PM	dcarlson	PODID 589109 correlated from SpatialDataID 302672 to SpatialDataID 302672
POU	1/8/2004 3:56:25 PM	aruberry	Edited shape boundary
POD	1/8/2004 3:55:40 PM	aruberry	Edited point location
POU	1/8/2004 3:56:54 PM	aruberry	Edited PLS
Source	1/8/2004 4:10:43 PM	aruberry	(Yes) 1. Is the basis of claim Decree or License?
Quantity	1/8/2004 4:10:44 PM	aruberry	(Yes) 1. Is the basis of this claim a Decree or License?

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Summary	1/8/2004 4:10:45 PM	aruberry	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Priority Date	1/8/2004 3:54:45 PM	aruberry	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ?
POD	1/8/2004 3:55:04 PM	aruberry	(Yes) 1. Is the basis of this claim a Decree or License? (No) 4. Does the Decree or License have a POD? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD?
POU	1/8/2004 3:56:09 PM	aruberry	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file?
Use	1/8/2004 3:58:42 PM	aruberry	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file?

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Season	1/8/2004 3:59:15 PM	aruberry	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (Yes) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 14. Is irrigation claimed as a Purpose of Use? (No) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards?
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SubCase:

SubCase Number: 23-61
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date: 12/7/2004
Attorney Assigned:
Adjudication Agent: Allen Ruberry
Basis of Claim: Decreed

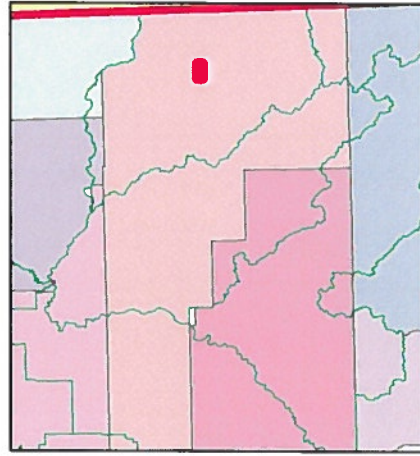
Water Supply Bank:



Idaho Department of Water Resources

Water Right
23-61
(IRRIGATION)

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



Bonneville County
IDWR Basin 23

Prepared by Jordan, Blake

2009 Aerial Photography

