

01/16/2001

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: <sup>March</sup> ~~February~~ 9, 2001

Water right number: 31-10627

MUD LAKE WATER USERS INC  
1400 E 1500 N  
PO BOX 68  
TERRETON, ID 83450

Daytime Telephone Number: (208)663-4359  
Evening Telephone Number:

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

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

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: 2-12-2001 SIGNATURE: *Barth Sodergren*

Please print your name: MUD LAKE WATER USERS, INC.  
P. O. BOX 68  
TERRETON, ID 83450

IDWR Regional Office, 900 N Skyline, Idaho Falls, ID 83402, (208) 525-7161



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

June 30, 1999

GARTH SODERQUIST  
MUD LAKE WTER USERS INC  
PO BOX 68  
TERRETON ID 83450

RE: NOTICE OF CHANGE OF WATER RIGHT NAME (OWSLEY CANAL -  
MUD LAKE WATER USERS INC)

Dear Mr. Soderquist:

The request for Change of Name concerning the attached  
list of claims has been processed and the Department's  
records updated to reflect you as the new claimant.

I have also notified the water measurement district of  
the change.

**Please keep this report for your records.**

Respectfully yours,

*Jennifer Hoagland*  
Jennifer Hoagland  
Technical Records Specialist

Enclosure

cc: Kent Foster

DELOG EC  
6/24/99

STATE OF IDAHO  
IDAHO DEPARTMENT OF WATER RESOURCES  
**NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP**

RECEIVED

JUN 24 1999

Department of Water Resources  
Eastern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

1. Water Right Number(s) \_\_\_\_\_  
Adjudication Claim Number(s) See attached list

2. The following REQUIRED information must be submitted with this form.

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) Oliver/R. Gilling/Company

4. New Owner/Claimant(s) Mud Lake Water Users Inc.

Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR

New Mailing Address P.O. Box 68

City, State and ZIP Code Terreton, Idaho 83450

New Telephone Number (208) 663-4359

5. Date you acquired the property \_\_\_\_\_

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated \_\_\_\_\_ Number and type of stock \_\_\_\_\_

Diversion rate in CFS \_\_\_\_\_ Number of homes \_\_\_\_\_ Other uses \_\_\_\_\_  
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) Mud Lake Water Users Inc. Date 6-24-99

South Forkerquest, President Date 6-24-99

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.



# ARTICLES OF AMENDMENT (Non-profit)

To the Secretary of State of the State of Idaho  
Pursuant to Title 30, Chapter 3, Idaho Code, the undersigned non-profit  
corporation amends its articles of incorporation as follows:

**FILED**

**99 MAR 22 AM 10:43**  
SECRETARY OF STATE  
STATE OF IDAHO

1. The name of the corporation is: Owsley Canal Company

2. The text of each amendment is as follows:

Change of name is:  
Mud Lake Water Users, Inc.  
1400 East 1500 North  
P.O. Box 68  
Terreton, Idaho 83450

3. The date of adoption of the amendment(s) was: March 17, 1998

4. Manner of adoption (check one):

☐ Each amendment consists exclusively of matters which do not require member approval pursuant to section 30-3-90, Idaho Code, and was, therefore, adopted by the board of directors. (Please fill spaces below)

- a. The number of directors entitled to vote was: \_\_\_\_\_  
b. The number of directors that voted for each amendment was: \_\_\_\_\_  
c. The number of directors that voted against each amendment was: \_\_\_\_\_

☒ The amendment consists of matters other than those described in section 30-3-90, Idaho Code, and was, therefore adopted by the members. (Please fill spaces below)

a. The number of members entitled to vote  
was: 127

b. The number of members that voted for each  
amendment was: 48

c. The number of members that voted against  
each amendment was: 4

Dated: March 8, 1999

Signed by: Barth Soderquist  
Its President  
(Capacity of signer)

Customer Acct #:

(if using pre-paid account)

Secretary of State use only

IDAHO SECRETARY OF STATE

**03/22/1999 09:00**

CX: 8836 CT: 91798 BH: 199218

1 @ 38.00 = 38.00 NON PROF A # 2

C 9932

LAW OFFICES  
**HOLDEN, KIDWELL, HAHN & CRAPO**  
**P.L.L.C.**

IDAHO FALLS OFFICE

FRED J. HAHN  
KENT W. FOSTER  
ROBERT E. FARNAM  
WILLIAM D. FALER  
STEPHEN E. MARTIN  
CHARLES A. HOMER  
GARY L. MEIKLE  
GAYLE A. SORENSON, P.A.  
DONALD L. HARRIS  
DALE W. STORER  
MARIE T. TYLER  
JOHN G. SIMMONS, P.A.  
ROBERT M. FOLLETT  
JAMES K. SLAVENS

WEST ONE BANK  
P.O. BOX 50130  
330 SHOUP AVENUE  
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620  
TELEFAX (208) 523-9518

KEY FINANCIAL CENTER  
702 W. IDAHO SUITE 810  
BOISE, IDAHO 83702

TELEPHONE (208) 343-0820  
TELEFAX (208) 343-8078

BOISE OFFICE

TODD J. WILCOX  
FREDERICK J. HAHN III  
RONALD D. CHRISTIAN

ARTHUR W. HOLDEN  
(1877-1967)  
ROBERT B. HOLDEN  
(1911-1971)  
TERRY L. CRAPO  
(1939-1982)  
WILLIAM S. HOLDEN  
(1907-1988)

July 14, 1994

*File*

Mr. Dave Carlson, Water Rights Agent  
DEPARTMENT OF WATER RESOURCES  
900 N. Skyline Drive  
Idaho Falls, Idaho 83402-1718

**RECEIVED**  
JUL 15 1994

Department of Water Resources  
Eastern District Office

**RE: Right Number A31-10627/Owsley Canal Company**

Dear Mr. Carlson:

The Owsley Canal Company has pretty well exhausted the possible sources of information regarding the priority date for the above numbered water right claim. The best they have been able to come up with is the enclosed affidavit from Merrill Jemmett who was able to verify the year that a particular culinary well was drilled. We are enclosing the original affidavit with this letter for your file.

We assume that this will result in a modification of the claim to priority on this water right but we will wait to hear from you as to how you wish to proceed.

Very truly yours,

*Kent W. Foster*

Kent W. Foster

Enclosure

G:\WPDATA\SANDRA\00DAVE02.LTR:sjw

**MICROFILMED**  
NOV 14 1996

Terreton, Idaho  
June 30, 1994

TO WHOM IT MAY CONCERN:

This is to verify the year of 1957 as being the  
year a culinary well was drilled for the following:  
OWSLEY CANAL CO.  
MUD LAKE FAIR BOARD  
WM. BARKSDALE  
MERRILL JEMMETT

Yours truly,

MERRILL JEMMETT

*Merrill Jemmett*

*Kevin Christensen*  
Notary Public

RECEIVED  
JUL 15 1994

Department of Water Resources  
Eastern District Office

MICROFILMED  
NOV 14 1996



State of Idaho  
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION  
FEBRUARY 9, 1993

CECIL D. ANDRUS  
GOVERNOR  
R. KEITH HIGGINSON  
DIRECTOR

POOR ORIGINAL

RE: EVIDENCE OF PRIORITY

Dear Claimant(s):

The Notice(s) of Claim identified with the number shown above in the "address" label and at the "end" of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". 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, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. As the claimant, you are responsible for submitting the necessary proof to support the priority date.

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some examples of Documents Which May Be Evidence of the Priority Date".

EVIDENCE OF PRIORITY  
Page - 2 -

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel.

\*\*\*\*\*  
The Department will not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.  
\*\*\*\*\*

Please submit the required evidence supporting the priority date by MARCH 9, 1993, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,

Eric Verner  
Senior Water Agent

EV:jt

Enclosure: Brochure on "Evidence of Priority"  
Proof Report

Other Water Right Numbers Needing Evidence of Priority

MICROFILMED

APR 15 1994

10 27/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Quincy Canal Co. CLAIM IDENT. NO. 131-10627

DATE RECEIVED 307/20/1988 CK # \_\_\_\_\_ AMOUNT \$ \_\_\_\_\_

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | YES                                        | NO                       |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|--------------------------|
| 1. Is the name and address complete with zip code?                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <input checked="" type="checkbox"/>        | <input type="checkbox"/> |
| 2. Is a priority date entered?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <input checked="" type="checkbox"/>        | <input type="checkbox"/> |
| Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?<br>A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS. |                                            |                          |
| 3. (a) Is a source entered?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <input checked="" type="checkbox"/>        | <input type="checkbox"/> |
| (b) Is a tributary to entered? (if required)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | N/A <input checked="" type="checkbox"/>    | <input type="checkbox"/> |
| 4. Is the legal description of the p.d. sufficient?                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <input checked="" type="checkbox"/>        | <input type="checkbox"/> |
| 5. Is there a description of the diverting works?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <input checked="" type="checkbox"/>        | <input type="checkbox"/> |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.                                                                                                                                                                                                                                                                                                                      | <input checked="" type="checkbox"/>        | <input type="checkbox"/> |
| Is the period of use included?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <input checked="" type="checkbox"/>        | <input type="checkbox"/> |
| Is a quantity claimed for each use?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <input checked="" type="checkbox"/>        | <input type="checkbox"/> |
| 7. Is a total quantity claimed entered?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <input checked="" type="checkbox"/>        | <input type="checkbox"/> |
| 8. If required is a consumptive use entered?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | N/A <input checked="" type="checkbox"/>    | <input type="checkbox"/> |
| Is the consumptive use correct?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | N/A <input checked="" type="checkbox"/>    | <input type="checkbox"/> |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.                                                                                                                                                                                                                                                                                                         | N/A <input checked="" type="checkbox"/>    | <input type="checkbox"/> |
| 10. Is (are) the place(s) of use entered?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <input checked="" type="checkbox"/>        | <input type="checkbox"/> |
| 11. Is (are) the county(ies) entered?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <input checked="" type="checkbox"/>        | <input type="checkbox"/> |
| 12. Is the ownership of p.u. checked?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <input checked="" type="checkbox"/>        | <input type="checkbox"/> |
| 13. Are other water rights listed or "none" indicated?                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <input checked="" type="checkbox"/>        | <input type="checkbox"/> |
| 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 <input checked="" type="checkbox"/>    | <input type="checkbox"/> |
| 15. Is the basis of the claim checked?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <input checked="" type="checkbox"/>        | <input type="checkbox"/> |
| 16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)                                                                                                                                                                                                                                                                                        | <input checked="" type="checkbox"/>        | <input type="checkbox"/> |
| Has the claim been signed, sealed, and dated by a notary?                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <input checked="" type="checkbox"/>        | <input type="checkbox"/> |
| Was this claim filed on time, or was an extension granted?                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <input checked="" type="checkbox"/>        | <input type="checkbox"/> |
| Is the fee enclosed correct?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Exempt <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| If this claim is based on an existing water right, has the identification number been entered?                                                                                                                                                                                                                                                                                                                                                                                                                                   | N/A <input checked="" type="checkbox"/>    | <input type="checkbox"/> |
| Should this claim be receipted and data entered?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <input checked="" type="checkbox"/>        | <input type="checkbox"/> |

Claim checked by: Ernest  
MICROFILMED

01/05/2001

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

RIGHT NUMBER: 31-10627

NAME AND ADDRESS: MUD LAKE WATER USERS INC  
1400 E 1500 N  
PO BOX 68  
TERRETON, ID 83450

SOURCE: GROUND WATER TRIBUTARY: MUD LAKE

QUANTITY: 0.08 CFS  
4.8 AFY

PRIORITY DATE: 12/31/1957

POINT OF DIVERSION: T06N R34E S23 NENENE Within JEFFERSON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| DOMESTIC 3 HOMES      | 01-01 12-31          | 0.08 CFS        |
|                       |                      | 4.80 AFY        |

PLACE OF USE: DOMESTIC Within JEFFERSON County  
T06N R34E S23 NENE T06N R34E S24 NWNW

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 - Beneficial Use

DOMESTIC USE INCLUDES 3 HOMES, COMMUNITY FAIRGROUND.

01/05/2001

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommended Right Report

WATER RIGHT NO. 31-10627

Owner Type                      Name and Address  
Current Owner                  MUD LAKE WATER USERS INC  
                                         1400 E 1500 N  
                                         PO BOX 68  
                                         TERRETON, ID 83450  
                                         (208)663-4359

Priority Date:            12/31/1957  
Basis:                    Beneficial Use  
Status:                   Valid

Source  
GROUND WATER

Tributary to  
MUD LAKE

0.08 CFS

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| DOMESTIC              | 01/01       | 12/31     | 0.04 CFS              | 4.8 AFA       |                    |
| Total Diversion       |             |           | 0.08 CFS              | 4.8 AFA       |                    |

Location of Point(s) of Diversion:

GROUND WATER                      NENENE                      Sec. 23                      Township 06N                      Range 34E                      JEFFERSON County

DOMESTIC Use:  
Number of homes: 3  
Number of other uses: 1

Place(s) of use:

Place of Use Legal Description: DOMESTIC                      JEFFERSON County

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> |
|-----------------|--------------|----------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|
| 06N             | 34E          | 23             |            | NENE         |              |            |              |              |            |              |              |            |              |              |
|                 |              | 24             |            | NWNW         |              |            |              |              |            |              |              |            |              |              |

Conditions of Approval:

- 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.

Remarks:

- Explanatory DOMESTIC USE INCLUDES 3 HOMES, COMMUNITY PARK AND FAIRGROUND.

Comments:

| <u>Author</u> | <u>Date</u> | <u>Subject</u> | <u>Comment</u>                                                                                                                       |
|---------------|-------------|----------------|--------------------------------------------------------------------------------------------------------------------------------------|
| bcontor       | 1/5/01      | Purpose        | Claimed as municipal for use at city park, but park is not within incorporated municipality, so this use is recommended as domestic. |
| bcontor       | 1/5/01      | Irrigation     | Per phone call to Garth Soderquist of MLWU, park is irrigated under MLWU irrigation rights from canal.                               |

bcontor 1/5/01 Priority Date  
bcontor 1/5/01 N13 remark

Households may irrigate some with well but this will be within the domestic limitation.  
Garth Soderquist believes he may be able to find a license for this use, if so this claim will be renumbered and recommended per the license. Otherwise, priority per affidavit in file.  
3 households x 13,000 + park/fairgrounds @ 2,500 = 41,500 gallons per day. Not coded as this is less restrictive than annual volume limitation and diversion rate effectively limits daily volume.

Dates:

Licensed Date:  
Claim Received Date: 12/06/1988  
Enlargement Use Priority Date:  
Enlargement Statute Priority Date:  
Decreed Date:  
Date Filed with Court:  
Objection Filed Date:  
SF5 Filed:  
Special Master Recom Signed Date:

Element Reviewed/Verified Dates:

| <u>Element</u> | <u>Last Review Date</u> | <u>Reviewer</u> | <u>Last Verified Date</u> | <u>Verifier</u> | <u>Status</u> |
|----------------|-------------------------|-----------------|---------------------------|-----------------|---------------|
| POD            | 1/5/01 10:59:09 AM      | bcontor         |                           |                 | In Process    |
| POU            | 1/5/01 11:05:56 AM      | bcontor         |                           |                 | In Process    |
| Priority Date  | 1/5/01 10:52:18 AM      | bcontor         |                           |                 | In Process    |
| Quantity       | 1/5/01 11:14:55 AM      | bcontor         |                           |                 | In Process    |
| Season         | 1/5/01 11:13:43 AM      | bcontor         |                           |                 | In Process    |
| Source         | 1/5/01 10:59:45 AM      | bcontor         |                           |                 | In Process    |
| Summary        | 1/5/01 11:24:05 AM      |                 | 1/5/01 11:24:05 AM        | bcontor         | Complete      |
| Use            | 1/5/01 11:07:13 AM      | bcontor         |                           |                 | In Process    |

Other Information:

Receipt Number(s):  
State or Federal: S  
Owner Name Connector:  
Water District Number:  
Generic Max Rate per Acre:  
Generic Max Volume per Acre:  
Civil Case Number:  
Old Case Number:  
Decree Plaintiff:  
Decree Defendant:  
PresumptionFlag:  
Notice of Error Flag:  
Swan Falls Trust or Nontrust:  
Swan Falls Dismissed:  
DLE Act Number:  
Cary Act Number:  
Mitigation Plan: False

Verification Log:

| <u>Element</u> | <u>Date Time Stamp</u> | <u>Reviewer</u> | <u>Log Text</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|----------------|------------------------|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| POD            | 1/5/01 10:59:06 AM     | bcontor         | 1. (YES) The basis is beneficial use.<br>4. (NO) There is not evidence that there has been a change in the Point of Diversion.<br>6. (YES) The file contains all the necessary information to verify the POD.<br>Comment for 6: Phone call to MLWU for description of location re: city park and homes, located by GIS of aerial photo. Note that PD is just over the section line from where claimed; recommended correctly per phone verification.<br>8. (NO) Point of Diversion remark was not required.<br>9. (NO) Point of Diversion condition was not required. |
| POD            | 1/5/01 10:57:36 AM     | bcontor         | Edited PLS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| POD            | 1/5/01 10:57:15 AM     | bcontor         | Edited point location                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| POU            | 1/5/01 11:05:55 AM     | bcontor         | 1. (YES) The POU is required.<br>2. (YES) The basis of claim is beneficial use.<br>12. (NO) POU remark was not required.<br>13. (NO) POU condition was not required.                                                                                                                                                                                                                                                                                                                                                                                                  |
| Priority Date  | 1/5/01 10:52:15 AM     | bcontor         | 1. (NO) There has not been a later court decree of the water right(s) from the                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

|          |                    |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|----------|--------------------|---------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Quantity | 1/5/01 11:14:52 AM | bcontor | <p>water source.</p> <p>4. (YES) The basis of claim is beneficial use.</p> <p>4b. (NO) The priority date was not claimed after the date a permit was required for the source and water use.</p> <p>10. (YES) The claim file contains sufficient evidence of priority date.</p> <p>12. (YES) The claim is recommended.</p> <p>14. (NO) Priority remark was not required.</p> <p>15. (NO) Priority condition was not required.</p> <p>1. (YES) The basis of claim is beneficial use.</p> <p>5. (NO) A flow measurement was not required.</p> <p>Comment for 5: Std rate from charts. Note that use is three homes and park/fairground. Volume based on rate for home w/ lawn irrigation x 4, assuming that domestic use in park is approximately equal to use of one home.</p> <p>6. (YES) The source is ground water and the purpose of use requires a diversion volume limit.</p> <p>8. (NO) Irrigation is not a purpose of use.</p> <p>9. (NO) Quantity remark was not required.</p> <p>10. (NO) Quantity condition was not required.</p> |
| Season   | 1/5/01 11:13:41 AM | bcontor | <p>1. (YES) The basis of claim is beneficial use.</p> <p>4. (NO) There is not evidence that there has been a change to the period of use.</p> <p>9. (YES) The file contains all the necessary information to verify the period of use.</p> <p>11. (NO) The basis of is not a decree, license, or a transferred beneficial use right that has had the period of use administratively determined.</p> <p>13. (NO) Irrigation is not the purposed use.</p> <p>Comment for 13: Affidavit, phone conversation w/ claimant</p> <p>15. (NO) Period of Use remark was not required.</p> <p>16. (NO) Period of Use condition was not required.</p>                                                                                                                                                                                                                                                                                                                                                                                                  |
| Source   | 1/5/01 10:59:43 AM | bcontor | <p>1. (YES) The basis is beneficial use.</p> <p>4. (NO) There is not evidence that there has been a change in the Source.</p> <p>7. (YES) The file contains all of the necessary information to verify the source.</p> <p>Comment for 7: Affidavit in file, phone call to MLWU</p> <p>8. (NO) The source is not surface water.</p> <p>10. (NO) Source remark was not required.</p> <p>11. (NO) Source condition was not required.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Summary  | 1/5/01 11:24:03 AM | bcontor | <p>1. (YES) The basis of the claim is beneficial use.</p> <p>2. (NO) All the water being used for all the purposes is not being claimed and to the extent it was claimed.</p> <p>4. (YES) A portion of the claim is being recommended.</p> <p>5. (NO) General remark was not required.</p> <p>6. (YES) Explanatory remark was required.</p> <p>7. (YES) Additional condition was required.</p> <p>8. (YES) Wanted to view the recommended right.</p> <p>9. (NO) This is not a split right.</p> <p>10. (NO) This is not a combined right.</p> <p>11. (NO) Documents were not linked or attached to this file.</p> <p>12. (YES) Set the verification date.</p>                                                                                                                                                                                                                                                                                                                                                                               |
| Use      | 1/5/01 11:07:10 AM | bcontor | <p>1. (YES) The basis of claim is beneficial use.</p> <p>4. (NO) There is not evidence that there has been a change to the purpose of use.</p> <p>9. (YES) The file contains all the necessary information to verify the purpose of use.</p> <p>11. (NO) Purpose of Use remark was not required.</p> <p>12. (NO) Purpose of Use condition was not required.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

| CLAIMANT                | WATER RIGHT<br>C NUMBER | STG<br>STA | PRIORITY<br>DATE | SOURCES OF WATER | TRIMARKS OF |
|-------------------------|-------------------------|------------|------------------|------------------|-------------|
| UD LAKE WATER USERS INC | C A31-00327             | 0/         | 11/16/1931       | GROUNDWATER      | MUD LAKE    |
| UD LAKE WATER USERS INC | C A31-00328             | 0/         | 09/05/1912       | MUD LAKE         | SINKS       |
| UD LAKE WATER USERS INC | C A31-00329             | 0/         | 01/08/1932       | GROUNDWATER      | MUD LAKE    |
| UD LAKE WATER USERS INC | C A31-00330             | 0/         | 06/26/1936       | GROUNDWATER      | MUD LAKE    |
| UD LAKE WATER USERS INC | C A31-00336B            | 0/         | 04/27/1932       | GROUNDWATER      |             |
| UD LAKE WATER USERS INC | C A31-00337B            | 0/         | 12/15/1932       | GROUNDWATER      |             |
| UD LAKE WATER USERS INC | C A31-00363             | 0/         | 08/28/1926       | MUD LAKE         | SINKS       |
| UD LAKE WATER USERS INC | C A31-02239             | 1/         | 01/25/1930       | GROUNDWATER      |             |
| UD LAKE WATER USERS INC | C A31-02265             | 1/         | 05/22/1940       | GROUNDWATER      |             |
| UD LAKE WATER USERS INC | C A31-02276             | 0/         | 01/17/1969       | MUD LAKE         | SINKS       |
| UD LAKE WATER USERS INC | C A31-02341             | 1/         | 09/03/1954       | GROUNDWATER      |             |
| UD LAKE WATER USERS INC | C A31-02342             | 1/         | 09/03/1954       | GROUNDWATER      |             |
| UD LAKE WATER USERS INC | C A31-02343             | 1/         | 09/03/1954       | GROUNDWATER      |             |
| UD LAKE WATER USERS INC | C A31-02344             | 1/         | 09/03/1954       | GROUNDWATER      |             |
| UD LAKE WATER USERS INC | C A31-02345             | 1/         | 09/03/1954       | GROUNDWATER      |             |
| UD LAKE WATER USERS INC | C A31-07005             | 0/         | 12/04/1967       | MUD LAKE         | SINKS       |
| UD LAKE WATER USERS INC | C A31-07043             | 1/         | 11/12/1970       | GROUNDWATER      |             |
| UD LAKE WATER USERS INC | C A31-07199A            | 1/         | 05/14/1976       | GROUNDWATER      |             |
| UD LAKE WATER USERS INC | C A31-10626             | 1/         | 04/01/1920       | GROUNDWATER      |             |
| UD LAKE WATER USERS INC | C A31-10627             | 1/         | 04/01/1920       | GROUNDWATER      | MUD LAKE    |

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION NAME INDEX

| CLAIMANT                | WATER RIGHT   |                                | SOURCES OF WATER | TRIBUTARIES OF |
|-------------------------|---------------|--------------------------------|------------------|----------------|
|                         | C<br>NUMBER   | SIG<br>STA<br>PRIORITY<br>DATE |                  |                |
| UD LAKE WATER USERS INC | C A31-00006   | 0/<br>12/10/1917               | MUD LAKE         | SINKS          |
| UD LAKE WATER USERS INC | C A31-00034   | D/<br>05/01/1920               | MUD LAKE         | SINKS          |
| UD LAKE WATER USERS INC | C A31-00035   | D/<br>05/01/1921               | MUD LAKE         | SINKS          |
| UD LAKE WATER USERS INC | C A31-00036   | D/<br>05/01/1922               | MUD LAKE         | SINKS          |
| UD LAKE WATER USERS INC | C A31-00037   | 0/<br>05/01/1923               | MUD LAKE         | SINKS          |
| UD LAKE WATER USERS INC | C A31-00038   | D/<br>08/28/1924               | MUD LAKE         | SINKS          |
| UD LAKE WATER USERS INC | C A31-00052   | 0/<br>09/06/1913               | MUD LAKE         | SINKS          |
| UD LAKE WATER USERS INC | C A31-00065   | E/<br>10/03/1910               | MUD LAKE         | SINKS          |
| UD LAKE WATER USERS INC | C A31-00104   | 0/<br>10/18/1913               | MUD LAKE         | SINKS          |
| UD LAKE WATER USERS INC | C A31-00105   | D/<br>12/15/1913               | MUD LAKE         | SINKS          |
| UD LAKE WATER USERS INC | C A31-00147A  | D/<br>07/21/1913               | MUD LAKE         | SINKS          |
| UD LAKE WATER USERS INC | C A31-00159   | D/<br>06/24/1916               | MUD LAKE         | SINKS          |
| UD LAKE WATER USERS INC | C A31-00162   | D/<br>06/01/1916               | MUD LAKE         | SINKS          |
| UD LAKE WATER USERS INC | C A31-00163   | D/<br>12/03/1916               | MUD LAKE         | SINKS          |
| UD LAKE WATER USERS INC | C A31-00166   | 0/<br>09/05/1912               | MUD LAKE         | SINKS          |
| UD LAKE WATER USERS INC | C A31-00168   | D/<br>10/03/1910               | MUD LAKE         | SINKS          |
| UD LAKE WATER USERS INC | C A31-00169   | 0/<br>12/10/1917               | MUD LAKE         | SINKS          |
| UD LAKE WATER USERS INC | C A31-00184   | D/<br>04/15/1912               | MUD LAKE         | SINKS          |
| UD LAKE WATER USERS INC | C A31-00185   | 0/<br>12/02/1916               | MUD LAKE         | SINKS          |
| UD LAKE WATER USERS INC | C A31-00185Z5 | D/<br>12/02/1916               | MUD LAKE         | SINKS          |
| UD LAKE WATER USERS INC | C A31-00186   | 0/<br>08/11/1924               | MUD LAKE         | SINKS          |
| UD LAKE WATER USERS INC | C A31-00187   | D/<br>05/01/1921               | MUD LAKE         | SINKS          |
| UD LAKE WATER USERS INC | C A31-00188   | D/<br>03/09/1911               | MUD LAKE         | SINKS          |
| UD LAKE WATER USERS INC | C A31-00232   | D/<br>05/01/1923               | MUD LAKE         | SINKS          |
| UD LAKE WATER USERS INC | C A31-00237   | 0/<br>11/28/1919               | MUD LAKE         | SINKS          |
| UD LAKE WATER USERS INC | C A31-00263   | D/<br>10/14/1912               | MUD LAKE         | SINKS          |

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: A31-10627  
Date Received: 12/06/1988  
Receipt No: E004950  
Received By: \_\_\_\_\_

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: OWSLEY CANAL COMPANY 208-523-0620  
Address: % HOLDEN, KIDWELL, HAHN &  
CRAPO  
P.O. BOX 50130  
IDAHO FALLS, ID 83405

2. Date of Priority: APR 01, 1920

3. Source: GROUNDWATER Trib. to: MUD LAKE

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County    |
|----------|-------|---------|--------|--------|-----|-----|-----------|
| 06N      | 34E   | 24      | NW     | NW     |     |     | JEFFERSON |

5. Description of diverting works:  
WELL, PUMP, SERVICE LINES

6. Water is used for the following purposes:

| Purpose   | From  | To    | C.F.S. | (or) | A.F.A. |
|-----------|-------|-------|--------|------|--------|
| MUNICIPAL | 01/01 | 12/31 | 0.060  |      |        |
| DOMESTIC  | 01/01 | 12/31 | 0.020  |      |        |

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:  
D/3 MUNICIPAL-COMMUNITY PARK

10. Place of Use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use            | Acres |
|----------|-------|---------|------------|-----|----------------|-------|
| 06N      | 34E   | 24      | NW NW      |     | DOMEST<br>MUNI |       |

11. Place of use in counties: JEFFERSON

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:  
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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 \_\_\_\_\_

17. Notice of Appearance:

Notice is hereby given that I, \_\_\_\_\_ will be  
\_\_\_\_\_ Print Name  
acting as attorney at law on behalf of the claimant signing above, and that  
all notices required by law to be mailed by the director to the claimant  
signing above should be mailed to me at the address listed below.

Signature \_\_\_\_\_  
Address \_\_\_\_\_  
Date \_\_\_\_\_

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 A31-10627Date Received 11-30-88Receipt Number E004950

NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

RECEIVED

NOV 30 1988

Department of Water Resources  
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) Owsley Canal Company Phone (208) 523-0620  
Mailing Address % Holden, Kidwell, Hahn & Crapo  
P.O. Box 50130, Idaho Falls, Idaho Zip 83405

2. Date of Priority (Only one (1) per claim) April 1, 1920

3. Source of water supply (a) Groundwater  
which is tributary to (b) \_\_\_\_\_

4. a. Location of existing point of diversion is: Township 6N Range 34E Section 24  
1/4 of NW 1/4 of NW 1/4, Govt. Lot, B.M., County of Jefferson

Additional points of diversion if any: \_\_\_\_\_

b. If instream flow, beginning point of claimed instream flow is:

Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_

Govt. Lot \_\_\_\_\_ B.M., County of \_\_\_\_\_

ending point is: Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_

\_\_\_\_\_ 1/4, Govt. Lot \_\_\_\_\_ B.M., County of \_\_\_\_\_

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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, pump, service lines.

A310627



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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Domestic purposes from Jan 1 to Dec 31 amount .06 or \_\_\_\_\_

For Municipal purposes from Jan 1 to Dec 31 amount .02 or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) .08 (cfs) and/or (b) \_\_\_\_\_ (acre feet)

8. Total consumptive use claimed is de minimus acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Domestic - 3 households; Municipal - Community Park

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

| TWP | RNG | SEC | NE 1/4 |       |       |       | NW 1/4 |       |       |       | SW 1/4 |       |       |       | SE 1/4 |       |       |       | Totals |
|-----|-----|-----|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|-------|--------|
|     |     |     | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 |        |
| 6N  | 34E | 24  |        |       |       |       | D/M    |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |

Total number of acres irrigated \_\_\_\_\_

11. In which county (ies) are lands listed above as place of use located? Jefferson

12. Do you own the property listed above as place of use? Yes X No \_\_\_\_\_  
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.  
\_\_\_\_\_ or None ( X )

14. Remarks:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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Last Name Owsley Canal Co. Ident No. \_\_\_\_\_

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

A 16x16 grid of 256 squares. Each square contains a small crosshair pattern consisting of a horizontal line, a vertical line, and a diagonal line intersecting at the center. The lines are thin and black, and the background of each square is white. The grid is composed of 16 columns and 16 rows, with each square being approximately 12.5x12.5 units in a 200x200 coordinate system.

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Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use X Posted Notice \_\_\_\_\_ License \_\_\_\_\_ Permit \_\_\_\_\_  
Decree \_\_\_\_\_  
If applicable provide IDWR Water Right Number \_\_\_\_\_  
Court \_\_\_\_\_ Case Number \_\_\_\_\_ Decree Date \_\_\_\_\_  
Plaintiff vs Defendant \_\_\_\_\_

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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_ Date \_\_\_\_\_

**For Organizations:** I do solemnly swear or affirm that I am Vice President \_\_\_\_\_

Title

of Owsley Canal Company \_\_\_\_\_, that I have signed the foregoing  
Organization

document in the space below as Vice President of said corporation  
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent \_\_\_\_\_

Title and Organization Vice Pres., Owsley Canal Company Date Nov. 30, 1988

State of Idaho/or \_\_\_\_\_ )  
County of Bonneville ) SS.

Subscribed and sworn (or affirmed) before me this 30th day of November 1988

SEAL

Notary Public \_\_\_\_\_

Residing at Idaho Falls, Idaho

My Commission Expires November 10, 1992

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Kent W. Foster will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Kent W. Foster

Address P.O. Box 50130, Idaho Falls, Idaho 83405

Date November 30, 1988

Last Name Owsley Canal Co. Ident. Number \_\_\_\_\_

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Copies White-State, Yellow-Claimant