

RECEIVED

SEP 10 2001

Department of Water Resources

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

A. Subcase 31-00330

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior, Bureau of
Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 fax

United States Department of Justice; Environment and Natural Resource Division; General Litigation Section
550 West Fort Street, MSC 033; Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Mud Lake Water Users, Inc.

Address: 1400 E. 1500 N.; P.O. Box 68; Terreton, Idaho 83450

Name:

Address: ;

Name:

Address: ;

Name:

Address: ;

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**

Should be: _____

2. ☐ **Source**

Should be: _____

3. ☐ **Quantity**

Should be: _____

4. ☐ **Priority Date**

Should be: _____

5. ☒ **Point(s) of Diversion**

Should be: See attached

6. ☐ **Instream Flow Description**

Should be: _____

7. ☐ **Purpose(s) of Use**

Should be: _____

8. ☐ **Period of Year**

Should be: _____

9. ☐ **Place of Use**

Should be: _____

11. **I object because:**

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. One of the claimed PODs does not exist. See attached POD. Claimant's water right should not include this POD.

F.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. § 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

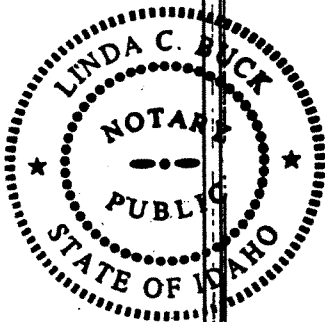
Fredric W. Price
(Signature of person filing objection)

Sam C. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

September 7, 2001

Linda C. Buck
Linda C. Buck



Notary Public for State of Idaho
Residing at: Mountain Home, ID.
My Commission Expires: 12-21-2005

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on September 7, 2001, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Mud Lake Water Users, Inc.

Address: 1400 E. 1500 N.; P.O. Box 68; Terreton, Idaho 83450

Name:

Address:;

Name:

Address:;

Name:

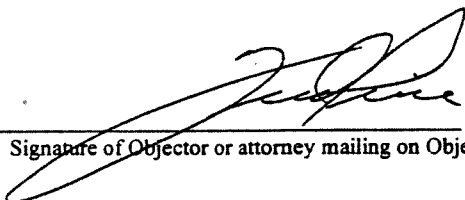
Address:;

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449


Signature of Objector or attorney mailing on Objector's behalf

05/04/2001

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 31-330
NAME AND ADDRESS: MUD LAKE WATER USERS INC
1400 E 1500 N
PO BOX 68
TERRETON ID 83450

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 80.000 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 503.21 CFS FROM MAY 1 THROUGH NOV 1 AND A TOTAL COMBINED DIVERSION RATE OF 643.21 CFS FROM MARCH 1 THROUGH APRIL 30 WHEN AUTHORIZED BY AN EARLY PUMPING PLAN APPROVED BY THE WATERMASTER. COMBINED RIGHT NOS.: 31-327, 31-328, 31-329, 31-330, 31-331, 31-332, 31-336B, 31-337B, 31-371, 31-2239, 31-2265, 31-2289, 31-2290, 31-2297, 31-2310, 31-2317A, 31-2317B, 31-2321, 31-2341, 31-2342, 31-2343, 31-2344, 31-2345, 31-7005, 31-11430, 31-11432.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 287 CFS FROM MAY 1 THROUGH NOV 1. COMBINED RIGHT NOS.: 31-327, 31-328, 31-329, 31-330, 31-11430.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 200 CFS. FROM MAY 1 THROUGH NOV 1. COMBINED RIGHT NOS.: 31-327, 31-328, 31-329, 31-330.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 73389.5 AF. COMBINED RIGHT NOS.: 31-327, 31-328, 31-329, 31-330.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 174,269.3 ACRE FEET. COMBINED RIGHT NOS.: 31-327, 31-328, 31-329, 31-330, 31-331, 31-332, 31-336B, 31-337B, 31-371, 31-2239, 31-2265, 31-2289, 31-2290, 31-2297, 31-2310, 31-2317A, 31-2317B, 31-2341, 31-2342, 31-2343, 31-2344, 31-2345, 31-7005, 31-11430, 31-11432.

PRIORITY DATE: 06/26/1936

POINT OF
DIVERSION:

T07N R34E S13 SWSWNE Within JEFFERSON County
T07N R34E S13 SESE Within JEFFERSON County
T07N R34E S23 SENENE Within JEFFERSON County
T07N R34E S24 SWNE Within JEFFERSON County
T07N R34E S24 NENWNE Within JEFFERSON County
T07N R34E S24 SWNWNW Within JEFFERSON County
T07N R35E S13 SWSWSW Within JEFFERSON County
T07N R35E S14 SESE Within JEFFERSON County
T07N R35E S18 SWSW Lot 4 Within JEFFERSON County
T07N R35E S19 NWNW Lot 1 Within JEFFERSON County
T07N R35E S19 NENWNW Lot 1 Within JEFFERSON County
T07N R35E S19 NESWNW Lot 2 Within JEFFERSON County
T07N R35E S19 NESENE Within JEFFERSON County
T07N R35E S22 SESE Within JEFFERSON County
T07N R35E S23 SWNWSW Within JEFFERSON County
T07N R35E S23 SWSW Within JEFFERSON County
T07N R35E S25 NWSWSW Within JEFFERSON County
T07N R35E S25 SWSWSW Within JEFFERSON County
T07N R35E S25 NESESW Within JEFFERSON County
T07N R35E S25 SESESW Within JEFFERSON County

05/04/2001

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

T07N R35E S25 SENWSE Within JEFFERSON County
T07N R35E S26 NESESE Within JEFFERSON County
T07N R35E S26 NWSESE Within JEFFERSON County
T07N R35E S27 NWNE Within JEFFERSON County
T07N R35E S36 NENW Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	05/01 11/01	80.000 CFS
DIVERSION TO STORAGE	05/01 11/01	80.000 CFS

PLACE OF USE:

IRRIGATION Within JEFFERSON County
T06N R34E S03 NENW 24261.3
DIVERSION TO STORAGE same as IRRIGATION

24261.3 ACRES TOTAL

PLACE OF USE WITHIN THE BOUNDARY OF MUD LAKE WATER USERS, INC. TOTAL
IRRIGATED ACRES 24261.3.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED
TOTAL OF 24261.3 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT
NOS.: 31-327, 31-328, 31-329, 31-330, 31-331, 31-332, 31-336B, 31-337B, 31-371,
31-2239, 31-2265, 31-2289, 31-2290, 31-2297, 31-2310, 31-2317A, 31-2317B,
31-2321, 31-2341, 31-2342, 31-2343, 31-2344, 31-2345, 31-7005, 31-11430,
31-11432, (GROUNDWATER), 31-2276, (WASTEWATER), 31-6, 31-34, 31-35, 31-36,
31-37, 31-38, 31-52, 31-65, 31-104, 31-105, 31-147A, 31-159, 31-162, 31-163,
31-166, 31-168, 31-169, 31-184, 31-185, 31-186, 31-187, 31-188, 31-232, 31-237,
31-263, 31-363, (OWLSEY DIVISION SURFACE WATER), 31-134, 31-135, 31-143,
31-144, 13-190, 31-192, (JACKETT DIVISION SURFACE WATER), 31-344, 31-345,
31-354, 31-355, 31-360, 31-361, 31-10957, 31-10958, 31-10959, 31-10960,
31-10961, 31-10962 (HOLLEY DIVISION SURFACE WATER).

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 ADMINISTRATION OF THIS WATER RIGHT IS ALSO SUBJECT TO THE
AGREEMENT OF WATER RIGHT OWNERS REGARDING MUD LAKE WATER
DELIVERY DATED APRIL 17, 2001. WHICH IS ON FILE IN THE RECORDS OF THE
CLERK AND RECORDER OF JEFFERSON COUNTY. IDAHO, INSTRUMENT NUMBER
307626.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

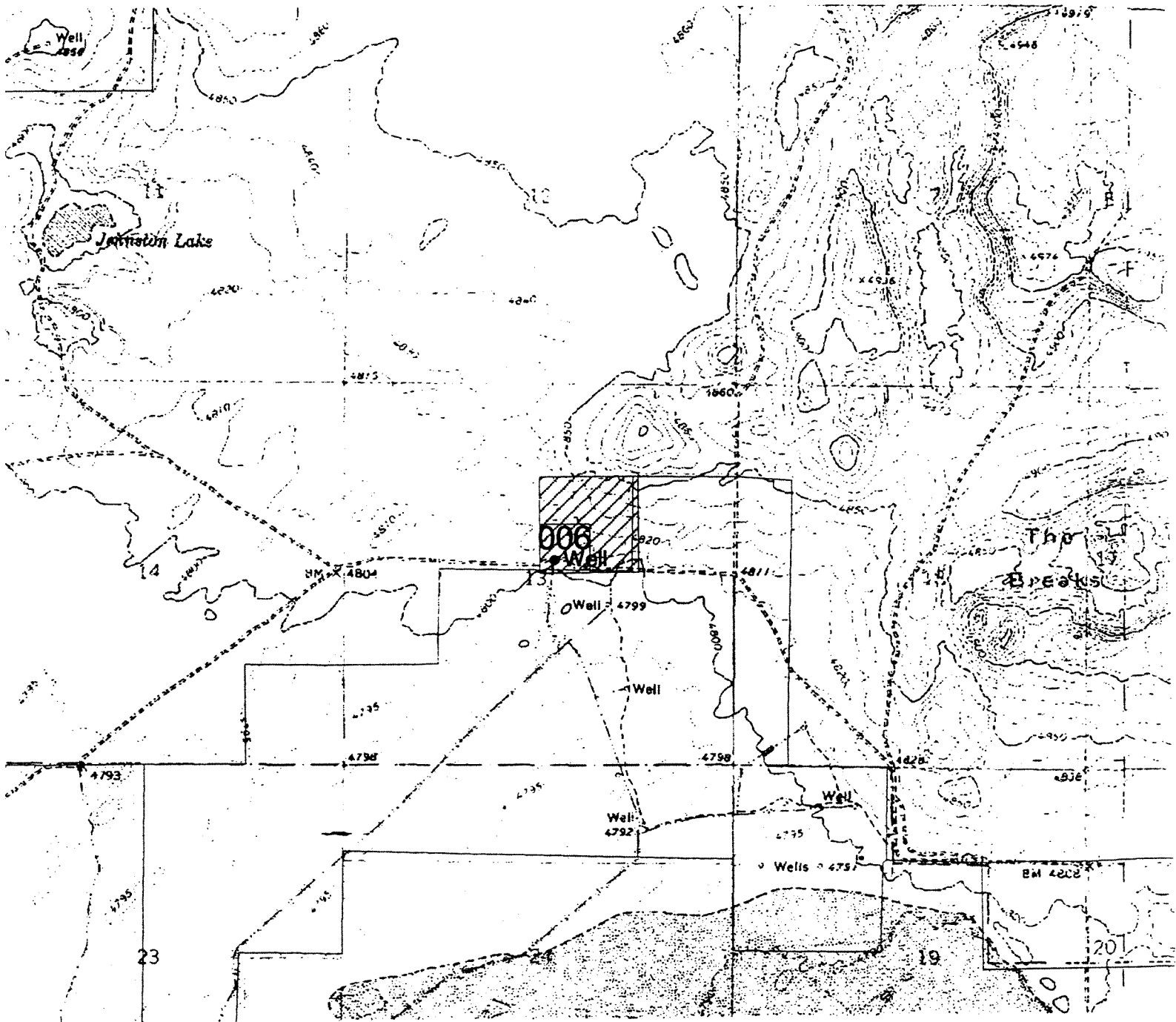
Basin 31 - Private Irrigation Claims Filed in the SRBA With PODs/POUs on Public Land

Mud Lake Water Users, Inc. (Claimant)

31-327, 31-328, 31-329, 31-330, 31-331, 31-332, 31-336B, 31-337B, 31-371, 31-2239, 31-2265, 31-2289, 31-229
31-2297, 31-2310, 31-2317A, 31-2317B, 31-2321, 31-2341, 31-2342, 31-2343, 31-2344, 31-2345, 31-7005

T.07N, R.34E, S.13 SWSWNE (Map ID #006) (POD - well)

Mud Lake NW Quad



- Mudlake_gpedata_06_62_63.shp
- Mudlake_mapids06_62_63.shp
- Temp.shp
- Info_pfo_own_mtpupdate.shp
- B.L.M.
- Bureau of Indian Affairs
- Department of Energy
- Forest Service
- Military Reservations
- National Parks & Monuments
- Open water
- Private
- State of Idaho
- U.S. Fish & Wildlife Service

0.5 0 0.5 Miles
1:24,000 Scale



DRAFT: PRODUCED BY THE BLM, IDAHO FALLS FIELD OFFICE.
Projection Universal Transverse Mercator
Zone 12, 1927 North American Datum
No warranty is made by the Bureau of Land Management
as to the accuracy, reliability, or completeness of
this data for individual or aggregate use with other data.
Prepared by Deena Teel on 7/18/2001 from digitized data and
GPS data collected on 7/3/2001.

Basin 31 - Private Irrigation Claims Filed in the SRBA With PODs/POUs on Public Land

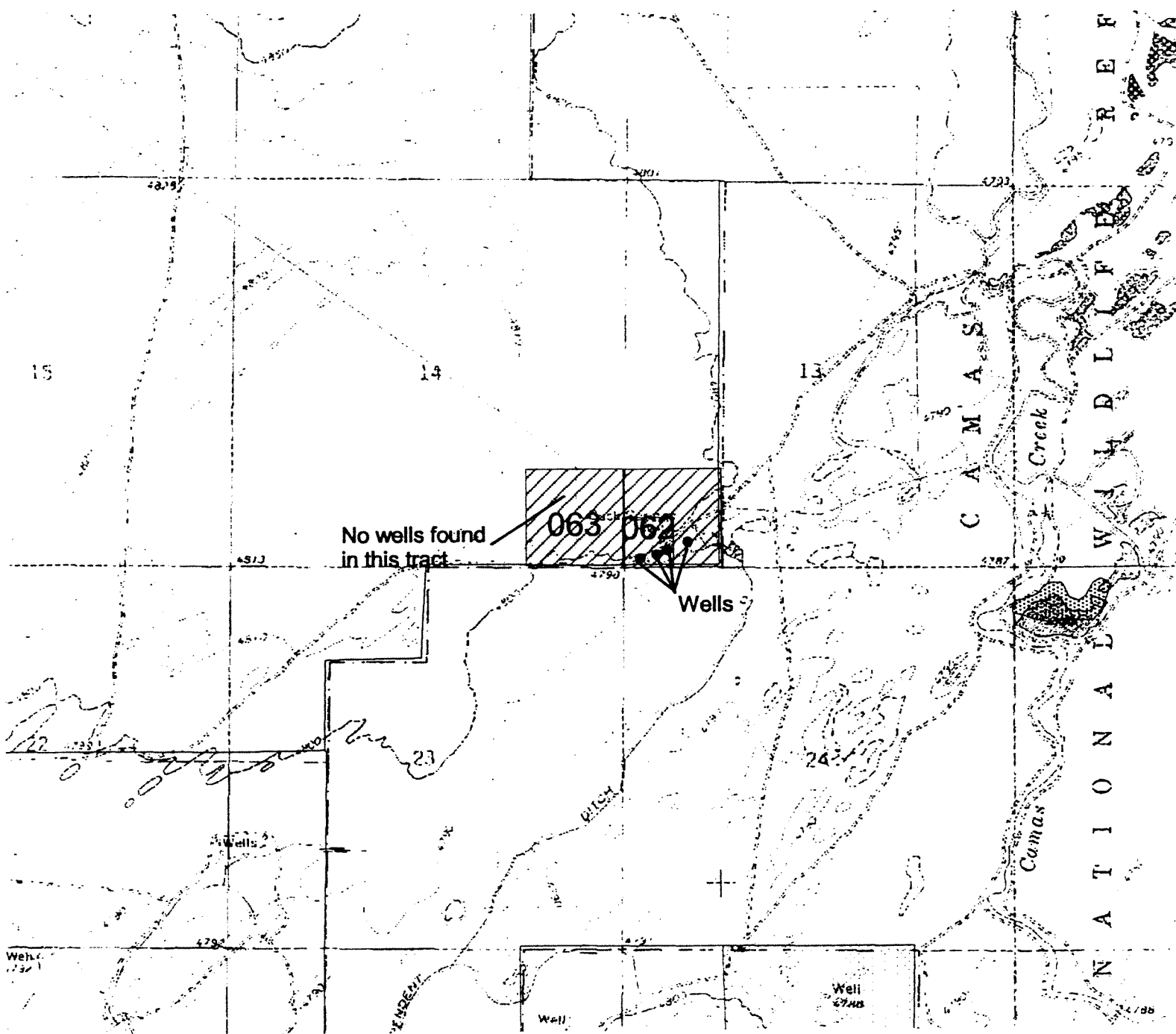
Mud Lake Water Users, Inc. (Claimant)

31-327, 31-328, 31-329, 31-330, 31-331, 31-332, 31-336B, 31-337B, 31-371, 31-2239, 31-2265, 31-2289, 31-229
31-2297, 31-2310, 31-2317A, 31-2317B, 31-2321, 31-2341, 31-2342, 31-2343, 31-2344, 31-2345, 31-7005

T.07N, R.35E, S.13 SWSWSW (Map ID #062) (POD - wells)

T.7N, R.35E, S.14 SESE (Map ID #063) (POD)

Rays Lake Quad



- Mudlake_gpdata_06_62_63.shp
- Mudlake_mapids06_62_63.shp
- Temp.shp
- Info_pro_own_mtpupdate.shp
- B.L.M.
- Bureau of Indian Affairs
- Department of Energy
- Forest Service
- Military Reservations
- National Parks & Monuments
- Open water
- Private
- State of Idaho
- U.S. Fish & Wildlife Service

0.5 0 0.5 Miles

1:24,000 Scale



DRAFT: PRODUCED BY THE BLM, IDAHO FALLS FIELD OFFICE.
Projection Universal Transverse Mercator
Zone 12, 1927 North American Datum
No warranty is made by the Bureau of Land Management
as to the accuracy, reliability, or completeness of
this data for individual or aggregate use with other data.
Prepared by Deena Teel on 7/18/2001 from digitized data and
GPS data collected on 7/2/2001.

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: ~~February~~ ^{March} 9, 2001

Water right number: 31-330

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: *Earth Soderquist*

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
License and Certificate of Water Right

Permit
Water License No. 18378
Water District No.

Amount 80.0 c. f. s.
Priority June 26, 1935

THIS IS TO CERTIFY that OWSEY CANAL COMPANY
of Terretton, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated June 26, 1938, 19; that Permit No. 18378
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
80.0 second feet, was issued thereunder on January 8, 1942, 19, showing that said works
were completed on the 15th day of January, 1941; and that on the 15th
day of January, 1941,

OWSEY CANAL COMPANY

of Terretton, State of Idaho, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of subterranean
wells, a tributary of, for the purpose of domestic and irrigation
use, under Use Permit No. 18378 of the Commissioner of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is
hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 7
of Licenses, at page 4085, on the 8th day of January, 1942;

The right hereby confirmed dates from June 26, 1935, 19;

The Point of Diversion is located #1, SE $\frac{1}{4}$ SW $\frac{1}{4}$; #2, NE $\frac{1}{4}$ SW $\frac{1}{4}$; #3, SW $\frac{1}{4}$ SE $\frac{1}{4}$; #4, NW $\frac{1}{4}$ SE $\frac{1}{4}$
in the $\frac{1}{4}$ Sec. 25, Tp. 7 N, R. 35 E, B. M. Jefferson Co.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid,
is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 80.0
cubic feet per second.

Description and location of use: Supplemental to Permit 4713
Carey Act lands and additional lands under the Owsley Canal Co. Project.

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 N	35 E	8	W $\frac{1}{2}$ SW $\frac{1}{4}$		
		20	All of Sections 17, 18, 19		
		29	W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, SW $\frac{1}{4}$		
		30	W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$		
6 N	34 E	3	NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$		
		4	SE $\frac{1}{4}$		
		5	NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$		
		7	S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, S $\frac{1}{2}$		
			E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$		
		11	All of Sections 8, 9, 10, 13, 16, 20, 21, 22, 23, 25, 29		
		12	S $\frac{1}{2}$		
		14	SW $\frac{1}{4}$ SW $\frac{1}{4}$		
		15	NE $\frac{1}{4}$, S $\frac{1}{2}$		
		17	W $\frac{1}{2}$		
		24	N $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$		
6 N	34 E	26	NE $\frac{1}{4}$ SW $\frac{1}{4}$		
		27	NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$		
		28	NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$		
		35	N $\frac{1}{2}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$		
7 N	34 E	32	N $\frac{1}{2}$		
		33	S $\frac{1}{2}$ SE $\frac{1}{4}$		
			S $\frac{1}{2}$ SW $\frac{1}{4}$		
Total Acres 15,360					

this 8th day of January, 1942

E. V. BERG

Commissioner of Reclamation

(SEAL)

31-00330

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5335

WATER RIGHT NO(S). 31-00327/31-00328/31-00329/31-00330
31-00331/31-00332/31-00336B/31-00337B/31-00371/31-02239
31-02265/31-02289/31-02290/31-02297/31-02310/31-02317A
31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
31-02345/31-07005

This is to certify that: OWSLEY CANAL CO
C/O GARTH SODERQUIST
PO BOX 68
TERRETON ID 83450

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 31-00327 :			
IRRIGATION	04/15 to 10/15	** 110.00 CFS	
DIVERSION TO STORA	10/16 to 04/14	110.00 CFS	
Priority: 00/00/0000			
Right No. 31-00328 :			
IRRIGATION	04/15 to 10/15	** 110.00 CFS	
DIVERSION TO STORA	10/16 to 04/14	100.00 CFS	
Priority: 00/00/0000			
Right No. 31-00329 :			
IRRIGATION	04/15 to 10/15	** 50.00 CFS	
DIVERSION TO STORA	10/16 to 04/14	50.00 CFS	
Priority: 00/00/0000			
Right No. 31-00330 :			
IRRIGATION	04/15 to 10/15	** 80.00 CFS	
DIVERSION TO STORA	10/16 to 04/14	80.00 CFS	
Priority: 00/00/0000			
Right No. 31-00331 :			
IRRIGATION	04/15 to 10/15	24.00 CFS	
Priority: 09/10/1928			
Right No. 31-00332 :			
IRRIGATION STORAGE	01/01 to 12/31		5000.0 AF
Priority: 01/25/1930			

MICROFILMED
FEB 11 1999

TRANSFER NO. 5335

WATER RIGHT NO(S) . 31-00327/31-00328/31-00329/31-00330
 31-00331/31-00332/31-00336B/31-00337B/31-00371/31-02239
 31-02265/31-02289/31-02290/31-02297/31-02310/31-02317A
 31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
 31-02345/31-07005

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 31-00336B :			
IRRIGATION	04/15 to 10/15	11.05 CFS	
Priority: 04/27/1932			
Right No. 31-00337B :			
IRRIGATION	04/15 to 10/15	17.00 CFS	
Priority: 12/15/1932			
Right No. 31-00371 :			
IRRIGATION	04/15 to 10/15	23.00 CFS	
Priority: 09/10/1928			
Right No. 31-02239 :			
IRRIGATION	04/15 to 10/15	40.00 CFS	16899.4 AF
Priority: 01/25/1930			
Right No. 31-02265 :			
IRRIGATION	04/15 to 10/15	64.40 CFS	23375.9 AF
Priority: 05/22/1940			
Right No. 31-02289 :			
IRRIGATION	04/15 to 10/15	3.20 CFS	560.0 AF
Priority: 01/13/1949			
Right No. 31-02290 :			
IRRIGATION	04/15 to 10/15	3.60 CFS	840.0 AF
Priority: 02/14/1949			
Right No. 31-02297 :			
IRRIGATION	04/15 to 10/15	6.00 CFS	1190.0 AF
Priority: 12/29/1949			
Right No. 31-02310 :			
IRRIGATION	04/15 to 10/15	5.80 CFS	1015.0 AF
Priority: 09/24/1952			
Right No. 31-02317A :			
IRRIGATION	04/15 to 10/15	8.08 CFS	1414.0 AF
Priority: 02/28/1953			

MICROFILMED

FEB 11 1999

TRANSFER NO. 5335

WATER RIGHT NO(S). 31-00327/31-00328/31-00329/31-00330
 31-00331/31-00332/31-00336B/31-00337B/31-00371/31-02239
 31-02265/31-02289/31-02290/31-02297/31-02310/31-02317A
 31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
 31-02345/31-07005

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 31-02317B :			
IRRIGATION	04/15 to 10/15	1.90 CFS	332.5 AF
Priority: 10/27/1956			
Right No. 31-02321 :			
IRRIGATION	04/15 to 10/15	1.92 CFS	336.0 AF
Priority: 04/25/1953			
Right No. 31-02341 :			
IRRIGATION	04/15 to 10/15	16.00 CFS	5839.4 AF
Priority: 09/03/1954			
Right No. 31-02342 :			
IRRIGATION	04/15 to 10/15	16.00 CFS	5839.4 AF
Priority: 09/03/1954			
Right No. 31-02343 :			
IRRIGATION	04/15 to 10/15	16.00 CFS	5839.4 AF
Priority: 09/03/1954			
Right No. 31-02344 :			
IRRIGATION	04/15 to 10/15	16.00 CFS	5839.4 AF
Priority: 09/03/1954			
Right No. 31-02345 :			
IRRIGATION	04/15 to 10/15	16.00 CFS	5839.4 AF
Priority: 09/03/1954			
Right No. 31-07005 :			
IRRIGATION	04/15 to 10/15	13.26 CFS	4939.4 AF
Priority: 12/04/1967			

TOTAL: *** 643.21 CFS

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 13, Township 07N, Range 34E
 SESE , Sec. 13, Township 07N, Range 34E
 NENE , Sec. 23, Township 07N, Range 34E
 NENE , Sec. 24, Township 07N, Range 34E
 NWNE , Sec. 24, Township 07N, Range 34E

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FEB 11 1999

TRANSFER NO. 5335

WATER RIGHT NO(S) . 31-00327/31-00328/31-00329/31-00330
 31-00331/31-00332/31-00336B/31-00337B/31-00371/31-02239
 31-02265/31-02289/31-02290/31-02297/31-02310/31-02317A
 31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
 31-02345/31-07005

LOCATION OF POINT(S) OF DIVERSION:

NWNW , Sec. 24, Township 07N, Range 34E
 SWSW , Sec. 13, Township 07N, Range 35E
 SESE , Sec. 14, Township 07N, Range 35E
 Lot 4 (SESW), Sec. 18, Township 07N, Range 35E
 Lot 1 (NWNW), Sec. 19, Township 07N, Range 35E
 SWNW , Sec. 19, Township 07N, Range 35E
 SENW , Sec. 19, Township 07N, Range 35E
 NESE , Sec. 22, Township 07N, Range 35E
 NWSW , Sec. 23, Township 07N, Range 35E
 SWSW , Sec. 23, Township 07N, Range 35E
 SWSW , Sec. 25, Township 07N, Range 35E
 SESW , Sec. 25, Township 07N, Range 35E
 NWSE , Sec. 25, Township 07N, Range 35E
 SESE , Sec. 26, Township 07N, Range 35E
 NWNE , Sec. 27, Township 07N, Range 35E
 NENW , Sec. 36, Township 07N, Range 35E

JEFFERSON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06N	34E	3	NENW 26	NWNW 35	SWNW 40	
			SENE 40	NESW 40	NWSW 40	
			SWSW 40	SESW 40	NESE 40	
			NWSE 40	SWSE 40	SESE 40	461
		4	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
		5	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
		7	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NESE 40	NWSE 40	
			SWSE 40	SESE 40		
			NENE 40	NWNE 40	SWNE 40	320
		8	SENE 40	NENW 40	NWNW 40	

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FEB 11 1999

TRANSFER NO. 5335

WATER RIGHT NO(S). 31-00327/31-00328/31-00329/31-00330
 31-00331/31-00332/31-00336B/31-00337B/31-00371/31-02239
 31-02265/31-02289/31-02290/31-02297/31-02310/31-02317A
 31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
 31-02345/31-07005

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
9			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
10			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 20	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			620
11			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
13			NWNW 40	SWNW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			400
14			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NESW 40	NWSW 40	
			SWSW 40	SESW 36	NESE 40	
			NWSE 40	SWSE 27	SESE 37	460
15			NENW 40	NWNW 40	SWNW 40	
			SENW 40	NESW 40	NWSW 40	
			SWSW 40	SESW 36	NESE 40	
			NWSE 40	SWSE 40	SESE 40	476
16			NENE 40	NWNE 40	SWNE 40	
			SENE 25	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			625
17			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	

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FEB 11 1999

TRANSFER NO. 5335

WATER RIGHT NO(S). 31-00327/31-00328/31-00329/31-00330
 31-00331/31-00332/31-00336B/31-00337B/31-00371/31-02239
 31-02265/31-02289/31-02290/31-02297/31-02310/31-02317A
 31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
 31-02345/31-07005

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 20	NWSE 40	SWSE 10	
			SESE 10			560
20			NENE 30	NWNE 35	SWNE 40	
			SENE 40	NENW 40	NWNW 30	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			615
21			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 25	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			625
22			NENE 20	NWNE 20	SWNE 40	
			SENE 40	NENW 36	NWNW 20	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			576
23			NENE 15	NWNE 40	SWNE 40	
			SENE 40	NENW 35	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			610
24			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 10	NWNW 30	
			SWNW 40	SENW 30	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			590
25			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
26			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	

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FEB 11 1993

TRANSFER NO. 5335

WATER RIGHT NO(S). 31-00327/31-00328/31-00329/31-00330
 31-00331/31-00332/31-00336B/31-00337B/31-00371/31-02239
 31-02265/31-02289/31-02290/31-02297/31-02310/31-02317A
 31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
 31-02345/31-07005

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
27			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
28			NENE 40	SWNE 40	SENE 40	
			NENW 40	NWNW 40	SWNW 40	
			SENE 40	NESW 40	NWSW 40	
			SWSW 40	SESW 40	NESE 40	
			NWSE 40	SWSE 40	SESE 40	600
29			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
34			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	SENE 40	
			NESW 40	NWSW 40	SWSW 40	
			SESW 40	NESE 40	NWSE 40	
			SWSE 40	SESE 40		560
35			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
35E	1		NWNW 4			4
	2		NENE 40	NWNE 40	SWNE 40	
			SENE 8	NESW 32	NWSW 40	
			SWSW 40	SESW 38	NWSE 40	
			SWSE 40			358
3	Lot 1	(NENE) 41.9	Lot 2 (NWNE) 41.7	SWNE 40		
		SENE 40	Lot 3 (NENW) 41.5	Lot 4 (NWNW) 35		
		SWNW 40	SENE 40	NESW 40		
		NWSW 40	SWSW 40	SESW 40		
		NESE 40	NWSE 40	SWSE 40		

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FEB 11 1988

TRANSFER NO. 5335

WATER RIGHT NO(S). 31-00327/31-00328/31-00329/31-00330
 31-00331/31-00332/31-00336B/31-00337B/31-00371/31-02239
 31-02265/31-02289/31-02290/31-02297/31-02310/31-02317A
 31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
 31-02345/31-07005

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
			SESE 40			640.1
4	Lot 4	(NWNW)	7	NESW 40	NWSW 40	
			SWSW 40	SESW 40	NESE 40	
			NWSE 40	SWSE 40	SESE 40	327
5	Lot 1	(NENE)	41.2	Lot 2 (NWNE)	38	
			SENE 40	NESW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			399.2
8			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
9			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NESW 40	NWSW 40	
			SWSW 40	SESW 40	NESE 40	
			NWSE 40	SWSE 40	SESE 40	480
10			NENE 40	SWNE 40	SENE 40	
			SENW 40	NESW 40	NWSW 40	
			SWSW 40	SESW 40	NESE 40	
			NWSE 40	SWSE 40	SESE 40	480
11			NENW 40	NWNW 30	SWNW 40	
			SENW 40	NESW 40	NWSW 40	
			SESW 40			270
14			NESW 10	NWSW 40		50
15			NENE 34	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			634
16			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
17			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	

MICROFILMED

FEB 11 1993

TRANSFER NO. 5335

WATER RIGHT NO(S). 31-00327/31-00328/31-00329/31-00330
 31-00331/31-00332/31-00336B/31-00337B/31-00371/31-02239
 31-02265/31-02289/31-02290/31-02297/31-02310/31-02317A
 31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
 31-02345/31-07005

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
18			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
19			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
20			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
22			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	SENW 40	
			NESW 40	NESE 40	NWSE 40	
			SWSE 40	SESE 40		440
29			NENW 40	NWNW 40	SWNW 40	
			SENW 40	NESW 40	NWSW 40	
			SWSW 10	SESW 40		290
30			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
07N 34E	32		SESW 40	SWSE 40	SESE 40	120
	33		NWSW 10	SWSW 20	SESW 40	
35E	32	Lot 8 (SWSE)	2	Lot 7 (SESE)	18	20
	33		SWSW 1			1
	35		NESE 38	NWSE 34	SWSE 34	
			SESE 38			144
	36		NESW 40	NWSW 40	SWSW 38	118
Total number of acres irrigated:						* 24261.3

APPROVED
 FEB 17 1999

TRANSFER NO. 5335

WATER RIGHT NO(S). 31-00327/31-00328/31-00329/31-00330
31-00331/31-00332/31-00336B/31-00337B/31-00371/31-02239
31-02265/31-02289/31-02290/31-02297/31-02310/31-02317A
31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
31-02345/31-07005

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 31.
2. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
3. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
8. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works from all authorized points of diversion that is acceptable to the watermaster and will provide suitable control of the diversions.
- *** 9. The total instantaneous diversion of water from all points of diversion under Transfer 5335 shall not exceed 503.21 cfs during the irrigation season.
10. Approval of Transfer 5335 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
- ** 11. Rights 31-00327, 31-00328, 31-00329 and 31-00330 when combined shall not exceed a total diversion rate of 200.00 cfs during the irrigation season, and may be diverted at their full authorized rate of diversion into Mud Lake for storage purposes during the non-irrigation season.
- * 12. Right 31-02289 is limited to irrigation of 160.0 acres in the place of use described above in a single irrigation season.
- * 13. Right 31-02290 is limited to irrigation of 240.0 acres in the place of use described above in a single irrigation season.
- * 14. Right 31-02297 is limited to irrigation of 340.0 acres in the place of use described above in a single irrigation season.

RECEIVED

FEB 1 1993

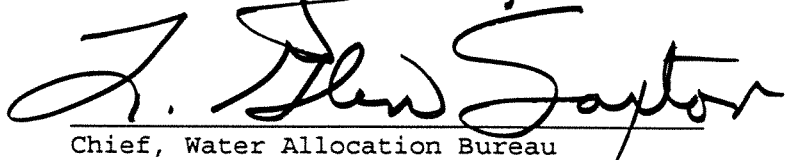
TRANSFER NO. 5335

WATER RIGHT NO(S). 31-00327/31-00328/31-00329/31-00330
31-00331/31-00332/31-00336B/31-00337B/31-00371/31-02239
31-02265/31-02289/31-02290/31-02297/31-02310/31-02317A
31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
31-02345/31-07005

CONDITIONS OF APPROVAL AND REMARKS

- * 15. Right 31-02310 is limited to irrigation of 290.0 acres in the place of use described above in a single irrigation season.
- * 16. Right 31-02317A is limited to irrigation of 404.0 acres in the place of use described above in a single irrigation season.
- * 17. Right 31-02317B is limited to irrigation of 95.0 acres in the place of use described above in a single irrigation season.
- * 18. Right 31-02321 is limited to irrigation of 96.0 acres in the place of use described above in a single irrigation season.
- * 19. Rights 31-00336B, 31-00337B, 31-02289, 31-02290, 31-02297, 31-02310, 31-02317A, 31-02317B and 31-02321 when combined shall not exceed the irrigation of 3107.2 acres in the place of use described above in a single irrigation season.
- * 20. Right 31-02239 is limited to the irrigation of 13,480.0 acres in the place of use described above in a single irrigation season.
- * 21. Right 31-07005 is limited to the irrigation of 17,088.0 acres in the place of use described above in a single irrigation season.
- * 22. Rights 31-02239, 31-02265, 31-02341, 31-02342, 31-02343, 31-02344, 31-02345 and 31-07005 when combined shall not exceed the irrigation of 17,240.0 acres in the place of use described above in a single irrigation season.
- 23. Two points of diversion are located within SESE, S14, T07N, R35E.
- 24. Two points of diversion are located within Lot 1(NWNW), S19, T07N, R35E.
- 25. Five points of diversion are located within SWSW, S25, T07N, R35E.
- 26. Seven points of diversion are located within NWSE, S25, T07N, R35E.
- 27. Two points of diversion are located within SESE, S26, T07N, R35E.

Dated this 8th day of February, 1999.


Chief, Water Allocation Bureau

100-100000
FEB 11 1999

THE OWSLEY CANAL COMPANY, a Corporation,
Plaintiff.

VS.

ERNEST BAUERLE, et al,
Defendants.

CIVIL NO. 1739.

FINAL DECREE.

This cause came regularly on for trial before the court without a jury at the County Courthouse at Rigby, Idaho, on the 14th day of October, 1940.

The plaintiff and the defendant Ben H. Matkins appeared by their attorney, Edwin Snow. The defendants Ernest Bauerle, R.L.Bybie (whose name is sometimes spelled Bybee), R.P.Cope, R.P.Cope, as administrator of the estate of William Barnes, deceased, Edna Next, Cary Prugh (also known as Caroline E. Prugh), and Blanch Schaw (the last three defendants being successors to defendant H.R.Jackett, deceased), Holley Water Users' Association, a corporation, Bessie Hutchison Ellis (formerly Bessie Hutchison), Anna Hutchison (also known as Mrs. W.H.Hutchison, successor to W.H.Hutchison, deceased), Bessie M. Jackett, Frank S.Jackett, Samuel W. Lundholm, Frank E.McClain, David A.Sanders, J.L.Sanders, C.A.Sanders (successor to G.A.Adams, deceased, Charles Thieman, and John Barnes, appeared by their attorney, O.A.Johannesen; the defendants Nicholas Burgraf, Henry Jemmett, Nellie M.Skinner (also known as Nellie J.Skinner, successor to Mary Jemmett, deceased), Independent Water Users of Mud Lake, Inc., a corporation, Bertha I. Owsley, Merritt M.Owsley, Joseph B. Potter, and J.T.Sykes, were represented by their attorney, Ralph L. Albaugh.

None of the other defendants appeared either in person or by attorney.

A stipulation in writing, signed by all the parties who have appeared in the action by attorney, was presented to the court for approval, approved by the court, and filed herein, said stipulation reciting and stipulating the material facts in controversy, agreeing to compromise the cause, and consenting to the entry of this decree; and all parties who appeared in the action in their own persons filed in this cause their consent in writing to the entry of this decree; and accordingly, the cause having been duly submitted to and considered by the court, it is now,

ORDERED, ADJUDGED, AND DECREED AS FOLLOWS: MAY 28 1946

I.

1.

MICROFILMED

FEB 11 1999

IV.

That plaintiff is the owner of the following water permits issued to it by the Department of Reclamation of Idaho for the diversion by means of wells of underground waters in the vicinity of Mud Lake:

PERMIT NUMBER	AMOUNT.	PERMIT NUMBER	AMOUNT
31-0327 17611	110 cubic feet per second.	17640	50 cubic feet 31-0329
		31-03259	per second.
31-0328 17612	100 cubic feet per second.	18378	80 cubic feet 31-0330
		33-02259	per second.

V.

(a) That the defendant Holley Water Users Association is the owner of water permit No. 16979, issued to Bessie Hutchison (now Bessie Hutchison Ellis) by the Department of Reclamation of Idaho, for the diversion by means of wells of 25 cubic feet per second of underground water in the vicinity of Mud Lake; and is also the owner of water permit No. 17276, issued to R.P.Cope by the Department of Reclamation of Idaho, for the diversion by means of wells of 24 cubic feet per second of underground water in the vicinity of Mud Lake; and is also the owner of water permit No. R-528, issued by the Department of Reclamation of Idaho, for the diversion by means of wells and the storage of 5,000 acre feet annually of underground water in the vicinity of Mud Lake.

(b) That the defendant Bessie M. Jackett is the owner of water permit No. 17263, issued to her by the Department of Reclamation of Idaho, for the diversion by means of wells of 10 cubic feet per second of underground waters in the vicinity of Mud Lake.

(c) That the defendant Frank S. Jackett is the owner of water permit No. 17264, issued to him by the Department of Reclamation of Idaho, for the diversion by means of wells of 10 cubic feet per second of underground water in the vicinity of Mud Lake; and is also the owner of water permit No. 17347, issued by the Department of Reclamation of Idaho, to H.R.Jackett for the diversion by means of wells of 10 cubic feet per second of under-ground water in the vicinity of Mud Lake; and said defendant Frank S.Jackett is also the owner of certain wells whereby he obtains 15.2 cubic feet per second of water decreed in the case of *Sauvage* MAY 28 1936 (No. 31-0334)

Each of the parties hereto, and his or its agents, officers, and employees, is hereby enjoined and restrained from interfering with the free flow of water from said wells or any of them into Mud Lake during the non-irrigation season as herein directed, or from interfering during the irrigation season with the withdrawal and use of water from said wells by the respective owners thereof up to the amount of water withdrawn therefrom as limited by this decree.

XV.

The administration of this decree is hereby committed to the water-master of District No. 66.

XVI.

Each of the parties hereto shall bear his own costs.

Dated this 14th day of October, 1940.

C. J. TAYLOR, District Judge.

We hereby consent to the entry of the foregoing final decree; and hereby waive findings of fact and conclusions of law herein, and we hereby agree that the above entitled cause may be heard by the Judge of the above entitled court at any time upon motion of the plaintiff, either in open court or before the Judge at chambers.

Dated October 14, 1940.

EDWIN SNOW.

Attorney for Plaintiff.

Residence: Boise, Idaho.

O. A. JOHANNESSEN, Attorney for Certain

Defendants. Residence: Idaho Falls, Idaho.

RALPH L. ALBAUGH, Attorney for Certain

Defendants. Residence: Idaho Falls, Idaho.

Filed October 14th, 1940.
By Wm. Sauer, Clerk.

STATE OF IDAHO,)
County of Jefferson.)

SS.

I, Wm. Sauer, Clerk of the District Court, and Ex-Officio Auditor and Recorder, do hereby certify and declare that the foregoing Nine (9) sheets, numbered from 1 to 9 inclusive, are a full, true and correct copy of the FINAL DECREE, in Civil Case No. 1739, entitled The Owsley Canal Company, a Corporation, Plaintiff, VS ERNEST BAUERLE, et al, Defendants, which said Decree, is recorded in Book 122 of Judgments and Decrees, at Page 346, records of Jefferson County, Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, this 31st day of October, 1940.

Wm Sauer
Clerk of the District Court, and Ex-Officio
Auditor and Recorder in and for Jefferson
County, State of Idaho.

MEMORANDUM

TO: Files 31-00327/00328/00329/00330/00331/00332/00336B/00337B/00371/02239/
02265/02289/02290/02297/02310/02317A&B/02321/02341/02342/02343/
02344/02345/07005

FROM: Pam Skaggs²⁸/State Office

SUBJECT: Transfer 5335

DATE: February 9, 1999

Transfer 5335 combines the groundwater rights of the Holley Water Users, Jackett Canal Co, and Owsley Canal company. These three companies have combined under the Owsley Canal Company name and will operate a single combined system.

The application identifies 34 points of diversion and a combination of the land lists evidenced under each company's SRBA claims or 24261.3 acres. The decreed rights are vague, while the licensed rights identify specific acres and limits. SRBA review of all these rights through the adjudication process will provide specifics and verify the validity of all of these rights.

Review of these rights found that Right 31-02317 was actually licensed in two parts with separate rates and priority dates. These rights were more accurately entered as Parts A & B on the database and the additional 8.08 cfs added to the total diversion rate under this transfer. Also, a combined limit of 200.00 cfs during the irrigation season was identified under Rights 31-00327/00328/00329 & 00330. Right 31-02259 was listed on the application, however this right was superseded by Right 31-00330. After making these adjustments, the total rate of diversion under these rights is 643.21 cfs limited to 503.21 cfs during the irrigation season and 5,000 af storage.

Season of use and diversion volume were adjusted to current standards where specific acres were identified. Recommended conditions include watermaster control, supplemental groundwater, irrigation overlap, measuring/lockable controlling works, right-of-way, permissible place of use, combined limits and standard transfer conditions.

MICROFILMED

FEB 11 1999

MEMORANDUM

TO: FILE 31-00330

FROM: PAM SKAGGS

RE: TRANSFER # 5335

DATE: 11-5-98

Original Transfer Application, Form and correspondence
regarding the above referenced Transfer is located within
file # 31-00330

MICROFILMED

FEB 11 1999

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 18378

This proof is for C. of W. & B. U.

In Water District No.

1. Name of applicant Owsley Canal Co.
2. Source of water supply: subterranean wells
3. Location of point of diversion: Is in the SW¹/₄ NW¹/₄ of Section 12
T. 6 N. R. 34 E. County of Jefferson
4. Describe works as they exist, giving dimensions and capacities of same: Works consist of 24
Artesian Wells drilled from 50 to 55Ft. deep, flowing into a common trench
out from 15 to 17Ft. deep, and lifted thence 7Ft. to a gravity canal by
two 36 inch Platt Iron Works centrifugal Pumps, driven General Electric
Motors of 100 and 125 H.P. respectively. Installation is housed in a
Station of 20 X 38Ft. floor plan, (Plant capacity, see Remarks)
5. Water is used for: Irrigation
6. State whether or not water has been turned into works of diversion: Yes, and beneficially
applied upon approximately 10600 acres.
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres
under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irriga-
tion):
SW¹/₄, NW¹/₄, Sec. 8; all of 17, 18, 19: W¹/₂ NE¹/₄, NW¹/₄, /Sec. 20; W¹/₂ NW¹/₄, NW¹/₄ SW¹/₄, Sec. 29; NE¹/₄, NW¹/₄, Sec. 30; Twp. 6 N., Rge. 35 E.
SE¹/₄, Sec. 3; NE¹/₄ NE¹/₄, S¹/₂ NE¹/₄, S¹/₂ NW¹/₄, SW¹/₄, NE¹/₄ SE¹/₄, Sec. 4; S¹/₂ NE¹/₄, NW¹/₄, S¹/₂, Sec. 5; E¹/₂ NE¹/₄, E¹/₂ SE¹/₄, Sec. 7; all of 8, 9, 10; S¹/₂ of 11; SW¹/₄ SW¹/₄, Sec. 12; all of 13; NE¹/₄, S¹/₂, Sec. 14;
W¹/₂, Sec. 15; all of Sec. 16; NE¹/₄, E¹/₂ SW¹/₄, SE¹/₄, Sec. 17; all of 20, 21, 22, 23, NE¹/₄, SW¹/₄, Sec. 24;
all of Sec. 25; NE¹/₄, NE¹/₄ NW¹/₄, S¹/₂, Sec. 26; NE¹/₄ NE¹/₄, SW¹/₄ NE¹/₄, NW¹/₄, NE¹/₄ SW¹/₄, SE¹/₄ SW¹/₄, S¹/₂ SE¹/₄, Sec. 27;
NE¹/₄, NE¹/₄ SW¹/₄, SE¹/₄ SW¹/₄, NE¹/₄ SE¹/₄, SW¹/₄ SE¹/₄, Sec. 28; all Sec. 29; NE¹/₄ Sec. 35; all in Twp. 6 N, Rge 34 E
S¹/₂ SE¹/₄, Sec. 32; S¹/₂ SW¹/₄, Sec. 33; all in 7 N., Rge. 34 E.
(Submit map on attached plat, showing location and details of above description.
8. What large stream would the water here appropriated finally reach? Unknown

Remarks: Maximum Plant Capacity as obtained by Water Master Hennnger is
over 120 Second Feet. Measurements quoted as follows;

<u>8/3/4I (both pumps running)</u>	<u>127.37</u>	<u>Sec Ft.</u>
<u>8/9/4I " " "</u>	<u>125.4I</u>	<u>" "</u>
<u>8/16/4I one " "</u>	<u>66.5I</u>	<u>" "</u>
<u>9/1/4I Artesian flow only</u>	<u>49.32</u>	<u>" "</u>
<u>9/16/4I " " "</u>	<u>59.69</u>	<u>" "</u>

Note:- A previous measurement by Water Master O.E. Becker gave flow
with both pumps running, 130. Sec Ft.

This examination was made on the 13th. day of August, 194I

(Signed)

Herb D. Dolan
Examiner.
18378

Owsley Canal Co.
Harer, Idaho

Permit No. 18378

Examination for Completion of Works &
Beneficial Use proof.

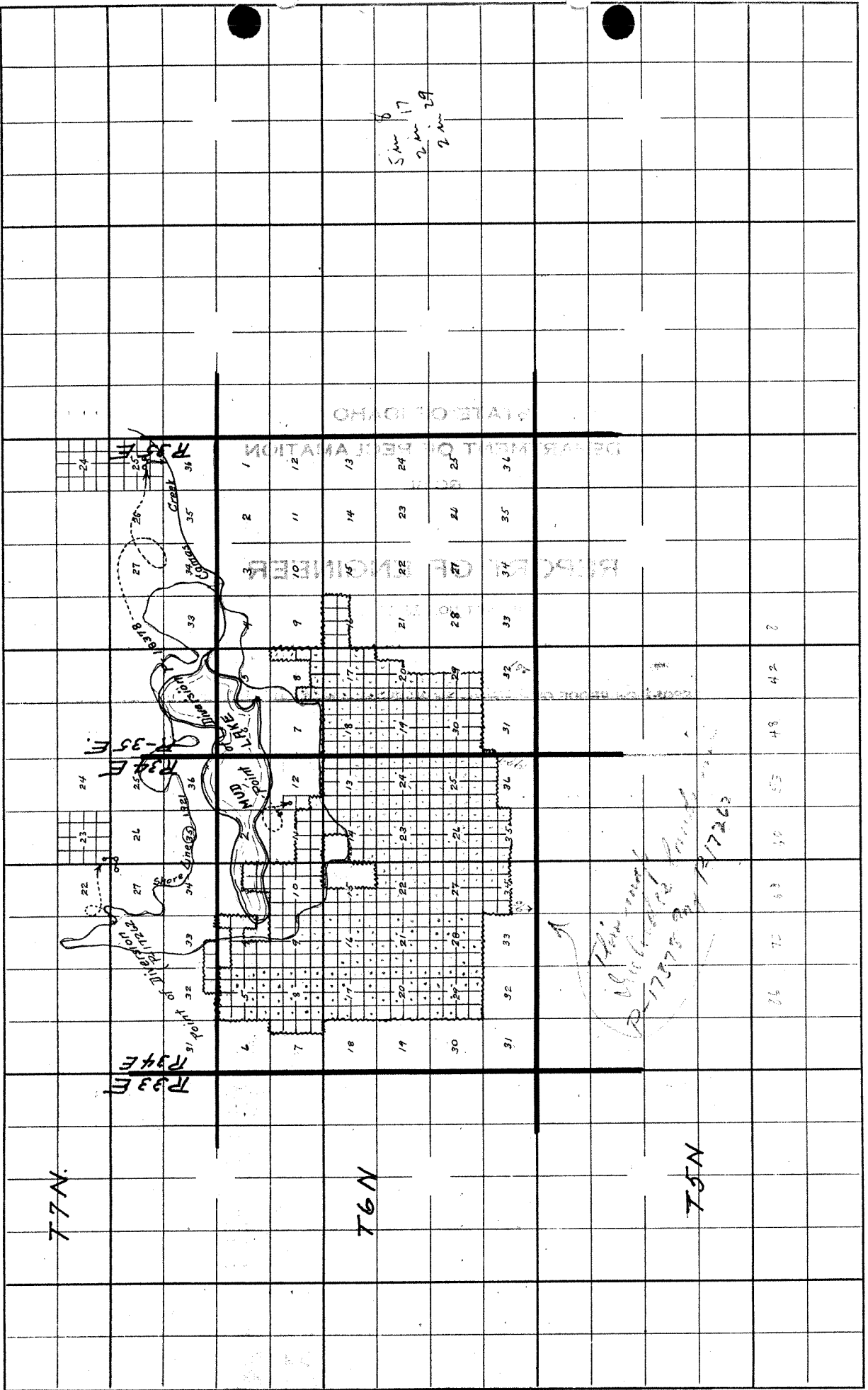
County.....Jefferson.....

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make a plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.

BEFORE ME, the undersigned authority, on this day personally appeared _____

CERTIFICATE OF COMPLETION OF WORKS & BENEFICIAL USE PROOF



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 18378

REPORT ON PROOF OF Completion of Works and Beneficial Use.

C.H. for 80.00 C.Y.S.
C. 91 proof for \$26.50
B. 91 proof " \$35.00

Water Right Number - 31-02259 Prefix Translation: WATER RIGHT Old (D) Number - 18378

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

*** C - CURRENT OWNER ***
OWSLEY CANAL CO.

1 -
2 -
3 -
City- TERRETON State- ID Zip-
Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
06/26/1936 15 EASTERN L - LICENSE

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

Point of Diversion							Diversion Name	Diversion Rate	Diversion No.
Twn	Rng	Sec	Tract	Lot	RFlg	County			
07N	35E	25	NE SW		(51)	JEFFERSON			
			SE SW		(51)	JEFFERSON			
			NW SE		(51)	JEFFERSON			
			SW SE		(51)	JEFFERSON			

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION			80.000	
43	DOMESTIC				

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
80.000 0.0

Place of Use							Description	County
Twn	Rng	Sec	Tract	Lot	Acres	Code		
06N	34E	3	NE SE			01	IRRIGATION	(51) JEFFERSON
06N	34E	3	NW SE			01	IRRIGATION	(51) JEFFERSON
06N	34E	3	SW SE			01	IRRIGATION	(51) JEFFERSON
06N	34E	3	SE SE			01	IRRIGATION	(51) JEFFERSON
06N	34E	4	NE NE			01	IRRIGATION	(51) JEFFERSON
06N	34E	4	SW NE			01	IRRIGATION	(51) JEFFERSON
06N	34E	4	SE NE			01	IRRIGATION	(51) JEFFERSON
06N	34E	4	SW NW			01	IRRIGATION	(51) JEFFERSON
06N	34E	4	SE NW			01	IRRIGATION	(51) JEFFERSON
06N	34E	4	NE SW			01	IRRIGATION	(51) JEFFERSON
06N	34E	4	NW SW			01	IRRIGATION	(51) JEFFERSON
06N	34E	4	SW SW			01	IRRIGATION	(51) JEFFERSON
06N	34E	4	SE SW			01	IRRIGATION	(51) JEFFERSON
06N	34E	4	NE SE			01	IRRIGATION	(51) JEFFERSON
06N	34E	5	SW NE			01	IRRIGATION	(51) JEFFERSON
06N	34E	5	SE NE			01	IRRIGATION	(51) JEFFERSON
06N	34E	5	NE NW			01	IRRIGATION	(51) JEFFERSON

See 31-06330

Superseded by decree 10-14-1940. Owsley Canal Co. vs Ernest Baverle, et al.
Database updated 01-15-1999. 28

Water right number - 31-02259

Prefix Translation: WATER RIGHT

+ - - - - Place of Use - - - - - +									
Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County	
06N	34E	5	NW NW			01	IRRIGATION	(51) JEFFERSON	
06N	34E	5	SW NW			01	IRRIGATION	(51) JEFFERSON	
06N	34E	5	SE NW			01	IRRIGATION	(51) JEFFERSON	
06N	34E	5	NE SW			01	IRRIGATION	(51) JEFFERSON	
06N	34E	5	NW SW			01	IRRIGATION	(51) JEFFERSON	
06N	34E	5	SW SW			01	IRRIGATION	(51) JEFFERSON	
06N	34E	5	SE SW			01	IRRIGATION	(51) JEFFERSON	
06N	34E	5	NE SE			01	IRRIGATION	(51) JEFFERSON	
06N	34E	5	NW SE			01	IRRIGATION	(51) JEFFERSON	
06N	34E	5	SW SE			01	IRRIGATION	(51) JEFFERSON	
06N	34E	5	SE SE			01	IRRIGATION	(51) JEFFERSON	
06N	34E	7	NE NE			01	IRRIGATION	(51) JEFFERSON	
06N	34E	7	SE NE			01	IRRIGATION	(51) JEFFERSON	
06N	34E	7	NE SE			01	IRRIGATION	(51) JEFFERSON	
06N	34E	7	SE SE			01	IRRIGATION	(51) JEFFERSON	
06N	34E	8	NE NE			01	IRRIGATION	(51) JEFFERSON	
06N	34E	8	NW NE			01	IRRIGATION	(51) JEFFERSON	
06N	34E	8	SW NE			01	IRRIGATION	(51) JEFFERSON	
06N	34E	8	SE NE			01	IRRIGATION	(51) JEFFERSON	
06N	34E	8	NE NW			01	IRRIGATION	(51) JEFFERSON	
06N	34E	8	NW NW			01	IRRIGATION	(51) JEFFERSON	
06N	34E	8	SW NW			01	IRRIGATION	(51) JEFFERSON	
06N	34E	8	SE NW			01	IRRIGATION	(51) JEFFERSON	
06N	34E	8	NE SW			01	IRRIGATION	(51) JEFFERSON	
06N	34E	8	NW SW			01	IRRIGATION	(51) JEFFERSON	
06N	34E	8	SW SW			01	IRRIGATION	(51) JEFFERSON	
06N	34E	8	SE SW			01	IRRIGATION	(51) JEFFERSON	
06N	34E	8	NE SE			01	IRRIGATION	(51) JEFFERSON	
06N	34E	8	NW SE			01	IRRIGATION	(51) JEFFERSON	
06N	34E	8	SW SE			01	IRRIGATION	(51) JEFFERSON	
06N	34E	8	SE SE			01	IRRIGATION	(51) JEFFERSON	
06N	34E	9	NE NE			01	IRRIGATION	(51) JEFFERSON	
06N	34E	9	NW NE			01	IRRIGATION	(51) JEFFERSON	
06N	34E	9	SW NE			01	IRRIGATION	(51) JEFFERSON	
06N	34E	9	SE NE			01	IRRIGATION	(51) JEFFERSON	
06N	34E	9	NE NW			01	IRRIGATION	(51) JEFFERSON	
06N	34E	9	NW NW			01	IRRIGATION	(51) JEFFERSON	
06N	34E	9	SW NW			01	IRRIGATION	(51) JEFFERSON	
06N	34E	9	SE NW			01	IRRIGATION	(51) JEFFERSON	
06N	34E	9	NE SW			01	IRRIGATION	(51) JEFFERSON	
06N	34E	9	NW SW			01	IRRIGATION	(51) JEFFERSON	
06N	34E	9	SW SW			01	IRRIGATION	(51) JEFFERSON	
06N	34E	9	SE SW			01	IRRIGATION	(51) JEFFERSON	
06N	34E	9	NE SE			01	IRRIGATION	(51) JEFFERSON	
06N	34E	9	NW SE			01	IRRIGATION	(51) JEFFERSON	
06N	34E	9	SW SE			01	IRRIGATION	(51) JEFFERSON	
06N	34E	9	SE SE			01	IRRIGATION	(51) JEFFERSON	
06N	34E	10	NE NE			01	IRRIGATION	(51) JEFFERSON	

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

Water right number - 31-02259

Prefix Translation: WATER RIGHT

+ - - - - - Place of Use - - - - - +									
Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County	
06N	34E	10	NW NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	10	SW NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	10	SE NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	10	NE NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	10	NW NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	10	SW NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	10	SE NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	10	NE SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	10	NW SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	10	SW SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	10	SE SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	10	NE SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	10	NW SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	10	SW SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	10	SE SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	11	NE SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	11	NW SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	11	SW SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	11	SE SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	11	NE SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	11	NW SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	11	SW SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	11	SE SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	12	SW SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	13	NE NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	13	NW NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	13	SW NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	13	SE NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	13	NE NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	13	NW NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	13	SW NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	13	SE NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	13	NE SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	13	NW SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	13	SW SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	13	SE SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	13	NE SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	13	NW SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	13	SW SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	13	SE SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	14	NE NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	14	NW NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	14	SW NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	14	SE NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	14	NE SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	14	NW SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	14	SW SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	14	SE SW			01	IRRIGATION	(51)	JEFFERSON

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

Water right number - 31-02259

Prefix Translation: WATER RIGHT

+ - - - - - Place of Use - - - - - +									
TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County	
06N	34E	14	NE SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	14	NW SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	14	SW SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	14	SE SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	15	NE NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	15	NW NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	15	SW NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	15	SE NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	15	NE SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	15	NW SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	15	SW SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	15	SE SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	16	NE NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	16	NW NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	16	SW NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	16	SE NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	16	NE NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	16	NW NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	16	SW NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	16	SE NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	16	NE SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	16	NW SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	16	SW SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	16	SE SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	16	NE SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	16	NW SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	16	SW SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	16	SE SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	17	NE NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	17	NW NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	17	SW NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	17	SE NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	17	NE NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	17	NW NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	17	SW NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	17	SE NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	17	NE SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	17	SE SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	17	NE SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	17	NW SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	17	SW SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	17	SE SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	20	NE NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	20	NW NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	20	SW NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	20	SE NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	20	NE NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	20	NW NW			01	IRRIGATION	(51)	JEFFERSON

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

Water right number - 31-02259

Prefix Translation: WATER RIGHT

+ - - - - - Place of Use - - - - - +									
Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County	
06N	34E	20	SW NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	20	SE NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	20	NE SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	20	NW SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	20	SW SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	20	SE SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	20	NE SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	20	NW SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	20	SW SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	20	SE SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	21	NE NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	21	NW NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	21	SW NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	21	SE NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	21	NE NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	21	NW NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	21	SW NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	21	SE NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	21	NE SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	21	NW SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	21	SW SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	21	SE SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	21	NE SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	21	NW SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	21	SW SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	21	SE SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	22	NE NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	22	NW NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	22	SW NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	22	SE NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	22	NE NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	22	NW NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	22	SW NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	22	SE NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	22	NE SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	22	NW SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	22	SW SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	22	SE SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	22	NE SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	22	NW SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	22	SW SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	22	SE SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	23	NE NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	23	NW NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	23	SW NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	23	SE NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	23	NE NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	23	NW NW			01	IRRIGATION	(51)	JEFFERSON

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

Water right number - 31-02259

Prefix Translation: WATER RIGHT

+ - - - - Place of Use - - - - +									
TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County	
06N	34E	23	SW NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	23	SE NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	23	NE SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	23	NW SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	23	SW SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	23	SE SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	23	NE SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	23	NW SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	23	SW SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	23	SE SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	24	NE NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	24	NW NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	24	SW NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	24	SE NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	24	NE NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	24	NW NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	24	SW NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	24	SE NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	24	NE SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	24	NW SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	24	SW SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	24	SE SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	25	NE NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	25	NW NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	25	SW NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	25	SE NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	25	NE NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	25	NW NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	25	SW NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	25	SE NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	25	NE SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	25	NW SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	25	SW SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	25	SE SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	25	NE SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	25	NW SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	25	SW SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	25	SE SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	26	NE NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	26	NW NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	26	SW NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	26	SE NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	26	NE NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	26	NW NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	26	NE SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	26	NW SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	26	SW SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	26	SE SW			01	IRRIGATION	(51)	JEFFERSON

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

01/15/99 13:31:09

Page 7

Water right number - 31-02259

Prefix Translation: WATER RIGHT

+ - - - - Place of Use - - - - +									
Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County	
06N	34E	26	NE SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	26	NW SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	26	SW SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	26	SE SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	27	NE NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	27	NW NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	27	SW NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	27	NE NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	27	NW NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	27	SW NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	27	SE NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	27	NE SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	27	NW SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	27	SE SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	27	SW SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	27	SE SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	28	NE NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	28	NW NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	28	SW NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	28	SE NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	28	NE NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	28	NW NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	28	SW NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	28	SE NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	28	NE SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	28	NW SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	28	SE SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	28	NE SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	28	NW SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	28	SW SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	29	NE NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	29	NW NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	29	SW NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	29	SE NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	29	NE NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	29	NW NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	29	SW NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	29	SE NW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	29	NE SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	29	NW SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	29	SW SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	29	SE SW			01	IRRIGATION	(51)	JEFFERSON
06N	34E	29	NE SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	29	NW SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	29	SW SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	29	SE SE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	35	NE NE			01	IRRIGATION	(51)	JEFFERSON
06N	34E	35	NW NE			01	IRRIGATION	(51)	JEFFERSON

Water right number - 31-02259

Prefix Translation: WATER RIGHT

+ - - - - Place of Use - - - - - +								
Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
06N	34E	35	SW NE			01	IRRIGATION	(51) JEFFERSON
06N	34E	35	SE NE			01	IRRIGATION	(51) JEFFERSON
06N	34E	35	NE NW			01	IRRIGATION	(51) JEFFERSON
06N	34E	35	NW NW			01	IRRIGATION	(51) JEFFERSON
06N	34E	35	SW NW			01	IRRIGATION	(51) JEFFERSON
06N	34E	35	SE NW			01	IRRIGATION	(51) JEFFERSON
06N	35E	8	NW SW			01	IRRIGATION	(51) JEFFERSON
06N	35E	8	SW SW			01	IRRIGATION	(51) JEFFERSON
06N	35E	17	NE NE			01	IRRIGATION	(51) JEFFERSON
06N	35E	17	NW NE			01	IRRIGATION	(51) JEFFERSON
06N	35E	17	SW NE			01	IRRIGATION	(51) JEFFERSON
06N	35E	17	SE NE			01	IRRIGATION	(51) JEFFERSON
06N	35E	17	NE NW			01	IRRIGATION	(51) JEFFERSON
06N	35E	17	NW NW			01	IRRIGATION	(51) JEFFERSON
06N	35E	17	SW NW			01	IRRIGATION	(51) JEFFERSON
06N	35E	17	SE NW			01	IRRIGATION	(51) JEFFERSON
06N	35E	17	NE SW			01	IRRIGATION	(51) JEFFERSON
06N	35E	17	NW SW			01	IRRIGATION	(51) JEFFERSON
06N	35E	17	SW SW			01	IRRIGATION	(51) JEFFERSON
06N	35E	17	SE SW			01	IRRIGATION	(51) JEFFERSON
06N	35E	17	NE SE			01	IRRIGATION	(51) JEFFERSON
06N	35E	17	NW SE			01	IRRIGATION	(51) JEFFERSON
06N	35E	17	SW SE			01	IRRIGATION	(51) JEFFERSON
06N	35E	17	SE SE			01	IRRIGATION	(51) JEFFERSON
06N	35E	18	NE NE			01	IRRIGATION	(51) JEFFERSON
06N	35E	18	NW NE			01	IRRIGATION	(51) JEFFERSON
06N	35E	18	SW NE			01	IRRIGATION	(51) JEFFERSON
06N	35E	18	SE NE			01	IRRIGATION	(51) JEFFERSON
06N	35E	18	NE NW			01	IRRIGATION	(51) JEFFERSON
06N	35E	18	NW NW			01	IRRIGATION	(51) JEFFERSON
06N	35E	18	SW NW			01	IRRIGATION	(51) JEFFERSON
06N	35E	18	SE NW			01	IRRIGATION	(51) JEFFERSON
06N	35E	18	NE SW			01	IRRIGATION	(51) JEFFERSON
06N	35E	18	NW SW			01	IRRIGATION	(51) JEFFERSON
06N	35E	18	SW SW			01	IRRIGATION	(51) JEFFERSON
06N	35E	18	SE SW			01	IRRIGATION	(51) JEFFERSON
06N	35E	18	NE SE			01	IRRIGATION	(51) JEFFERSON
06N	35E	18	NW SE			01	IRRIGATION	(51) JEFFERSON
06N	35E	18	SW SE			01	IRRIGATION	(51) JEFFERSON
06N	35E	18	SE SE			01	IRRIGATION	(51) JEFFERSON
06N	35E	19	NE NE			01	IRRIGATION	(51) JEFFERSON
06N	35E	19	NW NE			01	IRRIGATION	(51) JEFFERSON
06N	35E	19	SW NE			01	IRRIGATION	(51) JEFFERSON
06N	35E	19	SE NE			01	IRRIGATION	(51) JEFFERSON
06N	35E	19	NE NW			01	IRRIGATION	(51) JEFFERSON
06N	35E	19	NW NW			01	IRRIGATION	(51) JEFFERSON
06N	35E	19	SW NW			01	IRRIGATION	(51) JEFFERSON
06N	35E	19	SE NW			01	IRRIGATION	(51) JEFFERSON

Water right number - 31-02259

Prefix Translation: WATER RIGHT

+ - - - - Place of Use - - - - - +									
Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County	
06N	35E	19	NE SW			01	IRRIGATION	(51)	JEFFERSON
06N	35E	19	NW SW			01	IRRIGATION	(51)	JEFFERSON
06N	35E	19	SW SW			01	IRRIGATION	(51)	JEFFERSON
06N	35E	19	SE SW			01	IRRIGATION	(51)	JEFFERSON
06N	35E	19	NE SE			01	IRRIGATION	(51)	JEFFERSON
06N	35E	19	NW SE			01	IRRIGATION	(51)	JEFFERSON
06N	35E	19	SW SE			01	IRRIGATION	(51)	JEFFERSON
06N	35E	19	SE SE			01	IRRIGATION	(51)	JEFFERSON
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06N	35E	20	NE SW			01	IRRIGATION	(51)	JEFFERSON
06N	35E	20	NW SW			01	IRRIGATION	(51)	JEFFERSON
06N	35E	20	SW SW			01	IRRIGATION	(51)	JEFFERSON
06N	35E	20	SE SW			01	IRRIGATION	(51)	JEFFERSON
06N	35E	29	NW NW			01	IRRIGATION	(51)	JEFFERSON
06N	35E	29	SW NW			01	IRRIGATION	(51)	JEFFERSON
06N	35E	29	NW SW			01	IRRIGATION	(51)	JEFFERSON
06N	35E	30	NE NE			01	IRRIGATION	(51)	JEFFERSON
06N	35E	30	NW NE			01	IRRIGATION	(51)	JEFFERSON
06N	35E	30	SW NE			01	IRRIGATION	(51)	JEFFERSON
06N	35E	30	SE NE			01	IRRIGATION	(51)	JEFFERSON
06N	35E	30	NW NW			01	IRRIGATION	(51)	JEFFERSON
06N	35E	30	SW NW			01	IRRIGATION	(51)	JEFFERSON
07N	34E	32	SW SE			01	IRRIGATION	(51)	JEFFERSON
07N	34E	32	SE SE			01	IRRIGATION	(51)	JEFFERSON
07N	34E	33	SW SW			01	IRRIGATION	(51)	JEFFERSON
07N	34E	33	SE SW			01	IRRIGATION	(51)	JEFFERSON

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - Remarks - - - - - +

GEN P/U WITHIN LANDS OF OWSLEY CANAL CO. AC. IRR. = 15,360.
SUPPLEMENTAL TO PERMIT 31-2038.

+ - - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers found.

+ - - - - - Conditions of Approval - - - - - +

003 - Use of water under this right is supplemental to all existing
- water rights with the same purpose and place of use.

Prefix Translation: WATER RIGHT

+ - Decree Date - +

00/00/0000

+ - - Audit Fields - 03/12/85 05/22/88 CONVERT

+ Water Rights Dates and Flags Area +

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 03/12/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- ~~04/16/1979~~	Appl Received	- 00/00/0000	Transfer/Amended	-
Presumption Flag	- 1-8-1942	Name Connector	-	POU Ownership Flag	-
SRBA Decreed Flag	-				



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)

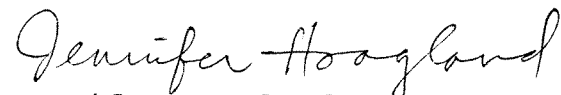
Dear Mr. Soderquist:

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
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) Onsler Cattle 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
Keith Anderson, President Date 6-24-99
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
 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

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: *Keith S. Bergquist*
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

02/1988

SRBA CLAIMS RECEIVING CHECKLIST

A31-00327/00328

CLAIMANT'S NAME Dowsley Canal Co.

CLAIM ID NO. A31-00330/00329

DATE RECEIVED 2/28/1988

CK # _____

AMOUNT \$ _____

YES

NO

1. Is the name and address complete with zip code? ☒ YES ☐ NO

2. Is a priority date entered? ☒ YES ☐ NO

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?

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? ☒ YES ☐ NO

4. (b) Is a tributary to entered? (if required) ☒ YES ☐ NO

5. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO

6. Is there a description of the diverting works? ☒ YES ☐ NO

7. 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. ☒ YES ☐ NO

8. Is the period of use included? ☒ YES ☐ NO

9. Is a quantity claimed for each use? ☒ YES ☐ NO

10. Is a total quantity claimed entered? ☒ YES ☐ NO

11. If required is a consumptive use entered? ☒ YES ☐ NO

12. Is the consumptive use correct? ☒ YES ☐ NO

13. 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. ☒ YES ☐ NO

14. Is (are) the place(s) of use entered? ☒ YES ☐ NO

15. Is (are) the county(ies) entered? ☒ YES ☐ NO

16. Is the ownership of p.u. checked? ☒ YES ☐ NO

17. Are other water rights listed or "none" indicated? ☒ YES ☐ NO

18. 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.) ☒ YES ☐ NO

19. Is the basis of the claim checked? ☒ YES ☐ NO

20. 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?) ☒ YES ☐ NO

21. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO

22. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO

23. Is the fee enclosed correct? ☒ YES ☐ NO

24. If this claim is based on an existing water right, has the identification number been entered? ☒ YES ☐ NO

25. Should this claim be receipted and data entered? ☒ YES ☐ NO

Flag for field inspection.

Claim checked by: Ewert Calver
MICROFILMED

Comments: P/O's not illustrated on map - map shows section 18.

NOV 17 1992

Original acreage totals 17985

01/02/2001

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

RIGHT NUMBER: 31-330

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: 80 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 503.21 CFS FROM MAY 1 THROUGH NOV 1 AND A TOTAL COMBINED DIVERSION RATE OF 643.21 CFS FROM MARCH 1 THROUGH APRIL 30 WHEN AUTHORIZED BY AN EARLY PUMPING PLAN APPROVED BY THE WATERMASTER. COMBINED RIGHT NOS.: 31-327, 31-328, 31-329, 31-330, 31-331, 31-332, 31-336B, 31-337B, 31-371, 31-2239, 31-2265, 31-2289, 31-2290, 31-2297, 31-2310, 31-2317A, 31-2317B, 31-2321, 31-2341, 31-2342, 31-2343, 31-2344, 31-2345, 31-7005, 31-11430, 31-11432.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 287 CFS FROM MAY 1 THROUGH NOV 1. COMBINED RIGHT NOS.: 31-327, 31-328, 31-329, 31-330, 31-11430.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 200 CFS. FROM MAY 1 THROUGH NOV 1. COMBINED RIGHT NOS.: 31-327, 31-328, 31-329, 31-330.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 73389.5 AF. COMBINED RIGHT NOS.: 31-327, 31-328, 31-329, 31-330.

PRIORITY DATE: 06/26/1936

POINT OF DIVERSION:	T07N R34E S13	SWSWNE	Within	JEFFERSON	County
	T07N R34E S13	SESE	Within	JEFFERSON	County
	T07N R34E S23	SENESE	Within	JEFFERSON	County
	T07N R34E S24	SWNESE	Within	JEFFERSON	County
	T07N R34E S24	NENWNE	Within	JEFFERSON	County
	T07N R34E S24	SWNWNW	Within	JEFFERSON	County
	T07N R35E S13	SWSWSW	Within	JEFFERSON	County
	T07N R35E S14	SESE	Within	JEFFERSON	County
	T07N R35E S18	LOT 4 SWSW	Within	JEFFERSON	County
	T07N R35E S19	LOT 1 NWNW	Within	JEFFERSON	County
	T07N R35E S19	LOT 1 NENWNW	Within	JEFFERSON	County
	T07N R35E S19	LOT 2 NESWNW	Within	JEFFERSON	County
	T07N R35E S19	NESENE	Within	JEFFERSON	County
	T07N R35E S22	SENESE	Within	JEFFERSON	County
	T07N R35E S23	SWNWSW	Within	JEFFERSON	County
	T07N R35E S23	SWSW	Within	JEFFERSON	County
	T07N R35E S25	NWSWSW	Within	JEFFERSON	County
	T07N R35E S25	SWSWSW	Within	JEFFERSON	County
	T07N R35E S25	NESESW	Within	JEFFERSON	County
	T07N R35E S25	SESESW	Within	JEFFERSON	County
	T07N R35E S25	SENWSE	Within	JEFFERSON	County
	T07N R35E S26	NESESE	Within	JEFFERSON	County
	T07N R35E S26	NWSESE	Within	JEFFERSON	County
	T07N R35E S27	NWNE	Within	JEFFERSON	County
	T07N R35E S36	NENW	Within	JEFFERSON	County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
05-01 11-01

QUANTITY
80.00 CFS

DIVERSION TO STORAGE

05-01 11-01

80.00 CFS

PLACE OF USE:

IRRIGATION Within JEFFERSON
County
T06N R34E S3 NENW 24261.
3

24261.3 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 24261.3 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-327, 31-328, 31-329, 31-330, 31-331, 31-332, 31-336B, 31-337B, 31-371, 31-2239, 31-2265, 31-2289, 31-2290, 31-2297, 31-2310, 31-2317A, 31-2317B, 31-2321, 31-2341, 31-2342, 31-2343, 31-2344, 31-2345, 31-7005, 31-11430, 31-11432, (GROUNDWATER), 31-2276, (WASTEWATER), 31-6, 31-34, 31-35, 31-36, 31-37, 31-38, 31-52, 31-65, 31-104, 31-105, 31-147A, 31-159, 31-162, 31-163, 31-166, 31-168, 31-169, 31-184, 31-185, 31-186, 31-187, 31-188, 31-232, 31-237, 31-263, 31-363, (OWLSEY DIVISION SURFACE WATER), 31-134, 31-135, 31-143, 31-144, 13-190, 31-192, (JACKETT DIVISION SURFACE WATER), 31-344, 31-345, 31-354, 31-355, 31-360, 31-361, 31-10957, 31-10958, 31-10959, 31-10960, 31-10961, 31-10962, 31-11437 (HOLLEY DIVISION SURFACE WATER).

PLACE OF USE WITHIN THE BOUNDARY OF MUD LAKE WATER USERS, INC. TOTAL IRRIGATED ACRES 24261.3.

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 - Decreed

Comments:

Author	Date	Subject	Comment
bcontor	1/1/01	Recommendation	Per Preliminary Order amending Transfer 5335 except as noted in eCVR 31-327. See also paper file "Mud Lake Storage."

Dates:

Licensed Date:
Claim Received Date: 12/06/1988
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Decreed Date: 10/14/1940
Date Filed with Court:
Objection Filed Date:
SF5 Filed:
Special Master Recom Signed Date:

Element Reviewed/Verified Dates:

Element	Last Review Date	Reviewer	Last Verified Date	Verifier	Status
POD	1/1/01 1:30:34 PM	bcontor			In Process
POU	1/1/01 1:23:34 PM	bcontor			In Process
Priority Date	1/1/01 1:30:14 PM	bcontor			In Process
Quantity	1/1/01 1:33:40 PM	bcontor			In Process

Season	1/1/01 1:32:56 PM	bcontor			In Process
Source	1/1/01 1:28:34 PM	bcontor			In Process
Summary	1/1/01 1:36:18 PM		1/1/01 1:36:18 PM	bcontor	Complete
Use	1/1/01 1:29:11 PM	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	1/1/01 1:30:32 PM	bcontor	1. (NO) The basis is not beneficial use. 2. (YES) Parent right has a Point of Diversion. 3. (YES) The claimed Point of Diversion can be verified using the water right file. 8. (NO) Point of Diversion remark was not required. 9. (NO) Point of Diversion condition was not required.
POU	1/1/01 1:23:32 PM	bcontor	1. (YES) The POU is required. 2. (NO) The basis of claim is not beneficial use. 3. (YES) The Parent Right has a POU. 4. (YES) The claimed POU can be verified using the water right file. 12. (YES) POU remark was required. 13. (NO) POU condition was not required.
Priority Date	1/1/01 1:30:12 PM	bcontor	1. (YES) There has been a later court decree of the water right(s) from the water source. 2. (YES) The owner/owner's predecessor in interest of the place of use was joined in the later decree. 3. (NO) The date of the decree was not after the mandatory permit date. 4. (NO) The basis of claim is not beneficial use. 5. (NO) The basis of claim is not a posted notice. 6. (YES) Parent right has a priority date. 7. (NO) The basis of claim is not an application or permit. 12. (YES) The claim is recommended. 13. (YES) The claim is coded correctly. 14. (NO) Priority remark was not required. 15. (NO) Priority condition was not required.
Quantity	1/1/01 1:33:38 PM	bcontor	1. (NO) The basis of claim is not beneficial use. 2. (NO) The basis of claim is not a posted notice. 3. (YES) The parent right has a diversion rate and/or diversion volume. 4. (YES) The claimed diversion rate and/or volume can be verified using the water right file. 6. (YES) The source is ground water and the purpose of use requires a diversion volume limit. 7. (NO) The parent right does not have an annual diversion volume limit. 8. (YES) Irrigation is a purpose of use. Comment for 8: See eCVR 31-327 9. (YES) Quantity remark was required. 10. (NO) Quantity condition was not required.
Season	1/1/01 1:32:54 PM	bcontor	1. (NO) The basis of claim is not beneficial use. 2. (YES) The parent right has a period of use. 3. (YES) The claimed Period of Use can be verified using the water right file. 12. (YES) Irrigation is the purposed use. 14. (YES) The period of use on the decree, license or transfer is shorter on

Source 1/1/01 1:28:32 PM bcontor

Summary 1/1/01 1:36:16 PM bcontor

Use 1/1/01 1:29:09 PM bcontor

either the start or end date than allowable under IDWR's current standard.

15. (NO) Period of Use remark was not required.

16. (NO) Period of Use condition was not required.

1. (NO) The basis is not beneficial use.

2. (YES) Parent right has a source.

3. (YES) The claimed source can be verified using the water right file.

Comment for 7: Transfer 5335

8. (NO) The source is not surface water.

11. (NO) Source condition was not required.

1. (NO) The basis of the claim is not beneficial use.

3. (NO) There is no indication that there has been a five year period of continuous nonuse that could result in a recommendation of forfeiture or partial forfeiture.

5. (NO) General remark was not required.

6. (NO) Explanatory remark was not required.

7. (YES) Additional condition was required.

8. (YES) Wanted to view the recommended right.

9. (NO) This is not a split right.

10. (NO) This is not a combined right.

11. (NO) Documents were not linked or attached to this file.

12. (YES) Set the verification date.

1. (NO) The basis of claim is not beneficial use.

2. (YES) The parent right has a purpose of use.

3. (YES) The claimed purpose of Use can be verified using the water right file.

11. (NO) Purpose of Use remark was not required.

12. (NO) Purpose of Use condition was not required.

0-XXX
15802NP
ELECTION FILE: JH-DWSLEY

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION NAME INDEX

DATE: 06/30/99
TIME: 09:29:36
PAGE: 2

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

CLAIMANT	WATER RIGHT		STA	PRIORITY	DATE	SOURCES OF WATER	TRIBUTARIES OF
	C	NUMBER					
ID LAKE WATER USERS INC	C	A31-00006	0/	12/10/1917	MUD LAKE	SINKS	
ID LAKE WATER USERS INC	C	A31-00034	0/	05/01/1920	MUD LAKE	SINKS	
ID LAKE WATER USERS INC	C	A31-00035	0/	05/01/1921	MUD LAKE	SINKS	
ID LAKE WATER USERS INC	C	A31-00036	0/	05/01/1922	MUD LAKE	SINKS	
ID LAKE WATER USERS INC	C	A31-00037	0/	05/01/1923	MUD LAKE	SINKS	
ID LAKE WATER USERS INC	C	A31-00038	0/	08/23/1924	MUD LAKE	SINKS	
ID LAKE WATER USERS INC	C	A31-00052	0/	09/06/1913	MUD LAKE	SINKS	
ID LAKE WATER USERS INC	C	A31-00065	0/	10/03/1910	MUD LAKE	SINKS	
ID LAKE WATER USERS INC	C	A31-00104	0/	10/18/1913	MUD LAKE	SINKS	
ID LAKE WATER USERS INC	C	A31-00105	0/	12/15/1913	MUD LAKE	SINKS	
ID LAKE WATER USERS INC	C	A31-00147A	0/	07/21/1913	MUD LAKE	SINKS	
ID LAKE WATER USERS INC	C	A31-00159	0/	06/24/1916	MUD LAKE	SINKS	
ID LAKE WATER USERS INC	C	A31-00162	0/	06/01/1916	MUD LAKE	SINKS	
ID LAKE WATER USERS INC	C	A31-00163	0/	12/03/1916	MUD LAKE	SINKS	
ID LAKE WATER USERS INC	C	A31-00166	0/	09/05/1912	MUD LAKE	SINKS	
ID LAKE WATER USERS INC	C	A31-00168	0/	10/03/1910	MUD LAKE	SINKS	
ID LAKE WATER USERS INC	C	A31-00169	0/	12/10/1917	MUD LAKE	SINKS	
ID LAKE WATER USERS INC	C	A31-00184	0/	04/15/1912	MUD LAKE	SINKS	
ID LAKE WATER USERS INC	C	A31-00185	0/	12/02/1916	MUD LAKE	SINKS	
ID LAKE WATER USERS INC	C	A31-00185Z	0/	12/02/1916	MUD LAKE	SINKS	
ID LAKE WATER USERS INC	C	A31-00186	0/	08/11/1924	MUD LAKE	SINKS	
ID LAKE WATER USERS INC	C	A31-00187	0/	05/01/1921	MUD LAKE	SINKS	
ID LAKE WATER USERS INC	C	A31-00188	0/	03/09/1911	MUD LAKE	SINKS	
ID LAKE WATER USERS INC	C	A31-00232	0/	05/01/1923	MUD LAKE	SINKS	
ID LAKE WATER USERS INC	C	A31-00237	0/	11/28/1919	MUD LAKE	SINKS	
ID LAKE WATER USERS INC	C	A31-00263	0/	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: A31-00330
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: JUN 26, 1936

3. Source: GROUNDWATER Trib. to: MUD LAKE

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07N	35E	25	SE	SW			JEFFERSON
			NW	SE			JEFFERSON
			SW	SE			JEFFERSON

5. Description of diverting works:
BYBEE WELLS, SEE ATTACHMENT A

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	80.000		
IRRIGATION STORAGE	11/01	04/01			17985.00

7. Total Quantity Appropriated is:
80.000 C.F.S. (and/or) 17985.00 A.F.A.

8. Total consumptive use is 63017.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A31-00330

Page

10/89

MICROFILMED
NOV 17 1992

A3100330



10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	34E	3	NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	480.0
		4	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	640.0
		5	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	34E	5	NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	640.0
		7	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	320.0
		8	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	640.0
		9	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	34E	9	NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	640.0
		10	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	20.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	620.0
		11	NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	320.0
		13	NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	34E	13	SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	400.0
		14	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	30.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	470.0
		15	NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	480.0
		16	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0

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NOV 17 1992

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	34E	16	SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0

Section Acres 640.0

17	NE	NE	IRR	40.0
	NW	NE	IRR	40.0
	SW	NE	IRR	40.0
	SE	NE	IRR	40.0
	NE	NW	IRR	40.0
	NW	NW	IRR	40.0
	SW	NW	IRR	40.0
	SE	NW	IRR	40.0
	NE	SW	IRR	40.0
	NW	SW	IRR	40.0
	SW	SW	IRR	40.0
	SE	SW	IRR	40.0
	NE	SE	IRR	40.0
	NW	SE	IRR	40.0
	SW	SE	IRR	30.0
	SE	SE	IRR	25.0

Section Acres 615.0

20	NE	NE	IRR	25.0
	NW	NE	IRR	40.0
	SW	NE	IRR	40.0
	SE	NE	IRR	40.0
	NE	NW	IRR	40.0
	NW	NW	IRR	40.0
	SW	NW	IRR	40.0
	SE	NW	IRR	40.0
	NE	SW	IRR	40.0
	NW	SW	IRR	40.0
	SW	SW	IRR	40.0
	SE	SW	IRR	40.0
	NE	SE	IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	34E	20	NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
			Section Acres				625.0
		21	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	25.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
			Section Acres				625.0
		22	NE	NE		IRR	20.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	20.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
			Section Acres				600.0
		23	NE	NE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres			
06N	34E	23	NW		NE		IRR	40.0			
			SW		NE		IRR	40.0			
			SE		NE		IRR	40.0			
			NE		NW		IRR	40.0			
			NW		NW		IRR	40.0			
			SW		NW		IRR	40.0			
			SE		NW		IRR	40.0			
			NE		SW		IRR	40.0			
			NW		SW		IRR	40.0			
			SW		SW		IRR	40.0			
			SE		SW		IRR	40.0			
			NE		SE		IRR	40.0			
			NW		SE		IRR	40.0			
			SW		SE		IRR	40.0			
			SE		SE		IRR	40.0			
										Section Acres	640.0
			24			NE		NE		IRR	40.0
NW		NE					IRR	40.0			
SW		NE					IRR	40.0			
SE		NE					IRR	40.0			
NE		NW					IRR	10.0			
NW		NW					IRR	40.0			
SW		NW					IRR	40.0			
SE		NW					IRR	30.0			
NE		SW					IRR	40.0			
NW		SW					IRR	40.0			
SW		SW					IRR	40.0			
SE		SW					IRR	40.0			
NE		SE					IRR	40.0			
NW		SE					IRR	40.0			
SW		SE					IRR	40.0			
SE		SE					IRR	40.0			
							Section Acres	600.0			
25			NE		NE		IRR	40.0			
			NW		NE		IRR	40.0			
			SW		NE		IRR	40.0			
			SE		NE		IRR	40.0			
			NE		NW		IRR	40.0			
			NW		NW		IRR	40.0			
			SW		NW		IRR	40.0			
			SE		NW		IRR	40.0			

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	34E	25	NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	640.0
		26	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	640.0
		27	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	34E	27	SE	SE	IRR	40.0
			Section Acres			640.0
		28	NE	NE	IRR	40.0
			NW	NE	IRR	40.0
			SW	NE	IRR	40.0
			SE	NE	IRR	40.0
			NE	NW	IRR	40.0
			NW	NW	IRR	40.0
			SW	NW	IRR	40.0
			SE	NW	IRR	40.0
			NE	SW	IRR	40.0
			NW	SW	IRR	40.0
			SW	SW	IRR	40.0
			SE	SW	IRR	40.0
			NE	SE	IRR	40.0
			NW	SE	IRR	40.0
			SW	SE	IRR	40.0
			SE	SE	IRR	40.0
			Section Acres			640.0
		29	NE	NE	IRR	40.0
			NW	NE	IRR	40.0
			SW	NE	IRR	40.0
			SE	NE	IRR	40.0
			NE	NW	IRR	40.0
			NW	NW	IRR	40.0
			SW	NW	IRR	40.0
			SE	NW	IRR	40.0
			NE	SW	IRR	40.0
			NW	SW	IRR	40.0
			SW	SW	IRR	40.0
			SE	SW	IRR	40.0
			NE	SE	IRR	40.0
			NW	SE	IRR	40.0
			SW	SE	IRR	40.0
			SE	SE	IRR	40.0
			Section Acres			640.0
		34	NE	NE	IRR	40.0
			NW	NE	IRR	40.0
			SW	NE	IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	34E	34	SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	560.0
		35	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	640.0
	35E	8	NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	200.0
		17	NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	35E	17	NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
						Section Acres		320.0
		18	NE		NE		IRR	40.0
	NW			NE		IRR	40.0	
	SW			NE		IRR	40.0	
	SE			NE		IRR	40.0	
	NE			NW		IRR	40.0	
	NW			NW		IRR	40.0	
	SW			NW		IRR	40.0	
	SE			NW		IRR	40.0	
	NE			SW		IRR	40.0	
	NW			SW		IRR	40.0	
	SW			SW		IRR	40.0	
	SE			SW		IRR	40.0	
	NE			SE		IRR	40.0	
	NW			SE		IRR	40.0	
	SW			SE		IRR	40.0	
	SE			SE		IRR	40.0	
					Section Acres		640.0	
		19	NE		NE		IRR	40.0
	NW			NE		IRR	40.0	
	SW			NE		IRR	40.0	
	SE			NE		IRR	40.0	
	NE			NW		IRR	40.0	
	NW			NW		IRR	40.0	
	SW			NW		IRR	40.0	
	SE			NW		IRR	40.0	
	NE			SW		IRR	40.0	
	NW			SW		IRR	40.0	
	SW			SW		IRR	40.0	
	SE			SW		IRR	40.0	
	NE			SE		IRR	40.0	
	NW			SE		IRR	40.0	
	SW			SE		IRR	40.0	
	SE			SE		IRR	40.0	
					Section Acres		640.0	
		20	NE					40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	35E	20	NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
29			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	10.0
			SE	SW		IRR	40.0
						Section Acres	290.0
30			NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	25.0
			SW	NW		IRR	25.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	34E	32	SE	SW		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	120.0
		33	NW	SW		IRR	10.0
	SW		SW		IRR	40.0	
	SE		SW		IRR	40.0	
	SW		SE		IRR	30.0	
	SE		SE		IRR	10.0	
						Section Acres	130.0
						Total Acres	17985.0

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:

A31-00065/00168/00188/00184/00166/00263/00147/CON. IN REMARK

14. Remarks:

OWSLEY CANAL COMPANY HOLDS THIS AND ALL ITS WATER RIGHTS FOR THE USE AND BENEFIT OF THE LANDS OF ITS STOCKHOLDERS DESCRIBED IN THE ATTACHED LAND LIST (ATTACHMENT "C") MUD LAKE & TRIBUTARIES A31-00052/00104/00105/00162/00159/00185/00163/00006/00169/00237/00034/00035/00187/00036/00037/00232/00038/00186/00363/. BYBEE WELL FIELD-A31-00327/00328/00329/00330/. NORTH LAKE WELL FIELD-31-02239/002265/02341/02342/02343/02344/02345/07005/. WATEWATER A31-02276/

*****MEMO*****

BASED ON IRRIGATED ACREAGE THE CONSUMPTIVE USE SHOULD BE 17985.0 X 2.5 = 44942.5.

ATTACHMENT B OF NOTICE DISCUSSES STORAGE PRACTICES BUT FAILS TO IDENTIFY A VOLUME. SINCE IRRIGATION STORAGE HAS BEEN CLAIMED FOR EACH NATURAL FLOW, RIGHT FOR DATA ENTRY PURPOSES. THE VOLUME WAS SET AT 1 AF/ACRE.

SEE A31-00065 FOR MAP OF THE AREA SERVED BY THIS RIGHT.

15. Basis of Claim: DECREED
Case Number:

A31-00330

Page

89

MICROFILMED
NOV 17 1992

Court :
Decree date:

ERNEST SAUVE
Decree Plaintiff

vs

W. H. ABBOTT, ET AL.
Decree 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/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 31-0330

Date Received

Receipt Number

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) June 26, 1936

3. Source of water supply (a) Groundwater
which is tributary to (b) Mud Lake during nonirrigation season (See Decree)

4. a. Location of existing point of diversion is: Township 7N Range 35E Section 25,
1/4 of SE 1/4 of SW 1/4, Govt. Lot, B.M., County of Jefferson

Additional points of diversion if any: NW1/4SE1/4, SW1/4SE1/4, all in same Sec. 25

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

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

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. See Attachment "A"

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from Apr 1 to Nov 1 amount 80.0 or _____
For Irr. Storage purposes from Nov 1 to Apr 1 amount _____ or See Attachment "B"
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 80.0 (cfs) and/or (b) See Attachment "B" (acre feet)

8. Total consumptive use claimed is 63,017.5 acre feet per annum, for combination of all rights shown in Attachment "D".

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

10. Description of place of use: See Attachment "C"

- 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	

Total number of acres irrigated 18,005

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 _____ No X
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.
See Attachment "D" (list of all water rights for Owsley service area) or None ()

14. Remarks: Owsley Canal Company holds this and all its water rights for the use and benefit of the lands of its stockholders described in the attached land list (Attachment "C"). Rights Nos. 31-0327, 31-0328, 31-0329 and 31-0330 include and supercede former permit and license Nos. 17611, 17612, 17640/31-2252 and 18378/31-2259. Total diversions under a combination of these four rights cannot exceed 200 cfs.

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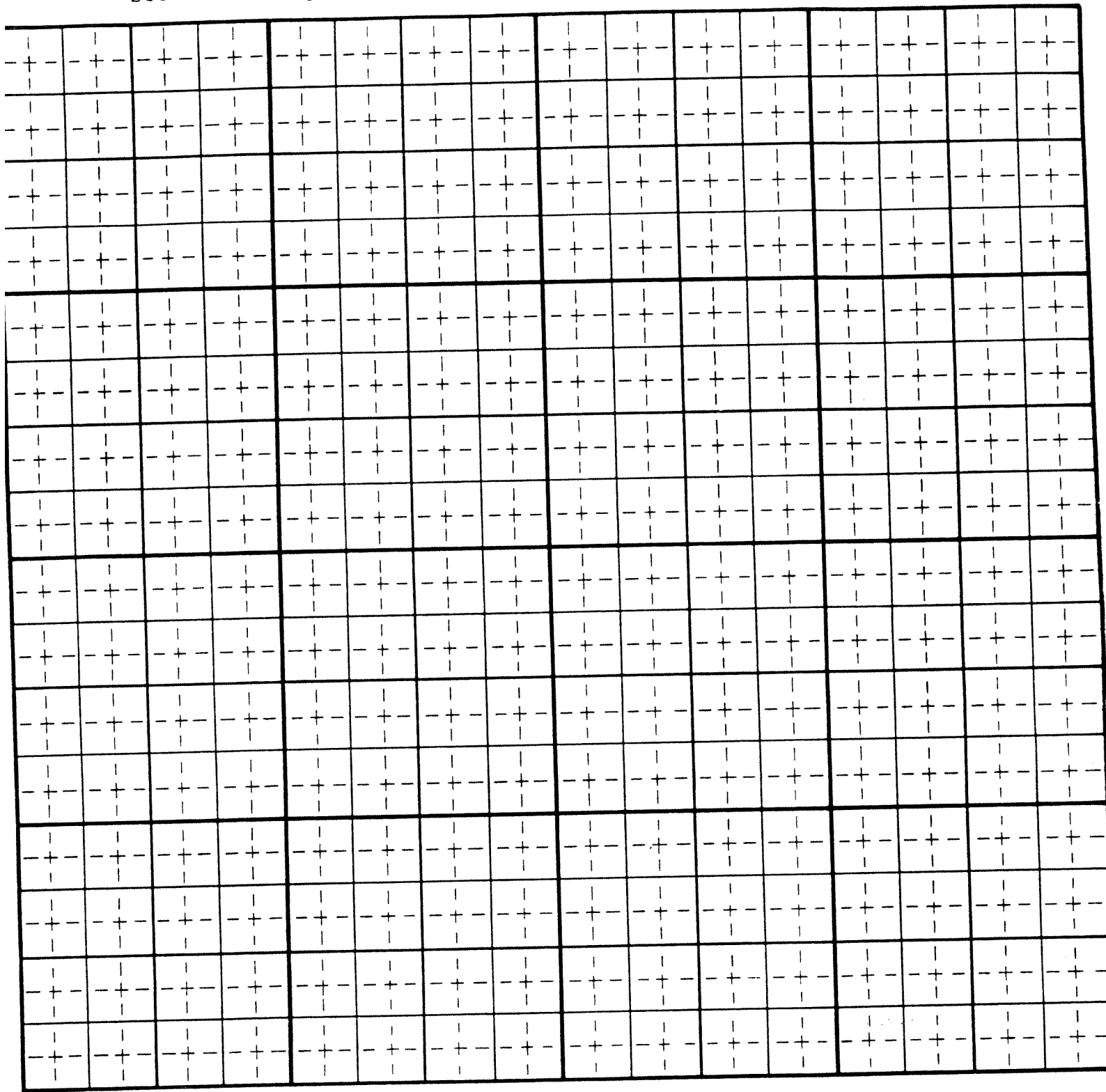
Last Name Owsley Canal Co. Ident No. 31-0330

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile

See set of maps accompanying all Owsley Canal Company claims



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Last Name Owsley Canal Co. Ident No. 31-0330

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X

If applicable provide IDWR Water Right Number 31-0330
Court Ninth District - Idaho Case Number 1739 Decree Date Oct. 14, 1940
Plaintiff vs Defendant Owsley Canal Company v. Ernest Bauerle, et al.

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 X
wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 5

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 [Signature]

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 19 88

SEAL

Notary Public [Signature]

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 [Signature]

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

Date November 30, 1988

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Last Name Owsley Canal Co. Ident. Number 31-0330

Copies White-State, Yellow-Claimant

DESCRIPTION OF
EXISTING DIVERSION WORKS

The Owsley Canal Company diversions fall into four categories:

1. Diversions from Mud Lake in Section 1, T6N, R34E.

Water under all rights to the natural flows of Mud Lake and its tributaries, water diverted by the Bybee wells, and at times much of the water diverted by the North Lake wells, as well as water under all storage rights in connection with such sources, flows from Mud Lake through the main intake canal of the company to the main lift pumping station located just south of Highway 28 in the NW1/4NW1/4 of Section 24, T6N, R34E. There are four pumps at the main lift station, three 200 HP pumps and one 150 HP pump. The pumps lift water about seventeen feet and produce some 329 cfs of flow in the canal system. In addition some water is diverted through the Level Canal Company intake from Mud Lake in the SW1/4SW1/4 Section 34, T7N, R34E and then recaptured by means of a pump located on the south bank of said canal in the SE1/4SE1/4 Section 33 of said township and range for the irrigation of some two hundred acres of farm land. This is referred to as the Shively (tenant) or Staley (landowner) diversion.

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2. Diversions of groundwater at the Bybee well field in Section 25, T7N, R35E.

When these wells were first drilled, the water flowed from them under pressure in the amount of about 200 cfs. Over the years the number of wells and the depth has been increased, and pumps have been installed to produce the 200 cfs. There are now eight wells with pumps. They range in depth from twenty-two feet to one hundred feet. There are six 100 HP pumps, one 75 HP pump and one 60 HP pump. Water from the wells is collected in a system of ditches with a large sump and discharged through a concrete and earthen structure into Camas Creek. It flows through the channel of Camas Creek to Mud Lake from which it is then rediverted as described above.

3. Diversions of groundwater at the North Lake well field in Sections 13, 18, 19 and 24 of T7N, R34E.

There are some sixteen drilled wells in this location, eleven are currently in use. Their combined maximum capacity is 197.66 cfs. The depth of nearly all eleven producing wells is one hundred feet. All but one of the pumps are 75 HP pumps; one is a 60 HP pump. These wells discharge into a system of collection ditches which feed a main ditch running in a generally southwesterly direction to a bifurcation structure in Section 34 of said township and range. From the bifurcation structure, water is either delivered south into Mud Lake for rediversion as described above, or in a southwesterly direction to the west lift pumps of the company, sometimes referred to as the "Sparks Pumps". This lift station is located in the

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SW1/4SW1/4 of Section 33, T7N, R34E where the water is lifted some fifteen feet into the Owsley Canal system.

4. Diversions of wastewater within the Owsley Canal system by means of subpumps.

There are twelve subpumps located strategically throughout the Owsley system for the purpose of pumping excess tailwater and subwater from irrigation of the lands back into either the canal system or Mud Lake for reuse. These are relatively smaller pumps ranging in size from 3 HP to 20 HP and lift water eight to eighteen feet.

STORAGE RIGHTS

IN

MUD LAKE

Under the federal court decree in the case of Ernest Sauve v. W. H. Abbott, et al., Case No. 635, entered November 1, 1930, the watermaster is charged with the responsibility of accounting for water stored in Mud Lake during the nonirrigation season on the basis of priorities to the use of the waters of Mud Lake and its tributaries during the irrigation season.

As a result of the drilling of wells which for many years resulted in the flow of significant amounts of water therefrom without the necessity of pumping, other court decrees have resulted which also impact such storage rights. Notable among such decrees is the one entered by the District Court of the Ninth Judicial District for Jefferson County in the case of Owsley Canal Company v. Ernest Bauerle, et al., Case No. 1739, on October 14, 1940.

By the early 1960's, most of such flowing wells had ceased to flow in average water years, either during the irrigation or nonirrigation season. Pumps were installed and in very recent years some wells have been deepened in order to provide the

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required amounts of water. Coincidentally with the increased number of groundwater diversions in the areas surrounding Mud Lake, wintertime flows from Camas Creek and the other tributaries have, in many of the past twenty to twenty-five years, been insufficient to fill Mud Lake.

In response to the need to fill Mud Lake during the nonirrigation season, for the benefit of all holders of natural flow and storage rights therein; a practice has developed of pre-irrigation season pumping from many of the same wells which are the subject of the Owsley v. Bauerle decree, as well as some other wells. The pre-season pumping has been done pursuant to an agreement entered into by all those who hold rights to the use of the waters of Mud Lake. A copy of the agreement currently in effect is attached hereto.

Claimant has made a claim for storage rights under each of its natural flow rights. The storage capacity of Mud Lake is only 45,000 acre feet, which is far less than the combined total of the potential storage rights of all holders of such rights. In addition to the limitations imposed upon such claimed storage rights by nature, by the size of the storage facility, by the applicable decrees of courts and the priorities provided therein, such storage rights have been and are presently subject to the practice described in the attached current pre-season pumping agreement.

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**OWSLEY CANAL COMPANY SERVICE AREA
DESCRIPTION OF PLACE OF USE**

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	3					40	40	40	40	40	40	40	40	40	40	40	40	480	
		4	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640		
		5	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640		
		7	40	40	40	40									40	40	40	40	320	
		8	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640	
		9	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640	
		10	40	40	40	40	20	40	40	40	40	40	40	40	40	40	40	40	620	
		11										40	40	40	40	40	40	40	320	
		13						40	40			40	40	40	40	40	40	40	400	
		14	40	40	40	40						40	40	40	30	40	40	40	470	
		15					40	40	40	40	40	40	40	40	40	40	40	40	480	
		16	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640	
		17	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	30	25	615
		20	25	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	625
		21	40	40	40	40	40	25	40	40	40	40	40	40	40	40	40	40	40	625
		22	20	40	40	40	40	20	40	40	40	40	40	40	40	40	40	40	40	600
23	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640		
24	40	40	40	40	10	40	40	30	40	40	40	40	40	40	40	40	40	600		
25	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640		
26	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640		
27	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640		
28	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640		
29	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640		
34	40	40	40	40	40				40	40	40	40	40	40	40	40	40	560		
35	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640		
6N	35E	8										40	40	40			40	40	200	
		17					40	40	40	40	40	40	40					320		
		18	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640	
		19	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640	
		20	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640	
		29					40	40	40	40	40	40	10	40					290	
30	40	40	40	40	40	25	25	40	40	40	40	40	40	40	40	40	10			
7N	34E	32												40				120		
		33										10	40	40			30	10	130	

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OWSLEY CANAL COMPANY
LIST OF WATER RIGHTS FOR SERVICE AREA

A. Mud Lake and Tributaries

31-0065
31-0168
31-0188
31-0184
31-0166
31-0263
31-0147
31-0052
31-0104
31-0105
31-0162
31-0159
31-0185
31-0163
31-0006
31-0169
31-0237
31-0034
31-0035
31-0187
31-0036
31-0037
31-0232
31-0038
31-0186
31-0363

B. Bybee Well Field

31-0327
31-0328
31-0329
31-0330

C. North Lake Well Field

31-2239
31-2265
31-2341
31-2342
31-2343
31-2344
31-2345
31-7005

D. Wastewater
31-2276

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