

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 31-02290

(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.

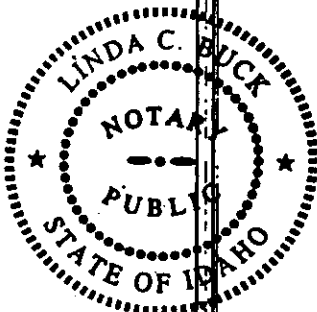
Fredric W. Price  
(Signature of person filing objection)

Larry G. 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:

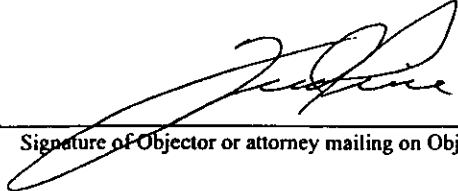
Address:;

3. Copies to:

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

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

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

  
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: 31-2290

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.600 CFS  
840.00 AFY

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 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: 02/14/1949

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 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 NWSWSW Within JEFFERSON County  
T07N R35E S25 NWSWSW Within JEFFERSON County  
T07N R35E S25 SWSWSW Within JEFFERSON County  
T07N R35E S25 SWSWSW Within JEFFERSON County  
T07N R35E S25 NESESW Within JEFFERSON County  
T07N R35E S25 NESESW Within JEFFERSON County  
T07N R35E S25 NESESW Within JEFFERSON County  
T07N R35E S25 NESESW Within JEFFERSON County  
T07N R35E S25 NESESW Within JEFFERSON County  
T07N R35E S25 SESESW Within JEFFERSON County  
T07N R35E S25 SENWSE Within JEFFERSON County

05/04/2001

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

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

QUANTITY

PLACE OF USE:

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 3107.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-336B, 31-337B, 31-2289, 31-2290, 31-2297, 31-2310, 31-2317A, 31-2317B, 31-2321.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 240 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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).

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.

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 - License

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

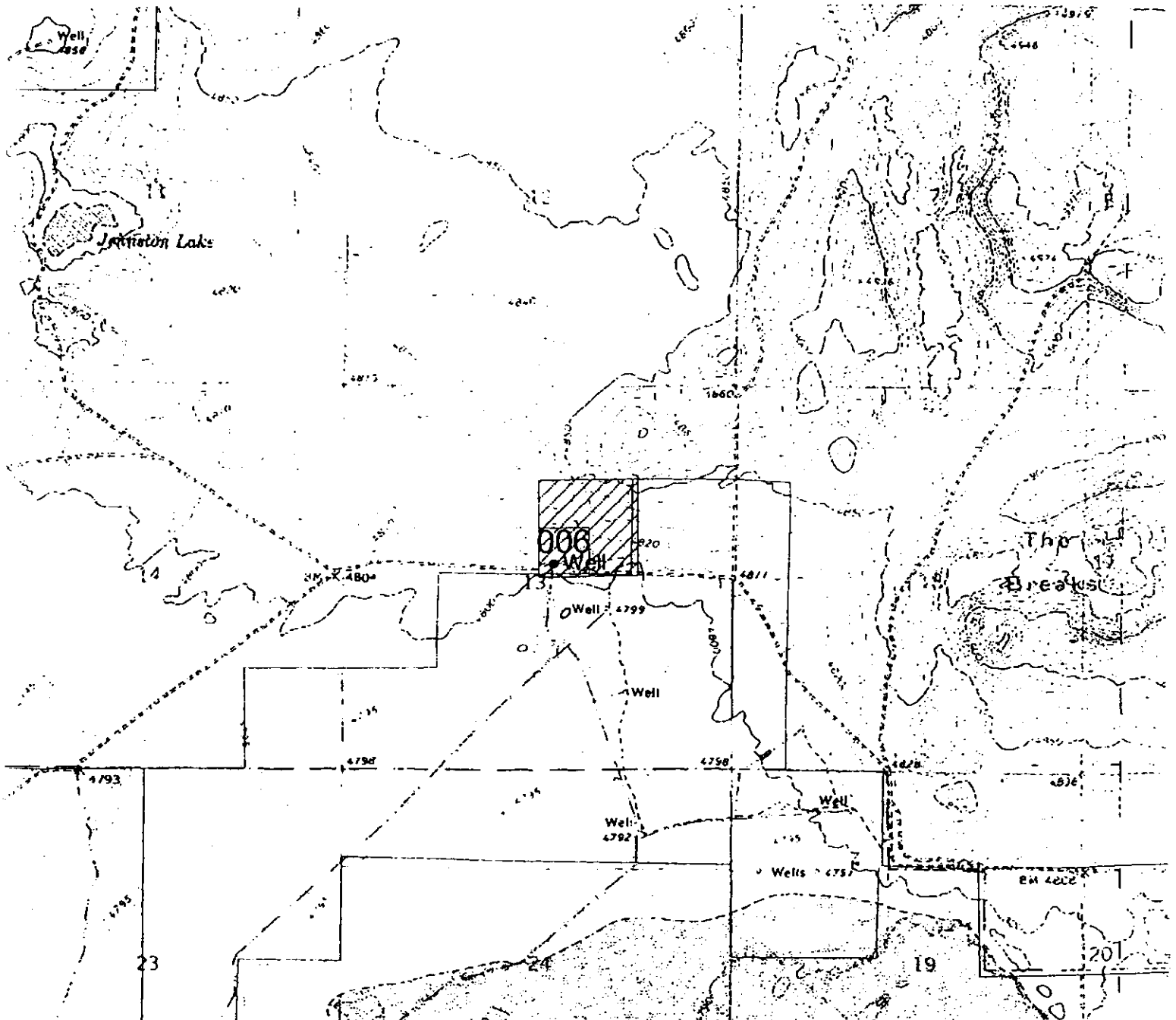
Mud Lake Water Users, Inc. (Claimant)

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
- BLM
- 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 ODs/POUs on Public Land

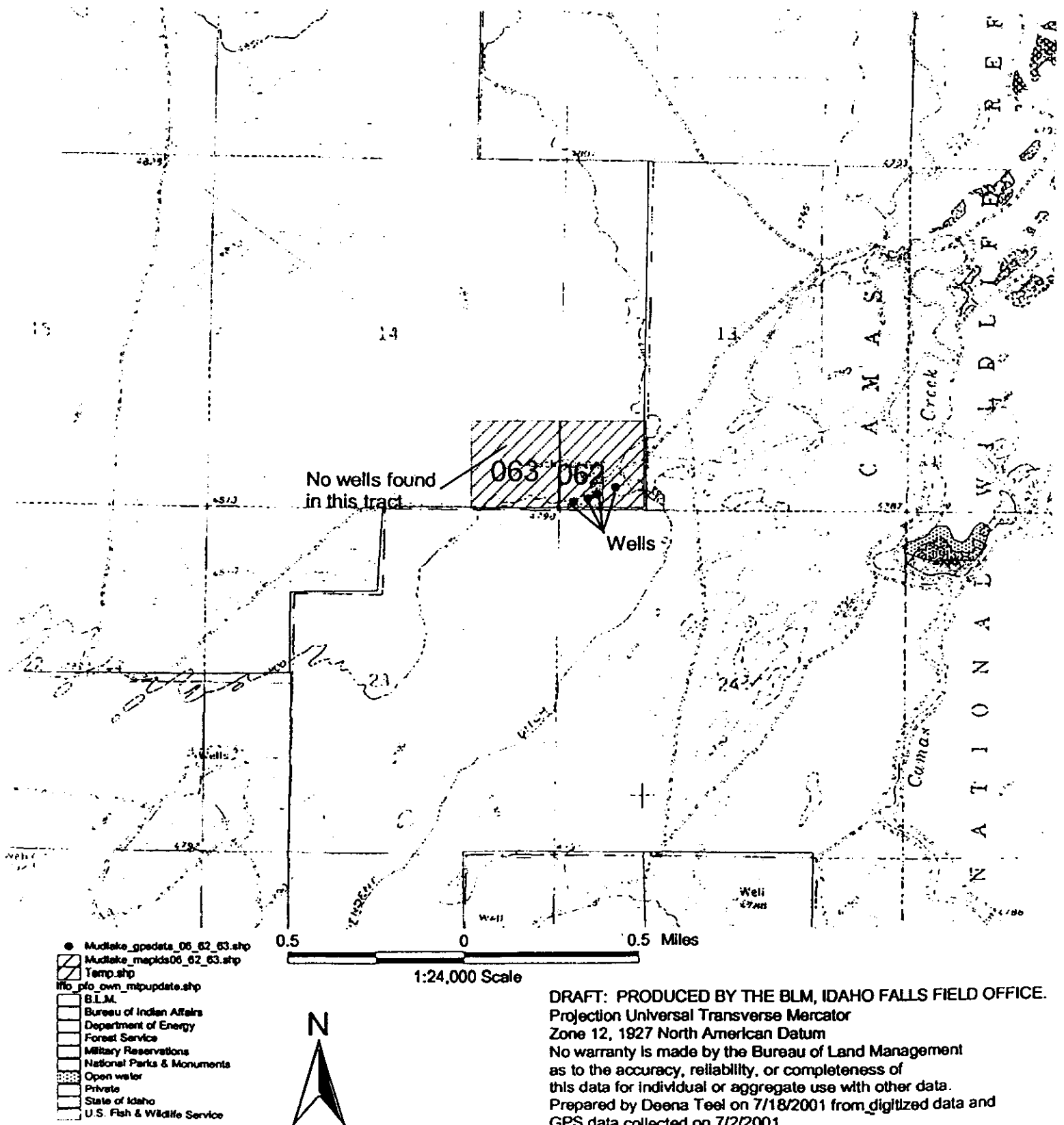
Mud Lake Water Users, Inc. (Claimant)

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



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: March 9, 2001

Water right number: 31-2290

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: *Garth 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

# 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

November 2, 2000

MUD LAKE WATER USERS INC  
PO BOX 68  
TERRETON ID 83450

RE: CHANGE IN OWNERSHIP FOR A31-00134, A31-00135,  
A31-00143, A31-00144, A31-00190, A31-00192, A31-00331,  
A31-00332, A31-00344, A31-00345, A31-00354, A31-00355,  
A31-00360, A31-00361, A31-00371, A31-02289, A31-02290,  
A31-02297, A31-02310, A31-02317A, A31-02317B, A31-  
02321, A31-10957, A31-10958, A31-10959, A31-10960, A31-  
10961, A31-10962

Dear Claimant:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner(s).

Enclosed is a copy of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

**If there are no questions or corrections, please keep this Notice(s) for your records.**

Respectfully submitted,

Cheri Vandermeulen  
Records Clerk

Enclosure: Notice(s) of Claim



**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

To: Mud Lake Water Users Files  
Fr: Bryce Contor  
Date: 10/31/2000

A handwritten signature in cursive script that reads "Bryce A. Contor".

Re: Attorney

Garth Soderquist of Mud Lake Water Users called today and ask that we remove Kent Foster as attorney on all of the Mud Lake Water Users adjudication claims.

Ok Bac

# STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

### NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.  
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

| Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
| _____                 | <u>A31-00134*</u>            | _____ | _____                 | <u>A31-00192*</u>            | _____ |
| _____                 | <u>A31-00135*</u>            | _____ | _____                 | <u>A31-2289</u>              | _____ |
| _____                 | <u>A31-00143*</u>            | _____ | _____                 | <u>A31-2290</u>              | _____ |
| _____                 | <u>A31-00144*</u>            | _____ | _____                 | <u>A31-2297</u>              | _____ |
| _____                 | <u>A31-00190*</u>            | _____ | _____                 | <u>A31-2310</u>              | _____ |

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

~~A. The appropriate FILING FEE. See instructions for fee amounts.~~

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION.**

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):  
**PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former  
Owner/Claimant(s)

Jachett Canal Co.

4. New Owner/Claimant(s)

Mud Lake Water Users Inc.

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

Po Box 68

City, State and ZIP Code

Territon ID 83450

New Telephone Number

( ) \_\_\_\_\_

5. Date you acquired the property

Filed 98 Jan 13 PM 1:18

Secretary of State  
State of Idaho

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 1 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

| <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  |                      |                       |                      |

RECORDED  
 FEB 1 1954

## 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

APR 11 1991

## 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      |              |              |
|            |            |            |              |              |              | 320          |
|            |            | 8          | NENE 40      | NWNE 40      | SWNE 40      |              |
|            |            |            | SENE 40      | NENW 40      | NWNW 40      |              |

## 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      |              |

## 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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## 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          |
| 27         |            |             | 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          |
| 28         |            |             | NENE 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      | 600          |
| 29         |            |             | 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          |
| 34         |            |             | NENE 40           | NWNE 40         | SWNE 40      |              |
|            |            |             | SENE 40           | NENW 40         | SENW 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           | SENW 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     | SENW 40           | NESW 40         |              |              |
|            |            | NWSW 40     | SWSW 40           | SESW 40         |              |              |
|            |            | NESE 40     | NWSE 40           | SWSE 40         |              |              |

## 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           |              |
|            |            | SWSW       | 40           | SESW         | 40           |              |
|            |            | NWSE       | 40           | SWSE         | 40           | 327          |
| 5          | Lot 1      | (NENE)     | 41.2         | Lot 2        | (NWNE)       | 38           |
|            |            | SENE       | 40           | NESW         | 40           |              |
|            |            | NESE       | 40           | NWSE         | 40           |              |
|            |            | SESE       | 40           |              |              | 399.2        |
| 8          |            | NENE       | 40           | NWNE         | 40           |              |
|            |            | SENE       | 40           | NENW         | 40           |              |
|            |            | SWNW       | 40           | SENW         | 40           |              |
|            |            | NWSW       | 40           | SWSW         | 40           |              |
|            |            | NESE       | 40           | NWSE         | 40           |              |
|            |            | SESE       | 40           |              |              | 640          |
| 9          |            | NENE       | 40           | NWNE         | 40           |              |
|            |            | SENE       | 40           | NESW         | 40           |              |
|            |            | SWSW       | 40           | SESW         | 40           |              |
|            |            | NWSE       | 40           | SWSE         | 40           | 480          |
| 10         |            | NENE       | 40           | SWNE         | 40           |              |
|            |            | SENW       | 40           | NESW         | 40           |              |
|            |            | SWSW       | 40           | SESW         | 40           |              |
|            |            | NWSE       | 40           | SWSE         | 40           | 480          |
| 11         |            | NENW       | 40           | NWNW         | 30           |              |
|            |            | SENW       | 40           | NESW         | 40           |              |
|            |            | SESW       | 40           |              |              | 270          |
| 14         |            | NESW       | 10           | NWSW         | 40           | 50           |
| 15         |            | NENE       | 34           | NWNE         | 40           |              |
|            |            | SENE       | 40           | NENW         | 40           |              |
|            |            | SWNW       | 40           | SENW         | 40           |              |
|            |            | NWSW       | 40           | SWSW         | 40           |              |
|            |            | NESE       | 40           | NWSE         | 40           |              |
|            |            | SESE       | 40           |              |              | 634          |
| 16         |            | NENE       | 40           | NWNE         | 40           |              |
|            |            | SENE       | 40           | NENW         | 40           |              |
|            |            | SWNW       | 40           | SENW         | 40           |              |
|            |            | NWSW       | 40           | SWSW         | 40           |              |
|            |            | NESE       | 40           | NWSE         | 40           |              |
|            |            | SESE       | 40           |              |              | 640          |
| 17         |            | NENE       | 40           | NWNE         | 40           |              |
|            |            | SENE       | 40           | NENW         | 40           |              |
|            |            | SWNW       | 40           | SENW         | 40           |              |

## 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

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.

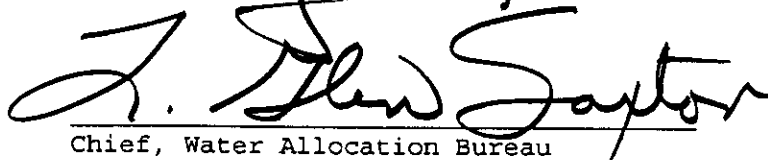
TRANSFER NO. 5335

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 8<sup>th</sup> day of February, 1999.

  
Chief, Water Allocation Bureau

**APPLICATION FOR TRANSFER OF WATER RIGHT** **APPROVED**  
To Change the Point of Diversion and/or the Place of Use

Name of applicant JACQUELYN CARNE COLEMAN  
Post office address c/o HOLDEN, KIDWELL, HAHN & CRAPO, Box 129, Idaho Falls, Idaho

1. Right evidenced by:

b. License No. \_\_\_\_\_ issued by the Idaho Department of Water Resources

c. Claim No. \_\_\_\_\_ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant \_\_\_\_\_

3. Source of water \_\_\_\_\_ tributary to \_\_\_\_\_

4. Date of priority \_\_\_\_\_

5. Water is used for the following purposes:

Water is used for the following purposes.

amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_

\_\_\_\_\_ to \_\_\_\_\_

amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_

amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(month/day – both dates inclusive)

6. Total amount of water under right: a. \_\_\_\_\_ cubic feet per second  
b. \_\_\_\_\_ &/or  
\_\_\_\_\_ acre feet per annum

7. Location of original point of diversion is \_\_\_\_\_ % of \_\_\_\_\_ % of Section \_\_\_\_\_  
Township \_\_\_\_\_ Range \_\_\_\_\_, B.M., in \_\_\_\_\_ Count \_\_\_\_\_  
Additional points of diversion, if any \_\_\_\_\_

8. Lands irrigated or place of use:

[illegible]

Total number of acres to be irrigated \_\_\_\_\_

JUL 7 1978

A. DESCRIPTION OF RIGHTS AS RECORDED:

Department of Water Resources  
Eastern District Office

1. Rights evidenced by:

a. Decreed Rights:

- (1) Ernest Sauve, Plaintiff, vs. W. H. Abbott, et al, Defendants;  
dated November 1, 1930; in the District Court of the United States for the District of Idaho, Eastern Division. Proceedings were held in Pocatello, Bannock County, Idaho, but the decree purports to allocate the waters of Mud Lake in Jefferson County, Idaho, and its tributaries. All lands irrigated through applicant's system are in Jefferson County. These rights were conveyed to applicant by an instrument entitled "Water Deed", dated May 1, 1956, recorded as Instrument No. 116320 in the records of Jefferson County, Idaho, on September 15, 1958; also in Book 55 of Water Deeds at page 309. A copy of this deed is attached hereto. The information for each such water right is listed as follows:

- |                      |                                                                                                                                                                                                                    |
|----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (a) Right No. -      | 31-0134 (Page 47 of Decree, No. 70)                                                                                                                                                                                |
| Decreed to-          | Los Angeles First National Bank and Trust Company (formerly First Nat'l Bank of Los Angeles), a corporation.                                                                                                       |
| Source -             | Camas Creek, a tributary of Mud Lake.                                                                                                                                                                              |
| Priority Date -      | March 20, 1911.                                                                                                                                                                                                    |
| Water Used For -     | Irrigation                                                                                                                                                                                                         |
| Amount -             | 3.5 cfs                                                                                                                                                                                                            |
| Point of Diversion-  | In Lot 4, Section 4, Township 6 North, Range 35 East, B.M.                                                                                                                                                         |
| Place of Use -       | 7.38 acres in Lot 7, Section 32, Township 7 North, Range 35 East, B.M. 41. acres in Lot 4, Section 4; 41. acres in Lot 1, Section 4; 52.25 acres in Lot 2, Section 5; all in Township 6 North, Range 35 East, B.M. |
| (b) Right No. -      | 31-0135 (Page 47 of Decree, No. 70)                                                                                                                                                                                |
| Decreed to -         | Los Angeles First Nat'l Bank and Trust Company (formerly First Nat'l Bank of Los Angeles), a corporation.                                                                                                          |
| Source -             | Mud Lake                                                                                                                                                                                                           |
| Priority Date -      | June 10, 1912                                                                                                                                                                                                      |
| Water Used For -     | Irrigation                                                                                                                                                                                                         |
| Amount -             | 2.5 cfs                                                                                                                                                                                                            |
| Point of Diversion - | Near the Center of the Southwest Quarter of Section 5, Township 6 North, Range 35 East, B.M.                                                                                                                       |

Place of Use - 320 acres as follows: 40 acres in the Northwest Quarter of the Northwest Quarter; 40 acres in the Northeast Quarter of the Northwest Quarter; 40 acres in the Southwest Quarter of the Northwest Quarter; 40 acres in the Southeast Quarter of the Northwest Quarter; 40 acres in the Northwest Quarter of the Northeast Quarter; 40 acres in the Southwest Quarter of the Northeast Quarter; 40 acres in the Northwest Quarter of the Southeast Quarter; 40 acres in the Northeast Quarter of the Southwest Quarter - all in Section 8, Township 6 North, Range 35 East B.M.

(c) Right No. - 31-0143 (Page 49 of Decree, No. 75)  
Decreed to - Clarence O. McGill and G. B. Adams.  
Source - Camas Creek, a tributary of Mud Lake.  
Priority Date - March 29, 1911  
Water Used For - Irrigation  
Amount - 1.0 cfs  
Point of Diversion - In Lot 4, Section 3, Township 6 North, Range 35 East B.M.  
Place of Use - Lots 3 and 4, the Southwest Quarter of the Northwest Quarter; the Southwest Quarter of the Southwest Quarter, the Northeast Quarter of the Southwest Quarter, and the Northwest Quarter of the Southwest Quarter, all in Section 3, Township 6 North, Range 35 East, B.M.

(d) Right No. - 31-0144 (Page 49 of Decree, No. 75)  
Decreed to - Clarence O. McGill and G.B. Adams  
Source - Camas Creek, a tributary of Mud Lake  
Priority Date - September 21, 1912.  
Water Used For - Irrigation  
Amount - 1.0 cfs  
Point of Diversion - Same as 31-0143.  
Place of Use - Same as 31-0143.

(e) Right No. - 31-0190 (Page 60 of Decree, No. 99)  
Decreed to - Merritt M. Owsley  
Source - Camas Creek, a tributary of Mud Lake.  
Priority Date - October 14, 1913.  
Water Used For - Irrigation  
Amount - 5.9 cfs  
Point of Diversion - A point South 73.75° East 1222 feet from the Northwest Corner of Section 3, Township 6 North, Range 35 East, B.M.  
Place of Use - The Southwest Quarter, the West Half of the Southeast Quarter, and the West Half of the Northeast Quarter, of Section 9, Township 6 North, Range 35 East, B.M.

(2) The Owsley Canal Company, Plaintiff, vs. Ernest Bauerle, et al, Defendants; dated October 14, 1940; in the District Court of the Ninth Judicial District of the State of Idaho, In and For Jefferson County. These rights were conveyed to applicant by instrument entitled "Water Deed", dated December 20, 1956, recorded as Instrument No. 120684, in the records of Jefferson County, Idaho on December 11, 1959; also in Book 81 of Water Deeds, at Page 56. A copy of this deed is attached. By this deed, Independent Water Users of Mud Lake, Inc., conveyed to applicant:

"An undivided one-third (1/3) in and to all of the water and water rights and diversion works of every kind, nature and description owned by said First Party, or in which First Party has any interest and particularly, but not limited thereto, an undivided one-third (1/3) interest in and to the water rights evidenced by Idaho Water License No. 17690 and Idaho Water Permit No. 17763."

The Bauerle Decree recites that Independent Water Users of Mud Lake, Inc., is the owner of this license and permit and appears to confirm or decree the rights represented in both the license and the permit. Subsequently the Permit, No. 17763/31-2254 was canceled for failure to submit proof of beneficial use. However, water has been diverted and applied to beneficial use each year in reliance on this right and the applicant has always relied on the decree as evidence of the rights, rather than the license or permit. We are attaching a copy of a letter from Mr. Bobby D. Fleenor of the Department to Don Shenton, dated June 4, 1974, explaining that the permit was canceled because after the entry of the Decree there was no longer any need to prove up on the permit, and the filing was unnecessary. The rights under this decree are described as follows:

(a) Right No. - 31-0336 (License No. 17690/31-2253)  
 Decreed to - Independent Water Users of Mud Lake, Inc.  
 Source - Ground Water  
 Priority Date - April 27, 1932  
 Water Used For - Irrigation  
 Amount - Decree says 32.50 cubic feet per second, but combined with Right No. 31-0337 "an amount not exceeding in the aggregate the equivalent of 91.8 cubic feet per second, flowing continuously during the irrigation season from May 1 to November 1 of each year."

Point of Diversion - Northeast Quarter Northwest Quarter Section 3, Township 6 North, Range 35 E.B.M., Jefferson County.

Place of Use -

| Twp | Range | Section | Forty-Acre Tract                                                                         | No. Acres Actually Irrigated |
|-----|-------|---------|------------------------------------------------------------------------------------------|------------------------------|
| 7N. | 35 E. | 32      | Lot 7 (SE $\frac{1}{4}$ SE $\frac{1}{4}$ )                                               | 38                           |
| 6N. | 35 E. | 4       | Lot 4                                                                                    | 35                           |
|     |       |         | NE $\frac{1}{4}$ SW $\frac{1}{4}$                                                        | 40                           |
|     |       |         | NW $\frac{1}{4}$ SW $\frac{1}{4}$                                                        | 40                           |
|     |       |         | SW $\frac{1}{4}$ SW $\frac{1}{4}$                                                        | 40                           |
|     |       |         | SE $\frac{1}{4}$ SW $\frac{1}{4}$                                                        | 40                           |
|     |       |         | NE $\frac{1}{4}$ SE $\frac{1}{4}$                                                        | 40                           |
|     |       |         | NW $\frac{1}{4}$ SE $\frac{1}{4}$                                                        | 40                           |
|     |       |         | SW $\frac{1}{4}$ SE $\frac{1}{4}$                                                        | 40                           |
|     |       |         | SE $\frac{1}{4}$ SE $\frac{1}{4}$                                                        | 40                           |
|     |       | 5       | Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$ )                                               | 40                           |
|     |       |         | Lot 2 (NW $\frac{1}{4}$ NE $\frac{1}{4}$ and part of NE $\frac{1}{4}$ NW $\frac{1}{4}$ ) | 25                           |
|     |       |         | SW $\frac{1}{4}$ NE $\frac{1}{4}$                                                        | 40                           |
|     |       |         | SE $\frac{1}{4}$ NE $\frac{1}{4}$                                                        | 35                           |
|     |       |         | NE $\frac{1}{4}$ SW $\frac{1}{4}$                                                        | 40                           |
|     |       |         | SE $\frac{1}{4}$ SW $\frac{1}{4}$                                                        | 40                           |
|     |       |         | NE $\frac{1}{4}$ SE $\frac{1}{4}$                                                        | 40                           |
|     |       |         | NW $\frac{1}{4}$ SE $\frac{1}{4}$                                                        | 40                           |
|     |       |         | SW $\frac{1}{4}$ SE $\frac{1}{4}$                                                        | 40                           |
|     |       |         | SE $\frac{1}{4}$ SE $\frac{1}{4}$                                                        | 40                           |
|     |       | 8       | NE $\frac{1}{4}$ NE $\frac{1}{4}$                                                        | 40                           |
|     |       |         | NW $\frac{1}{4}$ NE $\frac{1}{4}$                                                        | 40                           |
|     |       |         | SW $\frac{1}{4}$ NE $\frac{1}{4}$                                                        | 30                           |
|     |       |         | SE $\frac{1}{4}$ NE $\frac{1}{4}$                                                        | 20                           |
|     |       |         | NW $\frac{1}{4}$ SW $\frac{1}{4}$                                                        | 40                           |
|     |       |         | NW $\frac{1}{4}$ NW $\frac{1}{4}$                                                        | 40                           |
|     |       |         | SW $\frac{1}{4}$ NW $\frac{1}{4}$                                                        | 35                           |
|     |       |         | SE $\frac{1}{4}$ NW $\frac{1}{4}$                                                        | 40                           |
|     |       |         | NE $\frac{1}{4}$ SW $\frac{1}{4}$                                                        | 40                           |
|     |       |         | NW $\frac{1}{4}$ SE $\frac{1}{4}$                                                        | 15                           |
|     |       | 9       | NE $\frac{1}{4}$ NE $\frac{1}{4}$                                                        | 35                           |
|     |       |         | SE $\frac{1}{4}$ NE $\frac{1}{4}$                                                        | 20                           |
|     |       |         | NE $\frac{1}{4}$ NW $\frac{1}{4}$                                                        | 40                           |
|     |       |         | NW $\frac{1}{4}$ NW $\frac{1}{4}$                                                        | 20                           |
|     |       |         | SW $\frac{1}{4}$ NW $\frac{1}{4}$                                                        | 20                           |
|     |       |         | SE $\frac{1}{4}$ NW $\frac{1}{4}$                                                        | 40                           |
|     |       | 10      | NW $\frac{1}{4}$ NW $\frac{1}{4}$                                                        | 20                           |
|     |       |         | SW $\frac{1}{4}$ NW $\frac{1}{4}$                                                        | 20                           |

Total Number of Acres Irrigated 1,328

(b) Right No. - 31-0337 (Permit No. 17763/31-2254)  
 Decreed To - Independent Water Users of Mud Lake, Inc.  
 Source - Ground Water  
 Priority Date - December 15, 1932  
 Water Used For - Irrigation  
 Amount - 50 cfs (however, decree provides that this right, together with Right No. 31-0336 shall be permitted to develop up to 91.8 cubic feet per second as quoted above).

Points of Diversion - Southwest Quarter of Section 13, Northwest Quarter of Section 24, in Township 7 North, Range 35 E.B.M., Northeast Quarter Northwest Quarter of Section 3, Township 6 North, Range 35 E.B.M., Northwest Quarter Northwest Quarter of Section 7, Township 6 North, Range 34 E.B.M., Northeast Quarter Northwest Quarter of Section 1, Township 6 North, Range 34 E.B.M.

Place of Use -

| Twp. | Range | Section | Forty-Acre Tract                  | No. Acres Actually Irrigated |
|------|-------|---------|-----------------------------------|------------------------------|
| 7N.  | 33 E. | 36      | NE $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                           |
|      |       |         | NW $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                           |
|      |       |         | SW $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                           |
|      |       |         | SE $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                           |
|      |       |         | NE $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                           |
|      |       |         | SW $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                           |
|      |       |         | SE $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                           |
|      |       |         | NE $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                           |
|      |       |         | NW $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                           |
|      |       |         | SW $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                           |
|      |       |         | SE $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                           |
|      | 34 E. | 31      | NE $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                           |
|      |       |         | NW $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                           |
|      |       |         | SW $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                           |
|      |       |         | SE $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                           |
|      |       |         | NE $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                           |
|      |       |         | NW $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                           |
|      |       |         | SW $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                           |
|      |       |         | SE $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                           |
| 6N.  | 33 E. | 1       | NE $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                           |
|      |       |         | NW $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                           |
|      |       |         | SW $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                           |
|      |       |         | SE $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                           |
|      |       |         | NE $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                           |
|      |       |         | NW $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                           |
|      |       |         | SW $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                           |
|      |       |         | SE $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                           |
|      | 34 E. | 6       | NE $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                           |
|      |       |         | NW $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                           |
|      |       |         | SW $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                           |
|      |       |         | SE $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                           |

| Twp. | Range | Section | Forty-Acre Tract                  | No. Acres Actually Irrigated |
|------|-------|---------|-----------------------------------|------------------------------|
| 6N   | 34 E. | 12      | NE $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                           |
|      |       |         | NW $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                           |
|      |       |         | SW $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                           |
|      |       |         | SE $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                           |
|      |       |         | NE $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                           |
|      |       |         | SE $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                           |
|      |       |         | NE $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                           |
|      |       |         | NE $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                           |
|      |       |         | NW $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                           |
|      |       |         | SW $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                           |
|      |       |         | SE $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                           |
|      | 35 E. | 7       | NE $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                           |
|      |       |         | NW $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                           |
|      |       |         | SW $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                           |
|      |       |         | SE $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                           |
|      |       |         | NE $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                           |
|      |       |         | NW $\frac{1}{4}$ NW $\frac{1}{4}$ | 34.75                        |
|      |       |         | SW $\frac{1}{4}$ NW $\frac{1}{4}$ | 34.75                        |
|      |       |         | SE $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                           |
|      |       |         | NE $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                           |
|      |       |         | NW $\frac{1}{4}$ SW $\frac{1}{4}$ | 34.8                         |
|      |       |         | SW $\frac{1}{4}$ SW $\frac{1}{4}$ | 34.8                         |
|      |       |         | SE $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                           |
|      | 35 E. | 9       | NE $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                           |
|      |       |         | NW $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                           |
|      |       |         | SW $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                           |
|      |       |         | SE $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                           |
|      |       |         | NW $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                           |
|      |       |         | SW $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                           |
|      |       |         | NE $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                           |
|      |       |         | NW $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                           |
|      |       |         | SW $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                           |
|      |       |         | SE $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                           |
|      |       |         | NW $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                           |
|      |       |         | SW $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                           |

Total Number of Acres Irrigated 2,619.1

b. Licensed Rights:

(1) Right No. - G-20891/31-2289  
 Licensed To - Calvin Passey  
 Source - Ground Water  
 Priority Date - January 13, 1949  
 Water Used For - Irrigation  
 Amount - 3.2 cfs  
 Point of Diversion- Northwest Quarter Northeast  
 Quarter Section 27, Township 7  
 North, Range 35 E.B.M., Jefferson  
 County.  
 Place of Use - Northeast Quarter Northeast Quarter,  
 Northwest Quarter Northeast Quarter,  
 Southwest Quarter Northeast Quarter,  
 Southeast Quarter Northeast Quarter  
 all in Section 8, Township 6 North  
 Range 35 E.B.M.

- (2) Right No. - G-20948/31-2290  
Licensed To - J.R. Bixby  
Source - Ground Water  
Priority Date - February 14, 1949  
Water Used For - Irrigation  
Amount - 3.6 cfs  
Point of Diversion - Northwest Quarter Northeast  
Quarter, Section 27 Township 7  
North, Range 35 E.B.M., Jefferson  
County.  
Place of Use - Northeast Quarter Southeast Quarter,  
Northwest Quarter Southeast Quarter,  
Southwest Quarter Southeast Quarter,  
Southeast Quarter Southeast Quarter,  
Northeast Quarter Southwest Quarter,  
and Southeast Quarter Southwest  
Quarter, all in Section 5, Township  
6 North, Range 35 E.B.M.
- (3) Right No. - G-21322/31-2297  
Licensed To - Rulan R. Yearsley  
Source - Ground Water  
Priority Date - December 29, 1949  
Water Used For - Irrigation  
Amount - 6.0 cfs  
Point of Diversion - Northwest Quarter Northeast Quarter,  
Section 27, Township 7 North, Range  
35 E.B.M. in Jefferson County.  
Place of Use - 20 acres in Northwest Quarter of  
Northeast Quarter, 20 acres in South-  
west Quarter Northeast Quarter,  
20 acres in Southeast Quarter North-  
east Quarter, 30 acres in Northeast  
Quarter Northwest Quarter, 30 acres  
in Southeast Quarter Northwest Quarter,  
40 acres in Northeast Quarter South-  
west Quarter, 30 acres in Northwest  
Quarter Southwest Quarter, 30 acrs  
in Southwest Quarter Southwest Quarter,  
20 acres in Southeast Quarter South  
west Quarter, all in Section 3, 30  
acres in Southwest Quarter Southeast  
Quarter of Section 4, 35 acres in  
Northwest Quarter Northeast Quarter  
and 35 acres in Southwest Quarter  
Northeast Quarter of Section 9, all  
in Township 6 North Range 35 E.B.M.
- (4) Right No. - G-23076/31-2310  
Licensed to - Blaine E. Miller  
Source - Ground Water  
Priority Date - September 24, 1962  
Water Used For - Irrigation 1752  
Amount - 5.8 cfs  
Point of Diversion - Southwest Quarter Southwest Quarter  
Section 23, Township 7 North, Range  
35 E.B.M. Jefferson County.

Place of Use - 35 acres in Northeast Quarter Northeast Quarter, 30 acres in Northwest Quarter Northeast Quarter, Southwest Quarter Northeast Quarter, Southeast Quarter Northeast Quarter, Northwest Quarter Southeast Quarter, Northwest Quarter Southeast Quarter, 35 acres in Southwest Quarter Southeast Quarter 30 acres in Southeast Quarter Southeast Quarter, all in Section 17, Township 6 North, Range 35 E.B.M.

(5) Right No. - G-23836/31-2317 (two Rights under this Right No.)  
Licensed to - Frank S. Jackett  
Source - Ground Water  
Priority Date - February 28, 1953 and October 27, 1956  
Water Used For - Irrigation  
Amounts - 8.08 cfs under February 28, 1953 priority and 1.90 cfs under October 27, 1956 priority.

Points of Diversion - Northwest Quarter Southwest Quarter, Section 23 and Northeast Quarter Southeast Quarter, Section 22, all in Township 7 North, Range 35 E.B.M.

Place of Use - 25 acres in Northeast Quarter Northeast Quarter, Northwest Quarter Northeast Quarter, 20 acres in Southwest Quarter Northeast Quarter, 25 acres in Southeast Quarter Northeast Quarter, Northeast Quarter Northwest Quarter, Northwest Quarter Northwest Quarter, Southwest Quarter Northwest Quarter, Southeast Quarter Northwest Quarter, Northeast Quarter Southeast Quarter, 20 acres in Northwest Quarter Southeast Quarter, 25 acres in Southwest Quarter Southeast Quarter, Southeast Quarter Southeast Quarter, Northeast Quarter Southwest Quarter, Northwest Quarter Southwest Quarter, 10 acres in Southwest Quarter Southwest Quarter, 13 acres in Southeast Quarter Southwest Quarter, all in Section 16, Township 6 North, Range 35 E.B.M.

(6) Right No. - G-24047/31-2321  
Licensed To - Dennis Green  
Source - Ground Water  
Priority Date - April 25, 1953  
Water Used For - Irrigation  
Amount - 1.92 cfs  
Point of Diversion - Northwest Quarter Northeast Quarter Section 27, Township 7 North Range 35 E.B.M.

Place of Use - 36 acres in Northeast Quarter Southwest Quarter, 34 acres in Northeast Quarter Southeast Quarter, 26 acres in Northwest Quarter Southeast Quarter all in Section 8, Township 6 North, Range 35 E.B.M.

All of the above described Licensed Rights were deeded to the Jackett Canal Company shortly after its organization in 1956. copies of all of the deeds are attached.

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE:

1. Change in point of diversion:

a. Amount of water to be diverted - the combination of all of the above described rights of the Jackett Canal Company amounts to 75 cubic feet per second. The decreed rights from Camas Creek are pumped out of Camas Creek at the points of diversion described below, so long as water is available to fill these rights. The seven wells maintained by the company are used only to the extent necessary to supplement the creek rights. Usually, this requires an increased use of the wells as the season progresses. Although the wells are usually operated to some extent from the time the irrigation season begins, in a sense, the wells are used as supplemental to the decreed rights from the creek.

b. Points of diversion -

- (1) Southwest Quarter Southwest Quarter, Section 13,  
Township 7 North, Range 35 E.B.M., Jefferson County.
- (2) Northwest Quarter Southeast Quarter, Section 22,  
Township 7 North, Range 35 E.B.M., Jefferson County.
- (3) Northwest Quarter Southwest Quarter, Section 23,  
Township 7 North, Range 35 E.B.M., Jefferson County.
- (4) Southwest Quarter Southwest Quarter, Section 23,  
Township 7 North, Range 35 E.B.M., Jefferson County.
- (5) Northwest Quarter Northeast Quarter, Section 27,  
Township 7 North, Range 35 E.B.M., Jefferson County.
- (6) Southwest Quarter Southwest Quarter, Section 33,  
Township 7 North, Range 35 E.B.M., Jefferson County.

(7) Lot 4 (Northwest Quarter Northwest Quarter), Section 3,  
Township 6 North, Range 35 E.B.M., Jefferson County.

- c. Description of diverting works - The Jackett Canal Company diverts both its decreed water rights from Camas Creek as well as the decreed and licensed rights from its seven wells at two locations on Camas Creek. The company maintains two pumps on Camas Creek in the Southwest Quarter of the Southwest Quarter of Section 33, Township 7 North, Range 35 E.B.M., and five pumps on Camas Creek in Lot 4 (Northwest Quarter Northwest Quarter), Section 3, Township 6 North, Range 35 E.B.M. The seven wells are located two to three miles north and east of the company's diversions from Camas Creek. Each of the wells discharges water into ditches which convey the well water into the Independent Ditch which empties into Camas Creek upstream from the two diversion points of the company. The Independent Ditch commences at a point in the Southwest Quarter of the Southwest Quarter of Section 13 where several wells are located at a point known as Buck Springs and flows in a generally southwest direction to the center of Section 27, Township 7 North, Range 35 E.B.M., and then directly south for approximately a mile where it discharges into Camas Creek in Section 34, Township 7 North, Range 35 E.B.M. In addition to assisting with the maintenance of the Independent Ditch and the small conveyances which discharge into the Independent Ditch, as well as the Jackett Canal system for distributing water to the lands of the stockholders south of Camas Creek, the company owns and maintains seven wells and fourteen pumps with electric motors ranging in size from 50 hp down to 20 hp.
- d. Describe the reasons for applying for a change in the points of diversion - The purpose of this entire application for

transfer is to conform the records of the department to the actual practice of the company which has been carried on since its organization in 1956. Some of the points of diversion as far as the actual records are concerned may be somewhat confusing because of the changes that were made at that time, as well as a result of the numerous deeds which the company received from individual stockholders as well as the Independent Water Users of Mud Lake, Inc. at the time of the organization. In fact, in reviewing the language of the deed from Independent Water Users of Mud Lake, Inc. to Jackett Canal Company in 1956, we observed that the deed purported to convey an undivided one-third interest in the wells and pumps and other diverting works, as well as the conveyance system and water right itself. There are actually five wells at Buck Springs, all located in the Southwest Quarter of the Southwest Quarter of Section 13, Township 7 North, Range 35 E.B.M. In actual practice, Jackett Canal Company has been treated as owning the two western most wells and Independent Water Users of Mud Lake, Inc. the three eastern most wells. In order to clarify this situation, the two companies have exchanged quit claim deeds on these wells, again to make the records conform to the actual practice. Copies of those deeds are enclosed with this application.

2. Change in place of use:

- a. Describe the lands or place of use to which the right will be transferred:

| TWP | RNG | SEC | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | TOTAL  |
|-----|-----|-----|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------|
|     |     |     | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |        |
| 7N  | 35E | 32  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | lt 8<br>2        | lt 7<br>18       |                  | 20.00  |
|     |     | 33  |                  |                  |                  |                  |                  |                  |                  |                  |                  | 1                |                  |                  |                  |                  |                  |                  | 1.00   |
| 6N  | 35E | 3   | lt 1<br>41.89    | lt 2<br>41.68    | 40               | 40               | lt 3<br>41.46    | lt 4<br>35       | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               |                  | 560.03 |
|     |     | 4   |                  |                  |                  |                  |                  | lt 4<br>7        |                  |                  | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 327.00 |
|     |     | 5   | lt 1<br>41.20    | lt 2<br>38       | 40               | 40               |                  |                  |                  |                  | 40               |                  |                  | 40               | 40               | 40               | 40               | 40               | 399.20 |

| TWP | RNG | SEC | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | TOTALS |
|-----|-----|-----|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------|
|     |     |     | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |        |
|     |     | 8   | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               |                  |                  |                  | 40               | 40               |                  |                  | 440.00 |
|     |     | 9   | 40               | 40               | 40               | 40               |                  |                  |                  |                  | 40               | 40               | 40               | 40               |                  | 40               | 40               |                  | 400.00 |
|     |     | 16  | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 640.00 |
|     |     | 17  | 40               | 40               | 40               | 40               |                  |                  |                  |                  |                  |                  |                  |                  | 40               | 40               | 40               | 40               | 320.00 |

Total number of acres to be irrigated 3,107.23

- b. Draw a map indicating the new points of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township, and range number. The attached map showing lands of the company irrigated by its stockholders colored in yellow with points of diversion and location of wells shown in blue.
3. Remarks - An attempt has been made by the applicant to identify the exact property of its stockholders upon which the company water is to be used, as well as the points of diversion. Essentially, the actual practice of the company has been as shown for a period of nearly 22 years. Recently, when the company began to review its water rights, it was discovered that although they were deeded to the company in 1956, no effort had been made to transfer the water rights so that an equal amount was appurtenant to each acre of ground within the system. Indeed, we discovered that the records would show that some land had several water rights appurtenant and some of the company land had no water rights appurtenant. It is the desire and intention of the company that all of the company's water rights be transferred to all of the company's lands so that each acre has an equal amount of each of the company's rights appurtenant to it since this is the way the company has actually operated.

RECORDED

3. Remarks \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement of the original right. The information contained in this application is true to the best of my knowledge.

Rulon R. Yearley  
(Signature of applicant)

Subscribed and sworn to before me this 26 day of JUNE, 19 78

Frank M. Vetter  
(Notary public)

My commission expires LIFE

**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

This is to certify that I have examined Application for Transfer of Water Rights No. 31-0190 and said application is hereby approved.

31-0134  
31-0143 31-0135  
31-0144 31-0337  
31-0190 31-2289  
31-0336 31-2290  
31-2297 31-2310  
31-2317 31-2321

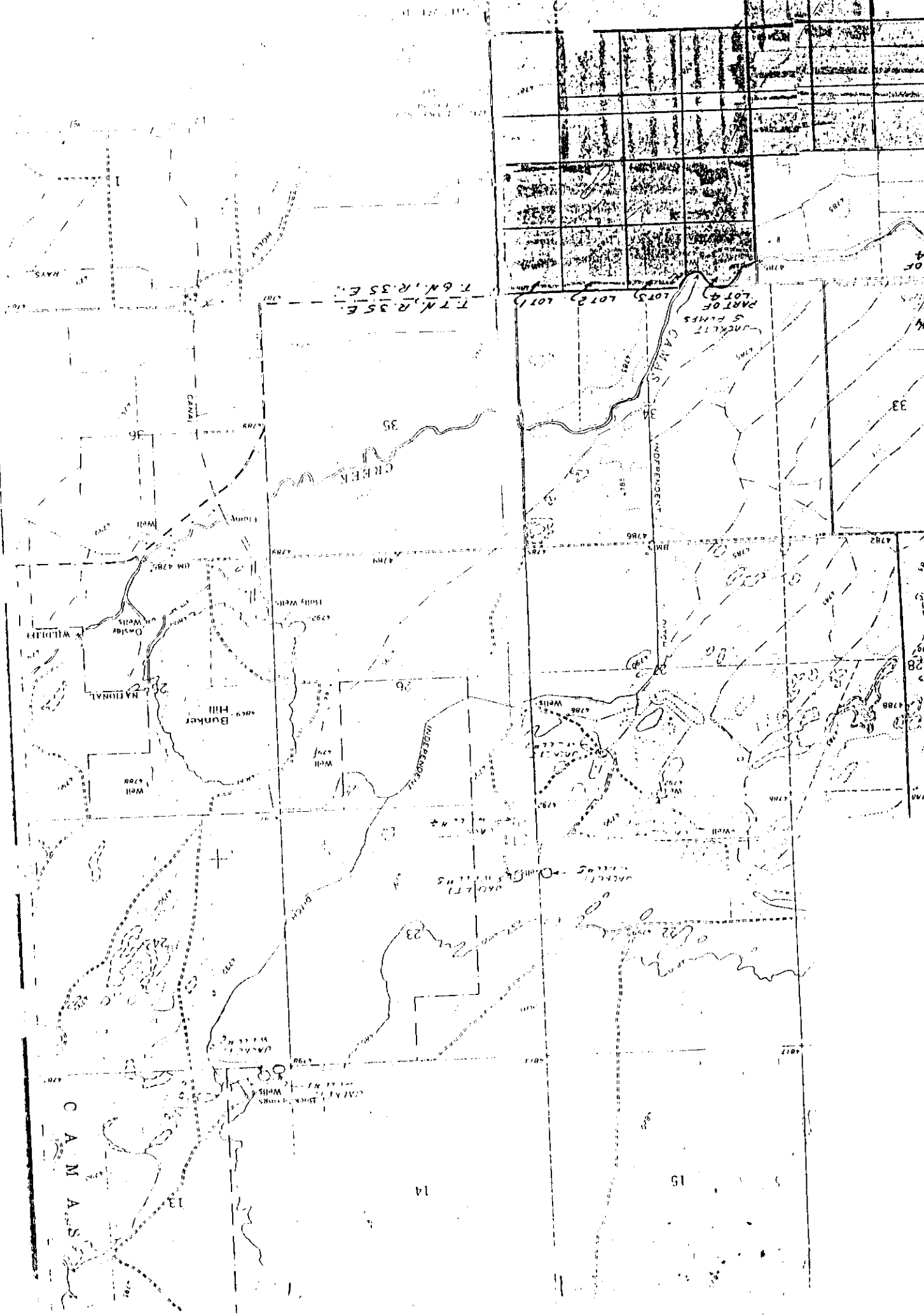
1. Approval of said application is subject to the following limitations and conditions:
- (1) Any future transfer of any of these rights will cause the remaining rights to revert back to the original acreage.
  - (2) The intent of this transfer is to record water delivery practices that have existed since 1956 - no change in delivery patterns is authorized.
  - (3) Diversion of water authorized by this transfer shall not exceed 9321 acre feet per annum.
  - (4) Measuring devices and controlling works of a type approved by this Department must be permanently installed and maintained at the points of diversion from groundwater. The existing measuring methodology shall be maintained at the points of diversion/re-diversion from Camas Creek.
  - (5) Use of water under this transfer is subject to control by the watermaster of Water District No. 31, Mud Lake and tributaries.

Witness my hand this 23<sup>rd</sup> day of June, 1981.

Norma C. Young  
Administrator, Resources Admin. Div.

**FOR DEPARTMENT USE ONLY**

Received by dh Date 3-13-79 Protest filed by \_\_\_\_\_  
RF 2-7-78  
Prelim. check by EMC Fee \$135.00 \_\_\_\_\_  
Receipted by dh Date 3-13-79 #12955 \_\_\_\_\_  
Published in Rigby Star Copies of protest forwarded by \_\_\_\_\_  
Pub. dates April 4 and 11, 1979 Hearing held by \_\_\_\_\_ Date \_\_\_\_\_  
Watermaster recommendation requested on \_\_\_\_\_ Recommended for approval denial  
3/29/79 rec'd. 4/16/79 by EMC Jim DRT



This is a detailed topographic map of a section of the State Wildlife Management Area. The map shows a grid of land parcels, some of which are labeled as "PART OF LOT 1", "PART OF LOT 2", "PART OF LOT 3", "PART OF LOT 4", "PART OF LOT 5", "PART OF LOT 6", "PART OF LOT 7", "PART OF LOT 8", "PART OF LOT 9", "PART OF LOT 10", "PART OF LOT 11", "PART OF LOT 12", "PART OF LOT 13", "PART OF LOT 14", "PART OF LOT 15", "PART OF LOT 16", "PART OF LOT 17", "PART OF LOT 18", "PART OF LOT 19", "PART OF LOT 20", "PART OF LOT 21", "PART OF LOT 22", "PART OF LOT 23", "PART OF LOT 24", "PART OF LOT 25", "PART OF LOT 26", "PART OF LOT 27", "PART OF LOT 28", "PART OF LOT 29", "PART OF LOT 30", "PART OF LOT 31", "PART OF LOT 32", "PART OF LOT 33", "PART OF LOT 34", "PART OF LOT 35", "PART OF LOT 36", "PART OF LOT 37", "PART OF LOT 38", "PART OF LOT 39", "PART OF LOT 40". The map also shows several roads, including "MUD LAKE ROAD", "STATE WILDLIFE MANAGEMENT AREA ROAD", "CLAY BUTTE ROAD", "CANYON ROAD", "NORTH CANYON ROAD", "SOUTH CANYON ROAD", "EAST CANYON ROAD", "WEST CANYON ROAD", "CENTRAL CANYON ROAD", "SOUTHWEST CANYON ROAD", "NORTHEAST CANYON ROAD", "SOUTHEAST CANYON ROAD", "NORTHWEST CANYON ROAD", "SOUTHWEST CANYON ROAD", "NORTHEAST CANYON ROAD", "SOUTHEAST CANYON ROAD". Other features include "MUD LAKE", "CLAY BUTTE", "STATE WILDLIFE MANAGEMENT AREA", "CANYON", "NORTH CANYON", "SOUTH CANYON", "EAST CANYON", "WEST CANYON", "CENTRAL CANYON", "SOUTHWEST CANYON", "NORTHEAST CANYON", "SOUTHEAST CANYON", "NORTHWEST CANYON", "SOUTHWEST CANYON", "NORTHEAST CANYON", "SOUTHEAST CANYON". The map is oriented with North at the top. A scale bar is located in the bottom right corner, indicating distances in miles and feet. The map is titled "STATE WILDLIFE MANAGEMENT AREA" in large letters across the center. The word "MICROFILMED" is written vertically along the right edge of the map.

# State of Idaho

## License and Certificate of Water Right

Water License No. 20948

Amount 3.6 second feet

Water District No. \_\_\_\_\_

Priority February 14, 1949

THIS IS TO CERTIFY that J. R. BIXBY  
of Terreton, Idaho, made application for a permit to appropriate the  
public waters of the State of Idaho, dated February 14, 1949; that Permit No. 20948  
was issued under said application; that Certificate of Completion of works, with a carrying capacity of  
3.6 second feet, was issued thereunder on March 23, 1951, showing that said works  
were completed on the 8th day of February, 1951; and that on the 10th  
day of January, 1956,

DENNIS GREFF (Assignee of J. R. Bixby)  
of Menan, State of Idaho, made proof to the satisfaction of the  
State Reclamation Engineer of Idaho, of the right to use the waters of a well

~~and subterranean~~ (subterranean flow), for the purpose of irrigation  
, under Use Permit No. 20948 of the Department 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 State Reclamation Engineer of Idaho and entered of record in Volume  
9 of Licenses at page 5825, on the 12th day of October, 1956;

The right hereby confirmed dates from February 14, 1949;

The Point of Diversion is located  
in the NW 1/4 NE 1/4, Sec. 27, Tp. 7 N., R. 35 E., B. M. / Jefferson County

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 3.6 cubic feet per second.

### Description and location of use:

| Twp. | Range | Sec. | Forty-acre Tract                             | No. Acres<br>Described in Permit | No. Acres<br>Actually Irrigated |
|------|-------|------|----------------------------------------------|----------------------------------|---------------------------------|
| 6 N. | 35 E. | 5    | NE $\frac{1}{4}$ SE $\frac{1}{4}$            | 40                               | 40                              |
|      |       |      | NW $\frac{1}{4}$ SE $\frac{1}{4}$            | 40                               | 40                              |
|      |       |      | SW $\frac{1}{4}$ SE $\frac{1}{4}$            | 40                               | 40                              |
|      |       |      | SE $\frac{1}{4}$ SE $\frac{1}{4}$            | 40                               | 40                              |
|      |       |      | NE $\frac{1}{4}$ SW $\frac{1}{4}$            | --                               | 40                              |
|      |       |      | SE $\frac{1}{4}$ SW $\frac{1}{4}$            | 20                               | 40                              |
|      |       |      | Total Number of Acres Actually Irrigated - - |                                  |                                 |

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place  
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this  
12th day of October, 1956.

(SEAL) MARK R. KULP  
State Reclamation Engineer.

## 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 Skaggs<sup>28</sup>/State Office

**SUBJECT:** Transfer 5335

**DATE:** February 9, 1999

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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.

MEMORANDUM

TO: FILE 31-02290

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 # 31-00327.

MICROFILMED  
FEB 11 1999

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO  
**REPORT OF ENGINEER**

Permit No. 20948

This proof is for Beneficial Use In Water District No. \_\_\_\_\_

1. Name of applicant Dennis Green, Terreton, Idaho
2. Source of water supply: Subterranean from a well
3. Location of point of diversion: Is in the NW 1/4 NE 1/4 of Section 27  
T. 7 N. R. 35 E. B.M. County of Jefferson
4. Describe works as they exist, giving dimensions and capacities of same: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Water is used for: Irrigation
6. State whether or not water has been turned into works of diversion: \_\_\_\_\_  
\_\_\_\_\_
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 other than irrigation):

S.W. 1/4, S.W. 1/4 Section 5, Twp. 6 N., Range 35 East, B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? \_\_\_\_\_

Remarks: See Calvin Passey's Permit #20891.

This water was metered by Henninger (Watermaster)  
and there is enough water to fill this Permit  
and also #24047

This examination was made on the 24 day of July, 1956

(Signed) E. H. Humphrey Examiner.

20948

Dennis Green  
Terreton, Idaho

Permit No. 20948.....

Examination for.....Beneficial Use.....

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

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### INSTRUCTIONS TO EXAMINERS

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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 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.
  6. Give general characteristics of soils, topography, and crops raised.
-



STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

REPORT OF ENGINEER

PERMIT NO. 70948

REPORT ON PROOF OF Beneficial Use

Mr. Dennis Green, Terreton, Idaho - Post office address, Hamer

3/6/48  
max

12/27/1988

## SRBA CLAIMS RECEIVING CHECKLIST

A-31-00336/02287

A-31-02290/02297/2310

CLAIMANT'S NAME Jackett Creek Co. CLAIM 1. INT. NO. 02317/02321

| DATE RECEIVED                                                                                                                                                                                                                                                                                                                                                                                   | CK # | AMOUNT \$ | YES                                 | NO                                  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|-----------|-------------------------------------|-------------------------------------|
| <u>28 Nov 1988</u>                                                                                                                                                                                                                                                                                                                                                                              |      |           |                                     |                                     |
| Is the name and address complete with zip code?                                                                                                                                                                                                                                                                                                                                                 |      |           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| Is a priority date entered?                                                                                                                                                                                                                                                                                                                                                                     |      |           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?                                                                                                                                                                                                                                                                   |      |           |                                     |                                     |
| 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. |      |           |                                     |                                     |
| (a) Is a source entered?                                                                                                                                                                                                                                                                                                                                                                        |      |           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| (b) Is a tributary to entered? (if required)                                                                                                                                                                                                                                                                                                                                                    |      |           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| Is the legal description of the p.d. sufficient?                                                                                                                                                                                                                                                                                                                                                |      |           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Is there a description of the diverting works?                                                                                                                                                                                                                                                                                                                                                  |      |           | <input type="checkbox"/>            | <input type="checkbox"/>            |
| Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.                                                                                                                                                                                        |      |           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| Is the period of use included?                                                                                                                                                                                                                                                                                                                                                                  |      |           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| Is a quantity claimed for each use?                                                                                                                                                                                                                                                                                                                                                             |      |           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| Is a total quantity claimed entered?                                                                                                                                                                                                                                                                                                                                                            |      |           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| If required is a consumptive use entered?                                                                                                                                                                                                                                                                                                                                                       |      |           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Is the consumptive use correct?                                                                                                                                                                                                                                                                                                                                                                 |      |           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 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.                                                                                                                                                                           |      |           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 10. Is (are) the place(s) of use entered?                                                                                                                                                                                                                                                                                                                                                       |      |           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 11. Is (are) the county(ies) entered?                                                                                                                                                                                                                                                                                                                                                           |      |           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 12. Is the ownership of p.u. checked?                                                                                                                                                                                                                                                                                                                                                           |      |           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 13. Are other water rights listed or "none" indicated?                                                                                                                                                                                                                                                                                                                                          |      |           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)                                                                                                                                                                                                                                         |      |           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 15. Is the basis of the claim checked?                                                                                                                                                                                                                                                                                                                                                          |      |           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)                                                                                                                                                       |      |           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| Has the claim been signed, sealed, and dated by a notary?                                                                                                                                                                                                                                                                                                                                       |      |           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| Was this claim filed on time, or was an extension granted?                                                                                                                                                                                                                                                                                                                                      |      |           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| Is the fee enclosed correct?                                                                                                                                                                                                                                                                                                                                                                    |      |           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| If this claim is based on an existing water right, has the identification number been entered?                                                                                                                                                                                                                                                                                                  |      |           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| Should this claim be receipted and data entered?                                                                                                                                                                                                                                                                                                                                                |      |           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

Flag for field inspection.

Claim checked by: Ernest

MICROFILMED

Comments: Letter to claimant - p.d. in Sec 22 map are not consistent. Also DEC 09 1992Place of Use & Map are not consistent. Claimant must identify parcel of use  
p.d. in Sec 22 map.

30049340.

all notices.

A31-00135/00134/00143/00144/00190/00336/00337/02289/02290/  
~~02297~~/02310/02317A/02317B/02321.

Place of use entered in accordance with map, and not Attachment B. Based on the ~~map~~ <sup>Comparison of</sup> ~~data~~ comparing the map and Attachment B it revealed 3 discrepancies.

- 1) The 40 acres in the ~~the~~ Top 6N Rge 35E Sec 5 SE $\frac{1}{4}$ SW $\frac{1}{4}$  was illustrated as a place of use <sup>(on map)</sup> but was not listed on Attachment B. (data entered)
2. The 40 acres in Top 6N Rge 35E Sec 8 NW $\frac{1}{4}$ SW $\frac{1}{4}$  was listed on Attachment B but not illustrated on the map. (not data entered).
3. The 40 acres in Top 6N Rge 35E Sec 8 NE $\frac{1}{4}$ SW $\frac{1}{4}$  was illustrated as place of use on map but was not listed on Attachment B. (data entered).

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Notices with ground water as source.

- The points of diversion were entered in accordance with maps, and not the legal descriptions described in Item 4 of the notices. Comparison of the maps and Item 4 reveal two discrepancies.

MICROFILMED

DEC 09 1992

|                   |                                                                                                                |
|-------------------|----------------------------------------------------------------------------------------------------------------|
| <u>Owner Type</u> | <u>Name and Address</u>                                                                                        |
| Current Owner     | MUD LAKE WATER USERS INC<br>1400 E 1500 N<br>PO BOX 68<br>TERRETON, ID 83450<br>(208)663-4359                  |
| Original Owner    | JACKETT CANAL COMPANY<br>HOLDEN KIDWELL HAHN & CRAPO<br>PO BOX 50130<br>IDAHO FALLS, ID 83405<br>(208)523-0620 |

|              |             |         |              |           |                  |
|--------------|-------------|---------|--------------|-----------|------------------|
| GROUND WATER | SWSWNE      | Sec. 13 | Township 07N | Range 34E | JEFFERSON County |
| GROUND WATER | SESE        | Sec. 13 | Township 07N | Range 34E | JEFFERSON County |
| GROUND WATER | SENEE       | Sec. 23 | Township 07N | Range 34E | JEFFERSON County |
| GROUND WATER | SWNEE       | Sec. 24 | Township 07N | Range 34E | JEFFERSON County |
| GROUND WATER | NENWNE      | Sec. 24 | Township 07N | Range 34E | JEFFERSON County |
| GROUND WATER | SWNWNW      | Sec. 24 | Township 07N | Range 34E | JEFFERSON County |
| GROUND WATER | SWSWSW      | Sec. 13 | Township 07N | Range 35E | JEFFERSON County |
| GROUND WATER | SESE        | Sec. 14 | Township 07N | Range 35E | JEFFERSON County |
| GROUND WATER | SESE        | Sec. 14 | Township 07N | Range 35E | JEFFERSON County |
| GROUND WATER | SWSW Lt 4   | Sec. 18 | Township 07N | Range 35E | JEFFERSON County |
| GROUND WATER | NWNW Lt 1   | Sec. 19 | Township 07N | Range 35E | JEFFERSON County |
| GROUND WATER | NENWNW Lt 1 | Sec. 19 | Township 07N | Range 35E | JEFFERSON County |
| GROUND WATER | NESWNW Lt 2 | Sec. 19 | Township 07N | Range 35E | JEFFERSON County |
| GROUND WATER | NESENW      | Sec. 19 | Township 07N | Range 35E | JEFFERSON County |
| GROUND WATER | SENESE      | Sec. 22 | Township 07N | Range 35E | JEFFERSON County |
| GROUND WATER | SWNWSW      | Sec. 23 | Township 07N | Range 35E | JEFFERSON County |
| GROUND WATER | SWSW        | Sec. 23 | Township 07N | Range 35E | JEFFERSON County |
| GROUND WATER | NWSWSW      | Sec. 25 | Township 07N | Range 35E | JEFFERSON County |
| GROUND WATER | NWSWSW      | Sec. 25 | Township 07N | Range 35E | JEFFERSON County |
| GROUND WATER | NWSWSW      | Sec. 25 | Township 07N | Range 35E | JEFFERSON County |
| GROUND WATER | SWSWSW      | Sec. 25 | Township 07N | Range 35E | JEFFERSON County |
| GROUND WATER | SWSWSW      | Sec. 25 | Township 07N | Range 35E | JEFFERSON County |
| GROUND WATER | NESESW      | Sec. 25 | Township 07N | Range 35E | JEFFERSON County |
| GROUND WATER | NESESW      | Sec. 25 | Township 07N | Range 35E | JEFFERSON County |
| GROUND WATER | NESESW      | Sec. 25 | Township 07N | Range 35E | JEFFERSON County |
| GROUND WATER | NESESW      | Sec. 25 | Township 07N | Range 35E | JEFFERSON County |
| GROUND WATER | NESESW      | Sec. 25 | Township 07N | Range 35E | JEFFERSON County |
| GROUND WATER | NESESW      | Sec. 25 | Township 07N | Range 35E | JEFFERSON County |
| GROUND WATER | SESESW      | Sec. 25 | Township 07N | Range 35E | JEFFERSON County |
| GROUND WATER | SESWSE      | Sec. 25 | Township 07N | Range 35E | JEFFERSON County |

|              |        |         |              |           |                  |
|--------------|--------|---------|--------------|-----------|------------------|
| GROUND WATER | NESESE | Sec. 26 | Township 07N | Range 35E | JEFFERSON County |
| GROUND WATER | NWSESE | Sec. 26 | Township 07N | Range 35E | JEFFERSON County |
| GROUND WATER | NWNE   | Sec. 27 | Township 07N | Range 35E | JEFFERSON County |
| GROUND WATER | NENW   | Sec. 36 | Township 07N | Range 35E | JEFFERSON County |

IRRIGATION Use:  
Acre Limit: 240

Place(s) of use:

Place of Use Legal Description: IRRIGATION

JEFFERSON County

| Township | Range | Section | Lot | Tract | Acres   | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres |
|----------|-------|---------|-----|-------|---------|-----|-------|-------|-----|-------|-------|-----|-------|-------|
| 06N      | 64E   | 3       |     | NENW  | 24261.3 |     |       |       |     |       |       |     |       |       |

Total Acres: 24261.3

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks:

1. Quantity 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.
2. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 240 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. Place of Use - Irrigation 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).
4. Place of Use - Irrigation PLACE OF USE WITHIN THE BOUNDARY OF MUD LAKE WATER USERS, INC. TOTAL IRRIGATED ACRES 24261.3.
5. Place of Use - Irrigation USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 3107.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-336B, 31-337B, 31-2289, 31-2290, 31-2297, 31-2310, 31-2317A, 31-2317B, 31-2321.

Comments:

| Author  | Date   | Subject        | Comment                                                                            |
|---------|--------|----------------|------------------------------------------------------------------------------------|
| bcontor | 1/2/01 | Recommendation | Per post-1987 transfer 5335 as amended 12/19/2000, except as noted in eCVR 31-327. |

Dates:

Licensed Date: 04/23/1985  
 Claim Received Date: 12/05/1988  
 Enlargement Use Priority Date:  
 Enlargement Statute Priority Date:  
 Decreed Date:  
 Date Filed with Court:  
 Objection Filed Date:  
 SF5 Filed:

Special Master Recom Signed Date:

Element Reviewed/Verified Dates:

| Element       | Last Review Date   | Reviewer | Last Verified Date | Verifier | Status     |
|---------------|--------------------|----------|--------------------|----------|------------|
| POD           | 1/2/01 11:22:57 AM | bcontor  |                    |          | In Process |
| POU           | 1/2/01 11:21:25 AM | bcontor  |                    |          | In Process |
| Priority Date | 1/2/01 11:22:10 AM | bcontor  |                    |          | In Process |
| Quantity      | 1/2/01 11:25:54 AM | bcontor  |                    |          | In Process |
| Season        | 1/2/01 11:25:17 AM | bcontor  |                    |          | In Process |
| Source        | 1/2/01 11:23:52 AM | bcontor  |                    |          | In Process |
| Summary       | 1/2/01 11:28:41 AM |          | 1/2/01 11:28:41 AM | bcontor  | Complete   |
| Use           | 1/2/01 11:15:55 AM | bcontor  |                    |          | In Process |

Other Information:

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

Verification Log:

| Element       | Date Time Stamp    | Reviewer | Log Text                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|---------------|--------------------|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| POD           | 1/2/01 11:22:55 AM | bcontor  | 1. (NO) The basis is not beneficial use.<br>2. (YES) Parent right has a Point of Diversion.<br>3. (YES) The claimed Point of Diversion can be verified using the water right file.<br>8. (NO) Point of Diversion remark was not required.<br>9. (NO) Point of Diversion condition was not required.                                                                                                                                                                                                   |
| POU           | 1/2/01 11:21:23 AM | bcontor  | 1. (YES) The POU is required.<br>2. (NO) The basis of claim is not beneficial use.<br>3. (YES) The Parent Right has a POU.<br>4. (YES) The claimed POU can be verified using the water right file.<br>12. (YES) POU remark was required.<br>13. (NO) POU condition was not required.                                                                                                                                                                                                                  |
| Priority Date | 1/2/01 11:22:08 AM | bcontor  | 1. (NO) There has not been a later court decree of the water right(s) from the water source.<br>4. (NO) The basis of claim is not beneficial use.<br>5. (NO) The basis of claim is not a posted notice.<br>6. (YES) Parent right has a priority date.<br>7. (NO) The basis of claim is not an application or permit.<br>12. (YES) The claim is recommended.<br>13. (YES) The claim is coded correctly.<br>14. (NO) Priority remark was not required.<br>15. (NO) Priority condition was not required. |
| Quantity      | 1/2/01 11:25:52 AM | bcontor  | 1. (NO) The basis of claim is not beneficial use.<br>2. (NO) The basis of claim is not a posted notice.<br>3. (YES) The parent right has a diversion rate and/or diversion volume.<br>4. (YES) The claimed diversion rate and/or volume can be verified using the water right file.<br>7. (YES) The parent right has an annual diversion volume limit.<br>8. (YES) Irrigation is a purpose of use.<br>9. (YES) Quantity remark was required.<br>10. (NO) Quantity condition was not required.         |
| Season        | 1/2/01 11:25:15 AM | bcontor  | 1. (NO) The basis of claim is not beneficial use.<br>2. (YES) The parent right has a period of use.                                                                                                                                                                                                                                                                                                                                                                                                   |

Source 1/2/01 11:23:50 AM bcontor

Summary 1/2/01 11:28:39 AM bcontor

Use 1/2/01 11:15:53 AM bcontor

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 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 (post 1987)
8. (NO) The source is not surface water.
10. (NO) Source remark was not required.
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.

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 31-2290  
Date Received: 12/5/88  
Receipt No:  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

MUD LAKE WATER USERS INC Phone: (208)663-4359  
  
1400 E 1500 N  
PO BOX 68  
TERRETON ID 83450

2. Date of Priority: 02/14/1949

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 Lot | County    |
|----------|-------|---------|--------|--------|---------|-----------|
| 07N      | 35E   | 23      | NW     | SW     |         | JEFFERSON |
| 07N      | 35E   | 27      | NW     | NE     |         | JEFFERSON |
| 07N      | 35E   | 23      | SW     | SW     |         | JEFFERSON |
| 07N      | 35E   | 22      | NW     | SW     |         | JEFFERSON |
| 07N      | 35E   | 13      | SW     | SW     |         | JEFFERSON |

5. Description of diverting works:

5 PUMPS/CAMAS CREEK TO DITCHES TO PLACE OF USE

6. Water is used for the following purposes:

| Purpose            | From  | To    | C.F.S. | (or) A.F.A |
|--------------------|-------|-------|--------|------------|
| IRRIGATION         | 4/01  | 11/01 | 3.6    |            |
| IRRIGATION STORAGE | 11/02 | 3/31  | 0      | 1          |

7. Total Quantity Appropriated is:  
3.6 C.F.S. and/or 1 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township      | Range | Section | 1/4           | of 1/4 | Lot | Use        | Acres |  |            |
|---------------|-------|---------|---------------|--------|-----|------------|-------|--|------------|
| 06N           | 35E   | 3       | NE            | NE     | 1   | IRRIGATION | 41.9  |  |            |
|               |       |         | NW            | NE     | 2   | IRRIGATION | 41.7  |  |            |
|               |       |         | SW            | NE     |     | IRRIGATION | 40    |  |            |
|               |       |         | SE            | NE     |     | IRRIGATION | 40    |  |            |
|               |       |         | NE            | NW     | 3   | IRRIGATION | 41.5  |  |            |
|               |       |         | NW            | NW     | 4   | IRRIGATION | 35    |  |            |
|               |       |         | SW            | NW     |     | IRRIGATION | 40    |  |            |
|               |       |         | SE            | NW     |     | IRRIGATION | 40    |  |            |
|               |       |         | NE            | SW     |     | IRRIGATION | 40    |  |            |
|               |       |         | NW            | SW     |     | IRRIGATION | 40    |  |            |
|               |       |         | SW            | SW     |     | IRRIGATION | 40    |  |            |
|               |       |         | SE            | SW     |     | IRRIGATION | 40    |  |            |
|               |       |         | NW            | SE     |     | IRRIGATION | 40    |  |            |
|               |       |         | SW            | SE     |     | IRRIGATION | 40    |  |            |
|               |       |         | Section Acres |        |     |            |       |  | 560.1      |
|               |       |         | 06N           | 35E    | 4   | SW         | SE    |  | IRRIGATION |
| SE            | SE    |         |               |        |     | IRRIGATION | 40    |  |            |
| NW            | NW    | 4       |               |        |     | IRRIGATION | 7     |  |            |
| NE            | SW    |         |               |        |     | IRRIGATION | 40    |  |            |
| NW            | SW    |         |               |        |     | IRRIGATION | 40    |  |            |
| SW            | SW    |         |               |        |     | IRRIGATION | 40    |  |            |
| SE            | SW    |         |               |        |     | IRRIGATION | 40    |  |            |
| NE            | SE    |         |               |        |     | IRRIGATION | 40    |  |            |
| NW            | SE    |         |               |        |     | IRRIGATION | 40    |  |            |
| Section Acres |       |         |               |        |     | 327        |       |  |            |
| 06N           | 35E   | 5       | NE            | NE     | 1   | IRRIGATION | 41.2  |  |            |
|               |       |         | NW            | NE     | 2   | IRRIGATION | 38    |  |            |
|               |       |         | SW            | NE     |     | IRRIGATION | 40    |  |            |
|               |       |         | SE            | NE     |     | IRRIGATION | 40    |  |            |
|               |       |         | NW            | SE     |     | IRRIGATION | 40    |  |            |
|               |       |         | NE            | SW     |     | IRRIGATION | 40    |  |            |
|               |       |         | SE            | SW     |     | IRRIGATION | 40    |  |            |
|               |       |         | NE            | SE     |     | IRRIGATION | 40    |  |            |
|               |       |         | SW            | SE     |     | IRRIGATION | 40    |  |            |
|               |       |         | SE            | SE     |     | IRRIGATION | 40    |  |            |
| Section Acres |       |         |               |        |     | 399.2      |       |  |            |
| 06N           | 35E   | 8       | NE            | SE     |     | IRRIGATION | 40    |  |            |

|     |     |    |    |    |               |            |   |
|-----|-----|----|----|----|---------------|------------|---|
|     |     |    | NW | SE | IRRIGATION    | 40         |   |
|     |     |    | NE | NE | IRRIGATION    | 40         |   |
|     |     |    | NW | NE | IRRIGATION    | 40         |   |
|     |     |    | SW | NE | IRRIGATION    | 40         |   |
|     |     |    | SE | NE | IRRIGATION    | 40         |   |
|     |     |    | NE | NW | IRRIGATION    | 40         |   |
|     |     |    | NW | NW | IRRIGATION    | 40         |   |
|     |     |    | SW | NW | IRRIGATION    | 40         |   |
|     |     |    | SE | NW | IRRIGATION    | 40         |   |
|     |     |    | NE | SW | IRRIGATION    | 40         |   |
|     |     |    |    |    | Section Acres | 440        |   |
| 06N | 35E | 9  | NE | NE | IRRIGATION    | 40         |   |
|     |     |    | NW | NE | IRRIGATION    | 40         |   |
|     |     |    | SW | NE | IRRIGATION    | 40         |   |
|     |     |    | SE | NE | IRRIGATION    | 40         |   |
|     |     |    | NE | SW | IRRIGATION    | 40         |   |
|     |     |    | NW | SW | IRRIGATION    | 40         |   |
|     |     |    | SW | SW | IRRIGATION    | 40         |   |
|     |     |    | SE | SW | IRRIGATION    | 40         |   |
|     |     |    | NW | SE | IRRIGATION    | 40         |   |
|     |     |    | SW | SE | IRRIGATION    | 40         |   |
|     |     |    |    |    | Section Acres | 400        |   |
| 06N | 35E | 16 | NW | NE | IRRIGATION    | 40         |   |
|     |     |    | SW | NE | IRRIGATION    | 40         |   |
|     |     |    | SE | NE | IRRIGATION    | 40         |   |
|     |     |    | NE | NW | IRRIGATION    | 40         |   |
|     |     |    | SE | NW | IRRIGATION    | 40         |   |
|     |     |    | NE | SW | IRRIGATION    | 40         |   |
|     |     |    | NW | SW | IRRIGATION    | 40         |   |
|     |     |    | NE | NE | IRRIGATION    | 40         |   |
|     |     |    | NW | NW | IRRIGATION    | 40         |   |
|     |     |    | SW | NW | IRRIGATION    | 40         |   |
|     |     |    | SW | SW | IRRIGATION    | 40         |   |
|     |     |    | SE | SW | IRRIGATION    | 40         |   |
|     |     |    | NE | SE | IRRIGATION    | 40         |   |
|     |     |    | NW | SE | IRRIGATION    | 40         |   |
|     |     |    | SW | SE | IRRIGATION    | 40         |   |
|     |     |    | SE | SE | IRRIGATION    | 40         |   |
|     |     |    |    |    | Section Acres | 640        |   |
| 06N | 35E | 17 | NW | NE | IRRIGATION    | 40         |   |
|     |     |    | SW | NE | IRRIGATION    | 40         |   |
|     |     |    | SE | NE | IRRIGATION    | 40         |   |
|     |     |    | NE | SE | IRRIGATION    | 40         |   |
|     |     |    | NW | SE | IRRIGATION    | 40         |   |
|     |     |    | SW | SE | IRRIGATION    | 40         |   |
|     |     |    | SE | SE | IRRIGATION    | 40         |   |
|     |     |    | NE | NE | IRRIGATION    | 40         |   |
|     |     |    |    |    | Section Acres | 320        |   |
| 07N | 35E | 32 | SW | SE | 8             | IRRIGATION | 2 |

|     |     |    |    |    |   |               |        |
|-----|-----|----|----|----|---|---------------|--------|
|     |     |    | SE | SE | 7 | IRRIGATION    | 18     |
|     |     |    |    |    |   | Section Acres | 20     |
| 07N | 35E | 33 | SW | SW |   | IRRIGATION    | 1      |
|     |     |    |    |    |   | Section Acres | 1      |
|     |     |    |    |    |   | Total Acres   | 3107.3 |

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:

14. Remarks:

WTR. RTS. CONT'D 31-0134, 31-2297, 31-2310, 31-2317, 31-2321 THIS WATER RIGHT IS HELD BY THE CANAL COMPANY FOR THE BENEFIT OF THE LANDS OF ITS STOCKHOLDERS  
 CONT. ITEM 5 ---- 5 PUMPS ARE LOCATED ON CAMAS CREEK IN LOT 4 OF SEC. 3 T6N R35E; 3 PUMPS ARE LOCATED ON CAMAS CREEK IN THE SW SW SEC. 33 T7N R35E. THESE PUMPS DIVERT WATER UNDER RIGHTS IN CAMAS CREEK AS WELL AS REDIRECTING WATER BROUGHT TO CAMAS CREEK THROUGH THE INDEPENDENT DITCH FROM THE COMPANY'S WELLS  
 THE PUMPS DIVERT UP TO ABOUT 75 CFS FROM CAMAS CREEK UNDER A COMBINATION OF THE CAMAS CREEK RIGHTS AND THE WELL RIGHTS WHICH ARE USED TO SUPPLEMENT FLOWS IN CAMS CREEK. THERE ARE SEVEN WELLS W/ PUMPS THAT PUMP INTO DITCHES WHICH BRING THE WATER TO CAMAS CREEK FOR REDIVERSION. SEE TRANSFER NO. 2303. CONFORMED ATTORNEY MAILING ADDRESS DMS  
 GARTH SODERQUIST OF MUD LAKE WATER USERS CALLED 10/31/00 AND ASKED THAT KENT FOSTER BE REMOVED AS ATTORNEY ON ALL CLAIMS/CV/11/02/00

15. Basis of Claim: License

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: A31-02290

Date Received: 12/05/1988

Receipt No: E004936

Received By: EEO Codes E8

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

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

2. Date of Priority: FEB 14, 1949

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County    |
|----------|-------|---------|--------|--------|-----|-----|-----------|
| 07N      | 35E   | 13      | SW     | SW     |     |     | JEFFERSON |
|          |       | 22      | NW     | SW     |     |     | JEFFERSON |
|          |       | 23      | NW     | SW     |     |     | JEFFERSON |
|          |       |         | SW     | SW     |     |     | JEFFERSON |
|          |       | 27      | NW     | NE     |     |     | JEFFERSON |

5. Description of diverting works:  
5 PUMPS/CAMAS CREEK TO DITCHES TO PLACE OF USE

6. Water is used for the following purposes:

| Purpose            | From  | To    | C.F.S. | (or) | A.F.A. |
|--------------------|-------|-------|--------|------|--------|
| IRRIGATION         | 04/01 | 11/01 | 3.600  |      |        |
| IRRIGATION STORAGE | 11/02 | 03/31 |        |      | 1.00   |

7. Total Quantity Appropriated is:  
3.600 C.F.S. (and/or) 1.00 A.F.A.

8. Total consumptive use is 10875.0 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

A31-02290

Page 1

Date: 02/08/89

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10. Place of Use:

| Township      | Range | Section | 1/4 of        | 1/4 | Lot | Use | Acres |   |     |       |
|---------------|-------|---------|---------------|-----|-----|-----|-------|---|-----|-------|
| 06N           | 35E   | 3       | NE            | NE  | 1   | IRR | 41.9  |   |     |       |
|               |       |         | NW            | NE  | 2   | IRR | 41.7  |   |     |       |
|               |       |         | SW            | NE  |     | IRR | 40.0  |   |     |       |
|               |       |         | SE            | NE  |     | IRR | 40.0  |   |     |       |
|               |       |         | NE            | NW  | 3   | IRR | 41.5  |   |     |       |
|               |       |         | NW            | NW  | 4   | IRR | 35.0  |   |     |       |
|               |       |         | 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  |   |     |       |
|               |       |         | NW            | SE  |     | IRR | 40.0  |   |     |       |
|               |       |         | SW            | SE  |     | IRR | 40.0  |   |     |       |
|               |       |         | Section Acres |     |     |     |       |   |     | 560.1 |
|               |       |         | 4             |     |     | NW  | NW    | 4 | IRR | 7.0   |
| 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  |   |     |       |
| Section Acres |       |         |               |     |     |     | 327.0 |   |     |       |
| 5             |       |         | NE            | NE  | 1   | IRR | 41.2  |   |     |       |
|               |       |         | NW            | NE  | 2   | IRR | 38.0  |   |     |       |
|               |       |         | SW            | NE  |     | IRR | 40.0  |   |     |       |
|               |       |         | SE            | NE  |     | IRR | 40.0  |   |     |       |
|               |       |         | NE            | SW  |     | IRR | 40.0  |   |     |       |
|               |       |         | SE            | SW  |     | IRR | 40.0  |   |     |       |
|               |       |         | NE            | SE  |     | IRR | 40.0  |   |     |       |
|               |       |         | NW            | SE  |     | IRR | 40.0  |   |     |       |
| Section Acres |       |         |               |     |     |     | 399.2 |   |     |       |
| 8             |       |         | NE            | NE  |     | IRR | 40.0  |   |     |       |
|               |       |         | NW            | NE  |     | IRR | 40.0  |   |     |       |
|               |       |         | SW            | NE  |     | IRR | 40.0  |   |     |       |
|               |       |         | SE            | NE  |     | IRR | 40.0  |   |     |       |

## 10. Place of Use: Continued

| Township | Range | Section | 1/4           | of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|---------------|----|-----|-----|-----|-------|
| 06N      | 35E   | 8       | 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  |
|          |       |         | NE            |    | SE  |     | IRR | 40.0  |
|          |       |         | NW            |    | SE  |     | IRR | 40.0  |
|          |       |         | Section Acres |    |     |     |     | 440.0 |
|          |       | 9       | 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 | 40.0  |
|          |       |         | NW            |    | SE  |     | IRR | 40.0  |
|          |       |         | SW            |    | SE  |     | IRR | 40.0  |
|          |       |         | Section Acres |    |     |     |     | 400.0 |
|          |       | 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  |
|          |       |         | 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  |

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10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres  |
|----------|-------|---------|--------|-----|-----|---------------|--------|
| 06N      | 35E   | 17      | 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  |
| 07N      | 35E   | 32      | SW     | SE  | 8   | IRR           | 2.0    |
|          |       |         | SE     | SE  | 7   | IRR           | 18.0   |
|          |       |         |        |     |     | Section Acres | 20.0   |
|          |       | 33      | SW     | SW  |     | IRR           | 1.0    |
|          |       |         |        |     |     | Section Acres | 1.0    |
|          |       |         |        |     |     | Total Acres   | 3107.3 |

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:

31-0135, 31-0143, 31-0144, 31-0190, 31-0336, 31-0337, 31-228

14. Remarks:

WTR. RTS. CONT'D 31-0134, 31-2297, 31-2310, 31-2317, 31-2321  
 THIS WATER RIGHT IS HELD BY THE CANAL COMPANY FOR THE BENEFIT  
 OF THE LANDS OF ITS STOCKHOLDERS.  
 CONT. ITEM 5 ---- 5 PUMPS ARE LOCATED ON CAMAS CREEK IN LOT 4 OF  
 SEC. 3 T6N R35E; 3 PUMPS ARE LOCATED ON CAMAS CREEK IN THE  
 SW SW SEC. 33 T7N R35E. THESE PUMPS DIVERT WATER UNDER RIGHTS  
 IN CAMAS CREEK AS WELL AS REDIVERTING WATER BROUGHT TO CAMAS  
 CREEK THROUGH THE INDEPENDENT DITCH FROM THE COMPANY'S WELLS.  
 THE PUMPS DIVERT UP TO ABOUT 75 CFS FROM CAMAS CREEK UNDER A  
 COMBINATION OF THE CAMAS CREEK RIGHTS AND THE WELL RIGHTS  
 WHICH ARE USED TO SUPPLEMENT FLOWS IN CAMS CREEK. THERE ARE  
 SEVEN WELLS W/ PUMPS THAT PUMP INTO DITCHES WHICH BRING THE  
 WATER TO CAMAS CREEK FOR REDIVERSION. SEE TRANSFER NO. 2303.

15. Basis of Claim: LICENSE

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 Organizations:**

I do solemnly swear or affirm that I am \_\_\_\_\_ of  
\_\_\_\_\_  
Title  
\_\_\_\_\_, that I have signed the foregoing  
Organization  
document in the space below as \_\_\_\_\_ of  
Title  
\_\_\_\_\_ and that the statements contained in the  
Organization  
foregoing document are true and correct.

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

\_\_\_\_\_  
Title and Organization

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

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: 39356

Ident. Number 31-2290

Date Received

Receipt Number 8004936

A3102290



NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

RECEIVED

NOV 28 1988

Department of Water Resources  
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) Jackett 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) February 14, 1949
3. Source of water supply (a) Groundwater  
which is tributary to (b) \_\_\_\_\_
4. a. Location of existing point of diversion is: Township 7N Range 35E Section 13,  
1/4 of SW 1/4 of SW 1/4, Govt. Lot, \_\_\_\_\_ B.M., County of Jefferson  
Additional points of diversion if any: NW1/4SE1/4 Sec. 22; NW1/4SW1/4, SW1/4SW1/4 Sec. 23;  
NW1/4NE1/4 Sec. 27; All in T7N, R35E.  
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. 5 pumps are located on Camas Creek in Lot 4  
of Sec. 3, T6N, R35E; 3 pumps are located on Camas Creek in the SW1/4SW1/4 of Sec. 33, T7N,  
R35E. These pumps divert water under rights in Camas Creek as well as diverting water  
brought to Camas Creek through the Independent Ditch from the company's wells. The pumps  
divert up to about 75 cfs from Camas Creek under a combination of the Camas Creek rights  
and the well rights which are used to supplement flows in Camas Creek. There are seven  
wells with pumps that pump into ditches which bring the water to Camas Creek for diversion.  
See Transfer No. 2303.

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Copies: White-State, Yellow-Claimant

6. Water is claimed for the following purposes, as:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from April 1 to Nov. 1 amount 3.6 or \_\_\_\_\_

For Irrigation Storage purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or See Attachment "A"

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

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

7. Total quantity claimed (a) 3.6 (cfs) and/or (b) See Attachment "A" (acre feet)

8. Total consumptive use claimed is 10,875 acre feet per annum.

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:

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 3107.23

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.  
31-0134, 31-0135, 31-0143, 31-0144, 31-0190, 31-0336, 31-0337, 31-2289, or None ( )  
31-2297, 31-2310, 31-2317, 31-2321

14. Remarks:  
This water right is held by the canal company for the benefit of the lands of its  
stockholders.

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DEC 09 1992

Last Name Jackett Canal Company Ident No. 31-2290

Copies: White - State, Yellow - Claimant

15. Basis of Claim (check one) Beneficial Use ☐ Posted Notice ☐ Decree ☒ Permit ☐

If applicable provide IDWR Water Right Number 31-2290

Court \_\_\_\_\_ Case Number \_\_\_\_\_ Decree Date \_\_\_\_\_

Plaintiff vs Defendant \_\_\_\_\_

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do ☐ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 3

**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 Secretary \_\_\_\_\_

Title

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

Organization

document in the space below as Secretary \_\_\_\_\_ of said company \_\_\_\_\_

Title

Organization

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

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

Title and Organization Sec., Jackett Canal Company Date 11-28-88

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

Subscribed and sworn (or affirmed) before me this 28th day of November 1988

SEAL

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

Residing at Idaho Falls, Idaho

My Commission Expires November 10, 1992

Please Print Name

17. Notice of Appearance:

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

Signature Kent W. Foster

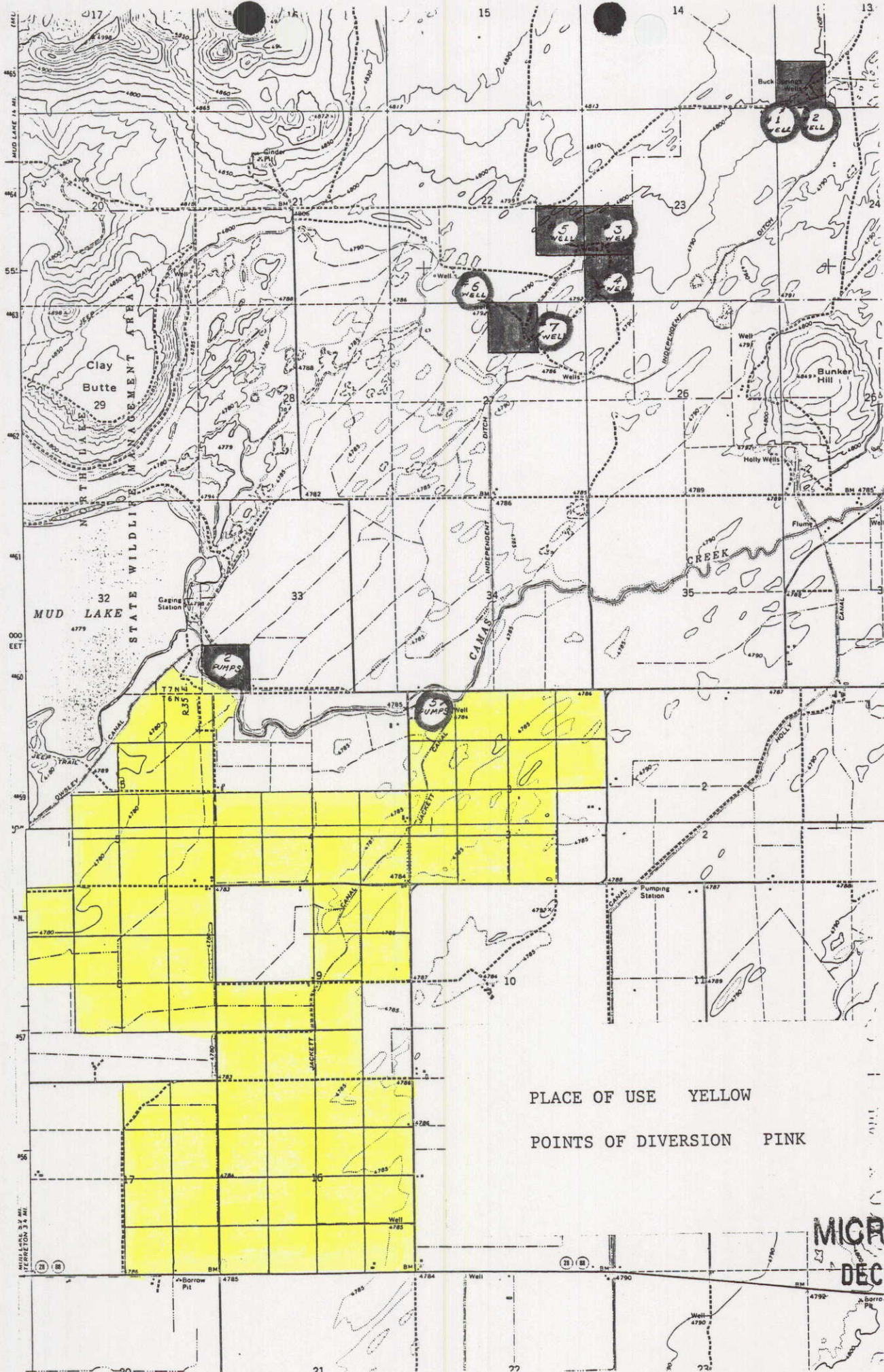
Address P.O. Box 50130, Idaho Falls, Idaho 83405

Date November 28, 1988

Last Name Jackett Canal Company Ident. Number 31-2290

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Copies White-Side Yellow-Side DEC 09 1988



PLACE OF USE YELLOW

POINTS OF DIVERSION PINK

MICROFILMED  
DEC 09 1992

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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DEC 09 1992

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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DEC 09 1992

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