

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} ~~February~~ 9, 2001

Water right number: 31-104

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

Henry Jemmett
(successor in inter-
est of George Lufkin)

31 0104

1913 - October 18

3.0 c.f.s. ✓

Source: Mud Lake.

0cc

Point of Diversion: In the South-
east Quarter of the Northwest
Quarter of Section 11, Township
6 North, Range 34 East, B. M.

3 x 2 x 123
= 738 acs ft

For use on the following described
land, to-wit: The Southeast Quar-
ter of Section 10, Township 6
North, Range 34 East, B. M.

160 acs



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

June 30, 1999

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

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

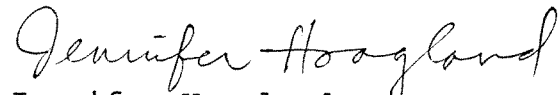
Dear Mr. Soderquist:

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

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

Please keep this report for your records.

Respectfully yours,


Jennifer Hoagland
Technical Records Specialist

Enclosure

cc: Kent Foster

DELOG EC

6/24/99

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP JUN 24 1999

Department of Water Resources
Eastern Region

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

Incomplete forms will be returned.

1. Water Right Number(s) _____
Adjudication Claim Number(s) see attached list
2. The following REQUIRED information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Oliver & Co. Inc. / Company
4. New Owner/Claimant(s) Mud Lake Water Users Inc.
 Name connector (Check one): ☐ AND ☐ OR ☐ AND/OR
 New Mailing Address P.O. Box 68
 City, State and ZIP Code Terreton, Idaho 83450
 New Telephone Number (208) 663-4359
5. Date you acquired the property _____
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres actually irrigated _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) Mud Lake Water Users Inc. Date 6-24-99
Garth Anderson, President Date 6-24-99
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
 For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.



ARTICLES OF AMENDMENT (Non-profit)

To the Secretary of State of the State of Idaho

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

FILED

MAR 22 AM 10:43

SECRETARY OF STATE
STATE OF IDAHO

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

2. The text of each amendment is as follows:

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

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

4. Manner of adoption (check one):

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

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

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

- a. The number of members entitled to vote was: 127
b. The number of members that voted for each amendment was: 48
c. The number of members that voted against each amendment was: 4

Dated: March 8, 1999

Signed by: Garth Soderquist
Its President

(Capacity of signer)

Customer Acct #:

(if using pre-paid account)

Secretary of State use only

IDAHO SECRETARY OF STATE

03/22/1999 09:00
CK: 8836 CT: 91798 BH: 199218

1 @ 38.00 = 38.00 NON PROF A # 2

C 9932

01/06/2001

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

RIGHT NUMBER: 31-104

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

SOURCE: MUD LAKE TRIBUTARY: SINKS

738 AFY

FOR THIS RIGHT, THE DIVERSION VOLUME DESCRIBED ABOVE WAS
CALCULATED BY MULTIPLYING A DIVERSION RATE OF 3.0 CFS BY A
FACTOR OF 2 ACRE FEET PER DAY FOR 123 DAYS (MAY 1ST TO
SEPTEMBER 1ST).

PRIORITY DATE: 10/18/1913

POINT OF DIVERSION:	T06N R34E S1	NESWSW	Within JEFFERSON County
	T06N R34E S1	NESESW	Within JEFFERSON County
	T06N R34E S2	NESWNW	Within JEFFERSON County
	T07N R34E S34	NWSWSW	Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION STORAGE	01-01 12-31	738.00 AFY
IRRIGATION FROM STORAGE	04-01 10-31	738.00 AFY

PLACE OF USE:

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).

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON.

PLACE OF USE WITHIN THE BOUNDARY OF THE OWSLEY DIVISION OF
MUD LAKE WATER USERS, INC. TOTAL IRRIGATED ACRES 17818.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION NAME INDEX

CLAIMANT

0 WATER RIGHT STA PRIORITY SOURCES OF WATER TRIBUTARIES OF

C NUMBER STA DATE

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

IDAHO DEPARTMENT OF WATER RESOURCES
ADMINISTRATION NAME INDEX

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

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

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: A31-00104
Date Received: 12/06/1988
Receipt No: E004950
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

2. Date of Priority: OCT 18, 1913

3. Source: MUD LAKE Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	34E	1	SE	SW			JEFFERSON
			NE	SE			JEFFERSON
			SW	SE			JEFFERSON
			SE	SE			JEFFERSON
07N	34E	34	SW	SW			JEFFERSON

5. Description of diverting works:
HEADINGS FOR OWSLEY CANAL AND LEVEL CANAL, SEE ATTACHMENT A.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.000		
IRRIGATION STORAGE	11/01	04/01			17985.00
IRRIGATION FROM STORAGE	04/01	11/04			17985.00

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

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

9. Non-irrigation uses:
NONE

A31-00104

Page:

29/89

MICROFILMED
NOV 17 1992

A3100104



10. Place of Use:

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

10. Place of Use: Continued

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

10. Place of Use: Continued

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

10. Place of Use: Continued

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

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	34E	16	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
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	30.0
			SE		SE		IRR	25.0
							Section Acres	615.0
		20	NE		NE		IRR	25.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0

10. Place of Use: Continued

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

10. Place of Use: Continued

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

10. Place of Use: Continued

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

Section Acres 640.0

26	NE	NE	IRR	40.0
	NW	NE	IRR	40.0
	SW	NE	IRR	40.0
	SE	NE	IRR	40.0
	NE	NW	IRR	40.0
	NW	NW	IRR	40.0
	SW	NW	IRR	40.0
	SE	NW	IRR	40.0
	NE	SW	IRR	40.0
	NW	SW	IRR	40.0
	SW	SW	IRR	40.0
	SE	SW	IRR	40.0
	NE	SE	IRR	40.0
	NW	SE	IRR	40.0
	SW	SE	IRR	40.0
	SE	SE	IRR	40.0

Section Acres 640.0

27	NE	NE	IRR	40.0
	NW	NE	IRR	40.0
	SW	NE	IRR	40.0
	SE	NE	IRR	40.0
	NE	NW	IRR	40.0
	NW	NW	IRR	40.0
	SW	NW	IRR	40.0
	SE	NW	IRR	40.0
	NE	SW	IRR	40.0
	NW	SW	IRR	40.0
	SW	SW	IRR	40.0
	SE	SW	IRR	40.0
	NE	SE	IRR	40.0
	NW	SE	IRR	40.0
	SW	SE	IRR	40.0

10. Place of Use: Continued

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

10. Place of Use: Continued

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

10. Place of Use: Continued

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

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	35E	20	NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	640.0
		29	NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	10.0
			SE		SW		IRR	40.0
							Section Acres	290.0
		30	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	25.0
			SW		NW		IRR	25.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0

10. Place of Use: Continued

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

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:

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

14. Remarks:

OWSLEY CANAL COMPANY HOLDS THIS AND ALL ITS WATER RIGHTS FOR THE USE AND BENEFIT OF THE LANDS OF ITS STOCKHOLDERS DESCRIBED IN THE ATTACHED LAND LIST (ATTACHMENT "C") MUD LAKE & TRIBUTARIES
A31-00052/00104/00105/00162/00159/00185/00163/00006/00169/00237/00034/00035/00187/00036/00037/00232/00038/00186/00363/.
BYBEE WELL FIELD-A31-00327/00328/00329/00330/.
NORTH LAKE WELL FIELD-31-02239/002265/02341/02342/02343/02344/02345/07005/. WATEWATER A31-02276/
*****MEMO*****
BASED ON IRRIGATED ACREAGE THE CONSUMPTIVE USE SHOULD BE
17985.0 X 2.5 = 44942.5.
ATTACHMENT B OF NOTICE DISCUSSES STORAGE PRACTICES BUT FAILS TO IDENTIFY A VOLUME. SINCE IRRIGATION STORAGE HAS BEEN CLAIMED FOR EACH NATURAL FLOW, RIGHT FOR DATA ENTRY PURPOSES. THE VOLUME WAS SET AT 1 AF/ACRE.
|
SEE A31-00065 FOR MAP OF THE AREA SERVED BY THIS RIGHT.

15. Basis of Claim: DECREED
Case Number:

Court :
Decree date:

ERNEST SAUVE
Decree Plaintiff

vs W. H. ABBOTT, ET AL.
Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For 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 _____

17. Notice of Appearance:

Notice is hereby given that I, _____ will be

 Print Name

Print Name

acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576
Ident. Number 31-0104 A31-00104
Date Received _____
Receipt Number E604950

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

NOV 30 1988

Department of Water Resources
Eastern District Office

Please type or print clearly

- Name of Claimant (s) Owsley Canal Company Phone (208) 523-0620
Mailing Address % Holden, Kidwell, Hahn & Crapo
P.O. Box 50130, Idaho Falls, Idaho Zip 83405
- Date of Priority (Only one (1) per claim) October 18, 1913
- Source of water supply (a) Mud Lake
which is tributary to (b) _____
- a. Location of existing point of diversion is: Township 6N Range 34E Section 1,
1/4 of SE 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of Jefferson
Additional points of diversion if any: NE1/4SE1/4, SW1/4SE1/4, SE1/4SE1/4, all in Sec. 1;
SW1/4SW1/4 Sec. 34, T7N, R34E.
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 _____
- Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. See Attachment "A"

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NOV 17 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from Apr 1 to Nov 1 amount 3.0 or _____

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

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 3.0 (cfs) and/or (b) See Attachment "B" (acre feet)

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

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

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

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total number of acres irrigated 18,005

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

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

13. Describe any other water rights used at the same place and for the same purposes as described above.
See Attachment "D" (list of all water rights for Owsley service area) or None ()

14. Remarks: Owsley Canal Company holds this and all its water rights for the use and benefit of the lands of its stockholders described in the attached land list (Attachment "C").

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NOV 17 1992

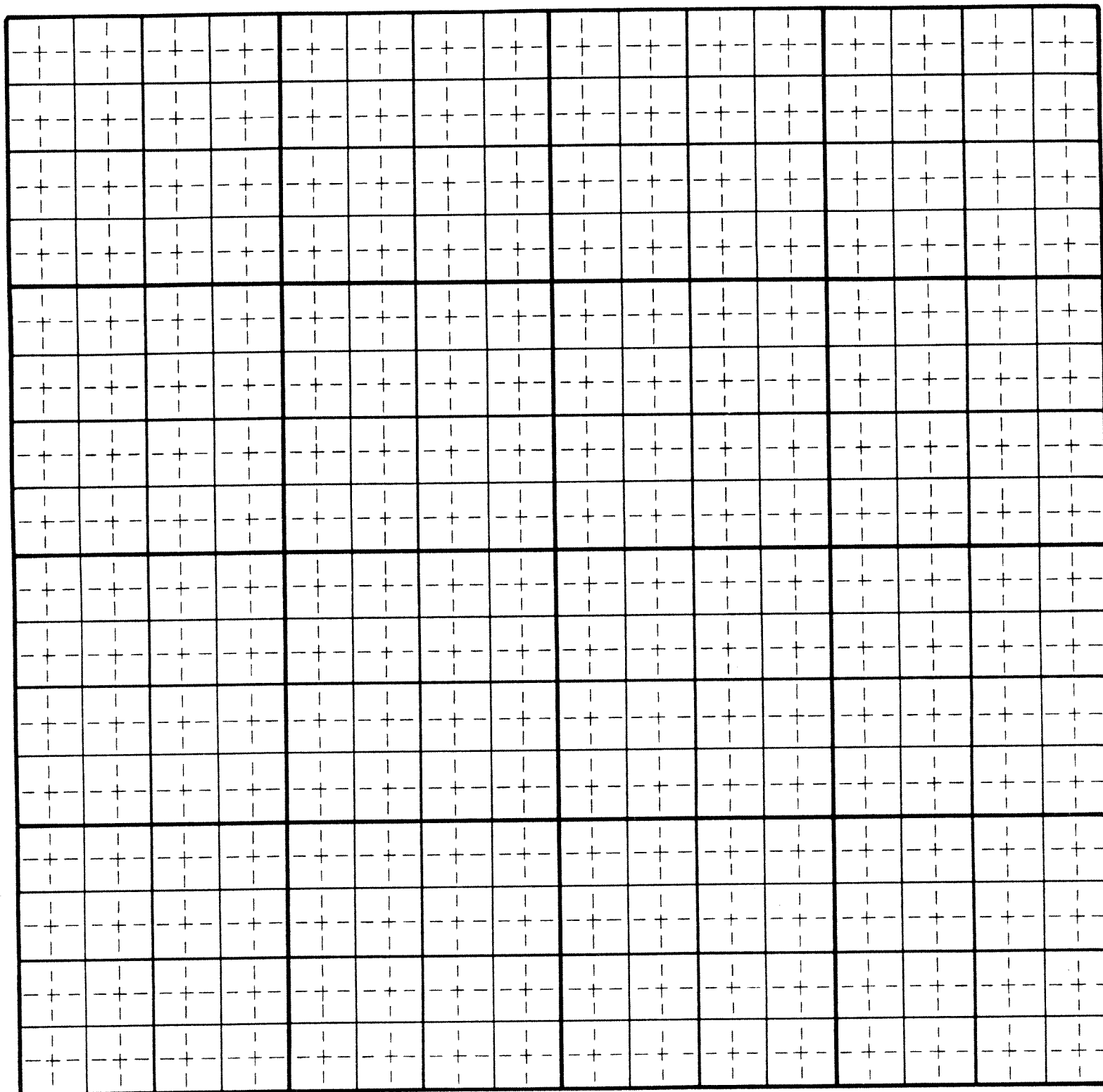
Last Name Owsley Canal Co. Ident No. 31-0104

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile

See set of maps accompanying all Owsley Canal Company claims



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NOV 17 1992

Last Name Owsley Canal Co. Ident No. 31-0104

Copies: White-State, Yellow-Claimant

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

Decree X

If applicable provide IDWR Water Right Number 31-0104

Court U.S. District Case Number 635 Decree Date Nov. 1, 1930

Plaintiff vs Defendant Ernest Sauve v. W. H. Abbott, et al.

16. Signature (s)

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

Number of attachments 5

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

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

Title

of Owsley Canal Company, that I have signed the foregoing

Organization

document in the space below as Vice President of said corporation

Title

Organization

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

Signature of Authorized Agent

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

State of Idaho/or _____)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 30th day of November 19 88

SEAL

Notary Public

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

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

Date November 30, 1988

MICROFILMED

NOV 17 1992

Last Name Owsley Canal Co. Ident. Number 31-0104

Copies White-State, Yellow-Claimant

DESCRIPTION OF
EXISTING DIVERSION WORKS

The Owsley Canal Company diversions fall into four categories:

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

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

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

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

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

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

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

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

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

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STORAGE RIGHTS

IN

MUD LAKE

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

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

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

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

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

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
6N	34E	3					40	40	40	40	40	40	40	40	40	40	40	40	480
		4	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		5	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		7	40	40	40	40									40	40	40	40	320
		8	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		9	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		10	40	40	40	40	20	40	40	40	40	40	40	40	40	40	40	40	620
		11									40	40	40	40	40	40	40	40	320
		13						40	40		40	40	40	40	40	40	40	40	400
		14	40	40	40	40					40	40	40	30	40	40	40	40	470
		15					40	40	40	40	40	40	40	40	40	40	40	40	480
		16	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		17	40	40	40	40	40	40	40	40	40	40	40	40	40	40	30	25	615
		20	25	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	625
		21	40	40	40	40	40	25	40	40	40	40	40	40	40	40	40	40	625
		22	20	40	40	40	40	20	40	40	40	40	40	40	40	40	40	40	600
		23	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		24	40	40	40	40	10	40	40	30	40	40	40	40	40	40	40	40	600
		25	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		26	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		27	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		28	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		29	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		34	40	40	40	40	40			40	40	40	40	40	40	40	40	40	560
		35	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
6N	35E	8										40	40	40			40	40	200
		17					40	40	40	40	40	40	40	40					320
		18	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		19	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		20	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		29					40	40	40	40	40	40	10	40					290
		30	40	40	40	40	40	25	25	40	40	40	40	40	40	40	40	40	640
7N	34E	32												40			40	40	120
		33										10	40	40			30	10	130

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OWSLEY CANAL COMPANY

LIST OF WATER RIGHTS FOR SERVICE AREA

A. Mud Lake and Tributaries

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

B. Bybee Well Field

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

C. North Lake Well Field

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

D. Wastewater

31-2276

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