

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: 31-144

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

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

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

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

3. Give a brief explanation as to why you disagree with these portions:

 I AGREE with this proposed recommendation: no changes need to be made.

DATE: 2-12-2001 SIGNATURE: *Barth 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

Clarence O. McGill
and G. B. Adams

1911 - March 29

1912 - September 21

31 143✓

1.0 c.f.s.

31 143

1.0 c.f.s.

Source: Camas Creek, a tributary
of Mud Lake.

Point of Diversion: In Lot 4,
Section 3, Township 6 North, Range
35 East, B.M.

For use on the following described
land, to-wit: Lots 3 and 4; the
Southwest Quarter of the Northwest
Quarter; the Southwest Quarter of
the Southwest Quarter; the North-
east Quarter of the Southwest Quar-
ter; and the Northwest Quarter of
the Southwest Quarter, -- all in
Section 3, Township 6 North, Range
35 East, B.M.

No. 75

average = 242.8, Combined 1/4 mile w/
31-143 = 242.8



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

Re: Attorney

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

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 Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	<u>A31-00134*</u>			<u>A31-00192*</u>	
	<u>A31-00135*</u>			<u>A31-2289</u>	<u>A31-2317B</u>
	<u>A31-00143*</u>			<u>A31-2290</u>	<u>A31-2321</u>
	<u>A31-00144*</u>			<u>A31-2297</u>	
	<u>A31-00190*</u>			<u>A31-2310</u>	
				<u>A31-2317A</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

P.O. 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

WR5809NP
No. 31-00144

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/17/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JACKETT CANAL CO. C/O HOLDEN, KIDWELL, HAHN & CRAPO P.O. BOX 129 IDAHO FALLS ID 83401	09/21/1912	IRRIGATION STOCKWATER DOMESTIC	05/01 09/01 00/00 00/00 00/00 00/00	1.000 CFS	
TOTAL DIVERSION:					1.000 CFS	

Water Source: CAMAS CREEK

Tributary to: MUD LAKE

Stage: DECREED

Point(s) of Diversion:

T06N R35E S03 Lot 04C	JEFFERSON County
T07N R35E S13	JEFFERSON County
S22	JEFFERSON County
S23	JEFFERSON County
S27	JEFFERSON County
S33	JEFFERSON County

Place of use Legal Description for: IRRIGATION

T	R	S	NE	NE	NE	SE	SE	SE	SE	SUM
06N	35E	3	01-42	02-42	40	40	03-41	04-35	40	40
06N	35E	4	01-41	02-38	40	40	04-07			560.0
06N	35E	5	40	40	40	40				327.0
06N	35E	8	40	40	40	40				399.0
06N	35E	9	40	40	40	40				440.0
06N	35E	16	40	40	40	40				400.0
06N	35E	17	40	40	40	40				640.0
07N	35E	32								320.0
07N	35E	33								20.0
TOTAL ACRES										3107.0

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: JEFFERSON

Remarks: GEN TRANS. 2303.
AC. IRR.=3107.23.
SUPERSEDES 31-2101, 31-2123A & 31-2123B.

Dates: App. Received: 09/21/1912
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:

Misc: Water District Number: 31 Field Exam Fee:

3107.1 -
3107.23

WR3809NP
No. 31-00144

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/17/00
PAGE: 2

Audit: 08/19/85 05/22/88 CONVERT 02/06/98 CLEARFLD

12/27/1988

FBA CLAIMS RECEIVING CHECKLIST

A31-00135, A31-00134
A31-00143, A31-00144
A31-00190

CLAIMANT'S NAME Jacket Canal Co. CLAIM IDENT. NO. _____

DATE RECEIVED 28 Nov 1988 CK # 277 AMOUNT \$ _____

YES NO

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

Is a priority date entered? ☒ YES ☐ NO

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?
A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS. ☒ YES ☐ NO

(a) Is a source entered? ☒ YES ☐ NO

(b) Is a tributary to entered? (if required) N/A ☒ YES ☐ NO

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

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

Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO

Is the period of use included? ☒ YES ☐ NO

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

Is a total quantity claimed entered? ☒ YES ☐ NO

If required is a consumptive use entered? N/A ☒ YES ☐ NO

Is the consumptive use correct? N/A ☐ YES ☒ NO

Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. N/A ☒ YES ☐ NO

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

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

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

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

4. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A ☒ YES ☐ NO

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

6. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) ☒ YES ☐ NO

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

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

Is the fee enclosed correct? Exempt ☒ YES ☐ NO

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

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

Claim checked by: Ernest C. Lowe

Comments: Letter to claimant - plan of use & map are not consistent
Plan to build irrigation

MICROFILMED

DEC 09 1992

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~~ ^{Comparison of} ~~data comparing the~~
map and Attachment B ~~it~~ revealed 3 discrepancies.

1. The 40 acres in ~~the~~ ^{the} Twp. 6N Rge 35E Sec 5
SE $\frac{1}{4}$ SW $\frac{1}{4}$ was illustrated as a place of use ^(on map) but was
not listed on Attachment B. (data entered)
2. The 40 acres in Twp 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 Twp 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).

Notices with ground water as source.

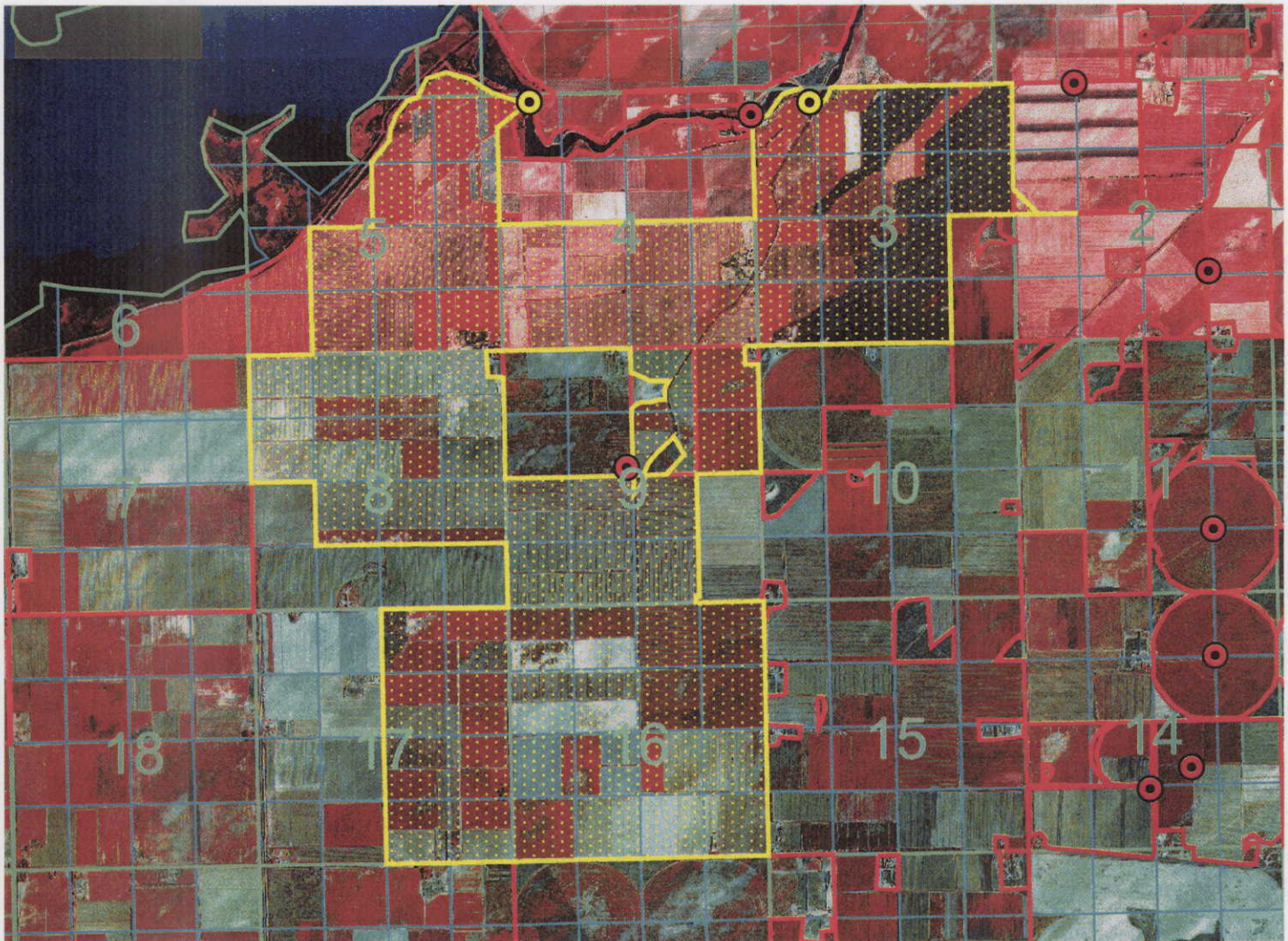
- The points of diversion were entered in accordance
with map, and not the legal description described
in Item 4 of the notices. Comparison of the
map and Item 4 reveal two discrepancies.

MICROFILMED

DEC 09 1992

Idaho Department of Water Resources

"Jackett" Water Rights, Numbers 31-31-134, 31-135, 31-143
31-144, 31-190, 31-192



Township 6N Range 35E

0 1320 Feet

-  Point of Diversion
-  Point of Diversion - Other Rights
-  Place of Use
-  Place of Use - Other Rights
-  Quarter-quarter Sections
-  Section Lines



GIS Illustration prepared from 1987/1988 NAPP photography by B. Contor 12/2000

01/05/2001

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

RIGHT NUMBER: 31-144

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

SOURCE: MUD LAKE TRIBUTARY: SINKS

246 AFY

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

1.0

PRIORITY DATE: 09/21/1912

POINT OF DIVERSION: T06N R35E S3 LOT 4 NENWNW Within JEFFERSON County
T06N R35E S4 LOT 4 NENWNW Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION STORAGE	01-01 12-31	246.00 AFY
IRRIGATION FROM STORAGE	04-01 10-31	246.00 AFY

PLACE OF USE:

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 3107.3 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 31-134, 31-135, 31-143, 31-144,
31-190, 31-192.

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

PLACE OF USE WITHIN THE BOUNDARY OF THE JACKETT DIVISION OF
MUD LAKE WATER USERS, INC. TOTAL IRRIGATED ACRES 3107.3.

USE OF THIS RIGHT WITH RIGHT NO. 31-143 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 242.8 ACRES IN A SINGLE
IRRIGATION SEASON.

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 SOURCE PURSUANT TO SECTION 42-1425, IDAHO CODE.

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

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 31-144
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: 09/21/1912

3. Source: CAMAS CREEK Trib. to: MUD LAKE

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
07N	35E	7	SW SW	JEFFERSON
06N	35E	3	NW NW 4	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	3.5	
IRRIGATION STORAGE	11/02	3/31	0	1

7. Total Quantity Appropriated is:
1 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	SE	NE		IRRIGATION	40
			NE	NW	3	IRRIGATION	41.5
			NW	NW	4	IRRIGATION	35
			SW	NW		IRRIGATION	40
			NW	SW		IRRIGATION	40
			SW	SW		IRRIGATION	40
			SE	SW		IRRIGATION	40
			NW	SE		IRRIGATION	40
			SW	SE		IRRIGATION	40
			NE	NE	1	IRRIGATION	41.9
			NW	NE	2	IRRIGATION	41.7
			SW	NE		IRRIGATION	40
			SE	NW		IRRIGATION	40
			NE	SW		IRRIGATION	40
Section Acres							560.1
06N	35E	4	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
			SW	SE		IRRIGATION	40
			SE	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
			NE	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							399.2
06N	35E	8	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	
			NE	SE	IRRIGATION	40	
			NW	SE	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	NE	NE	IRRIGATION	40	
			NW	NE	IRRIGATION	40	
			SE	NE	IRRIGATION	40	
			NE	SW	IRRIGATION	40	
			NW	SW	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	
			SW	NE	IRRIGATION	40	
			NE	NW	IRRIGATION	40	
			NW	NW	IRRIGATION	40	
			SW	NW	IRRIGATION	40	
			SE	NW	IRRIGATION	40	
					Section Acres	640	
06N	35E	17	NE	NE	IRRIGATION	40	
			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	
					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 31-2290, 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. CONFORMED ATTORNEY MAILING ADDRESS DMS

CHANGED OWNERSHIP PER REQUEST CV/10/30/00

15. Basis of Claim: Decreed

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: A31-00144
Date Received: 12/05/1988
Receipt No: E004936
Received By: Coleman

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

2. Date of Priority: SEP 21, 1912

3. Source: CAMAS CREEK Trib. to: MUD LAKE

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	35E	3	NW	NW	NW	4	JEFFERSON
07N	35E	7	SW	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	04/01	11/01	3.500		
IRRIGATION STORAGE	11/02	03/31			1.00

7. Total Quantity Appropriated is:
1.000 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

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
			SE		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
			SW		SE		IRR	40.0
			SE		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

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, 31-0134, 31-0190, 31-0336, 31-0337, 31-228

14. Remarks:

WTR. RTS. CONT'D 31-2290, 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: DECREED

Water Right Number: 310134

Case Number: 635

Court :

Decree date:

ERNEST SAUVE

Decree Plaintiff

vs

W. H. ABBOTT, ET AL

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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 31-0144

Date Received 28 Nov 1988

Receipt Number 8004936

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) September 21, 1912

3. Source of water supply (a) Camas Creek
which is tributary to (b) Mud Lake

4. a. Location of existing point of diversion is: Township 6N Range 35E Section 3,
1/4 of 1/4 of 1/4, Govt. Lot, 4 B.M., County of Jefferson

Additional points of diversion if any: SW1/4SW1/4 Sec. 33, T7N, R35E

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

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

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 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 Camas Creek. There are seven wells with pumps that pump into ditches which bring the water to Camas Creek for rediversion. See Transfer No. 2303.

A3100144



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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from April 1 to Nov. 1 amount 1.0 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) 1.0 (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, 31-0190, 31-0336, 31-0337, 31-2289, 31-2290, 31-2797, 31-2310, 31-2317, and 31-2321 or None ()

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

Last Name Jackett Canal Company Ident No. 31-0144

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15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number 31-0144
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 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 [Signature]

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 [Signature]

Residing at Idaho Falls, Idaho

My Commission Expires November 10, 1992

Please Print Name

17. Notice of Appearance:

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

Signature [Signature]

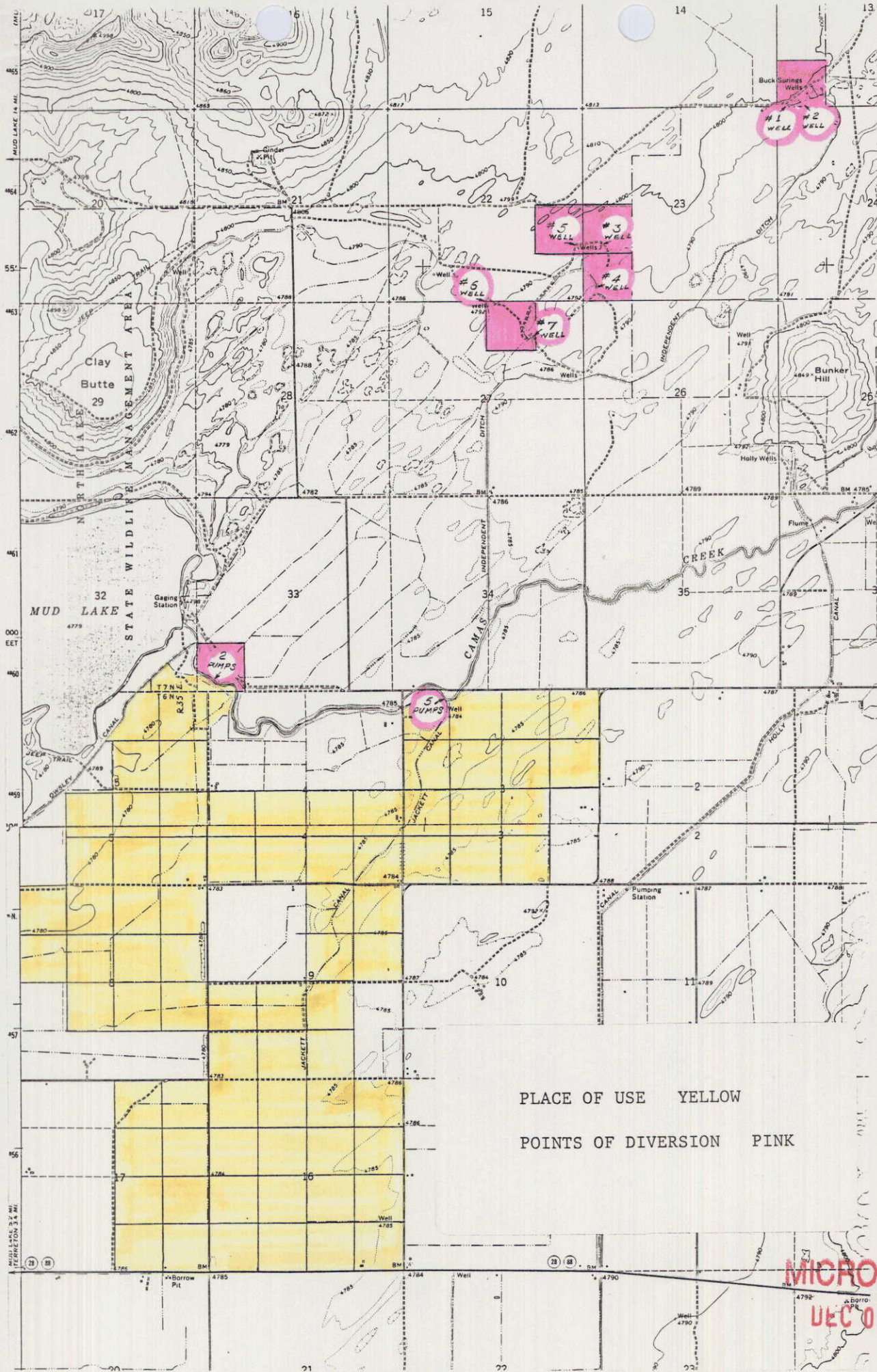
Address P. O. Box 50130, Idaho Falls, Idaho 83405

Date November 28, 1988

Last Name Jackett Canal Company Ident. Number 31-0144

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PLACE OF USE YELLOW
POINTS OF DIVERSION PINK

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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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[illegible]