

01/16/2001

NOTICE OF ERROR  
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: ~~February~~ <sup>March</sup> 9, 2001

Water right number: 31-166

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: *Keith August*

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

Bertha I. Neilson, as  
Executrix of the Estate  
of Anders Neilson,  
deceased

1912 - September 5

31 166✓  
1.72 c.f.s.

Source: Camas Creek, a tributary  
of Mud Lake.

R. L. Byler  
Don Byler  
O. R. C.

Trans #861

Point of Diversion: The intake  
of the Holley Water Users Asso-  
ciation canal, which intake is lo-  
cated in the Southeast corner of  
the Northwest Quarter of the North-  
west Quarter of Section 36, Town-  
ship 7 North, Range 35 East, B. M.

For use on the following described  
land, to-wit: The Northwest Quar-  
ter of Section 1, Township 6 North,  
Range 35 East, B. M.

$1.72 \times 2 \times 123 = 423.1$   
acres

No. 86

160 acres



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)

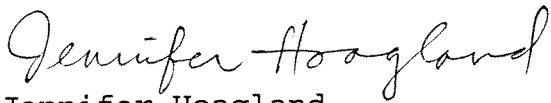
Dear Mr. Soderquist:

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  
JUN 24 1999

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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, C. / 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: Barth Soderquist  
Its President

(Capacity of signer)

Customer Acct #:

(if using pre-paid account)

Secretary of State use only

IDAHO SECRETARY OF STATE

03/22/1999 09:00  
CK: 8836 CT: 91790 BH: 199218

1 @ 38.00 = 38.00 NON PROF A # 2

C 9932

Idaho Corporation and NP forms Revised 7/98

12/7/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Quincy Canal Co. CLAIM ID # 1 NO. 1

DATE RECEIVED 12/7/88 CK # 1 AMOUNT \$ 17985 YES ✓ NO ✓

Is the name and address complete with zip code? ✓  
Is a priority date entered? ✓

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? ✓  
(b) Is a tributary to entered? (if required) N/A ✓

Is the legal description of the p.d. sufficient? ✓

Is there a description of the diverting works? ✓

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. ✓

Is the period of use included? ✓

Is a quantity claimed for each use? ✓

Is a total quantity claimed entered? ✓

If required is a consumptive use entered? N/A ✓

Is the consumptive use correct? N/A ✓

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 ✓

10. Is (are) the place(s) of use entered? ✓

11. Is (are) the county(ies) entered? ✓

12. Is the ownership of p.u. checked? ✓

13. Are other water rights listed or "none" indicated? ✓

14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A ✓

15. Is the basis of the claim checked? ✓

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?) ✓

Has the claim been signed, sealed, and dated by a notary? ✓

Was this claim filed on time, or was an extension granted? ✓

Is the fee enclosed correct? Exempt ✓

If this claim is based on an existing water right, has the identification number been entered? N/A ✓

Should this claim be receipted and data entered? ✓

Tag for field inspection

Comments: P/D - NE 1/4 SE 1/4, SE 1/4 SE 1/4 Sec 1 Not a map. - NW 1/4 SE 1/4 Sec 1 a map

but not listed on claim. - Acres totals 17985. - need A.F. for irrigation storage.

Claim checked by: E. M. ... MICROFILMED NOV 17 1992

01/06/2001

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

RIGHT NUMBER: 31-166

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

SOURCE: MUD LAKE TRIBUTARY: SINKS

423.1 AFY

FOR THIS RIGHT, THE DIVERSION VOLUME DESCRIBED ABOVE WAS  
CALCULATED BY MULTIPLYING A DIVERSION RATE OF 1.72 CFS BY A  
FACTOR OF 2 ACRE FEET PER DAY FOR 123 DAYS (MAY 1ST TO  
SEPTEMBER 1ST).

PRIORITY DATE: 09/05/1912

|                     |               |        |                         |
|---------------------|---------------|--------|-------------------------|
| 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   | 423.10 AFY    |
| IRRIGATION FROM STORAGE | 04-01 11-04   | 17,985.00 AFY |

PLACE OF USE:

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

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, (OWLSLEY 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.

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.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO  
SECTION 42-1425, IDAHO CODE.

IDaho DEPARTMENT OF WATER RESOURCES  
ADJUDICATION NAME INDEX

DATE: 06/30/99  
TIME: 09:29:34  
PAGE: 1

| CLAIMANT                | WATER RIGHT NUMBER | SIG STA | PRIORITY DATE | SOURCES OF WATER | TRIBUTARIES OF |
|-------------------------|--------------------|---------|---------------|------------------|----------------|
| 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          |

ID-XXX  
J5802NE  
SELECTION FILE: JH-0WSLEY

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION NAME INDEX

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

| CLAIMANT                 | WATER RIGHT<br>NUMBER | STG<br>STA | PRIORITY<br>DATE | SOURCES OF WATER | TRIBUTARIES OF |
|--------------------------|-----------------------|------------|------------------|------------------|----------------|
| HUD LAKE WATER USERS INC | C A31-00327           | 0/         | 11/16/1931       | GROUNDWATER      | MUD LAKE       |
| HUD LAKE WATER USERS INC | C A31-00328           | 0/         | 09/05/1912       | MUD LAKE         | SINKS          |
| HUD LAKE WATER USERS INC | C A31-00329           | 0/         | 01/08/1932       | GROUNDWATER      | MUD LAKE       |
| HUD LAKE WATER USERS INC | C A31-00330           | 0/         | 06/26/1936       | GROUNDWATER      | MUD LAKE       |
| HUD LAKE WATER USERS INC | C A31-00336B          | 0/         | 04/27/1932       | GROUNDWATER      |                |
| HUD LAKE WATER USERS INC | C A31-00337B          | 0/         | 12/15/1932       | GROUNDWATER      |                |
| HUD LAKE WATER USERS INC | C A31-00363           | 0/         | 08/28/1926       | MUD LAKE         | SINKS          |
| HUD LAKE WATER USERS INC | C A31-02239           | L/         | 01/25/1930       | GROUNDWATER      |                |
| HUD LAKE WATER USERS INC | C A31-02265           | L/         | 05/22/1940       | GROUNDWATER      |                |
| HUD LAKE WATER USERS INC | C A31-02276           | 0/         | 01/17/1969       | MUD LAKE         | SINKS          |
| HUD LAKE WATER USERS INC | C A31-02341           | L/         | 09/03/1954       | GROUNDWATER      |                |
| HUD LAKE WATER USERS INC | C A31-02342           | L/         | 09/03/1954       | GROUNDWATER      |                |
| HUD LAKE WATER USERS INC | C A31-02343           | L/         | 09/03/1954       | GROUNDWATER      |                |
| HUD LAKE WATER USERS INC | C A31-02344           | L/         | 09/03/1954       | GROUNDWATER      |                |
| HUD LAKE WATER USERS INC | C A31-02345           | L/         | 09/03/1954       | GROUNDWATER      |                |
| HUD LAKE WATER USERS INC | C A31-07005           | 0/         | 12/04/1967       | MUD LAKE         | SINKS          |
| HUD LAKE WATER USERS INC | C A31-07043           | L/         | 11/12/1970       | GROUNDWATER      |                |
| HUD LAKE WATER USERS INC | C A31-07199A          | L/         | 05/14/1976       | GROUNDWATER      |                |
| HUD LAKE WATER USERS INC | C A31-10626           | J/         | 04/01/1920       | GROUNDWATER      |                |
| HUD 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: A31-00166  
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: SEP 05, 1912

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 | 1.720  |      |          |
| IRRIGATION STORAGE      | 11/01 | 04/01 |        |      | 17985.00 |
| IRRIGATION FROM STORAGE | 04/01 | 11/04 |        |      | 17985.00 |

7. Total Quantity Appropriated is:  
1.720 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

A31-00166

Page

09/89

MICROFILMED  
NOV 17 1992

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  |    | NE  |     | IRR           | 40.0  |

10. Place of Use: Continued

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

10. Place of Use: Continued

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

## 10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 of | 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  |

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NOV 17 1992

10. Place of Use: Continued

| Township      | Range | Section | 1/4           | of  | 1/4  | Lot | Use | Acres |  |     |       |
|---------------|-------|---------|---------------|-----|------|-----|-----|-------|--|-----|-------|
| 06N           | 34E   | 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  |    | NE  |     | IRR           | 40.0  |
|          |       |         | NW  |    | NW  |     | IRR           | 40.0  |

10. Place of Use: Continued

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

10. Place of Use: Continued

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

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:

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

14. Remarks:

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

\*\*\*\*\*MEMO\*\*\*\*\*

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

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

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

15. Basis of Claim: DECREED  
Case Number:

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  
\_\_\_\_\_, 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  
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 31-0166

Date Received

Receipt Number

E004950

NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

RECEIVED

NOV 10 1988

Department of Water Resources  
Eastern District Office

A3100166



Please type or print clearly

1. Name of Claimant (s) Owsley Canal Company Phone (208) 523-0620  
% Holden, Kidwell, Hahn & Crapo  
 Mailing Address P.O. Box 50130, Idaho Falls, Idaho Zip 83405
2. Date of Priority (Only one (1) per claim) September 5, 1912
3. Source of water supply (a) Mud Lake  
 which is tributary to (b) \_\_\_\_\_
4. 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,  
 \_\_\_\_\_ 1/4, Govt. Lot \_\_\_\_\_ B.M., County of \_\_\_\_\_
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),  
 including the dates of any changes or enlargements in use, the dimensions of the diversion works as  
 constructed and as enlarged and the depth of each well. See Attachment "A"

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from Apr 1 to Nov 1 amount 1.72 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) 1.72 (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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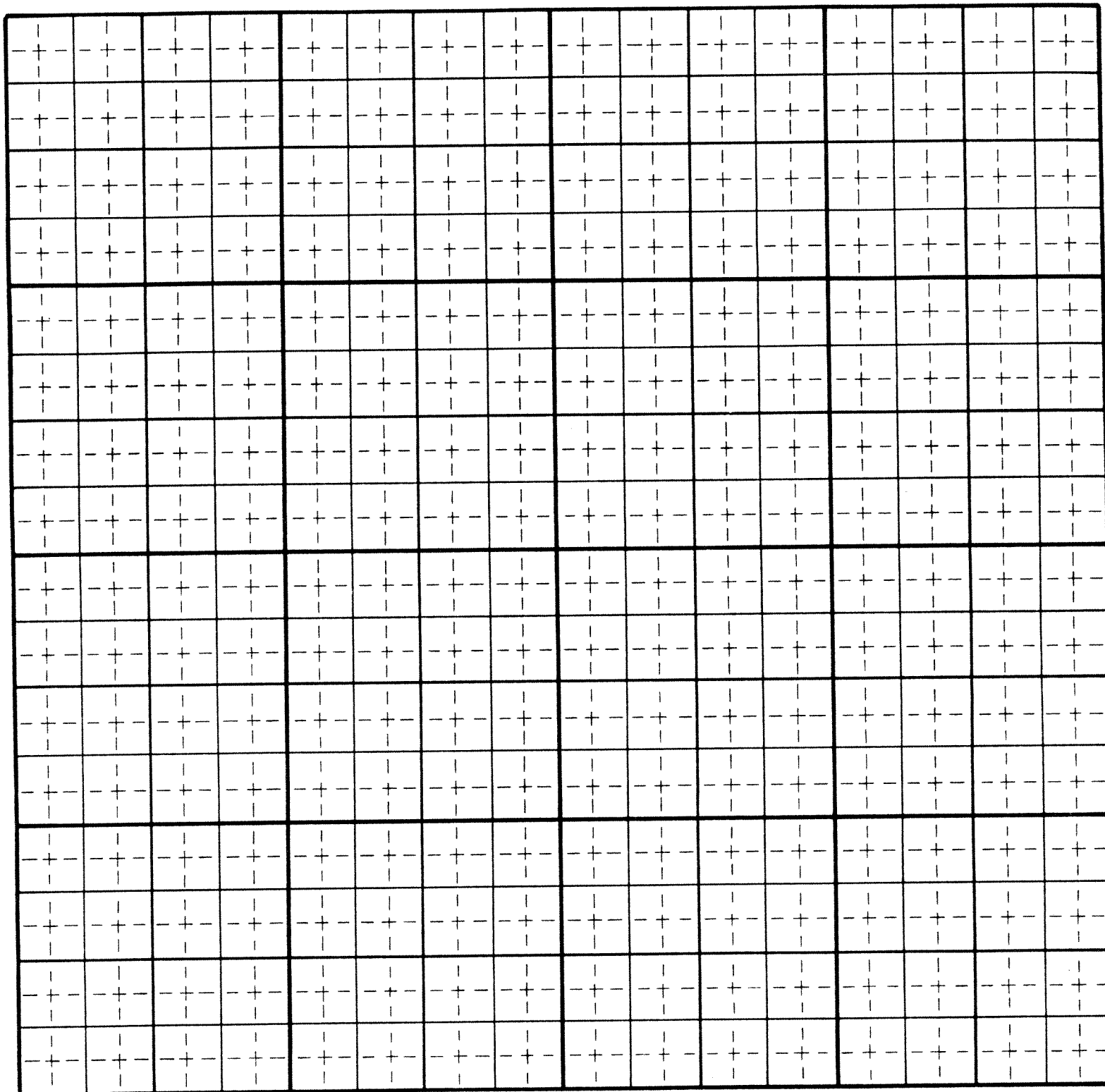
Last Name Owsley Canal Co. Ident No. 31-0166

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile

See set of maps accompanying all Owsley Canal Company claims



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Last Name Owsley Canal Co. Ident No. 31-0166

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 31-0166  
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

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Last Name Owsley Canal Co. Ident. Number 31-0166

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    | 610    |
| 7N  | 34E | 32  |        |       |       |       |        |       |       |       |        |       |       | 40    |        |       |       |       | 40     |
|     |     | 33  |        |       |       |       |        |       |       |       |        | 10    | 40    | 40    |        |       |       |       | 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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