

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: 31-192

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

Herritt M. Owsley

1912 - April 15

31 191
7.0 c.f.s.

Source: Mud Lake

~~7.0 x 2 x 123 = 1722 afa~~

~~E 1/2 320
W 1/2 SW 1/4 80
400 acres~~

Point of Diversion: About one-half mile North of the Northeast Quarter of Section 12, Township 6 North, Range 34 East, B. M.

For use on the following described land, to-wit: The East Half of Section 12, Township 6 North, Range 34 East, B. M.; the West Half of SW 1/4 of Section 7, Township 7 North, Range 35 East, B. M.

1917 - September 8

31 192
3.0 c.f.s.

Source: Mud Lake.

TRAILS 2494

$3.0 \times 2 \times 123 = 738 \text{ afa}$
160 acres

Point of Diversion: A point common to the Northwest corner of Section 7, Township 6 North, Range 35 East, B. M., and the Northeast corner of Section 12, Township 6 North, Range 34 East, B. M.

For use on the following described land, to-wit: The Northeast Quarter of Section 7, Township 6 North, Range 35 East, B. M.



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

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^x</u>			_____ <u>A31-00192^x</u>		
_____ <u>A31-00135^x</u>			_____ <u>A31-2289</u>	_____ <u>A31-2378</u>	
_____ <u>A31-00143^x</u>			_____ <u>A31-2290</u>	_____ <u>A31-2379</u>	
_____ <u>A31-00144^x</u>			_____ <u>A31-2292</u>		
_____ <u>A31-00190^x</u>			_____ <u>A31-2310</u>		
			_____ <u>A31-2311</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)

Jackett 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*

AMENDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED

APPROVED**APPLICATION FOR TRANSFER OF WATER RIGHT****To Change the Point of Diversion and/or the Place of Use**Name of applicant Dobson-Stewart Ranches for Jackett Canal Co. Phone 663-4339Post office address % Art Dobson, Star Route, Hamer, Idaho 83425**A. DESCRIPTION OF RIGHT AS RECORDED****1. Right evidenced by:**

a. Decree to Merritt M. Owsley (Name)
 in case of Ernest Sauve vs W.H. Abbott, et.al.
 dated Nov. 1, 1930 in District Court county of Bannock
 (Name of court)

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

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

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenantDobson-Stewart Ranches purchased lands to which the water is appurtenant**3. Source of water** Mud Lake tributary to Sinks**4. Date of priority** Sept. 8, 1917**5. Water is used for the following purposes:**amount 3.0 cfs. for Irrigation purposes from May 1 to Nov. 1

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____

(month/day - both dates inclusive)

6. Total amount of water under right: a. 3.0 cfs. cubic feet per secondb. _____ &/or
acre feet per annum**7. Location of original point of diversion is** NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 7Township 6N Range 35E, B.M., in Jefferson County

Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6N	35E	7	X	X	X	X													

Total number of acres to be irrigated _____

9. Describe any other water rights used for the same purposes as described above See jacket transfer31-0134 etc. _____

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ 1/4 _____ 1/4, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

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

1. Change in point of diversion

- a. Amount of water to be diverted 3.0 c.f.s. &/or _____ acre feet
- b. Point(s) of diversion NW 1/4 NW 1/4, Section 3 Township 6N
Range 35E, B.M., Jefferson County
Additional points SW 1/4 SW 1/4, Sec. 23, T. 6N, R. 35E
33, T. 7N

- c. Description of diverting works Pumps and pipelines to Camas Creek

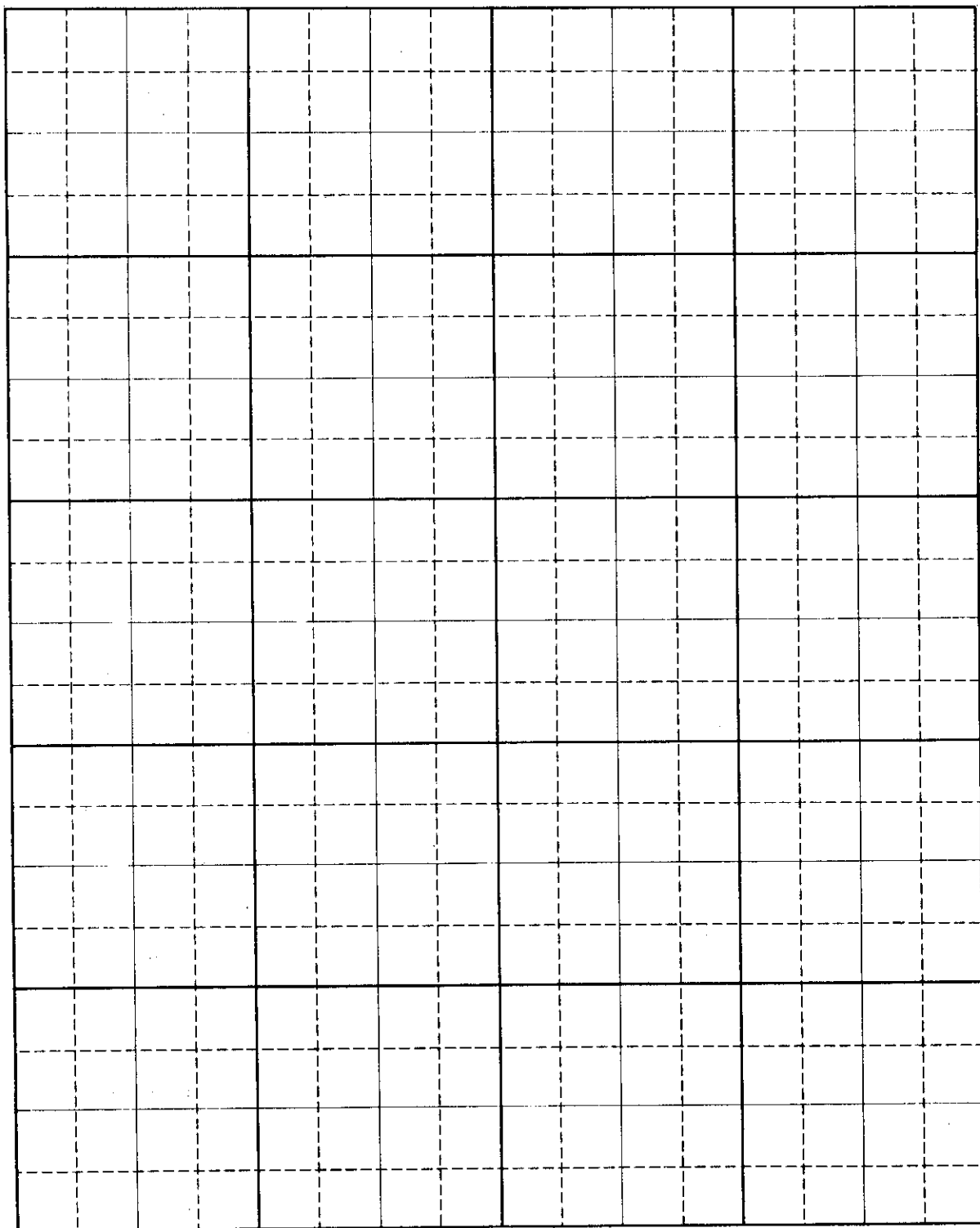
d. Describe the reasons for applying for a change in the point(s) of diversion Dobson-Stewart ranches own the land listed under this right. However, this water has been used by Jackett Canal Co. for the last 30 years and Dobson-Stewart Ranches do not claim any interest in this right.

2. Change in place of use

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7N	35E	32														lt 8	lt 7		20.00
		33										1				2	18		1.00
6N	35E	3	lt 1 41.89	lt 2 41.68	40	40	lt 3 41.46	lt 4 35	40	40	40	40	40	40	40	40	40		560.03
		4						lt 4 7			40	40	40	40	40	40	40	40	327.00
		5	lt 1 41.20	lt 2 38	40	40					40				40	40	40	40	399.20
		8	40	40	40	40	40	40	40	40	40				40	40			440.00
		9	40	40	40	40					40	40	40	40		40	40		400.00
		16	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640.00
		17	40	40	40	40									40	40	40	40	320.00

3. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

100

RECEIVED

Remarks Jackett Canal Co. recently applied for transfer to make all of their
water rights appurtenant to all company lands. This right was omitted from the
original transfer application. This transfer has been initiated to include the
omitted right.

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

Subscribed and sworn to before me this 8th day of July, 1980.
Carl Sch SENIOR PARTNER
(Signature of applicant)

Ronald D. Carver
(Notary public)

My commission expires 2/14/82

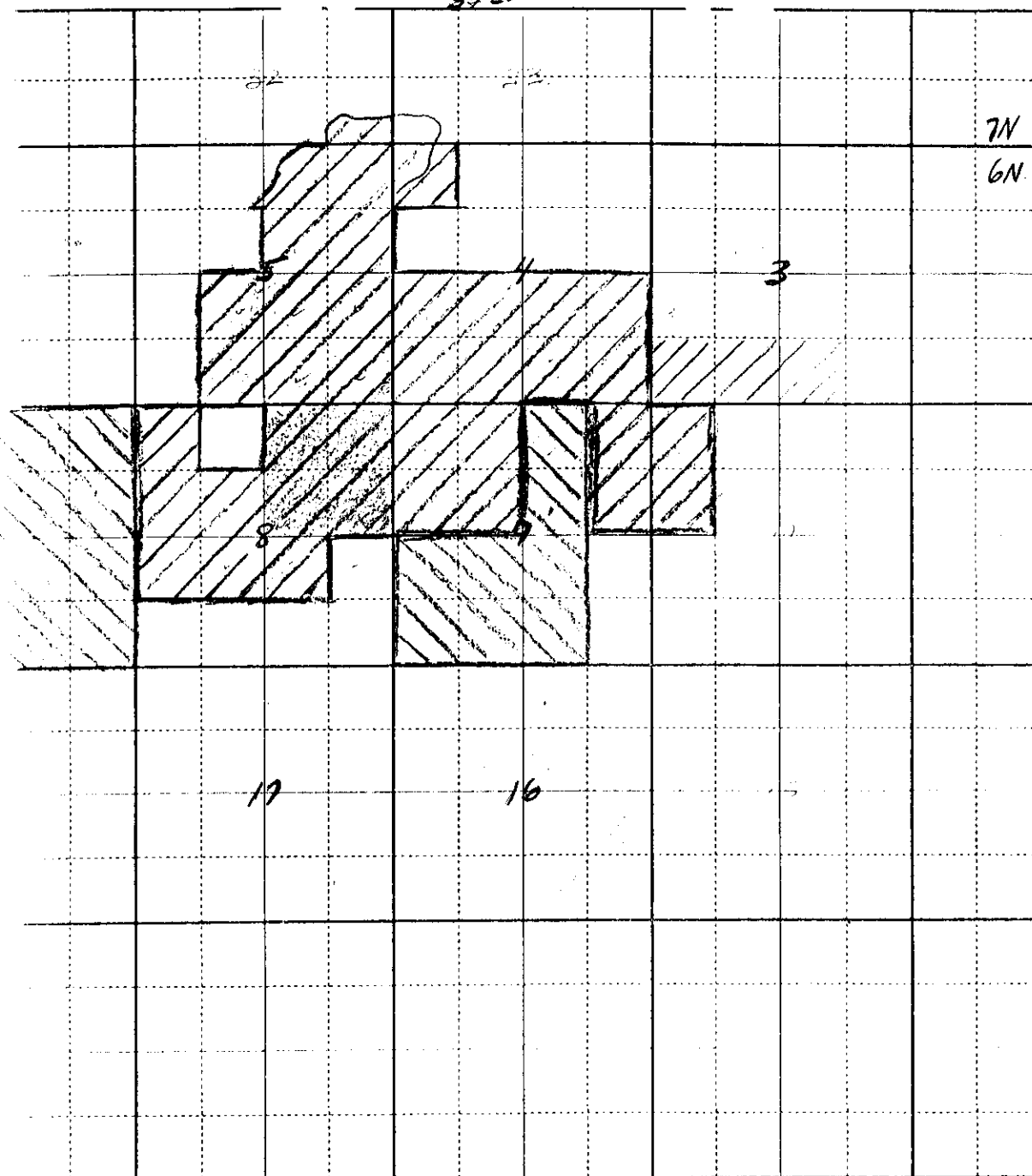
ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 31-0192
and said application is hereby APPROVED, subject to the following limitations and conditions:
Use of water under this transfer is subject to control by the watermaster of State
Water District No. 31, Mud Lake and tributaries. Measuring devices and controlling
works of a type approved by this Department must be permanently installed and maintained
at the points of diversion from groundwater. The existing measuring methodology shall
be maintained at the points of diversion/rediversion from Camas Creek. Diversion of
water authorized by this transfer when combined with other rights of the Jackett Canal
Company shall not exceed 9321 acre feet per annum. The intent of this transfer is to
record water delivery practices that have existed since 1965 - no change in delivery
patterns is authorized. Any future transfer of this right will cause the remaining rights
owned by Jackett Canal Company to revert back to their original acreage.
Witness my hand this 8th day of September, 19 81.

A. Glen Saxton
Chief, Operations Bureau

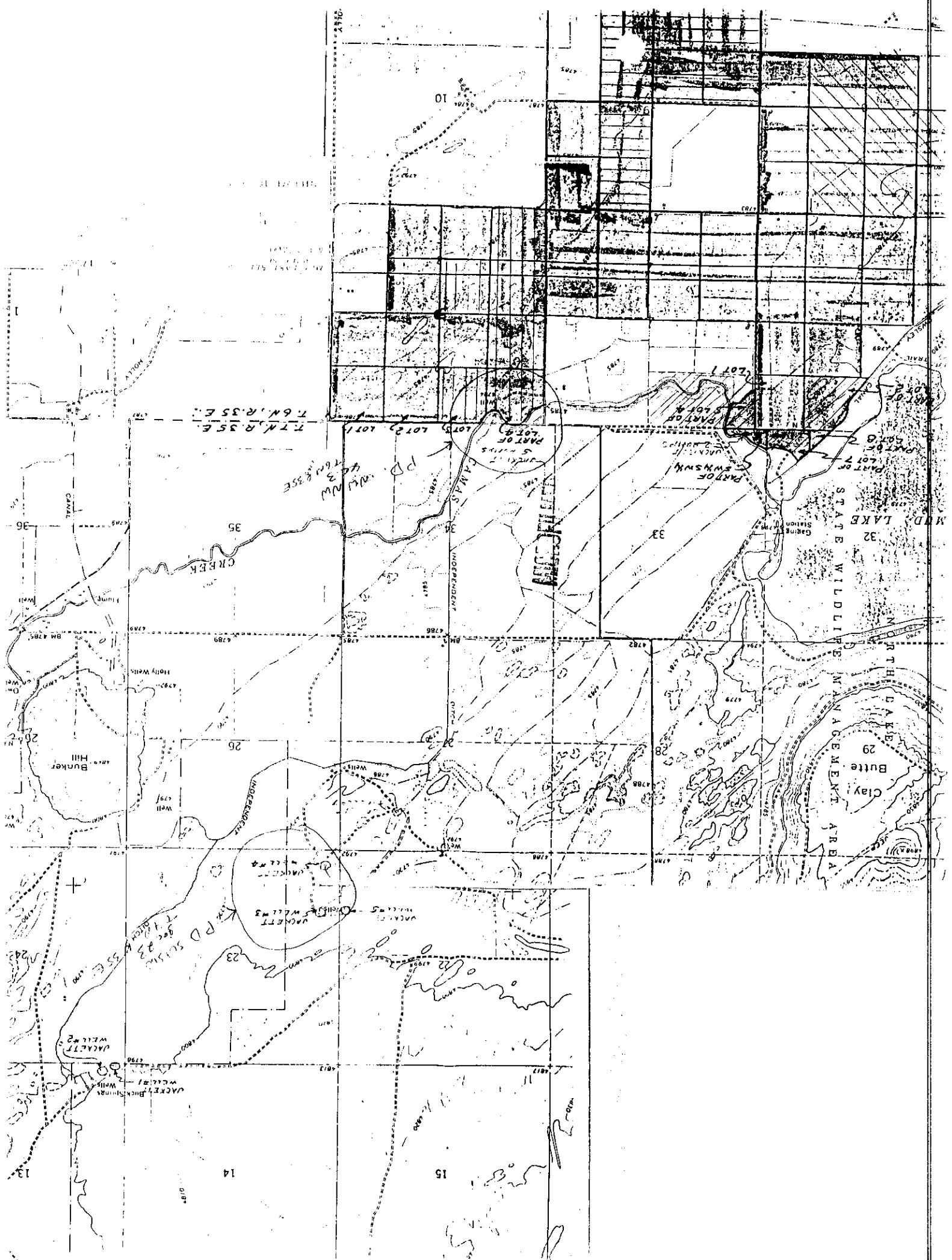
FOR DEPARTMENT USE ONLY

Received by kw Date 11/24/80 Protest filed by _____
Prelim. check by _____ Fee \$50.00
Receipted by kw Date 11/25/80 #16095
Published in The Rigby Star Copies of protest forwarded by _____
Pub. dates 12/4 & 12/11/1980 Hearing held by _____ Date _____
Watermaster recommendation requested on _____ Recommended for _____ approval _____ denial _____
1-14-81 rec'd. 1-19-81 by Sam Dyer



SECRET

# 31-2280	2.2 ops	1250 NO.
# 31-2287	3.0 ops	2,617 NO.
(1.0)		
: Only 1/2 of the data is shown in the following table.		
# 31-2289	2.2 ops	1250 NO.
# 31-2290	2.5 ops	240 NO.
# 31-2295	6.0 ops	340 NO.
# 31-2300	5.8 ops	240 NO.
31-2321	1.92 ops	10 NO.
31-2317	2.02 ops	1122 NO.
	1.90 ops	



AMENDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED

APPROVED**APPLICATION FOR TRANSFER OF WATER RIGHT****To Change the Point of Diversion and/or the Place of Use**Name of applicant Dobson-Stewart Ranches for Jackett Canal Co. Phone 663-4339Post office address % Art Dobson, Star Route, Hamer, Idaho 83425**A. DESCRIPTION OF RIGHT AS RECORDED****1. Right evidenced by:**a. Decree to Merritt M. Owsley

(Name)

in case of Ernest Sauvevs W.H. Abbott, et al.dated Nov. 1, 1930in District Court

(Name of court)

county of Bannock

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

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

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenantDobson-Stewart Ranches purchased lands to which the water is appurtenant**3. Source of water** Mud Lake tributary to Sinks**4. Date of priority** Sept. 8, 1917**5. Water is used for the following purposes:**amount 3.0 cfs. for Irrigation purposes from May 1 to Nov. 1

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____

(month/day — both dates inclusive)

6. Total amount of water under right: a. 3.0 cfs. cubic feet per secondb. _____ &/or
acre feet per annum**7. Location of original point of diversion is** NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 7
Township 6N Range 35E, B.M., in Jefferson County
Additional points of diversion, if any _____**8. Lands irrigated or place of use:**

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6N	35E	7	X	X	X	X													

Total number of acres to be irrigated _____

9. Describe any other water rights used for the same purposes as described above See Jackett transfer31-0134 etc.31-0192

MICROFILMED

Remarks Jackett Canal Co. recently applied for transfer to make all of their
water rights appurtenant to all company lands. This right was omitted from the
original transfer application. This transfer has been initiated to include the
omitted right.

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

Carl Sch SENIOR PARTNER
(Signature of applicant)

Subscribed and sworn to before me this 8th day of July, 1980.

Donald D. Carlin
(Notary public)

My commission expires 2/14/82

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 31-0192
and said application is hereby APPROVED, subject to the following limitations and conditions:
Use of water under this transfer is subject to control by the watermaster of State
Water District No. 31, Mud Lake and tributaries. Measuring devices and controlling
works of a type approved by this Department must be permanently installed and maintained
at the points of diversion from groundwater. The existing measuring methodology shall
be maintained at the points of diversion/rediversion from Camas Creek. Diversion of
water authorized by this transfer when combined with other rights of the Jackett Canal
Company shall not exceed 9321 acre feet per annum. The intent of this transfer is to
record water delivery practices that have existed since 1965 - no change in delivery
patterns is authorized. Any future transfer of this right will cause the remaining rights
owned by Jackett Canal Company to revert back to their original acreage.

Witness my hand this 8th day of September, 19 81.

A. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by tw Date 11/24/80 Protest filed by _____
Prelim. check by _____ Fee \$50.00
Receipted by tw Date 11/25/80 #16095
Published in The Rigby Star Copies of protest forwarded by _____
Pub. dates 12/4 & 12/11/1980 Hearing held by _____ Date _____
Watermaster recommendation requested on _____ Recommended for approval denial
1-14-81 rec'd. 1-19-81. by Don DCA

Affidavit of Publication

THE RIGBY STAR

RECEIVED

JAN 23 1981

Department of Water Resources
Eastern District Office

STATE OF IDAHO,

County of Jefferson

} ss

I, Marie B. Nye, do solemnly swear that I am the
Publisher of THE RIGBY STAR, a weekly
newspaper as defined by Idaho Codes Annotated Section 58-106 as
amended, and that said newspaper is a weekly newspaper, printed and
published at Rigby, Jefferson County, Idaho, having a general circulation in
said county, and that said newspaper has been printed and published as a
weekly newspaper, in said county for more than 78 consecutive weeks prior
to the first publication of the attached notice.

And affiant further says that at the times herein mentioned said
publication as per clipping attached, was published in said newspaper in the
regular and entire issue thereof, and not in any supplement issue thereof,
for 2 consecutive issues thereof; first publication having been made on
the

Fifteenth day of January, 19 81

and the last publication on the

Twenty-Second day of January, 19 81

And affiant further says that at the times herein mentioned said
newspaper was made up of at least four pages of at least five columns each
printed from type matter of at least seventeen and three-fourths inches
depth; and that there are at least two hundred bonafide subscribers in
Jefferson County.

Marie B. Nye

Publisher

Subscribed in my presence and sworn to before me this Twenty-Second
day of January, 19 81.

[SEAL]

Evelyn M. F. [Signature]

Notary Public for the State of Idaho
Residence and P. O. Address, Rigby, Idaho.

My commission expires Life, 19

Publication Fee: \$ 16.81

APPLICATION
FOR TRANSFER
NO. 31-0192

Notice is hereby given that
Application for Transfer No.
31-0192 in the name of
Dobson-Stewart Ranch
Jackett Canal Company
for the diversion of 30
water from the
tributary to Snake River
point of diversion with
NWNW, Sec. 3, T. 6N, R. 3E
SWSW, Sec. 23, T. 7N, R. 3E
Jefferson County to be
from May 1 to November 1 for
irrigation purposes within the
lands serviced by Jackett
Canal Company.
The right holder
proposes to amend
Application for Transfer
31-0192 changing the
of diversion to within the
NWNW, Sec. 3, T. 6N, R. 3E
SWSW, Sec. 33, T. 7N, R. 3E
Jefferson County.
Any protest to the
proposed amending of
Application for Transfer No.
31-0192 must be filed with the
Idaho Department of Water
Resources, 150 Shoup Ave.
Idaho Falls, Idaho, 83401 on
or before February 2, 1981.

C. Stephen Alfred
Director

Published January 15 and 22
1981

RECEIVED

DEC 19 1980

Department of Water Resource
Eastern District Office

Affidavit of Publication

THE RIGBY STAR

STATE OF IDAHO,

County of Jefferson

ss

I, Marie B. Nye, do solemnly swear that I am the
Publisher of THE RIGBY STAR, a weekly
newspaper as defined by Idaho Codes Annotated Section 58-106 as
amended, and that said newspaper is a weekly newspaper, printed and
published at Rigby, Jefferson County, Idaho, having a general circulation in
said county, and that said newspaper has been printed and published as a
weekly newspaper, in said county for more than 78 consecutive weeks prior
to the first publication of the attached notice.

And affiant further says that at the times herein mentioned said
publication as per clipping attached, was published in said newspaper in the
regular and entire issue thereof, and not in any supplement issue thereof,
for 2 consecutive issues thereof; first publication having been made on
the

Fourth day of December, 19 80

and the last publication on the

Eleventh day of December, 19 80

And affiant further says that at the times herein mentioned said
newspaper was made up of at least four pages of at least five columns each
printed from type matter of at least seventeen and three-fourths inches
depth; and that there are at least two hundred bonafide subscribers in
Jefferson County.

Marie B. Nye

Publisher

Subscribed in my presence and sworn to before me this Eleventh
day of December, 19 80.
[SEAL]

Evelyn M. F. Taylor

Notary Public for the State of Idaho
Residence and P. O. Address, Rigby, Idaho.

My commission expires Life, 19

Publication Fee: \$ 20.91

NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
NO. 31-0192

Notice is hereby given that
Dobson-Stewart Ranches for
Jackett Canal Company has
applied to the Department of
Water Resources for a
change in the point of
diversion and place of use of
the waters of Mud Lake
tributary to sinks. The right
sought to be changed is
evidenced by decree in
Merritt M. Owsley in case of
Ernest Sauve vs W. H. Abbott
et. al. dated November 1, 1930
in District Court, Banrock
County and is recorded as
follows:

AMOUNT: 3.0 CFS
PRIORITY: September 8,
1917

DECREED POINT OF
DIVERSION: NWNW, Sec. 7,
T. 6N, R. 35E, Jefferson Co.

The water is used to
irrigate the NE 1/4, Sec. 7, T.
6N, R. 35E from May 1 to
November 1:

TO BE CHANGED
AS FOLLOWS

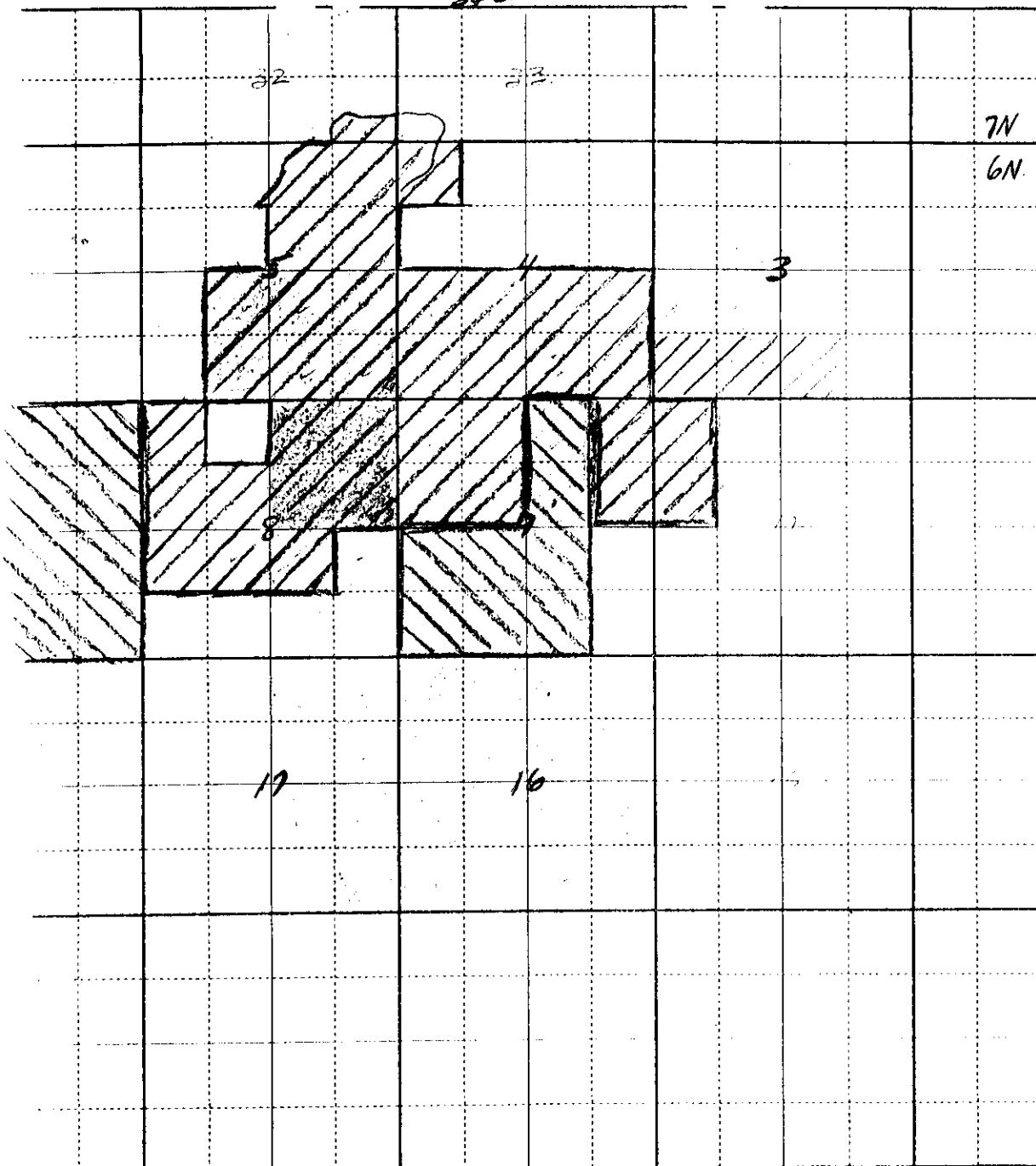
The water will be diverted
within the NWNW, Sec. 3, T.
6N, R. 35E and SWSW, Sec.
23, T. 7N, R. 35E, Jefferson
County; to be used to irrigate
lands serviced by the Jackett
Canal Company.

Any protest against
approval of the above
proposed change of water
right must be filed with the
Idaho Department of Water
Resources, 150 Shoup Ave.,
Idaho Falls, Idaho, 83401 on
or before December 22, 1980.

C. STEPHEN ALLRED
Director

Published December
11, 1980

RECORDED



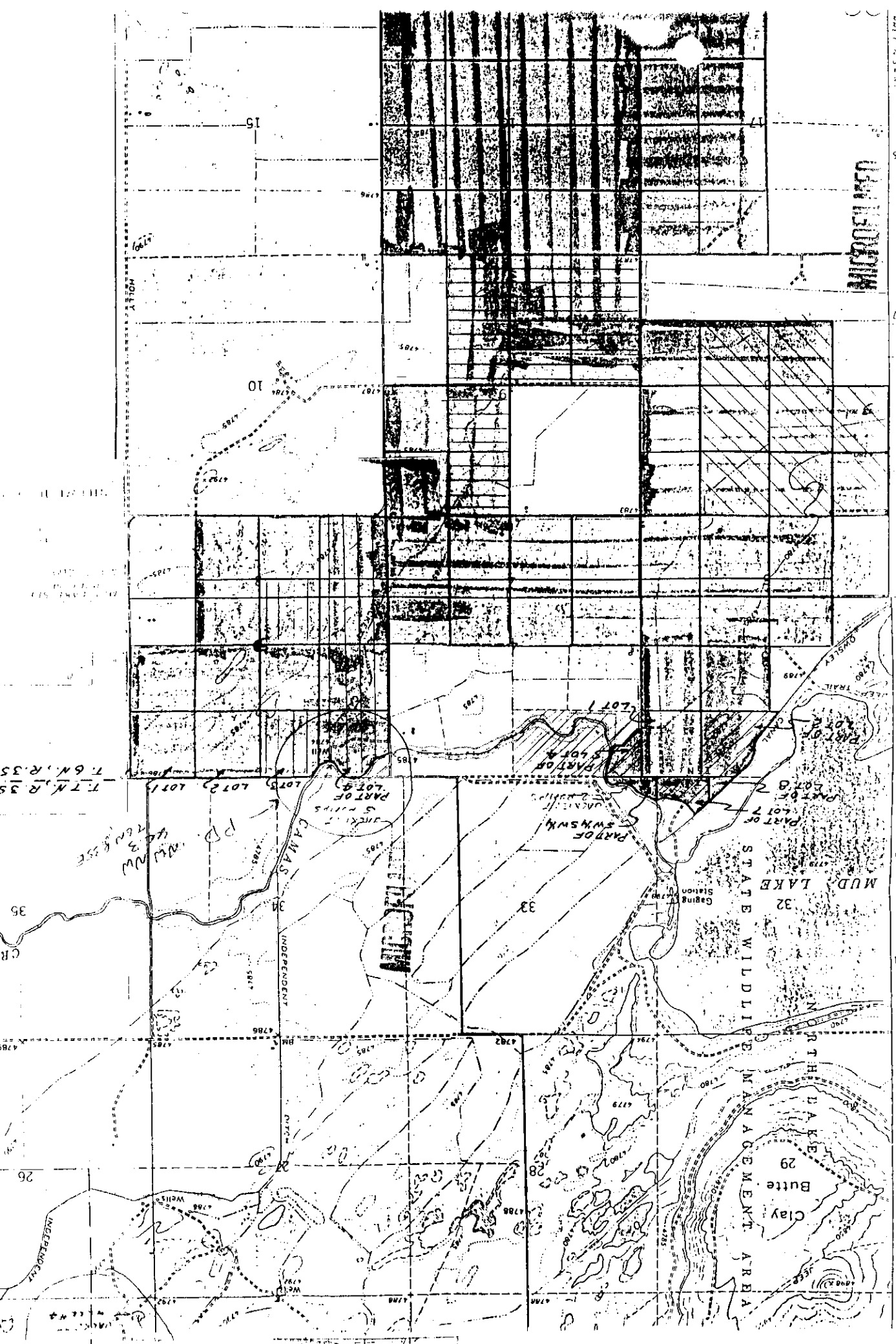
MICROFILMED

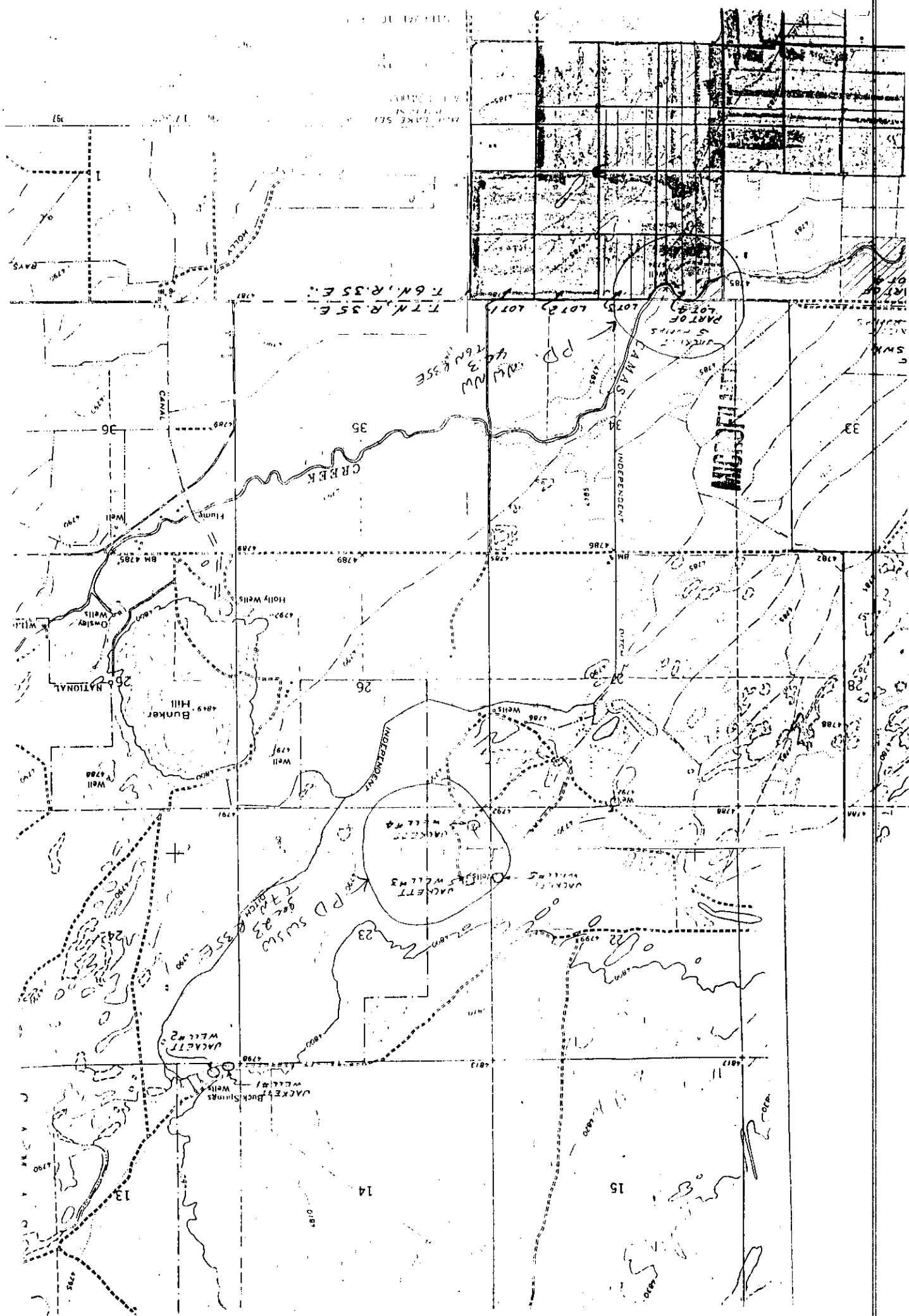
20-2850 27.0 gms 1.600 ml 1.600 ml
31-0029 32.0 gms 2.600 ml 2.600 ml

(faint)

Only 1 sample is shown in the photo.

# 31-2289	5.2 o/s	150 NO.
# 31-2290	5.10 o/s	240 NO.
# 31-2297	6.10 o/s	340 NO.
# 31-2310	5.8 o/s	240 NO.
31-2321	1.92 o/s	1. NO.
31-2317	8.08 o/s	1120 NO.
	1.70 o/s.	





IN THE DISTRICT COURT OF THE UNITED STATES

FOR THE DISTRICT OF IDAHO, EASTERN DIVISION

ERNEST SAUVE,

Plaintiff,

No. 635. -- In Equity

- vs -

D E C R E E

To W. H. Abbott, Fay Abbott, Mary C. Adels, Allen Almonda, G. B. Allen, Allen & Harn, a co-partnership, consisting of G. B. Allen and H. R. Harn; Wm. A. Andrews, Joseph Andrasen, Anderson Bros. Bank, a corporation; Gerret Auldhouse (sometimes known as Gerret Oldhouse); Clausen Auldhouse (sometimes known as Clausen Oldhouse), William Axline, Ernest Bauerle, Edward C. Barnes, May L. Barnes, Lovisa Barney, Arthur J. Barber, Charles Bartlett, Ambrose J. Beckner, Laura E. Beckner, William Beck, David Bethune, Lloyd Bennett, Gus E. Brauer, Administrator of the Estate of Annie J. Bennett, deceased; A. W. Belnap, C. W. Belnap, The Bennett Investment Company, Limited, a corporation; Gussie Binnard, Burka Binnard, Horace L. Birch, Binnard Ranch Company, a corporation; B. Binnard, Sarah Binnard and E. F. Mobley, Trustees for Binnard Ranch Company, a defunct corporation; Charles O. Rickman, as Trustee in Bankruptcy of Binnard Ranch Company, a corporation; Oscar A. Johanneson, as Receiver of Binnard Ranch Company, a corporation; Heber J. Blackburn, W. B. Boucher, Ray Bohney, R. T. Boatman, Mary Nicholas Boyd, Frank Boe, Charles E. Brosic, E. L. Browning, Adna E. Bramwell, Afton Bradshaw, Theresa Brinkmann, Lottie Burcham, G. F. Burcham, Kath-

Orin D. Morse, Bernard J. Mooney, E. C. Mobley, Ida Muehlfeit, Thomas

D. Murphy, Alvin W. Munns, D. T. Murphy, Mud Lake Canal Company, a cor-

son County, Idaho; T. W. Naylor Company, a corporation; Anders Neilson,

Thomas Newnhan, Louisa Neville, Melvin Neilson, Andrew E. Newbold,

Andrew Nelson, Daniel C. Neville, Clyde A. Nickel, Carl F. Nordstrum,

North Lake Canal Company, a corporation; John Joe, Richard Koe, Henry

Loe, John Moe and Richard Poe, as trustees for North Lake Canal Company;

Josephine O'Brien, Bartholomew O'Brien, John J. O'Brien, Henry O'Leary,

Geo. A. Olmstead, Mabel E. Orin, August W. Ossman, The Oregon Mortgage

Company, Limited, a corporation; Oregon Short Line Railroad Company, a

corporation; Charles O'Toole, Bertha I. Owsley, Merritt M. Owsley,

Owsley Co-operative Ditch Company, a co-partnership; Owsley Canal Com-

pany, a corporation; Eric Palmgren, E. F. Palmer, William A. Patt,

Frank Patt, Bert H. Paul, Andrew J. Patt, Gardiner A. Pease, O. E.

Peterson, John R. Peterson, Martin Peterson, Marie V. Peterson, Isabel

M. Peterson, George D. Peterson, Lloyd G. Peterson, Vier Peterson, Al-

valda Peterson, Augustine Pierre, Gustave Pierre, Richard S. Pingree,

I. V. Pitner, Frank Plastino, James A. Potter, Joseph P. Potter, Jas.

W. Polson. Emory Poulson. Lottie Collins Poulson, Carrie Elizabeth

Preston. Prudential Insurance Company of America, a corporation; C. A.

Randall, G. M. Rasmussen, Annie Rasmussen, Myers Rasmussen, Agnes Ras-

mussen. Anna M. Rasmussen. The Rays Lake Irrigating Company, Limited,

a corporation: Henry C. Remington, Jas. L. Riley, James H. Richardson,

Horritt M. Owsley

1912 - April 15

31 0191 ✓
7.0 c.f.s. Source: Mud Lake

Point of Diversion: About one-half mile North of the Northeast Quarter of Section 12, Township 6 North, Range 34 East, B. M.

For use on the following described land, to-wit: The East Half of Section 12, Township 6 North, Range 34 East, B. M.; the West Half of SW $\frac{1}{4}$ of Section 7, Township 7 North, Range 35 East, B. M.

1917 - September 8

31 0192 ✓
3.0 c.f.s. Source: Mud Lake.

Point of Diversion: A point common to the Northwest corner of Section 7, Township 6 North, Range 35 East, B. M., and the Northeast corner of Section 12, Township 6 North, Range 34 East, B. M.

For use on the following described land, to-wit: The Northeast Quarter of Section 7, Township 6 North, Range 35 East, B. M.

MICROFILMED

September 14, 1981

RE: Application for Transfer of Water Right No. 31-0192

Dobson-Stewart Ranches for Jackett Canal Co.
c/o Art Dobson
Star Route
Hamer, ID 83425

Dear Mr. Dobson:

Enclosed is a copy of your approved application for transfer of the above referenced water right (Transfer No. 2494). Be sure to note the conditions of approval as listed on the fourth page.

Sincerely,

DAVID R. TUTHILL, JR., PEE.
Supervisor, Water Allocation Section

DRT:kw
Enclosure

MICROFILMED

May - please type the following conditions on the transfer

- 1) Use of water under this transfer is subject to control by the watermaster of Water District No. 31, Mud Lake and Tributaries.
- 2) Measuring devices and controlling works of a type approved by this Department must be permanently installed and maintained at the points of diversion from groundwater. The existing measuring methodology shall be maintained at the points of diversion/rediversion from Comas Creek.
- 3) Diversion of water authorized by this transfer when combined with other rights of the Jockett Coal Company shall not exceed 9321 acre-feet per annum.
- 4) The ~~purpose~~^{intent} of this transfer is to record water delivery practices that have existed since 1965 - no change in delivery patterns is authorized.
- 5) Any future transfer of this right will cause the remaining rights owned by Jockett Coal Company to revert back to their original acreage.

MICROFILMED

INTER-DEPARTMENT MEMO — 1

FROM Ernie

DATE 2-4-1981

TO Jim J.

SUBJECT This should be the last application for transfer concerning decreed rights for Gackett Canal Co. & Independent Canal Co. It is my understanding Phil Rassier has the previous applications, and it would probably be best if this one was also given to him for consideration in conjunction with them ~~others~~.

SIGNATURE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: JOHN K.

1. Right number _____ Applicant DOBSON - STEWART RANCHES
FOR JACKETT CANAL CO.
Dean Kofed.
2. Type of right: ☒ Decree ☐ License ☐ Claim
3. Purpose of transfer: ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Other _____

4. Check:

- (a) ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
- (b) ☒ Description of original point of diversion. Decree 31-0192
- (c) ☒ Description of original place of use. 31-0192

5. Amount of land &/or water transferred:

- (a) ☒ All of right.
- b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
- (c) ☒ Check description of point(s) of diversion. - 2 pts - well & head of canal copy to SO 1/14
- d. ☒ Check description of place of use. - Jackett Canal Company lands see Remarks item 4
- e. ☒ Check map (shows p.d. and p.u. after transfer).
- (f) ☒ Check for correct signature, notarization, and fee.
- (g) ☒ Check proof of ownership of right &/or land from which water is transferred.
- h. ☒ Check for expansion in use of right. Comments _____

- (i) ☒ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) 31-0192, 31-0193, 31-0194, 31-0195, 31-0196, 31-0197, 31-0198, 31-0199, 31-0200, 31-0201, 31-0202, 31-0203, 31-0204, 31-0205, 31-0206, 31-0207, 31-0208, 31-0209, 31-0210, 31-0211, 31-0212, 31-0213, 31-0214, 31-0215, 31-0216, 31-0217, 31-0218, 31-0219, 31-0220, 31-0221, 31-0222, 31-0223, 31-0224, 31-0225, 31-0226, 31-0227, 31-0228, 31-0229, 31-0230, 31-0231, 31-0232, 31-0233, 31-0234, 31-0235, 31-0236, 31-0237, 31-0238, 31-0239, 31-0240, 31-0241, 31-0242, 31-0243, 31-0244, 31-0245, 31-0246, 31-0247, 31-0248, 31-0249, 31-0250, 31-0251, 31-0252, 31-0253, 31-0254, 31-0255, 31-0256, 31-0257, 31-0258, 31-0259, 31-0260, 31-0261, 31-0262, 31-0263, 31-0264, 31-0265, 31-0266, 31-0267, 31-0268, 31-0269, 31-0270, 31-0271, 31-0272, 31-0273, 31-0274, 31-0275, 31-0276, 31-0277, 31-0278, 31-0279, 31-0280, 31-0281, 31-0282, 31-0283, 31-0284, 31-0285, 31-0286, 31-0287, 31-0288, 31-0289, 31-0290, 31-0291, 31-0292, 31-0293, 31-0294, 31-0295, 31-0296, 31-0297, 31-0298, 31-0299, 31-0300, 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31-1189, 31-1190, 31-1191, 31-1192, 31-1193, 31-1194, 31-1195, 31-1196, 31-1197, 31-1198, 31-1199, 31-1200, 31-1201, 31-1202, 31-1203, 31-1204, 31-1205, 31-1206, 31-1207, 31-1208, 31-1209, 31-1210, 31-1211, 31-1212, 31-1213, 31-1214, 31-1215, 31-1216, 31-1217, 31-1218, 31-1219, 31-1220, 31-1221, 31-1222, 31-1223, 31-1224, 31-1225, 31-1226, 31-1227, 31-1228, 31-1229, 31-1230, 31-1231, 31-1232, 31-1233, 31-1234, 31-1235, 31-1236, 31-1237, 31-1238, 31-1239, 31-1240, 31-1241, 31-1242, 31-1243, 31-1244, 31-1245, 31-1246, 31-1247, 31-1248, 31-1249, 31-1250, 31-1251, 31-1252, 31-1253, 31-1254, 31-1255, 31-1256, 31-1257, 31-1258, 31-1259, 31-1260, 31-1261, 31-1262, 31-1263, 31-1264, 31-1265, 31-1266, 31-1267, 31-1268, 31-1269, 31-1270, 31-1271, 31-1272, 31-1273, 31-1274, 31-1275, 31-1276, 31-1277, 31-1278, 31-1279, 31-1280, 31-1281, 31-1282, 31-1283, 31-1284, 31-1285, 31-1286, 31-1287, 31-1288, 31-1289, 31-1290, 31-1291, 31-1292, 31-1293, 31-1294, 31-1295, 31-1296, 31-1297, 31-1298, 31-1299, 31-1300, 31-1301, 31-1302, 31-1303, 31-1304, 31-1305, 31-1306, 31-1307, 31-1308, 31-1309, 31-1310, 31-1311, 31-1312, 31-1313, 31-1314, 31-1315, 31-1316, 31-1317, 31-1318, 31-1319, 31-1320, 31-1321, 31-1322, 31-1323, 31-1324, 31-1325, 31-1326, 31-1327, 31-1328, 31-1329, 31-1330, 31-1331, 31-1332, 31-1333, 31-1334, 31-1335, 31-1336, 31-1337, 31-1338, 31-1339, 31-1340, 31-1341, 31-1342, 31-1343, 31-1344, 31-1345, 31-1346, 31-1347, 31-1348, 31-1349, 31-1350, 31-1351, 31-1352, 31-1353, 31-1354, 31-1355, 31-1356, 31-1357, 31-1358, 31-1359, 31-1360, 31-1361, 31-1362, 31-1363, 31-1364, 31-1365, 31-1366, 31-1367, 31-1368, 31-1369, 31-1370, 31-1371, 31-1372, 31-1373, 31-1374, 31-1375, 31-1376, 31-1377, 31-1378, 31-1379, 31-1380, 31-1381, 31-1382, 31-1383, 31-1384, 31-1385, 31-1386, 31-1387, 31-1388, 31-1389, 31-1390, 31-1391, 31-1392, 31-1393, 31-1394, 31-1395, 31-1396, 31-1397, 31-1398, 31-1399, 31-1400, 31-1401, 31-1402, 31-1403, 31-1404, 31-1405, 31-1406, 31-1407, 31-1408, 31-1409, 31-1410, 31-1411, 31-1412, 31-1413, 31-1414, 31-1415, 31-1416, 31-1417, 31-1418, 31-1419, 31-1420, 31-1421, 31-1422, 31-1423, 31-1424, 31-1425, 31-1426, 31-1427, 31-1428, 31-1429, 31-1430, 31-1431, 31-1432, 31-1433, 31-1434, 31-1435, 31-1436, 31-1437, 31-1438, 31-1439, 31-1440, 31-1441, 31-1442, 31-1443, 31-1444, 31-1445, 31-1446, 31-1447, 31-1448, 31-1449, 31-1450, 31-1451, 31-1452, 31-1453, 31-1454, 31-1455, 31-1456, 31-1457, 31-1458, 31-1459, 31-1460, 31-1461, 3

Identification No. _____

Transfer No. Amended 31-0192

APPLICATION FOR TRANSFER OF WATER RIGHT

RECOMMENDATION OF WATERMASTER

I, _____, watermaster of Water Dist #31,
of Water District No. 31, County of Clark, State of Idaho,
whose address is Box 33 Dubois Idaho,

have read the attached copy of the application for transfer of water right for
Jackett Canal Co., and to the best of my knowledge believe the
(name)

application to be true.

A. I hereby endorse Application for Transfer and recommend that the State
Reclamation Engineer approve the Transfer subject to the following conditions:

As Amended - by 31-0192

OR

B. I do not endorse approval of this Application for Transfer as requested
for the following reasons: _____

Dated at Dubois, Idaho, Idaho, this 16 day of January, 1981.

Donald W. Shenton
(Signature)

RECEIVED

JAN 19 1981

Department of Water Resources
Eastern District Office

MICROFILMED

January 14, 1981

RE: Amended Application for Transfer No. 31-0192
Dobson-Stewart Ranches for Jackatt Canal Co.

Dean Kofoed
President, Jackatt Canal Co.
Terreton, ID 83450

Dear Mr. Kofoed:

Attached herewith is Departmental Receipt No. 16135 in the amount of \$20.00
for amending the above referenced transfer.

Sincerely,

KAY WALKER
Secretary

KW:k
Attachment



January 14, 1981

RE: Amended Application for Transfer of Water Right No. 31-0192

Don Shenton
Watermaster
Water District No. 31
Dubois, ID 83423

Dear Mr. Shenton:

Please find enclosed a copy of the above referenced application and a watermaster recommendation form. Please review the application and complete the form, returning it to this office on or before February 2, 1981.

Thank you for your cooperation in this matter.

Sincerely,

ERNEST CARLSEN
Sr. Resource Analyst

EC:kw
Enclosures



NOTICE OF PROPOSED AMENDING OF APPLICATION FOR TRANSFER

NO. 31-0192

Notice is hereby given that Application for Transfer No. 31-⁰¹⁹²~~0291~~ in the name of Dobson-Stewart Ranches for Jackett Canal Co. was filed for the diversion of 3.0 cfs of water from Mud Lake tributary to sinks with the point of diversion within the NWNW, Sec. 3, T. 6N, R. 35E; SWSW, Sec. 23, T. 7N, R. 35E, Jefferson County to be used from May 1 to November 1 for irrigation purposes within the lands serviced by Jackett Canal Company.

The right holder now proposes to amend Application for Transfer No. 31-0192 changing the points of diversion to within the NWNW, Sec. 3, T. 6N, R. 35E; SWSW, Sec. 33, T. 7N, R. 35E, Jefferson County.

Any protest to the proposed amending of Application for Transfer No. 31-0192 must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho, 83401 on or before February 2, 1981.

C. STEPHEN ALLRED

Director

Published in the Rigby Star 1/14 and 1/21/1981.

*paper called
1/12/81*

December 22, 1980

RE: Application for Transfer of Water Right No. 31-0192
Dobson-Stewart Ranches for Jackett Canal Co.

Dean Kofoed
President, Jackett Canal Co.
Terreton, ID 83450

Dear Mr. Kofoed:

Following the advertisement of the application for transfer of water right No. 31-0192 in the name of Dobson Stewart Ranches for Jackett Canal Company, it was determined that one of the new proposed points of diversion was incorrectly identified on the application. This office has corresponded with Mr. Dobson concerning this error and the application has subsequently been amended. However, before the Department can proceed with advertising the amended application, the Department must receive the amendment fee of \$20.00. Mr. Dobson indicated that since this water was being conveyed to Jackett Canal Company that the Company had agreed to pay all filing fees in conjunction with this transfer. It is therefore hoped that the Canal Company will be able to submit this \$20.00 amendment fee at the earliest possible date so that we may proceed with the processing of the amended application for transfer.

Should you have any questions concerning this matter, please feel free to call or contact me at the Eastern Regional Office in Idaho Falls.

Respectfully submitted,

ERNEST CARLSEN
Sr. Resource Analyst

EC:kw

RECEIVED

Identification No. _____

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT

RECOMMENDATION OF WATERMASTER

I, Donald W. Shenton watermaster of Mud Lake Basin, Camas Creek
of Water District No. 31, County of Jefferson, State of Idaho,
whose address is Box 33 Dubois, Idaho 83423,
have read the attached copy of the application for transfer of water right for
Jackett Canal Co., and to the best of my knowledge believe the
(name)
application to be true.

A. I hereby endorse Application for Transfer and recommend that the State
Reclamation Engineer approve the Transfer subject to the following conditions:

That the additional Point of Diversion
be changed to Read SW 1/4 SW 1/4 Sec 33
7N 1235E

C, 10 b. on application OR is in error

B. I do not endorse approval of this Application for Transfer as requested
for the following reasons: _____

Dated at Dubois, Idaho, this 7th day of Dec, 1980

Donald W. Shenton
(Signature)

RECEIVED

DEC 19 1980

Department of Water Resources
Eastern District Office

RECEIVED

November 28, 1980

RE: Application for Transfer of Water Right No. 31-0192

Don Shenton
Watermaster
Dubois, ID 83423

Dear Mr. Shenton:

Please find enclosed a copy of the above referenced application and a watermaster recommendation form. Please review the application and complete the form, returning it to this office on or before December 22, 1980.

Thank you for your cooperation in this matter.

Very truly yours,

ERNEST CARLSEN
Sr. Resource Analyst

EC:kw
Enclosures

November 28, 1980

RE: Application for Transfer of Water Right No. 31-0192 - DOBSON-STEWART RANCHES
FOR JACKETT CANAL CO.

Holden, Kidwell, Hahn & Crapo
Attn: Kent W. Foster
P. O. Box 129
Idaho Falls, ID 83401

Dear Mr. Foster:

Attached herewith is Departmental Receipt No. 16095 in the amount of \$50.00
for the above referenced application.

Sincerely,

KAY WALKER
Secretary

KW:k
Attachment

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83401
(208) 525-7161

NOVEMBER 26, 1980

The Risby Star
P. O. Box 37
Risby, Idaho 83442

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billings to this office before DECEMBER 22, 1980.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

11/27/80

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 31-0192

Notice is hereby given that Dobson-Stewart Ranches for Jackett Canal Company has applied to the Department of Water Resources for a change in the point of diversion and place of use of the waters of Mud Lake tributary to sinks. The right sought to be changed is evidenced by decree to Merritt M. Owsley in case of Ernest Sauve vs W. H. Abbott, et. al. dated November 1, 1930 in District Court, Bannock County and is recorded as follows:

AMOUNT: 3.0 CFS

PRIORITY: September 8, 1917

DECREED POINT OF DIVERSION: NWNW, Sec. 7, T. 6N, R. 35E, Jefferson Co.

The water is used to irrigate the NE $\frac{1}{4}$, Sec. 7, T. 6N, R. 35E from May 1 to November 1.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the NWNW, Sec. 3, T. 6N, R. 35E and SWSW, Sec. 23, T. 7N, R. 35E, Jefferson County; to be used to irrigate lands serviced by the Jackett Canal Company.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho, 83401 on or before December 22, 1980.

C. STEPHEN ALLRED

Director

Published in the Rigby Star 12/04 & 12/11/1980.

MICROFILMED

WILLIAM S. HOLDEN
R. VERN KIDWELL
FRED J. HAHN
TERRY L. CRAPO
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
CHARLES A. HOMER
GARY L. MEIKLE
CURT R. THOMSEN
RANDALL K. BARTON
MICHAEL D. CRAPO
JAMES D. HOLMAN

LAW OFFICES
HOLDEN, KIDWELL, HAHN & CRAPO
IDAHO FIRST NATIONAL BANK BUILDING
P. O. BOX 129
IDAHO FALLS, IDAHO 83401
TELEPHONE 523-0620
AREA CODE 208

ARTHUR W. HOLDEN (1877-1967)
ROBERT B. HOLDEN (1911-1971)

November 20, 1980

Mr. Ronald D. Carlson
Department of Water Resources
150 Shoup Avenue
Idaho Falls, Idaho 83401

Dear Ron:

Pursuant to our telephone conversation, I am enclosing the Application for Transfer from Dobson-Stewart Ranches to Jackett Canal Company, and our check in the amount of \$50.00 for the filing fee.

Yours very truly,

Kent W. Foster
Kent W. Foster

KWF:jt

Encl.

RECEIVED

NOV 24 1980

Department of Water Resources
Eastern District Office

WR5809NP
No. 31-00192

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/17/00
PAGE: 5

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DOBSON STEWART RANCHES C/O ART DOBSON STAR RT. HAMER ID 83425	09/08/1917	IRRIGATION	00/00 00/00	3.000 CFS	3.000 CFS
TOTAL DIVERSION:					3.000 CFS	

Water Source: MUD LAKE

Tributary to: SINKS

Stage: DECREED

Point(s) of Diversion:

T06N R35E S03
T07N R35E S33

NWNW
SWSW

JEFFERSON County
JEFFERSON County

Place of use Legal Description for: IRRIGATION

NE										NW				SW				SE				
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: SUM	
06N	35E	3	: 01-42	02-42	40	40	:	03-41	04-35	40	40	:	40	40	40	40	:	40	40	40	40	: 560.0
06N	35E	4	:				:		04-07			:	40	40	40	40	:	40	40	40	40	: 327.0
06N	35E	5	: 01-41	02-38	40	40	:					:	40			40	:	40	40	40	40	: 399.0
06N	35E	8	:	40	40	40	40	:	40	40	40	40	:		40		:	40	40			: 440.0
06N	35E	9	:	40	40	40	40	:					:	40	40	40	40	:	40	40		: 400.0
06N	35E	16	:	40	40	40	40	:	40	40	40	40	:	40	40	40	40	:	40	40	40	: 640.0
06N	35E	17	:	40	40	40	40	:					:					:	40	40	40	: 320.0
07N	35E	32	:					:					:					:		08-02	07-18	: 20.0
07N	35E	33	:					:					:		01			:				: 1.0
TOTAL ACRES																				3107.0		

Pou County: JEFFERSON

Remarks: GEN TRANS. 2494.
AC. IRR.=3107.23.
SUPERSEDES 31-2056.

Dates:	App. Received:	Priority Date:	09/08/1917
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 31 Field Exam Fee:

Audit: 07/23/85 05/22/88 CONVERT 07/11/89 CURTIS

LAW OFFICES

HOLDEN, KIDWELL, HAHN & CRAPO

IDAHO FALLS OFFICE

FRED J. HAHN
 KENT W. FOSTER
 ROBERT E. FARNAM
 WILLIAM D. FALER
 STEPHEN E. MARTIN
 CHARLES A. HOMER
 GARY L. MEIKLE
 GAYLE A. SORENSON, P.A.
 DONALD L. HARRIS
 MARIE T. TYLER
 JOHN G. SIMMONS, P.A.
 ROBERT M. FOLLETT
 KUMEN L. TAYLOR
 JAMES K. SLAVENS

WEST ONE BANK
 P.O. BOX 50130
 330 SHOUP AVENUE
 IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
 TELEFAX (208) 523-9518

KEY FINANCIAL CENTER
 702 W. IDAHO SUITE 810
 BOISE, IDAHO 83702

TELEPHONE (208) 343-0820
 TELEFAX (208) 343-8078

BOISE OFFICE

WM. LYMAN BELNAP, P.A.
 RANDALL B. REED
 RONALD D. CHRISTIAN
 FREDERICK J. HAHN III

ARTHUR W. HOLDEN
 (1877-1967)
 ROBERT B. HOLDEN
 (1911-1971)
 TERRY L. CRAPO
 (1939-1982)
 WILLIAM S. HOLDEN
 (1907-1988)

January 28, 1993

RECEIVED

FEB - 1 1993

Eric Verner, Sr. Water Agent
 IDAHO DEPARTMENT OF WATER RESOURCES
 900 North Skyline
 Idaho Falls, Idaho 83402-1718

Department of Water Resources
 Eastern District Office

Dear Eric:

Some time ago, you wrote to us and inquired whether Jackett Canal Company might have omitted to file a claim on one of its rights. We could find no record of the right, but after we wrote to Don Shenton, he informed us of a transfer made back in 1981 from Dobson Stewart Ranches to the Jackett Canal Company. Since I had been unaware of this transfer, I did not know anything about the right.

Don recently sent me a copy of the transfer and it appears that Jackett does indeed need to file an SRBA claim. We have enclosed with this letter an SRBA claim and our check for the filing fee in the amount of \$100.00. If anything else is needed, please let us know at your convenience.

Yours very truly,



Kent W. Foster

A31-00192

#0445.00/srs

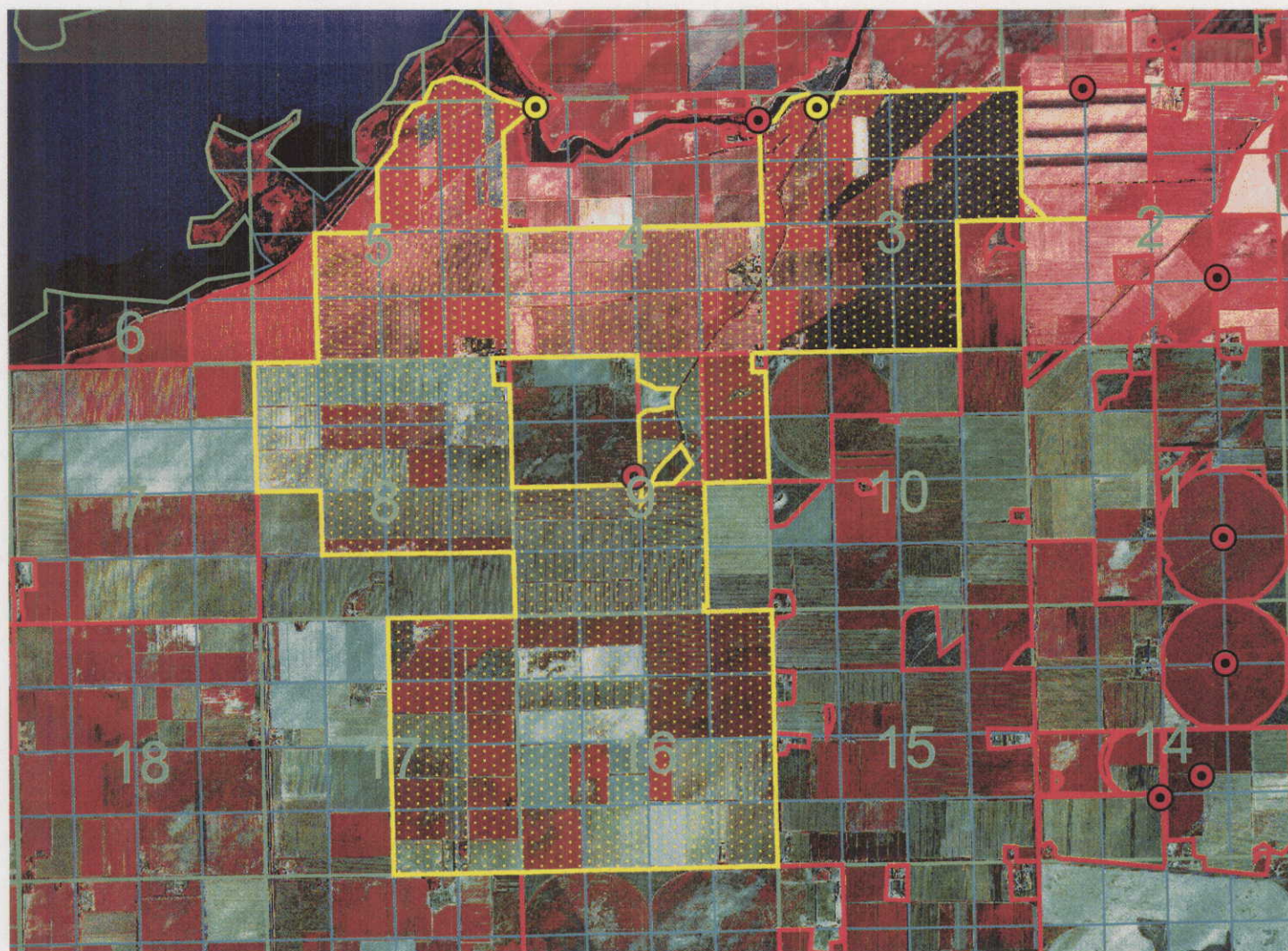
Enclosure

MICROFILMED

APR 14 1994

Idaho Department of Water Resources

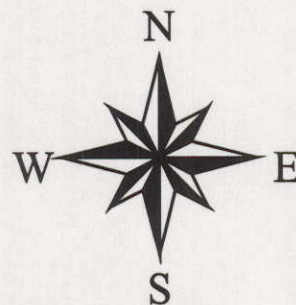
"Jackett" Water Rights, Numbers 31-31-134, 31-135, 31-143
31-144, 31-190, 31-192



0 1320 Feet

Township 6N Range 35E

-  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

RIGHT NUMBER: 31-192

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

SOURCE: MUD LAKE TRIBUTARY: SINKS

738 AFY

FOR THIS RIGHT, THE DIVERSION VOLUME DESCRIBED ABOVE WAS CALCULATED BY MULTIPLYING A DIVERSION RATE OF 3 CFS BY A FACTOR OF 2 ACRE FEET PER DAY FOR 123 DAYS (MAY 1ST TO SEPTEMBER 1ST).

PRIORITY DATE: 09/08/1917

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

PURPOSE AND
PERIOD OF USE:

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

PLACE OF USE:

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

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

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

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.

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 31-192
Date Received: 2/2/93
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: 09/08/1917

3. Source: MUD LAKE Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
07N	35E	33	SW SW	JEFFERSON
06N	35E	3	NW NW	JEFFERSON

5. Description of diverting works:

PUMPS FROM CAMAS CREEK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	3	

7. Total Quantity Appropriated is:
3 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres		
06N	35E	3	NE	NE	1	IRRIGATION	41.9		
			NW	NE	2	IRRIGATION	41.7		
			SW	NE		IRRIGATION	40		
			SE	NE		IRRIGATION	40		
			NE	NW	3	IRRIGATION	41.5		
			NW	NW	4	IRRIGATION	35		
			SW	NW		IRRIGATION	40		
			SE	NW		IRRIGATION	40		
			NE	SW		IRRIGATION	40		
			NW	SW		IRRIGATION	40		
			SW	SW		IRRIGATION	40		
			SE	SW		IRRIGATION	40		
			NW	SE		IRRIGATION	40		
			SW	SE		IRRIGATION	40		
			Section Acres						560.1
			06N	35E	4	NW	NW	4	IRRIGATION
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		

			NW	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	
			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	
			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	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:

TRANS. 2494
AC. IRR.=3107.23
SUPERSEDES 31-2056

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: A31-00192
Date Received: 2/ 2/1993
Receipt No: E018239
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

2. Date of Priority: SEP 8, 1917

3. Source: MUD LAKE Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	35E	3	NW	NW			JEFFERSON
07N	35E	33	SW	SW			JEFFERSON

5. Description of diverting works:
PUMPS FROM CAMAS CREEK

6. Water is used for the following purposes:

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

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	35E	3	NE	NE	1	IRR	41.9
			NW	NE	2	IRR	41.7
			SW	NE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	35E	3	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
	NE	NW		IRR	40.0
	NW	NW		IRR	40.0
	SW	NW		IRR	40.0
	SE	NW		IRR	40.0
	NW	SW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	35E	8	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
			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	

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					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? YES

13. Other Water Rights Used:

31-0134. 135, 143, 144, 190 336, 337, 2289, 2290, 2297, 2310

14. Remarks:

TRANS. 2494.

AC. IRR.=3107.23.

SUPERSEDES 31-2056.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

ERNEST SAUVE

Decree Plaintiff

W. H. ABBOTT, ET. AL.

vs 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: _____

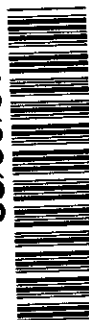
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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

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 31-0192
Date Received _____
Receipt Number EO 18239

A3100192



NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s) Jackett Canal Company Phone (208) 523-0620
c/o Holden, Kidwell, Hahn & Crapo

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

2. Date of Priority (Only (1) per claim) September 8, 1917

3. Source of water supply (a) Mud Lake

which is tributary to (b) Sinks

4.a. Location of existing

point of diversion is: Township 6N. Range 35E. Section 3,

1/4 of NW 1/4 of NW, Govt. Lot, B.M., County of Jefferson

Additional points of diversion if any: T.7N, R.35E, S.33, SW SW

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

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

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, 1/4 of

1/4 of 1/4 Govt. Lot B.M., County of

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. _____

Pumps from Camas Creek.

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APR 14 1994

6. Water is claimed for the following purposes:

(Both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 04/01 to 11/01 amount 3.0 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 3.0 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ 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 instruction for standard symbols.

[illegible]

Total number of acres irrigated _____

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

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

13. Describe any other water rights used at the same place and for the same purposes as described above.

31-0134, 31-0135, 31-0143, 31-0144, 31-0190, 31-0336, 31-0337, 31-2289,
31-2290, 31-2297, 31-2310 and 31-2321. or None ()

14. Remarks:

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APR 14 1994

Last Name JACKETT CANAL COMPANY Ident. Number 31-0192

If applicable provide IDWR Water Right Number 31-0192
Court District Court, Bannock Case Number _____ Decree Date _____
Plaintiff vs Defendant Merritt M. Owsley v. Ernest Sauve

(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.

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

For Organizations: I do solemnly swear or affirm that I
am the President of Jackett Canal Company, that I have signed the
Title Organization

foregoing document are true and correct.

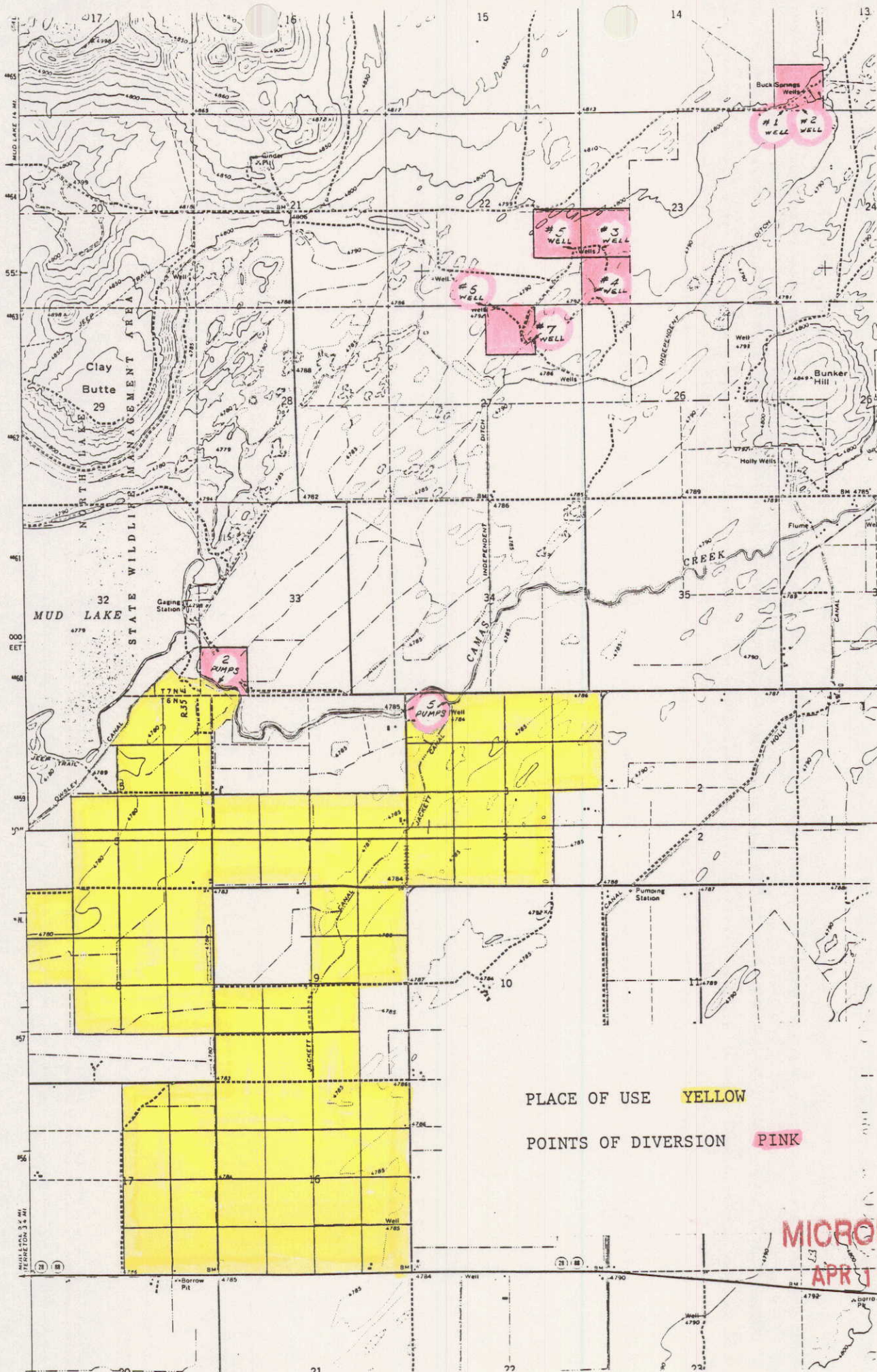
State of Idaho/or _____)
) SS.
County of Jefferson)

Notary Public Jeff Simmons
Residing at Jefferson County, IL
My Commission Expires June 9-1995

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.

APR 14 1954

Last Name JACKETT CANAL COMPANY Ident. Number 31-0192



PLACE OF USE **YELLOW**

POINTS OF DIVERSION **PINK**

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APR 14 1994

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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ATTACHMENT "A"

ATTACHMENT "B"

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