

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: A01-00244
Date Received: 12-5-1988
Receipt No: 604791
Received By: S.M.

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: LABELLE IRRIGATING COMPANY 208-745-6210
Address: C/O GARY H. RHODES
528 N 4250 E
RIGBY, ID 83442

2. Date of Priority: JAN 22, 1916

3. Source: DRY BED SNAKE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	39E	13	NE	SE	SE		JEFFERSON

5. Description of diverting works:
HEADGATE ON RIVER TO CANAL - SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	26.000		
STOCKWATER	04/01	11/01	0.430		

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

8. Total consumptive use is 7132.5 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER - 1900 CATTLE/10 HORSES.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04N	39E	1	NE	SW	4	IRR	25.0

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Date: 12/05/88

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	39E	1	SW	SW		IRR	40.0
			SE	SW		IRR	35.0
					Section Acres		100.0
		2	SW	NE	11	IRR	50.0
			SE	NE	1	IRR	12.0
			NE	NW	10	IRR	20.0
			NW	NW	4	IRR	37.0
			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		519.0
		3	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	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	18.0
			SE	NE		IRR	5.0
					Section Acres		103.0
		10	NE	NE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	39E	10	NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	SW		IRR	15.0
			NE	SE		IRR	35.0
			NW	SE		IRR	35.0

Section Acres	245.0
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11	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	20.0
	SE	SW	IRR	35.0
	NE	SE	IRR	40.0
	NW	SE	IRR	40.0
	SW	SE	IRR	40.0
	SE	SE	IRR	40.0

Section Acres	615.0
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12	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	39.0
	SE	SW	IRR	40.0

Section Acres	319.0
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14	NE	NE	IRR	40.0
	NW	NE	IRR	40.0
	SW	NE	IRR	35.0
	SE	NE	IRR	40.0
	NE	NW	IRR	15.0
	SE	NW	IRR	5.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	39E	14	NE	SE		IRR	10.0
			NW	SE		IRR	3.0
Section Acres							188.0
05N	39E	33	NE	SE		IRR	35.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
Section Acres							155.0
		34	NW	SW		IRR	17.0
			SW	SW	1	IRR	56.0
			SE	SW	2	IRR	28.0
			SW	SE	3	IRR	17.0
			SE	SE		IRR	11.0
Section Acres							129.0
Total Acres							2853.0

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:
A01-00093E/11787/00094G/00244/00315

14. Remarks:
HEADGATE - 2 - 5 FT WIDE X 6 FT HIGH METAL SLIDE GATES WHICH ARE
RAISED & LOWERED BY THREADED SHAFT & WHEEL. CONSTRUCTED IN 1961
TO REPLACE OLD SET OF GATES.
PLACE OF USE: T. 4N, R.39E SEC 2 SW NE INCLUDES GOVT LOTS 2 & 11
" " " NE NW " " 3 & 10
PLACE OF USE IS OWNED BY THE STOCKHOLDERS OF LABELLE IRRIGATING
COMPANY.

15. Basis of Claim: DECREED

Case Number:
Court :
Decree date:

REXBURG IRRIGATION CO
Decree Plaintiff

TETON IRRIGATION CANAL CO.
Decree Defendant

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Date: 12/05/88

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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: 1

For Organizations:

I do solemnly swear or affirm that I am Secretary of
LaBelle Irrigating Co., that I have signed the foregoing
Organization document in the space below as Secretary of
LaBelle Irrigating Co. and that the statements contained in the
Organization foregoing document are true and correct.

Madeline J. Rhodes
Signature of Authorized Agent

Sec. LaBelle Irrigating
Title and Organization

Dec 5, 1988
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 8th day
of December 19 88

Calvin Wray
Notary Public

Seal

Residing at Idaho Falls

My Commission Expires 5/29/1991

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:

Ident. Number

Date Received

Receipt Number

39576
A01-00244

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

A0100244

Please type or print clearly

1. Name of Claimant (s) LaBelle Irrigating Company Phone (208) 745-62
Mailing Address 528 N 4250 E LaBelle, Rigby, ID Zip 83442

2. Date of Priority (Only one (1) per claim) January 22, 1916

3. Source of water supply (a) Great Feeder
which is tributary to (b) South Fork of the Snake River

4. a. Location of existing point of diversion is: Township 4N Range 39E Section 13,
SE 1/4 of SE 1/4 of 1/4, Govt. Lot, Jefferson B.M., County of

Additional points of diversion if any: _____

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. The diversion work consists of a rock rip rap in the Great Feeder Canal with cement headgates constructed with two- five foot wide and six feet deep metal slide gates that are raised and lowered by a threaded shaft and wheel. These headgates were constructed in 1961 replacing similar headgates that had rotted and rusted out.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from May 1 to Dec 1 amount 26.00 or _____
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 26.00 (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.) Stock water - 1900 cattle and 10 horses

10. Description of place of use:

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

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

See Attachment No. 2

Total number of acres irrigated 2853

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.
01-000935, 01-00946, 01-0315, Stock 25-4178 or None ()

Palisade Street Groundwater Sub. & Surface water runoff - See attachment No. 1

14. Remarks:
As president of LaBelle Irrigating Co., whose stockholders' pioneer ancestors diverted water from the South Fork of the Snake River for irrigation of this desert valley and for watering their stock, I have authority to claim this water right.

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Last Name LaBelle Irrigating Co. Ident No. _____

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 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 01-00244

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments to this claim - 3 -

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

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

Title

of LaBelle Irrigating Company , that I have signed the foregoing

Organization

document in the space below as President of LaBelle Irrigating Co.

Title

Organization

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

Signature of Authorized Agent Larry H. Rhodes

Title and Organization Pres, LaBelle Irrigating Co. Date Nov. 29, 1988

State of Idaho/or _____)

County of Bonniwell) SS.

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

SEAL

Notary Public William Gray

Residing at Idaho Falls

My Commission Expires 5/29/1991

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ 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 _____

Date _____

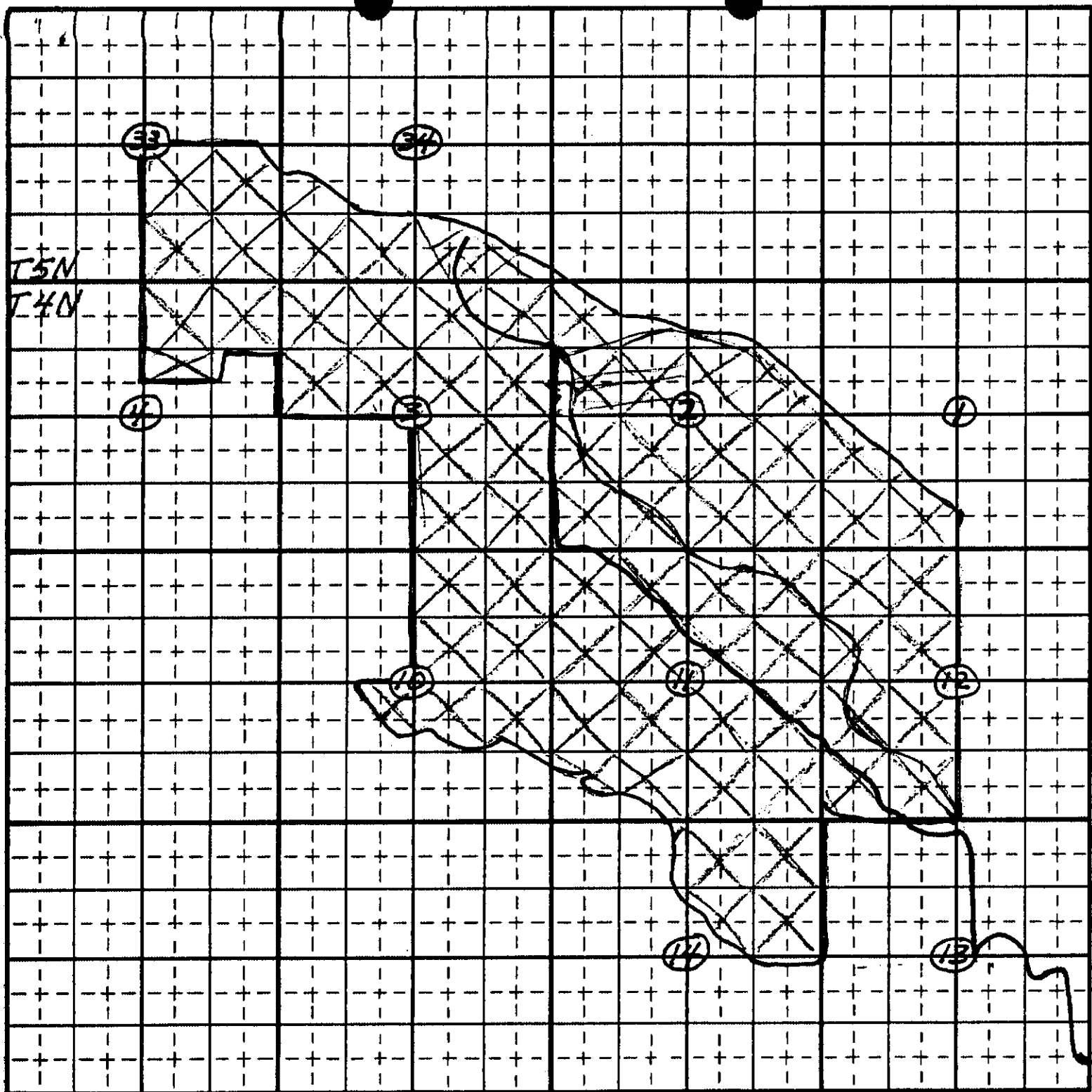
Last Name LaBelle Irrigating dent. Number _____

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Copies White-State, Yellow-Claimant

T4N T5N 39E Sec 1, 2, 3, 4, 33, 34, 10, 11, 12, 14.



Head

Last Name LaBelle Irrigating Co. Ident No. _____

Copies: White-State, Yellow-Claimant

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Attachment No. 3
of 2

Attachment No. 2
of 2

10. Description of place of use:

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
4N	39E	13	HEAD OF CANAL (Point of Diversion)																
4N	39E	14	40	40	35	40	15	-	-	5	-	-	-	-	10	3	-	-	188
4N	39E	12	-	-	-	-	40	40	40	40	40	40	39	40	-	-	-	-	319
4N	39E	11	40	40	40	40	40	40	40	40	40	40	20	35	40	40	40	40	615
4N	39E	10	40	40	40	40	-	-	-	-	15	-	-	-	35	35	-	-	245
4N	39E	1	-	-	^{101 2} 50	^{101 1} 12	^{101 10} 20	^{101 10} 37	-	-	^{101 4} 25	-	40	35	-	-	-	-	100
4N	39E	2	-	-	^{101 2} 50	^{101 1} 12	^{101 10} 20	^{101 10} 37	40	40	40	40	40	40	40	40	40	40	519
4N	39E	3	40	40	40	40	40	40	40	40	-	-	-	-	40	40	40	40	480
4N	39E	4	40	40	18	5	-	-	-	-	-	-	-	-	-	-	-	-	103
5N	39E	33	-	-	-	-	-	-	-	-	-	-	-	-	35	40	40	40	155
5N	39E	34	-	-	-	-	-	-	-	-	^{101 48} 17	^{101 1} 56	^{101 2} 28	-	-	^{101 3} 17	^{101 49} 11	-	129

Total number of acres irrigated 2853

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