

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: A01-00315
Date Received: 12-5-1988
Receipt No: E004791
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: APR 01, 1939

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	30.000		
STOCKWATER	04/01	11/01	0.430		

7. Total Quantity Appropriated is:
30.000 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

A01-00315

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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

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

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

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

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
THE PLACE OF USE IS OWNED BY THE STOCKHOLDERS OF LABELLE
IRRIGATING COMPANY.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 12/16/1910

<u>REXBURG IRRIGATION CO</u>		<u>TETON IRRIGATION CANAL CO.</u>
Decree Plaintiff	vs	Decree Defendant
A01-00315	Page 4	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 X 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
document in the space below as LaBelle Irrigating Co. of
LaBelle Irrigation Co. and that the statements contained in the
foregoing document are true and correct.
Glenn 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 5th day
of December 19 88
Glenn J. Rhodes
Notary Public

Seal

Residing at Idaho Falls
My Commission Expires 3/29/1991

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: 39576
Ident. Number A01-00315
Date Received _____
Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

A0100315



Please type or print clearly

1. Name of Claimant (s) LaBelle Irrigating Company Phone (208) 745-6410
Mailing Address 528 N 4250 E Rigby, ID Zip 83442

2. Date of Priority (Only one (1) per claim) April 1, 1939

3. Source of water supply (a) Great Feeder
which is tributary to (b) South Fork of 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, _____ B.M., County of Jefferson

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,

_____ 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 works 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 30 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 30.00 (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.) _____

10. Description of place of use:

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

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

Total number of acres irrigated 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.

01-00093E, 01-00946, 01-00244, Palisades Storage, STOCK or None ()
Claim - 25-4178 + ~~surface water~~ ^{Sub} ~~surface water runoff~~ - Attachment No. 1
Drainage

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, I have authority
to claim this water right.

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Last Name LaBelle Irrigating Ident No. _____

Copies: White -State, Yellow-Claimant

1939
15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree X

If applicable provide IDWR Water Right Number 01-0315

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 of this claim (2)

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 Company _____
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 Company _____ Date Nov 29, 1988

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

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

SEAL

Notary Public Dallan Wray _____

Residing at Idaho Falls, Id _____

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 Co Ident. Number _____

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Copies White State, Yellow Claimant

Attachment No. 2
of 2

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	-	-	10 ¹ / ₂	10 ¹ / ₂	10 ¹ / ₂	10 ¹ / ₂	-	-	10 ¹ / ₂	-	40	35	-	-	-	-	100
4N	39E	2	-	-	10 ¹ / ₂	12	20	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	-	-	-	-	-	-	-	-	17	48	10 ¹ / ₂	40 ¹ / ₂	-	-	10 ¹ / ₂	17	129

Total number of acres irrigated 2853

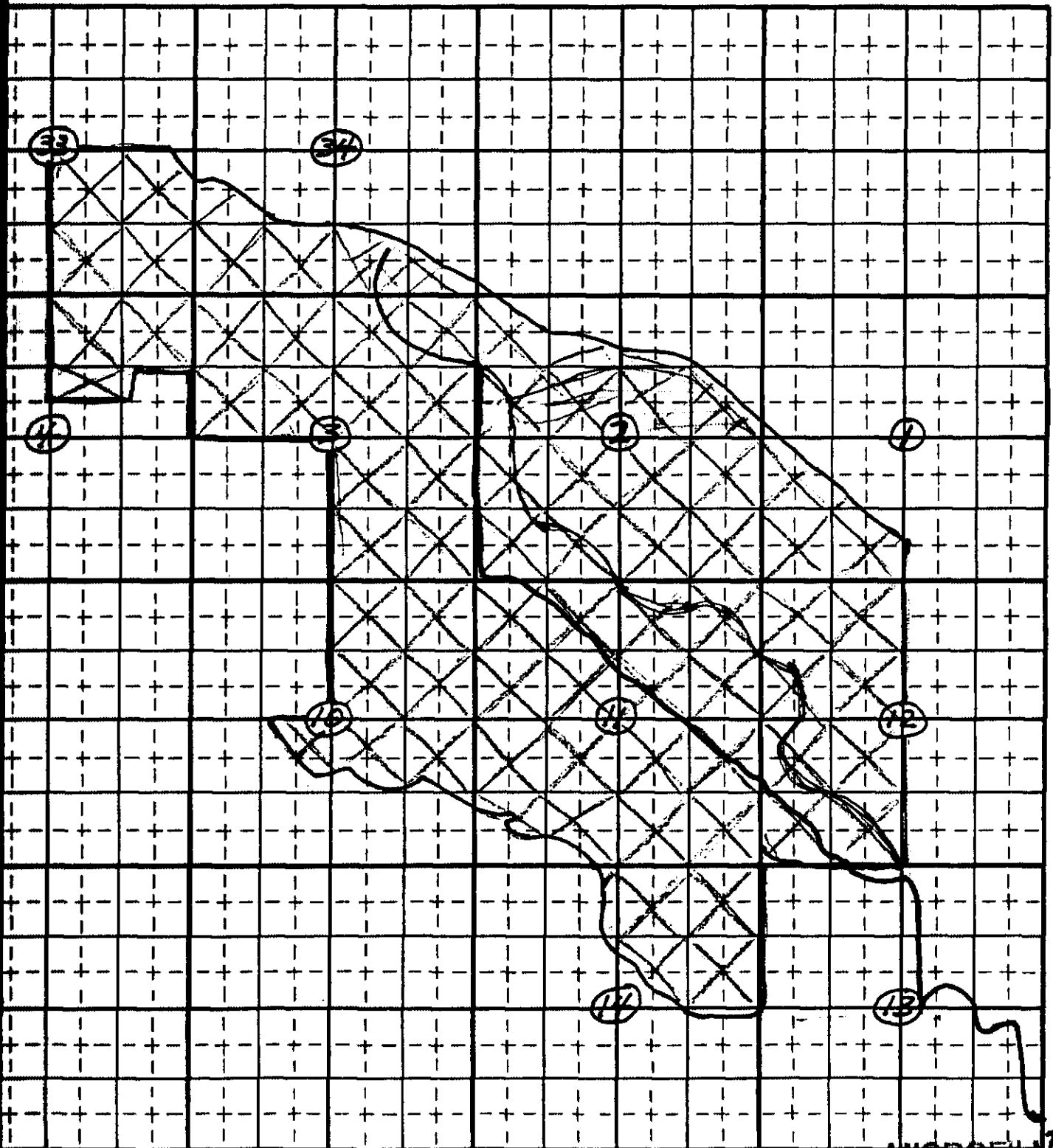
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Attachment No. 3
of 3.

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

: 2 inches equals 1 mile

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



LaBelle Irrigating Co. Ident No. _____

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Head
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