

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: A25-04086

Date Received:

Receipt No: 5006260

Received By: EMC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: INDEPENDENT IRRIGATION CO. 208-754-4733
Address: 755 N. 3400 E.
MENAN, ID 83434

2. Date of Priority: JUN 01, 1884

3. Source: WASTEWATER SPRINGS Trib. to: SCOTT SLOUGH
SCOTT SLOUGH

4. Point of Diversion:

A2504086

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	38E	21	SE	SE	SW		JEFFERSON
		28	NW	NW	NE		JEFFERSON

5. Description of diverting works:
HEADING FOR INDEPENDENT CANAL - CONCRETE WITH METAL SCREW GATE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	132.000		
STOCKWATER	11/01	04/01	0.140		

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

8. Total consumptive use is 6316.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/ 600 BEEF CATTLE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	37E	25	NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			Section Acres				80.0
	38E	7	SW	SW	11	IRR	30.0
			Section Acres				30.0
		18	SW	NE	17	IRR	10.0
			SE	NE	17	IRR	10.0
			NE	NW	7	IRR	22.0
			NW	NW	8	IRR	40.0
			SW	NW	9	IRR	40.0
			SE	NW	10	IRR	34.0
			NE	SW	13	IRR	40.0
			NW	SW	5	IRR	40.0
			SW	SW	6	IRR	40.0
			SE	SW	4	IRR	40.0
			NE	SE	11	IRR	27.0
			NW	SE	12	IRR	40.0
			SW	SE	14	IRR	40.0
			SE	SE	15	IRR	40.0
			Section Acres				463.0
		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	1	IRR	38.8
			SW	NW	2	IRR	38.9
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW	3	IRR	38.8
			SW	SW	4	IRR	38.9
			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				635.4
		20	NE	NE		IRR	9.0

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10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05N	38E	20	NW		NE		IRR	13.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	13.0
			NW		NW		IRR	32.0
			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	547.0
		21	NE		SW		IRR	5.0
			NW		SW		IRR	11.0
			SW		SW		IRR	38.0
			SE		SW		IRR	37.0
							Section Acres	91.0
		28	NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	5.0
			SE		NW		IRR	5.0
							Section Acres	90.0
		29	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
							Section Acres	200.0
		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

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	38E	30	NW	NW	1	IRR	39.0
			SW	NW	2	IRR	39.1
			SE	NW		IRR	40.0
			NE	SW		IRR	23.0
			NW	SW	3	IRR	39.0
			NW	SE		IRR	10.0

Section Acres 390.1

Total Acres 2526.5

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:

WATER FROM SNAKE RIVER THRU LONG ISLAND AND INDEPENDENT CANA

14. Remarks:

PLACE OF USE REFLECTS LANDS OWNED BY STOCKHOLDERS IN INDEPENDENT CANAL THAT ARE ENTITLED TO WATER FROM SCOTT SLOUGH. INDEPENDENT'S RIGHT TO USE WATER FROM SCOTT SLOUGH WAS AFFIRMED IN AN IDAHO SUPREME COURT DECISION ENTITLED INDEPENDENT IRRIGATION CO. VS G. CLYDE BALDWIN, WATERMASTER IN 1926. A BRIEF SUMMERY OF COURT'S DECISION IS CONTAINED IN A LETTER WRITTEN BY RON CARLSON, WATERMASTER, COPY ATTACHED. COPIES OF DOCUMENTS AND MAP ARE FILED WITH A25-04085. DURING SOME PERIODS OF THE IRRIGATION SEASON INFLOW INTO THE SLOUGH EXCEEDS THE 44 CFS. RECOGNIZED BY THE COURT DECISIONS. HISTORICALLY THIS INCREASED FLOW HAS ALSO BEEN DIVERTED AND BENEFICIALLY USED BY THE STOCKHOLDERS. THE PURPOSE FOR THIS NOTICE IS TO RECORD THIS USE.

15. Basis of Claim: BENEFICIAL USE

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: 0

For Organizations:

I do solemnly swear or affirm that I am President of Independent Liv. Co., that I have signed the foregoing document in the space below as President of Independent Liv. Co. and that the statements contained in the foregoing document are true and correct.

W. Donald Shippen
Signature of Authorized Agent

President, Independent Liv. Co.
Title and Organization
Feb. 1, 1989
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 1 day
of Feb. 19 89.
Ernest Carver
Notary Public

Seal

Residing at Idaho Falls, ID.
My Commission Expires 14 June 1994

25-04086

May 6, 1991

Independent Irrigation Co.
755 N. 3400 E.
Menan, ID 83434

RE: Evidence of Priority

Dear Sir:

The Notices of Claim identified with the numbers shown at the end of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notices indicates the water usage are based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date.

For your reference I have provided a printout of your Notices and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some Examples of Documents Which May Be Evidence of the Priority Date".

It is our goal to recommend this historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notices have been or soon will be conducted by Department personnel. But, the Department will not recommend the Notices be decreed by the court if no evidence of a priority date is submitted.

Please submit the required evidence supporting the priority dates by **June 6, 1991**, referencing all documents with the corresponding Notice numbers. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

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Independent Irrigation Co.

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All Notices required to submit this evidence are currently being reviewed for recommendation to the court. Hence, the need for expediency on your part or your agency. Every effort should be made to submit this information within 30 days of the date of this letter.

Respectfully submitted,

Ernest Carlsen
Water right Supervisor, Adjudication

EC:sc

Enclosure: Brochure on "Evidence of Priority"
Proof Report

A25-04085
INDEPENDENT IRRIGATION CO.
755 N. 3400 E.

MENAN ID 83434

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