

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

RECEIVED

MAY 14 1990

Ident. Number: A29-11773
Date Received: 5-14-90
Receipt No: EO 14521
Received By: BB

Department of Water Resources
Eastern District Office

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: DEMPSEY IRRIGATING CO. 208-776-5348
Address: C/O EARL SMITH
P.O. BOX 235
LAVA HOT SPRINGS, ID 83246

AND

Name: TOPAZ IRRIGATION CO. 208-776-5348
Address: C/O GENE FAGNANT
P.O. BOX 293
LAVA HOT SPRINGS, ID 83246

2. Date of Priority: APR 18, 1898

3. Source: PORTNEUF RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	38E	28	SW	NE	SW		BANNOCK

5. Description of diverting works:
HEADGATE IN STREAM TO DELIVERY CANALS. SHARE COMMON HEADING.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	09/16	11/15	32.000		

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

8. Total consumptive use is 4052.5 Acre Feet Per Annum.

9. Non-irrigation uses:
INCIDENTAL STOCKWATERING.

A291773

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	37E	22	SW	SE		IRR	16.0
			SE	SE		IRR	32.0
			Section Acres				48.0
		23	NE	SW		IRR	33.0
			NW	SW		IRR	21.0
			SW	SW		IRR	25.0
			SE	SW		IRR	24.0
			NE	SE		IRR	11.0
			NW	SE		IRR	30.0
			SW	SE		IRR	40.0
			SE	SE		IRR	20.0
			Section Acres				204.0
		25	NE	NE		IRR	5.0
			SE	NE		IRR	15.0
			NE	NW		IRR	12.0
			NW	NW		IRR	14.0
			Section Acres				46.0
		26	NE	NE		IRR	11.0
			NW	NE		IRR	9.0
			NW	NW		IRR	22.0
			Section Acres				42.0
		27	NE	NE		IRR	25.0
			Section Acres				25.0
38E		10	NE	NW		IRR	4.0
			NW	NW		IRR	13.0
			SW	NW		IRR	23.0
			NE	SW		IRR	8.0
			NW	SW	1	IRR	30.0
			SW	SW	2	IRR	5.0
			SE	SW		IRR	22.0
			Section Acres				105.0
		15	NE	NW		IRR	25.0
			NW	NW	1	IRR	12.0
			SW	NW		IRR	13.0
			NE	SW		IRR	8.0
			NW	SW		IRR	32.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	38E	15	SW	SW	2	IRR	5.0
			SE	SW	3	IRR	11.0
						Section Acres	106.0
		19	NW	SE		IRR	40.0
			SW	SE		IRR	15.0
			SE	SE		IRR	30.0
						Section Acres	85.0
		20	NE	SW		IRR	10.0
			SE	SW		IRR	23.0
			NE	SE		IRR	20.0
			NW	SE		IRR	21.0
			SW	SE		IRR	38.0
			SE	SE		IRR	29.0
						Section Acres	141.0
		21	NE	SW		IRR	5.0
			NW	SW		IRR	20.0
			SW	SW		IRR	32.0
			SE	SE		IRR	15.0
						Section Acres	72.0
		22	NW	NE	1	IRR	10.0
			SW	NE	3	IRR	25.0
			NE	NW	2	IRR	17.0
			SE	NW		IRR	1.0
			SW	SW	10	IRR	4.0
			NE	SE		IRR	1.0
			NW	SE	4	IRR	2.0
			SE	SE		IRR	12.0
						Section Acres	72.0
		23	SW	SW		IRR	1.0
						Section Acres	1.0
		26	NW	NW		IRR	2.0
						Section Acres	2.0
		27	NE	NE		IRR	2.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	2.0
		28	NE	NW	IRR	6.0
			NW	NW	IRR	24.0
			SW	NW	IRR	27.0
			SE	NW	IRR	10.0
			NW	SW	IRR	3.0
					Section Acres	70.0
		29	NE	NE	IRR	40.0
			NW	NE	IRR	35.0
			SW	NE	IRR	15.0
			SE	NE	IRR	40.0
			NE	NW	IRR	23.0
			NW	NW	IRR	30.0
			SW	NW	IRR	40.0
			NE	SW	IRR	10.0
			NW	SW	IRR	16.0
					Section Acres	249.0
		30	NE	NE	IRR	38.0
			NW	NE	IRR	26.0
			SW	NE	IRR	38.0
			SE	NE	IRR	30.0
			NE	NW	IRR	9.0
			NW	NW	IRR	34.0
			SW	NW	IRR	25.0
			SE	NW	IRR	40.0
			NE	SW	IRR	40.0
			NW	SW	IRR	6.0
			NE	SE	IRR	33.0
			SE	SE	IRR	26.0
					Section Acres	345.0
		33	NE	NW	IRR	6.0
					Section Acres	6.0
					Total Acres	1621.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
29-00037, 00180, 00147, 00036

14. Remarks:

AMT. OF 32CFS AS PER MEMORANDUM DECISION #2203.
*** BOTH CANAL COMPANIES SHARE THESE RIGHTS. THEY ARE DELIVERED THROUGH A COMMON CANAL SYSTEM. COMPANIES ARE RESPONSIBLE FOR DELIVERY OF WATER TO SHARE HOLDERS. THE FISH CREEK IRRIGATING COMPANY ALSO USES THIS DELIVERY SYSTEM.
51% OF THIS RIGHT IS CURRENTLY USED BY THE TOPAZ IRRIGATION CO.
*** THIS RIGHT IS CLAIMED FOR USE OF WATER THAT HAS HISTORICALLY BEEN USED BY THE CLAIMANTS AFTER THE RECOGNIZED, DECREED IRRIGATION SEASON. CLAIMANTS HAVE NOT BEEN SUBJECT TO THE DECREED WATER RIGHTS SCHEDULE USED BY THE WATER MASTER DURING THE NORMAL IRRIGATION SEASON.

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: _____

For Organizations:

I do solemnly swear or affirm that I am Secretary of

Dempsey Irrigating Co., that I have signed the foregoing
Organization document in the space below as Secretary of

Dempsey Irrigating Co. and that the statements contained in the
Organization foregoing document are true and correct.

Earl H. Smith
Signature of Authorized Agent

Secretary - Dempsey Irrigating Co.
Title and Organization

5/10/90
Date

State of Idaho)
County of BANNOCK) SS.

Subscribed and sworn (or affirmed) before me this 10th day
of MAY 19 90

Robert Berglund
Notary Public

Seal

Residing at LAKE HOT SPRINGS, IDAHO
My Commission Expires LIFETIME.

Log for claim A29-11773

Spatial Dynamics PJM

9/11/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s37e	22	SWSE	16	40	Indiscernible
09s37e	22	SESE	32	33	
09s37e	23	NESW	33	43	
09s37e	23	NWSW	21	34	Indiscernible
09s37e	23	SWSW	25	26	
09s37e	23	SESW	24	22	
09s37e	23	NESE	11	28	Indiscernible
09s37e	23	NWSE	30	33	
09s37e	23	SWSE	40	37	
09s37e	23	SESE	20	37	Indiscernible
09s37e	25	NENE	5	4	
09s37e	25	SENE	15	11	
09s37e	25	NENW	12	17	
09s37e	25	NWNW	14	22	Indiscernible
09s37e	26	NENE	11	10	
09s37e	26	NWNE	9	7.2	
09s37e	26	NWNW	22	26	
09s37e	27	NENE	25	38	
09s38e	10	NENW	4	40	Indiscernible
09s38e	10	NWNW	13	40	Indiscernible
09s38e	10	SWNW	23	16	Indiscernible
09s38e	10	NESW	8	9.4	
09s38e	10	NWSW	30	30	
09s38e	10	SWSW	5	17	Indiscernible
09s38e	10	SESW	22	27	
09s38e	15	NENW	25	2.1	Indiscernible
09s38e	15	NWNW	12	20	Indiscernible
09s38e	15	SWNW	13	21	Indiscernible
09s38e	15	NESW	8	5.5	
09s38e	15	NWSW	32	34	
09s38e	15	SWSW	5	10	
09s38e	15	SESW	11	19	
09s38e	19	NWSE	40	38	
09s38e	19	SWSE	15	19	
09s38e	19	SESE	30	32	
09s38e	20	NESW	10	13	
09s38e	20	SESW	23	31	Indiscernible
09s38e	20	NESE	20	24	
09s38e	20	NWSE	21	28	
09s38e	20	SWSE	38	40	
09s38e	20	SESE	29	29	
09s38e	21	NESW	5	8.6	
09s38e	21	NWSW	20	23	
09s38e	21	SWSW	32	34	
09s38e	21	SESE	15	20	
09s38e	22	NWNE	10	7.8	
09s38e	22	SWNE	25	19	
09s38e	22	NENW	17	15	

Log for claim A29-11773

Spatial Dynamics PJM

9/11/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s38e	22	SENW	1	4.3	Indiscernible
09s38e	22	SWSW	4	19	Indiscernible
09s38e	22	NESE	1	38	Indiscernible
09s38e	22	NWSE	2	28	Indiscernible
09s38e	22	SESE	12	38	
09s38e	23	SWSW	1	15	Indiscernible
09s38e	26	NWNW	2	39	Indiscernible
09s38e	27	NENE	2	40	Indiscernible
09s38e	28	NENW	6	20	Indiscernible
09s38e	28	NWNW	24	30	Indiscernible
09s38e	28	SWNW	27	32	
09s38e	28	SENW	10	18	
09s38e	28	NWSW	3	28	Indiscernible
09s38e	29	NENE	40	40	
09s38e	29	NWNE	35	32	
09s38e	29	SWNE	15	11	
09s38e	29	SENE	40	40	
09s38e	29	NENW	23	31	
09s38e	29	NWNW	30	35	
09s38e	29	SWNW	40	39	
09s38e	29	NESW	10	23	Indiscernible
09s38e	29	NWSW	16	16	
09s38e	30	NENE	38	40	
09s38e	30	NWNE	26	37	Indiscernible
09s38e	30	SWNE	38	39	
09s38e	30	SENE	30	35	
09s38e	30	NENW	9	22	Indiscernible
09s38e	30	NWNW	34	32	
09s38e	30	SWNW	25	26	
09s38e	30	SENW	40	40	
09s38e	30	NESW	40	40	
09s38e	30	NWSW	6	34	Indiscernible
09s38e	30	NESE	33	38	
09s38e	30	SESE	26	26	
09s38e	33	NENW	6	15	Indiscernible
Totals:			1621	2180.9	

AJ5809NP
No. A29-11773

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/22/00
PAGE: 231

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DEMPSEY IRRIGATING CO C/O EARL SMITH PO BOX 235 LAVA HOT SPRINGS ID 83246 (208) 776-5348	04/18/1898	IRRIGATION	09-16 11-15	32.000 CFS	
				TOTAL DIVERSION: CONSUMPTIVE USE:	32.000 CFS	4052.50 AFA
C	TOPAZ IRRIGATION CO C/O GENE FAGNANT PO BOX 293 LAVA HOT SPRINGS ID 83246 (208) 776-5348					

Water Source: PORTNEUF RIVER

Tributary to: SNAKE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T08S R38E S28 SWNESW

BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE												
				NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENE		NENE		NWSE		SWSE		SESE		
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
✓09S	37E	22	:																									48.0
✓09S	37E	23	:																									204.0
✓09S	37E	25	:																									46.0
✓09S	37E	26	:																									42.0
✓09S	37E	27	:																									25.0
✓09S	38E	10	:																									105.0
✓09S	38E	15	:																									106.0
✓09S	38E	19	:																									85.0
✓09S	38E	20	:																									141.0
✓09S	38E	21	:																									72.0
✓09S	38E	22	:																									72.0
✓09S	38E	23	:																									1.0
✓09S	38E	26	:																									2.0
✓09S	38E	27	:																									2.0
✓09S	38E	28	:																									70.0
✓09S	38E	29	:																									249.0
✓09S	38E	30	:																									345.0
✓09S	38E	33	:																									6.0
TOTAL ACRES																									1621.0			

POU County: BANNOCK

Non-Irrigation Uses: INCIDENTAL STOCKWATERING.

Other Rights: 29-00037, 00180, 00147, 00036

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

AJ5809NP
No. A29-11773

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/22/00
PAGE: 232

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

A29-00032 A29-00035 A29-00036 A29-00037 A29-00046 A29-12078 A29-12079

Other Water Rights Listing Overlapping Place(s) of Use:

A29-00036	A29-00037	A29-00047A	A29-00048	A29-00147	A29-00152	A29-00152A	A29-00153	A29-00153A	A29-00158
A29-00158A	A29-00158B	A29-00158C	A29-00158D	A29-00158E	A29-00159	A29-00159A	A29-00159B	A29-00159C	A29-00160
A29-00160A	A29-00163	A29-00170	A29-00171	A29-00174	A29-00175	A29-00180	A29-00182	A29-00182A	A29-00182B
A29-00183	A29-00184	A29-02378	A29-02452	A29-04272	A29-04467	A29-07241	A29-07393	A29-07530	A29-10073
A29-10074	A29-10816	A29-10831	A29-10833	A29-10848	A29-11774	A29-12064			

Remarks: GEN AMT. OF 32CFS AS PER MEMORANDUM DECISION #2203.
*** BOTH CANAL COMPANIES SHARE THESE RIGHTS. THEY ARE DELIVERED
THROUGH A COMMON CANAL SYSTEM. COMPANIES ARE RESPONSIBLE FOR
DELIVERY OF WATER TO SHARE HOLDERS. THE FISH CREEK IRRIGATING
COMPANY ALSO USES THIS DELIVERY SYSTEM.
51% OF THIS RIGHT IS CURRENTLY USED BY THE TOPAZ IRRIGATION CO.
*** THIS RIGHT IS CLAIMED FOR USE OF WATER THAT HAS HISTORICALLY
BEEN USED BY THE CLAIMANTS AFTER THE RECOGNIZED, DECREED
IRRIGATION SEASON. CLAIMANTS HAVE NOT BEEN SUBJECT TO THE
DECREED WATER RIGHTS SCHEDULE USED BY THE WATER MASTER DURING
THE NORMAL IRRIGATION SEASON.

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number: 29	Field Inspection Flag:	Presumption Flag:
Audit:	05/15/90 VERNER	09/15/94 JTHOMPSO	03/29/95 POST-STD

February 7, 1995

Mr. Dave Carlson
Department of Water Resources
900 N Skyline Dr.
Idaho Falls, Id 83402-1718

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FEB 08 1995

Department of Water Resources
Eastern District Office

Dear Sir:

Regarding your Evidence of Priority letter of January 3, 1995 for
Topaz Irrigation Company #A29-11773:

Enclosed please find copies of Decree by Hon. O.R. Baum in the
District Court of the Fifth Judicial District of the State of
Idaho affirming priority dates of Dempsey-Topaz Canal Company
water.

When I called the 800 number on your Evidence of Priority brochure
for information and advice, a lady from the Boise IDWR office
informed me that this constituted excellent evidence and suggested
I send copies to you.

I am 66 years old and can furnish a notarized affidavit testifying
to helping my father put this water to beneficial use 55 years ago.
Some users can go perhaps 15 years earlier, if necessary, though
of course no one is still here who can personally verify the original
water even though there is no question that it has been beneficially
used from the beginning.

Please notify me as soon as possible if these papers constitute
adequate proof of priority or if something else is required.

Sincerely,



Gene Fagnant, Secretary/Treasurer

TOPAZ IRRIGATION COMPANY
P. O. Box 293
Lava Hot Springs, Id 83246

Encls.

NOV 14 1996

W. H. Gagnant

FEB 08 1925

Eastern District Office

In the District Court of the Fifth Judicial District
of the State of Idaho

Union Grain & Elevator Co.,
A Corporation,

Plaintiff,

No. 2203

VS.

McCammon Ditch Co., et al.,

Defendants

FINAL DECREE

Before Hon O. R. BAUM, District Judge

ed July 1st, 1921

R. C. EARLEY,
Clerk

By LILLIAN SPONGBERG,
Deputy

NOT 14 1925

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FEB 08 1995

Department of Water Resources
Eastern District Office

NAME OF CLAIMANT and
DATE OF PRIORITY

AMOUNT IN
SECOND FEET

POINT OF DIVERSION AND
PLACE OF USE

25. *John, George:*
1889—May 1

.70 c. f. s.

land in the West half of the Southeast quarter, Section 4, Township 9 South, Range 38 East.

Said water to be diverted through the said Dempsey and Topaz Canals, last above described, for the irrigation of that portion of land of Lot 2, and the Northeast quarter of the Northeast quarter, Section 9, Township 9 South, Range 38 East, lying East of the O. S. L. R. R. right of way.

26. *Warner, Cordelia:*
1890—April 1

.10 c. f. s.

Said water to be diverted through the said Dempsey and Topaz Canals, last above described, for the irrigation of 5.3 acres of land lying in Lot 4, the Southwest quarter of the Northeast quarter, Section 4, Township 9 South, Range 38 East, bounded on the East by the Dempsey Canal, and on the West by the right of way of the O. S. L. R. R.

27. *Dempsey Irrigating
Company and Topaz
Irrigation Company:*
1898—April 18
1907—Jan. 14

32 c. f. s.
7.5 c. f. s.

Said water to be diverted through the said Dempsey and Topaz Canals, last above described for the irrigation of lands under the Dempsey and Topaz Canals, described as follows: 65.2 acres in Lots 1 and 2, the East half of the Southwest quarter, Section 10, Township 9 South, Range 38 East; 103.24 acres in Lots 1, 2, 3, and 4, Section 22, Lot 3, Section 15, and the Southwest quarter of the Southeast quarter, Section 32, Township 9 South, Range 38 East; 11.1 acres in the Northwest quarter of the Northeast quarter, Section 28, above Township and Range; 31.45 acres in Lot 2, Section 21; 7 acres in the Northeast quarter of the Northwest quarter, Section 28; 63 acres in Lots 2, 3 and 6, Section 9, and the Northwest quarter of the Southeast quarter, Section 9; 11.64 acres in the West half of the Northwest quarter, Section 10; 5.66 acres in the Southeast quarter of the Northwest quarter, Section 28; 65 acres in the South half of the Northeast quarter, Section 29, and the Southwest quarter of the Northwest quarter, Section 28; 17.1 acres in the North half of the Northeast

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Department of Water Resources

Eastern District Office

NAME OF CLAIMANT and
DATE OF PRIORITY

AMOUNT IN
SECOND FEET

POINT OF DIVERSION AND
PLACE OF USE

quarter, Section 29; 29 acres in the Northwest quarter of the Northwest quarter, Section 28; 14.7 acres in Lots 1 and 2, the Southwest quarter of the Northwest quarter, and the North half of the Southwest quarter, Section 15; 20.76 acres in Lot 1, Section 16; 4.76 acres in the Northeast quarter of the Northwest quarter, Section 15; 66.45 acres in Lots 1 and 3, Section 21; 8 acres in Lot 10, Section 22; 3.6 acres in the Northeast quarter of the Southeast quarter, Section 22; 125 acres in the South half of the Southwest quarter, Section 28, the Northwest quarter of the Southwest quarter, Section 28, the North half of the Southeast quarter, Section 29; 15.3 acres in the Southeast quarter of the Southeast quarter, Section 22; 5 acres in the Northwest quarter of the Southeast quarter, Section 22; 158.2 acres in Lot 4, the Southwest quarter of the Southwest quarter, Section 21 and Lots 1 and 2, the South half of the Southeast quarter, Section 20, Township 9 South, Range 38 East.

Topaz Irrigation Company Canal, a continuation of the Dempsey Canal. This canal also diverts water of Dempsey Creek in the Northwest quarter of the Northwest quarter, Section 33, Township 9 South, Range 38 East. From the Northwest quarter of Section 33, the point of diversion from Dempsey Creek bears South 44 degrees East, 1390 feet.

1883—April 1 13.44 c.f.s.
(Source Dempsey Creek)

Said water to be diverted through the said Topaz Irrigation Company Canal, last above described, for the irrigation of 90 acres in Lots 1 and 2, Section 19, Township 9 South, Range 38 East, the Northeast quarter of the Northeast quarter, Section 30, Township 9 South, Range 38 East, the East half of the Northwest quarter of the Northeast quarter, Section 30, Township 9 South, Range 38 East.

NOV 14 1994

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FEB 08 1995

Department of Water Resources
Eastern District Office

NAME OF CLAIMANT and DATE OF PRIORITY	AMOUNT IN SECOND FEET	POINT OF DIVERSION AND PLACE OF USE
tion 4, Township 10 South, Range 38 E. B. M.		
132. J. M. Jensen 1893—April 15	.64 c. f. s.	Said water to be diverted at a point which bears South 53 degrees East, 400 feet from the South quarter corner, Section 3, Township 10 South, Range 38 E. B. M.; also at a point which bears South 48 degrees East, 190 feet from the South quarter corner, Section 3, Township 10 South, Range 38 E. B. M.; also at a point which bears North 53 degrees West, 1200 feet from the South quarter corner of Section 3, Township 10 South, Range 38 E. B. M., for the irrigation of the Southeast quarter of the Northwest quarter, and the Southwest quarter of Section 3, Township 10 South, Range 38 E. B. M.
133. Topaz Irrigation Co. 1883—April 1	13.44 c. f. s.	Said water to be diverted at a point South 44 degrees, East, 1390 feet from the Northwest corner of the Northwest quarter, Section 33, Township 9 South, Range 38 E. B. M., for the irrigation of the following described land: Township 9 South, Range 38 E. B. M. Section 29—Lots 1 and 2, the South half of the Northwest quarter and the North half of the Southwest quarter. Section 30—The Northeast quarter, the Northwest quarter, the North half of the Southeast quarter. Section 19—The following lots: 1, 2, 3, and 4. Township 9 South, Range 37 E. B. M. Section 24—Lots 5, 6 and 7, the South half of the Southwest quarter. Section 25—The North half of the Northeast quarter, the North half of the Northwest quarter. Section 23—Lots 5, 6 and 7, and 8, the South half of the Southeast quarter, the South half of the Southwest quarter. Section 26—The North half of the Northeast quarter, the Northwest quarter of the Northwest quarter.

RECEIVED

FEB 08 1995

NAME OF CLAIMANT and DATE OF PRIORITY	AMOUNT IN SECOND FEET	POINT OF DIVERSION AND PLACE OF USE	Department of Water Resources Eastern District Office
		Section 27—The Northeast quarter of the Northeast quarter. Section 22—The Southeast quarter of the Southeast quarter, Lots 5, 6, 7, and 8.	
134. <i>McGwinn, C. J.</i> 1896—April 15	.8 c. f. s.	Said water to be diverted at a point South 35 degrees 40 minutes West 1044 feet from the East quarter corner of Section 29, Township 9 South, Range 38 E. B. M., for the irrigation of Lot 3, of Section 20; Lots 1 and 2 of Section 29, Township 9 South, Range 38 E. B. M.	
135. <i>Warner, Mrs. Frank</i> 1881—Aug. 1	.58 c. f. s.	Said water to be diverted at a point South 88 degrees East, 1430 feet from the West quarter corner of Section 33, Township 9 South, Range 38 E. B. M.; for the irri- gation of the Northwest quarter of the Northwest quarter, Section 28, Township 9 South, Range 38 E. B. M.	
136. <i>Fagnant, F. D.</i> 1881—Aug. 1	.2 c. f. s.	Said water to be diverted at a point North 53 degrees East, 1550 feet from the South- west corner Section 4, Township 10 South, Range 38 E. B. M., the lateral from which said point divides into the Campbell-Fag- nant lateral into Campbell lateral in the Northwest quarter of the Northeast quar- ter, Section 32, Township 9 South, Range 38 E. B. M.	
1894—March 1	1.2 c. f. s.	Said water to be diverted through a ditch having intake 35 degrees 40 minutes West, 1044 feet from East quarter corner Sec- tion 29, Township 9 South, Range 38 E. B. M. For the irrigation of the Southwest quar- ter, and the South half of the Northwest quarter, Section 29; the East half of the Northwest quarter, and the Northwest quarter of the Northwest quarter, Section 32, Township 9 South, Range 38 E. B. M.	
137. <i>Campbell, Adam</i> 1894—March 1	.8 c. f. s.	Said water to be diverted at a point North 53 degrees East, 1550 feet from the South- west corner of Section 4, Township 10	

NOV 14 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

5-14-90
E 014521
A 2911773

April 27, 1990

Mr. Earl Smith
P.O. Box 235
Lava Hot Springs, Idaho 83246

RE: Dempsey, Topaz and Fish Creek Irrigation Co.'s Claims

Dear Mr. Smith:

Pursuant to our phone conversation, please find enclosed two prepared notices for your company's post irrigation season water diversions. Please review the notices and when satisfied, sign them in the presence of a Notary Public and return them to our office. The filing fee is \$50.00 per claim.

Your prompt attention is appreciated. As always, feel free to contact our office if you would like to discuss this matter further.

Sincerely,

Eric Verner,
Sr. Water Agent

Enclosure

MICROFILMED

NOV 16 1992