

11/12/03

General Comments

This is a licensed-based claim. The land appears to be in CRP and not currently irrigated. I saw some evidence of past irrigation (old sprinkler pipes & rocks in the creek that suggested a check dam location) but no pump or diversion works are present. I sent a letter to the claimants inviting documentation of CRP as a defense against forfeiture, along with a change in address form.

It has been 15 years since the claim was filed. It is not at all unreasonable that the land was still being irrigated during the five years preceding the claim filing. If the claimants don't respond to my letter I propose getting guidance on what to recommend.

Ownership

Ownership is correct but the address is not good. Per the assessor's office the correct address is:

c/o Sandra Biggs
6721 S 2455 W
West Jordan UT 84084

POD

The irrigation POD on the layout is about right. GPS waypoint 2136, 700851 E 232039N IDTM. The domestic POD is a spring about 20 meters south of the irrigation POD.

POU

If recommending this right, I propose recommending it as licensed.

Overlap

None noted.

Conflict

None noted.

Priority

Per license

Quantity

Per license

Water Use

Sprinkler pipe remnants and old farming equipment suggest irrigation component is or was correct. Old school bus camper with a sink, plastic pipeline up the hill, and small corral for livestock suggest domestic component is or was correct.

List of Photos

A25-02136_1.jpg Looking North Northeast at POU from east edge of POU. School bus and corral are evidence of domestic use.

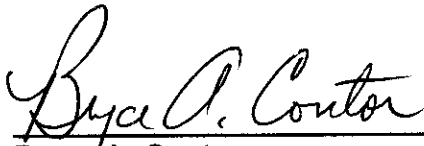
A25-02136_2.jpg Looking North from location of school bus. Domestic POD is a spring under the edge of the cliff at the far end of the aluminum mainline pipe. The irrigation POD is about where the stream leaves the left edge of the photo.

A25-02136_3.jpg Looking SW at POU from hill just west of the school bus.

A25-02136_4.jpg Looking NW at POU from the same location as photo 3.

A25-02136_5.jpg Domestic POD. It looks like there is no longer a pump here.

A25-02136_6.jpg Irrigation POD. The rocks in the ^{creek bed} ~~spring~~ probably held brush or straw bales for a check dam. The GPS location is out in the grass area close to the creek, in the direction the aluminum pipe is pointing.


Bryce A. Contor

11/12/03
Date

November 12, 2003

Ursel Frank Taylor Family Trust
c/o Sandra Biggs
6721 S 2455 W
West Jordan UT 84084

Re: Idaho water right claim A25-02136

Dear Ms. Biggs:

Idaho is in the midst of an adjudication of water rights. This means that all the water rights in the Snake River basin must be reviewed, recommended to a court, and decreed by a judge. Idaho Department of Water Resources is now reviewing claims in that area and preparing to make a recommendation to the court. The department contracted me to make a field inspection of your right.

I found that the water right is not currently being used. To help the department make a correct recommendation, I need a description from you of the use of that water right during 1984, 1985, 1986, 1987, and 1988. It looks like the land is now in the USDA Conservation Reserve Program (CRP). If it was in CRP during the 1984 - 1988 period, I need a copy of those CRP documents and a description of water use during the five years before going into CRP.

In Idaho, a water right can be forfeited through lack of use. As long as the land is in CRP, the water right is protected from forfeiture. When the land comes out of CRP, you may wish to place the water right in the state's "Water Supply Bank," which also protects against forfeiture. You may call IDWR at 208 327 7900 to ask about the Water Supply Bank.

Please mail me this documentation as soon as possible. Feel free to call me if you have questions. You may reach me at 208 681 9100. If I'm with someone, leave a message and I will call back.

Thank you,

Bryce A. Contor

Water Resources
Field Services
208 663 4667

RECEIVED

DEC 11 2003

Department of Water Resources
Eastern Region

Water Resources Field Services
1571N. 1100E.
Terreton, Id. 83450

December 9, 2003

Dear Mr. Contor,

In response to your letter on the water rights claim no. A 25-02136. Starting with the year 1982 water was used for irrigation of pasture and domestic use, 1983 through 1986 was the same. In 1986 Dad filed for seed plan on CRP, contract was approved on 3/30/1987 and planting began in spring of that year. My oldest son helped my Dad plant the grass. CRP was signed in Feb. 1987 and my father died that November.

The ranch raised barley and was pasture before Dad planted it to grass for CRP. He was seventy-six at time of planting. It has been in CRP since 1987, still is.

All I have is memories and the copy of water permit and other papers I'm sending. I hope this is enough information as we don't want to lose the water rights.

Sincerely,

Sandra T. Biggs

CONSERVATION RESERVE PROGRAM CONTRACT

65
-029-2 3. FARM NO. 1445 (48)

NOTE: The following statements are made in accordance with the Privacy Act of 1974 (5 USC 552a): The authority for requesting the information to be supplied on this form is the Food Security Act of 1985, P.L. 99-198, and the regulations promulgated thereunder (7 CFR Part 704) and the Internal Revenue Code (26 USC 6109). The information requested is necessary for CCC to consider and process the offer to enter into a Conservation Reserve Program Contract, to assist in determining eligibility, and to determine the correct parties to the contract. The information may be furnished to other USDA agencies, IRS, Department of Justice, or other State and Federal law enforcement agencies, and in response to orders of a court magistrate, or administrative tribunal. Furnishing of the Social Security Number (SSN) is mandatory. Furnishing all other information is voluntary; however, failure to furnish the correct, complete information requested will result in rejection of the offer to enter into the contract.

THIS CONTRACT is entered into between the Commodity Credit Corporation (referred to as "CCC") and the undersigned owners and operators (referred to as "Owner" and "Operator", respectively) on the farm identified above (referred to as "Farm") for the fields and acres (referred to as "designated acreage") identified in Items 8-17 below and on the CRP-1A Addendum, as applicable. The Owner and Operator agree to place the designated acreage into the Conservation Reserve Program ("CRP") for a period of 10 crop years from the date the Contract is executed by the CCC. The Owner and Operator also agree to implement on such designated acreage the Conservation Plan developed for such designated acreage and approved by the applicable local conservation district based upon the conservation practices identified in Items 10 and 15 below and in Items 4 and 9 on the CRP-1A Addendum or such other conservation practices as are identified in the Conservation Plan and agreed to by the Owner and Operator. The Owner and Operator and CCC agree to comply with the terms and conditions contained in this Contract and contained in the Appendix to this Contract, entitled Appendix to CRP-1, Conservation Reserve Program Contract (referred to as "Appendix"). By signing below, each Owner and Operator acknowledges that a copy of the Appendix has been provided to the Owner and Operator and that the Owner and Operator has signed the last page of such Appendix which will be kept on file in the County Agricultural Stabilization and Conservation Service (ASCS) Office. By signing below, the Owner and Operator also agree to allow CCC a period of 30 days from the close of the applicable signup period to accept this Contract and agree to pay liquidated damages in an amount specified in the Appendix if the Owner and Operator do not allow CCC such 30-day period in which to execute this Contract.

4. OWNERS AND OPERATORS

A. OPERATOR NAME AND ADDRESS		SHARE	SSN	SIGNATURE	DATE
		%			
B. OWNER NAME AND ADDRESS		SHARE	SSN	SIGNATURE	DATE
U. Frank Taylor		0%	528-30-4272	U. Frank Taylor	2-9-87
		100%			
C. NAME AND ADDRESS		SHARE	SSN	SIGNATURE	DATE
Opal Taylor		0%	528-30-1207	Opal Taylor	2-9-87
		100%			
D. NAME AND ADDRESS		SHARE	SSN	SIGNATURE	DATE
URSEL FRANK TAYLOR TRUST OPAL S. TAYLOR TTEE P.O. BOX 275 GRACE, ID 83241		100%	82 6065894	Ursel Frank Taylor Trust By Opal S. Taylor TTEE	March 24, 1988

5. ACRES FOR CRP	6. RENTAL RATE PER ACRE	7. CONTRACT PERIOD
233.1	\$ 43.00	FROM 2-9-87 TO 9-30-96

TRACT NO.	FIELD NO.	PRACTICE NO.	ACRES	RATE OF COST-SHARES	TRACT NO.	FIELD NO.	PRACTICE NO.	ACRES	RATE OF COST-SHARES
8	9	10	11	12	13	14	15	16	17
366A	A	CP1	47.2						
	B	CP1	124.2						
	C	CP1	56.7						

18. ANNUAL PAYMENT	19. CCC USE ONLY - Payments according to the shares are approved.	CCC REPRESENTATIVE'S SIGNATURE	DATE
\$10,023.45		Lewis Morris	4-12-87

ORIGINAL - COUNTY OFFICE COPY

STATUS REVIEW

SCS-CPA-013
8-83

This information is used in both the development and implementation of a Conservation, Reclamation or Water Quality plan as the basis for technical assistance and/or cost sharing. The authorities for such work are: 16 USC 590a-1 (Soil Conservation); 16 USC 1301-1311 (Water Bank); 16 USC 590p(b) (Great Plains); 30 USC 1236 et seq (Rural Abandoned Mines); 33 USC 1288 et seq (Rural Clean Water). Furnishing information is voluntary and will be confidential; however, it is necessary in order to receive assistance.

County Bingham Date 10-24-88 Contract or Agreement No. _____

Name Frank Taylor Address _____

Progress in applying plan: on 3-30-87 a contract was signed then on 3-9-87 a seeding plan was signed. This seeding was finished by 5-11-87. on 10-24-88 a status review was done and the field found to be an established stand.

Revision of plan or modification of contract needed:

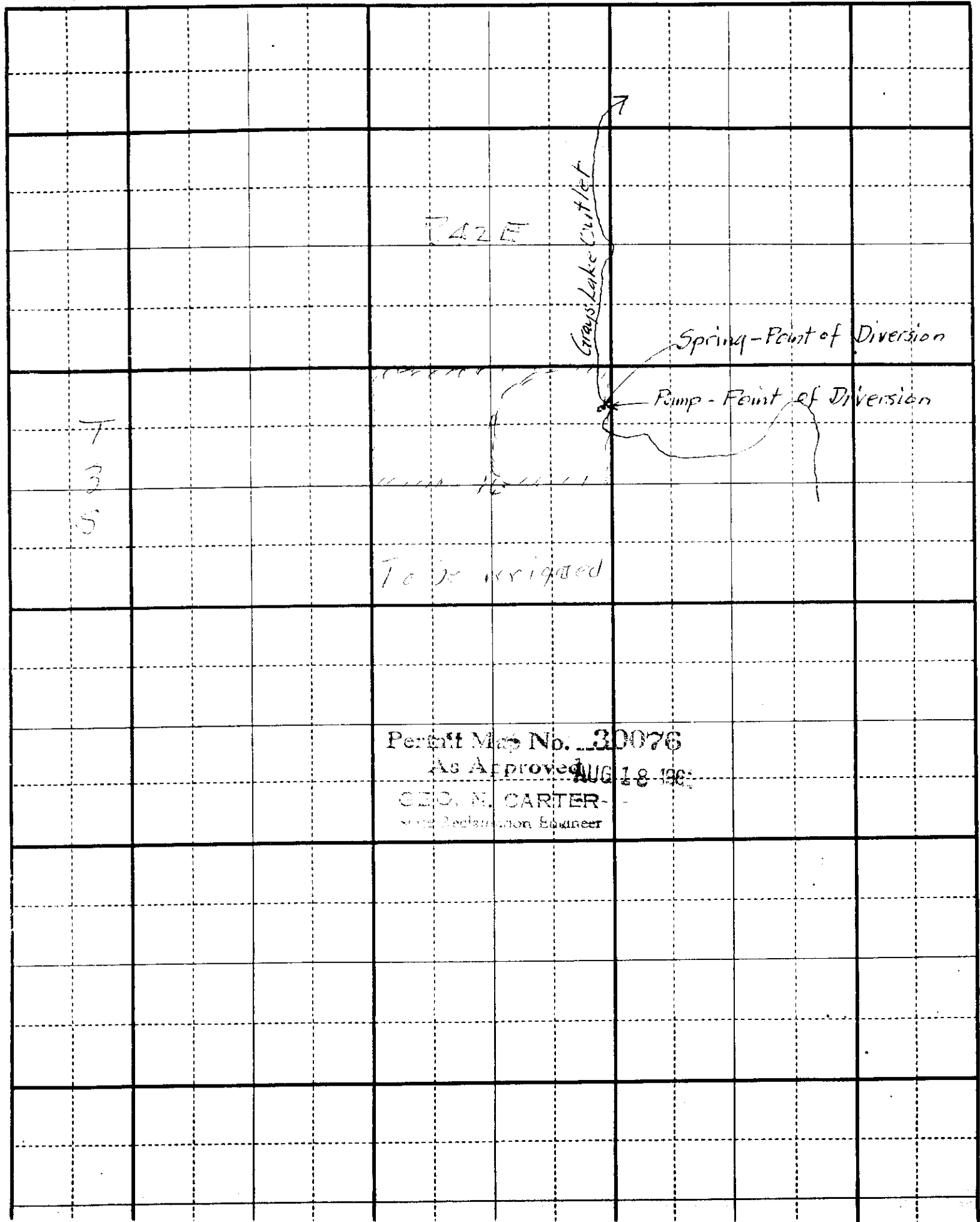
Need for technical assistance:

Signed Robert Began
District Conservationist or Administering Agency

Participant

NAME OF APPLICANT Ursel Frank Taylor

Form No. 0



Permit Map No. 30076
As Approved AUG 18 1961
GEO. N. CARTER
State Reclamation Engineer

A25-02136 field notes 10/18/03

Photos

- 1 of bas / Pou from SE
- 1 of mainline coming up hill, taken N from coral
- 2 of Pou looking SW & NW from East center
- 1 of spring under old mainline
- 1 looking along piece of old mainline at apparent POD.

GPS 700851 E 232 039 N
Waypoint 2136

- ① Ownership - letter came back, needs research
- ② POD - as claimed, see GPS & photos
- ③ Pou - per NAPP claim appears 12.5 m²/ha
- ④ Other use - Consider CRP defense against forfeiture. No apparent use found, no diversion water found.

Court house 10/20/03 N¹/₂

Ursel Frank Taylor Family Trust

C/o Sandra Biggs

6721 S 2455 W

West Jordan UT 84084