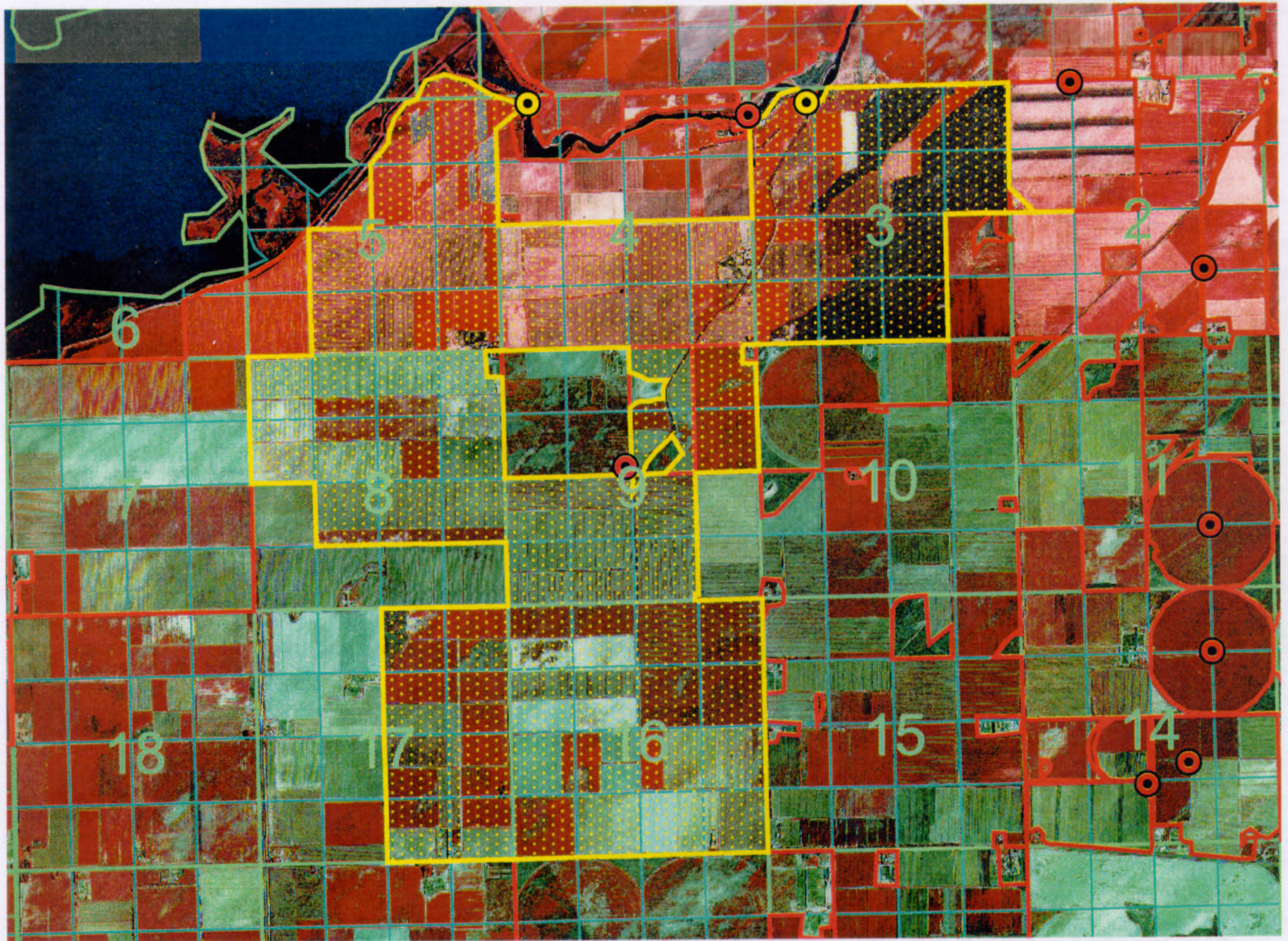


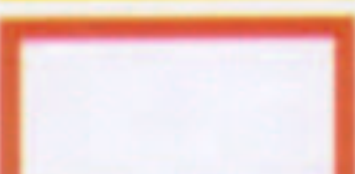
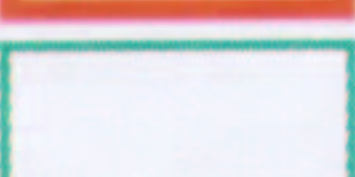
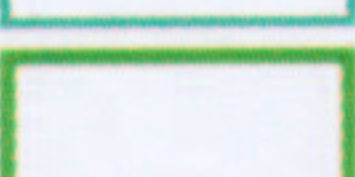
# Idaho Department of Water Resources

"Jackett" Water Rights, Numbers 31-31-134, 31-135, 31-143  
31-144, 31-190, 31-192



0 1320 Feet

Township 6N Range 35E

-  Point of Diversion
-  Point of Diversion - Other Rights
-  Place of Use
-  Place of Use - Other Rights
-  Quarter-quarter Sections
-  Section Lines



SCANNED  
NOV 25 2002

GIS Illustration prepared from 1987/1988 NAPP photography by B. Contor 12/2000

01/05/2001

IDAHO DEPARTMENT OF WATER RESOURCES  
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 31-143

NAME AND ADDRESS: MUD LAKE WATER USERS INC  
1400 E 1500 N  
PO BOX 68  
TERRETON, ID 83450

SOURCE: MUD LAKE TRIBUTARY: SINKS

246 AFY

FOR THIS RIGHT, THE DIVERSION VOLUME DESCRIBED ABOVE WAS  
CALCULATED BY MULTIPLYING A DIVERSION RATE OF ~~4~~ CFS BY A  
FACTOR OF 2 ACRE FEET PER DAY FOR 123 DAYS (MAY 1ST TO  
SEPTEMBER 1ST).

1.0 Bac

PRIORITY DATE: 03/29/1911

POINT OF DIVERSION: T06N R35E S3 LOT 4 NENWNW Within JEFFERSON County  
T06N R35E S4 LOT 4 NENWNW Within JEFFERSON County

PURPOSE AND  
PERIOD OF USE:

| PURPOSE OF USE          | PERIOD OF USE | QUANTITY   |
|-------------------------|---------------|------------|
| IRRIGATION STORAGE      | 01-01 12-31   | 246.00 AFY |
| IRRIGATION FROM STORAGE | 04-01 10-31   | 246.00 AFY |

PLACE OF USE:

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION  
OF A COMBINED TOTAL OF 24261.3 ACRES IN A SINGLE IRRIGATION  
SEASON. COMBINED RIGHT NOS.: 31-327, 31-328, 31-329, 31-330,  
31-331, 31-332, 31-336B, 31-337B, 31-371, 31-2239, 31-2265,  
31-2289, 31-2290, 31-2297, 31-2310, 31-2317A, 31-2317B, 31-  
2321, 31-2341, 31-2342, 31-2343, 31-2344, 31-2345, 31-7005,  
31-11430, 31-11432, (GROUNDWATER), 31-2276, (WASTEWATER), 31-  
6, 31-34, 31-35, 31-36, 31-37, 31-38, 31-52, 31-65, 31-104,  
31-105, 31-147A, 31-159, 31-162, 31-163, 31-166, 31-168, 31-  
169, 31-184, 31-185, 31-186, 31-187, 31-188, 31-232, 31-237,  
31-263, 31-363, (OWLSEY DIVISION SURFACE WATER), 31-134, 31-  
135, 31-143, 31-144, 13-190, 31-192, (JACKETT DIVISION SURFACE  
WATER), 31-344, 31-345, 31-354, 31-355, 31-360, 31-361, 31-  
10957, 31-10958, 31-10959, 31-10960, 31-10961, 31-10962, 31-  
11437 (HOLLEY DIVISION SURFACE WATER).

PLACE OF USE WITHIN THE BOUNDARY OF THE JACKETT DIVISION OF  
MUD LAKE WATER USERS, INC. TOTAL IRRIGATED ACRES 3107.3.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 242.8 ACRES  
WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION  
SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION  
OF A COMBINED TOTAL OF 3107.3 ACRES IN A SINGLE IRRIGATION  
SEASON. COMBINED RIGHT NOS.: 31-134, 31-135, 31-143, 31-144,  
31-190, 31-192.

USE OF THIS RIGHT WITH RIGHT NO. 31-144 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 242.8 ACRES IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

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 31-143  
Date Received: 12/5/88  
Receipt No:  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

MUD LAKE WATER USERS INC Phone: (208)663-4359

1400 E 1500 N  
PO BOX 68  
TERRETON ID 83450

2. Date of Priority: 03/29/1911

3. Source: CAMAS CREEK Trib. to: MUD LAKE

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County    |
|----------|-------|---------|-----------------------|-----------|
| 06N      | 35E   | 3       | NW NW 4               | JEFFERSON |
| 07N      | 35E   | 7       | SW SW                 | JEFFERSON |

5. Description of diverting works:

5 PUMPS/CAMAS CREEK TO DITCHES TO PLACE OF USE

6. Water is used for the following purposes:

| Purpose            | From  | To    | C.F.S. | (or) A.F.A |
|--------------------|-------|-------|--------|------------|
| IRRIGATION         | 4/01  | 11/01 | 1      |            |
| IRRIGATION STORAGE | 11/02 | 3/31  | 0      | 45000      |

7. Total Quantity Appropriated is:  
1 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township      | Range | Section | 1/4           | of 1/4 | Lot | Use        | Acres |   |            |
|---------------|-------|---------|---------------|--------|-----|------------|-------|---|------------|
| 06N           | 35E   | 3       | NE            | NE     | 1   | IRRIGATION | 41.9  |   |            |
|               |       |         | NW            | NE     | 2   | IRRIGATION | 41.7  |   |            |
|               |       |         | SW            | NE     |     | IRRIGATION | 40    |   |            |
|               |       |         | SE            | NE     |     | IRRIGATION | 40    |   |            |
|               |       |         | NE            | NW     | 3   | IRRIGATION | 41.5  |   |            |
|               |       |         | NW            | NW     | 4   | IRRIGATION | 35    |   |            |
|               |       |         | SW            | NW     |     | IRRIGATION | 40    |   |            |
|               |       |         | SE            | NW     |     | IRRIGATION | 40    |   |            |
|               |       |         | NE            | SW     |     | IRRIGATION | 40    |   |            |
|               |       |         | NW            | SW     |     | IRRIGATION | 40    |   |            |
|               |       |         | SW            | SW     |     | IRRIGATION | 40    |   |            |
|               |       |         | SE            | SW     |     | IRRIGATION | 40    |   |            |
|               |       |         | NW            | SE     |     | IRRIGATION | 40    |   |            |
|               |       |         | SW            | SE     |     | IRRIGATION | 40    |   |            |
|               |       |         | Section Acres |        |     |            |       |   | 560.1      |
|               |       |         | 06N           | 35E    | 4   | NW         | NW    | 4 | IRRIGATION |
| NE            | SW    |         |               |        |     | IRRIGATION | 40    |   |            |
| NW            | SW    |         |               |        |     | IRRIGATION | 40    |   |            |
| SW            | SW    |         |               |        |     | IRRIGATION | 40    |   |            |
| SE            | SW    |         |               |        |     | IRRIGATION | 40    |   |            |
| NE            | SE    |         |               |        |     | IRRIGATION | 40    |   |            |
| NW            | SE    |         |               |        |     | IRRIGATION | 40    |   |            |
| SW            | SE    |         |               |        |     | IRRIGATION | 40    |   |            |
| SE            | SE    |         |               |        |     | IRRIGATION | 40    |   |            |
| Section Acres |       |         |               |        |     | 327        |       |   |            |
| 06N           | 35E   | 5       | NE            | NE     | 1   | IRRIGATION | 41.2  |   |            |
|               |       |         | NW            | NE     | 2   | IRRIGATION | 38    |   |            |
|               |       |         | SW            | NE     |     | IRRIGATION | 40    |   |            |
|               |       |         | SE            | NE     |     | IRRIGATION | 40    |   |            |
|               |       |         | NE            | SW     |     | IRRIGATION | 40    |   |            |
|               |       |         | NE            | SE     |     | IRRIGATION | 40    |   |            |
|               |       |         | NW            | SE     |     | IRRIGATION | 40    |   |            |
|               |       |         | SW            | SE     |     | IRRIGATION | 40    |   |            |
|               |       |         | SW            | SE     |     | IRRIGATION | 40    |   |            |
|               |       |         | SE            | SE     |     | IRRIGATION | 40    |   |            |
|               |       |         | Section Acres |        |     |            |       |   | 399.2      |
| 06N           | 35E   | 8       | NE            | NE     |     | IRRIGATION | 40    |   |            |
|               |       |         | NW            | NE     |     | IRRIGATION | 40    |   |            |
|               |       |         | SW            | NE     |     | IRRIGATION | 40    |   |            |
|               |       |         | SE            | NE     |     | IRRIGATION | 40    |   |            |
|               |       |         | NE            | NW     |     | IRRIGATION | 40    |   |            |
|               |       |         | NW            | NW     |     | IRRIGATION | 40    |   |            |
|               |       |         | SW            | NW     |     | IRRIGATION | 40    |   |            |

|     |     |    |    |    |               |               |    |
|-----|-----|----|----|----|---------------|---------------|----|
|     |     |    | SE | NW | IRRIGATION    | 40            |    |
|     |     |    | NE | SW | IRRIGATION    | 40            |    |
|     |     |    | NE | SE | IRRIGATION    | 40            |    |
|     |     |    | NW | SE | IRRIGATION    | 40            |    |
|     |     |    |    |    | Section Acres | 440           |    |
| 06N | 35E | 9  | NE | NE | IRRIGATION    | 40            |    |
|     |     |    | NW | NE | IRRIGATION    | 40            |    |
|     |     |    | SW | NE | IRRIGATION    | 40            |    |
|     |     |    | SE | NE | IRRIGATION    | 40            |    |
|     |     |    | NE | SW | IRRIGATION    | 40            |    |
|     |     |    | NW | SW | IRRIGATION    | 40            |    |
|     |     |    | SW | SW | IRRIGATION    | 40            |    |
|     |     |    | SE | SW | IRRIGATION    | 40            |    |
|     |     |    | NW | SE | IRRIGATION    | 40            |    |
|     |     |    | SW | SE | IRRIGATION    | 40            |    |
|     |     |    |    |    | Section Acres | 400           |    |
| 06N | 35E | 16 | SW | SE | IRRIGATION    | 40            |    |
|     |     |    | SE | SE | IRRIGATION    | 40            |    |
|     |     |    | NE | NE | IRRIGATION    | 40            |    |
|     |     |    | NW | NE | IRRIGATION    | 40            |    |
|     |     |    | SW | NE | IRRIGATION    | 40            |    |
|     |     |    | SE | NE | IRRIGATION    | 40            |    |
|     |     |    | NE | NW | IRRIGATION    | 40            |    |
|     |     |    | NW | NW | IRRIGATION    | 40            |    |
|     |     |    | SW | NW | IRRIGATION    | 40            |    |
|     |     |    | SE | NW | IRRIGATION    | 40            |    |
|     |     |    | NE | SW | IRRIGATION    | 40            |    |
|     |     |    | NW | SW | IRRIGATION    | 40            |    |
|     |     |    | SW | SW | IRRIGATION    | 40            |    |
|     |     |    | SE | SW | IRRIGATION    | 40            |    |
|     |     |    | NE | SE | IRRIGATION    | 40            |    |
|     |     |    | NW | SE | IRRIGATION    | 40            |    |
|     |     |    |    |    | Section Acres | 640           |    |
| 06N | 35E | 17 | NE | NE | IRRIGATION    | 40            |    |
|     |     |    | NW | NE | IRRIGATION    | 40            |    |
|     |     |    | SW | NE | IRRIGATION    | 40            |    |
|     |     |    | SE | NE | IRRIGATION    | 40            |    |
|     |     |    | NE | SE | IRRIGATION    | 40            |    |
|     |     |    | NW | SE | IRRIGATION    | 40            |    |
|     |     |    | SW | SE | IRRIGATION    | 40            |    |
|     |     |    | SE | SE | IRRIGATION    | 40            |    |
|     |     |    |    |    | Section Acres | 320           |    |
| 07N | 35E | 32 | SW | SE | 8             | IRRIGATION    | 2  |
|     |     |    | SE | SE | 7             | IRRIGATION    | 18 |
| 07N | 35E | 33 | SW | SW |               | IRRIGATION    | 1  |
|     |     |    |    |    |               | Section Acres | 1  |

Total Acres 3107.3

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:

14. Remarks:

WTR. RTS. CONT'D 31-2290, 31-2297, 31-2310, 31-2317, 31-2321 THIS WATER RIGHT  
IS HELD BY THE CANAL COMPANY FOR THE BENEFIT OF THE LANDS OF ITS STOCKHOLDERS  
CONFORMED ATTORNEY MAILING ADDRESS DMS  
CHANGED OWNERSHIP PER REQUEST/CV/10/30/00

15. Basis of Claim: Decreed

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: A31-00143  
Date Received: 11/28/1988  
Receipt No: 600 4936  
Received By: ES/Edes

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: JACKETT CANAL COMPANY 208-523-0620  
Address: C/O HOLDEN, KIDWELL, HAHN &  
CRAPO  
P.O. BOX 50130  
IDAHO FALLS, ID 83405

2. Date of Priority: MAR 29, 1911

3. Source: CAMAS CREEK Trib. to: MUD LAKE

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County    |
|----------|-------|---------|--------|--------|-----|-----|-----------|
| 06N      | 35E   | 3       | NW     | NW     | NW  | 4   | JEFFERSON |
| 07N      | 35E   | 7       | SW     | SW     | SW  |     | JEFFERSON |

5. Description of diverting works:  
5 PUMPS/CAMAS CREEK TO DITCHES TO PLACE OF USE

6. Water is used for the following purposes:

| Purpose            | From  | To    | C.F.S. | (or) | A.F.A.   |
|--------------------|-------|-------|--------|------|----------|
| IRRIGATION         | 04/01 | 11/01 | 1.000  |      |          |
| IRRIGATION STORAGE | 11/02 | 03/31 |        |      | 45000.00 |

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

8. Total consumptive use is 10875.0 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

## 10. Place of Use:

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|-----|----|-----|-----|-----|-------|
| 06N      | 35E   | 3       | NE  |    | NE  | 1   | IRR | 41.9  |
|          |       |         | NW  |    | NE  | 2   | IRR | 41.7  |
|          |       |         | SW  |    | NE  |     | IRR | 40.0  |
|          |       |         | SE  |    | NE  |     | IRR | 40.0  |
|          |       |         | NE  |    | NW  | 3   | IRR | 41.5  |
|          |       |         | NW  |    | NW  | 4   | IRR | 35.0  |
|          |       |         | 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  |
|          |       |         | NW  |    | SE  |     | IRR | 40.0  |
|          |       |         | SW  |    | SE  |     | IRR | 40.0  |

Section Acres 560.1

|   |    |    |   |     |      |
|---|----|----|---|-----|------|
| 4 | NW | NW | 4 | IRR | 7.0  |
|   | 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 327.0

|   |    |    |   |     |      |
|---|----|----|---|-----|------|
| 5 | NE | NE | 1 | IRR | 41.2 |
|   | NW | NE | 2 | IRR | 38.0 |
|   | SW | NE |   | IRR | 40.0 |
|   | SE | NE |   | IRR | 40.0 |
|   | NE | SW |   | IRR | 40.0 |
|   | NE | SE |   | IRR | 40.0 |
|   | NW | SE |   | IRR | 40.0 |
|   | SW | SE |   | IRR | 40.0 |
|   | SW | SE |   | IRR | 40.0 |
|   | SE | SE |   | IRR | 40.0 |

Section Acres 399.2

|   |    |    |  |     |      |
|---|----|----|--|-----|------|
| 8 | NE | NE |  | IRR | 40.0 |
|   | NW | NE |  | IRR | 40.0 |
|   | SW | NE |  | IRR | 40.0 |
|   | SE | NE |  | IRR | 40.0 |

10. Place of Use: Continued

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|-----|----|-----|-----|---------------|-------|
| 06N      | 35E   | 8       | 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  |
|          |       |         | NE  |    | SE  |     | IRR           | 40.0  |
|          |       |         | NW  |    | SE  |     | IRR           | 40.0  |
|          |       |         |     |    |     |     |               |       |
|          |       |         |     |    |     |     | Section Acres | 440.0 |
|          |       | 9       | NE  |    | NE  |     | IRR           | 40.0  |
|          |       |         | NW  |    | NE  |     | IRR           | 40.0  |
|          |       |         | SW  |    | NE  |     | IRR           | 40.0  |
|          |       |         | SE  |    | NE  |     | IRR           | 40.0  |
|          |       |         | NE  |    | SW  |     | IRR           | 40.0  |
|          |       |         | NW  |    | SW  |     | IRR           | 40.0  |
|          |       |         | SW  |    | SW  |     | IRR           | 40.0  |
|          |       |         | SE  |    | SW  |     | IRR           | 40.0  |
|          |       |         | NW  |    | SE  |     | IRR           | 40.0  |
|          |       |         | SW  |    | SE  |     | IRR           | 40.0  |
|          |       |         |     |    |     |     |               |       |
|          |       |         |     |    |     |     | Section Acres | 400.0 |
|          |       | 16      | 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           | 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 | 640.0 |
|          |       | 17      | NE  |    | NE  |     | IRR           | 40.0  |
|          |       |         | NW  |    | NE  |     | IRR           | 40.0  |
|          |       |         | SW  |    | NE  |     | IRR           | 40.0  |

10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres  |
|----------|-------|---------|--------|-----|-----|---------------|--------|
| 06N      | 35E   | 17      | SE     | NE  |     | 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 | 320.0  |
| 07N      | 35E   | 32      | SW     | SE  | 8   | IRR           | 2.0    |
|          |       |         | SE     | SE  | 7   | IRR           | 18.0   |
|          |       |         |        |     |     | Section Acres | 20.0   |
|          |       | 33      | SW     | SW  |     | IRR           | 1.0    |
|          |       |         |        |     |     | Section Acres | 1.0    |
|          |       |         |        |     |     | Total Acres   | 3107.3 |

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:

31-0135, 31-0134, 31-0144, 31-0190, 31-0336, 31-0337, 31-228

14. Remarks:

WTR. RTS. CONT'D 31-2290, 31-2297, 31-2310, 31-2317, 31-2321  
THIS WATER RIGHT IS HELD BY THE CANAL COMPANY FOR THE BENEFIT  
OF THE LANDS OF ITS STOCKHOLDERS.

15. Basis of Claim: DECREED

Water Right Number: 310143

Case Number: 635

Court :

Decree date: 11/01/1930

ERNEST SAUVE

Decree Plaintiff

vs

W. H. ABBOTT, ET AL

Decree 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: \_\_\_\_\_

**For Individuals:**

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho )  
County of \_\_\_\_\_ ) SS.

Subscribed and sworn (or affirmed) before me this \_\_\_\_\_ day  
of \_\_\_\_\_ 19 \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Seal

Residing at \_\_\_\_\_  
My Commission Expires \_\_\_\_\_

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: 39356

Ident. Number 31-0143

Date Received 28 Nov 1988

Receipt Number E004936

NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

RECEIVED

NOV 28 1988

Department of Water Resources  
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) Jackett Canal Company Phone (208) 523-0620  
Mailing Address % Holden, Kidwell, Hahn & Crapo  
P.O. Box 50130, Idaho Falls, Idaho Zip 83405

2. Date of Priority (Only one (1) per claim) March 29, 1911

3. Source of water supply (a) Camas Creek  
which is tributary to (b) Mud Lake

4. a. Location of existing point of diversion is: Township 6N Range 35E Section 3,  
1/4 of 1/4 of 1/4, Govt. Lot, 4 B.M., County of Jefferson

Additional points of diversion if any: SW1/4SW1/4 Sec. 33, T7N, R35E

b. If instream flow, beginning point of claimed instream flow is:

Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_

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. 5 pumps are located on Camas Creek in Lot 4 of Sec. 3, T6N, R35E; 3 pumps are located on Camas Creek in the SW1/4SW1/4 of Sec. 33, T7N, R35E. These pumps divert water under rights in Camas Creek as well as rediverting water brought to Camas Creek through the Independent Ditch from the company's wells. The pumps divert up to about 75 cfs from Camas Creek under a combination of the Camas Creek rights and the well rights which are used to supplement flows in Camas Creek. There are seven wells with pumps that pump into ditches which bring the water to Camas Creek for rediversion. See Transfer No. 2303.

A3100143



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Copies: White-Stack, Yellow-Claims 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from April 1 to Nov. 1 amount 1.0 or \_\_\_\_\_

For Irrigation Storage purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or See Attachment "A"

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 1.0 (cfs) and/or (b) See Attachment "A" (acre feet)

8. Total consumptive use claimed is 10,875 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 3107.23

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.  
31-0134, 31-0135, 31-0144, 31-0190, 31-0336, 31-0337, 31-2289, 31-2290, or None ( )  
31-2297, 31-2310, 31-2317 and 31-2321

14. Remarks:  
This water right is held by the canal company for the benefit of the lands of its  
stockholders

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Last Name Jackett Canal Company Ident No. 31-0143

Copies: White - 1 Yellow - 0 1982

15. Basis of Claim (check one) Beneficial Use \_\_\_\_\_ Posted Notice \_\_\_\_\_ License \_\_\_\_\_ Permit \_\_\_\_\_  
Decree X

If applicable provide IDWR Water Right Number 31-0143

Court U.S. District Case Number 635 Decree Date Nov. 1, 1930

Plaintiff vs Defendant Ernest Sauve v. W. H. Abbott, et al.

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 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 Secretary

Title

of Jackett Canal Company, that I have signed the foregoing

Organization

document in the space below as Secretary of said company

Title

Organization

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

Signature of Authorized Agent *Kent W. Foster*

Title and Organization Sec., Jackett Canal Company Date 11-28-88

State of Idaho/or \_\_\_\_\_ )

) SS.

County of Bonneville )

Subscribed and sworn (or affirmed) before me this 28th day of November 19 88

Notary Public *Kent W. Foster*

Residing at Idaho Falls, Idaho

My Commission Expires November 10, 1992

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Kent W. Foster 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 *Kent W. Foster*

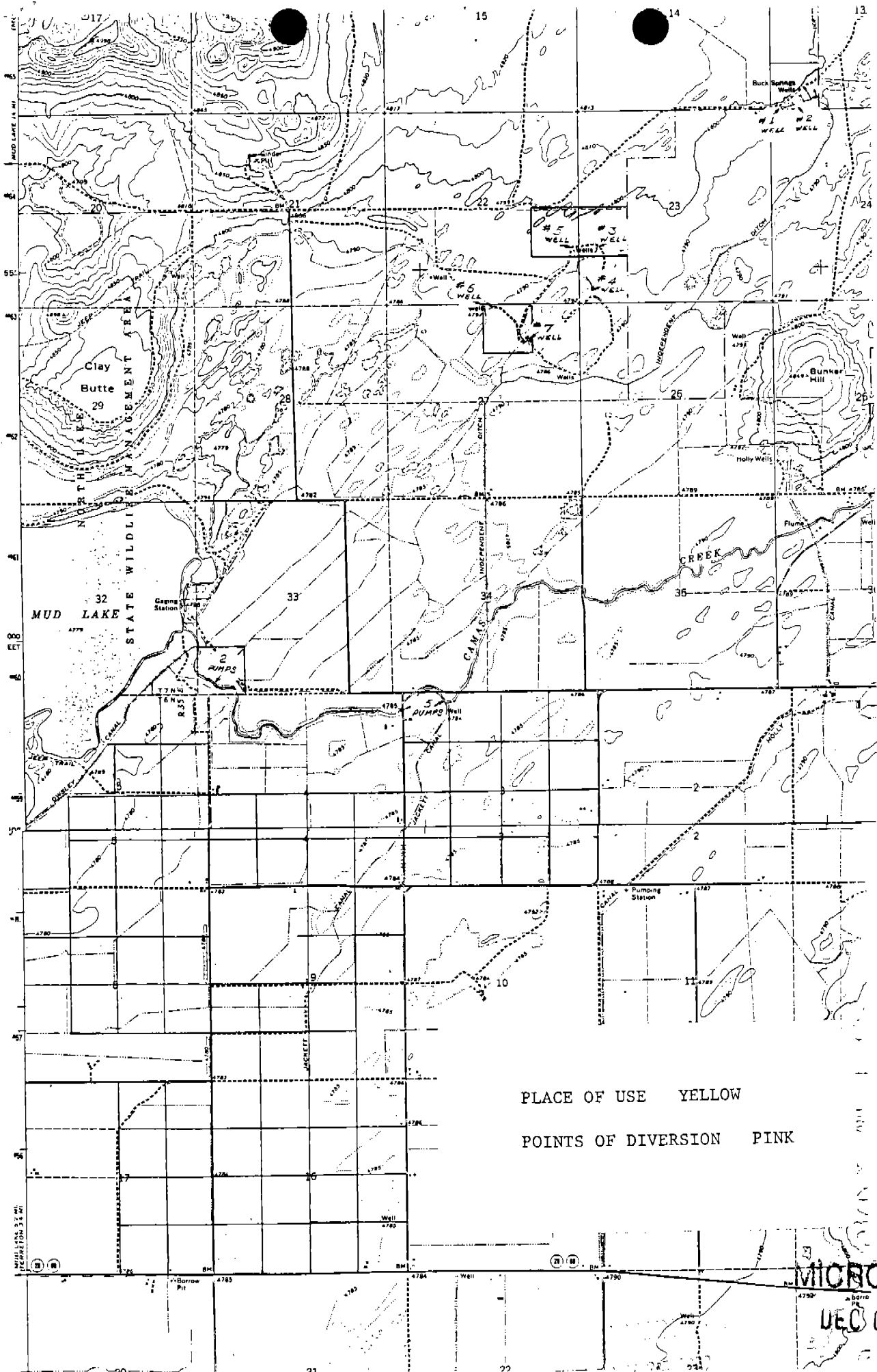
Address P. O. Box 50130, Idaho Falls, Idaho 83402

Date November 28, 1988

MICROFILMED

Last Name Jackett Canal Company Ident. Number 31-0143

DEC 09 1992  
Copies White-State, Yellow-Claimant



PLACE OF USE YELLOW  
POINTS OF DIVERSION PINK

MICROFILMED  
DEC 09 1992

STORAGE RIGHTS

IN

MUD LAKE

Under the federal court decree in the case of Ernest Sauve v. W. H. Abbott, et al., Case No. 635, entered November 1, 1930, the watermaster is charged with the responsibility of accounting for water stored in Mud Lake during the nonirrigation season on the basis of priorities to the use of the waters of Mud Lake and its tributaries during the irrigation season.

As a result of the drilling of wells which for many years resulted in the flow of significant amounts of water therefrom without the necessity of pumping, other court decrees have resulted which also impact such storage rights. Notable among such decrees is the one entered by the District Court of the Ninth Judicial District for Jefferson County in the case of Owsley Canal Company v. Ernest Bauerle, et al., Case No. 1739, on October 14, 1940.

By the early 1960's, most of such flowing wells had ceased to flow in average water years, either during the irrigation or nonirrigation season. Pumps were installed and in very recent years some wells have been deepened in order to provide the

MICROFILMED  
DEC 09 1992

required amounts of water. Coincidentally with the increased number of groundwater diversions in the areas surrounding Mud Lake, wintertime flows from Camas Creek and the other tributaries have, in many of the past twenty to twenty-five years, been insufficient to fill Mud Lake.

In response to the need to fill Mud Lake during the nonirrigation season, for the benefit of all holders of natural flow and storage rights therein; a practice has developed of pre-irrigation season pumping from many of the same wells which are the subject of the Owsley v. Bauerle decree, as well as some other wells. The pre-season pumping has been done pursuant to an agreement entered into by all those who hold rights to the use of the waters of Mud Lake. A copy of the agreement currently in effect is attached hereto.

Claimant has made a claim for storage rights under each of its natural flow rights. The storage capacity of Mud Lake is only 45,000 acre feet, which is far less than the combined total of the potential storage rights of all holders of such rights. In addition to the limitations imposed upon such claimed storage rights by nature, by the size of the storage facility, by the applicable decrees of courts and the priorities provided therein, such storage rights have been and are presently subject to the practice described in the attached current pre-season pumping agreement.

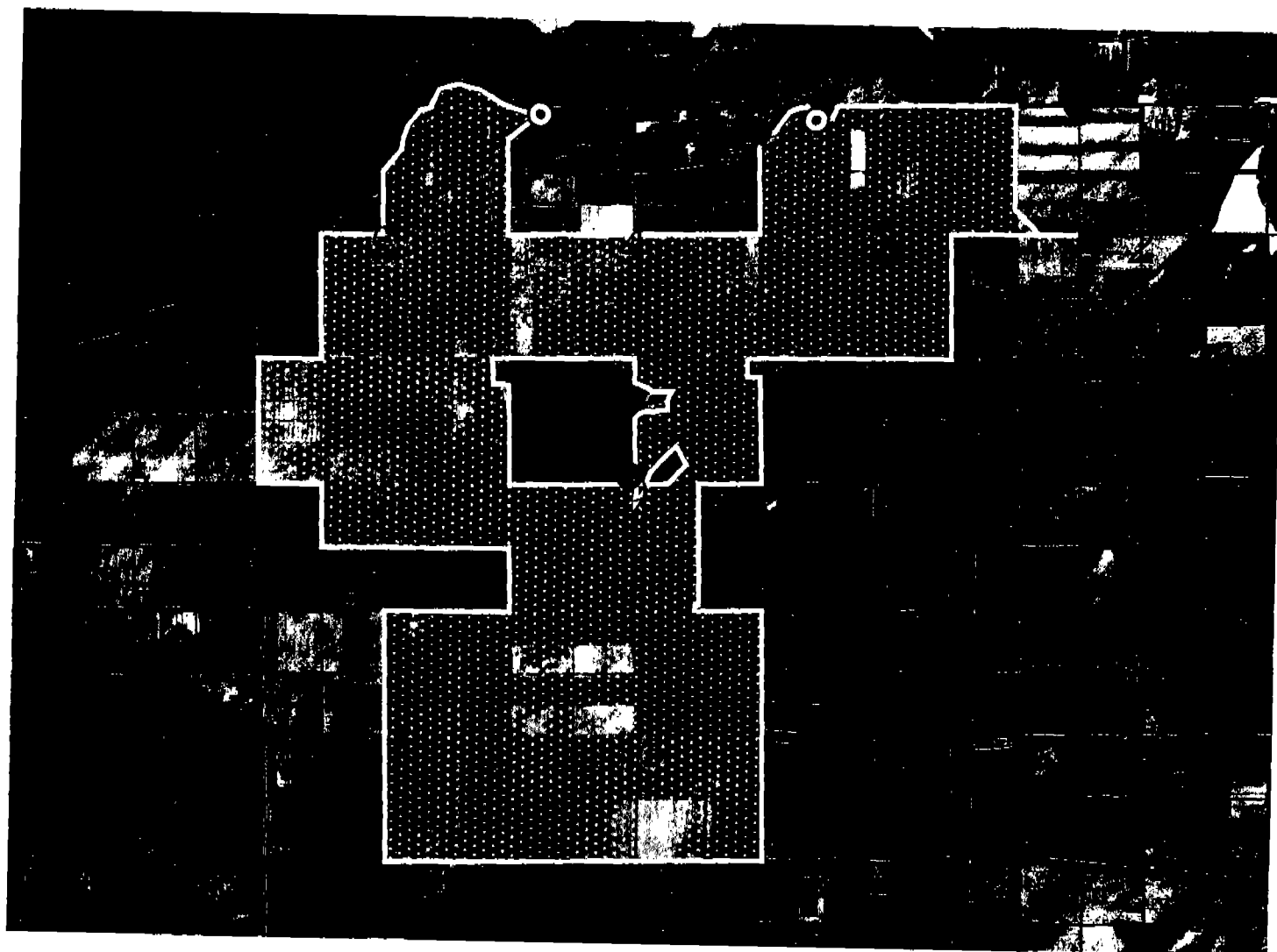
MICROFILMED  
DEC 09 1992

DEC 09 1992

[illegible]

# Idaho Department of Water Resources

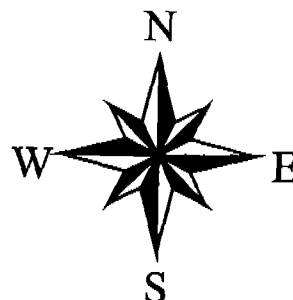
"Jackett" Water Rights, Numbers 31-31-134, 31-135, 31-143  
31-144, 31-190, 31-192



Township 6N Range 35E

0 1320 Feet

- ⊙ Point of Diversion
- Point of Diversion - Other Rights
- Place of Use
- Place of Use - Other Rights
- Quarter-quarter Sections
- Section Lines



GIS Illustration prepared from 1987/1988 NAPP photography by B. Contor 12/2000

01/16/2001

NOTICE OF ERROR  
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: March 9, 2001

Water right number: 31-143

MUD LAKE WATER USERS INC  
1400 E 1500 N

PO BOX 68

TERRETON, ID 83450

Daytime Telephone Number: (208) 663-4359

Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 2-12-2001 SIGNATURE: *Barth S. Bergquist*

Please print your name: \_\_\_\_\_

MUD LAKE WATER USERS, INC.  
P. O. BOX 68  
TERRETON, ID 83450

IDWR Regional Office, 900 N Skyline, Idaho Falls, ID 83402, (208) 525-7161

Clarence O. McGill  
and G. B. Adams

1911 - March 29

1912 - September 21

31 143  
1.0 c.f.s.  
31 144  
1.0 c.f.s.

Source: Camas Creek, a tributary  
of Mud Lake.

Point of Diversion: In Lot 4,  
Section 3, Township 6 North, Range  
35 East, B.M.

For use on the following described  
land, to-wit: Lots 3 and 4; the  
Southwest Quarter of the Northwest  
Quarter; the Southwest Quarter of  
the Southwest Quarter; the North-  
east Quarter of the Southwest Quar-  
ter; and the Northwest Quarter of  
the Southwest Quarter, -- all in  
Section 5, Township 6 North, Range  
35 East, B.M.

No. 75

Lot 3 41.5  
Lot 4 41.3  
SWNW 40  
SWSW 40  
NESW 40  
NWSW 40

242.8

143 } 144 Section  
1/4 mile to NW  
1/4 mile

108

JOINT

NOV 25 1911



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

November 2, 2000

MUD LAKE WATER USERS INC  
PO BOX 68  
TERRETON ID 83450

RE: CHANGE IN OWNERSHIP FOR A31-00134, A31-00135,  
A31-00143, A31-00144, A31-00190, A31-00192, A31-00331,  
A31-00332, A31-00344, A31-00345, A31-00354, A31-00355,  
A31-00360, A31-00361, A31-00371, A31-02289, A31-02290,  
A31-02297, A31-02310, A31-02317A, A31-02317B, A31-  
02321, A31-10957, A31-10958, A31-10959, A31-10960, A31-  
10961, A31-10962

Dear Claimant:

The request for Change in Ownership concerning the  
Notice(s) of Claim in the above reference has been  
processed and the Notice(s) modified to reflect you as  
the new owner(s).

Enclosed is a copy of the Notice(s) of Claim, with your  
name shown as the current owner. Review the forms and  
if there are other corrections or questions, feel free  
to contact this office.

If there are no questions or corrections, please keep  
this Notice(s) for your records.

Respectfully submitted,

*Cheri Vandermeulen*

Cheri Vandermeulen  
Records Clerk

Enclosure: Notice(s) of Claim

ENCLOSURE  
NOV 15 2000



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

To: Mud Lake Water Users Files  
Fr: Bryce Contor  
Date: 10/31/2000

*Bryce A. Contor*

Re: Attorney

Garth Soderquist of Mud Lake Water Users called today and ask that we remove Kent Foster as attorney on all of the Mud Lake Water Users adjudication claims.

10/31/2000  
10/31/2000

OK-Bac

# STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

### NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.  
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

| Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split     |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-----------|
|                       | A31-00134 <sup>x</sup>       |       |                       | A31-00192 <sup>x</sup>       |           |
|                       | A31-00135 <sup>x</sup>       |       |                       | A31-2280                     | A31-2317B |
|                       | A31-00143 <sup>x</sup>       |       |                       | A31-2290                     | A31-2251  |
|                       | A31-00144 <sup>x</sup>       |       |                       | A31-2290                     |           |
|                       | A31-00190 <sup>x</sup>       |       |                       | A31-2317A                    |           |

2. The following **REQUIRED** information must be submitted with this form:

~~A. The appropriate FILING FEE. See instructions for fee amounts.~~

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION.**

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):  
**PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Fachett Canal Co.

4. New Owner/Claimant(s)

Mud Lake Water Users Inc.

Name Connector (Check one): [ ] and, [ ] or, [ ] and/or

New Mailing Address

P.O. Box 68

City, State and ZIP Code

Territon ID 83450

New Telephone Number

( ) \_\_\_\_\_

5. Date you acquired the property

Filed 98 Jan 13 PM 1:18

Secretary of State  
State of Idaho

NOV 28 2000

100-443887-100

JUL 7 1978

A. DESCRIPTION OF RIGHTS AS RECORDED:

Department of Water Resources  
Eastern District Office

1. Rights evidenced by:

a. Decreed Rights:

- (1) Ernest Sauve, Plaintiff, vs. W. H. Abbott, et al, Defendants;  
dated November 1, 1930; in the District Court of the United States for the District of Idaho, Eastern Division. Proceedings were held in Pocatello, Bannock County, Idaho, but the decree purports to allocate the waters of Mud Lake in Jefferson County, Idaho, and its tributaries. All lands irrigated through applicant's system are in Jefferson County. These rights were conveyed to applicant by an instrument entitled "Water Deed", dated May 1, 1956, recorded as Instrument No. 116320 in the records of Jefferson County, Idaho, on September 15, 1958; also in Book 55 of Water Deeds at page 309. A copy of this deed is attached hereto. The information for each such water right is listed as follows:

- (a) Right No. - 31-0134 (Page 47 of Decree, No. 70)  
Decreed to- Los Angeles First National Bank and Trust Company (formerly First Nat'l Bank of Los Angeles), a corporation.  
Source - Camas Creek, a tributary of Mud Lake.  
Priority Date - March 20, 1911.  
Water Used For - Irrigation  
Amount - 3.5 cfs  
Point of Diversion- In Lot 4, Section 4, Township 6 North, Range 35 East, B.M.  
Place of Use - 7.38 acres in Lot 7, Section 32, Township 7 North, Range 35 East, B.M. 41. acres in Lot 4, Section 4; 41. acres in Lot 1, Section 4; 52.25 acres in Lot 2, Section 5; all in Township 6 North, Range 35 East, B.M.
- (b) Right No. - 31-0135 (Page 47 of Decree, No. 70)  
Decreed to - Los Angeles First Nat'l Bank and Trust Company (formerly First Nat'l Bank of Los Angeles), a corporation.  
Source - Mud Lake  
Priority Date - June 10, 1912  
Water Used For - Irrigation  
Amount - 2.5 cfs  
Point of Diversion - Near the Center of the Southwest Quarter of Section 5, Township 6 North, Range 35 East, B.M.

Place of Use - 320 acres as follows: 40 acres in the Northwest Quarter of the Northwest Quarter; 40 acres in the Northeast Quarter of the Northwest Quarter; 40 acres in the Southwest Quarter of the Northwest Quarter; 40 acres in the Southeast Quarter of the Northwest Quarter; 40 acres in the Northwest Quarter of the Northeast Quarter; 40 acres in the Southwest Quarter of the Northeast Quarter; 40 acres in the Northwest Quarter of the Southeast Quarter; 40 acres in the Northeast Quarter of the Southwest Quarter - all in Section 8, Township 6 North, Range 35 East B.M.

(c) Right No. - 31-0143 (Page 49 of Decree, No. 75)  
 Decreed to - Clarence O. McGill and G. B. Adams.  
 Source - Camas Creek, a tributary of Mud Lake.  
 Priority Date - March 29, 1911  
 Water Used For - Irrigation  
 Amount - 1.0 cfs  
 Point of Diversion - In Lot 4, Section 3, Township 6 North, Range 35 East B.M.  
 Place of Use - Lots 3<sup>rd</sup> and 4<sup>th</sup> the Southwest Quarter of the Northwest Quarter; the Southwest Quarter of the Southwest Quarter, the Northeast Quarter of the Southwest Quarter, and the Northwest Quarter of the Southwest Quarter, all in Section 3, Township 6 North, Range 35 East, B.M.

(d) Right No. - 31-0144 (Page 49 of Decree, No. 75)  
 Decreed to - Clarence O. McGill and G.B. Adams  
 Source - Camas Creek, a tributary of Mud Lake  
 Priority Date - September 21, 1912.  
 Water Used For - Irrigation  
 Amount - 1.0 cfs  
 Point of Diversion - Same as 31-0143.  
 Place of Use - Same as 31-0143.

(e) Right No. - 31-0190 (Page 60 of Decree, No. 99)  
 Decreed to - Merritt M. Owsley  
 Source - Camas Creek, a tributary of Mud Lake.  
 Priority Date - October 14, 1913.  
 Water Used For - Irrigation  
 Amount - 5.9 cfs  
 Point of Diversion - A point South 73.75° East 1222 feet from the Northwest Corner of Section 3, Township 6 North, Range 35 East, B.M.  
 Place of Use - The Southwest Quarter, the West Half of the Southeast Quarter, and the West Half of the Northeast Quarter, of Section 9, Township 6 North, Range 35 East, B.M.

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(2) The Owsley Canal Company, Plaintiff, vs. Ernest Bauerle, et al, Defendants; dated October 14, 1940; in the District Court of the Ninth Judicial District of the State of Idaho, In and For Jefferson County. These rights were conveyed to applicant by instrument entitled "Water Deed", dated December 20, 1956, recorded as Instrument No. 120684, in the records of Jefferson County, Idaho on December 11, 1959; also in Book 81 of Water Deeds, at Page 56. A copy of this deed is attached. By this deed, Independent Water Users of Mud Lake, Inc., conveyed to applicant:

"An undivided one-third (1/3) in and to all of the water and water rights and diversion works of every kind, nature and description owned by said First Party, or in which First Party has any interest and particularly, but not limited thereto, an undivided one-third (1/3) interest in and to the water rights evidenced by Idaho Water License No. 17690 and Idaho Water Permit No. 17763."

The Bauerle Decree recites that Independent Water Users of Mud Lake, Inc., is the owner of this license and permit and appears to confirm or decree the rights represented in both the license and the permit. Subsequently the Permit, No. 17763/31-2254 was canceled for failure to submit proof of beneficial use. However, water has been diverted and applied to beneficial use each year in reliance on this right and the applicant has always relied on the decree as evidence of the rights, rather than the license or permit. We are attaching a copy of a letter from Mr. Bobby D. Fleenor of the Department to Don Shenton, dated June 4, 1974, explaining that the permit was canceled because after the entry of the Decree there was no longer any need to prove up on the permit, and the filing was unnecessary. The rights under this decree are described as follows:

(a) Right No. - 31-0336 (License No. 17690/31-2253)  
 Decreed to - Independent Water Users of Mud Lake, Inc.  
 Source - Ground Water  
 Priority Date - April 27, 1932  
 Water Used For - Irrigation  
 Amount - Decree says 32.50 cubic feet per second, but combined with Right No. 31-0337 "an amount not exceeding in the aggregate the equivalent of 91.8 cubic feet per second, flowing continuously during the irrigation season from May 1 to November 1 of each year."

Point of Diversion - Northeast Quarter Northwest Quarter  
 Section 3, Township 6 North, Range  
 35 E.B.M., Jefferson County.

Place of Use -

| Twp | Range | Section | Forty-Acre Tract                                                                         | No. Acres Actually Irrigated |
|-----|-------|---------|------------------------------------------------------------------------------------------|------------------------------|
| 7N. | 35 E. | 32      | Lot 7 (SE $\frac{1}{4}$ SE $\frac{1}{4}$ )                                               | 38                           |
| 6N. | 35 E. | 4       | Lot 4                                                                                    | 35                           |
|     |       |         | NE $\frac{1}{4}$ SW $\frac{1}{4}$                                                        | 40                           |
|     |       |         | NW $\frac{1}{4}$ SW $\frac{1}{4}$                                                        | 40                           |
|     |       |         | SW $\frac{1}{4}$ SW $\frac{1}{4}$                                                        | 40                           |
|     |       |         | SE $\frac{1}{4}$ SW $\frac{1}{4}$                                                        | 40                           |
|     |       |         | NE $\frac{1}{4}$ SE $\frac{1}{4}$                                                        | 40                           |
|     |       |         | NW $\frac{1}{4}$ SE $\frac{1}{4}$                                                        | 40                           |
|     |       |         | SW $\frac{1}{4}$ SE $\frac{1}{4}$                                                        | 40                           |
|     |       |         | SE $\frac{1}{4}$ SE $\frac{1}{4}$                                                        | 40                           |
|     |       | 5       | Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$ )                                               | 40                           |
|     |       |         | Lot 2 (NW $\frac{1}{4}$ NE $\frac{1}{4}$ and part of NE $\frac{1}{4}$ NW $\frac{1}{4}$ ) | 25                           |
|     |       |         | SW $\frac{1}{4}$ NE $\frac{1}{4}$                                                        | 40                           |
|     |       |         | SE $\frac{1}{4}$ NE $\frac{1}{4}$                                                        | 35                           |
|     |       |         | NE $\frac{1}{4}$ SW $\frac{1}{4}$                                                        | 40                           |
|     |       |         | SE $\frac{1}{4}$ SW $\frac{1}{4}$                                                        | 40                           |
|     |       |         | NE $\frac{1}{4}$ SE $\frac{1}{4}$                                                        | 40                           |
|     |       |         | NW $\frac{1}{4}$ SE $\frac{1}{4}$                                                        | 40                           |
|     |       |         | SW $\frac{1}{4}$ SE $\frac{1}{4}$                                                        | 40                           |
|     |       |         | SE $\frac{1}{4}$ SE $\frac{1}{4}$                                                        | 40                           |
|     |       | 8       | NE $\frac{1}{4}$ NE $\frac{1}{4}$                                                        | 40                           |
|     |       |         | NW $\frac{1}{4}$ NE $\frac{1}{4}$                                                        | 40                           |
|     |       |         | SW $\frac{1}{4}$ NE $\frac{1}{4}$                                                        | 30                           |
|     |       |         | SE $\frac{1}{4}$ NE $\frac{1}{4}$                                                        | 20                           |
|     |       |         | NW $\frac{1}{4}$ SW $\frac{1}{4}$                                                        | 40                           |
|     |       |         | NW $\frac{1}{4}$ NW $\frac{1}{4}$                                                        | 40                           |
|     |       |         | SW $\frac{1}{4}$ NW $\frac{1}{4}$                                                        | 35                           |
|     |       |         | SE $\frac{1}{4}$ NW $\frac{1}{4}$                                                        | 40                           |
|     |       |         | NE $\frac{1}{4}$ SW $\frac{1}{4}$                                                        | 40                           |
|     |       |         | NW $\frac{1}{4}$ SE $\frac{1}{4}$                                                        | 15                           |
|     |       | 9       | NE $\frac{1}{4}$ NE $\frac{1}{4}$                                                        | 35                           |
|     |       |         | SE $\frac{1}{4}$ NE $\frac{1}{4}$                                                        | 20                           |
|     |       |         | NE $\frac{1}{4}$ NW $\frac{1}{4}$                                                        | 40                           |
|     |       |         | NW $\frac{1}{4}$ NW $\frac{1}{4}$                                                        | 20                           |
|     |       |         | SW $\frac{1}{4}$ NW $\frac{1}{4}$                                                        | 20                           |
|     |       |         | SE $\frac{1}{4}$ NW $\frac{1}{4}$                                                        | 40                           |
|     |       | 10      | NW $\frac{1}{4}$ NW $\frac{1}{4}$                                                        | 20                           |
|     |       |         | SW $\frac{1}{4}$ NW $\frac{1}{4}$                                                        | 20                           |

Total Number of Acres Irrigated 1,328

(b) Right No. - 31-0337 (Permit No. 17763/31-2254)  
 Decreed To - Independent Water Users of Mud Lake, Inc.  
 Source - Ground Water  
 Priority Date - December 15, 1932  
 Water Used For - Irrigation  
 Amount - 50 cfs (however, decree provides that this right, together with Right No. 31-0336 shall be permitted to develop up to 91.8 cubic feet per second as quoted above).

Points of Diversion - Southwest Quarter of Section 13, Northwest Quarter of Section 24, in Township 7 North, Range 35 E.B.M., Northeast Quarter Northwest Quarter of Section 3, Township 6 North, Range 35 E.B.M., Northwest Quarter Northwest Quarter of Section 7, Township 6 North, Range 34 E.B.M., Northeast Quarter Northwest Quarter of Section 1, Township 6 North, Range 34 E.B.M.

Place of Use -

| Twp. | Range | Section | Forty-Acre Tract                  | No. Acres Actually Irrigated |
|------|-------|---------|-----------------------------------|------------------------------|
| 7N.  | 33 E. | 36      | NE $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                           |
|      |       |         | NW $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                           |
|      |       |         | SW $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                           |
|      |       |         | SE $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                           |
|      |       |         | NE $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                           |
|      |       |         | SW $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                           |
|      |       |         | SE $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                           |
|      |       |         | NE $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                           |
|      |       |         | NW $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                           |
|      |       |         | SW $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                           |
|      |       |         | SE $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                           |
|      | 34 E. | 31      | NE $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                           |
|      |       |         | NW $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                           |
|      |       |         | SW $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                           |
|      |       |         | SE $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                           |
|      |       |         | NE $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                           |
|      |       |         | NW $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                           |
|      |       |         | SW $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                           |
|      |       |         | SE $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                           |
|      |       | 1       | NE $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                           |
|      |       |         | NW $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                           |
| 6N.  | 33 E. | 1       | SW $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                           |
|      |       |         | SE $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                           |
|      |       |         | NE $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                           |
|      |       |         | NW $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                           |
|      |       |         | SW $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                           |
|      |       |         | SE $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                           |
|      |       | 34 E.   | NE $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                           |
|      |       |         | NW $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                           |
|      |       |         | SW $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                           |
|      |       |         | SE $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                           |
|      |       |         | NE $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                           |
|      |       |         | NW $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                           |
|      |       |         | SW $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                           |
|      |       |         | SE $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                           |

| Twp. | Range | Section | Forty-Acre Tract                  | No. Acres Actually Irrigated |
|------|-------|---------|-----------------------------------|------------------------------|
| 6N   | 34 E. | 12      | NE $\frac{1}{4}$ NE $\frac{1}{4}$ | 40.                          |
|      |       |         | NW $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                           |
|      |       |         | SW $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                           |
|      |       |         | SE $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                           |
|      |       |         | NE $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                           |
|      |       |         | SE $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                           |
|      |       |         | NE $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                           |
|      |       |         | NE $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                           |
|      |       |         | NW $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                           |
|      |       |         | SW $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                           |
|      |       |         | SE $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                           |
|      |       |         | NE $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                           |
|      | 35 E. | 7       | NW $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                           |
|      |       |         | SW $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                           |
|      |       |         | SE $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                           |
|      |       |         | NE $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                           |
|      |       |         | NW $\frac{1}{4}$ NW $\frac{1}{4}$ | 34.75                        |
|      |       |         | SW $\frac{1}{4}$ NW $\frac{1}{4}$ | 34.75                        |
|      |       |         | SE $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                           |
|      |       |         | NE $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                           |
|      |       |         | NW $\frac{1}{4}$ SW $\frac{1}{4}$ | 34.8                         |
|      |       |         | SW $\frac{1}{4}$ SW $\frac{1}{4}$ | 34.8                         |
|      |       |         | SE $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                           |
|      |       |         | NE $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                           |
|      | 35 E. | 9       | NW $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                           |
|      |       |         | SW $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                           |
|      |       |         | SE $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                           |
|      |       |         | NW $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                           |
|      |       |         | SW $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                           |
|      |       |         | NE $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                           |
|      |       |         | NW $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                           |
|      |       |         | SW $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                           |
|      |       |         | SE $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                           |
|      |       |         | NW $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                           |
|      |       |         | SW $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                           |
|      |       |         |                                   |                              |

Total Number of Acres Irrigated 2,619.1

b. Licensed Rights:

(1) Right No. - G-20891/31-2289  
Licensed To - Calvin Passey  
Source - Ground Water  
Priority Date - January 13, 1949  
Water Used For - Irrigation  
Amount - 3.2 cfs  
Point of Diversion- Northwest Quarter Northeast  
Quarter Section 27, Township 7  
North, Range 35 E.B.M., Jefferson  
County.  
Place of Use - Northeast Quarter Northeast Quarter,  
Northwest Quarter Northeast Quarter,  
Southwest Quarter Northeast Quarter,  
Southeast Quarter Northeast Quarter  
all in Section 8, Township 6 North  
Range 35 E.B.M.

- (2) Right No. - G-20948/31-2290  
Licensed To - J.R. Bixby  
Source - Ground Water  
Priority Date - February 14, 1949  
Water Used For - Irrigation  
Amount - 3.6 cfs  
Point of Diversion - Northwest Quarter Northeast Quarter, Section 27 Township 7 North, Range 35 E.B.M., Jefferson County.  
Place of Use - Northeast Quarter Southeast Quarter, Northwest Quarter Southeast Quarter, Southwest Quarter Southeast Quarter, Southeast Quarter Southeast Quarter, Northeast Quarter Southwest Quarter, and Southeast Quarter Southwest Quarter, all in Section 5, Township 6 North, Range 35 E.B.M.
- (3) Right No. - G-21322/31-2297  
Licensed To - Rulan R. Yearsley  
Source - Ground Water  
Priority Date - December 29, 1949  
Water Used For - Irrigation  
Amount - 6.0 cfs  
Point of Diversion - Northwest Quarter Northeast Quarter, Section 27, Township 7 North, Range 35 E.B.M. in Jefferson County.  
Place of Use - 20 acres in Northwest Quarter of Northeast Quarter, 20 acres in Southwest Quarter Northeast Quarter, 20 acres in Southeast Quarter Northeast Quarter, 30 acres in Northeast Quarter Northwest Quarter, 30 acres in Southeast Quarter Northwest Quarter, 40 acres in Northeast Quarter Southwest Quarter, 30 acres in Northwest Quarter Southwest Quarter, 30 acres in Southwest Quarter Southwest Quarter, 20 acres in Southeast Quarter Southwest Quarter, all in Section 3, 30 acres in Southwest Quarter Southeast Quarter of Section 4, 35 acres in Northwest Quarter Northeast Quarter and 35 acres in Southwest Quarter Northeast Quarter of Section 9, all in Township 6 North Range 35 E.B.M.
- (4) Right No. - G-23076/31-2310  
Licensed to - Blaine E. Miller  
Source - Ground Water  
Priority Date - September 24, 1962  
Water Used For - Irrigation 1752  
Amount - 5.8 cfs  
Point of Diversion - Southwest Quarter Southwest Quarter Section 23, Township 7 North, Range 35 E.B.M. Jefferson County.

RECORDED

Place of Use - 35 acres in Northeast Quarter North-east Quarter, 30 acres in Northwest Quarter Northeast Quarter, Southwest Quarter Northeast Quarter, Southeast Quarter Northeast Quarter, Northeast Quarter Southeast Quarter, Northwest Quarter Southeast Quarter, 35 acres in Southwest Quarter Southeast Quarter. 30 acres in Southeast Quarter South-east Quarter, all in Section 17, Township 6 North, Range 35 E.B.M.

(5) Right No. - G-23836/31-2317 (two Rights under this Right No.)  
Licensed to - Frank S. Jackett  
Source - Ground Water  
Priority Date - February 28, 1953 and October 27, 1956  
Water Used For - Irrigation  
Amounts - 8.08 cfs under February 28, 1953 priority and 1.90 cfs under October 27, 1956 priority.

Points of Diversion - Northwest Quarter Southwest Quarter. Section 23 and Northeast Quarter Southeast Quarter, Section 22, all in Township 7 North, Range 35 E.B.M.

Place of Use - 25 acres in Northeast Quarter North-east Quarter, Northwest Quarter North-east Quarter, 20 acres in Southwest Quarter Northeast Quarter, 25 acres in Southeast Quarter Northeast Quarter, Northeast Quarter Northwest Quarter, Northwest Quarter Northwest Quarter, Southwest Quarter Northwest Quarter, Southeast Quarter Northwest Quarter, Northeast Quarter Southeast Quarter, 20 acres in Northwest Quarter South-east Quarter, 25 acres in Southwest Quarter Southeast Quarter, Southeast Quarter Southeast Quarter, Northeast Quarter Southwest Quarter, Northwest Quarter Southwest Quarter, 10 acres in Southwest Quarter Southwest Quarter, 13 acres in Southeast Quarter South-west Quarter, all in Section 16, Township 6 North, Range 35 E.B.M.

(6) Right No. - G-24047/31-2321  
Licensed To - Dennis Green  
Source - Ground Water  
Priority Date - April 25, 1953  
Water Used For - Irrigation  
Amount - 1.92 cfs  
Point of Diversion - Northwest Quarter Northeast Quarter Section 27, Township 7 North Range 35 E.B.M.

Place of Use - 36 acres in Northeast Quarter South-west Quarter, 34 acres in North-east Quarter Southeast Quarter, 26 acres in Northwest Quarter Southeast Quarter all in Section 8, Township 6 North, Range 35 E.B.M.

RECORDED

All of the above described Licensed Rights were deeded to the Jackett Canal Company shortly after its organization in 1956. copies of all of the deeds are attached.

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE:

1. Change in point of diversion:

- a. Amount of water to be diverted - the combination of all of the above described rights of the Jackett Canal Company amounts to 75 cubic feet per second. The decreed rights from Camas Creek are pumped out of Camas Creek at the points of diversion described below, so long as water is available to fill these rights. The seven wells maintained by the company are used only to the extent necessary to supplement the creek rights. Usually, this requires an increased use of the wells as the season progresses. Although the wells are usually operated to some extent from the time the irrigation season begins, in a sense, the wells are used as supplemental to the decreed rights from the creek.

b. Points of diversion -

- (1) Southwest Quarter Southwest Quarter, Section 13,  
Township 7 North, Range 35 E.B.M., Jefferson County.
- (2) Northwest Quarter Southeast Quarter, Section 22,  
Township 7 North, Range 35 E.B.M., Jefferson County.
- (3) Northwest Quarter Southwest Quarter, Section 23,  
Township 7 North, Range 35 E.B.M., Jefferson County.
- (4) Southwest Quarter Southwest Quarter, Section 23,  
Township 7 North, Range 35 E.B.M., Jefferson County.
- (5) Northwest Quarter Northeast Quarter, Section 27,  
Township 7 North, Range 35 E.B.M., Jefferson County.
- (6) Southwest Quarter Southwest Quarter, Section 33,  
Township 7 North, Range 35 E.B.M., Jefferson County.

(7) Lot 4 (Northwest Quarter Northwest Quarter), Section 3,  
Township 6 North, Range 35 E.B.M., Jefferson County.

- c. Description of diverting works - The Jackett Canal Company diverts both its decreed water rights from Camas Creek as well as the decreed and licensed rights from its seven wells at two locations on Camas Creek. The company maintains two pumps on Camas Creek in the Southwest Quarter of the Southwest Quarter of Section 33, Township 7 North, Range 35 E.B.M., and five pumps on Camas Creek in Lot 4 (Northwest Quarter Northwest Quarter), Section 3, Township 6 North, Range 35 E.B.M. The seven wells are located two to three miles north and east of the company's diversions from Camas Creek. Each of the wells discharges water into ditches which convey the well water into the Independent Ditch which empties into Camas Creek upstream from the two diversion points of the company. The Independent Ditch commences at a point in the Southwest Quarter of the Southwest Quarter of Section 13 where several wells are located at a point known as Buck Springs and flows in a generally southwest direction to the center of Section 27, Township 7 North, Range 35 E.B.M., and then directly south for approximately a mile where it discharges into Camas Creek in Section 34, Township 7 North, Range 35 E.B.M. In addition to assisting with the maintenance of the Independent Ditch and the small conveyances which discharge into the Independent Ditch, as well as the Jackett Canal system for distributing water to the lands of the stockholders south of Camas Creek, the company owns and maintains seven wells and fourteen pumps with electric motors ranging in size from 50 hp down to 20 hp.
- d. Describe the reasons for applying for a change in the points of diversion - The purpose of this entire application for

transfer is to conform the records of the department to the actual practice of the company which has been carried on since its organization in 1956. Some of the points of diversion as far as the actual records are concerned may be somewhat confusing because of the changes that were made at that time, as well as a result of the numerous deeds which the company received from individual stockholders as well as the Independent Water Users of Mud Lake, Inc. at the time of the organization. In fact, in reviewing the language of the deed from Independent Water Users of Mud Lake, Inc. to Jackett Canal Company in 1956, we observed that the deed purported to convey an undivided one-third interest in the wells and pumps and other diverting works, as well as the conveyance system and water right itself. There are actually five wells at Buck Springs, all located in the Southwest Quarter of the Southwest Quarter of Section 13, Township 7 North, Range 35 E.B.M. In actual practice, Jackett Canal Company has been treated as owning the two western most wells and Independent Water Users of Mud Lake, Inc. the three eastern most wells. In order to clarify this situation, the two companies have exchanged quit claim deeds on these wells, again to make the records conform to the actual practice. Copies of those deeds are enclosed with this application.

2. Change in place of use:

- a. Describe the lands or place of use to which the right will be transferred:

| TWP | RNG | SEC | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | TOTAL  |
|-----|-----|-----|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------|
|     |     |     | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |        |
| 7N  | 35E | 32  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | lt 8<br>2        | lt 7<br>18       |                  | 20.00  |
|     |     | 33  |                  |                  |                  |                  |                  |                  |                  |                  |                  | 1                |                  |                  |                  |                  |                  |                  | 1.00   |
| 6N  | 35E | 3   | lt 1<br>41.89    | lt 2<br>41.68    | 40               | 40               | lt 3<br>41.46    | lt 4<br>35       | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               |                  | 560.03 |
|     |     | 4   |                  |                  |                  |                  |                  | lt 4<br>7        |                  |                  | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 327.00 |
|     |     | 5   | lt 1<br>41.20    | lt 2<br>38       | 40               | 40               |                  |                  |                  |                  | 40               |                  |                  | 40               | 40               | 40               | 40               | 40               | 399.20 |

| TWP | RNG | SEC | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | TOTALS |
|-----|-----|-----|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------|
|     |     |     | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |        |
|     |     | 8   | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               |                  |                  |                  | 40               | 40               |                  |                  | 440.00 |
|     |     | 9   | 40               | 40               | 40               | 40               |                  |                  |                  |                  | 40               | 40               | 40               | 40               |                  | 40               | 40               |                  | 400.00 |
|     |     | 16  | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 640.00 |
|     |     | 17  | 40               | 40               | 40               | 40               |                  |                  |                  |                  |                  |                  |                  |                  | 40               | 40               | 40               | 40               | 320.00 |

Total number of acres to be irrigated 3,107.23

- b. Draw a map indicating the new points of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township, and range number. The attached map showing lands of the company irrigated by its stockholders colored in yellow with points of diversion and location of wells shown in blue.
3. Remarks - An attempt has been made by the applicant to identify the exact property of its stockholders upon which the company water is to be used, as well as the points of diversion. Essentially, the actual practice of the company has been as shown for a period of nearly 22 years. Recently, when the company began to review its water rights, it was discovered that although they were deeded to the company in 1956, no effort had been made to transfer the water rights so that an equal amount was appurtenant to each acre of ground within the system. Indeed, we discovered that the records would show that some land had several water rights appurtenant and some of the company land had no water rights appurtenant. It is the desire and intention of the company that all of the company's water rights be transferred to all of the company's lands so that each acre has an equal amount of each of the company's rights appurtenant to it since this is the way the company has actually operated.

RECORDED  
1956  
JAN 10

3. Remarks \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement use of the original right. The information contained in this application is true to the best of my knowledge.

Burton R. Yearsley  
(Signature of applicant)

Subscribed and sworn to before me this 26 day of JUNE, 19 78

Paul W. Foster  
(Notary public)

My commission expires LIFE

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

31-0134  
31-0143 31-0135  
31-0144 31-0337  
31-0190 31-2289  
31-0336 31-2290  
31-2297 31-2310  
31-2317 31-2321

This is to certify that I have examined Application for Transfer of Water Rights No. 31-0190 and said application is hereby approved.

1. Approval of said application is subject to the following limitations and conditions:
- (1) Any future transfer of any of these rights will cause the remaining rights to revert back to the original acreage.
  - (2) The intent of this transfer is to record water delivery practices that have existed since 1956 - no change in delivery patterns is authorized.
  - (3) Diversion of water authorized by this transfer shall not exceed 9321 acre feet per annum.
  - (4) Measuring devices and controlling works of a type approved by this Department must be permanently installed and maintained at the points of diversion from groundwater. The existing measuring methodology shall be maintained at the points of diversion/re-diversion from Camas Creek.
  - (5) Use of water under this transfer is subject to control by the watermaster of Water District No. 31, Mud Lake and tributaries.

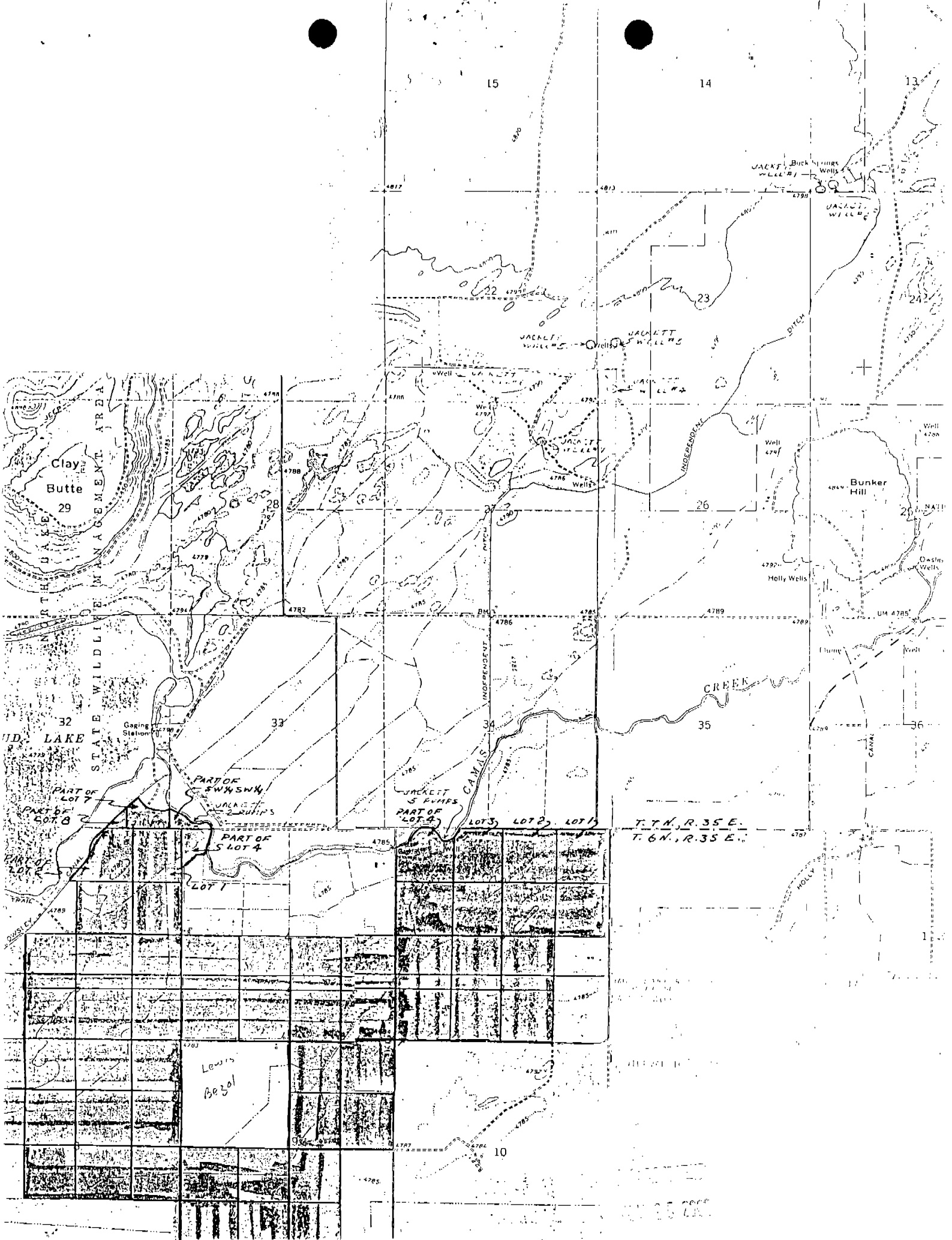
Witness my hand this 23<sup>rd</sup> day of June, 1981.

Norma C. Young  
Administrator, Resources Admin. Div.

FOR DEPARTMENT USE ONLY

Received by dh Date 3-13-79  
BP 7-7-78  
Prelim. check by EMC Fee \$135.00  
Received by dh Date 3-13-79 #12955  
Published in Rigby Star  
Pub. dates April 4 and 11, 1979  
Watermaster recommendation requested on 3/29/79  
rec'd. 4/16/79

Protest filed by \_\_\_\_\_  
Copies of protest forwarded by \_\_\_\_\_  
Hearing held by \_\_\_\_\_ Date \_\_\_\_\_  
Recommended for approval denial  
by EMC Jim DRT



IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE DISTRICT OF IDAHO, EASTERN DIVISION

ERNEST SAUVE,

Plaintiff,

No. 635. -- In Equity

- vs -

D E C R E E

To W. H. Abbott, Fay Abbott, Mary C. Adels, Allen Almonda, G. B. Allen, Allen & Harn, a co-partnership, consisting of G. B. Allen and H. R. Harn; Wm. A. Andrews, Joseph Andrasen, Anderson Bros. Bank, a corporation; Gerret Auldhouse (sometimes known as Gerret Oldhouse); Clausen Auldhouse (sometimes known as Clausen Oldhouse), William Axline, Ernest Bauerle, Edward C. Barnes, May L. Barnes, Lovisa Barney, Arthur J. Barber, Charles Bartlett, Ambrose J. Beckner, Laura E. Beckner, William Beck, David Bethune, Lloyd Bennett, Gus E. Brauer, Administrator of the Estate of Annie J. Bennett, deceased; A. W. Belnap, C. W. Belnap, The Bennett Investment Company, Limited, a corporation; Gussie Binnard, Burka Binnard, Horace L. Birch, Binnard Ranch Company, a corporation; B. Binnard, Sarah Binnard and E. F. Mobley, Trustees for Binnard Ranch Company, a defunct corporation; Charles O. Rickman, as Trustee in Bankruptcy of Binnard Ranch Company, a corporation; Oscar A. Johanneson, as Receiver of Binnard Ranch Company, a corporation; Heber J. Blackburn, W. B. Boucher, Ray Bohney, R. T. Boatman, Mary Nicholas Boyd, Frank Boe, Charles E. Brosic, E. L. Browning, Adna E. Bramwell, Afton Bradshaw, Theresa Brinkmann, Lottie Burcham, G. F. Burcham, Kath-

Clarence O. McGill  
and G. B. Adams

1911 - March 29

1.0 c.f.s.

Source: Camas Creek, a tributary  
of Mud Lake.

1912 - September 21

1.0 c.f.s.

Point of Diversion: In Lot 4,  
Section 3, Township 6 North, Range  
35 East, B.M.

For use on the following described  
land, to-wit: Lots 3 and 4; the  
Southwest Quarter of the Northwest  
Quarter; the Southwest Quarter of  
the Southwest Quarter; the North-  
east Quarter of the Southwest Quar-  
ter; and the Northwest Quarter of  
the Southwest Quarter, -- all in  
Section 3, Township 6 North, Range  
35 East, B.M.

No. 75

Application No. \_\_\_\_\_

31-0143/31-0144

JUL 7 1978

A. DESCRIPTION OF RIGHTS AS RECORDED:

Department of Water Resources  
Eastern District Office

1. Rights evidenced by:

a. Decreed Rights:

(1) Ernest Sauve, Plaintiff, vs. W. H. Abbott, et al, Defendants;

dated November 1, 1930; in the District Court of the United State for the District of Idaho, Eastern Division. Proceedings were held in Pocatello, Bannock County, Idaho, but the decree purports to allocate the waters of Mud Lake in Jefferson County, Idaho, and its tributaries. All lands irrigated through applicant's system are in Jefferson County. These rights were conveyed to applicant by an instrument entitled "Water Deed", dated May 1, 1956, recorded as Instrument No. 116320 in the records of Jefferson County, Idaho, on September 15, 1958; also in Book 55 of Water Deeds at page 309. A copy of this deed is attached hereto. The information for each such water right is listed as follows:

- (a) Right No. - 31-0134 (Page 47 of Decree, No. 70)  
Decreed to - Los Angeles First National Bank and Trust Company (formerly First Nat'l Bank of Los Angeles), a corporation.  
Source - Camas Creek, a tributary of Mud Lake.  
Priority Date - March 20, 1911.  
Water Used For - Irrigation  
Amount - 3.5 cfs  
Point of Diversion - In Lot 4, Section 4, Township 6 North, Range 35 East, B.M.  
Place of Use - 7.38 acres in Lot 7, Section 32, Township 7 North, Range 35 East, B.M. 41. acres in Lot 4, Section 4; 41. acres in Lot 1, Section 4; 52.25 acres in Lot 2, Section 5; all in Township 6 North, Range 35 East, B.M.
- (b) Right No. - 31-0135 (Page 47 of Decree, No. 70)  
Decreed to - Los Angeles First Nat'l Bank and Trust Company (formerly First Nat'l Bank of Los Angeles), a corporation.  
Source - Mud Lake  
Priority Date - June 10, 1912  
Water Used For - Irrigation  
Amount - 2.5 cfs  
Point of Diversion - Near the Center of the Southwest Quarter of Section 5, Township 6 North, Range 35 East, B.M.

Place of Use - 320 acres as follows: 40 acres in the Northwest Quarter of the Northwest Quarter; 40 acres in the Northeast Quarter of the Northwest Quarter; 40 acres in the Southwest Quarter of the Northwest Quarter; 40 acres in the Southeast Quarter of the Northwest Quarter; 40 acres in the Northwest Quarter of the Northeast Quarter; 40 acres in the Southwest Quarter of the Northeast Quarter; 40 acres in the Northwest Quarter of the Southeast Quarter; 40 acres in the Northeast Quarter of the Southwest Quarter - all in Section 8, Township 6 North, Range 35 East B.M.

- (c) Right No. - 31-0143 (Page 49 of Decree, No. 75)  
 Decreed to - Clarence O. McGill and G. B. Adams.  
 Source - Camas Creek, a tributary of Mud Lake.  
 Priority Date - March 29, 1911  
 Water Used For - Irrigation  
 Amount - 1.0 cfs  
 Point of Diversion - In Lot 4, Section 3, Township 6 North, Range 35 East B.M.  
 Place of Use - Lots 3<sup>rd</sup> and 4<sup>th</sup>, the Southwest Quarter of the Northwest Quarter; the Southwest Quarter of the Southwest Quarter, the Northeast Quarter of the Southwest Quarter, and the Northwest Quarter of the Southwest Quarter, all in Section 3, Township 6 North, Range 35 East, B.M.
- (d) Right No. - 31-0144 (Page 49 of Decree, No. 75)  
 Decreed to - Clarence O. McGill and G.B. Adams  
 Source - Camas Creek, a tributary of Mud Lake  
 Priority Date - September 21, 1912.  
 Water Used For - Irrigation  
 Amount - 1.0 cfs  
 Point of Diversion - Same as 31-0143.  
 Place of Use - Same as 31-0143.
- (e) Right No. - 31-0190 (Page 60 of Decree, No. 99)  
 Decreed to - Merritt M. Owsley  
 Source - Camas Creek, a tributary of Mud Lake.  
 Priority Date - October 14, 1913.  
 Water Used For - Irrigation  
 Amount - 5.9 cfs  
 Point of Diversion - A point South 73.75° East 1222 feet from the Northwest Corner of Section 3, Township 6 North, Range 35 East, B.M.  
 Place of Use - The Southwest Quarter, the West Half of the Southeast Quarter, and the West Half of the Northeast Quarter, of Section 9, Township 6 North, Range 35 East, B.M.

MICROFILMED

(2) The Owsley Canal Company, Plaintiff, vs. Ernest Bauerle, et al, Defendants; dated October 14, 1940; in the District Court of the Ninth Judicial District of the State of Idaho, In and For Jefferson County. These rights were conveyed to applicant by instrument entitled "Water Deed", dated December 20, 1956, recorded as Instrument No. 120684, in the records of Jefferson County, Idaho on December 11, 1959; also in Book 81 of Water Deeds, at Page 56. A copy of this deed is attached. By this deed, Independent Water Users of Mud Lake, Inc., conveyed to applicant:

"An undivided one-third (1/3) in and to all of the water and water rights and diversion works of every kind, nature and description owned by said First Party, or in which First Party has any interest and particularly, but not limited thereto, an undivided one-third (1/3) interest in and to the water rights evidenced by Idaho Water License No. 17690 and Idaho Water Permit No. 17763."

The Bauerle Decree recites that Independent Water Users of Mud Lake, Inc., is the owner of this license and permit and appears to confirm or decree the rights represented in both the license and the permit. Subsequently the Permit, No. 17763/31-2254 was canceled for failure to submit proof of beneficial use. However, water has been diverted and applied to beneficial use each year in reliance on this right and the applicant has always relied on the decree as evidence of the rights, rather than the license or permit. We are attaching a copy of a letter from Mr. Bobby D. Fleenor of the Department to Don Shenton, dated June 4, 1974, explaining that the permit was canceled because after the entry of the Decree there was no longer any need to prove up on the permit, and the filing was unnecessary. The rights under this decree are described as follows:

RECEIVED  
JUN 11 1974  
IDAHO DEPARTMENT OF  
WATER RESOURCES

(a) Right No. - 31-0336 (License No. 17690/31-2253)  
 Decreed to - Independent Water Users of Mud Lake, Inc.  
 Source - Ground Water  
 Priority Date - April 27, 1932  
 Water Used For - Irrigation  
 Amount - Decree says 32.50 cubic feet per second, but combined with Right No. 31-0337 "an amount not exceeding in the aggregate the equivalent of 91.8 cubic feet per second, flowing continuously during the irrigation season from May 1 to November 1 of each year."  
 Point of Diversion - Northeast Quarter Northwest Quarter Section 3, Township 6 North, Range 35 E.B.M., Jefferson County.  
 Place of Use -

| Twp | Range | Section | Forty-Acre Tract                                                                         | No. Acres Actually Irrigated |
|-----|-------|---------|------------------------------------------------------------------------------------------|------------------------------|
| 7N. | 35 E. | 32      | Lot 7 (SE $\frac{1}{4}$ SE $\frac{1}{4}$ )                                               | 38                           |
| 6N. | 35 E. | 4       | Lot 4                                                                                    | 35                           |
|     |       |         | NE $\frac{1}{4}$ SW $\frac{1}{4}$                                                        | 40                           |
|     |       |         | NW $\frac{1}{4}$ SW $\frac{1}{4}$                                                        | 40                           |
|     |       |         | SW $\frac{1}{4}$ SW $\frac{1}{4}$                                                        | 40                           |
|     |       |         | SE $\frac{1}{4}$ SW $\frac{1}{4}$                                                        | 40                           |
|     |       |         | NE $\frac{1}{4}$ SE $\frac{1}{4}$                                                        | 40                           |
|     |       |         | NW $\frac{1}{4}$ SE $\frac{1}{4}$                                                        | 40                           |
|     |       |         | SW $\frac{1}{4}$ SE $\frac{1}{4}$                                                        | 40                           |
|     |       |         | SE $\frac{1}{4}$ SE $\frac{1}{4}$                                                        | 40                           |
|     |       | 5       | Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$ )                                               | 40                           |
|     |       |         | Lot 2 (NW $\frac{1}{4}$ NE $\frac{1}{4}$ and part of NE $\frac{1}{4}$ NW $\frac{1}{4}$ ) | 25                           |
|     |       |         | SW $\frac{1}{4}$ NE $\frac{1}{4}$                                                        | 40                           |
|     |       |         | SE $\frac{1}{4}$ NE $\frac{1}{4}$                                                        | 35                           |
|     |       |         | NE $\frac{1}{4}$ SW $\frac{1}{4}$                                                        | 40                           |
|     |       |         | SE $\frac{1}{4}$ SW $\frac{1}{4}$                                                        | 40                           |
|     |       |         | NE $\frac{1}{4}$ SE $\frac{1}{4}$                                                        | 40                           |
|     |       |         | NW $\frac{1}{4}$ SE $\frac{1}{4}$                                                        | 40                           |
|     |       |         | SW $\frac{1}{4}$ SE $\frac{1}{4}$                                                        | 40                           |
|     |       |         | SE $\frac{1}{4}$ SE $\frac{1}{4}$                                                        | 40                           |
|     |       | 8       | NE $\frac{1}{4}$ NE $\frac{1}{4}$                                                        | 40                           |
|     |       |         | NW $\frac{1}{4}$ NE $\frac{1}{4}$                                                        | 40                           |
|     |       |         | SW $\frac{1}{4}$ NE $\frac{1}{4}$                                                        | 30                           |
|     |       |         | SE $\frac{1}{4}$ NE $\frac{1}{4}$                                                        | 20                           |
|     |       |         | NW $\frac{1}{4}$ SW $\frac{1}{4}$                                                        | 40                           |
|     |       |         | NW $\frac{1}{4}$ NW $\frac{1}{4}$                                                        | 40                           |
|     |       |         | SW $\frac{1}{4}$ NW $\frac{1}{4}$                                                        | 35                           |
|     |       |         | SE $\frac{1}{4}$ NW $\frac{1}{4}$                                                        | 40                           |
|     |       |         | NE $\frac{1}{4}$ SW $\frac{1}{4}$                                                        | 40                           |
|     |       |         | NW $\frac{1}{4}$ SE $\frac{1}{4}$                                                        | 15                           |
|     |       | 9       | NE $\frac{1}{4}$ NE $\frac{1}{4}$                                                        | 35                           |
|     |       |         | SE $\frac{1}{4}$ NE $\frac{1}{4}$                                                        | 20                           |
|     |       |         | NE $\frac{1}{4}$ NW $\frac{1}{4}$                                                        | 40                           |
|     |       |         | NW $\frac{1}{4}$ NW $\frac{1}{4}$                                                        | 20                           |
|     |       |         | SW $\frac{1}{4}$ NW $\frac{1}{4}$                                                        | 20                           |
|     |       |         | SE $\frac{1}{4}$ NW $\frac{1}{4}$                                                        | 40                           |
|     |       | 10      | NW $\frac{1}{4}$ NW $\frac{1}{4}$                                                        | 20                           |
|     |       |         | SW $\frac{1}{4}$ NW $\frac{1}{4}$                                                        | 20                           |

Total Number of Acres Irrigated 1,328

(b) Right No. - 31-0337 (Permit No. 17763/31-2254)  
 Decreed To - Independent Water Users of Mud Lake, Inc.  
 Source - Ground Water  
 Priority Date - December 15, 1932  
 Water Used For - Irrigation  
 Amount - 50 cfs (however, decree provides that this right, together with Right No. 31-0336 shall be permitted to develop up to 91.8 cubic feet per second as quoted above).

Points of Diversion - Southwest Quarter of Section 13, Northwest Quarter of Section 24, in Township 7 North, Range 35 E.B.M., Northeast Quarter Northwest Quarter of Section 3, Township 6 North, Range 35 E.B.M., Northwest Quarter Northwest Quarter of Section 7, Township 6 North, Range 34 E.B.M., Northeast Quarter Northwest Quarter of Section 1, Township 6 North, Range 34 E.B.M.

Place of Use -

| Twp. | Range | Section | Forty-Acre Tract                  | No. Acres Actually Irrigated |
|------|-------|---------|-----------------------------------|------------------------------|
| 7N.  | 33 E. | 36      | NE $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                           |
|      |       |         | NW $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                           |
|      |       |         | SW $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                           |
|      |       |         | SE $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                           |
|      |       |         | NE $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                           |
|      |       |         | SW $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                           |
|      |       |         | SE $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                           |
|      |       |         | NE $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                           |
|      |       |         | NW $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                           |
|      |       |         | SW $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                           |
|      |       |         | SE $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                           |
|      | 34 E. | 31      | NE $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                           |
|      |       |         | NW $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                           |
|      |       |         | SW $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                           |
|      |       |         | SE $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                           |
|      |       |         | NE $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                           |
|      |       |         | NW $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                           |
|      |       |         | SW $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                           |
|      |       |         | SE $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                           |
| 6N.  | 33 E. | 1       | NE $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                           |
|      |       |         | NW $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                           |
|      |       |         | SW $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                           |
|      |       |         | SE $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                           |
|      |       |         | NE $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                           |
|      |       |         | NW $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                           |
|      |       |         | SW $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                           |
|      |       |         | SE $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                           |
|      | 34 E. | 6       | NE $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                           |
|      |       |         | NW $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                           |
|      |       |         | SW $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                           |
|      |       |         | SE $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                           |

RECORDED

| Twp. | Range | Section | Forty-Acre Tract                  | No. Acres Actually Irrigate |
|------|-------|---------|-----------------------------------|-----------------------------|
| 6N   | 34 E. | 12      | NE $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                          |
|      |       |         | NW $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                          |
|      |       |         | SW $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                          |
|      |       |         | SE $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                          |
|      |       |         | NE $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                          |
|      |       |         | SE $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                          |
|      |       |         | NE $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                          |
|      |       |         | NE $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                          |
|      |       |         | NW $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                          |
|      |       |         | SW $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                          |
|      |       |         | SE $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                          |
|      | 35 E. | 7       | NE $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                          |
|      |       |         | NW $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                          |
|      |       |         | SW $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                          |
|      |       |         | SE $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                          |
|      |       |         | NE $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                          |
|      |       |         | NW $\frac{1}{4}$ NW $\frac{1}{4}$ | 34.75                       |
|      |       |         | SW $\frac{1}{4}$ NW $\frac{1}{4}$ | 34.75                       |
|      |       |         | SE $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                          |
|      |       |         | NE $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                          |
|      |       |         | NW $\frac{1}{4}$ SW $\frac{1}{4}$ | 34.8                        |
|      |       |         | SW $\frac{1}{4}$ SW $\frac{1}{4}$ | 34.8                        |
|      |       |         | SE $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                          |
|      |       |         | NE $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                          |
|      |       |         | NW $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                          |
|      |       |         | SW $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                          |
|      |       |         | SE $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                          |
|      | 35 E. | 9       | NW $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                          |
|      |       |         | SW $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                          |
|      |       |         | NE $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                          |
|      |       |         | NW $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                          |
|      |       |         | SW $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                          |
|      |       |         | SE $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                          |
|      |       |         | NW $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                          |
|      |       |         | SW $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                          |

Total Number of Acres Irrigated 2,619.1

b. Licensed Rights:

(1) Right No. - G-20891/31-2289  
 Licensed To - Calvin Passey  
 Source - Ground Water  
 Priority Date - January 13, 1949  
 Water Used For - Irrigation  
 Amount - 3.2 cfs  
 Point of Diversion - Northwest Quarter Northeast  
 Quarter Section 27, Township 7  
 North, Range 35 E.B.M., Jefferson  
 County.  
 Place of Use - Northeast Quarter Northeast Quarter,  
 Northwest Quarter Northeast Quarter,  
 Southwest Quarter Northeast Quarter,  
 Southeast Quarter Northeast Quarter  
 all in Section 8, Township 6 North  
 Range 35 E.B.M.

(2) Right No. - G-20948/31-2290  
 Licensed To - J.R. Bixby  
 Source - Ground Water  
 Priority Date - February 14, 1949  
 Water Used For - Irrigation  
 Amount - 3.6 cfs  
 Point of Diversion - Northwest Quarter Northeast  
 Quarter, Section 27 Township 7  
 North, Range 35 E.B.M., Jefferson  
 County.  
 Place of Use - Northeast Quarter, Southeast Quarter,  
 Northwest Quarter Southeast Quarter,  
 Southwest Quarter Southeast Quarter,  
 Southeast Quarter Southeast Quarter,  
 Northeast Quarter Southwest Quarter,  
 and Southeast Quarter Southwest  
 Quarter, all in Section 5, Township  
 6 North, Range 35 E.B.M.

(3) Right No. - G-21322/31-2297  
 Licensed To - Rulan R. Yearsley  
 Source - Ground Water  
 Priority Date - December 29, 1949  
 Water Used For - Irrigation  
 Amount - 6.0 cfs  
 Point of Diversion - Northwest Quarter Northeast Quarter,  
 Section 27, Township 7 North, Range  
 35 E.B.M. in Jefferson County.  
 Place of Use - 20 acres in Northwest Quarter of  
 Northeast Quarter, 20 acres in South-  
 west Quarter Northeast Quarter,  
 20 acres in Southeast Quarter North-  
 east Quarter, 30 acres in Northeast  
 Quarter Northwest Quarter, 30 acres  
 in Southeast Quarter Northwest Quarter  
 40 acres in Northeast Quarter South-  
 west Quarter, 30 acres in Northwest  
 Quarter Southwest Quarter, 30 acrs  
 in Southwest Quarter Southwest Quarter,  
 20 acres in Southeast Quarter South  
 west Quarter, all in Section 3, 30  
 acres in Southwest Quarter Southeast  
 Quarter of Section 4, 35 acres in  
 Northwest Quarter Northeast Quarter  
 and 35 acres in Southwest Quarter  
 Northeast Quarter of Section 9, all  
 in Township 6 North Range 35 E.B.M.

(4) Right No. - G-23076/31-2310  
 Licensed to - Blaine E. Miller  
 Source - Ground Water  
 Priority Date - September 24, 1962  
 Water Used For - Irrigation 1752  
 Amount - 5.8 cfs  
 Point of Diversion - Southwest Quarter Southwest Quarter  
 Section 23, Township 7 North, Range  
 35 E.B.M. Jefferson County.

RECORDED

Place of Use - 35 acres in Northeast Quarter North-east Quarter, 30 acres in Northwest Quarter Northeast Quarter, Southwest Quarter Northeast Quarter, Southeast Quarter Northeast Quarter, Northeast Quarter Southeast Quarter, Northwest Quarter Southeast Quarter, 35 acres in Southwest Quarter Southeast Quarter, 30 acres in Southeast Quarter South-east Quarter, all in Section 17, Township 6 North, Range 35 E.B.M.

(5) Right No. - G-23836/31-2317 (two Rights under this Right No.)  
Licensed to - Frank S. Jackett  
Source - Ground Water  
Priority Date - February 28, 1953 and October 27, 1956  
Water Used For - Irrigation  
Amounts - 8.08 cfs under February 28, 1953 priority and 1.90 cfs under October 27, 1956 priority.

Points of Diversion - Northwest Quarter Southwest Quarter, Section 23 and Northeast Quarter Southeast Quarter, Section 22, all in Township 7 North, Range 35 E.B.M.

Place of Use - 25 acres in Northeast Quarter North-east Quarter, Northwest Quarter North-east Quarter, 20 acres in Southwest Quarter Northeast Quarter, 25 acres in Southeast Quarter Northeast Quarter, Northeast Quarter Northwest Quarter, Northwest Quarter Northwest Quarter, Southwest Quarter Northwest Quarter, Southeast Quarter Northwest Quarter, Northeast Quarter Southeast Quarter, 20 acres in Northwest Quarter South-east Quarter, 25 acres in Southwest Quarter Southeast Quarter, Southeast Quarter Southeast Quarter, Northeast Quarter Southwest Quarter, Northwest Quarter Southwest Quarter, 10 acres in Southwest Quarter Southwest Quarter, 13 acres in Southeast Quarter South-west Quarter, all in Section 16, Township 6 North, Range 35 E.B.M.

(6) Right No. - G-24047/31-2321  
Licensed To - Dennis Green  
Source - Ground Water  
Priority Date - April 25, 1953  
Water Used For - Irrigation  
Amount - 1.92 cfs  
Point of Diversion - Northwest Quarter Northeast Quarter Section 27, Township 7 North Range 35 E.B.M.

Place of Use - 36 acres in Northeast Quarter South-west Quarter, 34 acres in North-east Quarter Southeast Quarter, 26 acres in Northwest Quarter Southeast Quarter all in Section 8, Township 6 North, Range 35 E.B.M.

RECEIVED

All of the above described Licensed Rights were deeded to the Jackett Canal Company shortly after its organization in 1956. Copies of all of the deeds are attached.

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE:

1. Change in point of diversion:

- a. Amount of water to be diverted - the combination of all of the above described rights of the Jackett Canal Company amounts to 75 cubic feet per second. The decreed rights from Camas Creek are pumped out of Camas Creek at the points of diversion described below, so long as water is available to fill these rights. The seven wells maintained by the company are used only to the extent necessary to supplement the creek rights. Usually, this requires an increased use of the wells as the season progresses. Although the wells are usually operated to some extent from the time the irrigation season begins, in a sense, the wells are used as supplemental to the decreed rights from the creek.

b. Points of diversion -

- (1) Southwest Quarter Southwest Quarter, Section 13,  
Township 7 North, Range 35 E.B.M., Jefferson County.
- (2) Northwest Quarter Southeast Quarter, Section 22,  
Township 7 North, Range 35 E.B.M., Jefferson County.
- (3) Northwest Quarter Southwest Quarter, Section 23,  
Township 7 North, Range 35 E.B.M., Jefferson County.
- (4) Southwest Quarter Southwest Quarter, Section 23,  
Township 7 North, Range 35 E.B.M., Jefferson County.
- (5) Northwest Quarter Northeast Quarter, Section 27,  
Township 7 North, Range 35 E.B.M., Jefferson County.
- (6) Southwest Quarter Southwest Quarter, Section 33,  
Township 7 North, Range 35 E.B.M., Jefferson County.

(7) Lot 4 (Northwest Quarter Northwest Quarter), Section 3,  
Township 6 North, Range 35 E.B.M., Jefferson County.

c. Description of diverting works - The Jakkett Canal Company diverts both its decreed water rights from Camas Creek as well as the decreed and licensed rights from its seven wells at two locations on Camas Creek. The company maintains two pumps on Camas Creek in the Southwest Quarter of the Southwest Quarter of Section 33, Township 7 North, Range 35 E.B.M., and five pumps on Camas Creek in Lot 4 (Northwest Quarter Northwest Quarter), Section 3, Township 6 North, Range 35 E.B.M. The seven wells are located two to three miles north and east of the company's diversions from Camas Creek. Each of the wells discharges water into ditches which convey the well water into the Independent Ditch which empties into Camas Creek upstream from the two diversion points of the company. The Independent Ditch commences at a point in the Southwest Quarter of the Southwest Quarter of Section 13 where several wells are located at a point known as Buck Springs and flows in a generally southwest direction to the center of Section 27, Township 7 North, Range 35 E.B.M., and then directly south for approximately a mile where it discharges into Camas Creek in Section 34, Township 7 North, Range 35 E.B.M. In addition to assisting with the maintenance of the Independent Ditch and the small conveyances which discharge into the Independent Ditch, as well as the Jakkett Canal system for distributing water to the lands of the stockholders south of Camas Creek, the company owns and maintains seven wells and fourteen pumps with electric motors ranging in size from 50 hp down to 20 hp.

d. Describe the reasons for applying for a change in the points of diversion - The purpose of this entire application for

transfer is to conform the records of the department to the actual practice of the company which has been carried on since its organization in 1956. Some of the points of diversion as far as the actual records are concerned may be somewhat confusing because of the changes that were made at that time, as well as a result of the numerous deeds which the company received from individual stockholders as well as the Independent Water Users of Mud Lake, Inc. at the time of the organization. In fact, in reviewing the language of the deed from Independent Water Users of Mud Lake, Inc. to Jackett Canal Company in 1956, we observed that the deed purported to convey an undivided one-third interest in the wells and pumps and other diverting works, as well as the conveyance system and water right itself. There are actually five wells at Buck Springs, all located in the Southwest Quarter of the Southwest Quarter of Section 13, Township 7 North, Range 35 E.B.M. In actual practice, Jackett Canal Company has been treated as owning the two western most wells and Independent Water Users of Mud Lake, Inc. the three eastern most wells. In order to clarify this situation, the two companies have exchanged quit claim deeds on these wells, again to make the records conform to the actual practice. Copies of those deeds are enclosed with this application.

2. Change in place of use:

- a. Describe the lands or place of use to which the right will be transferred:

| TWP | RNG | SEC | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | TOTAL  |
|-----|-----|-----|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------|
|     |     |     | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |        |
| 7N  | 35E | 32  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | lt 8<br>2        | lt 7<br>18       | 20.00  |
|     |     | 33  |                  |                  |                  |                  |                  |                  |                  |                  |                  | 1                |                  |                  |                  |                  |                  |                  | 1.00   |
| 6N  | 35E | 3   | lt 1<br>41.89    | lt 2<br>41.68    | 40               | 40               | lt 3<br>41.46    | lt 4<br>35       | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               |                  | 560.03 |
|     |     | 4   |                  |                  |                  |                  |                  | lt 4<br>7        |                  |                  | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 327.00 |
|     |     | 5   | lt 1<br>41.20    | lt 2<br>38       | 40               | 40               |                  |                  |                  |                  | 40               |                  |                  | 40               | 40               | 40               | 40               | 40               | 399.20 |

| TWP | RNG | SEC | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | TOTALS |
|-----|-----|-----|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------|
|     |     |     | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |        |
|     |     | 8   | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               |                  |                  |                  | 40               | 40               |                  |                  | 440.00 |
|     |     | 9   | 40               | 40               | 40               | 40               |                  |                  |                  |                  | 40               | 40               | 40               | 40               |                  | 40               | 40               |                  | 400.00 |
|     |     | 16  | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 640.00 |
|     |     | 17  | 40               | 40               | 40               | 40               |                  |                  |                  |                  |                  |                  |                  |                  | 40               | 40               | 40               | 40               | 320.00 |

Total number of acres to be irrigated 3,107.23

- b. Draw a map indicating the new points of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township, and range number. The attached map showing lands of the company irrigated by its stockholders colored in yellow with points of diversion and location of wells shown in blue.
3. Remarks - An attempt has been made by the applicant to identify the exact property of its stockholders upon which the company water is to be used, as well as the points of diversion. Essentially, the actual practice of the company has been as shown for a period of nearly 22 years. Recently, when the company began to review its water rights, it was discovered that although they were deeded to the company in 1956, no effort had been made to transfer the water rights so that an equal amount was appurtenant to each acre of ground within the system. Indeed, we discovered that the records would show that some land had several water rights appurtenant and some of the company land had no water rights appurtenant. It is the desire and intention of the company that all of the company's water rights be transferred to all of the company's lands so that each acre has an equal amount of each of the company's rights appurtenant to it since this is the way the company has actually operated.

3. Remarks \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement use of the original right. The information contained in this application is true to the best of my knowledge.

Burton R. Yearsley  
(Signature of applicant)

Subscribed and sworn to before me this 26 day of JUNE, 19 78

Frank W. Foster  
(Notary public)

My commission expires LIFE

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 31-0190 and said application is hereby approved

31-0134  
31-0143 31-0135  
31-0144 31-0337  
31-0336 31-2289  
31-2297 31-2290  
31-2317 31-2310  
31-2321

1. Approval of said application is subject to the following limitations and conditions:  
(1) Any future transfer of any of these rights will cause the remaining rights to revert back to the original acreage. (2) The intent of this transfer is to record water delivery practices that have existed since 1956 - no change in delivery patterns is authorized. (3) Diversion of water authorized by this transfer shall not exceed 9321 acre feet per annum. (4) Measuring devices and controlling works of a type approved by this Department must be permanently installed and maintained at the points of diversion from groundwater. The existing measuring methodology shall be maintained at the points of diversion/re-diversion from Camas Creek. (5) Use of water under this transfer is subject to control by the watermaster of Water District No. 31, Mud Lake and tributaries.

Witness my hand this 23rd day of June, 1981.

Norma C. Young  
Administrator, Resources Admin. Div.

FOR DEPARTMENT USE ONLY

Received by dh BP Date 3-13-79 7-7-78

Protest filed by \_\_\_\_\_

Prelim. check by EMC Fee \$135.00

Receipted by dh Date 3-13-79 #12955

Published in Rigby Star

Copies of protest forwarded by \_\_\_\_\_

Pub. dates April 4 and 11, 1979

Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Watermaster recommendation requested on \_\_\_\_\_

Recommended for approval denial

3/29/79 rec'd. 4/16/79

by EMC Jim DRT

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE DISTRICT OF IDAHO, EASTERN DIVISION

ERNEST SAUVE,

Plaintiff,

No. 635. -- In Equity

- vs -

D E C R E E

To W. H. Abbott, Fay Abbott, Mary C. Adels, Allen Almonda, G. B. Allen, Allen & Harn, a co-partnership, consisting of G. B. Allen and H. R. Harn; Wm. A. Andrews, Joseph Andrasen, Anderson Bros. Bank, a corporation; Gerret Auldhouse (sometimes known as Gerret Oldhouse); Clausen Auldhouse (sometimes known as Clausen Oldhouse), William Axline, Ernest Bauerle, Edward C. Barnes, May L. Barnes, Lovisa Barney, Arthur J. Barber, Charles Bartlett, Ambrose J. Beckner, Laura E. Beckner, William Beck, David Bethune, Lloyd Bennett, Gus E. Brauer, Administrator of the Estate of Annie J. Bennett, deceased; A. W. Belnap, C. W. Belnap, The Bennett Investment Company, Limited, a corporation; Gussie Binnard, Burka Binnard, Horace L. Birch, Binnard Ranch Company, a corporation; B. Binnard, Sarah Binnard and E. F. Mobley, Trustees for Binnard Ranch Company, a defunct corporation; Charles O. Rickman, as Trustee in Bankruptcy of Binnard Ranch Company, a corporation; Oscar A. Johanneson, as Receiver of Binnard Ranch Company, a corporation; Heber J. Blackburn, W. B. Boucher, Ray Bohnay, R. T. Boatman, Mary Nicholas Boyd, Frank Boe, Charles E. Brosic, E. L. Browning, Adna E. Bramwell, Afton Bradshaw, Theresa Brinkmann, Lottie Burcham, G. F. Burcham, Kath-

Clarence O. McGill  
and G. B. Adams

1911 - March 29

T. 2303 31 143 ✓  
1.0 c.f.s.

Source: Camas Creek, a tributary  
of Mud Lake.

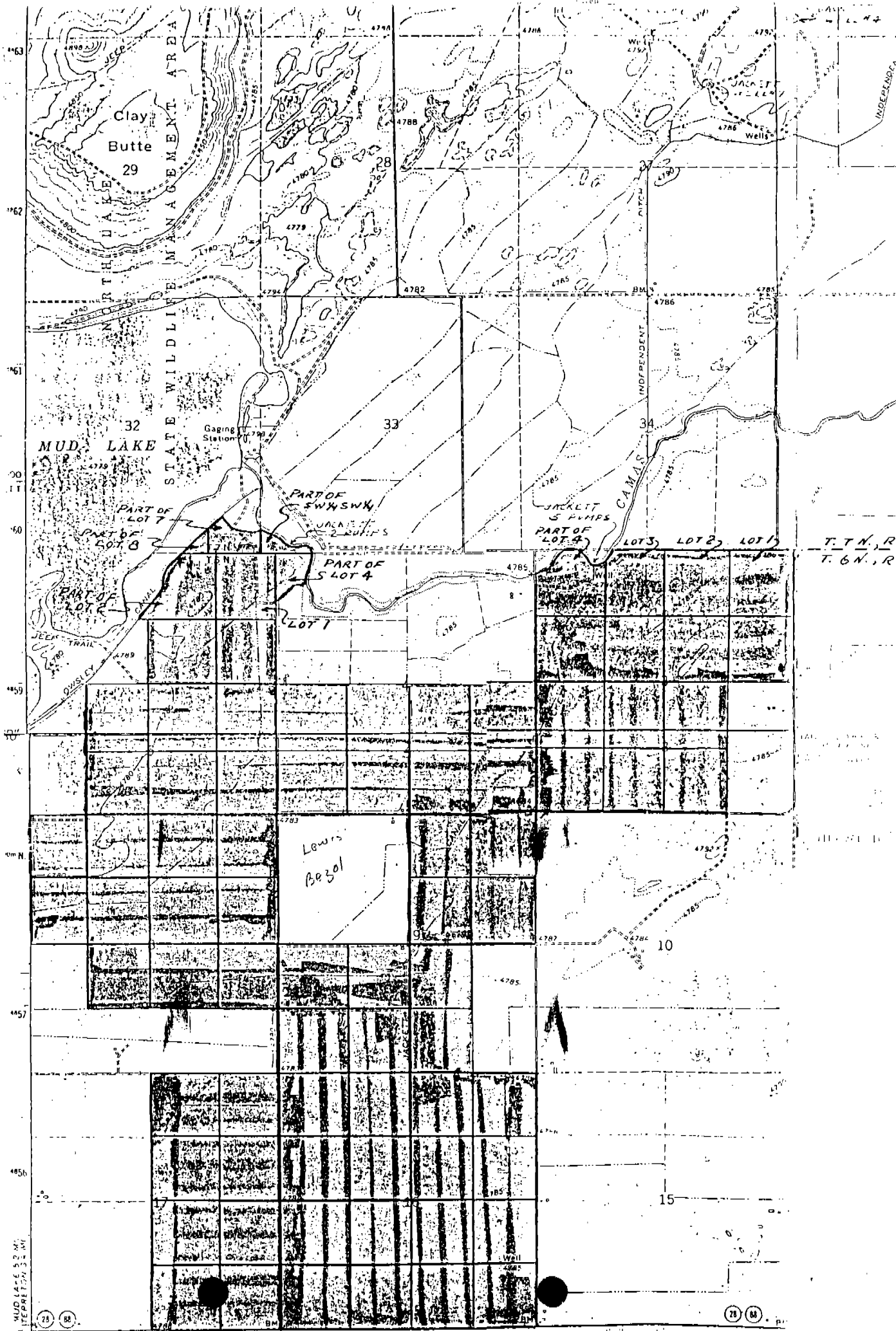
1912 - September 21

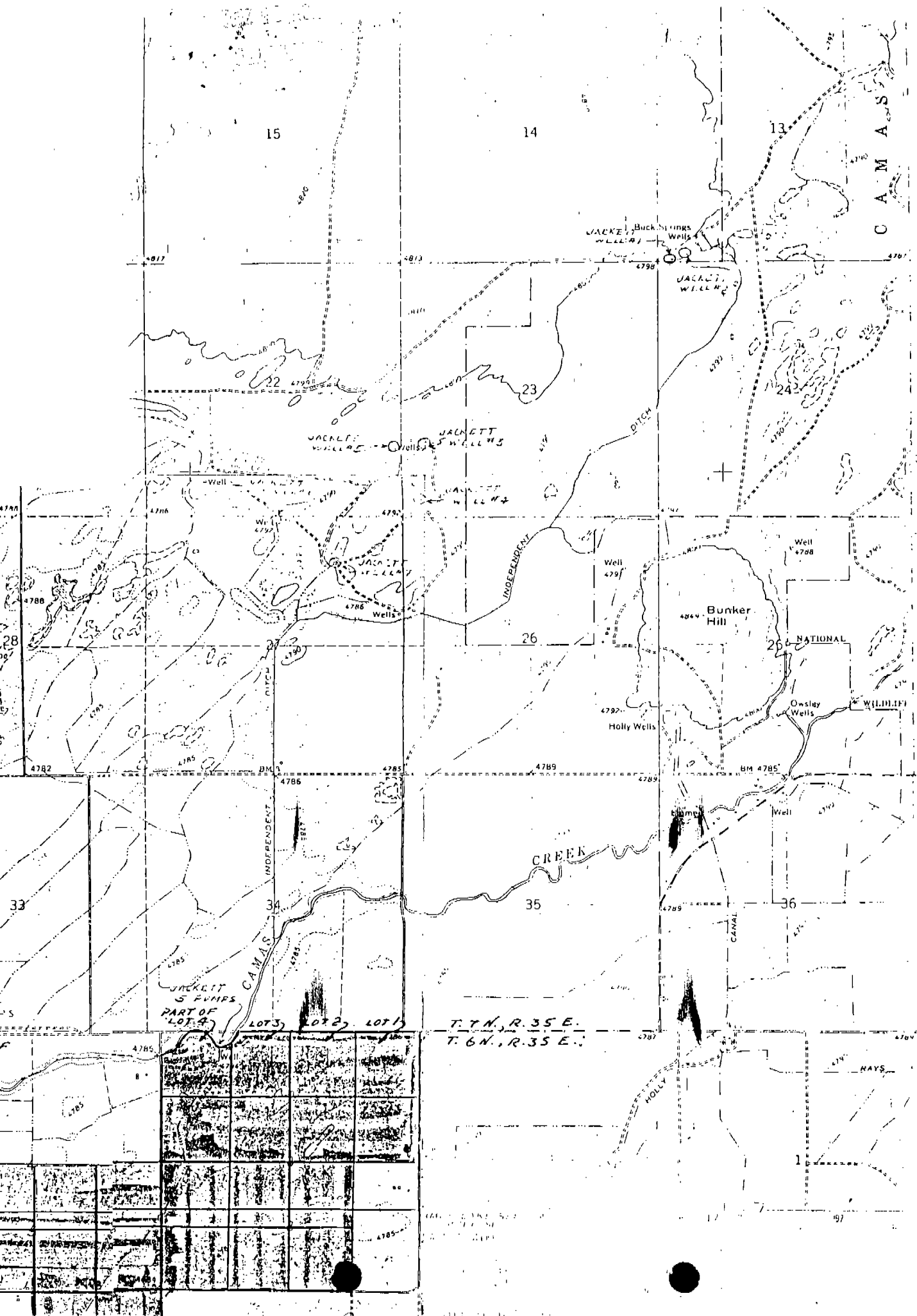
T. 2303 31 141  
1.0 c.f.s.

Point of Diversion: In Lot 4,  
Section 3, Township 6 North, Range  
35 East, B.M.

For use on the following described  
land, to-wit: Lots 3 and 4; the  
Southwest Quarter of the Northwest  
Quarter; the Southwest Quarter of  
the Southwest Quarter; the North-  
east Quarter of the Southwest Quar-  
ter; and the Northwest Quarter of  
the Southwest Quarter, -- all in  
Section 3, Township 6 North, Range  
35 East, B.M.

No. 75





INTER-DEPARTMENT MEMO — 1

FROM

DATE

TO

SUBJECT

Refer to files 31-0134/31-0135 for further correspondence relating to this file.

---

SIGNATURE

DATE: 02/15/00  
PAGE: 7

TOTAL DIVERSION: 1.000 CFS

**Stage: DECREED**

JEFFERSON County  
JEFFERSON County  
JEFFERSON County  
JEFFERSON County  
JEFFERSON County  
JEFFERSON County

TOTAL ACRES

Pou County: JEFFERSON

**Field Exam Fee:**

08-02 07-18 : 20.0  
: 1.9  
AL ACRES 3107.0

3107.3 claim

Claim has Prov. Storage

WR5809NP  
No. 31-00143

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 02/15/00  
PAGE: 8

Audit: 07/15/85 05/22/88 CONVERT 02/06/98 CLEARFLD

**Figure 6**

12/1/1988

RBA CLAIMS RECEIVING CHECKLIST

A31-00135, A31-00134  
A31-00143, A31-00144  
A31-00190

CLAIMANT'S NAME Jacket Canal Co.

CLAIM IDENT. NO.

DATE RECEIVED 28 Nov 1988

CK # 277

AMOUNT \$

YES

NO

- Is the name and address complete with zip code? ☒ YES ☐ NO
- Is a priority date entered? ☒ YES ☐ NO
- Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?  
A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS. ☒ YES ☐ NO
- (a) Is a source entered? ☒ YES ☐ NO
- (b) Is a tributary to entered? (if required) ☐ YES ☒ N/A
- Is the legal description of the p.d. sufficient? ☒ YES ☐ NO
- Is there a description of the diverting works? ☒ YES ☐ NO
- Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO
- Is the period of use included? ☒ YES ☐ NO
- Is a quantity claimed for each use? ☒ YES ☐ NO
- Is a total quantity claimed entered? ☒ YES ☐ NO
- If required is a consumptive use entered? ☐ YES ☒ N/A
- Is the consumptive use correct? ☐ YES ☒ N/A
- Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☐ YES ☒ N/A
0. Is (are) the place(s) of use entered? ☒ YES ☐ NO
1. Is (are) the county(ies) entered? ☒ YES ☐ NO
2. Is the ownership of p.u. checked? ☒ YES ☐ NO
3. Are other water rights listed or "none" indicated? ☒ YES ☐ NO
4. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☐ YES ☒ N/A
5. Is the basis of the claim checked? ☒ YES ☐ NO
6. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) ☒ YES ☐ NO
- Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO
- Has this claim filed on time, or was an extension granted? ☒ YES ☐ NO
- Is the fee enclosed correct? ☐ YES ☒ Exempt
- If this claim is based on an existing water right, has the identification number been entered? ☐ YES ☒ N/A
- Should this claim be receipted and data entered? ☒ YES ☐ NO

Claim checked by: Ernest [Signature]

MICROFILMED

Comments: Location to document - place of use & map are not consistent

DEC 09 1992

Flag for field inspection

E 004936

all notices.

A31-00135/00134/00143/00144/00190/00336/00337/02289/02290/  
~~02297~~/02310/02317A/02317B/02321.

Place of use entered in accordance with map, and not Attachment B. Based on the ~~map~~ <sup>Comparison of</sup> ~~map~~ <sup>map and Attachment B</sup> revealed 3 discrepancies.

- 1) The 40 acres in ~~the~~ ~~the~~ <sup>the</sup> Twp. 6N R9E 35E Sec 5 SE $\frac{1}{4}$ SW $\frac{1}{4}$  was illustrated as a place of use <sup>(on map)</sup> but was not listed on Attachment B. (data entered)
2. The 40 acres in Twp 6N R9E 35E Sec 8 NW $\frac{1}{4}$ SW $\frac{1}{4}$  was listed on Attachment B but not illustrated on the map. (not data entered).
3. The 40 acres in Twp 6N R9E 35E Sec 8 NE $\frac{1}{4}$ SW $\frac{1}{4}$  was illustrated as place of use on map but was not listed on Attachment B. (data entered).

Notices with ground water as source.

- The points of diversion were entered in accordance with map, and not the legal descriptions described in Item 4 of the notices. Comparison of the map and Item 4 reveal two discrepancies.

443 6.15  
01 13 1992

MICROFILMED

DEC 09 1992