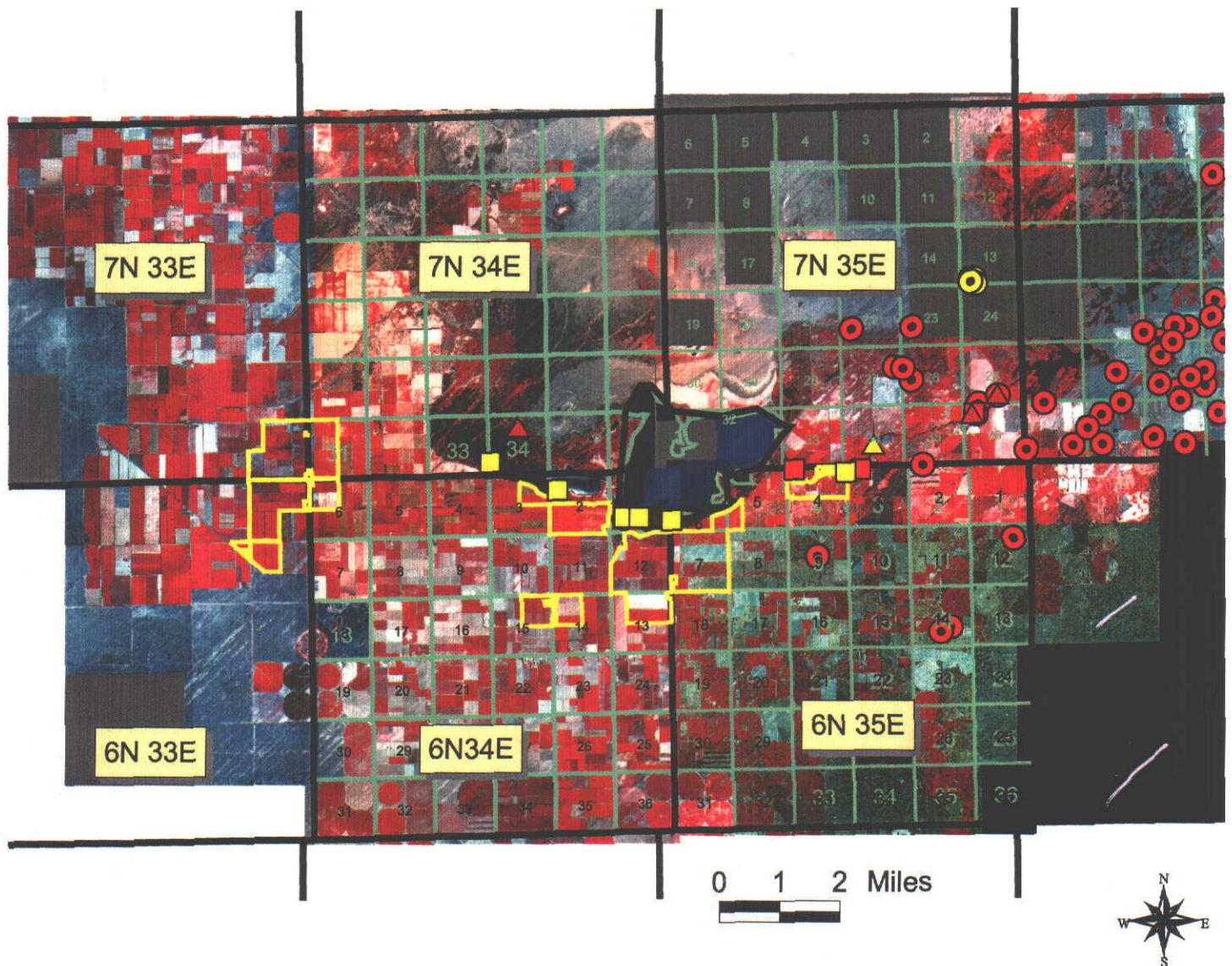


Idaho Department of Water Resources

Water Right 31-10965A, 31-11339

Map 1 - Overview



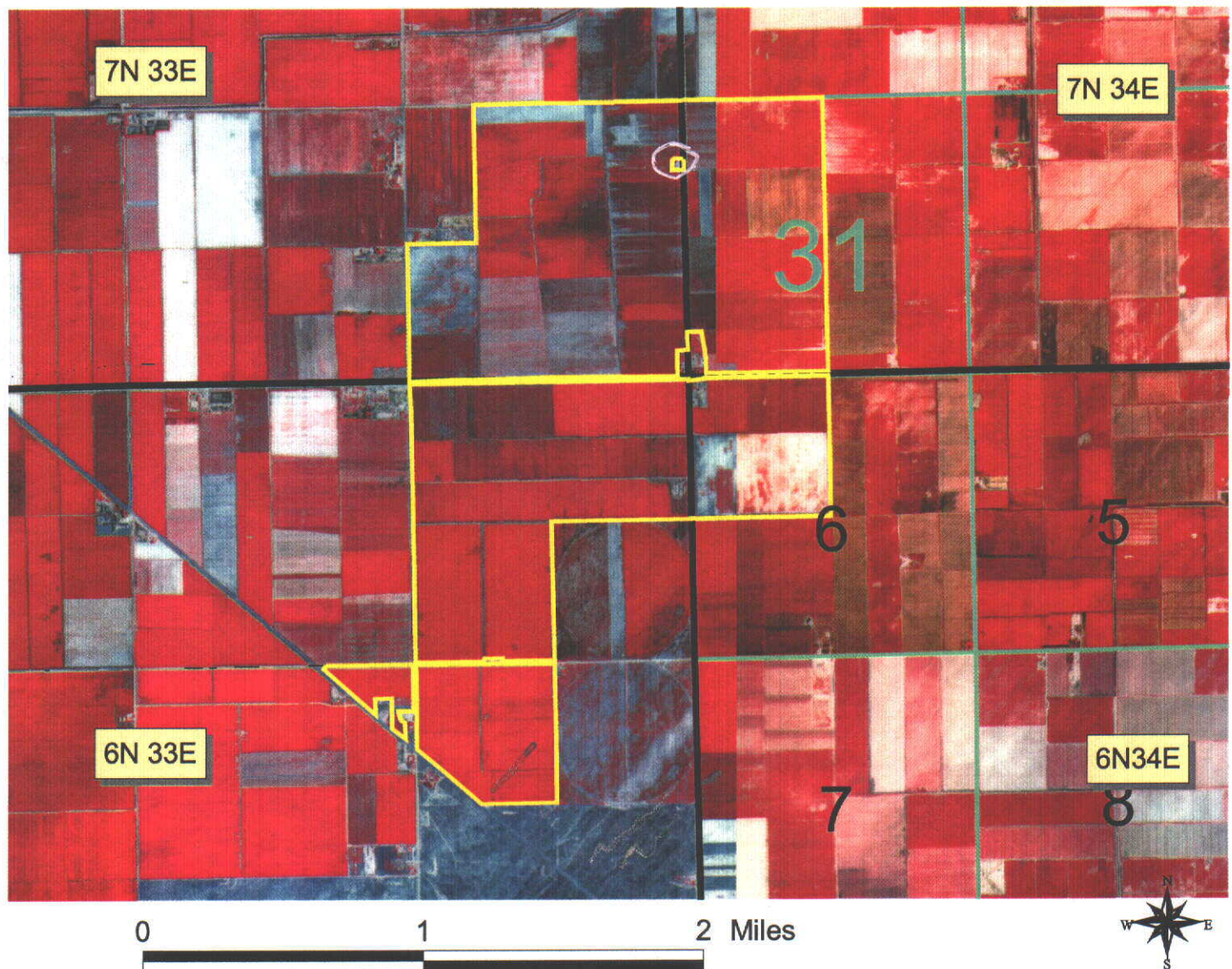
- | | |
|---|--|
|  Point of Diversion |  Point of Injection |
|  Point of Diversion - Other Rights |  Injection - Other Rights |
|  Place of Use |  Point of Rediversion |
|  Place of Use - Other Rights |  Rediversion - Other Rights |
|  Quarter-quarter Sections | |
|  Section Lines | |

GIS Illustration prepared from 1987/1988 NAPP photography by B. Contor 10/2000

Idaho Department of Water Resources

Water Right 31-10965A, 31-11339

Map 2 - West Place of Use



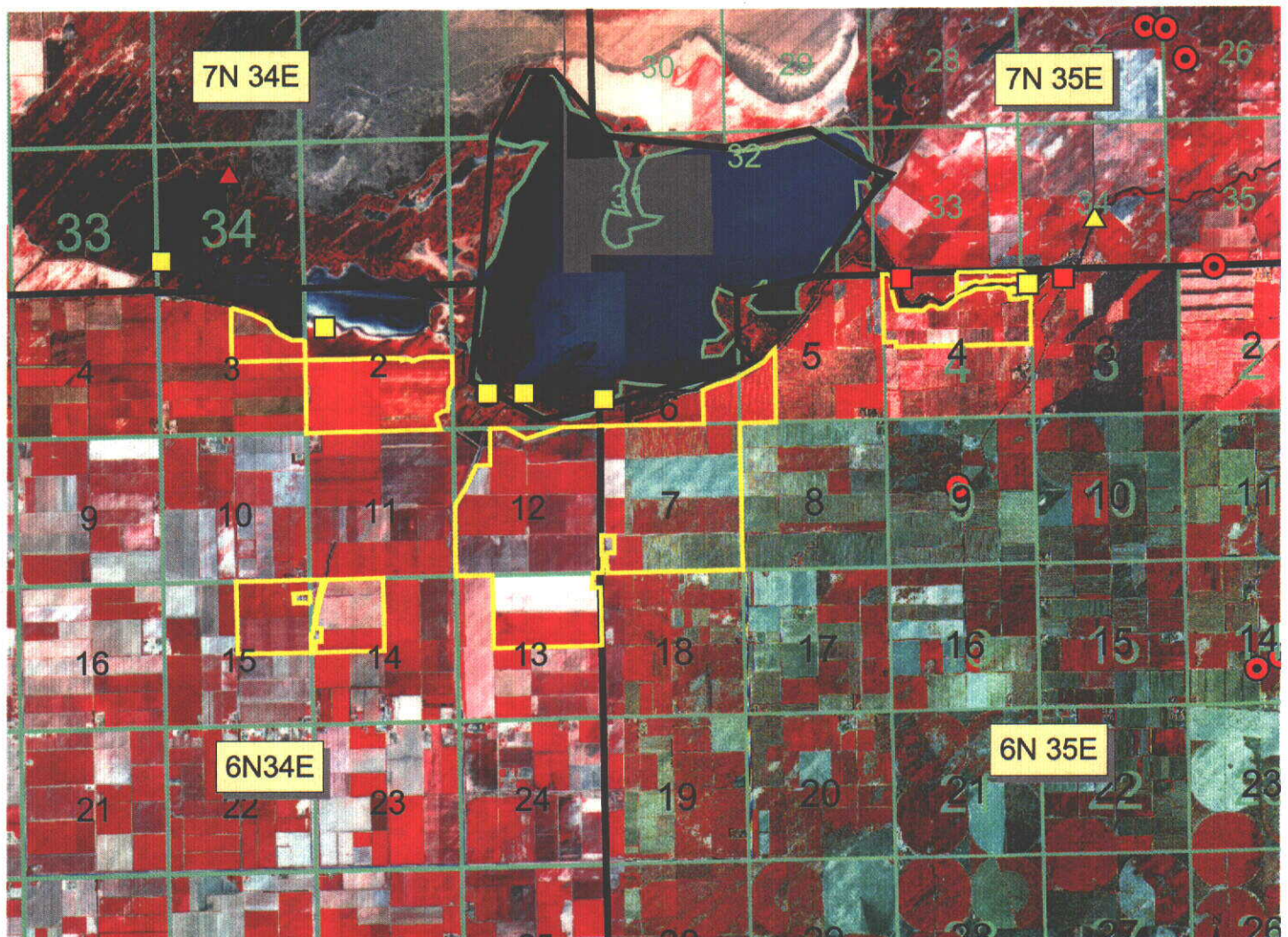
- | | |
|-------------------------------------|------------------------------|
| ● Point of Diversion | ▲ Point of Injection |
| ● Point of Diversion - Other Rights | ▲ Injection - Other Rights |
| □ Place of Use | □ Point of Rediversion |
| □ Place of Use - Other Rights | □ Rediversion - Other Rights |
| □ Quarter-quarter Sections | |
| □ Section Lines | |

GIS Illustration prepared from 1987/1988 NAPP photography by B. Contor 10/2000

Idaho Department of Water Resources

Water Right 31-10965A, 31-11339

Map 3 - East Place of Use



0 1 2 Miles



- | | |
|-------------------------------------|------------------------------|
| ● Point of Diversion | ▲ Point of Injection |
| ● Point of Diversion - Other Rights | ▲ Injection - Other Rights |
| □ Place of Use | □ Point of Rediversion |
| □ Place of Use - Other Rights | □ Rediversion - Other Rights |
| □ Quarter-quarter Sections | |
| □ Section Lines | |

GIS Illustration prepared from 1987/1988 NAPP photography by B. Contor 10/2000

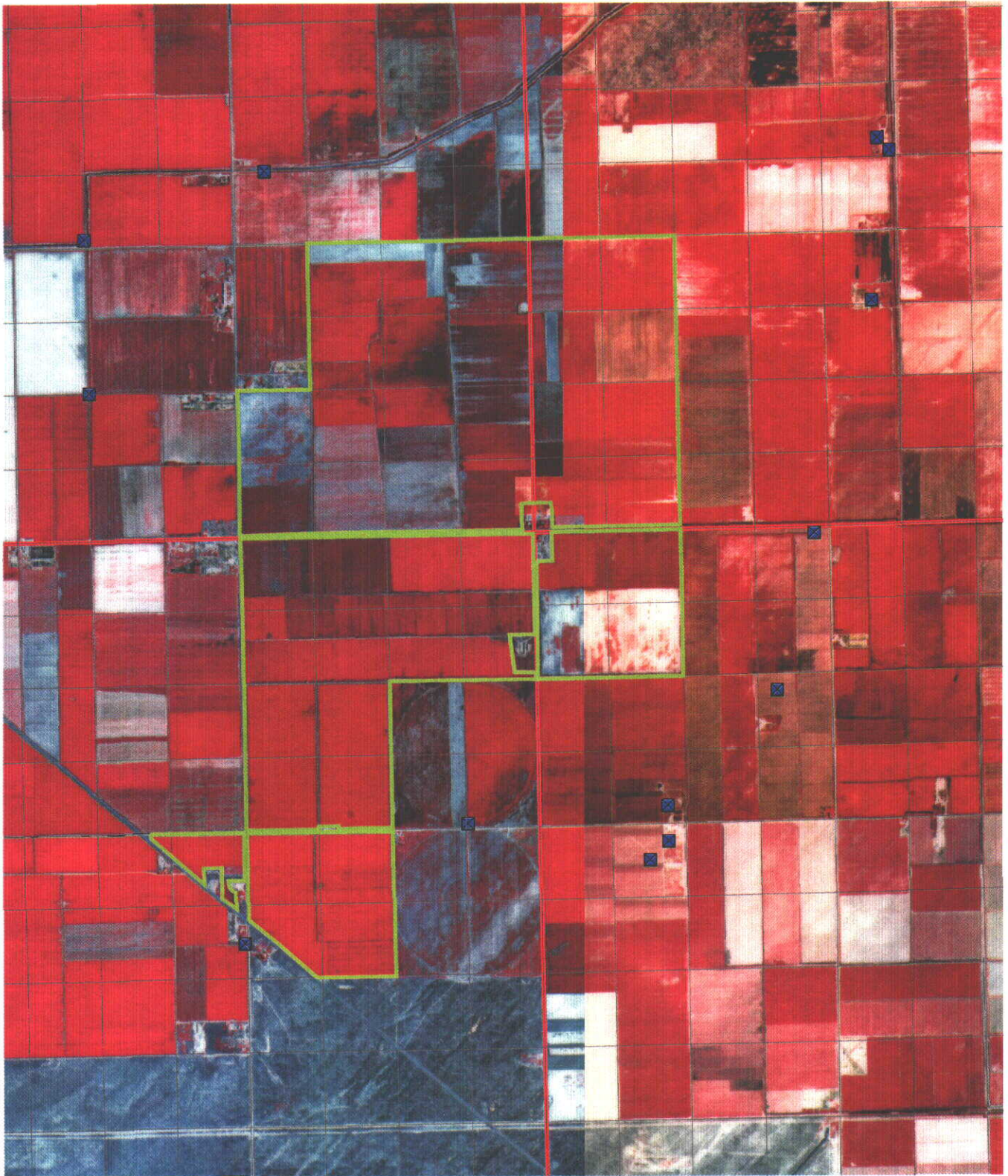
Adjusted Place of Use - Independent Water User

March 16, 2001



Adjusted Place of Use - Independent Water User

March 16, 2001



Adjusted Place of Use - Independent Water User

March 16, 2001



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 31-11339

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

SEP 17 2002

NAME AND ADDRESS: INDEPENDENT WATER USERS
OF MUD LAKE INC
C/O KEITH SHULBERG
1785 N 1800 E
HAMER, ID 83425

SOURCE: GROUND WATER

QUANTITY: 58.00 CFS
6012.00 AFY

USE OF THIS RIGHT WITH RIGHT NO. 31-10965A IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 58 CFS.

PRIORITY DATE: 05/01/1934

POINT OF DIVERSION: T06N R34E S01 NESWSW (Rediversion) Within Jefferson County
NESESW (Rediversion)
S02 NESWNW (Rediversion)
R35E S04 NENENE (Rediversion)
S06 NWSWSW (Rediversion)
T07N R34E S34 NWSWNE (Rediversion)
R35E S13 SESWSW
SESWSW
SESWSW
SESWSW
S34 NE SE (Injection)

WATER IS INJECTED INTO CAMAS CREEK AND REDIVERTED FROM CAMAS
CREEK AND MUD LAKE.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Diversion to Storage	05-01 TO 11-01	58.00 CFS
Irrigation Storage	05-01 TO 11-01	6012.00 AFY
Irrigation from Storage	05-01 TO 11-01	6012.00 AFY

UPON SUBMISSION OF A PUMPING PLAN BY THE HOLDERS OF WATER RIGHTS
31-332, 31-11339, 31-11429, 31-11430, AND 31-11432, THE
WATERMASTER, UNDER THE DIRECTION OF THE DIRECTOR OF THE IDAHO
DEPARTMENT OF WATER RESOURCES, MAY AUTHORIZE DIVERSION TO
STORAGE AND IRRIGATION STORAGE UNDER THIS RIGHT AS EARLY AS
MARCH 1, AND IRRIGATION FROM STORAGE AS EARLY AS APRIL 1. ANY
DIVERSION OR USE OF WATER BEFORE MAY 1 UNDER THIS REMARK SHALL
HAVE A PRIORITY DATE OF JUNE 5, 1961.

PLACE OF USE:

Irrigation from Storage		Within Jefferson County	
T06N R33E S01 LOT 1	(NENE) 39.0	LOT 2	(NWNE) 40.0
	SWNE 40.0		SENE 33.0
LOT 3	(NENW) 40.0	LOT 4	(NWNW) 39.0
	SWNW 39.0		SENW 40.0
	NESW 40.0		NWSW 39.0
	SWSW 38.0		SESW 39.0
S11	NENS 23.0		NWNE 2.0
S12	NENW 39.0		NWNW 39.0
	SWNW 25.0		SENW 40.0
R34E S02	NESW 40.0		NWSW 40.0
	SWSW 40.0		SESW 40.0

PLACE OF USE (continued)

	NESE 39.0		NWSE 39.0
	SWSE 40.0		SESE 30.0
S03 LOT 1	(NENE) 0.1	LOT 2	(NWNE) 12.0
	SWNE 40.0		SENE 28.0
S06 LOT 3	(NENW) 40.0	LOT 4	(NWNW) 35.0
LOT 5	(SWNW) 39.0		SENW 40.0
S12	NENE 40.0		NWNE 34.0
	SWNE 40.0		SENE 40.0
	NENW 37.0		NWNW 24.0
	SWNW 35.0		SENW 40.0
	NESW 40.0		NWSW 40.0
	SWSW 40.0		SESW 40.0
	NESE 40.0		NWSE 40.0
	SWSE 40.0		SESE 40.0
S13	NENE 35.0		NWNE 40.0
	SWNE 40.0		SENE 39.0
	NENW 40.0		SENW 40.0
S14	NENW 40.0		NWNW 37.0
	SWNW 34.0		SENW 40.0
S15	NENE 35.0		NWNE 40.0
	SWNE 40.0		SENE 40.0
R35E S04 LOT 1	(NENE) 28.0	LOT 2	(NWNE) 33.0
	SWNE 40.0		SENE 40.0
LOT 3	(NENW) 7.3	LOT 4	(NWNW) 13.0
	SWNW 38.0		SENW 40.0
S05 LOT 6	(NWSW) 23.0		SWSW 40.0
S06 LOT 3	(NESE) 4.1		SESE 39.0
S07	NENE 40.0		NWNE 40.0
	SWNE 40.0		SENE 40.0
	NENW 40.0	LOT 1	(NWNW) 35.0
	(SWNW) 35.0		SENW 40.0
LOT 2	NESW 40.0	LOT 3	(NWSW) 35.0
	(SWSW) 26.0		SESW 40.0
	NESE 40.0		NWSE 40.0
	SWSE 40.0		SESE 40.0
T07N R33E S16	NENE 40.0		NWNE 40.0
	SWNE 40.0		SENE 40.0
	NENW 40.0		SENW 40.0
	NESW 40.0		NWSW 39.0
	SWSW 38.0		SESW 38.0
	NESE 40.0		NWSE 40.0
	SWSE 38.0		SESE 36.0
R34E S31	NENW 40.0	LOT 1	(NWNW) 39.0
	(SWNW) 39.0		SENW 40.0
	NESW 40.0	LOT 3	(NWSW) 39.0
	(SWSW) 33.0		SESW 37.0
4138.5 Acres Total			

USE OF THIS RIGHT WITH RIGHT NO. 31-10965A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 4138.5 ACRES IN A SINGLE IRRIGATION SEASON.

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

THE ADMINISTRATION OF THIS WATER RIGHT IS ALSO SUBJECT TO THE AGREEMENT OF WATER RIGHT OWNERS REGARDING MUD LAKE WATER DELIVERY DATED APRIL 17, 2001, WHICH IS ON FILE IN THE RECORDS OF THE CLERK AND RECORDER OF JEFFERSON COUNTY, IDAHO, INSTRUMENT NUMBER 307626.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

03/16/2001

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

RIGHT NUMBER: 31-11339

NAME AND ADDRESS: INDEPENDENT WATER USERS INC
C/O KEITH SHULDBERG
1795 N 1800 E
HAMER, ID 83425

SOURCE: GROUND WATER

QUANTITY: 58 CFS
6012 AFY

USE OF THIS RIGHT WITH RIGHT NO. 31-10965A IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 58 CFS.

PRIORITY DATE: 05/01/1934

POINT OF DIVERSION:	T06N R34e S1	NESWSW	Rediversion	Within JEFFERSON County
	T06N R34e S1	NESESW	Rediversion	Within JEFFERSON County
	T06N R34e S2	NESWNW	Rediversion	Within JEFFERSON County
	T06N R35e S4	NENENE	Rediversion	Within JEFFERSON County
	T06N R35e S6	NWSWSW	Rediversion	Within JEFFERSON County
	T07N R34E S34	NWSWNE	Rediversion	Within JEFFERSON County
	T07N R35E S13	SESWSW		Within JEFFERSON County
	T07N R35E S13	SESWSW		Within JEFFERSON County
	T07N R35E S13	SESWSW		Within JEFFERSON County
	T07N R35E S13	SESWSW		Within JEFFERSON County
	T07N R35E S34	NESE	Injection	Within JEFFERSON County

WATER IS INJECTED INTO CAMAS CREEK AND REDIVERTED FROM
CAMAS CREEK AND MUD LAKE.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION STORAGE	05-01 11-01	6,012.00 AFY
IRRIGATION FROM STORAGE	05-01 11-01	6,012.00 AFY
DIVERSION TO STORAGE	05-01 11-01	58.00 CFS

UPON SUBMISSION OF A PUMPING PLAN BY THE HOLDERS OF WATER RIGHTS 31-332, 31-11339, 31-11429, 31-11430, AND 31-11432, THE WATERMASTER, UNDER THE DIRECTION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES, MAY AUTHORIZE DIVERSION TO STORAGE AND IRRIGATION STORAGE UNDER THIS RIGHT AS EARLY AS MARCH 1, AND IRRIGATION FROM STORAGE AS EARLY AS APRIL 1. ANY DIVERSION OR USE OF WATER BEFORE MAY 1 UNDER THIS REMARK SHALL HAVE A PRIORITY DATE OF JUNE 5, 1961.

PLACE OF USE:

IRRIGATION FROM STORAGE Within							
JEFFERSON County							
T06N R33E S1	LOT 1	NENE	39	T06N R33E S1	LOT 2	NWNE	40
T06N R33E S1		SWNE	40	T06N R33E S1		SENE	33
T06N R33E S1	LOT 3	NENW	40	T06N R33E S1	LOT 4	NWNW	39
T06N R33E S1		SWNW	39	T06N R33E S11		NENE	23
T06N R33E S11		NWNE	2	T06N R33E S1		SENE	40
T06N R33E S1		NESW	40	T06N R33E S1		NWSW	39
T06N R33E S1		SWSW	38	T06N R33E S1		SESW	39
T06N R33E S12		NENW	39	T06N R33E S12		NWNW	39

T06N R33E S12		SWNW	25	T06N R33E S12		SENW	40
T06N R34E S12		NENE	40	T06N R34E S12		NWNE	34
T06N R34E S12		SWNE	40	T06N R34E S12		SENE	40
T06N R34E S12		NENW	37	T06N R34E S12		NWNW	24
T06N R34E S12		SWNW	35	T06N R34E S12		SENW	40
T06N R34E S12		NESW	40	T06N R34E S12		NWSW	40
T06N R34E S12		SWSW	40	T06N R34E S12		SESW	40
T06N R34E S12		NESE	40	T06N R34E S12		NWSE	40
T06N R34E S12		SWSE	40	T06N R34E S12		SESE	40
T06N R34E S13		NENE	35	T06N R34E S13		NWNE	40
T06N R34E S13		SWNE	40	T06N R34E S13		SENE	39
T06N R34E S13		NENW	40	T06N R34E S13		SENW	40
T06N R34E S14		NENW	40	T06N R34E S14		NWNW	37
T06N R34E S14		SWNW	34	T06N R34E S14		SENW	40
T06N R34E S15		NENE	35	T06N R34E S15		NWNE	40
T06N R34E S15		SWNE	40	T06N R34E S15		SENE	40
T06N R34E S2		NESW	40	T06N R34E S2		NWSW	40
T06N R34E S2		SWSW	40	T06N R34E S2		SESW	40
T06N R34E S2		NESE	39	T06N R34E S2		NWSE	39
T06N R34E S2		SWSE	40	T06N R34E S2		SESE	30
T06N R34E S3	LOT 1	NENE	0.1	T06N R34E S3	LOT 2	NWNE	12
T06N R34E S3		SWNE	40	T06N R34E S3		SENE	28
T06N R34E S6	LOT 3	NENW	40	T06N R34E S6	LOT 4	NWNW	35
T06N R34E S6	LOT 5	SWNW	39	T06N R34E S6		SENW	40
T06N R35E S4	LOT 1	NENE	28	T06N R35E S4	LOT 2	NWNE	33
T06N R35E S4		SWNE	40	T06N R35E S4		SENE	40
T06N R35E S4	LOT 3	NENW	7.3	T06N R35E S4	LOT 4	NWNW	13
T06N R35E S4		SWNW	38	T06N R35E S4		SENW	40
T06N R35E S5	LOT 6	NWSW	23	T06N R35E S5		SWSW	40
T06N R35E S6	LOT 3	NESE	4.1	T06N R35E S6		SESE	39
T06N R35E S7		NENE	40	T06N R35E S7		NWNE	40
T06N R35E S7		SWNE	40	T06N R35E S7		SENE	40
T06N R35E S7		NENW	40	T06N R35E S7	LOT 1	NWNW	35
T06N R35E S7	LOT 2	SWNW	35	T06N R35E S7		SENW	40
T06N R35E S7		NESW	40	T06N R35E S7	LOT 3	NWSW	35
T06N R35E S7	LOT 4	SWSW	26	T06N R35E S7		SESW	40
T06N R35E S7		NESE	40	T06N R35E S7		NWSE	40
T06N R35E S7		SWSE	40	T06N R35E S7		SESE	40
T07N R33E S36		NENE	40	T07N R33E S36		NWNE	40
T07N R33E S36		SWNE	40	T07N R33E S36		SENE	40
T07N R33E S36		NENW	40	T07N R33E S36		SENW	40
T07N R33E S36		NESW	40	T07N R33E S36		NWSW	39
T07N R33E S36		SWSW	38	T07N R33E S36		SESW	38
T07N R33E S36		NESE	40	T07N R33E S36		NWSE	40
T07N R33E S36		SWSE	38	T07N R33E S36		SESE	36
T07N R34E S31		NENW	40	T07N R34E S31	LOT 1	NWNW	39
T07N R34E S31	LOT 2	SWNW	39	T07N R34E S31		SENW	40
T07N R34E S31		NESW	40	T07N R34E S31	LOT 3	NWSW	39
T07N R34E S31	LOT 4	SWSW	33	T07N R34E S31		SESW	37

4138.5 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 31-10965A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 4138.5 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 - Beneficial Use

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 31-11339
Date Received: 3/16/00
Receipt No: E025670
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

A-O
INDEPENDENT WATER USERS OF ~~MEYER~~ INC Phone: (208) ~~356-5091~~

~~C/O DON PARKER~~ *Keith Sholdberg* *(A-O)* *663-4644*
~~2032 W 4200 S~~ *1745 N 1800 E*
~~REXBURG ID 83440~~ *Hamer Id. 83425*

2. Date of Priority: 04/01/1934

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07N	35E	13	SW SW	JEFFERSON	

5. Description of diverting works:

FOUR WELLS OPEN DISCHARGE INTO CANAL AND THEN MUD LAKE, RELIFT PUMP TO CANAL TO
PLACE OF USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION FROM STORAGE			05/01 10/31	
5334				
DIVERSION TO STORAGE			05/01 10/31	60
DIVERSION TO STORAGE			05/01 10/31	
5334				

7. Total Quantity Appropriated is:
5334 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	33E	1	NE	NE	IRRIGATION FROM STORAGE	
40			NW	NE	IRRIGATION FROM STORAGE	
40			SW	NE	IRRIGATION FROM STORAGE	
40			SE	NE	IRRIGATION FROM STORAGE	
40			NE	NW	IRRIGATION FROM STORAGE	
40			NW	NW	IRRIGATION FROM STORAGE	
40			SW	NW	IRRIGATION FROM STORAGE	
40			SE	NW	IRRIGATION FROM STORAGE	
40			NE	SW	IRRIGATION FROM STORAGE	
40			NW	SW	IRRIGATION FROM STORAGE	
40			SW	SW	IRRIGATION FROM STORAGE	
40			SE	SW	IRRIGATION FROM STORAGE	
					Section Acres	480
06N	33E	11	SW	NE	IRRIGATION FROM STORAGE	
25			SE	NE	IRRIGATION FROM STORAGE	
					Section Acres	30
06N	33E	12	NW	NW	IRRIGATION FROM STORAGE	
40			SW	NW	IRRIGATION FROM STORAGE	
25			SE	NW	IRRIGATION FROM STORAGE	
40			NE	NW	IRRIGATION FROM STORAGE	
40					Section Acres	145
06N	34E	2	NE	SW	IRRIGATION FROM STORAGE	
40			NW	SW	IRRIGATION FROM STORAGE	
40			SE	SW	IRRIGATION FROM STORAGE	
40			NE	SE	IRRIGATION FROM STORAGE	
40			NW	SE	IRRIGATION FROM STORAGE	
40			SW	SE	IRRIGATION FROM STORAGE	
40			SE	SE	IRRIGATION FROM STORAGE	
40			SW	SW	IRRIGATION FROM STORAGE	

5

				Section Acres	320
06N	34E	3	NW	NE	IRRIGATION FROM STORAGE
10			SW	NE	IRRIGATION FROM STORAGE
40			SE	NE	IRRIGATION FROM STORAGE
30					

				Section Acres	80
06N	34E	6	NE	NW	IRRIGATION FROM STORAGE
40			NW	NW	IRRIGATION FROM STORAGE
40			SW	NW	IRRIGATION FROM STORAGE
40			SE	NW	IRRIGATION FROM STORAGE
40					

				Section Acres	160
06N	34E	12	NE	SW	IRRIGATION FROM STORAGE
40			NW	SW	IRRIGATION FROM STORAGE
40			NE	SE	IRRIGATION FROM STORAGE
40			NW	SE	IRRIGATION FROM STORAGE
40			NE	NE	IRRIGATION FROM STORAGE
40			NW	NE	IRRIGATION FROM STORAGE
40			SW	NE	IRRIGATION FROM STORAGE
40			SE	NE	IRRIGATION FROM STORAGE
40			SW	NW	IRRIGATION FROM STORAGE
40			SE	SW	IRRIGATION FROM STORAGE
40			SW	SE	IRRIGATION FROM STORAGE
40			SE	SE	IRRIGATION FROM STORAGE
40			NE	NW	IRRIGATION FROM STORAGE
40			SE	NW	IRRIGATION FROM STORAGE
40			SW	SW	IRRIGATION FROM STORAGE
40			NW	NW	IRRIGATION FROM STORAGE
32					

				Section Acres	632
06N	34E	13	NE	NE	IRRIGATION FROM STORAGE
40			NW	NE	IRRIGATION FROM STORAGE
40			SW	NE	IRRIGATION FROM STORAGE
40					

40			SE	NE	IRRIGATION FROM STORAGE
40			NE	NW	IRRIGATION FROM STORAGE
40			SE	NW	IRRIGATION FROM STORAGE

Section Acres 240

06N	34E	14	NE	NW	IRRIGATION FROM STORAGE
40			NW	NW	IRRIGATION FROM STORAGE
40			SW	NW	IRRIGATION FROM STORAGE
40			SE	NW	IRRIGATION FROM STORAGE

Section Acres 160

06N	34E	15	NE	NE	IRRIGATION FROM STORAGE
40			NW	NE	IRRIGATION FROM STORAGE
40			SW	NE	IRRIGATION FROM STORAGE
40			SE	NE	IRRIGATION FROM STORAGE

Section Acres 160

06N	35E	4	NE	NE	IRRIGATION FROM STORAGE
41			NW	NE	IRRIGATION FROM STORAGE
41			SW	NE	IRRIGATION FROM STORAGE
40			SE	NE	IRRIGATION FROM STORAGE
40			NW	NW	IRRIGATION FROM STORAGE
12			SE	NW	IRRIGATION FROM STORAGE
40			NE	NW	IRRIGATION FROM STORAGE
38			SW	NW	IRRIGATION FROM STORAGE

5

Section Acres 257

06N	35E	5	NW	SW	IRRIGATION FROM STORAGE
25			SW	SW	IRRIGATION FROM STORAGE
40					

Section Acres 65

06N	35E	6	NE	SE	IRRIGATION FROM STORAGE
10			SE	SE	IRRIGATION FROM STORAGE
40					

Section Acres 50

06N	35E	7	SW	NW	2	IRRIGATION FROM STORAGE
40			NE	NE		IRRIGATION FROM STORAGE
40			NW	NE		IRRIGATION FROM STORAGE
40			SW	NE		IRRIGATION FROM STORAGE
40			SE	NE		IRRIGATION FROM STORAGE
40			NE	NW		IRRIGATION FROM STORAGE
40			NW	NW	1	IRRIGATION FROM STORAGE
40			SE	NW		IRRIGATION FROM STORAGE
40			NE	SW		IRRIGATION FROM STORAGE
40			NW	SW	3	IRRIGATION FROM STORAGE
40			SW	SW	4	IRRIGATION FROM STORAGE
40			SE	SW		IRRIGATION FROM STORAGE
40			NE	SE		IRRIGATION FROM STORAGE
40			NW	SE		IRRIGATION FROM STORAGE
40			SW	SE		IRRIGATION FROM STORAGE
40			SE	SE		IRRIGATION FROM STORAGE

Section Acres 640

07N	33E	36	NE	NE		IRRIGATION FROM STORAGE
40			NW	NE		IRRIGATION FROM STORAGE
40			SE	NE		IRRIGATION FROM STORAGE
40			NE	NW		IRRIGATION FROM STORAGE
40			NE	SW		IRRIGATION FROM STORAGE
40			NW	SW		IRRIGATION FROM STORAGE
40			SW	SW		IRRIGATION FROM STORAGE
40			SW	NE		IRRIGATION FROM STORAGE
40			SE	NW		IRRIGATION FROM STORAGE
40			SE	SW		IRRIGATION FROM STORAGE
40			NE	SE		IRRIGATION FROM STORAGE
40			NW	SE		IRRIGATION FROM STORAGE
40			SW	SE		IRRIGATION FROM STORAGE
40			SE	SE		IRRIGATION FROM STORAGE

					Section Acres	560
07N	34E	31	NE	NW	IRRIGATION FROM STORAGE	
40						
			NW	NW	IRRIGATION FROM STORAGE	
40						
			SW	NW	IRRIGATION FROM STORAGE	
40						
			SE	NW	IRRIGATION FROM STORAGE	
40						
			NE	SW	IRRIGATION FROM STORAGE	
40						
			NW	SW	IRRIGATION FROM STORAGE	
40						
			SW	SW	IRRIGATION FROM STORAGE	
40						
			SE	SW	IRRIGATION FROM STORAGE	
40						
					Section Acres	320
					Total Acres	4299

11. Place of use in counties: JEFFERSON

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

THE PRIORITY DATE IS FROM DOCUMENTATION OF GROUND WATER STORAGE IN THE MUD LAKE ALLOTMENT SYSTEM SHOWN ON THE 1934 ALLOTMENT SHEETS KEPT BY THE WATERMASTER.

THE DIVERSION RATE CLAIMED IS THE APPROXIMATE SUM OF THE DECREED GROUNDWATER RIGHTS OF INDEPENDENT, AS CONFIRMED BY TRANSFERS. THIS CLAIM IS NOT FOR ADDITIONAL DIVERSION RATE, BUT IS SIMPLY TO CLARIFY THE HISTORICAL PRACTICE OF STORING PUMPED WATER IN THE LAKE DURING THE IRRIGATION SEASON, FOR LATER WITHDRAWAL IN THE SAME SEASON.

CLAIM AMENDED 3/1/2001 TO SHOW ACRES IN NWNW OF SECTION 12, 6N 34E, WHICH WERE NOT INCLUDED ON ORIGINAL CLAIM.

ALSO CLAIMED IS EARLY-SEASON PUMPING WHEN AUTHORIZED BY THE EARLY SEASON PUMPING AGREEMENT AND THE WATERMASTER. THE SEASON OF USE FOR THE EARLY SEASON PUMPING MAY BEGIN AS EARLY AS MARCH 1 AND BEARS A PRIORITY DATE OF JUNE 1, 1961.

15. Basis of Claim: Beneficial Use

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Pres. of _____ Title

Independent Water Users of Mud Lake, that I have signed the foregoing Organization

document in the space below as _____ of Title

_____ and that the statements contained in the Organization

foregoing document are true and correct.

Andy D
Signature of Authorized Agent

Pres. Independent Water Users of Mud Lake
Title and Organization

3-1-01
Date

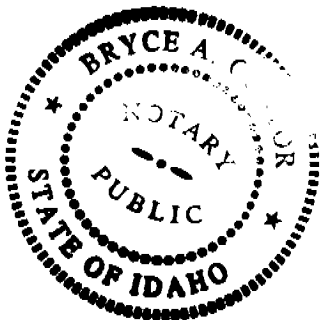
State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 1 day
of May 2001 Bryce A. Contor

Notary Public

Residing at Mud Lake ID

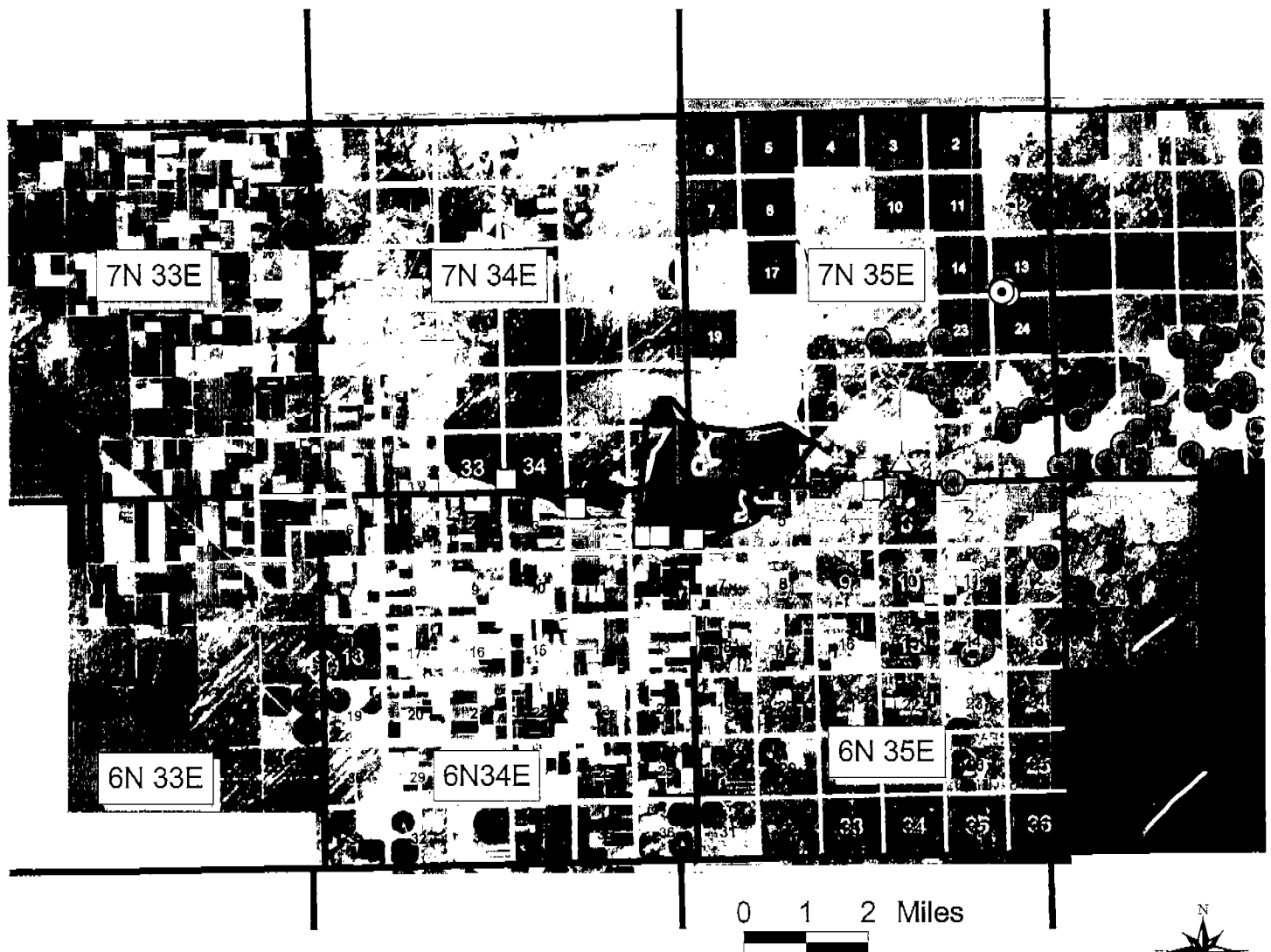
My commission Expires 10/14/05



Idaho Department of Water Resources

Water Right 31-10965A, 31-11339

Map 1 - Overview



0 1 2 Miles



- | | | | |
|---|-----------------------------------|---|----------------------------|
| ○ | Point of Diversion | △ | Point of Injection |
| ⊙ | Point of Diversion - Other Rights | △ | Injection - Other Rights |
| — | Place of Use | □ | Point of Rediversion |
| — | Place of Use - Other Rights | □ | Rediversion - Other Rights |
| — | Quarter-quarter Sections | | |
| — | Section Lines | | |

GIS Illustration prepared from 1987/1988 NAPP photography by B. Contor 10/2000

Idaho Department of Water Resources

Water Right 31-10965A, 31-11339

Map 2 - West Place of Use



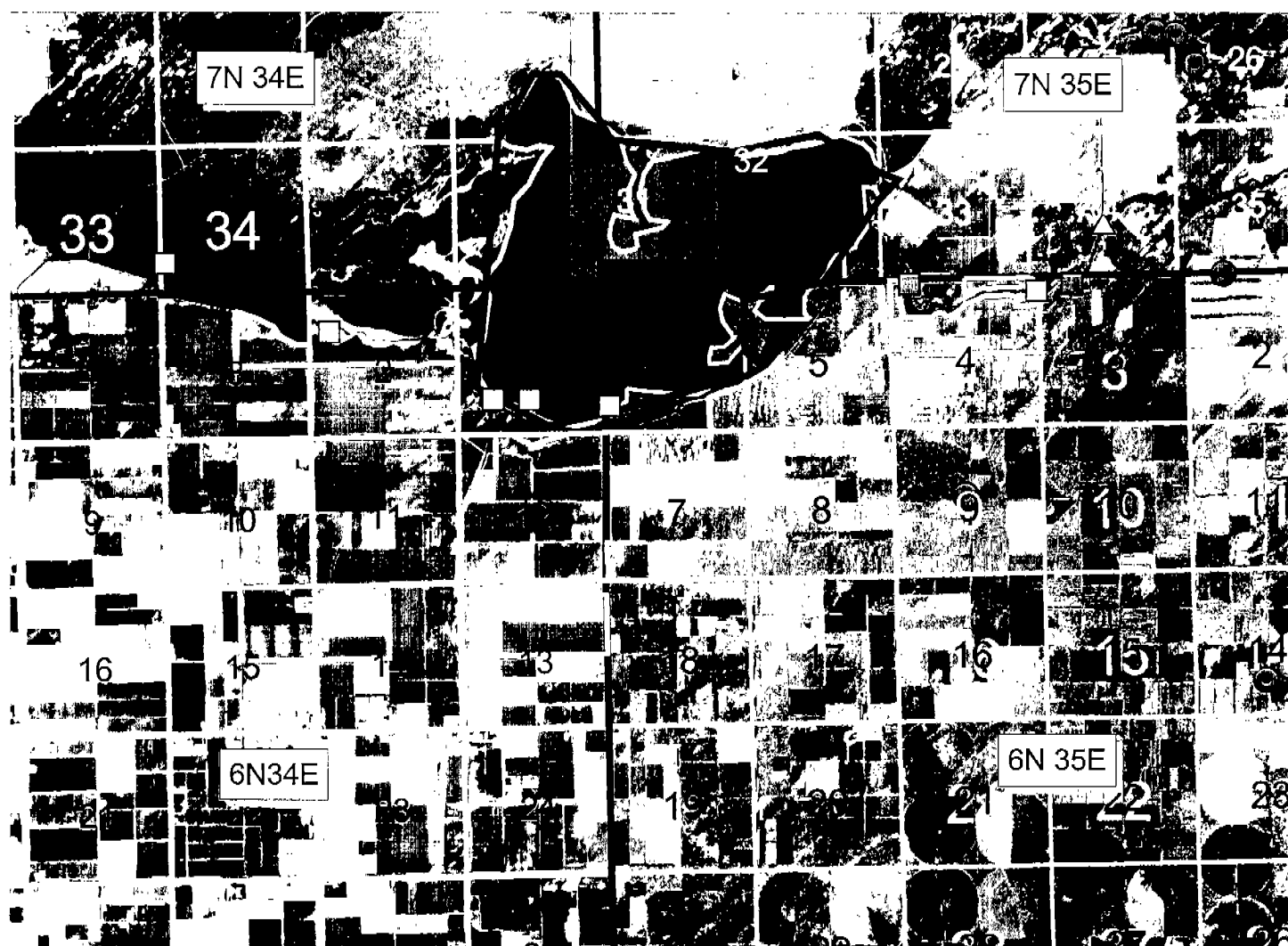
- | | | | |
|---|-----------------------------------|---|----------------------------|
| ⊙ | Point of Diversion | △ | Point of Injection |
| ⊙ | Point of Diversion - Other Rights | △ | Injection - Other Rights |
| — | Place of Use | □ | Point of Rediversion |
| — | Place of Use - Other Rights | □ | Rediversion - Other Rights |
| — | Quarter-quarter Sections | | |
| — | Section Lines | | |

GIS Illustration prepared from 1987/1988 NAPP photography by B. Contor 10/2000

Idaho Department of Water Resources

Water Right 31-10965A, 31-11339

Map 3 - East Place of Use



0 1 2 Miles



- | | | | |
|---|-----------------------------------|---|----------------------------|
| ⊙ | Point of Diversion | △ | Point of Injection |
| ⊗ | Point of Diversion - Other Rights | ▲ | Injection - Other Rights |
| — | Place of Use | □ | Point of Rediversion |
| — | Place of Use - Other Rights | ■ | Rediversion - Other Rights |
| — | Quarter-quarter Sections | | |
| — | Section Lines | | |

GIS Illustration prepared from 1987/1988 NAPP photography by B. Contor 10/2000

12/28/2000

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

RIGHT NUMBER: 31-11339

NAME AND ADDRESS: INDEPENDENT WATER USERS OF MUD LAKE INC
C/O DON PARKER
2032 W 4200 S
REXBURG, ID 83440

SOURCE: GROUND WATER

Total Div. rate 58 *BAC*
5136 AFY

USE OF THIS RIGHT WITH RIGHT NO. 31-10965A IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 58 CFS.

PRIORITY DATE: 05/01/1934

POINT OF DIVERSION:	T06N R34e S1	NESWSW	Rediversion	Within JEFFERSON County
	T06N R34e S1	NESESW	Rediversion	Within JEFFERSON County
	T06N R34e S2	NESWNW	Rediversion	Within JEFFERSON County
	T06N R35e S4	NENENE	Rediversion	Within JEFFERSON County
	T06N R35e S6	NWSWSW	Rediversion	Within JEFFERSON County
	T07N R34E S34	NWSWNE	Rediversion	Within JEFFERSON County
	T07N R35E S13	SESWSW		Within JEFFERSON County
	T07N R35E S13	SESWSW		Within JEFFERSON County
	T07N R35E S13	SESWSW		Within JEFFERSON County
	T07N R35E S13	SESWSW		Within JEFFERSON County
	T07N R35E S34	NESE	Injection	Within JEFFERSON County

WATER IS INJECTED INTO CAMAS CREEK AND REDIVERTED FROM
CAMAS CREEK AND MUD LAKE.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION STORAGE	05-01 10-31	5,136.00 AFY
IRRIGATION FROM STORAGE	05-01 10-31	5,136.00 AFY
DIVERSION TO STORAGE	05-01 10-31	58.00 CFS

PLACE OF USE:

IRRIGATION FROM STORAGE Within									
JEFFERSON County									
T06N R33E S1	LOT 1	NENE	40	T06N R33E S1	LOT 2	NWNE	40		
T06N R33E S1		SWNE	40	T06N R33E S1		SENE	40		
T06N R33E S1	LOT 3	NENW	40	T06N R33E S1	LOT 4	NWNW	39		
T06N R33E S1		SWNW	39	T06N R33E S11		NENE	23		
T06N R33E S11		NWNE	2	T06N R33E S11		SENE	0.1		
T06N R33E S1		SENW	40	T06N R33E S1		NESW	40		
T06N R33E S1		NWSW	39	T06N R33E S1		SWSW	38		
T06N R33E S1		SESW	39	T06N R33E S12		NENW	39		
T06N R33E S12		NWNW	39	T06N R33E S12		SWNW	25		
T06N R33E S12		SENW	40	T06N R34E S11		NESE	0.2		
T06N R34E S11		SESE	0.3	T06N R34E S1	LOT 3	NWSW	0.1		
T06N R34E S12		NENE	40	T06N R34E S12		NWNE	34		
T06N R34E S12		SWNE	40	T06N R34E S12		SENE	40		
T06N R34E S12		NENW	37	T06N R34E S12		SWNW	26		
T06N R34E S12		SENW	40	T06N R34E S12		NESW	40		
T06N R34E S12		NWSW	40	T06N R34E S12		SWSW	40		
T06N R34E S12		SESW	40	T06N R34E S12		NESE	40		
T06N R34E S12		NWSE	40	T06N R34E S12		SWSE	40		

T06N R34E S12	SESE	40	T06N R34E S13	NENE	35
T06N R34E S13	NWNE	40	T06N R34E S13	SWNE	40
T06N R34E S13	SENE	39	T06N R34E S13	NENW	40
T06N R34E S13	SESW	40	T06N R34E S14	NENW	40
T06N R34E S14	NWNW	37	T06N R34E S14	SWNW	34
T06N R34E S14	SESW	40	T06N R34E S15	NENE	35
T06N R34E S15	NWNE	40	T06N R34E S15	SWNE	40
T06N R34E S15	SENE	40	T06N R34E S2	NESW	40
T06N R34E S2	NWSW	40	T06N R34E S2	SWSW	40
T06N R34E S2	SESW	40	T06N R34E S2	NESE	39
T06N R34E S2	NWSE	39	T06N R34E S2	SWSE	40
T06N R34E S2	SESE	30	T06N R34E S3	NENE	0.1
T06N R34E S3	NWNE	12	T06N R34E S3	SWNE	40
T06N R34E S3	SENE	28	T06N R34E S6	NENW	40
T06N R34E S6	NWNW	39	T06N R34E S6	SWNW	39
T06N R34E S6	SESW	40	T06N R35E S4	NENE	26
T06N R35E S4	NWNE	33	T06N R35E S4	SWNE	40
T06N R35E S4	SENE	40	T06N R35E S4	NENW	4.1
T06N R35E S4	NWNW	12	T06N R35E S4	SWNW	38
T06N R35E S4	SESW	40	T06N R35E S5	NWSW	23
T06N R35E S5	SWSW	40	T06N R35E S6	NESE	4.1
T06N R35E S6	SESE	39	T06N R35E S7	NENE	40
T06N R35E S7	NWNE	40	T06N R35E S7	SWNE	40
T06N R35E S7	SENE	40	T06N R35E S7	NENW	40
T06N R35E S7	NWNW	35	T06N R35E S7	SWNW	35
T06N R35E S7	SESW	40	T06N R35E S7	NESW	40
T06N R35E S7	NWSW	35	T06N R35E S7	SWSW	26
T06N R35E S7	SESW	40	T06N R35E S7	NESE	40
T06N R35E S7	NWSE	40	T06N R35E S7	SWSE	40
T06N R35E S7	SESE	40	T07N R33E S36	NENE	39
T06N R35E S7	NWNE	40	T07N R33E S36	SWNE	40
T07N R33E S36	SENE	40	T07N R33E S36	NENW	40
T07N R33E S36	SESW	40	T07N R33E S36	NESW	40
T07N R33E S36	NWSW	39	T07N R33E S36	SWSW	38
T07N R33E S36	SESW	38	T07N R33E S36	NESE	40
T07N R33E S36	NWSE	40	T07N R33E S36	SWSE	38
T07N R33E S36	SESE	36	T07N R34E S31	NENW	40
T07N R34E S31	NWNW	39	T07N R34E S31	SWNW	39
T07N R34E S31	SESW	40	T07N R34E S31	NESW	40
T07N R34E S31	NWSW	39	T07N R34E S31	SWSW	31
T07N R34E S31	SESW	37			

4109 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 31-10965A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 4109 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.

UPON SUBMISSION OF A PUMPING PLAN BY THE HOLDERS OF WATER RIGHTS 31-332, 31-11339, 31-11429, 31-11430, AND 31-11432, THE WATERMASTER, UNDER THE DIRECTION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES, MAY AUTHORIZE DIVERSION TO STORAGE AND IRRIGATION STORAGE UNDER THIS RIGHT AS EARLY AS MARCH 1, AND IRRIGATION FROM STORAGE AS EARLY AS APRIL 1. ANY DIVERSION OR USE OF WATER BEFORE MAY 1 UNDER THIS REMARK SHALL HAVE A PRIORITY DATE OF JUNE 5, 1961.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

10/27/2000

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 31-11339

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	INDEPENDENT WATER USERS OF MUD LAKE INC C/O DON PARKER 2032 W 4200 S REXBURG, ID 83440 (208)356-5091

Priority Date: 05/01/1934
Basis: Beneficial Use
Status: Valid

Source Tributary to
GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	05/01	10/31		5136 AFA	
STORAGE					
IRRIGATION FROM	05/01	10/31		5136 AFA	
STORAGE					
DIVERSION TO	05/01	10/31	58 CFS		
STORAGE					

Total Diversion 5136 AFA

Point(s) of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County	
07N	35E	13	SE SW SW	0	JEFFERSON	
07N	35E	13	SE SW SW	0	JEFFERSON	
07N	35E	13	SE SW SW	0	JEFFERSON	
07N	34E	34	NW SW NE		JEFFERSON	Rediversion
06N	34e	2	NE SW NW		JEFFERSON	Rediversion
06N	35e	4	NE NE NE		JEFFERSON	Rediversion
07N	35E	13	SE SW SW		JEFFERSON	
07N	35E	34	NE SE		JEFFERSON	Injection
06N	35e	6	NW SW SW		JEFFERSON	Rediversion
06N	34e	1	NE SW SW		JEFFERSON	Rediversion
06N	34e	1	NE SE SW		JEFFERSON	Rediversion

IRRIGATION FROM STORAGE Use:

Acre Limit: 4267

Place(s) of use:

Place of Use Legal Description: IRRIGATION FROM STORAGE

JEFFERSON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
06N	33E	1	1	NENE	40	2	NWNE	40		SWNE	40		SENE	40
			3	NENW	40	4	NWNW	39		SWNW	39			
				NENE	23		NWNE	2		SENE	0.1			
		1		SENE	40									
				NESW	40		NWSW	39		SWSW	38		SESW	39
		12		NENW	39		NWNW	39		SWNW	25		SENE	40
	34E	11		NESE	0.2		SESE	0.3						
		1	3	NWSW	0.1									
		12		NENE	40		NWNE	34		SWNE	40		SENE	40

07N	35E	13		NENW	37		SWNW	26		SENW	40					
				NESW	40		NWSW	40		SWSW	40		SESW	40		
				NESE	40		NWSE	40		SWSE	40		SESE	40		
				NENE	35		NWNE	40		SWNE	40		SENE	39		
				NENW	40		SENW	40								
				14		NENW	40		NWNW	37		SWNW	34		SENW	40
				15		NENE	35		NWNE	40		SWNE	40		SENE	40
				2		NESW	40		NWSW	40		SWSW	40		SESW	40
						NESE	39		NWSE	39		SWSE	40		SESE	30
				3	1	NENE	0.1	2	NWNE	12		SWNE	40		SENE	28
		6	3	NENW	40	4	NWNW	39	5	SWNW	39		SENW	40		
		4	1	NENE	26	2	NWNE	33		SWNE	40		SENE	40		
			3	NENW	4.1	4	NWNW	12		SWNW	38		SENW	40		
		5	6	NWSW	23		SWSW	40								
		6	3	NESE	4.1		SESE	39								
		7		NENE	40		NWNE	40		SWNE	40		SENE	40		
				NENW	40	1	NWNW	35	2	SWNW	35		SENW	40		
				NESW	40	3	NWSW	35	4	SWSW	26		SESW	40		
				NESE	40		NWSE	40		SWSE	40		SESE	40		
		33E	36	NENE	39		NWNE	40		SWNE	40		SENE	40		
			NENW	40		SENW	40									
			NESW	40		NWSW	39		SWSW	38		SESW	38			
			NESE	40		NWSE	40		SWSE	38		SESE	36			
	34E	31	NENW	40	1	NWNW	39	2	SWNW	39		SENW	40			
			NESW	40	3	NWSW	39	4	SWSW	31		SESW	37			

Total Acres: 4109

Conditions of Approval:

1. C18 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.

Remarks:

1. Quantity USE OF THIS RIGHT WITH RIGHT NO. 31-10965A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 58 CFS.
2. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NO. 31-10965A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 4109 ACRES IN A SINGLE IRRIGATION SEASON.
3. General WATER IS INJECTED INTO CAMAS CREEK AND REDIVERTED FROM CAMAS CREEK AND MUD LAKE.
4. General THIS REMARK IS A PLACE HOLDER FOR THE ANTICIPATED REMARK REGARDING EARLY SEASON PUMPING TO BE DETERMINED BY KARL DREHER AND NORM YOUNG

Comments:

Author	Date	Subject	Comment
bcontor	10/25/00	recommendation	This is a tentative recommendation pending approval by Karl Dreher and Norm Young of proposed B31 general provisions and remarks for GW storage rights.
bcontor	10/25/00	priority date	priority comes from inclusion of separate accounting for Independent Water Users groundwater on the watermasters "Mud Lake Allotment Sheet" beginning May 1, 1934.
bcontor	10/25/00	Overlap	Please see comments to 31-10965A for more complete explanation of the relationship between these two rights. See also documentation in special B31 file "Mud Lake Storage."
bcontor	10/25/00	water uses	Claim contained typographical error. From documentation in "Mud Lake Storage" file it is clear that recommended water uses are the intent of claimant, and NOE and Objection process provide due process if this analysis is incorrect.
bcontor	10/25/00	Rate and Volume	Rate from underlying right 31-10965A. Volume calculated at 1.25 acre feet/acre per documentation in "Mud Lake Storage" special area file.
bcontor	10/27/00	Points of Rediversion	By field inspection

Dates:

Licensed Date:
Claim Received Date: 03/16/2000
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Decreed Date:
Date Filed with Court:
Objection Filed Date:
SF5 Filed:
Special Master Recom Signed Date:

Other Information:

Receipt Number(s):
State or Federal: S
Owner Name Connector:
Overall Max Diversion Rate: 0
Overall Max Diversion Volume: 5136
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
PresumptionFlag:
Notice of Error Flag:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

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 31-11339
Date Received: 3/16/00
Receipt No:
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

INDEPENDENT WATER USERS OF MUD LAKE INC Phone: (208)356-5091

C/O DON PARKER
2032 W 4200 S
REXBURG ID 83440

2. Date of Priority: 04/01/1934

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
07N	35E	13	SW SW	JEFFERSON

5. Description of diverting works:

FOUR WELLS OPEN DISCHARGE INTO CANAL AND THEN MUD LAKE, RELIFT PUMP TO CANAL TO PLACE OF USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION FROM STORAGE	05/01	10/31		5334
DIVERSION TO STORAGE	05/01	10/31		5334
DIVERSION TO STORAGE	05/01	10/31	60	

7. Total Quantity Appropriated is:
5334 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
----------	-------	---------	----------------	-----	-------

06N	33E	1	NE	NE	IRRIGATION FROM STORAGE	40
			NW	NE	IRRIGATION FROM STORAGE	40
			SW	NE	IRRIGATION FROM STORAGE	40
			SE	NE	IRRIGATION FROM STORAGE	40
			NE	NW	IRRIGATION FROM STORAGE	40
			NW	NW	IRRIGATION FROM STORAGE	40
			SW	NW	IRRIGATION FROM STORAGE	40
			SE	NW	IRRIGATION FROM STORAGE	40
			NE	SW	IRRIGATION FROM STORAGE	40
			NW	SW	IRRIGATION FROM STORAGE	40
			SW	SW	IRRIGATION FROM STORAGE	40
			SE	SW	IRRIGATION FROM STORAGE	40

Section Acres 480

06N	33E	11	SE	NE	IRRIGATION FROM STORAGE	25
			SW	NE	IRRIGATION FROM STORAGE	5

Section Acres 30

06N	33E	12	NE	NW	IRRIGATION FROM STORAGE	40
			NW	NW	IRRIGATION FROM STORAGE	40
			SW	NW	IRRIGATION FROM STORAGE	25
			SE	NW	IRRIGATION FROM STORAGE	40

Section Acres 145

06N	34E	2	NE	SW	IRRIGATION FROM STORAGE	40
			NW	SW	IRRIGATION FROM STORAGE	40
			SE	SW	IRRIGATION FROM STORAGE	40
			NE	SE	IRRIGATION FROM STORAGE	40
			NW	SE	IRRIGATION FROM STORAGE	40
			SW	SE	IRRIGATION FROM STORAGE	40
			SE	SE	IRRIGATION FROM STORAGE	40
			SW	SW	IRRIGATION FROM STORAGE	40

Section Acres 320

06N	34E	3	NW	NE	IRRIGATION FROM STORAGE	10
			SW	NE	IRRIGATION FROM STORAGE	40
			SE	NE	IRRIGATION FROM STORAGE	30

Section Acres 80

06N	34E	6	NE	NW	IRRIGATION FROM STORAGE	40
			NW	NW	IRRIGATION FROM STORAGE	40
			SW	NW	IRRIGATION FROM STORAGE	40
			SE	NW	IRRIGATION FROM STORAGE	40

Section Acres 160

06N	34E	12	NE	SW	IRRIGATION FROM STORAGE	40
			NW	SW	IRRIGATION FROM STORAGE	40
			NE	SE	IRRIGATION FROM STORAGE	40
			NW	SE	IRRIGATION FROM STORAGE	40
			NE	NE	IRRIGATION FROM STORAGE	40
			NW	NE	IRRIGATION FROM STORAGE	40
			SW	NE	IRRIGATION FROM STORAGE	40
			SE	NE	IRRIGATION FROM STORAGE	40
			SW	NW	IRRIGATION FROM STORAGE	40
			SE	SW	IRRIGATION FROM STORAGE	40
			SW	SE	IRRIGATION FROM STORAGE	40
			SE	SE	IRRIGATION FROM STORAGE	40

			NE	NW	IRRIGATION FROM STORAGE	40	
			SE	NW	IRRIGATION FROM STORAGE	40	
			SW	SW	IRRIGATION FROM STORAGE	40	
					Section Acres	600	
06N	34E	13	NE	NE	IRRIGATION FROM STORAGE	40	
			NW	NE	IRRIGATION FROM STORAGE	40	
			SW	NE	IRRIGATION FROM STORAGE	40	
			SE	NE	IRRIGATION FROM STORAGE	40	
			NE	NW	IRRIGATION FROM STORAGE	40	
			SE	NW	IRRIGATION FROM STORAGE	40	
					Section Acres	240	
06N	34E	14	NE	NW	IRRIGATION FROM STORAGE	40	
			NW	NW	IRRIGATION FROM STORAGE	40	
			SW	NW	IRRIGATION FROM STORAGE	40	
			SE	NW	IRRIGATION FROM STORAGE	40	
					Section Acres	160	
06N	34E	15	NE	NE	IRRIGATION FROM STORAGE	40	
			NW	NE	IRRIGATION FROM STORAGE	40	
			SW	NE	IRRIGATION FROM STORAGE	40	
			SE	NE	IRRIGATION FROM STORAGE	40	
					Section Acres	160	
06N	35E	4	NE	NE	IRRIGATION FROM STORAGE	41	
			NW	NE	IRRIGATION FROM STORAGE	41	
			SW	NE	IRRIGATION FROM STORAGE	40	
			SE	NE	IRRIGATION FROM STORAGE	40	
			NW	NW	IRRIGATION FROM STORAGE	12	
			SE	NW	IRRIGATION FROM STORAGE	40	
			NE	NW	IRRIGATION FROM STORAGE	5	
			SW	NW	IRRIGATION FROM STORAGE	38	
					Section Acres	257	
06N	35E	5	NW	SW	IRRIGATION FROM STORAGE	25	
			SW	SW	IRRIGATION FROM STORAGE	40	
					Section Acres	65	
06N	35E	6	NE	SE	IRRIGATION FROM STORAGE	10	
			SE	SE	IRRIGATION FROM STORAGE	40	
					Section Acres	50	
06N	35E	7	SW	NW	2	IRRIGATION FROM STORAGE	40
			NE	NE		IRRIGATION FROM STORAGE	40
			NW	NE		IRRIGATION FROM STORAGE	40
			SW	NE		IRRIGATION FROM STORAGE	40
			SE	NE		IRRIGATION FROM STORAGE	40
			NE	NW		IRRIGATION FROM STORAGE	40
			NW	NW	1	IRRIGATION FROM STORAGE	40
			SE	NW		IRRIGATION FROM STORAGE	40
			NE	SW		IRRIGATION FROM STORAGE	40
			NW	SW	3	IRRIGATION FROM STORAGE	40
			SW	SW	4	IRRIGATION FROM STORAGE	40
			SE	SW		IRRIGATION FROM STORAGE	40
			NE	SE		IRRIGATION FROM STORAGE	40
			NW	SE		IRRIGATION FROM STORAGE	40

			SW	SE	IRRIGATION FROM STORAGE	40
			SE	SE	IRRIGATION FROM STORAGE	40
					Section Acres	640
07N	33E	36	NE	NE	IRRIGATION FROM STORAGE	40
			NW	NE	IRRIGATION FROM STORAGE	40
			SE	NE	IRRIGATION FROM STORAGE	40
			NE	NW	IRRIGATION FROM STORAGE	40
			NE	SW	IRRIGATION FROM STORAGE	40
			NW	SW	IRRIGATION FROM STORAGE	40
			SW	SW	IRRIGATION FROM STORAGE	40
			SW	NE	IRRIGATION FROM STORAGE	40
			SE	NW	IRRIGATION FROM STORAGE	40
			SE	SW	IRRIGATION FROM STORAGE	40
			NE	SE	IRRIGATION FROM STORAGE	40
			NW	SE	IRRIGATION FROM STORAGE	40
			SW	SE	IRRIGATION FROM STORAGE	40
			SE	SE	IRRIGATION FROM STORAGE	40
					Section Acres	560
07N	34E	31	NE	NW	IRRIGATION FROM STORAGE	40
			NW	NW	IRRIGATION FROM STORAGE	40
			SW	NW	IRRIGATION FROM STORAGE	40
			SE	NW	IRRIGATION FROM STORAGE	40
			NE	SW	IRRIGATION FROM STORAGE	40
			NW	SW	IRRIGATION FROM STORAGE	40
			SW	SW	IRRIGATION FROM STORAGE	40
			SE	SW	IRRIGATION FROM STORAGE	40
					Section Acres	320
					Total Acres	4267

11. Place of use in counties: JEFFERSON

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

THE PRIORITY DATE IS FROM DOCUMENTATION OF GROUND WATER STORAGE IN THE MUD LAKE ALLOTMENT SYSTEM SHOWN ON THE 1934 ALLOTMENT SHEETS KEPT BY THE WATERMASTER.

THE DIVERSION RATE CLAIMED IS THE APPROXIMATE SUM OF THE DECREED GROUNDWATER RIGHTS OF INDEPENDENT, AS CONFIRMED BY TRANSFERS. THIS CLAIM IS NOT FOR ADDITIONAL DIVERSION RATE, BUT IS SIMPLY TO CLARIFY THE HISTORICAL PRACTICE OF STORING PUMPED WATER IN THE LAKE DURING THE IRRIGATION SEASON, FOR LATER WITHDRAWAL IN THE SAME SEASON.

ALSO CLAIMED IS EARLY-SEASON PUMPING WHEN AUTHORIZED BY THE EARLY SEASON PUMPING AGREEMENT AND THE WATERMASTER. THE SEASON OF USE FOR THE EARLY SEASON PUMPING MAY BEGIN AS EARLY AS ~~FEBRUARY 1~~ AND BEARS A PRIORITY DATE OF JUNE 1, 1961.

March 1

Claim given database status of "temporary" pending return of signed amended claim. B. Contor 9/12/2000.

15. Basis of Claim: Beneficial Use

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am President of _____
Title

Independent Canal Company, that I have signed the foregoing
Organization

document in the space below as President of _____
Title

Independent Canal Company and that the statements contained in the
Organization

foregoing document are true and correct.

Douglas D. _____ X
Signature of Authorized Agent

Pres. Independent Canal Company
Title and Organization

10-20-00
Date

State of Idaho)
County of Bonneville) SS.

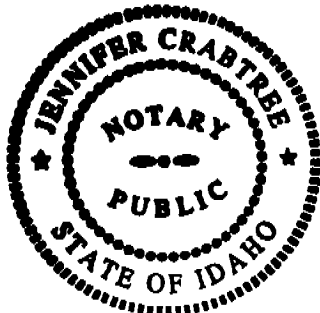
Subscribed and sworn (or affirmed) before me this 20th day
of October 2000

Jennifer Crabtree

Notary Public

Residing at Idaho Falls Idaho

My commission Expires 9/23/03



50

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: A31-11339
Date Received: 2/24/2000
Receipt No: E025670
Received By: HWT

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

A3111339



1. Name: INDEPENDENT WATER USERS OF MUD LAKE INC 208-356-5091
Address: C/O DON PARKER
2032 W 4200 S
REXBURG ID 83440

2. Date of Priority: JAN 7, 1957

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	35E	13	SW	SW			JEFFERSON

5. Description of diverting works:
FOUR WELLS OPEN DISCHARGE INTO CANAL AND THEN MMUD LAKE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION STORAGE	11/01	04/01			4000.00
IRRIGATION FROM STORAGE	04/01	11/01			4000.00

7. Total Quantity Appropriated is:
C.F.S. (and/or) 4000.00 A.F.A.

8. Total consumptive use is 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	33E	1	NE	NE		IRR FS	40.0
			NW	NE		IRR FS	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	33E	1	SW		NE		IRR FS	40.0
			SE		NE		IRR FS	40.0
			NE		NW		IRR FS	40.0
			NW		NW		IRR FS	40.0
			SW		NW		IRR FS	40.0
			SE		NW		IRR FS	40.0
			NE		SW		IRR FS	40.0
			NW		SW		IRR FS	40.0
			SW		SW		IRR FS	40.0
			SE		SW		IRR FS	40.0
							Section Acres	480.0
		11	SW		NE		IRR FS	5.0
			SE		NE		IRR FS	25.0
							Section Acres	30.0
		12	NE		NW		IRR FS	40.0
			NW		NW		IRR FS	40.0
			SW		NW		IRR FS	25.0
			SE		NW		IRR FS	40.0
							Section Acres	145.0
	34E	2	NE		SW		IRR FS	40.0
			NW		SW		IRR FS	40.0
			SW		SW		IRR FS	40.0
			SE		SW		IRR FS	40.0
			NE		SE		IRR FS	40.0
			NW		SE		IRR FS	40.0
			SW		SE		IRR FS	40.0
			SE		SE		IRR FS	40.0
							Section Acres	320.0
		3	NW		NE		IRR FS	10.0
			SW		NE		IRR FS	40.0
			SE		NE		IRR FS	30.0
							Section Acres	80.0
		6	NE		NW		IRR FS	40.0
			NW		NW		IRR FS	40.0
			SW		NW		IRR FS	40.0
			SE		NW		IRR FS	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
Section Acres							160.0
		11	NE	NE		IRR FS	40.0
			NW	NE		IRR FS	40.0
			SW	NE		IRR FS	40.0
			SE	NE		IRR FS	40.0
			NE	NW		IRR FS	40.0
			NW	NW		IRR FS	40.0
			SW	NW		IRR FS	40.0
			SE	NW		IRR FS	40.0
Section Acres							320.0
		12	NE	NE		IRR FS	40.0
			NW	NE		IRR FS	40.0
			SW	NE		IRR FS	40.0
			SE	NE		IRR FS	40.0
			NE	NW		IRR FS	40.0
			SW	NW		IRR FS	40.0
			SE	NW		IRR FS	40.0
			NE	SW		IRR FS	40.0
			NW	SW		IRR FS	40.0
			SW	SW		IRR FS	40.0
			SE	SW		IRR FS	40.0
			NE	SE		IRR FS	40.0
			NW	SE		IRR FS	40.0
			SW	SE		IRR FS	40.0
			SE	SE		IRR FS	40.0
Section Acres							600.0
		13	NE	NE		IRR FS	40.0
			NW	NE		IRR FS	40.0
			SW	NE		IRR FS	40.0
			SE	NE		IRR FS	40.0
			NE	NW		IRR FS	40.0
			SE	NW		IRR FS	40.0
Section Acres							240.0
		14	NE	NW		IRR FS	39.0
			NW	NW		IRR FS	35.0
			SW	NW		IRR FS	35.0
			SE	NW		IRR FS	39.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	148.0
		15	NE	NE	IRR FS	40.0
			NW	NE	IRR FS	40.0
			SW	NE	IRR FS	40.0
			SE	NE	IRR FS	40.0
					Section Acres	160.0
35E		4	NE	NE	IRR FS	41.0
			NW	NE	IRR FS	41.0
			SW	NE	IRR FS	40.0
			SE	NE	IRR FS	40.0
			NE	NW	IRR FS	5.0
			NW	NW	IRR FS	12.0
			SW	NW	IRR FS	38.0
			SE	NW	IRR FS	40.0
					Section Acres	257.0
		5	NW	SW	IRR FS	15.0
			SW	SW	IRR FS	40.0
					Section Acres	55.0
		6	NE	SE	IRR FS	5.0
			SE	SE	IRR FS	40.0
					Section Acres	45.0
		7	NE	NE	IRR FS	40.0
			NW	NE	IRR FS	40.0
			SW	NE	IRR FS	40.0
			SE	NE	IRR FS	40.0
			NE	NW	IRR FS	40.0
			NW	NW	1 IRR FS	35.0
			SW	NW	2 IRR FS	35.0
			SE	NW	IRR FS	40.0
			NE	SW	IRR FS	40.0
			NW	SW	3 IRR FS	35.0
			SW	SW	4 IRR FS	35.0
			SE	SW	IRR FS	40.0
			NE	SE	IRR FS	40.0
			NW	SE	IRR FS	40.0
			SW	SE	IRR FS	40.0
			SE	SE	IRR FS	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	620.0
07N	33E	36	NE	NE	IRR FS	40.0
			NW	NE	IRR FS	40.0
			SW	NE	IRR FS	40.0
			SE	NE	IRR FS	40.0
			NE	NW	IRR FS	40.0
			SE	NW	IRR FS	40.0
			NE	SW	IRR FS	40.0
			NW	SW	IRR FS	40.0
			SW	SW	IRR FS	40.0
			SE	SW	IRR FS	40.0
			NE	SE	IRR FS	40.0
			NW	SE	IRR FS	40.0
			SW	SE	IRR FS	40.0
			SE	SE	IRR FS	40.0
					Section Acres	560.0
	34E	31	NE	NW	IRR FS	40.0
			NW	NW	IRR FS	40.0
			SW	NW	IRR FS	40.0
			SE	NW	IRR FS	40.0
			NE	SW	IRR FS	40.0
			NW	SW	IRR FS	40.0
			SW	SW	IRR FS	40.0
			SE	SW	IRR FS	40.0
					Section Acres	320.0
					Total Acres	4540.0

11. Place of use in counties: JEFFERSON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A31-10965A

14. Remarks:
THIS BASED ON AN AGREEMENT INITIATED IN 1961 FOR THE PUMPING
OF GROUNDWATER INTO MUD LAKE TO FILL THE LAKE WHEN IT CAN NOT BE
FILLED WITH NATURAL FLOW FROM CAMAS CREEK.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Secretary & Treasurer of Independent water users, that I have signed the foregoing document in the space below as Secretary & Treasurer of Independent water users and that the statements contained in the foregoing document are true and correct.

Keith C Shuldberg
Signature of Authorized Agent

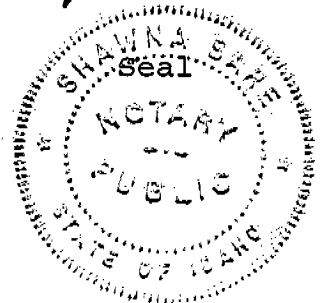
Independent water users
Title and Organization

3-16-00
Date

State of Idaho)
County of Jefferson) SS.

Subscribed and sworn (or affirmed) before me this 16th day
of March 20 00

Shawna Bare
Notary Public



Residing at Terreton, Idaho
My Commission Expires 5-24-02



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

March 16, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

**INDEPENDENT WATER USERS INC
C/O KEITH SHULDBERG
1795 N 1800 E
HAMER ID 83425**

RE: NOTICE OF ERROR

Dear Mr. Shuldberg:

Water Agent Bryce Contor has finished reviewing your Notice of Error for water right numbers 31-10965A and 31-11339, and has adjusted the claims accordingly.

Enclosed for your records are copies of the recommendations and an aerial photo of the property.

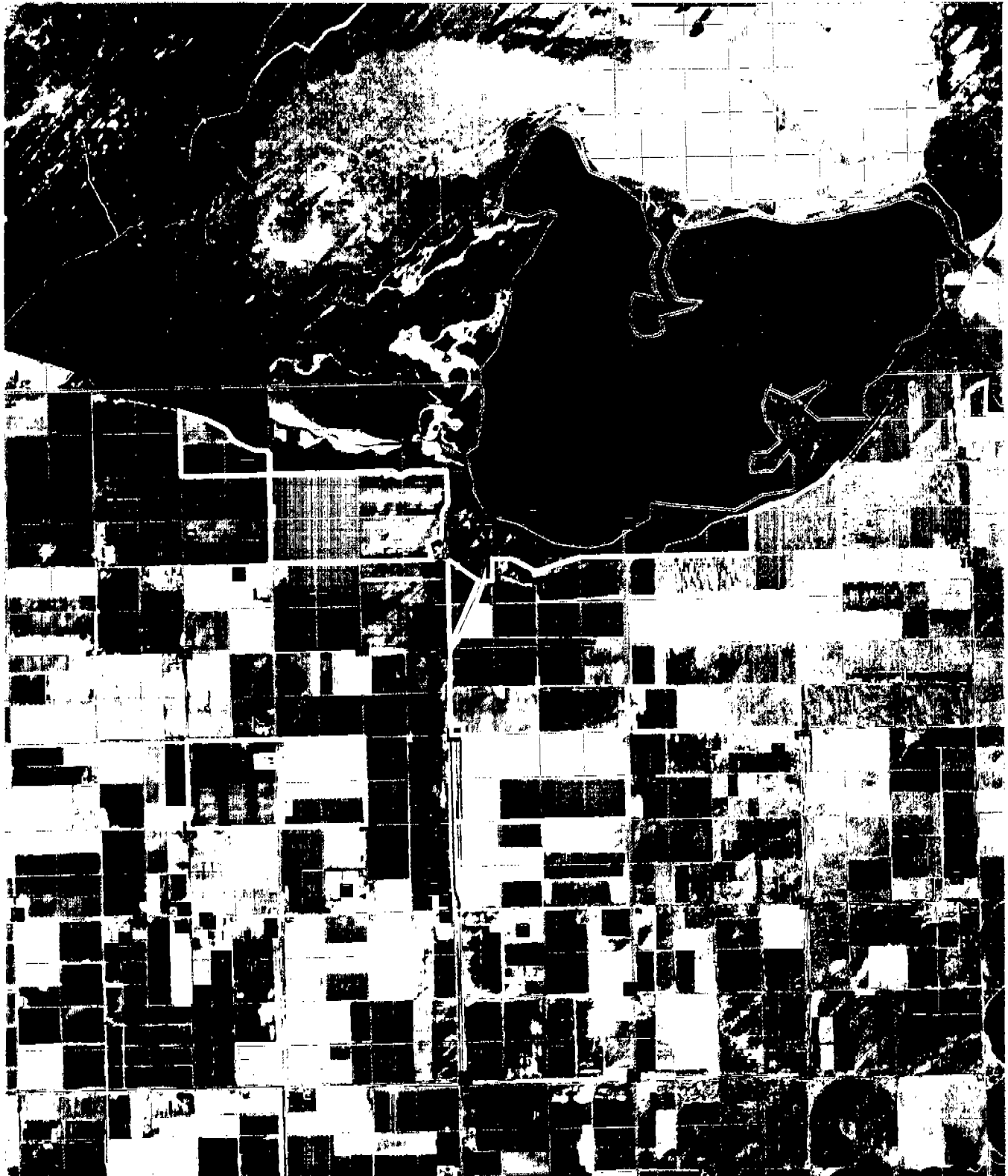
If you have any questions feel free to contact Bryce Contor at this office.

Respectfully submitted,

Cheri Vandermeulen
Records Clerk

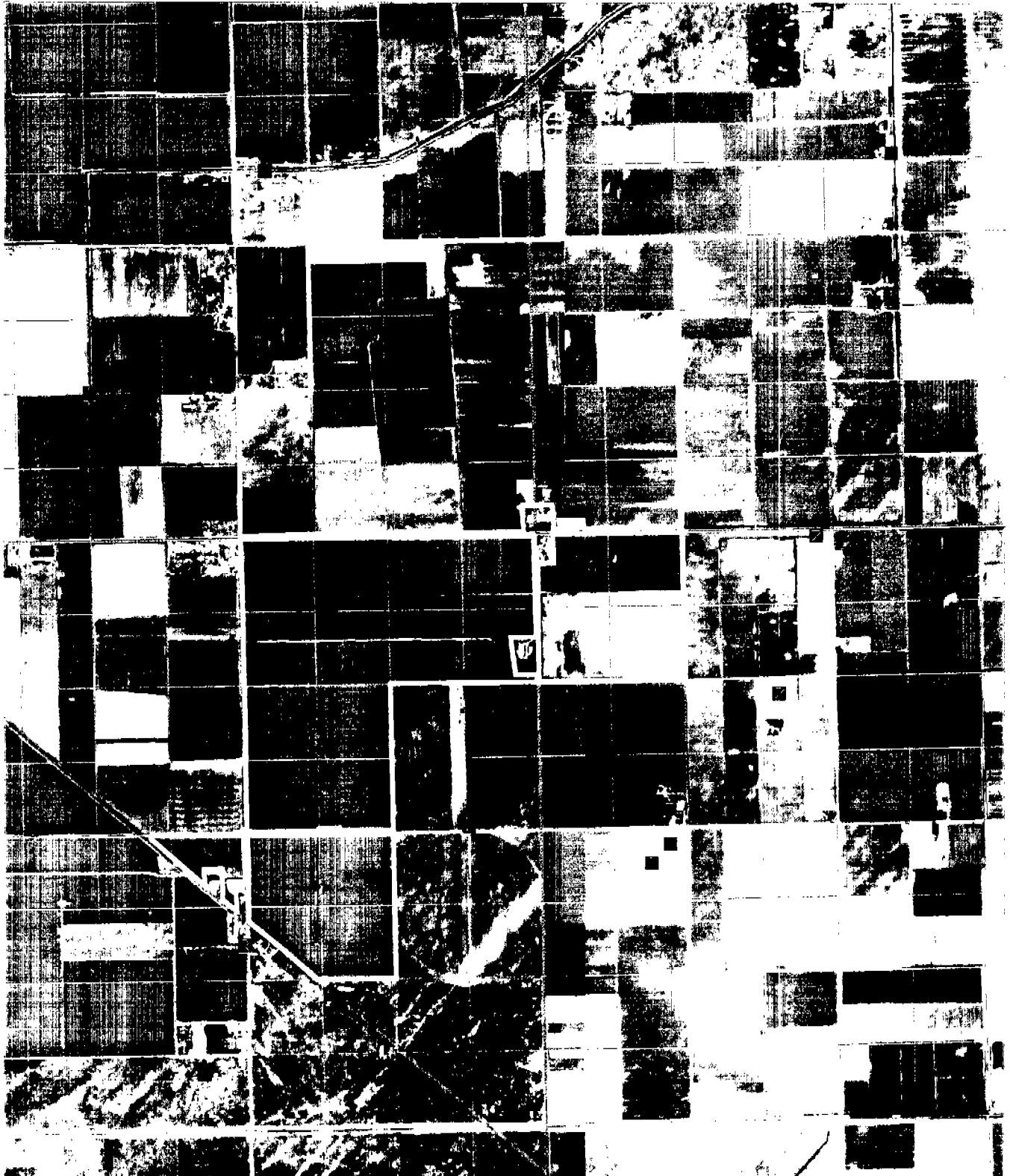
Adjusted Place of Use - Independent Water User

March 16, 2001



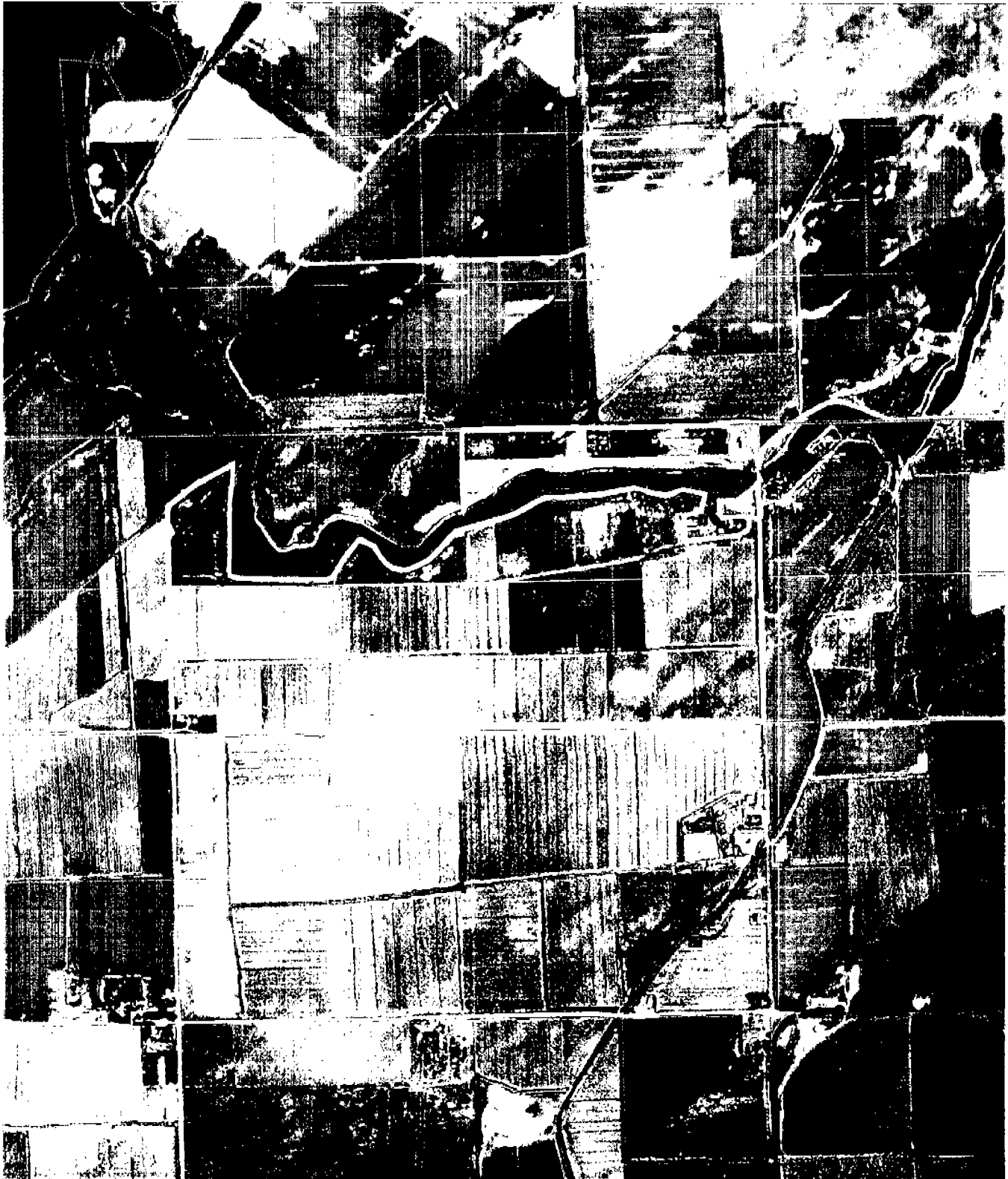
Adjusted Place of Use - Independent Water User

March 16, 2001



Adjusted Place of Use - Independent Water User

March 16, 2001



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: ~~February~~ ^{March} 9, 2001

Water right number: 31-11339

INDEPENDENT WATER USERS OF MUD LAKE INC
C/O DON PARKER
2032 W 4200 S
REXBURG, ID 83440

Daytime Telephone Number: (208)356-5091
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:

*Please check the loss calculations and
place of use*

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: 3-1-01 SIGNATURE: Keith C Sholdberg

Please print your name: Keith C Sholdberg

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

Response:

*Meeting held re: loss. Adjustment to POW will be
made, letter of explanation sent.*

BAC 3/12/01

MEMORANDUM

To: Independent Water Users File, 31-10965A, 31-11339

Fr: Bryce Contor

Date: 2/17/01

Re: Loss Calculations

I. Loss in Lake

Greg Shanton (Watermaster) records for 1996 show losses in lake of 29,730 acre ft.

Recommendations for GW via lake:

MLWU 24,261.3 acres

Independent 4,109.0 acres

28,370.3 acres

(note that Dobson Ranches 100% overlap w/Ind)

$$\text{Lake loss/acre} = 29,730 / 28,370.3 = 1.05 \text{ acre ft./acre}$$

$$1.05 \times 4109 = 4314.5 \text{ acre ft.}$$

II. Loss in Canal from lake to place of use

a) Shuldberg - none, on Camas Creek

b) Dobson - canal @ lake level, upstream of lift pumps - loss will be included in Watermaster's lake losses

$$\text{c) Level Canal} = \frac{4 \text{ miles} \times 5280 \text{ ft} \times 30 \text{ ft}}{43560 \text{ ft}^2/\text{acre}} = 14.5 \text{ acres}$$

Ind. p 2

$$14.5 \text{ acres} \times 0.2 \text{ in/hr}^* \times \frac{1 \text{ ft}}{12 \text{ in}} \times 24 \text{ hr/day} = 5.8 \text{ af/day}$$

$$5.8 \text{ acre ft/day} \times 185 \text{ days} = 1073 \text{ acre feet}$$

III. Field headgate requirement

$$4109 \text{ acres} \times 35 = 14381.5 \text{ acre feet}$$

IV. Total requirement in lake (delivered to lake)

Lake loss	4315
Canal fr. Lake	1073
Irr. requirement	14382
	19770 acre feet

V. Required volume at pump

Watermaster records indicate up to 39% loss
in Independent / Fackett ditch.

$$19770 / (100\% - 39\%) = 32,410 \text{ acre feet}$$

VI. Max volume during irr. season at
authorized rate

$$58 \times 1.9835 \times 185 = 21,283 \text{ acre feet}$$

* upper range for Terraton loam from soil survey

VII. Difference between need & capacity

$$32,410 - 21,283 = 11,127 \text{ acre ft.}$$

this could potentially come from early-pumped water under beneficial use right.

VIII. Required volume for early pumping.

Greg Shanton records show max. volume stored by Inv. water users was 1996 @ 6,012 acre feet

IX. Max early pumped volume @ 58 cfs

$$58 \times 1.9835 \times 61 \text{ days} = 7017.6 \text{ acre feet}$$

X. Required pump volume for storage of 6012 acre feet

$$6012 / (100\% - 39\%) = 9858 \text{ acre feet}$$

XI. Conclusions

31-10965A should be recommended for

Ind. p 4

21,283 acre feet per VI above. Current recommendation is incorrect; 184 days was used in calculations instead of 185.

Storage volume and Irrigation from storage for 31-11339 should be recommended at 6012 acre feet per Watermaster records for 1996. Note that this volume is recorded at the lake, so ditch loss is not an issue.

Depending on the water table in the spring, and ditch losses in the spring, this may authorize diversion at 58 cfs for the full 61-day early pumping period.

XII. Overlap

The Independent rights overlap private rights, mostly from Surface Sources. The above calculations are for years in which there is no surface water available and users must rely on ground water.

This recommendation does not intend to authorize more than 3.5 acre feet/acre at the field

Ind p5

head gate, in years when surface water is available.

To: Ind. Water users files
Keith Shuldberg Files
Fr: Bryce Contor
Date: 10/27/00

Re: Irrigation of Keith Shuldberg
lands north of Camas Creek

Yesterday Keith told me he has a
pipe buried beneath Camas Creek
to convey water from his lift pump
to his pool north of Camas Creek.

Bryce A. Contor



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

✓ Level Canal Co.
c/o Wilfried
Schmitt
HC 63 Box 2585
Montevideo, Idaho 83435

Independent Water Users of Mud Lake
c/o Don Parker
2032 W 4200 S
Rexburg, Idaho 83440

Re: Place of Use

Dear Mr. Schmitt and Mr. Parker:

Enclosed are draft maps of the tentative place of use for water rights under the Level Canal and Independent Water Users.

Please review them carefully and contact me if there are problems or concerns.

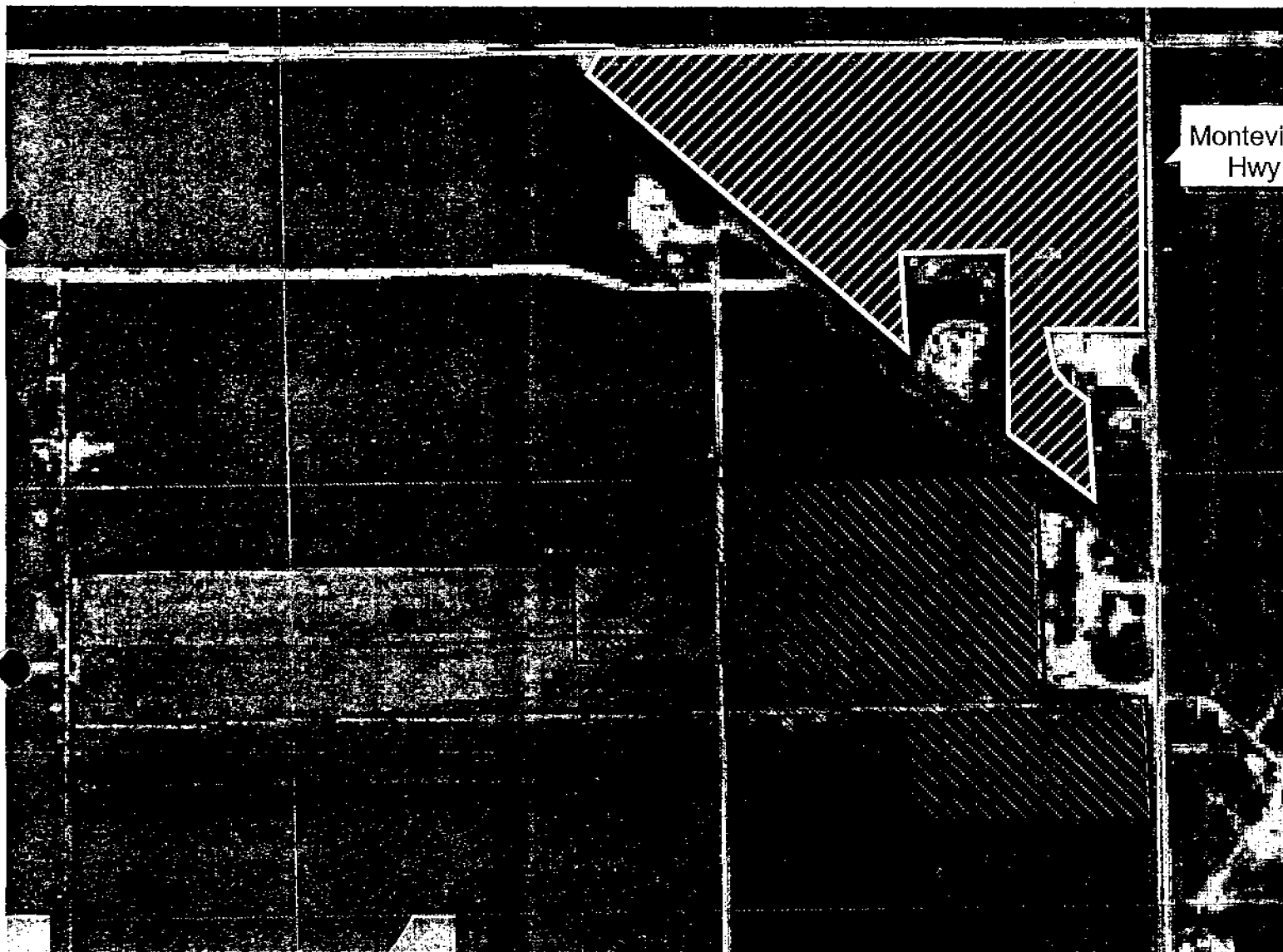
Especially please look at the enclosed detail map of lands in T6N R33E Section 11. The yellow shape north of the Salmon Highway and West of the Montevideo Highway is the place of use I believe should be recommended. The blue shape behind Holdaway's place is the place of use that is claimed. I need to know which of these is correct. If the yellow shape is correct, I'll need to prepare amended claims for your signatures. There will be no fee.

I'll be out of town on Wednesday, Thursday, and Friday. You may call me at home, 663-4853, this weekend, or you may call me at the office, 525-7161, next week.

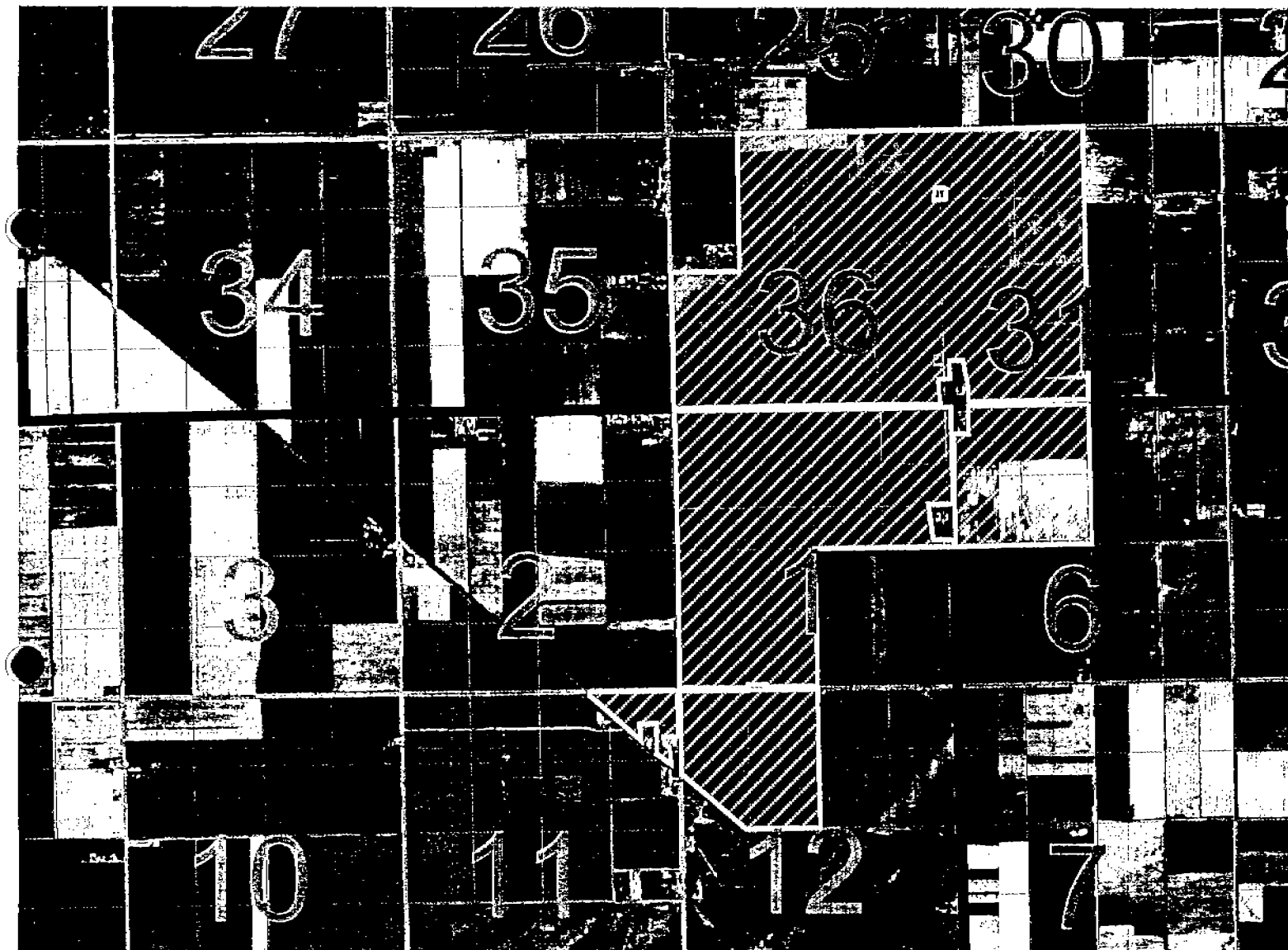
Sincerely,

Bryce A. Contor
Senior Water Resource Agent

Level Canal/Independent Water Users Place of Use
October 9, 2000
Yellow - Presumed Place of Use. Blue - Claimed Place of Use



Working Map of Level Canal Place of Use -
October 9, 2000



Working Map of Independent Water Users Place
October 9, 2000 - Version 1



A31-11339 - Independent

Contor, Bryce

From: Contor, Bryce
Sent: Wednesday, July 26, 2000 9:25 AM
To: Carlsen, Ernie
Cc: McHugh, Candice; Music, Vicky
Subject: storage questions

Thank you for discussing my storage questions. Based on what we talked about, here are my plans:

Beneficial Use Claims for Irrigation Storage:

- Three Claims - A31-11339, Independent Water Users
Mud Lake Water Users
Dobson Ranches
- Diversion to Storage - Match GW diversion rates, including combined use limitations. No volume. For the Mud Lake Water Users, this includes an in-season limitation to 200 cfs of certain rights that originally were Owsley rights.
- Irrigation Storage - 1.25 acre feet/acre per analysis of historical needs/practices and lake capacity. Mud Lake Water Users claim will be reduced 5,000 acre feet due to existence of transfer approval of decreed storage right 31-00332.
- Irrigation from Storage - same as Irrigation Storage, since volume analysis was based on one-fill assumption.
- Combined volume limitations w/ other GW rights per Bauerly Decree. Loss calculations indicate that if groundwater were the sole source, slightly less than 3.5 afa would be available at the field headgate. However, historical use documentation shows that Bauerly limitations far exceed actual usage.
- Because the "diversion to storage" will be recommended as a rate, and "irrigation storage" as a volume, there is no need to adjust the recommendations for ditch loss issues.

Please correct me if this won't work.

Thanks, Bryce

Contor, Bryce
From: Contor, Bryce
Sent: Thursday, July 13, 2000 5:06 PM
To: Contor, Bryce; Carlsen, Ernie
Cc: McHugh, Candice; Music, Vicky; Jones, Harold (Skip)
Subject: RE: Structure of storage claims

Looks like I was mistaken on the combined acreage limitations of T5335. Numbers should be

Diversion to Storage 29936.2 acre feet
 Storage 25326.6 acre feet
 Irrigation from Storage 30326.6 acre feet (25326.6 w/o 31-00332)

-----Original Message-----

From: Contor, Bryce
Sent: Thursday, July 13, 2000 4:39 PM
To: Carlsen, Ernie
Cc: McHugh, Candice; Music, Vicky; Jones, Harold (Skip)
Subject: Structure of storage claims

In anticipation of our meeting next week to wrap up final questions on the GW storage in Mud Lake, I thought I would review proposed volumes.

I don't know how storage rights are generally structured, need some advice.

Do we need a volume for "diversion to storage," a rate, or both?

Since these are GW rights, diversion volume will need to be measured at the well. I'd like to include an adjustment for historical ditch losses.

Based on historical indication of a need to store 1.25 acre feet per irrigated acre, I tentatively plan to put together claims (or amended claims) as follows:

A31-11339 Independent Water Users
 (amend existing claim)

4207 acres

Diversion to storage 8624.4 acre feet
 Irrigation Storage 5258.8 acre feet
 Irrigation from Storage 5258.8 acre feet

A31-00332 Mud Lake Water Users
 (per T5335)

Irrigation Storage 5000.0 acre feet

(Diversion to storage is treated under individual
 GW rights in transfer. Transfer does not appear to
 authorize irrigation from storage.)

(new claim) Mud Lake Water Users

20347.2 acres w/in 34261.3 acre service area.

Diversion to Storage 24300.0 acre feet

(required 29300, less
volume for 31-00332)

Irrigation Storage 21434.0 acre feet
(25434 less 5000)

Irrigation from Storage 25434.0 acre feet?
(to allow use of water
stored under 31-00332?)

Note that MLWU volumes above depend on
my interpretation of the combined acreage
limitations of T5335, which I need to review again
more carefully.

(new claim) Dobson Ranches

Diversion to Storage 2501.0 acre feet
Irrigation Storage 1525.0 acre feet
Irrigation from Storage 1525.0 acre feet

Since T5335 includes a "diversion to storage" component on each of the MLWU
groundwater rights, I think we need to attach the remark(s) to each of them. Also, since
the GW rights include diversion to storage, does the beneficial use claim need a diversion
to storage element?

Thanks, Bryce

Σ stored volume:

Incl 5258.8
Mid Lake WLU 5000.0
21434.0
1525.0
33,217.8
Dobson

8.0 foot gage 37,930
-1.0 foot gage 1790
36,140

 Claim Independent Water Users A31-11339
 Doc Source Harold Jones per
mtg w/ Don Parker Fernald land list
 Date 7/13/00 Sig. B. Conter

Per memo 5/10/2000 in "Mud Lake Storage" file,
 recommend 1.25 acre ft/acre storage volume.

$$4207 \times 1.25 = 5258.8 \text{ acre feet.}$$

~~Discussion to storage = $4207 \times 2.05 = 8624.4$ acre feet~~

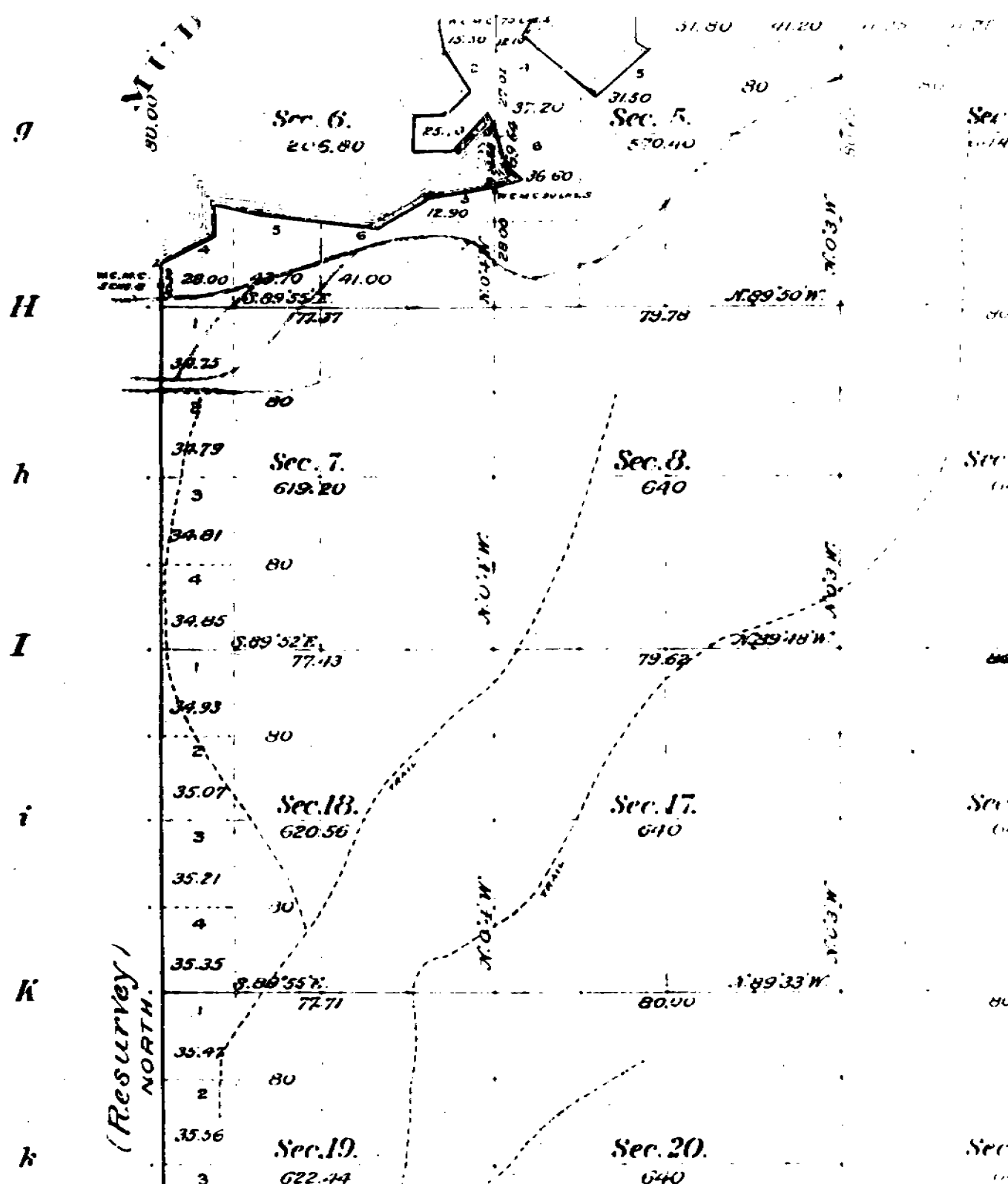
			NE				NW				SW				SE				
T	R	S	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
			Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
06N	33E	1	40	40	40	40	40	40	40	40	40	40	40	40					480.0
06N	33E	11			05	25													30.0
06N	33E	12					40	40	25	40									145.0
06N	34E	2									40	40	40	40	40	40	40	40	320.0
06N	34E	3		10	40	30													80.0
06N	34E	6					40	40	40	40									160.0
06N	34E	11	40	40	40	40	40	40	40	40									320.0
06N	34E	12	40	40	40	40	40		40	40	40	40	40	40	40	40	40	40	600.0
06N	34E	13	40	40	40	40	40		40										240.0
06N	34E	14					39	35	35	39									148.0
06N	34E	15	40	40	40	40													160.0
06N	35E	4	41	41	40	40	05	12	38	40									257.0
06N	35E	5										35	40						55.0
06N	35E	6						40	40			40	40		05	10		40	45.0
06N	35E	7	40	40	40	40	40	01-35	02-35	40	40	03-35	04-35	40	40	40	40	40	620.0
07N	33E	36	40	40	40	40	40				40	40	40	40	40	40	40	40	560.0
07N	34E	31					40	40	40	40	40	40	40	40					320.0
TOTAL ACRES																			4540.0

4207

Land List excluded by
Don Parker -

NE												NW				SW				SE														
		NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE		
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac				
06N	33E	1	40		40		40		40		40		40		40		40		40		40		40								480.0	✓		
06N	33E	11					05		25																						30.0	✓		
06N	33E	12									40		25		40																145.0			
06N	34E	2															40		40		40		40		40		40		40		320.0	✓		
06N	34E	3			10		40		30																						80.0	✓		
06N	34E	6									40		40		40		40														160.0	✓		
06N	34E	11	40		40		40		40		40		40		40		40														320.0	✓		
06N	34E	12	40		40		40		40		40		40		40		40		40		40		40		40		40		40		600.0	✓		
06N	34E	13	40		40		40		40		40						40														240.0	✓		
06N	34E	14									39		35		35		39														148.0	160		
06N	34E	15	40		40		40		40																						160.0			
06N	35E	4	41		41		40		40		05		12		38		40														257.0			
06N	35E	5																	25		40										55.0	65		
06N	35E	6											40		40				40		40						40				45.0	50		
06N	35E	7	40		40		40		40		40		01-35		02-35		40		40		03-35		04-35		40		40		40		620.0	640		
07N	33E	36	40		40		40		40		40						40		40		40		40		40		40		40		560.0			
07N	34E	31									40		40		40		40		40		40		40		40						320.0			
TOTAL ACRES																													4540.0					

4207



» «

Independent Canal Diversion Rate Capacity

B. Conter 9/12/00

- 1) From memo in "Mud Lake Storage" file 4/28/00
- 1996 $\approx$ 69-70 cfs - Shenton's Early Season Pumping records
- 1961 = 22.4 cfs - Allotment sheet.
- 2) Analysis of 1931 & 1934 allotment sheets -
- | | | |
|-------------------------|-----------|--|
| May 1 - May 15
1934 | Ind wells | 422 acre ft / 14 days
$\approx$ 30.1 af/day
$\approx$ 15.1 cfs |
| Aug 15 - Aug 31
1934 | Ind wells | 717 acre ft / 16 days
$\approx$ 44.8 af/day
$\approx$ 22.6 cfs |
- 1931 & 1933 - no separate listing of ind. wells -

Contor, Bryce

From: Contor, Bryce
Sent: Wednesday, September 13, 2000 9:29 AM
To: Carlsen, Ernie; McHugh, Candice
Cc: Music, Vicky
Subject: Diversion Rate for Independent Water Users

On the decreed GW rights for Independent Water Users, we are recommending a total of about 58 cfs. This is based on Norm's direction that a late 1980's transfer rely on a 1970's or 1980's letter from Bobby Fleenor supporting the decreed rates in Bauerly. This, despite Dave Tuthill's analysis that Bauerly didn't decree rights but simply acknowledged permits, which were not subsequently perfected, and the fact that pre-1963 diversion capacity is documented at 22.6 cfs.

In preparing the beneficial use claim for storage of GW in the lake, I propose using the same 58 cfs for consistency, even though we can't document it. Otherwise, if the claimant objects, how are we going to explain the discrepancy to the court? If we later decide to recommend the 22.6 cfs documented, the larger claim will allow this adjustment. If a third party objects, we'll have to rely on whatever Norm was relying on...

The same difficulty will appear for the GW storage claims for Mud Lake Water Users. I propose the same approach, especially since the MLWU rates were confirmed by 1999 transfer 5335. I think Dobson's are more solid, but if not, for consistency we ought to treat Dobson the same.

One minor difference will be the priority dates of the beneficial use. The Allotment sheets do not show balances for Independent until 1933. This is reasonable, as their decreed rights have priority of 1932.

I also propose a QNT remark somehow clarifying that the storage rights do not authorize additional diversion rate above the decreed irrigation rights, but simply authorize more than 24 hours of storage for those rights. When we get to recommendations I'll ask for some guidance, maybe one of the std. remarks will be adequate.

I plan to prepare the claims and have them ready for editing and/or signature on the 26th. Please give me guidance if you see a problem with what I'm suggesting here.

Page 1

OWSLEY CANAL CO. FAX COVER SHEET

PHONE(208)663-4359

FAX(208)663-4369

PAGES INCLUDING _____
COVER SHEET (4)

FAX#

208-525-7177ATT: Mr. Harold JonesCOMPANY Mud Lake Water Users, IncFrom: Keith Soderquist

COMMENTS:

The following information may be of further interest
in pre-season pumping during years 1963 - 1986

Sincerely,
Keith

FROM : Water Dist. 31

PHONE NO. : 2083745696

Feb. 17 2000 03:24PM P01

Page 3

Wednesday, March 20, 1963

79th Day—286 days to follow

☒	WLEAR
☐	CLOUDY
☐	RAIN
☐	SNOW

~~58522~~~~58520~~102

Pick.p.

Mud Lake
to start Pumps

J.H. 5.38

pre season pumping 1963
J.H.

Page 2

The Season - (MAR-April) Early Pumping Flows to MUD LAKE

1973-1977 No early Season Pumping Required.

1978	12,400 A.F.	April
1979	17,800 A.F.	MARCH
1980	21,800 A.F.	MARCH & April (5,700 m) (12,100 A)
1981	9,500 A.F.	MARCH.
1982	8,100 A.F.	MARCH > (10,800 total)
1982	2,700 A.F.	MAY (early 80)
1983-1986	No Early Pumping Required.	

North Lake pumps started March 20
Water level on March 14 - 4' 3"

Stopped pumps - 59th April

Water level on this date - 12' 6"

North Lake pumps started May 21

Water level - 6' 10"

Stopped pumps - June 11

Water level - 12' 2"

North Lake pumps started July 2

Water level - 9' 3"

Stopped pumps - Sept. 19

Water level - 25' 6"

October 11 water level - 16' 6"

North Lake pumps started Oct. 28

Stopped pumps - Oct. 31

Water level on Oct. 6

1963

Main Plant pumps

Started May 4

Stopped Nov. 15

Bybee Well pumps

Started May 27

Stopped June 15

Started July 3

Stopped Sept. 19

1964

Main Plant pumps

Started May 14

Stopped

North Lake Pumps

Started May 29 Water

Stopped June 19

Started July 6 Water

Stopped Sep. 25 Water

Bybee Pumps

MUD LAKE WATER USERS, INC.

FAX COVER SHEET

PHONE(208)663-4359

FAX(208)663-4369

PAGES INCLUDING _____
COVER SHEET ()FAX#
(208) 525- 7177ATT: HARRY D JONESCOMPANY IDWRFrom: GARTH SODERQUIST

COMMENTS:

Regular Meeting of the Board of directors June 5, 1961
indicate that pre-season pumping was done before June 5, 1961.
I became a director in 1972 and know that pre-season pumping
had been done for some time before that

Sincerely,
Garth Soderquist

REGULAR MEETING OF THE BOARD OF DIRECTORS
JUNE 5, 1961

Those present were: Jack Gerard, Ivan Staten, Bill Simmons, Barney Staten, and Guy Hiskin.

Ivan Staten motioned that the minutes of the last meeting be approved as read by the secretary. Ivan Staten seconded the motion - motion carried.

Jack Gerard reported on his and Don Shenton's trip to Boise to see the Department of Reclamation. They secured copies of letters and pictures which had been sent to the Dept. of Reclamation regarding the Camas Creek work. There was a discussion about the water coming down Camas Creek and the pumping being done out of Rays Lake which keeps water from reaching Mud Lake. Mr. Carter of the Department of Reclamation in Boise stated that the watermaster should give us credit for water pumped from any wells not continued in the decree before May into the lake until someone proves different.

The water charts as prepared by the watermaster were discussed and read.

The secretary was instructed to call Blaine McKinlay and Joy Furness and ask them if they want us to move now on their canal.

Highrider problems were discussed.

The drain from the Comstock into the second Owsley was discussed. When the lake is high the water won't drain. It was agreed that Petersen should put on a new flapper gate to control this water from running west through this drain pipe if he wished. Guy Hiskin motioned that the Canal Co. put a flapper gate here that seals completely. Ivan Staten seconded the motion. Motion carried.

The bills were read by the secretary. Barney Staten motioned that they be read as read. Bill Simmons seconded the motion - carried.

Bill Simmons motioned that the meeting adjourn. Barney Staten seconded the motion - carried.

Betty Jammet, Secretary

Page 3

SPECIAL MEETING OF THE BOARD OF DIRECTORS

APRIL 9, 1979

Owsley Canal Company

Those present were: Nile Wilding, Tom Hodgson, Walt Speelmon, Merlin Byrne, and Gerald Messerli. Also present were Karl Shuldberg, Manager and Robert Saunders, Secretary.

Also present were many individuals from the surrounding Canal Companies. Myron Evans from Utah Power and Light Co. was there to explain the new program from Utah Power and Light Co. We would need to shut off one fifth of the pumps each day to reduce the load during the day. He expressed concern of the effect of this program on the flood irrigators. The sprinkler people could benefit from such a program. If we do not want to comply with the voluntary shut off this year we need to apply for a waiver. There would be no increase in the power rate for noncompliance.

Mr. Evans and the other irrigators left at this point.

Dobson Stewart wants permission to move three power foies from the sub ditch to the side of the road. Walt Speelmon moved and Gerald Messerli seconded to let them do it if Nile or someone checked the site to make sure that it did not hurt the Canal Company.

Don Shenton said the lake is about a foot below the level last year and the water shed is less than normal. He recommends that we begin pumping about the middle of April. Merlin Byrne moved with a second from Walt Speelmon to turn the North Lake pumps on April 16, 1979 -- carried.

Gerald Messerli moved and Walt Speelmon seconded to sign the waiver from the Power Co. Tom Hodgson abstained from voting.

With no other business, Walt Speelmon moved that the meeting be adjourned.

Robert Saunders
Secretary

Page 4

A SPECIAL MEETING OF THE BOARD OF DIRECTORS

APRIL 21, 1978 *Owsley Canal Company*

Those present were: Don Shenton, Dennis Green, Rulon Yearsley, Art Dobson, Nile Wilding, Tom Hodgson, Merlin Byrne

Don presented the lake guage figures and indicated that we would be 8,752 acre ft. short of a full lake if we did not begin pumping.

Art Dobson moved that we begin pumping April 24, 1978, this was seconded by Rulon Yearsley -- motion carried.

Merlin Byrne will get witnesses to sign a statement that our desert right was used in the summer of 1977. He will also supply a copy to Don.

Don will make the bills out for pro-rating the cost of the gates on the Bybec check. Owsley will authorize Don to send a cashier's check to California to pay for the gates and the other water users will pay Owsley.

Ron Summers will be moving down to the house April 23, 1978.

Merlin Byrne moved that Bryon Jemmett clean the trailer or if we hired someone to clean it, the cost would be deducted from his salary, also that the furniture be accounted for. This was seconded by Tom -- carried.

Meeting was adjourned.

Tom Hodgson took the minutes of this meeting.

of the waters of Mud Lake, all within the boundaries of Water District #31, in Jefferson County, State of Idaho, for irrigation purposes,

WITNESSETH:

WHEREAS, the undersigned water users and water user entities constitute all of the persons and parties who are entitled by law to divert water from Mud Lake and apply the same to beneficial use upon their lands or to distribute the same for the beneficial use upon the lands of their stockholders; and

WHEREAS, such rights to the use of the waters of Mud Lake have previously been described and awarded by courts of competent jurisdiction in the following decrees:

1. A decree entered in the District Court of the United States for the District of Idaho, Eastern Division, in the case of Ernest Sauve, plaintiff, v. W. H. Abbott, et al, Equity No. 635, by the Honorable Charles C. Cavanah, United States District Judge, on November 1, 1930.
2. A decree entered in the case of the Owsley Canal Company, plaintiff, v. Ernest Bauerle, et al, defendants, Civil No. 1739, in the Ninth Judicial District of the State of Idaho, in and for the County of Jefferson, by the Honorable C. J. Taylor, District Judge of said Court on the 14th day of October, 1940; and

WHEREAS, during many years, commencing about 1960, shortages in the supply of water available from Mud Lake have occurred as a result of insufficient natural flow from its various tributaries, including both natural surface streams and sources described and set forth in the above-referenced Sauve v.

Bauerle decree to be pumped prior to May 1, so as to augment the flows into Mud Lake in order to fill the lake and supply all of the rights to use of water therefrom; and

WHEREAS, such practice is the most practical method of insuring the filling of Mud Lake in the manner necessary to permit distribution of water in accordance with the maximum rights of the parties hereto; and

WHEREAS, the undersigned parties now desire to define in a formal manner, the details and terms of this Agreement and practice,

NOW, THEREFORE, for and in consideration of the mutual promises and conditions hereinafter set forth, the parties hereto agree as follows:

1. This Agreement shall become binding upon the execution hereof by all parties and shall extend through the end of the 1987 irrigation season, which is agreed to be November 1, 1987. This Agreement shall automatically renew on the same terms and conditions for successive five-year periods from November 1, 1987, and each five-year period thereafter, unless a party signatory to this Agreement or their successor in interest shall give written notice of election not to continue this Agreement to the watermaster of Water District #31 by October 1 of the year in which the five-year extension shall be scheduled for automatic renewal. All rights of parties under this Agreement shall thereupon terminate at the expiration of such five-year period.

2 - PRE-IRRIGATION SEASON
PUMPING AGREEMENT

May 1 of any year, notify the parties hereto in writing, each agrees to commence pumping his or its respective wells at his or its own proper cost and expense, at such rates as said watermaster may from time to time request, and allow the water pumped therefrom to flow by the usual means into Mud Lake to the end that said lake may be filled, prior to May 1 of each year, to such maximum height on the United States geological survey gauge located on Mud Lake at the mouth of Camas Creek, as said watermaster may determine is warranted by existing conditions.

4. The watermaster shall keep accurate records of all amounts of water pumped from the wells of the parties hereto prior to May 1, pursuant to this Agreement, and shall record the same as a separate item on the record kept by him known as the "Mud Lake Allotment Sheet," under the heading "Well Water Balances." All such amounts pumped prior to May 1, after deducting therefrom the amount agreed upon herein as the proper amount for transmission and storage losses, shall be credited to the account of the individual or entity doing such pumping, and such individual or entity shall be entitled, during the irrigation season, in addition to all amounts which may naturally accrue and which he or it might be entitled under the existing decrees to divert and use, all or any portion of the amount shown on said "Mud Lake Allotment Sheet" as a credit. It is agreed that because of the difficulty in making measurements of actual transmission and storage losses prior to May 1, the watermaster

3 - PRE-IRRIGATION SEASON
PUMPING AGREEMENT

5. It is understood that said pre-irrigation season pumping shall be in lieu of any natural or artesian flows which may have occurred during the same period, and the parties hereto agree that each has a valid and existing right to engage in and continue the practice of pre-irrigation season pumping, as described herein, by virtue of the above-referenced court decrees, and having done so over a period of many years. No party claims any right other than or in addition to the rights set forth in said decrees and as further described herein, by virtue of this Agreement or other written or oral agreements made for the same or similar purposes in the past, or the actual practices in previous years. Each party hereto hereby releases each and every other party and the watermaster of and from any and all claims of every name, nature, and description, which may arise out of, or in the course of, the administration of or in compliance with this Agreement.

6. The provisions and stipulations hereof, shall inure to the benefit of, and shall be binding upon the heirs, executors, administrators, assigns or successors in interest of the parties hereto.

IN WITNESS WHEREOF, the parties have hereunto set their hands this 5 day of ^{MARCH} ~~February~~, 1982.

OWSLEY CANAL COMPANY

By: *Mike W. Aldridge*
Its *[Signature]*

4 - PRE-IRRIGATION SEASON
PUMPING AGREEMENT

By: Werner Schmitt
Its Dava

HOLLEY WATER USERS, INC.

By: Carl R. Haggan pres
Its _____

DOBSEN-STEWART RANCHES, INC.

By: Art Lee
Its Lee

Jay T. Furness
JAY T. FURNESS

Joe B. Potter
JOE B. POTTER

LEVERE PARKS ESTATE

By: Blaine Park
Personal Representative

INDEPENDENT WATER USERS OF MUD LAKE, Inc.

By: Frank Siddoway Vice Pres

We the undersigned do hereby agree to pay our appropriate per cent cost of charges assessed by the actual billings of the following:

1. Power bill charges made to the sub pump owners of waters pumped and returned into Mud Lake due to high lake levels caused by pre season pumping.
2. Maintenance bills of above pumps for service, and parts to maintain said pumps.
3. The pumpers eligible for payment shall be Art Dobsen, Jay Furness, and Blaine Park and Joe Marty.
4. All waters pumped, that are paid for by this agreement shall be credited to Mud Lake losses and evaporation and not for any individual or corporation credit.
5. Method of collection Pump owners shall pay said bills as charged. At the end of sub-pump season a copy of said bills with a copy of receipt of payment shall be presented to the Watermaster of Water Dist. #31, which in turn will be pro-rated and assessed by per cent as follows. The Watermaster would then return checks of proper amounts to pump owners.

Percent Break-down

	Acres	
Owsley Canal Co.	17,800	.6840
Jackett Canal Co.	2,821	.1084
Ind. Water Users	4,803	.1846
Holley Water Users	600	.0230
	26,024	1.0000

Owsley Canal Co.

By Mike Wilkins

Its Pres

Ind. Water Users

By Warren Schmitt

Its Pres

Jackett Canal Co.

By Sharon B. Koford

Its Pres.

Holly Water Users

By Carl R. Hoggan

Its Pres

Signed this 5 day of March 1982.

3

REGULAR MEETING OF THE BOARD OF DIRECTORS
JANUARY 7, 1957

Those present were: Jack Gerard, Vurgal Johnson, Bill Simmons, Roy Shuldberg, and Bert Sant, Directors.

Minutes were read by the secretary. Roy Shuldberg motioned that they be accepted as read. Vurgal Johnson seconded the motion. Motion carried.

A well for the Owsley Canal Co. and the surrounding buildings was discussed. The five interested parties are: Merrill Jemmett, Varksdale, Farm Bureau, Owsley Canal, and Harb and Holme. Vurgal Johnson motioned that a contract be made up and the above ask to sign before drilling started and if signed by five parties for the Owsley Canal Co. to arrange for Eluce Cope to begin drilling. Roy Shuldberg seconded the motion -- carried.

Loan was discussed. The Bank couldn't loan immediately. Other means of borrowing were discussed.

Vurgal Johnson motioned that the money be borrowed from the Bank, and then if another loan at cheaper rates can be arranged to get it and pay off the Bank loan. Board favored this motion.

Frank Jackett asked about starting the Bybee Wells to build up the lake level and all of the lake users on the creek pump their wells too. Vurgal Johnson asked that the master go for a month before deciding and find out if we can legally begin this early to pump there and at North Lake.

Rossiter has a generator to put on the pumps to insure use if an exciter goes out. Bill Jemmett was asked to find out price by next meeting.

Vurgal Johnson motioned that one more notice be sent to those owing money to the Canal Co. and state on the notices that they are going to be put into Small Claims Court. Bill Simmons seconded the motion -- motion carried.

Vurgal Johnson motioned that Bill Jemmett order the pump parts needed. Roy Shuldberg seconded the motion -- motion carried.

Roy Shuldberg motioned the bills to be paid as read by the secretary as soon as money is available. Bert Sant seconded the motion -- motion carried.

Roy Shuldberg motioned meeting be adjourned. Vurgal Johnson seconded the motion -- motion carried.

Betty Jemmett, Secretary

2

OVERVIEW OF 1957 MINUTES

OFFICERS: Jack Gerard, President
Vurgal Johnson, Vice-President
Betty Jemmett Secretary

DIRECTORS: Bill Simmons
Bert Sant
Roy Shuldborg

MANAGER: Bill Jemmett

JANUARY:

7th: a well for Co. and surrounding buildings with five interested parties: Merrill Jemmett, Barksdale, Farm Bureau, Owsley Canal, and Hart and Holm; Bank unable to do loan immediatley -- some concern over interest; F. Jackett suggests using Bybee Wells to build up lake level; generator for pumps from Rossiter; another notice fo those owing moneybefore turning over to Small Claims Court.

11: a letter from Wegener and Daly Investment Corporation

16th: H.R. Harn, Insurance Agent there to explain loan; also bids on pick up.

24th: purpose of this meeting was to establish maximum amount needed for loan.

FEBRUARY:

4th: well and pump surrounding houses; some discussion on loan

5th: Fluce Cope recommended some changes in wells at North Lake

7th: continuation of meeting of 2-5-57: Purpose ofmeeting to discuss which pumps to buy

20th: continuation ofmeeting of 2-7-57: discussed invitation to bid on pumps; specs also discussed.

SPECIAL RESOLUTION CONCERNING LOAN....

MARCH:

2nd: pump bids

4th: Rogers Brothers bid accepted; nine new pumps to be installed; Doris L. Gerard new assistant secretary; assessments to be raised to \$4 per share.

APRIL:

1st: report from H.R. Harn; Osborne headgate; protest from R. Brady on raise in assessment; water level .93' lower than April of 1956.