

RECEIVED

SEP 20 2005

DEPARTMENT OF
WATER RESOURCES

2005 SEP 19 PM 4:14

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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

) ORDER ON SHOW CAUSE HEARING

) WATER RIGHT NOS.: 29-121,
) 29-122, 29-123, 29-125, 29-10320,
) AND 29-13499
)

I. PROCEDURAL BACKGROUND

An *Order to Show Cause Hearing* was heard for these subcases on September 14, 2005. Claimant CV Cattle Co. and Objector Rondo Perkins failed to attend the hearing. The purpose of the hearing was to determine whether the *Objection* filed by Rondo Perkins in subcase 29-10320 should be dismissed, and whether the *Objection* filed by Kenneth Andrus in 29-10320 should be granted. The other subcases listed are unobjected to overlaps.

These subcases were set for trial on April 20, 2005. However, the parties represented that resolution of a *Motion to Correct Clerical Error* in subcase 92-22 (previously filed in 29-000239) would resolve all issues in 29-10320. Therefore, the court continued the trial while the *Motion to Correct Clerical Error* was heard in 92-22.

After the *Motion to Correct Clerical Error* was resolved, the court held status conferences on April 6, 2005, May 25, 2005, June 29, 2005 and July 13, 2005. Claimant CV Cattle Co. and Objector Rondo Perkins failed to attend these hearings. IDWR reported at those hearings that it had sent *Standard Forms 5 Settlement Agreements* to Mr. Perkins and CV Cattle Co. The forms were never returned to IDWR and have not been filed with the court.

II. ORDER TO SHOW CAUSE

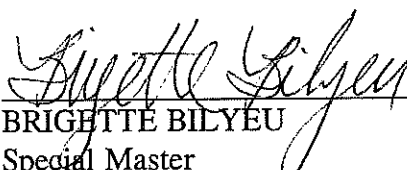
The Court entered an *Order to Show Cause* and an *Order Resetting Order to Show Cause Hearing*. Both orders explained that "CV Cattle Co. and Rondo Perkins shall appear at a **Show Cause Hearing** to determine whether the *Objection* filed by Kenneth Andrus should be granted in

its entirety and whether the *Objection* filed by Rondo Perkins should be denied in its entirety.” Both orders explained that if the Perkins *Objection* was dismissed and the Andrus *Objection* granted, the water rights would be recommended with the elements set forth in the proposed *Standard Forms 5*. (Attached hereto as Exhibit 1).

Claimant CV Cattle Co. and Objector Rondo Perkins did not attend the hearing on the *Order to Show Cause*. Given the failure of CV Cattle Co. and Mr. Perkins to attend hearings, and the failure to Show Cause at the September 14, 2005 hearing, the *Objection* by Rondo Perkins is **dismissed**, and the *Objection* by Kenneth Andrus is **granted**.

Therefore, a *Special Master’s Report and Recommendation* will issue with the elements as recommended in the proposed *Standard Forms 5*.

DATED September 19, 2005.



BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of ORDER ON SHOW CAUSE HEARING was mailed on September 19, 2005, with sufficient first-class postage prepaid to the following:

Director of IDWR
PO Box 83720
Boise, ID 83720-0098

CV Cattle Co. Inc.
Rondo Perkins
3124 Nipper Road
Bancroft, Idaho 83217

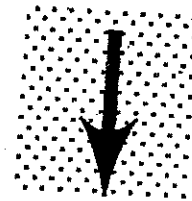
Kenneth D Andrus
6948 E Old Oregon Trail RD
Lava Hot Springs, Idaho 83246


Deputy Clerk

Exhibit 1.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

INITIAL
HERE



RIGHT NUMBER: 29-121
NAME AND ADDRESS: C V CATTLE INC
3124 NIPPER ROAD
BANCROFT ID 83217

SOURCE: TOPONCE CREEK TRIBUTARY: PORINEUT RIVER

QUANTITY: 0.480 CFS

~~USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 4.69 CFS. COMBINED RIGHT NOS. 29-121,
29-122, 29-123, 29-125, 29-10320 AND 29-13499~~

PRIORITY DATE: 07/01/1882

POINT OF
DIVERSION: 106S R38E S33 SWSESE Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/15 9/15	0.480 CFS
THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.		

PLACE OF USE: IRRIGATION Within CARIBOU County

T06S R38E S25	NWNW	40.0	T06S R38E S25	SWNW	39.0
T06S R38E S25	NESW	36.0	T06S R38E S25	NWSW	37.0
T06S R38E S25	SWSW	33.0	T06S R38E S25	SESW	40.0
T06S R38E S25 Lot 19 NESE		6.5	T06S R38E S25	NWSE	39.0
T06S R38E S25	SWSE	35.0	T06S R38E S25 Lot 20 SESE		4.0
T06S R38E S26	NENE	40.0	T06S R38E S26	SENE	39.0
T06S R38E S26	NESE	37.0	T06S R38E S26	SESE	12.0

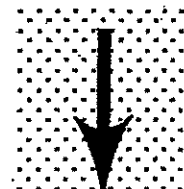
437.5 ACRES TOTAL

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

INITIAL
HERE

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 437.5 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 29-121, 29-122, 29-123, 29-125, 29-10320 AND
29-13499

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 24 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE 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 POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

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

RIGHT NO. 29-13499 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO
SECTION 42-1426, IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WAIVER RIGHTS ACQUIRED UNDER STATE LAW

INITIAL
HERE

RIGHT NUMBER: 29-122

NAME AND ADDRESS: C V CAILLE INC
3124 NIPPER ROAD
BANCROFT ID 83217

SOURCE: TOPONCE CREEK

TRIBUTARY: PORINEUF RIVER

QUANTITY: 0.720 CFS

~~USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 4.69 CFS. COMBINED RIGHT NOS. 29-121,
29-122, 29-123, 29-125, 29-10320 AND 29-13499~~

PRIORITY DATE: 06/17/1902

This priority date is more accurately described as 6/17/1902 12:00 p.m.

POINT OF
DIVERSION: T06S R38E S33 SWSESE Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	4/15 9/15	0.720 CFS

THE USE OF WAIVER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE
USE OF WAIVER BEFORE APRIL 15 AND AFTER SEPTEMBER 15 UNDER
THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO
SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY
DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR
THIS RIGHT.

PLACE OF USE: IRRIGATION Within CARIBOU County

T06S R38E S25	NWNW	40.0	T06S R38E S25	SWNW	39.0
106S R38E S25	NESW	36.0	106S R38E S25	NWSW	37.0
T06S R38E S25	SWSW	33.0	T06S R38E S25	SESW	40.0
T06S R38E S25 Lot 19 NESE		6.5	T06S R38E S25	NWSE	39.0
106S R38E S25	SWSE	35.0	106S R38E S25 Lot 20 SESE		4.0
106S R38E S26	NENE	40.0	T06S R38E S26	SENE	39.0
T06S R38E S26	NESE	37.0	T06S R38E S26	SESE	12.0

437.5 ACRES TOTAL

INITIAL
HERE

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 437.5 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 29-121, 29-122, 29-123, 29-125, 29-10320 AND
29-13499

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 36 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE 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 POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

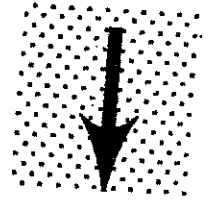
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

RIGHT NO. 29-13499 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO
SECTION 42-1426, IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-123
NAME AND ADDRESS: C V CATTLE INC
3124 NIPPER ROAD
BANCROFT ID 83217

INITIAL
HERE



SOURCE: TOPONCE CREEK TRIBUTARY: PORTNEUF RIVER

QUANTITY: 1.100 CFS

~~USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 4.69 CFS. COMBINED RIGHT NOS. 29-121, 29-122, 29-123, 29-125, 29-10320 AND 29-13499~~

PRIORITY DATE: 07/01/1903

POINT OF
DIVERSION: 106S R38E S33 SWSESE Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 09/15	1.100 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within CARIBOU County

106S R38E S25	NWNW	40.0	106S R38E S25	SWNW	39.0
106S R38E S25	NESW	36.0	106S R38E S25	NWSW	37.0
106S R38E S25	SWSW	33.0	106S R38E S25	SESW	40.0
106S R38E S25 Lot 19 NESE		6.5	106S R38E S25	NWSE	39.0
106S R38E S25	SWSE	35.0	106S R38E S25 Lot 20 SESE		4.0
106S R38E S26	NENE	40.0	106S R38E S26	SENE	39.0
106S R38E S26	NESE	37.0	106S R38E S26	SESE	12.0

437.5 ACRES TOTAL

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

INITIAL
HERE



USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 437.5 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS : 29-121, 29-122, 29-123, 29-125, 29-10320 AND
29-13499

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 55 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE 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 POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

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

RIGHT NO. 29-13499 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO
SECTION 42-1426, IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

INITIAL
HERE

RIGHT NUMBER: 29-125
NAME AND ADDRESS: C V CAITIE INC
3124 NIPPER ROAD
BANCROFT ID 83217

SOURCE: TOPONCE CREEK TRIBUTARY: PORTNEUF RIVER

QUANTITY: 1.080 CFS

~~USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 4.69 CFS. COMBINED RIGHT NOS.:
29-121, 29-122, 29-123, 29-125, 29-10320 AND 29-12429~~

PRIORITY DATE: 06/01/1910

POINT OF
DIVERSION: T06S R38E S33 SWSESE Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 09/15	1.080 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE
USE OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 15 UNDER
THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO
SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY
DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR
THIS RIGHT.

PLACE OF USE: IRRIGATION Within CARIBOU County

T06S R38E S25	NWNW	40.0	T06S R38E S25	SWNW	39.0
I06S R38E S25	NESW	36.0	T06S R38E S25	NWSW	37.0
I06S R38E S25	SWSW	33.0	T06S R38E S25	SESW	40.0
T06S R38E S25 Lot 19 NESE		6.5	T06S R38E S25	NWSE	39.0
T06S R38E S25	SWSE	35.0	I06S R38E S25 Lot 20 SESE		4.0
I06S R38E S26	NENE	40.0	I06S R38E S26	SENE	39.0
I06S R38E S26	NESE	37.0	T06S R38E S26	SESE	12.0

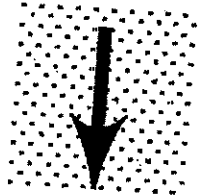
437.5 ACRES TOTAL

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 437.5 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 29-121, 29-122, 29-123, 29-125, 29-10320 AND
29-13499

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 54 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

INITIAL
HERE



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 POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

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

RIGHT NO. 29-13499 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO
SECTION 42-1426, IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

INITIAL
HERE

RIGHT NUMBER: 29-10320

NAME AND ADDRESS:

C V CRITTE INC
3124 NIPPER ROAD
BANCROFT ID 83217

SOURCE:

Source:
TOPONCE CREEK

Tributary:

PORINEUF RIVER

QUANTITY:

1.170 CFS

1.310 CFS

~~USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 4.69 CFS. COMBINED RIGHT NOS.: 29-121, 29-122, 29-123,
29-125, 29-10320 AND 29-13499~~

PRIORITY DATE: 07/06/1868

POINT OF DIVERSION:

T06S R38E S33 SWSESE

Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

04/01 10/31

1.170 CFS

1.310 CFS

PLACE OF USE:

IRRIGATION

within CARIBOU County

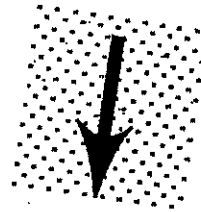
T06S R38E S25 NWNW 40.0
T06S R38E S25 SWNW 39.0
T06S R38E S25 NESW 36.0
T06S R38E S25 NWSW 37.0
T06S R38E S25 SWSW 33.0
T06S R38E S25 SESW 40.0
T06S R38E S25 NESE Lot 19 6.5
T06S R38E S25 NWSE 39.0
T06S R38E S25 SWSE 35.0
T06S R38E S25 SESE Lot 20 4.0
T06S R38E S26 NENE 40.0
T06S R38E S26 SENE 39.0
T06S R38E S26 NESE 37.0
T06S R38E S26 SESE 12.0

437.5 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 437.5 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 29-121, 29-122, 29-123, 29-125, 29-10320 AND 29-13499

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 59.25 ACRES WITHIN THE PLACE
OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
~~THIS RIGHT IS LIMITED TO THE IRRIGATION OF 66.25 ACRES WITHIN THE PLACE
OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.~~

INITIAL
HERE



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(5), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT 29-239 IS NOT INCLUDED IN THIS RIGHT.

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

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

RIGHT NO. 29-13499 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 29-236, 29-240.

~~THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 29-236, 29-240 AND A PORTION OF 29-234.~~

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

INITIAL
HERE

RIGHT NUMBER: 29-13499
NAME AND ADDRESS: C V CATTLE INC
3124 NIPPER ROAD
BANCROFT ID 83217

SOURCE: IOPONCE CREEK

TRIBUTARY: PORINEUF RIVER

QUANTITY: 2.370 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 4.55 CFS. COMBINED RIGHT NOS.: 29-121, 29-122, 29-123,
29-125, 29-10320 AND 29-13499

~~USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 4.69 CFS. COMBINED RIGHT NOS.: 29-121, 29-122, 29-123,
29-125, 29-10320 AND 29-13499~~

PRIORITY DATE: 04/01/1975

THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY
DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS
ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN
WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426,
IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT

POINT OF
DIVERSION: T06S R38E S33 SWSSE Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	2.370 CFS

PLACE OF USE: IRRIGATION Within CARIBOU County

T06S R38E S25	NWNW	40.0	T06S R38E S25	SWNW	39.0
I06S R38E S25	NESW	36.0	T06S R38E S25	NWSW	37.0
I06S R38E S25	SWSW	33.0	T06S R38E S25	SESW	40.0
T06S R38E S25 Lot 19 NESE		6.5	T06S R38E S25	NWSE	39.0
T06S R38E S25	SWSE	35.0	T06S R38E S25 Lot 20 SESE		4.0
T06S R38E S26	NENE	40.0	T06S R38E S26	SENE	39.0
I06S R38E S26	NESE	37.0	I06S R38E S26	SESE	12.0

437.5 ACRES TOTAL

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

INITIAL
HERE



USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 437.5 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 29-121, 29-122, 29-123, 29-125, 29-10320 AND
29-13499

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

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NOS. 29-121,
29-122, 29-123, 29-125 AND 29-10320 PURSUANT TO SECTION
42-1426, IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

~~THIS RIGHT IS FOR AN ENLARGEMENT OF 202.5 ACRES WITHIN THE PLACE
OF USE DESCRIBED FOR THIS RIGHT.~~

THIS RIGHT IS FOR AN ENLARGEMENT OF 210 ACRES WITHIN THE PLACE
OF USE DESCRIBED FOR THIS RIGHT.