

10/12/2005

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:

Water right number: 21-11147

(Please note the corrections to the
list of names and addresses of
claimants.)

RAY W. RIGBY
2131 W 3000 N
Rexburg, ID 83440 (208) 356-5119

LOLA C. RIGBY
2131 W 3000 N
Rexburg, ID 83440 (208) 356-5119

HAROLD L. RIGBY
2234 W 2000 N
Rexburg, ID 83440 (208) 356-6549

VAUDYS J. RIGBY
2234 W 2000 N
Rexburg, ID 83440 (208) 356-6549

ALDEN L. RIGBY
3156 W 3000 N
Rexburg, ID 83440 (208) 356-6429

ALICE M. RIGBY
3156 W 3000 N
Rexburg, ID 83440 (208) 356-6429

RECEIVED
DEC 07 2005
Department of Water Resources
Eastern Region

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

- A. All of the irrigated acres are not included
- B. All points of diversion are not included
- C. All places of stockwatering are not included

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

- A. Include the acreage shown on Exhibit E, which is attached hereto
- B. Include the points of diversion on Exhibit F, which is attached hereto
- C. Include all places of stockwatering use shown on Exhibit E, which is attached hereto

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

See letter from Ray W. Rigby, one of the claimants, which is attached hereto.

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

DATE: Dec. 6, 2005

SIGNATURE:

Ray W. Rigby

Please print your name: Ray W. Rigby

Law Offices

***RIGBY, THATCHER, ANDRUS
RIGBY & MOELLER, Chartered***

*Ray W. Rigby
Gordon S. Thatcher
G. Rich Andrus
Jerry R. Rigby
Gregory W. Moeller
Reed E. Andrus*

*P.O. Box 250
25 North Second East
Rexburg, ID 83440*

*Telephone: (208) 356-3633
Facsimile: (208) 356-0768
E-Mail: jrigby@rigby-thatcher.com*

December 6, 2005

Trent Galbraith
Water Agent
Idaho Department of Water
Resources
Water District No. 1
900 N. Skyline, Ste. A
Idaho Falls, ID 83402

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DEC 07 2005

**Department of Water Resources
Eastern Region**

Re: Water Rights Numbered 21-11146 and 21-11147

Dear Trent:

I write this letter in behalf of the claimants of the above numbered water rights, namely:

Harold L. Rigby and Vaudys J. Rigby of 2234 W. 2000 N. Rexburg, ID 83440

Alden L. Rigby and Alice M. Rigby of 3156 W. 3000 N. Rexburg, ID 83440

Ray W. Rigby and Lola C. Rigby of 2131 N. 3000 N. Rexburg, ID 83440

This letter and the Exhibits attached will apply to each of the above numbered claims, so the Notice of Error for each claim will have attached to it a copy of this letter and copies of the enclosed Exhibits, which I will use to explain what we believe to be errors in the proposed recommendations of the Idaho Department of Water Resources:

Exhibits A.1 and A.2 - Pages 15 and 78 of the Decree in the case of Rexburg Irrigation Company, et al., v. Teton Irrigation Canal Company, et al.

A.1 shows the water rights awarded to Edward L. Jones, who is a predecessor in title of the property owned by the Rigbys and upon which the above numbered water rights pertain and who was a party in the above mentioned case (a total of 190 inches with a priority date of June 1, 1898 and 250 inches with a priority date of June 1, 1900).

A.2 shows the lands to which the above mentioned water rights were decreed (a total of 440 acres on the same lands as now owned by the claimants, the Rigbys).

Exhibit B - a plat, which graphically shows the properties owned by the Rigbys and the 440 acres of land, which was decreed at total of 440 inches of water.

Exhibit C - a plat, which graphically shows the said lands of the Rigbys' and the acreage irrigated with said water rights and their location, as originally claimed by the Rigbys in the above numbered claims to water rights.

Exhibit D - a plat, which graphically shows the said lands of the Rigbys' and the acreage and their location as recommended by the IDWR.

Exhibit E - a plat, which graphically shows the said lands of the Rigbys' and the acreage and their location which the Rigbys would be willing to accept in settling the matter with the IDWR, for recommendation to the Court.

Exhibit F - a plat, which graphically shows the said lands of the Rigbys' and the points of diversion and their location as originally claimed by the Rigbys in the above numbered claims to water rights.

Exhibit G - a plat, which graphically shows the said lands of the Rigbys' and the points of diversion and their location as recommended by the IDWR.

Exhibit H - a plat, which graphically shows the said lands of the Rigbys' and the location of the places where stock watering occurs, as originally claimed by the Rigbys in the above numbered claims to water rights.

Exhibit I - a plat, which graphically shows the said lands of the Rigbys' and the location of the places where stock watering occurs, as recommended by the IDWR.

Exhibit J - a copy of the IDWR GIS Place of Use Illustration, prepared by T. Galbraith in October 2005, which shows the outline in blue of the Rigbys' property.

Following is my explanation as to why claimants disagree with the recommendations of IDWR:

1. The claims filed by the claimants are consistent with the provisions of "The Rexburg Decree" and said lands and the water rights decreed thereto are being used to the same extent and for the same purposes as were used by Edward Jones, the owner of the lands now owned by the Rigbys and the person to whom the water was decreed for said lands. He was a party to the law suit and the Court made findings of fact and conclusions of law supporting the Decree that was

rendered. As a matter of fact, Jones' method of irrigating the property (hereinafter called the "premises") was improved and enhanced by Harlo B. Rigby and Elsie G. Rigby, (hereinafter called "Harlo" and "Elsie") and by the claimants when they constructed the ditches and installed small head gates and the big diversionary works, even though claimants have modified the method of irrigating the premises somewhat, their present method is working and does the job. An abundance of feed for the livestock is produced, which would not be produced were it not for a system of irrigation, whether it be by surface watering or sub-watering.

2. The premises was acquired by claimants from Harlo and Elsie partly in June of 1959 and the rest in February of 1961, and it has been in possession of and operated by claimants since that time.
3. Before acquiring the premises, claimants, together with a now deceased brother, worked at various times with Harlo and Elsie in cutting and hauling hay from the premises and other properties belonging to Harlo and Elsie and in pasturing livestock on the premises.
 - a. While owned by Harlo and Elsie, ditches were constructed to serve each portion of the premises, together with a large diversionary structure near the spring, which spring produced a lot of water by itself and the channel leading from it, merged with water coming from the creeks coming from the north, and said water was diverted into the segments of the ditches to the lands intended to be irrigated.
4. The premises are now used exclusively for grazing cattle.
5. After claimants acquired the property, and for some time thereafter, the ditches and the diversionary works, including the small head gates on the ditches, were regularly maintained. Then, a time came when the large diversionary works by the springs washed out and the water was allowed to flow at will down through the several ditches. Claimants came to realize that the water was being diverted and was being applied through said system while there was a lot of water, and with that water being applied, together with the sub-water that rose, the premises were fairly well-irrigated, without much needed in the way of maintenance of those irrigating ditches.

The interesting thing that claimants learned was that the lands were being watered when they needed it, and then the same lands were drained of excess water when the high water from the springs and the creeks dropped in volume and the sub-

IDWR

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Re: Water Rights Numbered 21-11146 and 21-11147

Ray W. Rigby

water became excessive.

This situation was affected by the dams build by beavers in the channels, and so the claimants utilized those dams, in place of the usual diversionary structure, and a fair level of moisture was retained by regulating the size and the height of the beaver dams. When too much water was going onto the lands, claimants, with chainsaws, would cut gaps in the beaver dams to maintain a relatively proper level of water. This type of operation has been inexpensive and has operated fairly well over the years, without the need of very much maintenance, and claimants have been able to utilize their full water rights and grow grass on virtually the entire premises, even among the willow patches.

During the last several years of drought, the system that claimants have used has produced an abundance of grass for their cattle. When livestock were being removed from public lands, under BML and US forest permits, claimants could put their cattle on every part of their lands and they did well until snow drove them off the pastures.

Among the Exhibits I am submitting with this letter is Exhibit J, the IDWR GIS Place of Use Illustration. We have outlined the claimants land in blue on this Exhibit. In comparing them, the IDWR recommendation as to places of use of the water rights with what this Exhibit shows us as to the nature of the premises, it appears that the recommendation was determined by calculating only that portion of the premises shown in a tan color on said exhibit, which, of course, is grasslands. However, it also appears that the recommendation concludes that there is no grazing, or very little grazing, in those lands shown by the darker colors on said Exhibit. It is a mistake to believe that those lands shown by the darker colors on said Exhibit are not being irrigated and/or not producing grass as feed for the livestock.

I, personally, with the other claimants, have walked and ridden horses over every part of the premises, on a regular basis, over all the years, and can and can testify that although there are low places and ponds scattered around on the premises, the areas with brush upon them actually produce excellent grass and the fact that brush and grass grow there indicates that those lands must be getting sufficient moisture to raise plants and yet not so much that it destroys plants. Therefore, since most of those lands were in fact specified as a place of use of the Jones' water right, and is still being irrigated through the system described above, the recommendation that claimants make in Exhibit E should be accepted as the place

Trent Galbraith

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IDWR

December 6, 2005

Re: Water Rights Numbered 21-11146 and 21-11147

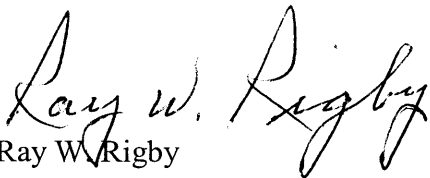
Ray W. Rigby

of use of said water rights.

6. Diverting water in a manner that produces sub-waters to produce crops is a beneficial use of water under Idaho law. (The entire Egin/Plano Bench area of Fremont and Madison Counties is a clear example of the principle of law. Historically, a very small portion of that bench area was irrigated directly, but the crops were grown by systems that maintain the sub-water levels sufficient to raise crops.)
7. Growing grass and other foliage by some form of irrigation is an agricultural pursuit and a beneficial use of water.
8. It is suggested that you follow through the Exhibits submitted herewith, as you read our Notice of Error Reply, because it graphically demonstrates the recommendations of IDWR and the response thereto by the claimants, including the claimants' suggested corrections to the recommendations of IDWR, including claimants' suggested resolution of the claims.

I would request an opportunity to speak with you and any others you would name if you need further information, or if you cannot accept claimants' resolution.

Sincerely,



Ray W. Rigby

RWR/sje
Enclosures

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(Idaho Falls.)

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Jones, Benjamin, 140 inches, June 1, 1893, Trail Creek.
Jones, Edward L., 140 inches, June 1, 1898, Canyon Creek.
Jones, Edward L., 50 inches, June 1, 1898, Little Spring.
Jones, Edward L., 250 inches, June 1, 1900, Thompson Spring.
Jones, John F., 200 inches, May 1, 1886, Fall Creek.
Jones, John F., 150 inches, May 1, 1888, Indian Creek.
Jones, Joshua, 100 inches, Oct. 28, 1897, Trail Creek.
Jones, T. L., 200 inches, Apr. 22, 1895, Boone Creek.
Jordan, F. W., The Farmers' Friend Canal Company.
Jordan, James H., The Farmers' Friend Canal Company.
Jordan, Robert L., The Farmers' Friend Canal Company.
Judd, Sanford W., The Farmers' Friend Canal Company.

K.

Kay, James, 140 inches, June 1, 1895, Trail Creek.
Keefer, J. H., 160 inches, May 28, 1884, Willow Creek.
Keeler, D. F., Watson Slough Irrigation Company.
Kjelin, Carl, The Sunnyside Irrigation Canal Company.
Kimball, Archie R., 160 inches, June 1, 1895, Trail Creek.
Kimball, R. C., and A. L., 110 inches, June 1, 1890, Fox Creek.
Kimball, R. C., and A. L., 80 inches, June 1, 1896, Fox Creek.
King, Daniel. (Sold to A. J. Reese.)
Kirsley, Edwin N., 60 inches, July 15, 1898, Pine Creek.
Kirsley, Edwin N., 60 inches, June 1, 1902, Spring Creek.
Kirsley, Mary E., 80 inches, Sept. 1, 1889, Warm Creek, Spring Creek and
Deep Creek.
Kirsley, Mary E., 80 inches, Apr. 1, 1890, Warm Creek, Spring Creek and
Deep Creek.
Kirsley, Richard, 160 inches, June 30, 1894, Trail Creek.
Kooch, John W., 120 inches, June 1, 1902, Outlet of Henry's Lake.
Kooch, Maggie, 250 inches, June 1, 1902, Outlet of Henry's Lake.
Kooch, Maggie, 50 inches, June 1, 1902, Meadow Creek.
Kratzer, Elizabeth, 80 inches, June 1, 1886, Watson Slough.
Kunz, Samuel, Jr., 280 inches, July 31, 1903, Pine Creek (permit).
Kruger, John D., 140 inches, May 1, 1884, Elkhorn Spring and 2-5 of
Hawley Spring up to 140 inches.

L.

Labelle Irrigation Company, 2,400 inches, June 1, 1885, South Fork of
Snake River.
Labelle Irrigation Company, 4,600 inches, June 1, 1888, South Fork of
Snake River.
Lamoreaux, Francis A., and Ann., 25 inches, May 1, 1898, South Leigh
Creek.
Lamoreaux, Francis A., and Ann., 75 inches, May 1, 1899, South Leigh
Creek.
Langley, A. C., 20 inches, Aug. 1, 1899, Squirrel Creek.
Langley, A. C., 125 inches, June 24, 1902, Squirrel Creek.
Larocque, Emery, Parsons Ditch Company.
Larsen, A. C., 20 inches, June 1, 1896, Darby Creek.
Larsen, A. C., 20 inches, June 1, 1897, Darby Creek.
Larsen, A. C., 40 inches, June 1, 1898, Darby Creek.
Larsen, A. C., 80 inches, June 1, 1902, Darby Creek.
Larsen, Nels, Lowder Canal Company.
Larsen, Alma Edward, and Joseph L., Roxana Canal Company.
Larsen, K. M., 40 inches, June 1, 1896, Darby Creek.
Larsen, Andrew, 40 inches, July 1, 1896, Lauritzen Spring.
Larson, James P., Parsons Ditch Company.
Larson, Peter, 100 inches, June 1, 1896, Darby Creek.
Last Chance, 100 inches, June 1, 1896, Darby Creek.
Snake River, 100 inches, June 1, 1896, Darby Creek.
Last Chance, 100 inches, June 1, 1896, Darby Creek.

Feb. 9, 1897, North Fork of
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Feb. 9, 1897, North Fork of

EXHIBIT

tables

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13, T. 12 N. R. 43 E.
12 N. R. 43 E. B. M.,
of SE $\frac{1}{4}$ of Sec. 24,
c. 19, T. 12 N. R. 43
12 N. R. 42 E. B. M.,

of SW $\frac{1}{4}$ and Lots 6
R. 42 E. B. M., con-

1 SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of
3 acres.

nd NW $\frac{1}{4}$ and NW $\frac{1}{4}$
taining 320 acres.

d NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of
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26, T. 13 N. R. 42 E.

18, and Lot 2 of Sec.
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12 N. R. 42 E. B. M.,

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Company.

W $\frac{1}{4}$ of Sec. 32, T. 6
nd W $\frac{1}{2}$ of NW $\frac{1}{4}$ of

Sec. 5, T. 5 N. R. 46 E. B. M.
Jarvis, J. O., NW $\frac{1}{4}$ of NW $\frac{1}{4}$ and Lots 1 and 2 of Sec. 27, T. 3 S. R. 34 E. B. M., containing 120 acres.
Jenkins, William, E $\frac{1}{2}$ of SE $\frac{1}{4}$ of Sec. 23, T. 4 N. R. 45 E. B. M., containing 80 acres.
Jennings, J. T., E $\frac{1}{2}$ of NW $\frac{1}{4}$ and SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 22, T. 2 N. R. 37 E. B. M., containing 120 acres.
Jeppson, Hans J., SW $\frac{1}{4}$ of NW $\frac{1}{4}$ and Lot 4 of Sec. 1, T. 6 N. R. 40 E. B. M., containing 80 acres.
Johnson, Charles, W $\frac{1}{2}$ of SW $\frac{1}{4}$ of Sec. 22, and NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 28, T. 2 N. R. 37 E. B. M., containing 120 acres.
Johnson, Gust, NE $\frac{1}{4}$ of Sec. 24 and N $\frac{1}{2}$ of NE $\frac{1}{4}$ and SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 13, and SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 12, T. 15 N. R. 42 E. B. M., containing 320 acres.
Johnson, Gustav, 60 acres from east side of SE $\frac{1}{4}$ of Sec. 17, and 60 acres from west side of NW $\frac{1}{4}$ of Sec. 14, T. 2 N. R. 38 E. B. M., containing 120 acres.
Johnson, Ephriam, E $\frac{1}{2}$ of SW $\frac{1}{4}$ and W $\frac{1}{2}$ of SE $\frac{1}{4}$ of Sec. 27, T. 4 S. R. 32 E. B. M., containing 160 acres.
Johnson, Hulda, E $\frac{1}{2}$ of SE $\frac{1}{4}$ of Sec. 12, T. 15 N. R. 42 E. B. M., containing 80 acres.
Johnson, Joseph, W $\frac{1}{2}$ of SW $\frac{1}{4}$ of Sec. 27, T. 4 S. R. 32 E. B. M., containing 80 acres.
Johnson, Joseph A., SW $\frac{1}{4}$ of NE $\frac{1}{4}$, SE $\frac{1}{4}$ of NW $\frac{1}{4}$ and Lots 2 and 3 of Sec. 1, T. 3 N. R. 45 E. B. M.
Johnson, J. V., NE $\frac{1}{4}$ of Sec. 8, T. 3 S. R. 34 E. B. M., containing 160 acres.
Johnson, L. P., W $\frac{1}{2}$ of NE $\frac{1}{4}$ and N $\frac{1}{2}$ of NW $\frac{1}{4}$ of Sec. 21, T. 2 N. R. 38 E. B. M., containing 160 acres.
Johnson, William, 320 acres in Sec. 8, T. 1 N. R. 44 E. B. M., and 160 acres in Secs. 16 and 21, T. 1 N. R. 44 E. B. M. (owned jointly with Samuel Weeks, Jr., and J. W. McKay).
Johnston, W. R., Lot 1 and the S $\frac{1}{2}$ of NE $\frac{1}{4}$ of Sec. 3, T. 3 N. R. 45 E. B. M.
Johnston, James, N $\frac{1}{2}$ of SE $\frac{1}{4}$ of Sec. 15, T. 6 N. R. 40 E. B. M., containing 80 acres.
Johnston, Hugh St. C., S $\frac{1}{2}$ of SE $\frac{1}{4}$ of Sec. 15, T. 6 N. R. 40 E. B. M., containing 80 acres.
Johnston, W. R., 60 acres in NE $\frac{1}{4}$ of Sec. 15, T. 6 N. R. 40 E. B. M.
Jones, Benjamin, S $\frac{1}{2}$ of SE $\frac{1}{4}$ of Sec. 33, T. 4 N. R. 45 E. B. M., and Lots 1 and 2 of Sec. 4, T. 3 N. R. 45 E. B. M.
Jones, Edward L., SW $\frac{1}{4}$ of SW $\frac{1}{4}$, E $\frac{1}{2}$ of SW $\frac{1}{4}$ and NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 5, N $\frac{1}{2}$ of NE $\frac{1}{4}$, E $\frac{1}{2}$ of NW $\frac{1}{4}$, SW $\frac{1}{4}$ of NW $\frac{1}{4}$, and NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 8, and SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 5, T. 14 N. R. 44 E. B. M., containing 440 acres.
Jones, John F., NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 24, SW $\frac{1}{4}$ of SE $\frac{1}{4}$ and NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 13, and SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 13, T. 1 N. R. 44 E. B. M., containing 200 acres; also 160 acres, commencing at a point on Falls Creek, 3 miles south from Conrad Valley, thence north $\frac{1}{8}$ mile, thence NE $\frac{1}{8}$ mile, thence south and across creek $\frac{1}{4}$ mile, thence SW $\frac{1}{8}$ mile, thence north $\frac{1}{8}$ mile, to beginning; also Lots 4, 6 and 7 of Sec. 18, and Lot 2 of Sec. 19, T. 1 N. R. 44 E. B. M., containing 157 acres.
Jones, Joshua, E $\frac{1}{2}$ of SW $\frac{1}{4}$ and SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 3, T. 3 N. R. 45 E. B. M.
Jones, T. L., N $\frac{1}{2}$ of NW $\frac{1}{4}$, SE $\frac{1}{4}$ of NW $\frac{1}{4}$, NE $\frac{1}{4}$ of SW $\frac{1}{4}$ and Lot 1 of Sec. 17, T. 5 S. R. 32 E. B. M., containing 206 acres.
K.
Kay, James, SE $\frac{1}{4}$ of Sec. 35, T. 4 N. R. 45 E. B. M., containing 160 acres.
Keefer, J. H., 160 acres of land, 80 rods wide and one mile long, situated on Willow E. B. M., K.
Keeler, D. F., 1
4 E. B. M., containing 80

EXHIBIT

tabbles

A.2

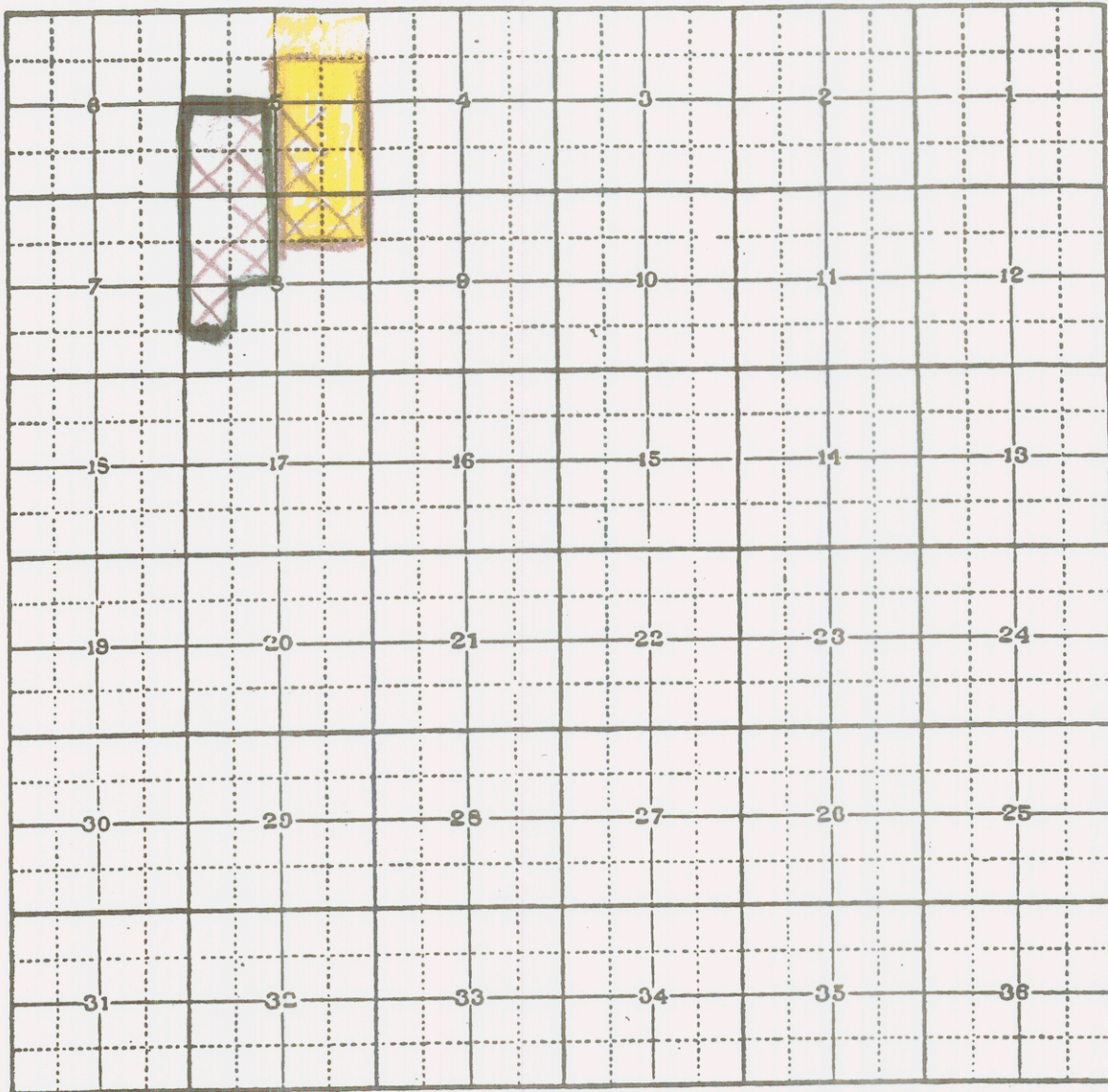
Rexburg Decree granted

140 in.
50 in.
250 in.
440 in.

for 440 A

SCALE: 1 INCH—1 MILE

County Fremont Township 14 N Range 44 E



EXHIBIT

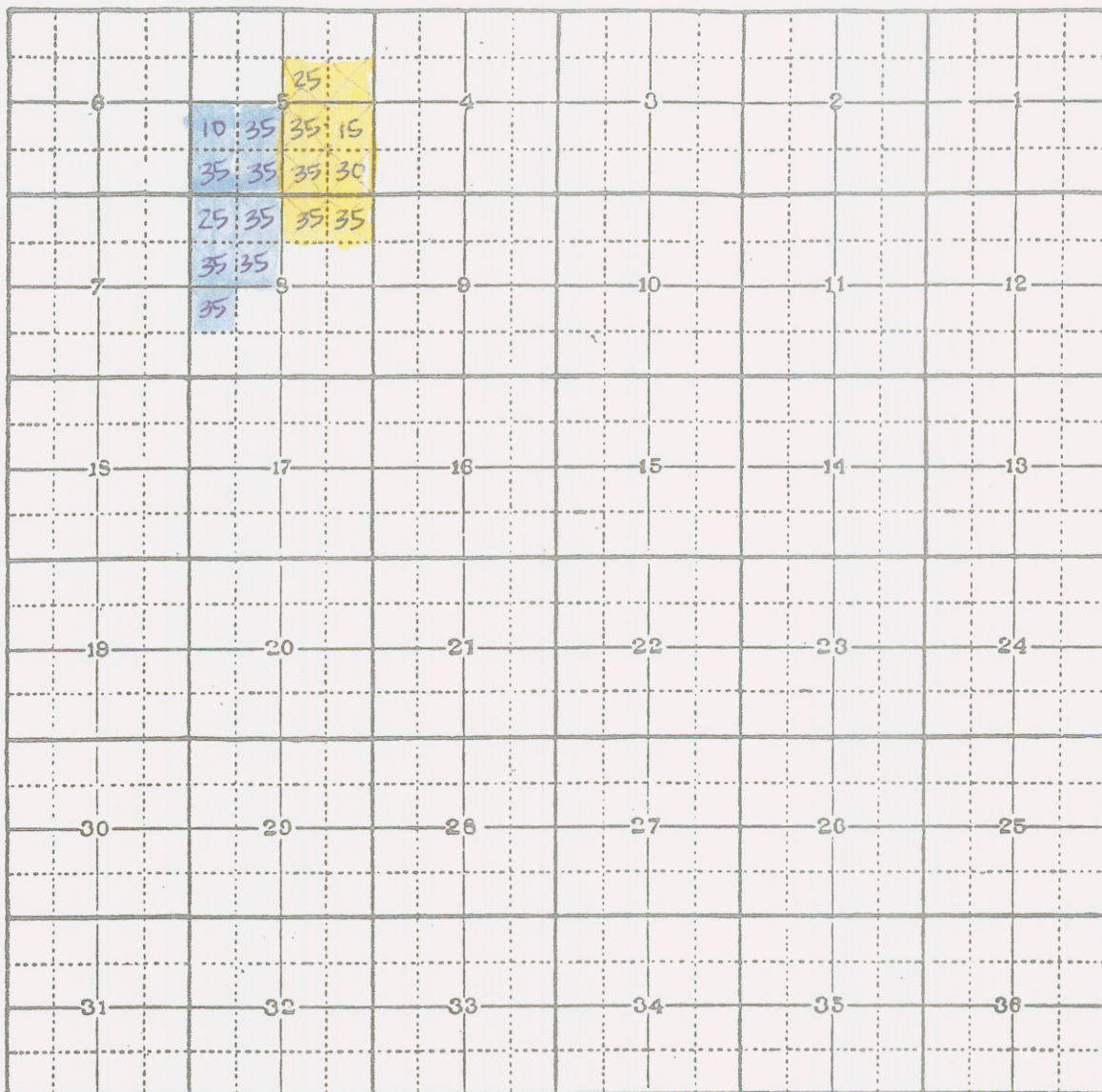
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B

= acres & their location claimed by claimant on original claim (490 acres)

SCALE: 1 INCH—1 MILE

County Fremont Township 14 N Range 44 E B M



360 A

sale on 6-15-55 - H. B. & Elsie to Ray & Lola

320 A

sale on 2-1-61 - H. B. & Elsie to Ray, Harold & Alden & wives

total 680 A

EXHIBIT

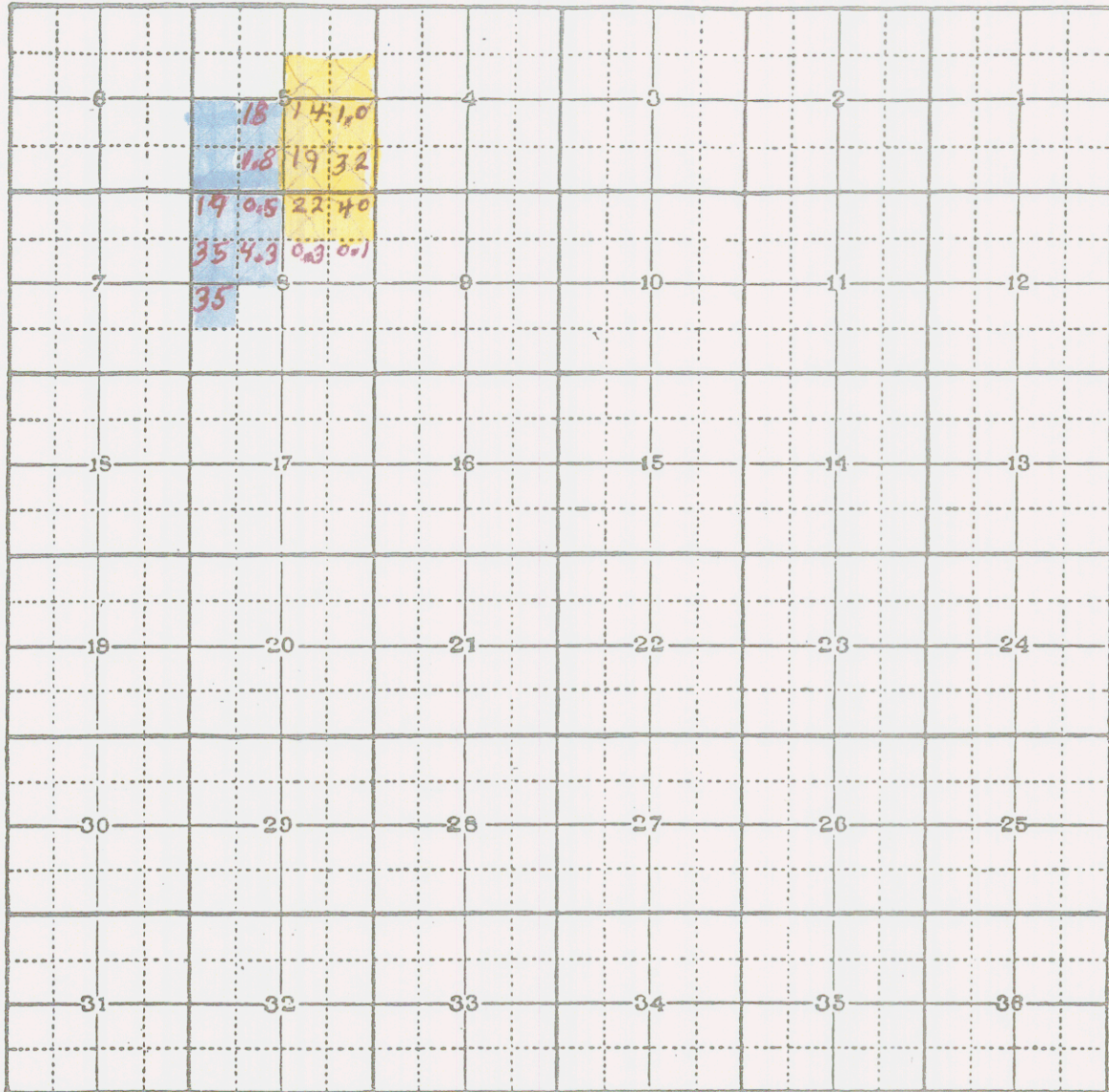
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C

the acres & their location recommended by IDWR (242 acres)

SCALE: 1 INCH—1 MILE

County Fremont Township 14 N Range 44 EBM



360 A

sale on 6-15-55 - H.B. & Elsie to Ray & Lola

320 A

sale on 2-1-61 - H.B. & Elsie to Ray, Harold & Alden & wives

total 680 A

EXHIBIT

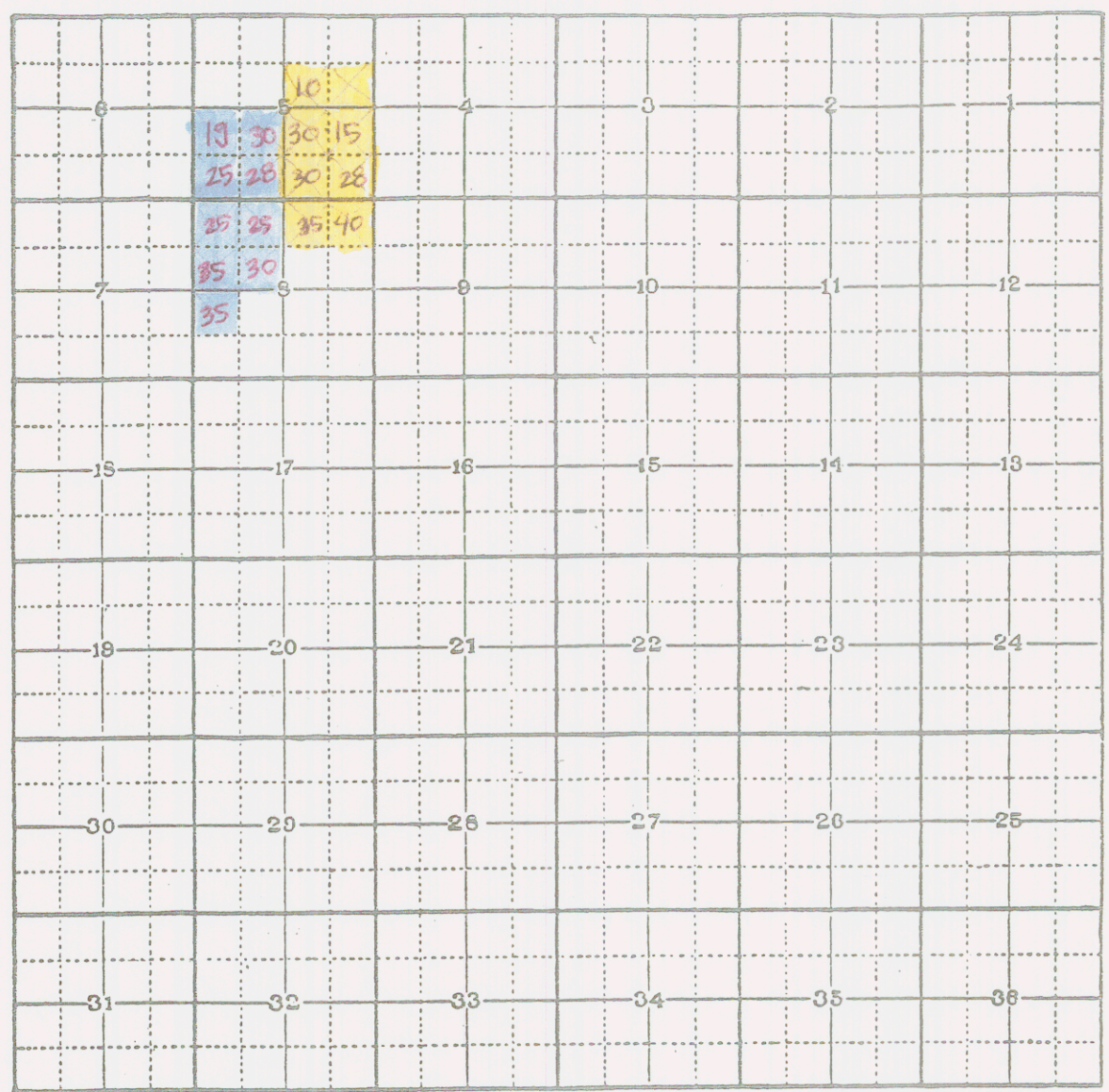
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D

claimant's suggested settlement on acres irrigated & their location (440 acres)

SCALE: 1 INCH—1 MILE

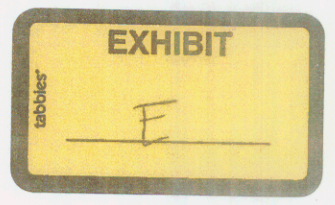
County Freemont Township 14 N Range 44 E B M



360 A Sale on 6-15-55 - H. B. & Elsie to Ray & Lola

320 A Sale on 2-1-61 - H. B. & Elsie to Ray, Harold & Alden & wives

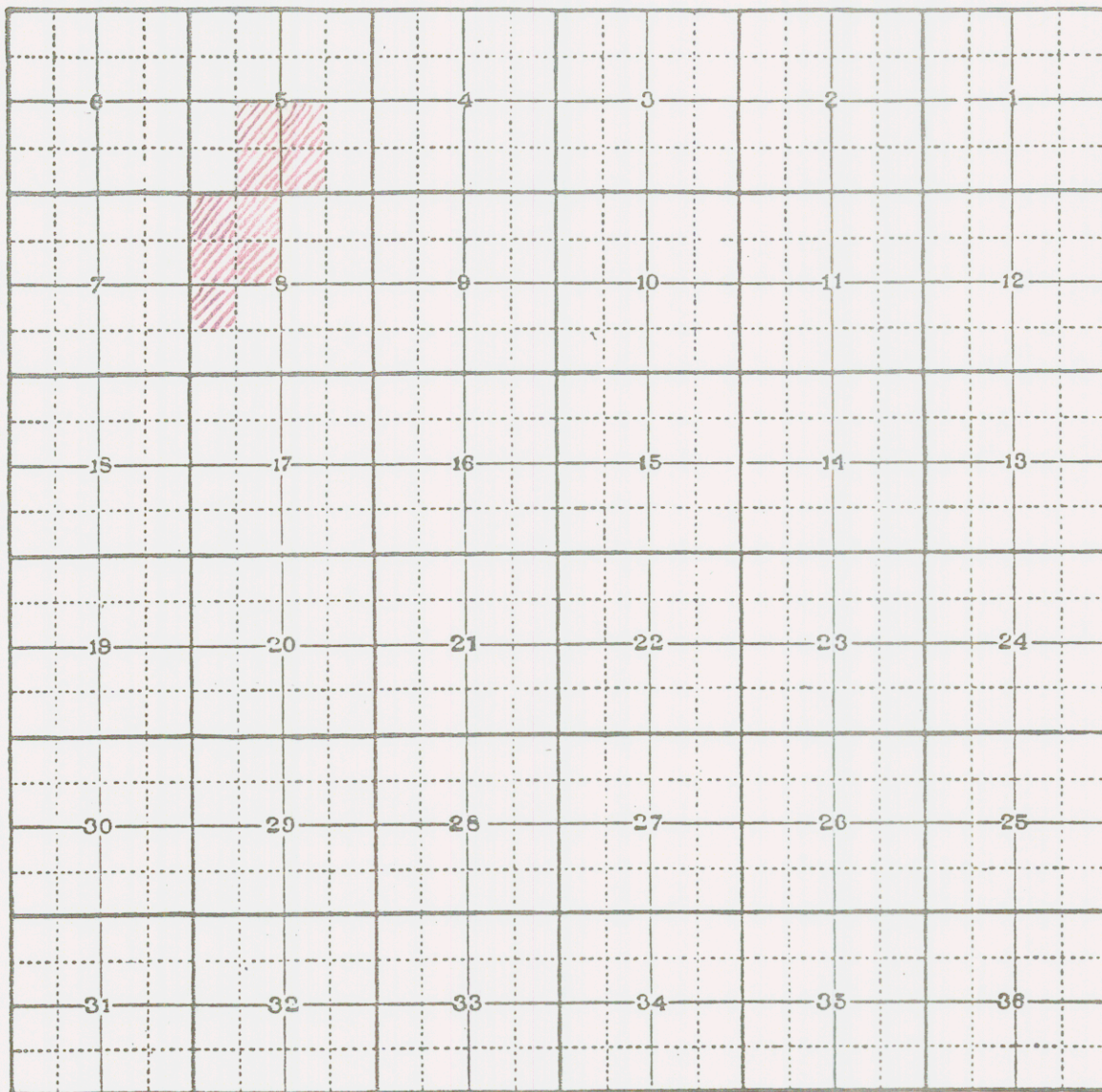
total 680 A



Claimed Points of diversion for irrigation

SCALE: 1 INCH—1 MILE

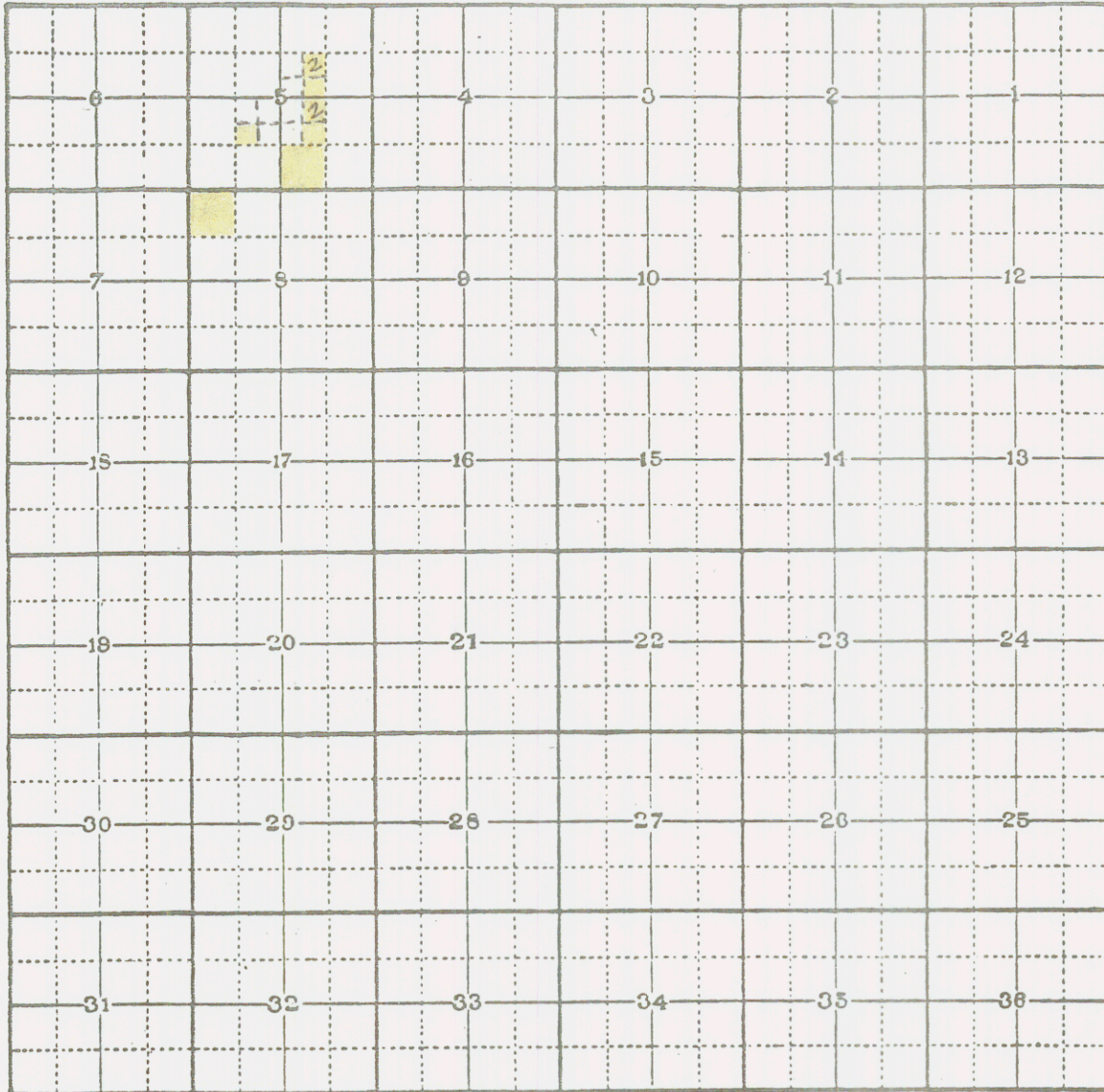
County Fremont Township 14N Range 44 EBM

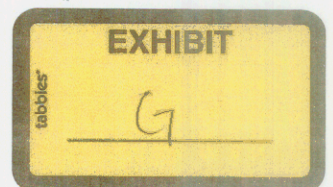


Recommended points of diversion from IDWR

SCALE: 1 INCH—1 MILE

County Fremont Township 4N Range 44 EBM





Claimed stockwatering locations

SCALE: 1 INCH—1 MILE

County Fremont Township 14 N Range 44 E BM

A 36x6 grid with numbers 1-36 in the top row and 6-36 in the bottom row. A 4x4 grid of numbers is highlighted in the top-left corner.

1	2	3	4	5	6
7	8	9	10	11	12
13	14	15	16	17	18
19	20	21	22	23	24
25	26	27	28	29	30
31	32	33	34	35	36

Highlighted 4x4 grid (top-left corner):

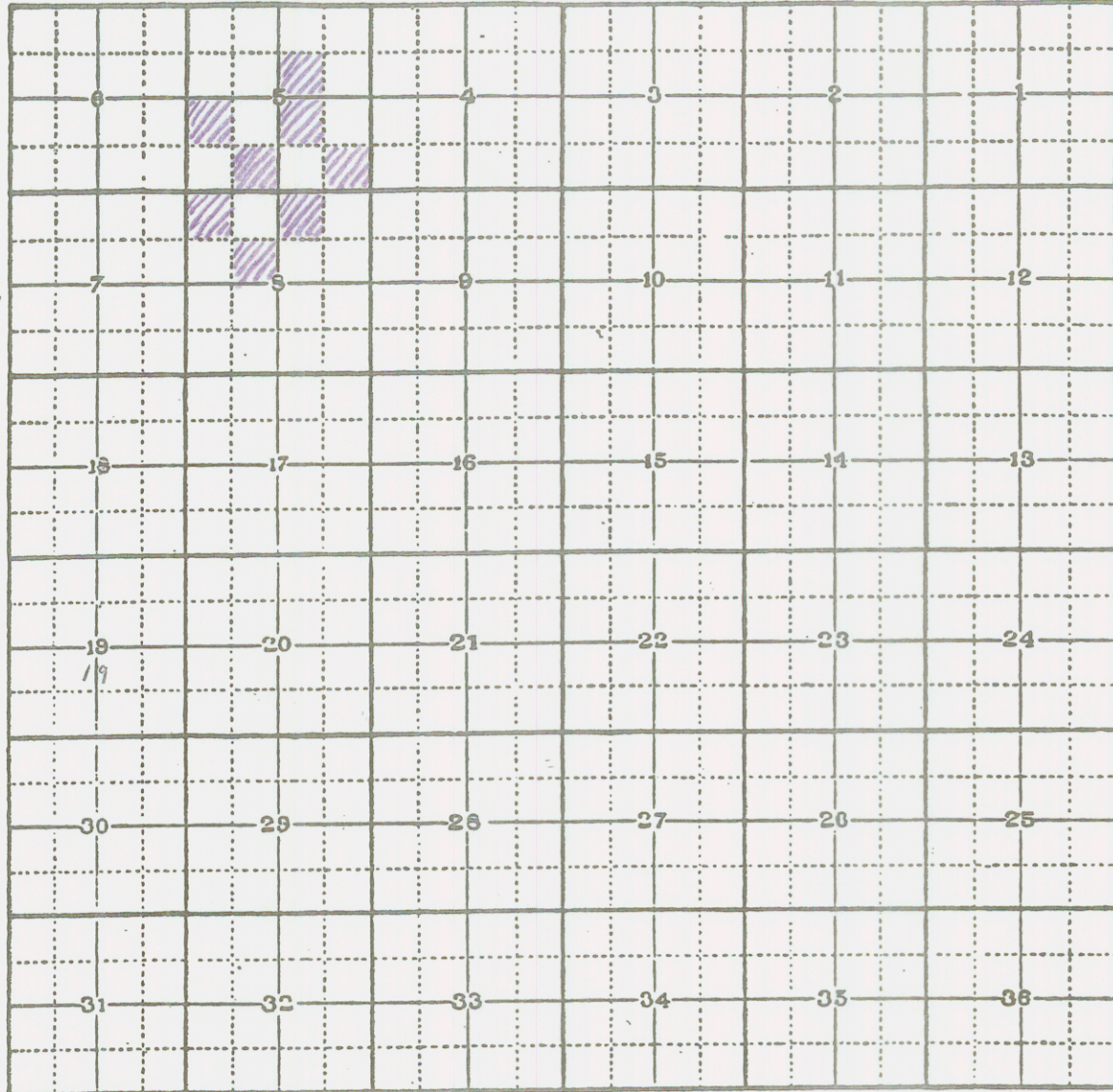
10	35	35	15
35	35	35	30
25	35	35	35
35	35		

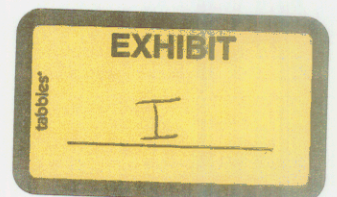
[illegible]

Recommended Stockwatering locations by IDWR

SCALE: 1 INCH—1 MILE

County Fremont Township 14 N Range 44 EBM



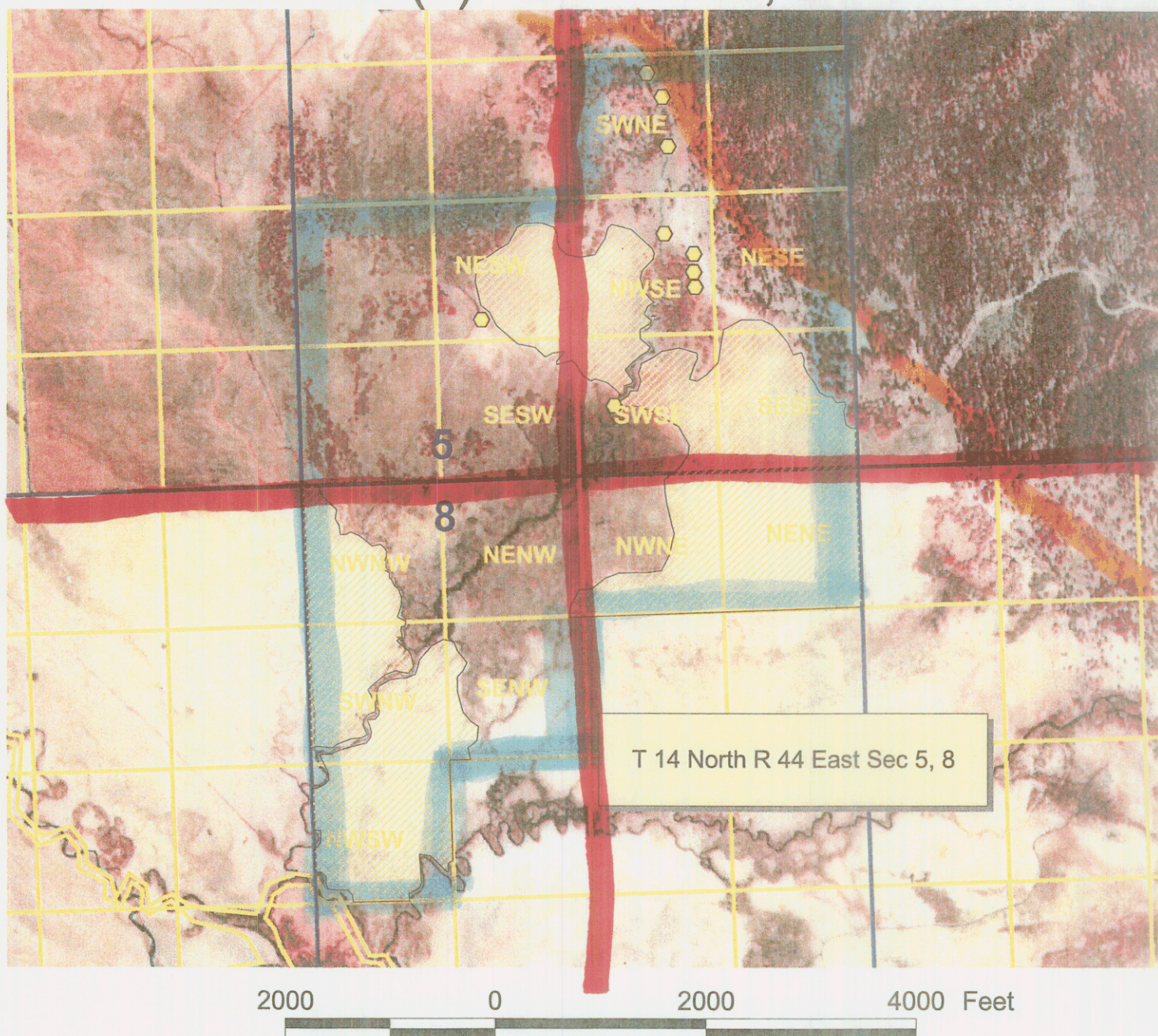




State of Idaho
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Eastern Region



Claim No.(s): 21-11146, 21-11147

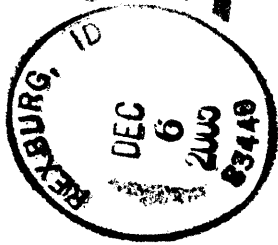
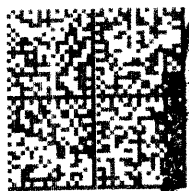


- Place of Use
- Sections
- Quarter Quarter
- Points Of Diversion

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by T. Galbraith
Date: Oct. 2005



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RIGBY & MOELLER, CHARTERED**

ATTORNEYS AT LAW
25 NORTH 2ND EAST • P.O. BOX 250
REXBURG, IDAHO 83440

To

TRENT GALBRAITH

Water Agent
Idaho Department of Water Resources
Water District No. 1
900 N. Skyline, Ste. A
Idaho Falls, ID 83402

RECEIVED

DEC 07 2005

**Department of Water Resources
Eastern Region**