

04/15/2005

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

RIGHT NUMBER: 21-73B

NAME AND ADDRESS: NORTH FREMONT CANAL SYSTEMS INC
C/O LON ATCHLEY
PO BOX 241
ASHTON ID 83420

SOURCE: FALL RIVER

TRIBUTARY: HENRYS FORK

QUANTITY: 4.000 CFS

PRIORITY DATE: 11/05/1895

POINT OF DIVERSION:

T08N R42E S4 NENE Within FREMONT County
T08N R42E S21 NESE Within FREMONT County
T09N R42E S13 SWNW Within FREMONT County
T09N R42E S23 NWNE Within FREMONT County
T09N R42E S23 NESE Within FREMONT County
T09N R42E S25 NWNE Within FREMONT County
T09N R43E S35 NESE Within FREMONT County
T09N R44E S35 NWNW Within FREMONT County
T09N R45E S33 NWSW Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	4.000 CFS

PLACE OF USE:

30657.3

ACRES TOTAL

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

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: Decreed

Water is delivered through North Fremont Canal Systems.

AUG 6 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 THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A21-00073B
Date Received: 3/21/1989
Receipt No: 6006278
Received By: gen

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NORTH FREMONT CANAL SYSTEMS, INC. 208-652-3984
Address: C/O JEFF MAROTZ, SEC.
1245 N. 4300 E.
ASHTON, ID 83420

A2100073B



2. Date of Priority: NOV 05, 1895

3. Source: FALLS RIVER Trib. to: HENRYS FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	42E	21	NE	SE			FREMONT

5. Description of diverting works:
PUMP IN RIVER INTO SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	8.000		

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

8. Total consumptive use is 600.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	42E	21	SW	NE		IRR	40.0
			SE	NE		IRR	40.0

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Date: 03/21/89

MICROFILMED
OCT 20 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	42E	21	SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
						Section Acres	240.0
						Total Acres	240.0

11. Place of use in counties: FREMONT

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

13. Other Water Rights Used:
SEVERAL OWNED BY COMPANY

14. Remarks:
TRANS. 1881 SPLIT RIGHT INTO 21-0073A & 21-0073B.
P/D IS A PUMP OPERATED BY LEON MARTINDALE.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 12/16/1910

REXBURG IRRIGATION
Decree Plaintiff

vs

TETON IRRIGATION CANAL CO. ET.
Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Secretary of
North Fremont Canal Systems, Inc. that I have signed the foregoing
document in the space below as Secretary of
North Fremont Canal Systems, Inc. and that the statements contained in the
foregoing document are true and correct.

Jeff Marot
Signature of Authorized Agent

Sec. North Fremont Canal Systems, Inc.
Title and Organization

3-21-89

Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 21 day
of March 19 89
[Signature]
Notary Public

Seal

Residing at _____
RESIDING AT _____
MY COMMISSION EXPIRES _____

My Commission Expires _____