

07/07/2005

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

RIGHT NUMBER: 1-52B

NAME AND ADDRESS: WEARYRICK DITCH CO
42 S 700 W
BLACKFOOT ID 83221

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 2.500 CFS

PRIORITY DATE: 07/23/1886

POINT OF DIVERSION:

T02S R35E S32 SESESE Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	2.500 CFS

PLACE OF USE:

1106 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.

Place of use is within the area served by Wearyrick Ditch Company.

This right is limited to the irrigation of 120 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: Decreed

Water is delivered through Wearyrick Canal.

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 1-52B
Date Received: 7/7/2005
Receipt No: E006375
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

WEARYRICK DITCH CO Phone: (208)684-4747
42 S 700 W
BLACKFOOT ID USA 83221

2. Date of Priority: 07/23/1886

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02S	35E	32	SE SE SE	BINGHAM	

5. Description of diverting works:

CEMENT HEADING WITH TWO GATES 6 FT LONG AND 2.5 FT HIGH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	2.5	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
02S	34E	35	SE SE	IRRIGATION	10
Section Acres					10

02S	34E	36	SW	SW	IRRIGATION	2
			SE	SW	IRRIGATION	40
			SW	SE	IRRIGATION	40
			SE	SE	IRRIGATION	40
					Section Acres	122
03S	34E	1	NE	NE	IRRIGATION	40
			NW	NE	IRRIGATION	40
			SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
			NE	NW	IRRIGATION	2
			NW	NW	IRRIGATION	32
			SW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	40
			NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	8
					Section Acres	322
03S	34E	2	NW	NE	IRRIGATION	20
			SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
			NE	NW	IRRIGATION	20
			SE	NW	IRRIGATION	40
			NE	SE	IRRIGATION	40
					Section Acres	200
03S	34E	3	NE	SW	IRRIGATION	18
			NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	29
			SE	SW	IRRIGATION	11
					Section Acres	98
03S	34E	4	SW	NE	IRRIGATION	20
			SE	NE	IRRIGATION	20
			NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	40
			SE	SW	IRRIGATION	40
			NE	SE	IRRIGATION	40
			NW	SE	IRRIGATION	40
			SW	SE	IRRIGATION	40
			SE	SE	IRRIGATION	40
					Section Acres	360
03S	34E	5	NE	SE	IRRIGATION	40
			SW	SE	IRRIGATION	35
			SE	SE	IRRIGATION	40
					Section Acres	115
03S	34E	8	NE	NE	IRRIGATION	40
			NW	NE	IRRIGATION	35
			SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
					Section Acres	155
03S	34E	9	NE	NW	IRRIGATION	40
			NW	NW	IRRIGATION	40

SW NW
SE NW

IRRIGATION 40
IRRIGATION 40

Section Acres 160

Total Acres 1542

11. Place of use in counties: BINGHAM

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

RENUMBERED FROM 1-10047.

WEARYRICK DITCH CO. HOLDS THE WATER RIGHT. THE COMPANY HAS ISSUED SHARES TO THE INDIVIDUALS OWNING THE LAND LISTED AS THE PLACE OF USE.

BELOW IS A LISTING OF WATER RIGHTS THAT ARE BEING FILED ON BY THIS CO. BECAUSE MOST OF THESE RIGHTS WERE ACQUIRED THROUGH TRANSFERS FROM OTHER CANALS NEW RIGHT NUMBERS HAVE BEEN ASSIGNED.

NEW NUMBER	OLD NUMBER	PRIORITY	AMOUNT (CFS)	A01-10046	01-
00191?	03/06/1885	3.2 A01-00193	01-00193		05/03/1886
38.0 A01-10047	01-00052B (T273)	07/23/1886	2.5 A01-10048		01-00116AH
(T459)	06/01/1887	9.37 A01-10049	01-00117AR (T459)		06/01/1888
1.20 01-00053B (T273)	06/01/1888	2.0 A01-10050	01-00118AK (T459)		
06/01/1889	1.59 A01-00247	01-00247	01/22/1916		30.0 FOR MAP

OF SERVICE AREA SEE NOTICE OF CLAIM NO. A01-00193.

15. Basis of Claim: Decreed

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 _____ of

Title
_____, 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. _____
Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this
of _____ 20____

Notary Public

Residing at _____

My commission Expires _____

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

RENUMBERED To: 1-52 B
Ident. Number: ~~A01-10047~~
Date Received: 3/15/1989
Receipt No: E006375
Received By: EMC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WEARYRICK DITCH CO.
Address: 42 S. 700 W.
BLACKFOOT, ID

208-684-4747

83221

2. Date of Priority: JUL 23, 1886

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02S	35E	32	SE	SE	SE		BINGHAM

5. Description of diverting works:
CEMENT HEADING WITH TWO GATES 6' LONG AND 2.5' HIGH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.500		

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

8. Total consumptive use is 3855.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	34E	35	SE	SE		IRR	10.0
						Section Acres	10.0
		36	SW	SW		IRR	2.0

A01-10047

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Date: 03/15/89

A0110047



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OCT 20 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres			
02S	34E	36	SE	SW		IRR	40.0			
			SW	SE		IRR	40.0			
			SE	SE		IRR	40.0			
						Section Acres	122.0			
03S	34E	1	NE	NE		IRR	40.0			
			NW	NE		IRR	40.0			
			SW	NE		IRR	40.0			
			SE	NE		IRR	40.0			
			NE	NW		IRR	2.0			
			NW	NW		IRR	32.0			
			SW	NW		IRR	40.0			
			SE	NW		IRR	40.0			
			NE	SW		IRR	40.0			
			NW	SW		IRR	8.0			
									Section Acres	322.0
			2	NW	NE		IRR	20.0		
				SW	NE		IRR	40.0		
SE	NE			IRR	40.0					
NE	NW			IRR	20.0					
SE	NW			IRR	40.0					
NE	SE			IRR	40.0					
						Section Acres	200.0			
3	NE	SW		IRR	18.0					
	NW	SW		IRR	40.0					
	SW	SW		IRR	29.0					
	SE	SW		IRR	11.0					
						Section Acres	98.0			
4	SW	NE		IRR	20.0					
	SE	NE		IRR	20.0					
	NE	SW		IRR	40.0					
	NW	SW		IRR	40.0					
	SW	SW		IRR	40.0					
	SE	SW		IRR	40.0					
	NE	SE		IRR	40.0					
	NW	SE		IRR	40.0					
	SW	SE		IRR	40.0					
	SE	SE		IRR	40.0					
						Section Acres	360.0			

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	34E	5	NE	SE		IRR	40.0
			SW	SE		IRR	35.0
			SE	SE		IRR	40.0
			Section Acres				115.0
		8	NE	NE		IRR	40.0
			NW	NE		IRR	35.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			Section Acres				155.0
		9	NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			Section Acres				160.0
			Total Acres				1542.0

11. Place of use in counties: BINGHAM

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:

01-00193/10046/10048/10049/10050/00247.

14. Remarks:

WEARYRICK DITCH CO. HOLDS THE WATER RIGHT. THE COMPANY HAS ISSUED SHARES TO THE INDIVIDUALS OWNING THE LAND LISTED AS THE PLACE OF USE.

BELOW IS A LISTING OF WATER RIGHTS THAT ARE BEING FILED ON BY THIS CO. BECAUSE MOST OF THESE RIGHTS WERE ACQUIRED THROUGH TRANSFERS FROM OTHER CANALS NEW RIGHT NUMBERS HAVE BEEN ASSIGNED.

NEW NUMBER	OLD NUMBER	PRIORITY	AMOUNT (CFS)
A01-10046	01-00191?	03/06/1885	3.2
A01-00193	01-00193	05/03/1886	38.0
A01-10047	01-00052B (T273)	07/23/1886	2.5
A01-10048	01-00116AH (T459)	06/01/1887	9.37
A01-10049	01-00117AR (T459)	06/01/1888	1.20
	01-00053B (T273)	06/01/1888	2.0

14. Remarks: Continued

A01-10050 01-00118AK (T459) 06/01/1889 1.59
A01-00247 01-00247 01/22/1916 30.0
FOR MAP OF SERVICE AREA SEE NOTICE OF CLAIM NO. A01-00193.

15. Basis of Claim: DECREED

Case Number:
Court :
Decree date: 12/16/1910

REXBURG IRRIG. CO.
Decree Plaintiff

TETON IRRIG. CANAL CO.
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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 0

For Organizations:

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

Wearryick Ditch Co., that I have signed the foregoing
Organization
document in the space below as acting President of _____
Title

Wearryick Ditch Co. and that the statements contained in the
Organization
foregoing document are true and correct.

Charles H. Moses
Signature of Authorized Agent

Witnessed by
Willard L. Adams, Sec.

Wearryick Ditch Co.
Title and Organization

3-23-89

Mar 23, 1989
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 23 day

of March 19 89

Ernest Carlson
Notary Public

Seal

Residing at Idaho Falls, ID

My Commission Expires 14 June 1994