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Attorneys for City of Pocatello

**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	)	See Attachment A
	)	
	)	AFFIDAVIT OF SARAH A. KLAHN
Case No. 39576	)	
_____	)	

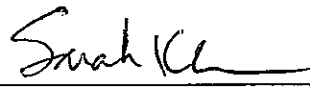
1. I am an attorney representing the City of Pocatello in the above captioned matters. I am over 18 years of age and state the following based on my own personal knowledge.
2. Attached hereto as Exhibit 1 is a true and correct copy of the A&B Irrigation District Water Management Plan, pages 1-2, referencing the history of water diversion in that district.
3. Attached hereto as Exhibit 2 is a true and correct copy of relevant excerpts of Appendix AT from the Surface Water Coalition's September, 2007, Expert Report filed in the IDWR administrative delivery call matter: *In the Matter of Distribution of Water to Various Rights Held by or for the Benefits of A&B Irrigation District, American Falls Reservoir District #2, Burley Irrigation District, Milner Irrigation District, Minidoka Irrigation District, North Side Canal Company, and Twin Falls Canal Company.*
4. Attached hereto as Exhibit 3 is a true and correct copy of relevant excerpts of the 1968 Burley Irrigation District et al. v. Henry Eagle, Watermaster, Stipulated Decree

(hereinafter "Eagle Decree"). A complete copy of the Eagle Decree is on file in the sub-cases identified in Attachment A, including Exhibits A-F thereto.

Dated this 22nd day of August, 2008.

WHITE & JANKOWSKI, L.L.P.

Attorneys for the City of Pocatello

By 
Sarah A. Klahn

ATTACHMENT A

Subcases Nos:

01-00007

01-00008

01-00009

01-00014

CERTIFICATE OF MAILING

I hereby certify that on this 22nd day of August, 2008, a true and correct copy of **Affidavit of Sarah A. Klahn in Support of City of Pocatello and Groundwater Users' Joint Motion for Summary Judgment on Priority Dates for SRBA Surface Water Coalition Water Rights Cases** was served by email to those with email addresses and U.S. Mail, postage pre-paid and addressed to the following:



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A&B Irrigation District

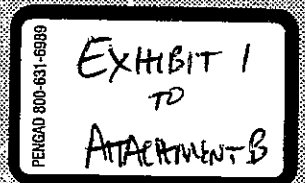
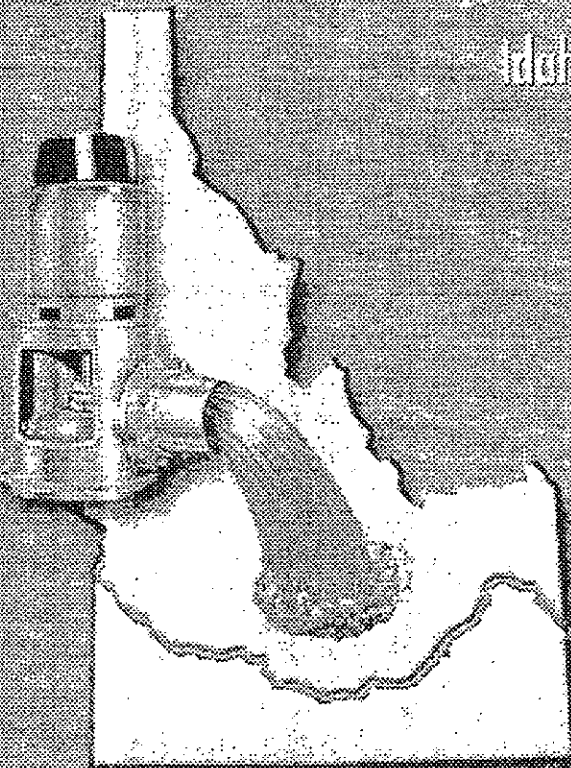
Water Management and Conservation Plan

Prepared by
A&B Irrigation District

with assistance from
Idaho Water Users Association, Inc.

CH2MHILL

January 2002



A&B Irrigation District
Water Management and Conservation Plan

Prepared by
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CH2MHILL

January 2002

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1.0 Description of the District

A&B Irrigation District, located in Minidoka and Jerome Counties in southern Idaho, serves 450 farm units and supplies irrigation to 81,321.2 acres. Irrigation water is pumped from the Snake River and from the Eastern Snake River Plain Aquifer with 177 deep wells. The average annual combined diversion rate is approximately 250,000 acre feet with an application rate of 3 feet per acre.

1.1 History and Background Information

In 1894 the United States Congress passed the Carey Act which allowed states to request that large tracts of federal land be set aside for private investors. Irrigation systems were to be developed in accordance with approved plans for an irrigation system.

A&B Irrigation District (formerly the Northside Pumping Division) is part of the Minidoka Project. Northside Pumping Division was authorized by the 81st Congress on September 30, 1950, by Public Law 864. Nearly 695 new farm units were made available for settlement within the District, almost all for homestead entry. Under prevailing law, veterans of World War II and the Korean Conflict had preference in acquiring the new farm units.

In 1961, A&B Irrigation District entered into a contract with the United States Department of the Interior Bureau of Reclamation (USBR) to provide for repayment to the United States of the cost of constructing the North Side Pumping Division, Minidoka Project. The repayment of the project was to be over a period of 50 years and will be completed in 2020. A&B Irrigation District assumed operation and maintenance responsibilities for the Northside Pumping Division on March 1, 1966. The name A&B Irrigation is from a division of District lands into two units named A and B. Unit A diverts surface water from the Snake River through a pumping plant located on the Snake River in Jerome County, approximately 8 miles west of Burley. Unit B diverts ground water from the Eastern Snake River Plain Aquifer through 177 deep wells scattered throughout Minidoka and Jerome Counties.

The District is divided geographically into five director divisions. The bylaws provide for five directors to establish and implement policy for the District, one elected from each of the five director divisions. Each director's term is 3 years. Terms of service are staggered so that no more than two directors are elected in any one year. Qualifications of a director are that they

shall be a qualified elector of the District, and shall reside in the director division that they expect to represent.

The Board of Directors hires a general manager to administer policy and take care of day-to-day activities. The General Manager oversees supervision of all activities and personnel engaged in the care, operation, maintenance and administration of the project irrigation system. The District is comprised of five operating divisions:

- East operating division
 - Watermaster supervises ditchriders, equipment operators and general maintenance personnel
 - Responsible for delivery of water to water users and keeping the delivery and drainage system in good repair
- West operating division
 - Watermaster supervises ditchriders, equipment operators and general maintenance personnel
 - Responsible for delivery of water to water users and keeping the delivery and drainage system in good repair
- Maintenance shop
 - Maintenance foreman supervises mechanics that are responsible for equipment and vehicle maintenance
- Electrical/mechanical division
 - Electrical/mechanical foreman supervises two electricians and two pump mechanics that oversee the repair and maintenance of electrical and mechanical equipment
- Main Office Headquarters
 - Secretary/treasurer responsible for administration duties, district finances, personnel, water user's accounts and record keeping

1.2 Location

The project is located in southern Idaho in Minidoka and Jerome Counties with the District headquarters located in Rupert. The project area is relatively compact; it ranges from 2 to 7 miles in width and is about 30 miles long. It trends generally from east to west forming a roughly crescent-shaped land body contiguous to the northern and western borders of the

Monthly Water Use

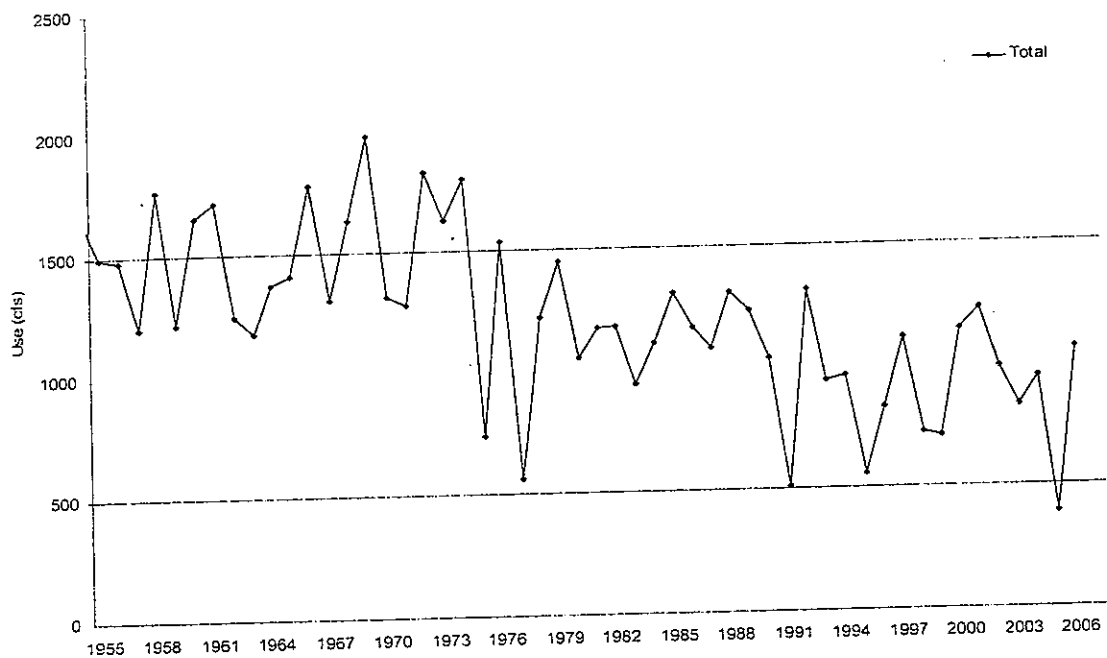
Average Monthly Diversions for SWC Members

Values derived from daily diversions provided in the WD 01 Water Master Reports and are reported in cubic feet per second

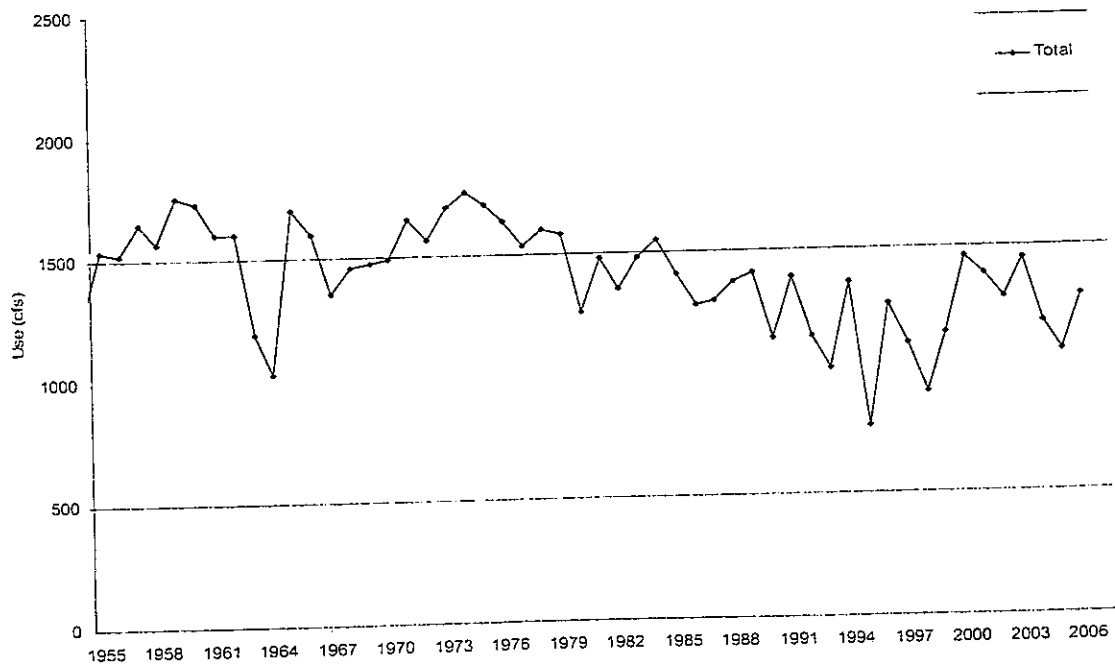


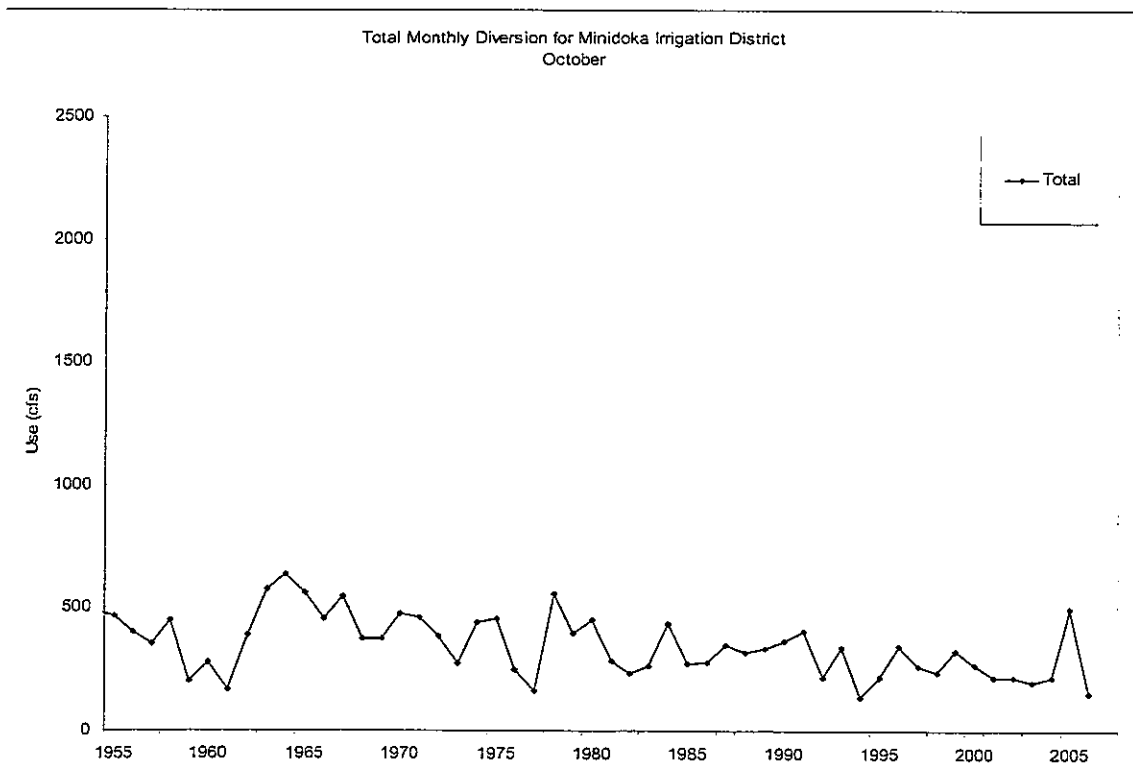
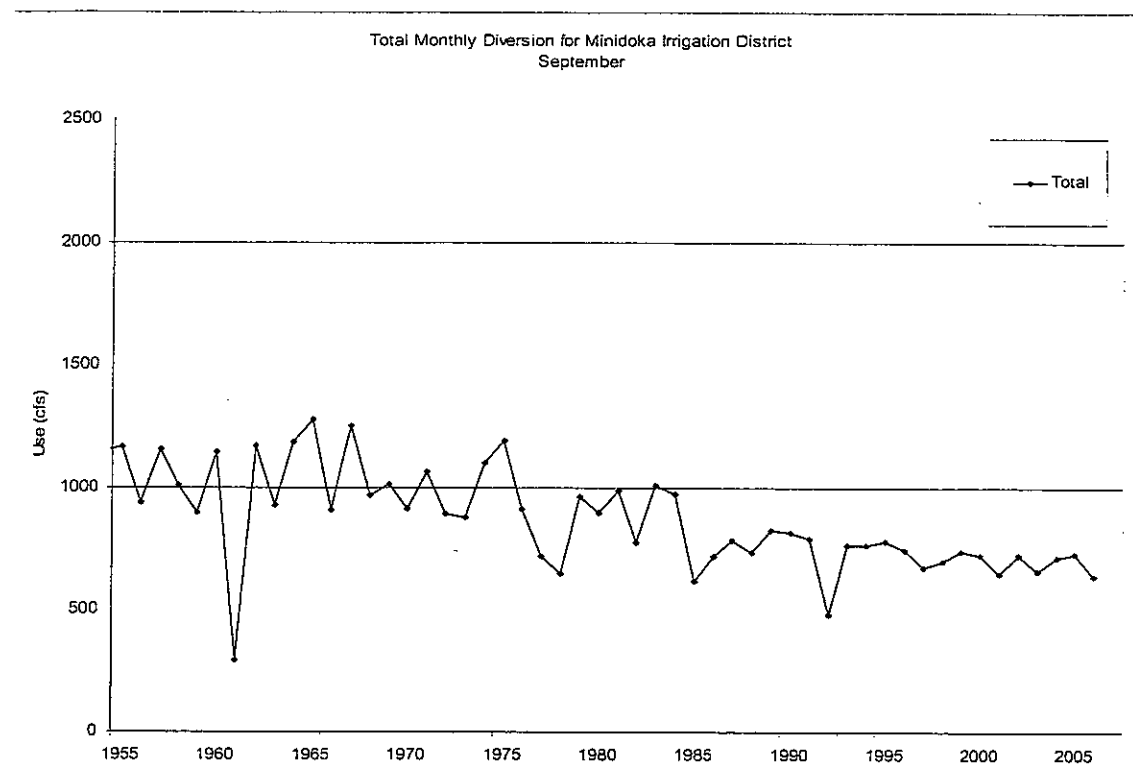
Minidoka Irrigation District

Total Monthly Diversion for Minidoka Irrigation District
May



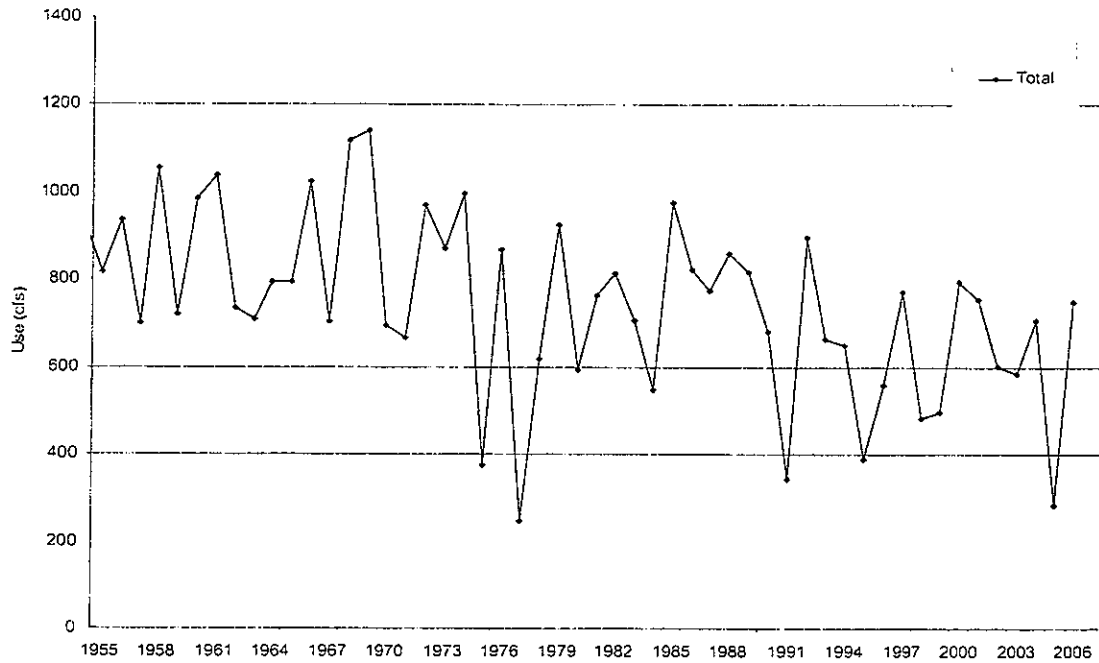
Total Monthly Diversion for Minidoka Irrigation District
June



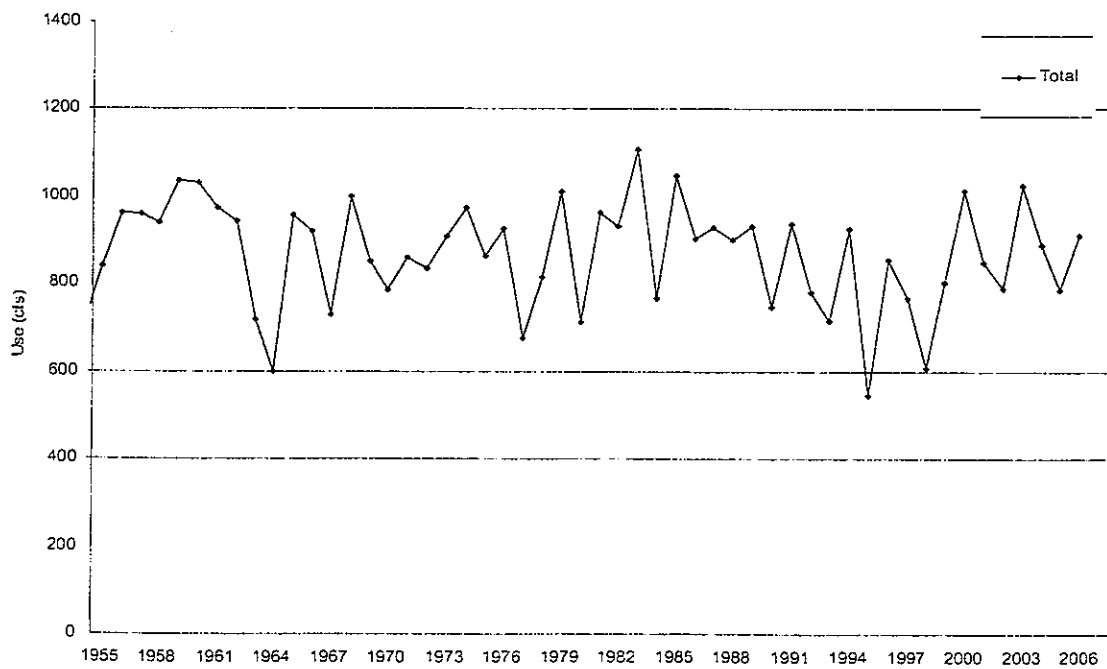


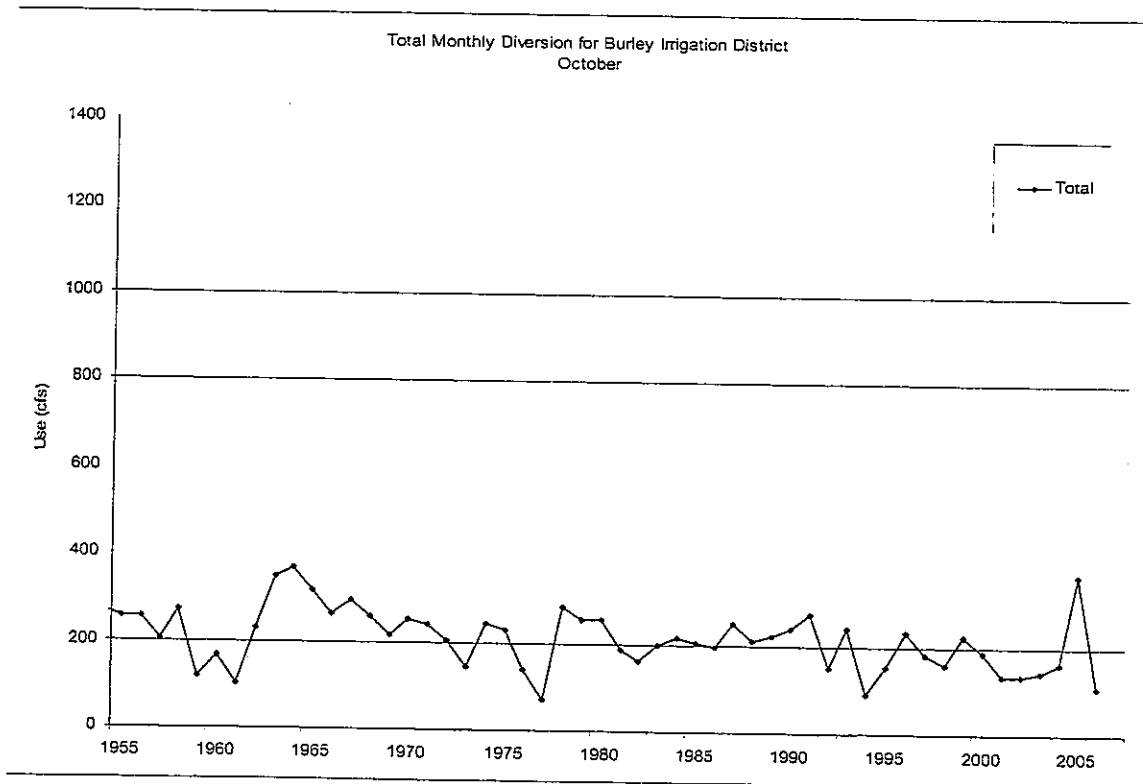
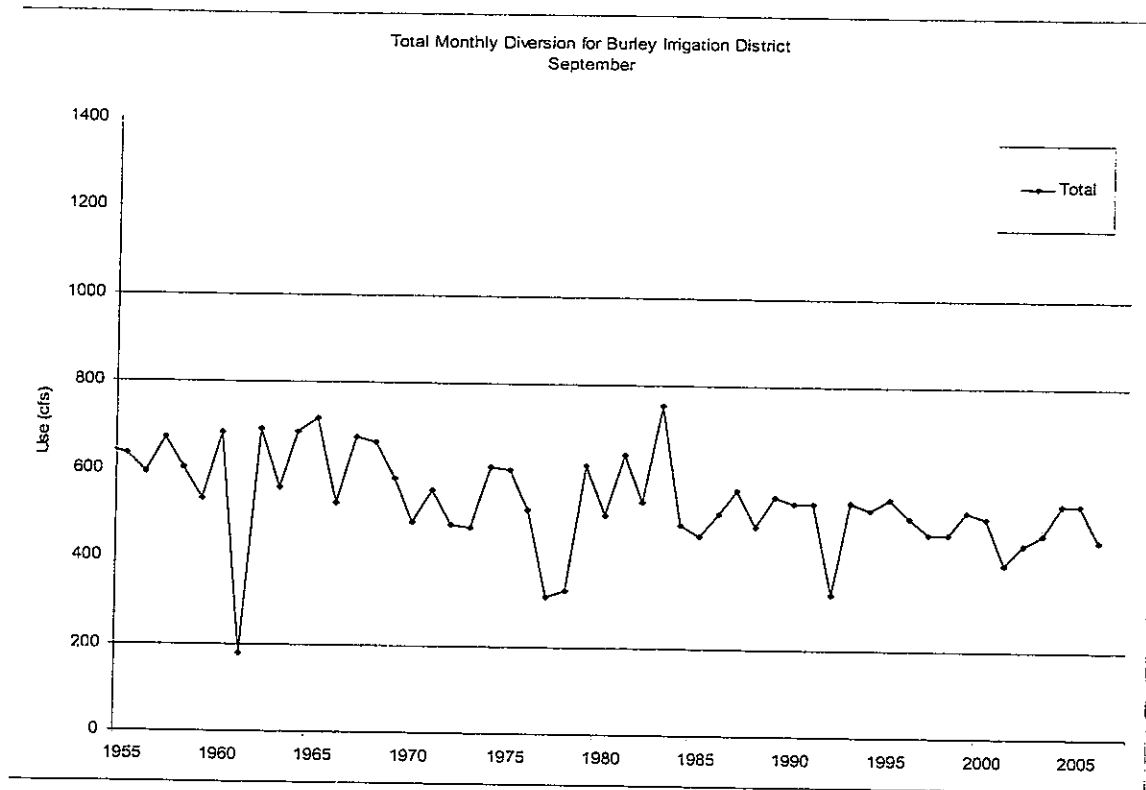
Burley Irrigation District

Total Monthly Diversion for Burley Irrigation District:
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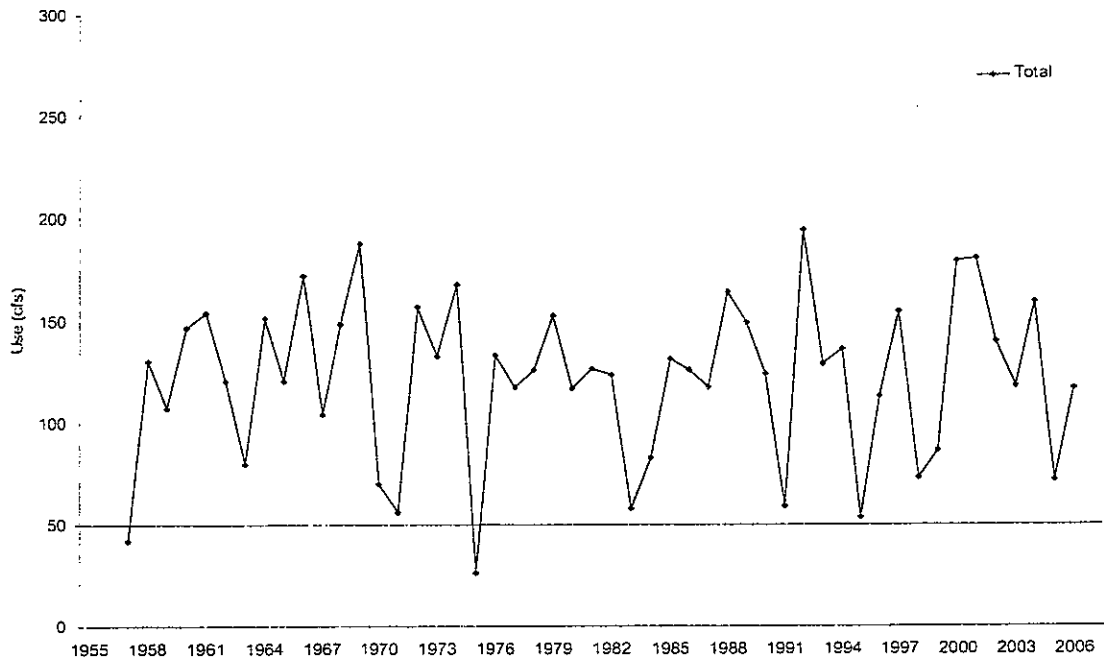
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June



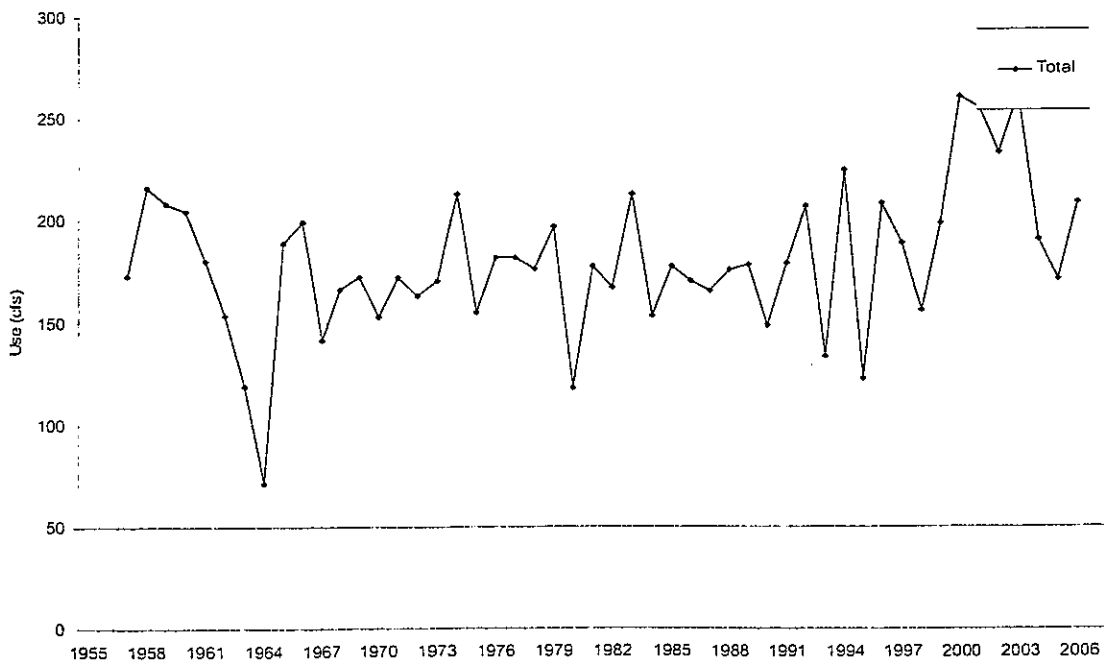


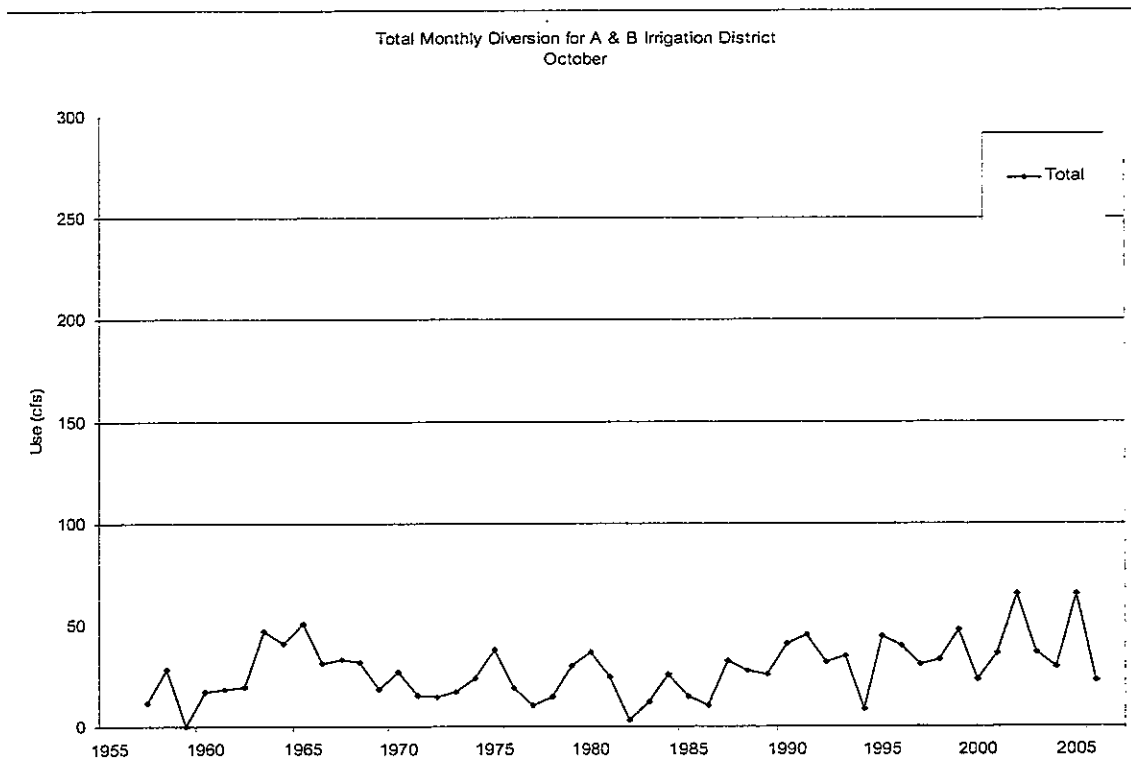
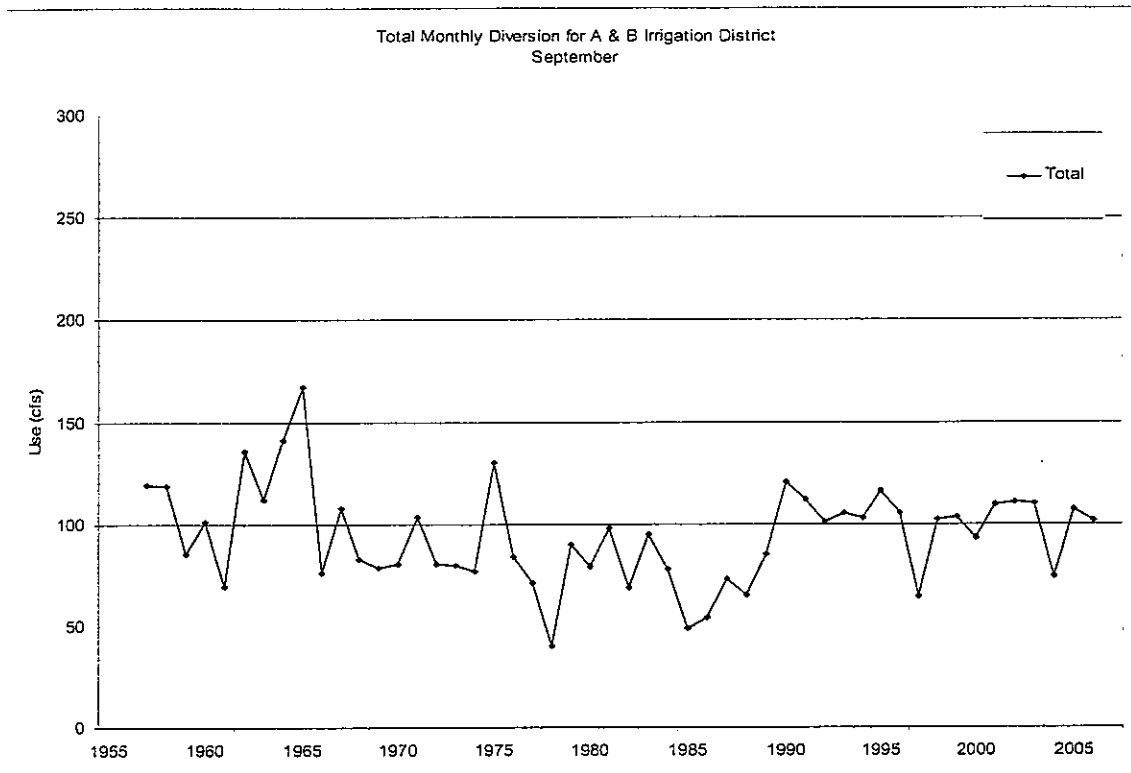
A & B Irrigation District

Total Monthly Diversion for A & B Irrigation District
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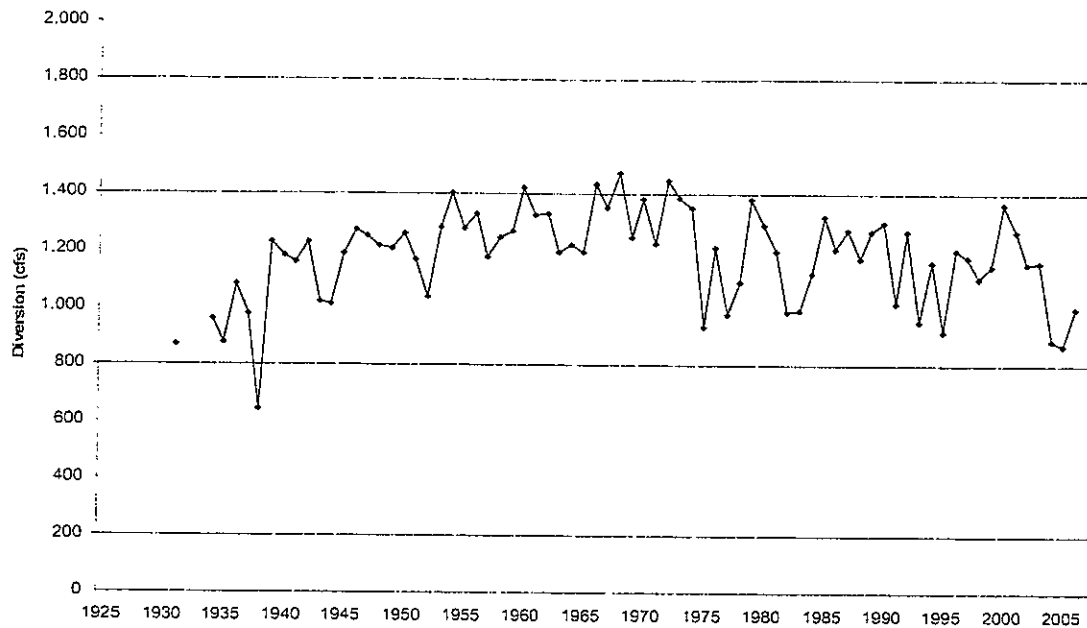
Total Monthly Diversion for A & B Irrigation District
June



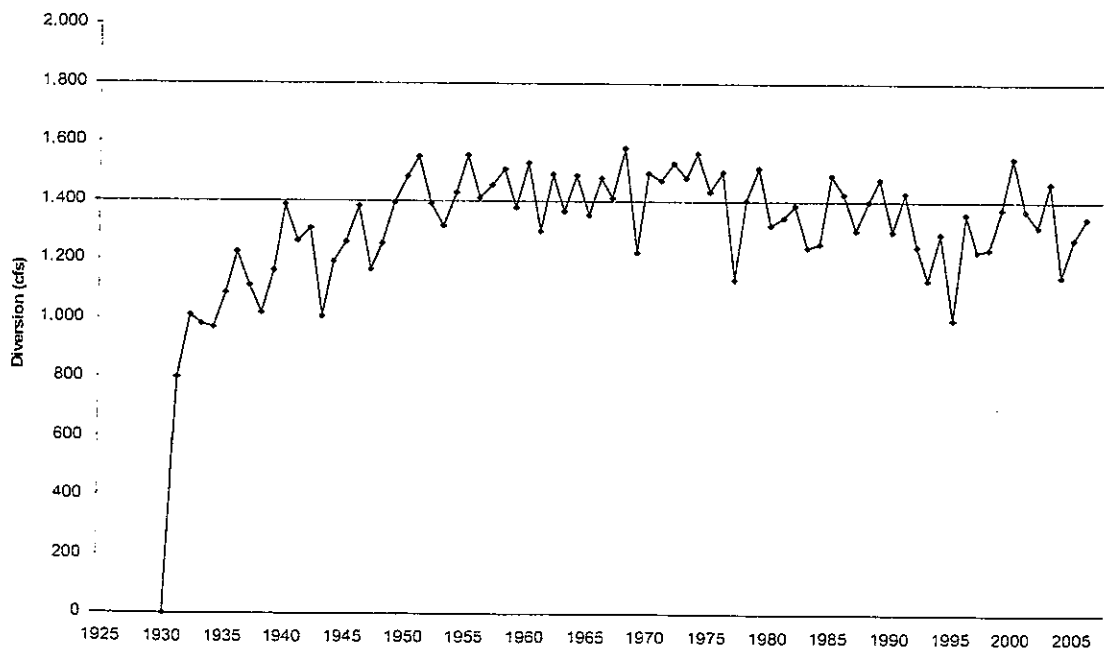


American Falls Reservoir District #2

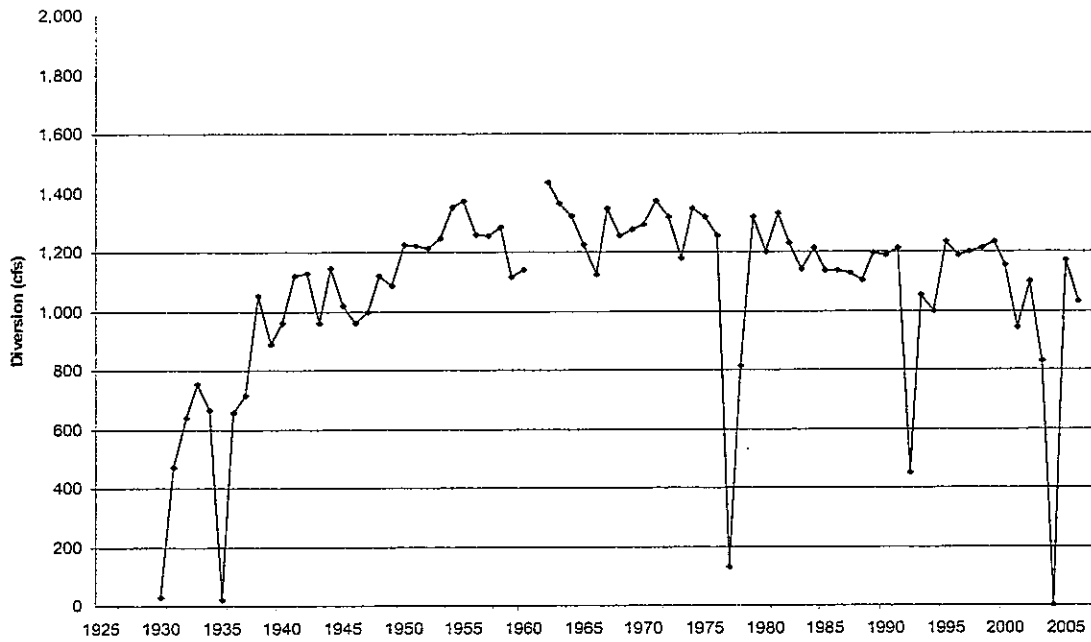
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May



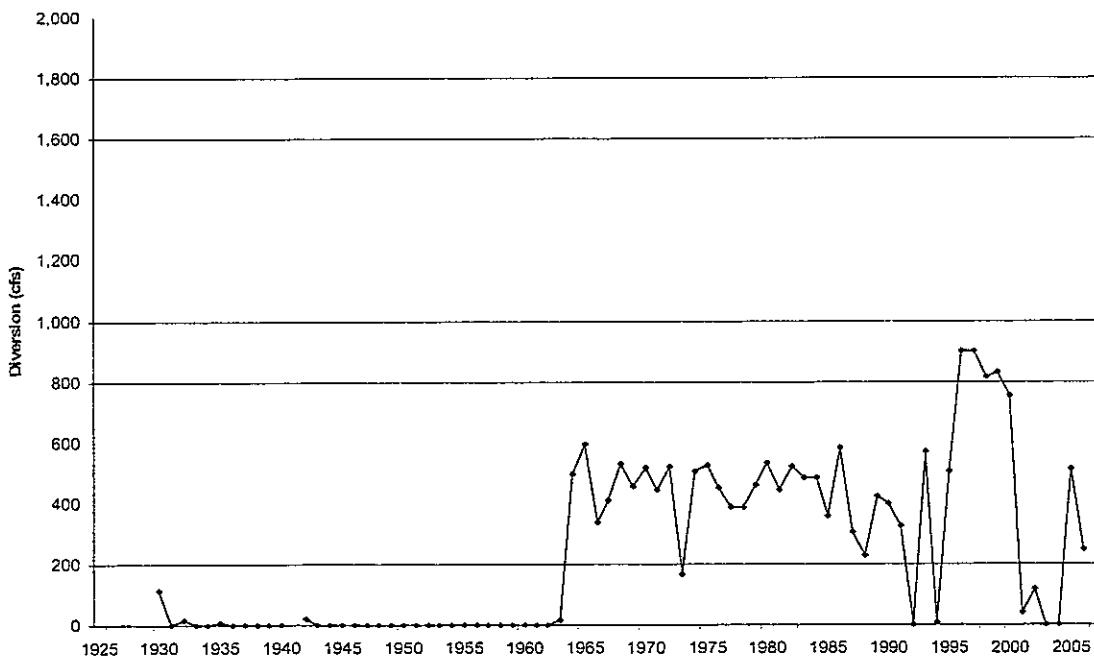
Total Monthly Diversion for American Falls Reservoir District #2
June



Total Monthly Diversion for American Falls Reservoir District #2
September

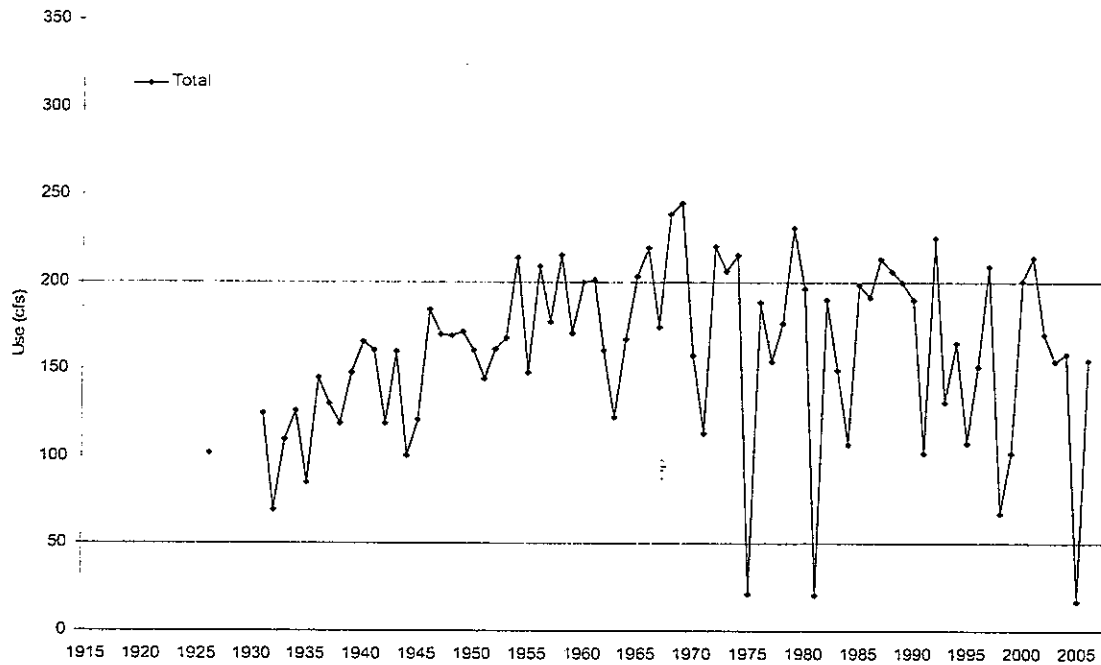


Total Monthly Diversion for American Falls Reservoir District #2
October

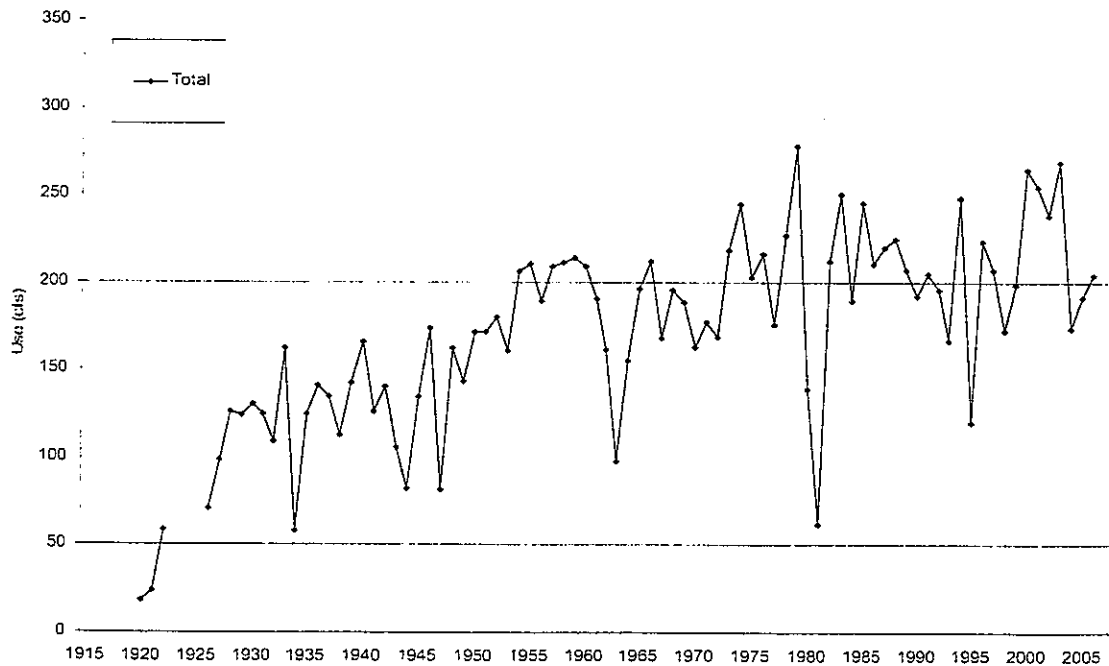


Milner Irrigation District

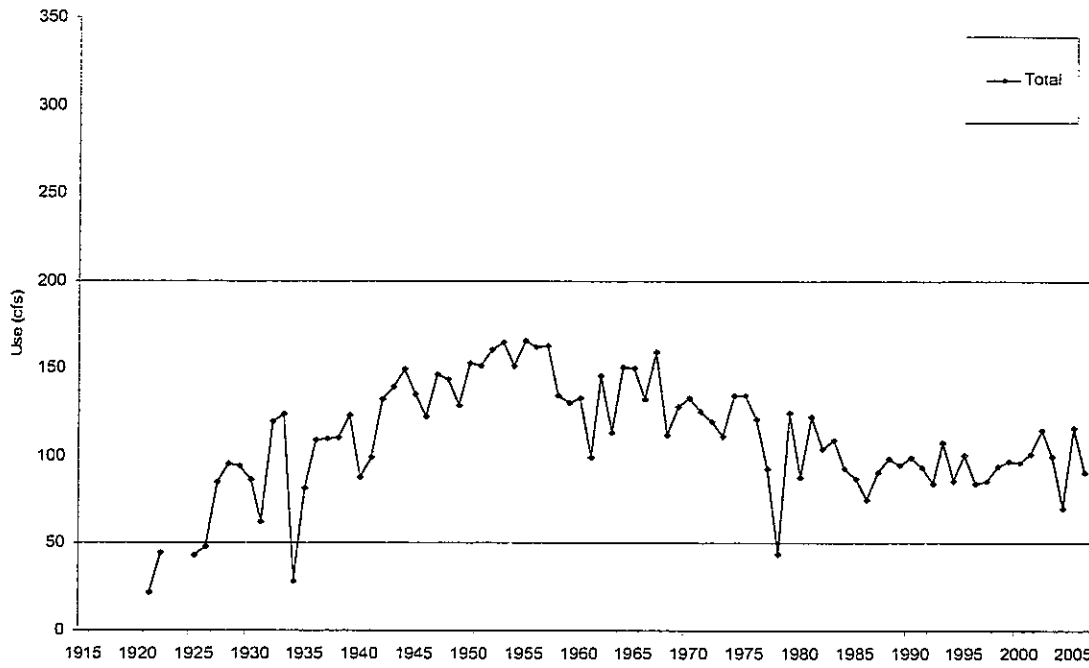
Total Monthly Diversion for Milner Irrigation District
May



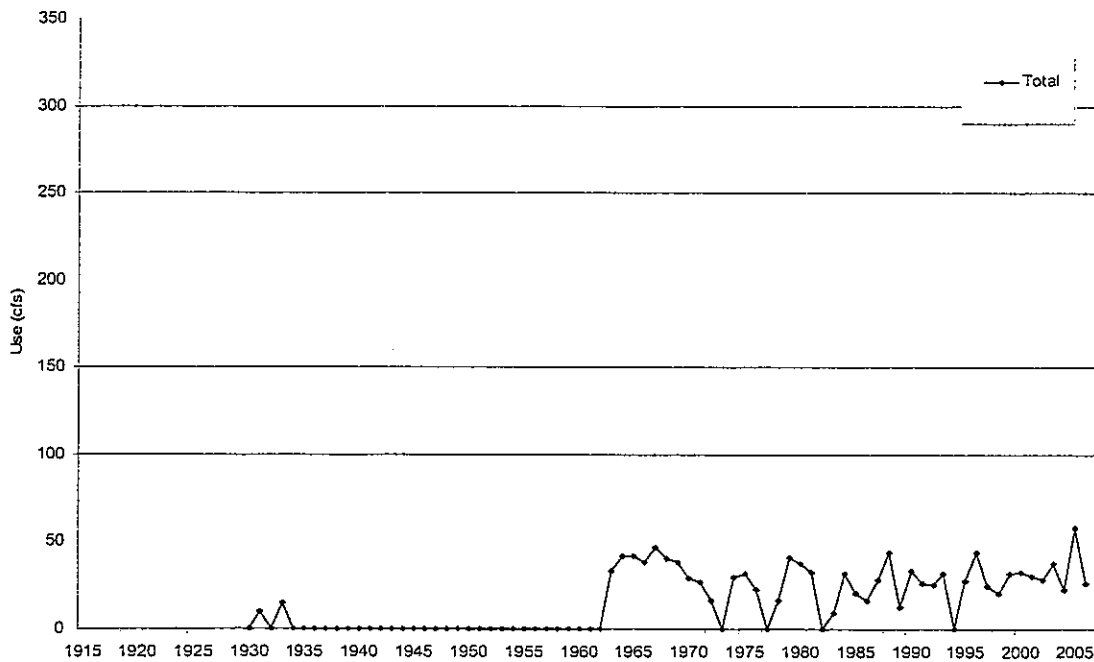
Total Monthly Diversion for Milner Irrigation District
June



Total Monthly Diversion for Milner Irrigation District
September



Total Monthly Diversion for Milner Irrigation District
October





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

BURLEY IRRIGATION DISTRICT, et al,

Plaintiffs, DISTRICT COURT

Fifth Judicial District

Clerk of the Court

-VS-

#21406
STIPULATION

HENRY EAGLE, Watermaster, Water
District No. 36, State of Idaho, H. A. LANCASTER

Defendant:

The parties signatory hereto do hereby stipulate and agree that
the following facts, and conclusions derived therefrom, are true and correct,
and shall be the basis for the entry of judgment herein, to-wit:

I.

(a) That the priority of the right to use waters of the Snake River
and its tributaries with points of diversion at or upstream from Milner Dam
(and its tributaries) have been determined by decrees of Courts of competent
jurisdiction (including but not limited to the decree in the case entitled Twin
Falls Canal Company v. Charles N. Foster, et al, entered in the District
Court of the Fourth Judicial District Court of the State of Idaho, in and for the
County of Twin Falls on June 20, 1913, hereafter called "Foster Decree") and
that thereafter, and after said decrees, numerous parties have acquired rights
to the use of the waters of said Snake River and its tributaries with points of
diversion at Milner Dam or above.

(b) That the parties Plaintiff herein are persons who have so
acquired such water rights and that they have brought this action under and
pursuant to provisions of Idaho Code Section 42-1405.

II.

That all the parties Plaintiff herein do hereby accept as binding
upon them the provisions of all prior decrees which have been entered with
respect to the waters of Snake River and its tributaries above Milner Dam,
including, particularly, but not limited to (1) The Foster decree mentioned in

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1 the preceding paragraph; (2) The decree entered in the District Court of the
2 Sixth Judicial District of the State of Idaho in and for the County of Fremont in
3 the case entitled Rexburg Irrigation Company, et al, vs. Teton Irrigation Can
4 Company, et al, filed December 16, 1910, (hereinafter "Rexburg Decree");
5 and (3) The decree entered in that certain case entitled Woodville Canal
6 Company vs. Clark and Edwards Canal and Irrigation Company, et al, in the
7 District Court of the United States for the District of Idaho, Eastern Division,
8 on June 25, 1929, (hereinafter "Woodville Decree") and all other prior valid
9 decrees of such water.

III.

11 (a) That the defendant, Henry Eagle, is now and has been at all
12 times since March 3, 1959, the duly qualified and acting Watermaster of
13 Water District No. 36 of the State of Idaho; said District being duly created
14 and existing under the laws of the State of Idaho for the purpose of distributing
15 the waters within its boundaries, including all of the waters referred to and
16 affected by this action.

17 (b) That all of the lands of the parties Plaintiff hereinafter
18 described are located within the boundaries of, and irrigated by the waters of
19 Snake River and its tributaries within, said Water District No. 36.

IV.

21 That proper and sufficient notice of the pendency and purpose of
22 the above-entitled action was published in newspapers having general circulati
23 in the counties of Power, Cassia, Minidoka, Twin Falls, Jerome, Blaine,
24 Gooding, Lincoln and Elmore, Idaho, and that all provisions of Idaho Code
25 Section 42-1405 relating to notice and publication of notice have been complied
26 with.

V.

28 That the parties Plaintiff herein comprise all persons diverting
29 water from, and claiming or asserting rights to divert water from, the Snake
30 River and its tributaries above Milner Dam and within the boundaries of said
31 Water District No. 36, according to the records and filed of defendant Henry
32 Eagle; and comprise, collectively, all presently known parties who are or will
be affected by the entry of the Supplemental Decree to be entered herein.

VI.

(a) That the parties Plaintiff herein have over a period of many years, cooperated, planned and worked for a common fair, equitable and just plan designed to result in the most efficient, fair and complete beneficial use of all the waters of the Snake River and its tributaries.

(b) That such cooperative planning and adjustment of rights, the present and future, became and was particularly necessary prior to, and in connection with the planning for the Palisades Reservoir, the securing of Congressional authorization and appropriation for said reservoir and the irrigation projects related thereto and authorized in connection therewith, including particularly, but not limited to, the irrigation project, known as the Minidoka North Side Extension, hereinafter particularly described as being owned and operated by the A & B Irrigation District.

(c) That in connection with the establishment of the water rights for said Palisades Reservoir, it was particularly necessary for the parties Plaintiff to agree among themselves, and avoid extensive, expensive and delaying litigation by so agreeing upon a common priority date for those persons who were using, or were making plans to construct projects and perfect rights to use, the so-called "Flood Water Rights," being those waters of the river which were only available during periods of high flow, and which the parties Plaintiff had been using to the best of their ability and to the extent of their irrigation works, or were planning to use as projects were constructed; and that the parties Plaintiff did at such time agree on a common priority date of April 1, 1939, for such rights, which said agreement has been acted upon by all of the parties Plaintiff hereto continuously, and deliveries have been made in accordance therewith by defendant Henry Eagle.

(d) It was also known and agreed that as a result of the construction of Palisades Reservoir, it would be to the best interests of all water users to enter into contracts for the exchange of certain rights between those holding rights in Jackson Lake Reservoir and those holding rights in American Falls in order to reduce river transmission losses and to permit more effective

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1 river regulation by permitting the use of waters so far as possible by those
2 having diversions closest to the respective reservoirs.

3 (e) It was also known and agreed that the parties Plaintiff would
4 and they did, enter into specific contracts with the Bureau of Reclamation with
5 respect to their storage rights in Palisades Reservoir, Jackson Lake Reservoir
6 Island Park Reservoir, Grassy Lake Reservoir, Lake Walcott Reservoir, and
7 American Falls Reservoir and with respect to the acknowledgment and award
8 certain priorities as hereinafter more specifically set forth.

9 (f) That it was necessary to agree that additional projects
10 authorized by the Congress of the United States as an integral part of the
11 Palisades Reservoir legislation would have their proportionate rights in said
12 so-called flood water rights with said priority date of April 1, 1939, and that
13 said legislation was achieved, and said projects were authorized and constructed
14 and have been developed, on the basis of such understanding as to their water
15 rights, and that such projects have used water from the Snake River under such
16 claimed priority date as promptly as they were able to do so, dependent upon
17 the construction of their facilities.

18 (g) That it was also known and agreed that it was necessary that
19 the parties Plaintiff achieve a solution of the controversy as to the respective
20 rights of American Falls Reservoir District No. 2 and the other owners of
21 space in American Falls Reservoir which had been left unsettled by the Wood-
22 ville Decree; and that such settlement has been achieved between the parties
23 Plaintiff and the Bureau of Reclamation by provisions in the contracts as here-
24 after more specifically set out.

25 (h) That as a necessary condition to the authorization, financing,
26 and construction of the Palisades Reservoir, it was decided that there should
27 be certain savings of winter water to be accomplished by cessation of winter
28 deliveries and with accompanying added storage privileges for the users
29 ceasing such diversion and that this would be needed to be accomplished by
30 proper contracts with the Bureau of Reclamation, which contracts have been
31 executed.

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1 (i) And that it was further known that it would be necessary to
2 have proper contract provisions to afford the best and most economical use of
3 the waters of the river for storage, both temporary and permanent in the
4 various reservoirs and for mutually compatible, beneficial and non-conflicting
5 uses for power and irrigation, and contract provisions designed to accomplish
6 these purposes have been agreed upon and incorporated into contracts.

7 (j) That all of the individual contracts entered into between part
8 Plaintiff and the Bureau of Reclamation, Department of the Interior, United
9 States of America, were and are designed to be mutually binding upon all
10 parties entering similar contracts, and to be construed together in effect as
11 one overall contract with respect to the common paragraphs therein relating to
12 savings of winter water and accompanying special storage rights; consent to
13 exchanges of American Falls and Jackson Lake storage rights and to the
14 redefinition of those storage rights; temporary storage and exchange of water
15 and releases for power production; and consent to the priority of certain
16 existing and future water rights at Island Park Reservoir and American Falls
17 Reservoir and future reservoirs to be constructed.

18 (k) That since the execution of the Palisades contracts, the
19 operation of the dams, diversion and distribution works of the parties Plaintiff
20 and of the Bureau of Reclamation, Department of the Interior, United States of
21 America has conformed to the general scheme or plan set out in this Stipulation
22 and has recognized the priorities set out herein.

23 VII.

24 That all of the lands hereinafter described, to which water shall
25 be decreed herein, are arid in character and will not produce ordinary agri-
26 cultural crops without the application of irrigation water; and that all of said
27 lands require and need, in addition to all rights presently appurtenant to them,
28 the additional water herein stipulated to be decreed to them; and that all of said
29 water has been, can and will be applied to beneficial use in producing agricultural
30 crops thereon.

31 VIII.

32 That all of the water rights herein stipulated to be decreed to the
lands hereinafter described are and shall be in addition to and supplemental to

SCANNED
JAN 31 2007

1 all other existing water rights appurtenant to said lands; and that the addition
2 rights herein stipulated to be decreed hereby shall not in any way change, all
3 vary, or diminish any and all other water rights possessed or owned by the
4 parties hereto or appurtenant to the lands hereinafter described.

IX.

6 That all of the parties to this action to whom water rights are
7 stipulated to be decreed have constructed, operated, and now control and
8 maintain all necessary diversion dams, canals, laterals and distribution
9 systems adequate to divert and distribute to the proper lands all of the waters
10 herein stipulated to be decreed to them, in addition to all other water rights
11 owned by the said parties.

X.

13 That all of the supplemental waters herein agreed to be decreed
14 are required for and will be beneficially used for the production of agriculture
15 crops and associated domestic uses upon the lands to which they are stipulated
16 to be decreed and have been used and will be beneficially used in such manner
17 and such supplemental waters shall not be transferrable to any lands other
18 than those lands hereinafter described in Paragraph XVI.

XI.

20 That some of the rights hereinafter specifically agreed to be
21 decreed herein have been acquired by or decreed to the parties Plaintiff in
22 other proceedings or by other methods, and that it is the desire of the parties
23 Plaintiff hereto that all of such rights be stipulated, enumerated and decreed
24 in this action, in which all parties in interest in waters of Snake River above
25 Milner Dam are parties.

26 That it will greatly aid and assist all responsible State officials,
27 Watermasters and other officials in handling, managing and distributing the
28 waters of the Snake River and its tributaries above Milner Dam to have those
29 rights enumerated and listed in one decree as is intended to be accomplished
30 by this action.

31
32
SCANNED
JAN 31 2007

RECEIVED

MAY 25 2005

IN THE DISTRICT Department of Water Resources 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 1-7
Date Received: 9/14/1989
Receipt No: 3027702
Received By: [Signature]

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BURLEY IRRIGATION DIST Phone: (208)678-2511
246 E 100 S
BURLEY ID USA 83318

RECEIVED
JUN 09 2005

Department of Water Resources
Eastern Region

2. Date of Priority: 04/01/1939

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

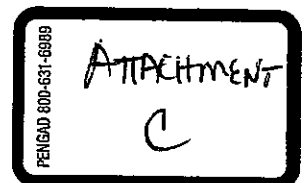
4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	LOCAL NAME
10S	22E	19	NW SE SE 01	CASSIA	CAREY
09S	25E	1	SW SE SW	CASSIA	DAM
10S	22E	22	NE NW 03	CASSIA	COORS
10S	22E	30	SW SE SE 01	CASSIA	HERBERT
10S	23E	21	NE NE 02	CASSIA	BURLEY AIRPORT
10S	23E	22	NW SW 02	CASSIA	BURLEY GOLF COURSE
10S	22E	21	NW NW 04	CASSIA	ANDERSON (SIMPLOT)
10S	22E	21	NW NE 02	CASSIA	ANDERSON (SIMPLOT)
10S	23E	19	NW NE 02	CASSIA	PEVEY

5. Description of diverting works:

MINIDOKA DAM & PUMPS

6. Water is used for the following purposes:



Purpose
IRRIGATION

From To
4/15 10/15

C.F.S.
163.4

(or) A.F.A

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

This claim is for 47,818 acres within the boundary of the Burley Irrigation District.

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:

14. Remarks:

A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.

IRR. ACRES NOT STATED WITHIN BURLEY IRR. DISTRICT.

TRANS. 3246.

A TOTALIZING METER OF A TYPE APPROVED BY THE DEPT. SHALL BE PERMANENTLY INSTALLED ON THE DIVERSION PTS.

USING PUMPS TO DIVERT WATER.

COORS PUMP: NESENW 22, T10S, R22E.

CAREY PUMP: NWSESE 19, T10S, R22E.

SOUTHSIDE MAIN CANAL: SWSESW 1, T9S, R25E.

LARGE CLAIM REPRESENTED BY CLAIM SUFFIXES Z0 & Z1.

CONFORMED ATTORNEY MAILING ADDRESS DMS

5-25-2005, DJ: CLAIM AMENDED TO RECORD INCREASE IN ACRES AND POINTS OF DIVERSION.

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 Manager of
Title
Burley Irrigation District, that I have signed the foregoing
Organization
document in the space below as Manager of
Title
Burley Irrigation District and that the statements contained in the
Organization
foregoing document are true and correct.

Douglas Jones
Signature of Authorized Agent

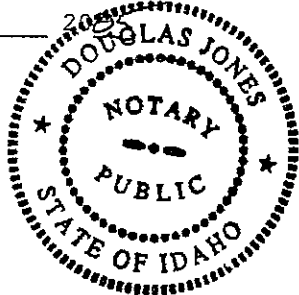
Manager Burley Irrigation District
Title and Organization

May 25, 2005
Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 25th

of May



Douglas Jones
Notary Public

Residing at Buhl ID

My commission Expires 8/8/2007

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 1-8
Date Received: 4/15/2005
Receipt No: S010024
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

MINIDOKA IRRIGATION DIST Phone: (208)436-3188
98 W 50 S
RUPERT ID USA 83350

2. Date of Priority: 04/01/1939

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
09S	25E	1	SE SW 7	MINIDOKA	

5. Description of diverting works:

MINIDOKA DAM, CANALS, LATERALS, WELLS, PUMPS, HEADGATES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	266.6	

7. Total Quantity Appropriated is:
266.6 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
08S	24E	25	NE SE	IRRIGATION	40
			NW SE	IRRIGATION	40
			SW SE	IRRIGATION	40
			SE SE	IRRIGATION	40

					Section Acres	145
10S	24E	30	NE	NE	IRRIGATION	38
			NW	NE	IRRIGATION	40
			SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	36
			NE	NW	IRRIGATION	35
			NW	NW	IRRIGATION	23
			SW	NW	IRRIGATION	20
			SE	NW	IRRIGATION	40
			NE	SE	IRRIGATION	3
			NW	SE	IRRIGATION	36
			SW	SE	IRRIGATION	7
					Section Acres	318
					Total Acres	77490

11. Place of use in counties: MINIDOKA, CASSIA

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

13. Other Water Rights Used:

14. Remarks:

CLAIM RENUMBERED FROM 1-10195.

STORAGE RIGHTS IN JACKSON LAKE, PALISADES, AMERICAN FALLS, LAKE WALCOTT AND NATURAL & RETURN FLOWS UNDER TWIN FALLS CANAL VS. FOSTER, BURLEY IRRIGATION DISTRICT VS. EAGLE, WATER RIGHT NUMBERS 4126 AND 4799.

A01-10187 THROUGH A01-10196 REPRESENT THE DISTRICTS SNAKE RIVER CFS AND STORAGE RIGHTS.

MINIDOKA IRRIGATION DISTRICT INCLUDES PROPERTY IN CASSIA COUNTY, (7,146 ACRES), AS WELL AS MINIDOKA COUNTY, (70,344 ACRES).

THIS CLAIM REPRESENTS DECREE 01-00008.

DUE TO LIMITATIONS OF THE COMPUTER TO HANDLE LARGE PLACES OF USE CLAIMS, THIS CLAIMS P/U IS LISTED ON A01-10187Z0, Z1 & Z2.

*****8 5-11-98: CHANGED ADDRESS OF ATTY KENT FLETCHER - VH

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

Ident. Number: A01-00009
Date Received: 8/11/1989
Receipt No: S008827
Received By: AD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MILNER IRRIGATION DISTRICT
Address: RT. 1
MURTAUGH, ID 83344
208-432-5560
 2. Date of Priority: APR 01, 1939
 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
10S	21E	29	NE	SE	SE		TWIN FALLS
 5. Description of diverting works:
MILNER DAM RESERVOIR TO PUMPS TO CANAL SYSTEM
 6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	121.000		
 7. Total Quantity Appropriated is:
121.000 C.F.S. (and/or) A.F.A.
 8. Total consumptive use is 40905.0 Acre Feet Per Annum.
 9. Non-irrigation uses:
NONE
 10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
----------	-------	---------	--------	-----	-----	-----	-------
 11. Place of use in counties:
 12. Do you own the property listed above as place of use? NO
- A01-00009 Page 1 Date: 08/21/89

MICROFILMED

MAR 20 1993

13. Other Water Rights Used:
SEE REMARKS

14. Remarks:

P/U WITHIN LANDS SERVED BY MILNER IRRIGATION DISTRICT.
P/D AT PUMPS IN MILNER POOL.

SEE A01-00017 FOR PLACE OF USE.

OTHER WATER RIGHTS: A01-00017, A45-04171, A01-02050, A45-00463,
A01-02064B AND A01-02068D.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

BURLEY IRR. DIST. ET AL

Decree Plaintiff

vs

HENRY EAGLE

Decree Defendant

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MAR 20 1993

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
_____, that I have signed the foregoing
_____, that I have signed the foregoing
document in the space below as _____ of
_____ and that the statements contained in the
_____ 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 _____ day
of _____ 19 _____

Notary Public

Seal

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
Ident. Number: A01-00014
Date Received: 4-11-1990
Receipt No: 5011959
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: A & B Irrigation District Phone: (208) 436-3152
Address: P.O. Box 675
Rupert, Idaho 83350
2. Date of Priority: April 1, 1939
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
10S	21EBM	24	SE		SW		SW		Jerome
5. Description of diversion works:

Unit A Pumping Plant, canal, laterals, drains and six relift pumps, all as shown by the irrigable area plats submitted with this claim.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or) A.F.
Irrigation	April 1	Nov 1	267	
7. Total Quantity Claimed is:

267 (C.F.S.) (and/or) (Acre Feet)
8. Total consumptive use claimed is:

47,040 Acre Feet Per Annum.
9. Non-irrigation uses:

None

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APR 11 1990

Department of Water Resources
Southern Region Office
MICROFILMED

MAR 20 1993

10. Description of place of use:

See irrigable area plats submitted with the claims of A & B Irrigation District showing total lands being irrigated under Unit A Pumping Plant

Total number of acres irrigated. 15,680

11. In which county (ies) are lands listed above as place of use located?

Jerome and Minidoka

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

13. Other water rights used at the same place and for the same purposes as described above.

License 01-2060, 01-2068, 01-2064, 36-2080 (20736) and claim to water by beneficial use.

14. Remarks:

Although this claim is for all irrigable lands within A & B Irrigation District, consisting of 81,981.6 acres at this time, water is only diverted by the Unit A Pumping Plant at this time, for 15,680 acres.

15. Basis of Claim: Decree issued by the District Court of the Fifth Judicial District of the State of Idaho, in and for the County of Twin Falls, in case entitled Burley Irrigation District vs. Henry Eagle, dated July 10, 1968.

Water Right Number: 01-0014

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: See irrigable area maps of A & B Irrigation District showing the irrigable acres of the District, locations of the irrigable acres and diversion works.

For Organizations:

I do solemnly swear or affirm that I am President (Title), of A & B Irrigation District (Organization), that I have

MICROFILMED

Last Name A & B Irrigation District

MAR 20 1993
Ident. No.

signed the foregoing document in the space below as
President (Title) of A & B Irrigation District
Organization) and that the statements contained in the foregoing
document are true and correct.

Tony Moore
Signature of Authorized Agent

President-A & B Irrigation Dist.
Title and Organization

April 11, 1990
Date

State of Idaho)
County of Minidoka) ss.

Subscribed and sworn (or affirmed) before me this 11th day of
April, 1990.

(SEAL)

Stephen R. Ling
Notary Public for Idaho
Residing at: Rupert, Idaho
My Commission Expires: 10/30/94

17. Notice of Appearance:

Notice is hereby given that I, Roger D. Ling, will be acting
as attorney at law on behalf of the claimant signing the
above, and that all notices required by law to be mailed by
the director to the claimant signing above should be mailed
to me at the address listed below.

Signature: Roger D. Ling
Roger D. Ling

Address: P. O. Box 396, Rupert, ID 83350

Date: April 11, 1990

MICROFILMED

Last Name A & B Irrigation District

MAR 20 1993
Ident. No. _____