

A 32-0006

T. 9 N.

T. 8 N.

CLARK CO
JEFFERSON CO



IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RENO DITCH COMPANY INC PO BOX 5 REXBURG ID 83440	04/01/1904	IRRIGATION	04-01 11-01	3.200 CFS	560.00 AFA
TOTAL DIVERSION:					3.200 CFS	560.00 AFA

Water Source: BIRCH CREEK

Tributary to: SINKS

Stage: DECREED

Point(s) of Diversion: T09N R30E S34 SESESW CLARK County

Place of use Legal Description for: IRRIGATION

NE										NW										SW										SE										
T		R		S		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac		SUM		
08N	31E	12	:							:																											200.0			
08N	31E	13	:	40		40		40		40		40		40		40		40		40		40		40		40		40		40		40		40		480.0				
08N	31E	14	:	40				40																												80.0				
08N	32E	1	:	01-34		02-34		40		40		03-34		04-20		40		40		40		40		40		40		40		40		40		40		602.0				
08N	32E	2	:	01-02				03		30								03				03		30		40		40		40		40		40		231.0				
08N	32E	10	:							15								40		03-41		04-42		40		40		40		40		40		40		338.0				
08N	32E	11	:	40		40				40		40		20		40		40		40		40		40											420.0					
08N	32E	12	:			40						40		40		40																			160.0					
08N	32E	14	:									40		40																						80.0				
08N	32E	15	:	40		40		40		40		40		42		42		40																		324.0				
08N	33E	5	:									03-34		04-34		40		40		40																228.0				
08N	33E	6	:	01-34		02-34		40		40		03-34		04-17		05-20		40		40		06-20		07-20		40		40		40		40		40		539.0				
08N	33E	7	:	40		40		40		40		40														40		40		40		40		40		360.0				
08N	33E	8	:									40		40		40		40		40		40		40											320.0					
09N	31E	31	:															40		03-40		04-40		40		40		40		40		40		40		320.0				
09N	31E	32	:	40		40		40		40		40		40		40		40		40		40		40		40										480.0				
09N	32E	36	:	40		40		40		40		40		40		40		40		40		03-35		04-41		40		40		02-40		01-40				636.0				
TOTAL ACRES																												5798.0												

POU County: CLARK, JEFFERSON

Other Rights: 32-00080B, 00059, 02100, 10129, 10128.

Remarks: QNT USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 77.06 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 11,579.2 AF. RIGHTS OF THE RENO DITCH COMPANY: 32-00058, 32-00059, 32-00060, 32-00061C, 32-00061D, 32-00062, 32-00063, 32-00064, 32-00065, 32-00066, 32-00068, 32-00069, 32-00070A, 32-00070B, 32-00073, 32-00074, 32-00075, 32-00076, 32-00077, 32-00078, 32-00079, 32-00080, 32-00083, 32-00085, 32-00086, 32-00087, 32-00089, 32-00090A, 32-00091, 32-00092, 32-00093, 32-00101, 32-00102, 32-02043 & 32-02045.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1120.0 AF.

AJ5809NP
No. R32-00062

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 07/29/99
PAGE: 12

Remarks: COMBINED RIGHT NOS.: 32-000708, 32-02045.

POU1 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160.0 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH THE RIGHTS OF THE RENO DITCH COMPANY
LISTED ABOVE IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF
3,427 ACRES IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 320.0 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-000708,
32-02045.

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number: 32D	Field Inspection Flag:	
		Presumption Flag: D	

STATE OF IDAHO.
DEPARTMENT OF RECLAMATION.

In the Matter of the Application	)	
of Torrey A. Reno, for Transfer	(	ORDER GRANTING CERTIFICATE.
of Water Right.	)	Case No. 34.
Water District No. 39	(	

This case came on regularly for hearing, pursuant to the published notice, on the 9th day of March, 1920, at Dubois, Idaho, before J. E. Badley, a representative of this Department.

At the time of the hearing, an appearance was made by the applicant herein, wherein certain evidence was offered in support of the application for transfer, as set forth completely in the files herein, and, upon examination of same, it is evident that no one would be injured by granting such transfer, but that loss of water would result from the delivery of a portion of the water to be transferred, down the channel of the stream.

WHEREFORE, It is ordered that said application for transfer be granted, subject to actual losses of the water that may occur, due to change in the point of diversion, which loss may afterwards be determined by this Department, and that a certificate of transfer be issued therefor, in accordance with the Statutes and placed on record in the Department of Reclamation of the State of Idaho.

IN WITNESS WHEREOF, I have herunto set my hand and affixed the official seal of this Department, at Boise, Idaho, this 20th day of March, 1920.


Commissioner of Reclamation.

Ernie

This is from vault file
32-00062.

Carte

Application for Transfer of Water Right

RECEIVED

DEC 13 1919

DEPARTMENT OF RECLAMATION

STATE OF IDAHO,
County of Washington

ss.

Eva Reno

, being first duly sworn, deposes and says:

That ~~his~~ ^{her} name is Eva Reno; that ~~he~~ ^{she} is of lawful age, a citizen of the United States and of the State of Idaho, and that ~~his~~ ^{her} postoffice address is

Winsper, Idaho.

That ~~he~~ ^{she} is the owner and using a certain water right, bearing date of priority of Aug. 19, 1886 & Apr. 1, 1904, for four cubic feet per second of the waters of Birch Creek, County of Fremont, State of Idaho, decreed to Clara Granger & F.E. Granger, and Franklin A. Reno by decree of Judge, J. G. Gwinn, of the Ninth Judicial District of the State of Idaho, in and for the County of Fremont, in the case of Agnes B. Reno et al. vs. J. R. Richards, et al., said decree bearing date of June 1915.

~~That said water right was decreed to said Clara Granger & F.E. Granger, and Franklin A. Reno, by decree of Judge J. G. Gwinn, of the Ninth Judicial District of the State of Idaho, in and for the County of Fremont, in the case of Agnes B. Reno et al. vs. J. R. Richards, et al., said decree bearing date of June 1915.~~
Aug. 19, 1886, and April 1, 1904.

for the purpose of irrigating the following described lands situate, lying and being in Water District Fremont and No. in the County of Jefferson and State of Idaho, to wit: E $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 25, and E $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 36, T. 8 N., R. 30 E., Fremont County (water for which was decreed to Clara Granger and F. E. Granger), and S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 7, T. 8 N., R. 33 E. (water for which was decreed to Franklin A. Reno).

and is the person (or the representative of the corporation) to whom such right so issued, or has become the owner thereof in the following manner, i. e. deed from Agnes B. Reno and Jerome F. Reno, her husband, and Franklin A. Reno, as per abstract of title of said water right hereto attached and made a part of this statement:

That said waters are now diverted from said stream at NW $\frac{1}{4}$ Sec. 25, T. 8 N., R. 30 E., and SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 3, T. 8 N., R. 30 E. and conducted to the above described lands through proposed new ditch and the old Reno ditch, combined as per map herewith and of this affidavit made a part;

That affiant and petitioner desires to abandon the use of four cubic feet per second of said water upon the above described land, and to convey and use same upon the following tract, situate, lying and being in the County of Jefferson and State of Idaho, to wit: SE $\frac{1}{4}$ Section 7 and the SW $\frac{1}{4}$ Section 8, Township 8 north, Range 33 E.

That his reasons for desiring to make such transfer are as follows: The water is no longer required on the land for which the water is abandoned, and it is absolutely necessary to procure the transfer in order to procure title to said SE $\frac{1}{4}$ Sec. 7 and the SW $\frac{1}{4}$ Sec. 8, T. 8 N., R. 33 E., said land being now in an unperfected desert-land entry.

That he intends to divert and convey said four second feet of water to the tract of land last above described in the following manner, to wit: Through a proposed new ditch diverting said water from Birch creek at a point in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 6, Twp. 9 N., Range 30 E., and running thence southeasterly to a point in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 7, Twp. 8 N., R. 31 E., where it will connect with the old Reno ditch, and thence in a generally easterly course to the land to be irrigated; but for the present the point of diversion will be in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 3, T. 8 N., R. 30 E., as set forth upon the map herewith; and that no one will be injured by such transfer.

WHEREFORE, Affiant and Petitioner prays that the Commissioner of Reclamation of the State of Idaho issue to him the proper certificate authorizing such transfer, and give proper notice of the same to the Water Master of Water District No. _____, in accordance with the provisions of Section 3264 of the Revised Codes of Idaho, as amended.

Subscribed and sworn to before me this 15 day of November, _____

A. D. 1919.

Jose G. Garcia
Notary Public for the State of Idaho,
~~Residing at~~ Residing at Weiser, Idaho.

APPLICANT WILL ANSWER THE FOLLOWING QUESTIONS:

From what stream is the water diverted? Birch creek.
Where is the diversion point located? No. 1 is in NW $\frac{1}{4}$ Sec. 25, T. 8 N., R. 30 E., and the other is in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 3-8N-30 E.
Through what ditch is it now conducted? The old Kuharski ditch and the Reno ditch.
How much land is now irrigated by the water sought to be transferred? Two hundred
.8 of a cu. ft. now used on the E $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 25 and E $\frac{1}{2}$ NW $\frac{1}{4}$
Give the description: Sec. 36, T. 8 N., R. 30 E., and 3.2 cubic feet now
used on the S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 7, T. 8 N., R. 33 E.
What is the total amount of water in inches, or second feet, dedicated to said land? 3.2 cubic
feet per second decreed to each of these two 160-acre tracts.
What kind of crops are being raised? Hay and grain.
How much water per acre is now required to irrigate said land? One inch per acre.
What will be the effect on the land now irrigated, if the use of water on it is discontinued?
It will probably revert to its native state.
From what stream will the water be diverted if the transfer is made? Birch creek.
Give location of new point of diversion SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 3, T. 8 N., R. 30 E., but there
will be a ditch built later as shown on map, "Proposed new ditch."
Through what ditch will it be conducted after transfer? The Reno ditch.
How much water will be required per acre to irrigate the land to which this water is transferred?.....
5/8 of a miner's inch per acre.
Do you claim any other water right for the land from which you seek to abandon the use of this water? No.
Is there now any other water right for the land to which you seek to make this transfer? No.

Signed Jose G. Garcia
Applicant.

STATE OF IDAHO,

County of

Clark

ss.

S. B. Clark

and

Fred Woodie

being first duly sworn, each for himself, and not one for the other, deposes and says: That he is a citizen of the United States and of the State of Idaho, residing at

Hubers

that he is a user of water from Birch Creek, in Water District No. 39,

Jefferson and

County of Fremont,

State of Idaho; that he has read or heard read the foregoing affi-

davit and petition of Eva Hen and is familiar with its allegations and with the water right and lands therein mentioned and described and is not in any way interested in either, nor in any way related to said petitioner; that the statements and allegations therein made are true of his own knowledge; and that no one will be injured by the granting of the certificate authorizing the transfer therein petitioned,

Provided that shortage caused by such transfer are taken into account.

Witness my hand and seal of office at

Hubers Idaho.

Subscribed and sworn to before me this 12 day of November.

A. D. 1919.

[Signature]

Notary Public for the State of Idaho,
Residing at Hubers Idaho.

STATE OF IDAHO,

County of

Clark

ss.

I, E. C. Gilstrap, Watermaster of Birch Creek

Water District No. 39, County of Clark, State of Idaho, whose postoffice address

is Winifer, have read or heard read the foregoing affidavit and petition

of Eva Reno, and, of my own knowledge, believe the same to be true as to all matters therein alleged, and that no one will be injured by the transfer prayed to be authorized; and I hereby endorse my approval of said petition, and request that the Commissioner of Reclamation issue the certificate of transfer as petitioned; or (do not approve of the issuance of the certificate of transfer prayed for) for the following reasons:

- E. C. Gilstrap

Watermaster, Dist. No. 39

Dated at Winifer, Idaho, this November 10, 1919.

This image shows a full page of graph paper. It features a grid of solid lines that divide the page into large rectangular sections. Within each of these large sections, there is a further division by dashed lines, creating a finer grid. At the top edge of the page, centered horizontally, there are two circular punch holes. The entire page is covered by this grid pattern, leaving no margins or other markings.

Scale: 2 Inches—1 Mile. Draw Plan in Ink

East half SW $\frac{1}{4}$ Sec.

1. State lands from which the transfer is desired:
25.E $\frac{1}{2}$ NW $\frac{1}{4}$ sec. 36.Tsp 8 North Range thirty E. B. M. 1917
North half of the North half Section 6. Tsp. 8 N. R. 32.
1917 Sec. 13. Tsp. 8 N. R. 32.
2. State amount, source, and date of water right, covering the land:
4.0 Cu. Ft. Per Second, Birch Creek, 1.6 May 1918.
1918. 3.2. Cu Ft. per Second
April 1 1904. .8 cu ft. per sec. Aug. 19 1886.
3. State the present point of diversion by 40 acre tract:
1.6 cu. ft. NW $\frac{1}{4}$ sec 11 T. 10. 25. 2.4 Cu. ft. SW $\frac{1}{4}$ sec 21. T
Southwest quarter Southeast quarter Sec. 3. T. 8. N. R. 30.
Agnes B. Reno. NE SW $\frac{1}{4}$ Sec. 25.
4. Who owns the above described lands:
Jerome F. Reno. 1918.
E $\frac{1}{2}$ NW $\frac{1}{4}$ sec. 36. Tsp 8 N. R. 30 E. B. M. N $\frac{1}{2}$ N $\frac{1}{2}$ Sec 6 Franklin A. Reno.
5. How obtained: By purchase
Part by purchase and part by Homestead entry.
6. State how the water right was secured: By Decree.
7. How much of this land is in cultivation and under irrigation: 200 acres
8. State kind of crops: None at this time
9. Is any portion of the above lands swampy, and if so, to what extent: None.
10. When was water first used on the above described lands:
N $\frac{1}{2}$ N $\frac{1}{2}$ Section 6. 1917. E $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 25. T. 8 N. R. 30. 1918.
E $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 36. Tsp 8 N. R. 30. 1918.
11. How much of the above described lands will be irrigated if the transfer is granted: None.
12. How much water per acre, will be necessary: None
13. Are there any water rights, other than the one above described, attached to the said lands, and if so, state same: None.
14. Describe the lands to which the transfer is desired:
South East quarter Sec. 7. Southwest quarter Sec. 8. T. 8. N. R. 30.
33 E. B. M.
15. Who is the owner of same, and how acquired:
Jerome F. Reno. Filed on as Desert Entry.
Eva Reno. Filed on same as Desert Entry.

16. If there is any water right attached to the above lands at present, state source, amount, date, how acquired: none

None.

Used some high water and waste water. Thru the Reno Ditch.

17. State point of diversion: SE SE $\frac{1}{4}$ Sec. 3. Tsp. 8. N.R. 30.

18. How much of this land in cultivation and irrigation: Three hundred acres.

19. How much water per acre is required for these lands: 5/8 Miners inches.

20. If the transfer is granted, describe the new point of diversion: SE SE $\frac{1}{4}$ Section 3. Tsp. 8. N.R. 30 E.B.M.

21. How long have these lands been irrigated, and when was water last used on them: By waste water for the past seven years.

22. How much of the above described lands will be irrigated if the transfer is granted: Three hundred twenty acres.

23. Are any of these lands already irrigated? Three hundred twenty.

24. What are the reasons for desiring said transfer: None.

None.

25. What are the reasons for desiring said transfer: None.

Better soil, and grows more crops per acre. and also
for a permanent water right.

E. A. Reno

Applicant.

Subscribed and sworn to before me this 11th day of March 1919.

Jos. T. Gallagher
Notary Public

Residing at Reno, Ida

My commission expires: Nov 30th 1920

RECEIVED
DEC 20 1995
Department of Water Resources

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

A. Subcase 32-00062

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior, Bureau of
Land Management, Idaho State Office
Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657
Daytime Phone: see below
Name & Address of Attorney, if any:

Larry A. Brown 208 387-0835; Paul F. Holleman, 202 305-0494

United States Department of Justice; Environment and Natural Resource Division; General Litigation Section
550 West Fort Street, MSC 033; Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Reno Ditch Company, Inc.
Address: P.O. Box 5, Rexburg, ID. 83440
Name:
Address: ,
Name:
Address: ,
Name:
Address: ,

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**

Should be: _____

2. ☐ **Source**

Should be: _____

3. ☐ **Quantity**

Should be: _____

4. ☐ **Priority Date**

Should be: _____

5. ☐ **Point(s) of Diversion**

Should be: _____

6. ☐ **Instream Flow Description**

Should be: _____

7. ☐ **Purpose(s) of Use**

Should be: _____

8. ☐ **Period of Year**

Should be: _____

9. ☒ **Place of Use**

Should be: See attached

11. **I object because:**

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant's use of Federal land is unauthorized. See attached POU. Claimant's water right should not include this POU.

F.

VERIFICATION (Must be Completed)

State of Idaho)

) ss.

County of Ada)

Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

Larry C. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: December 16, 1999

Jean Earl
Jean Earl

Notary Public for Idaho

Residing at: Boise

My Commission Expires: 08-01-2002

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on December 17, 1999, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Reno Ditch Company, Inc.

Address: P.O. Box 5, Rexburg, ID. 83440

Name:

Address: ,

Name:

Address: ,

Name:

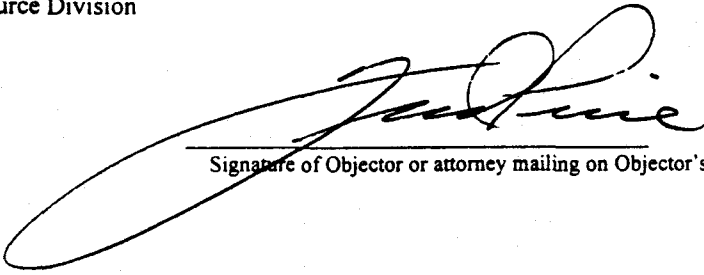
Address: ,

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney mailing on Objector's behalf

 RIGHTS FROM : SOURCE: BIRCH CREEK TRIBUTARY: SINKS

 RIGHT NUMBER : 32-00062

 NAME & ADDRESS : RENO DITCH COMPANY INC
 PO BOX 5
 REXBURG ID 83440

 SOURCE: BIRCH CREEK TRIBUTARY: SINKS

 QUANTITY: 3.2 CFS
 560.0 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
 TOTAL COMBINED DIVERSION RATE OF 77.06 CFS AND TO A TOTAL
 COMBINED ANNUAL DIVERSION VOLUME OF 11,579.2 AF. RIGHTS OF THE
 RENO DITCH COMPANY : 32-00058, 32-00059, 32-00060, 32-00061C,
 32-00061D, 32-00062, 32-00063, 32-00064, 32-00065, 32-00066,
 32-00068, 32-00069, 32-00070A, 32-00070B, 32-00073, 32-00074,
 32-00075, 32-00076, 32-00077, 32-00078, 32-00079, 32-00080,
 32-00083, 32-00085, 32-00086, 32-00087, 32-00089, 32-00090A,
 32-00091, 32-00092, 32-00093, 32-00101, 32-00102, 32-02043 &
 32-02045.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
 TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1120.0 AF.
 COMBINED RIGHT NOS.: 32-00070B, 32-02045.

PRIORITY DATE : 04/01/1904

POINT OF DIVERSION : T09N R30E S34

SESESW BLM

Within CLARK County

PURPOSE AND
 PERIOD OF USE : PURPOSE OF USE
 IRRIGATION

PERIOD OF USE
 04-01 11-01

QUANTITY
 3.2 CFS
 560.0 AFY

PLACE OF USE:

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160.0 ACRES WITHIN
 THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS OF THE RENO DITCH COMPANY
 LISTED ABOVE IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF
 3,427 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
 THE IRRIGATION OF A COMBINED TOTAL OF 320.0 ACRES IN A SINGLE
 IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00070B,
 32-02045.

PLACE OF USE WITHIN THE BOUNDARY OF THE RENO DITCH COMPANY.
 TOTAL IRRIGATED ACRES: 5,798.

Issues:

Point of diversion on BLM

A review of the Idaho Department of Water Resources shape files
 for this claim indicates that the following places of use reside on
 public land administered by the Bureau of Land Management :

T.8N, R.31E, S.12 NESE
 T. 8N, R. 32E, S.02 SWSW
 T.8N, R.32E, S.10 SENE

AJ5856N?

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

DATE: OCT-14-1999
PAGE: A-37

RIGHTS FROM : SOURCE: BIRCH CREEK TRIBUTARY: SINKS

RIGHT NUMBER : 32-00062 (CONT)

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.

EXPLANATORY MATERIAL : BASIS OF CLAIM - DECREE

RECEIVED

DEC 20 1999

Department of Water Resources

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

A. Subcase 32-00062

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior, Bureau of
Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown 208 387-0835; Paul F. Holleman, 202 305-0494

United States Department of Justice; Environment and Natural Resource Division; General Litigation Section
550 West Fort Street, MSC 033; Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Reno Ditch Company, Inc.

Address: P.O. Box 5, Rexburg, ID. 83440

Name:

Address: ,

Name:

Address: ,

Name:

Address: ,

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**

Should be: _____

2. ☐ **Source**

Should be: _____

3. ☐ **Quantity**

Should be: _____

4. ☐ **Priority Date**

Should be: _____

5. ☐ **Point(s) of Diversion**

Should be: _____

6. ☐ **Instream Flow Description**

Should be: _____

7. ☐ **Purpose(s) of Use**

Should be: _____

8. ☐ **Period of Year**

Should be: _____

9. ☒ **Place of Use**

Should be: See attached

11. **I object because:**

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):**

The United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant's use of Federal land is unauthorized. See attached POU. Claimant's water right should not include this POU.

F.

VERIFICATION (Must be Completed)

State of Idaho)

) ss.

County of Ada)

Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

Larry C. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: December 16, 1999

Jean Earl

Notary Public for Idaho

Residing at: Boise

My Commission Expires: 08-01-2002

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on December 17, 1999, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Reno Ditch Company, Inc.
Address: P.O. Box 5, Rexburg, ID. 83440

Name:
Address: ,

Name:
Address: ,

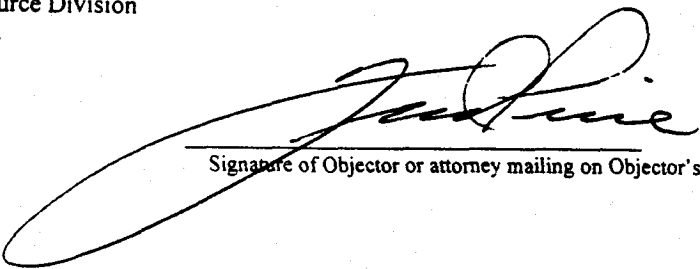
Name:
Address: ,

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449



Signature of Objector or attorney mailing on Objector's behalf

RIGHTS FROM : SOURCE: BIRCH CREEK TRIBUTARY: SINKS
RIGHT NUMBER : 32-00062

NAME & ADDRESS : RENO DITCH COMPANY INC
PO BOX 5
REXBURG ID 83440

SOURCE: BIRCH CREEK TRIBUTARY: SINKS
QUANTITY: 3.2 CFS
560.0 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 77.06 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 11,579.2 AF. RIGHTS OF THE RENO DITCH COMPANY : 32-00058, 32-00059, 32-00060, 32-00061C, 32-00061D, 32-00062, 32-00063, 32-00064, 32-00065, 32-00066, 32-00068, 32-00069, 32-00070A, 32-00070B, 32-00073, 32-00074, 32-00075, 32-00076, 32-00077, 32-00078, 32-00079, 32-00080, 32-00083, 32-00085, 32-00086, 32-00087, 32-00089, 32-00090A, 32-00091, 32-00092, 32-00093, 32-00101, 32-00102, 32-02043 & 32-02045.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1120.0 AF. COMBINED RIGHT NOS.: 32-00070B, 32-02045.

PRIORITY DATE : 04/01/1904

POINT OF DIVERSION : T09N R30E S34

SESESW BLM

Within CLARK County

PURPOSE AND PERIOD OF USE : PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04-01 11-01

QUANTITY
3.2 CFS
560.0 AFY

PLACE OF USE:

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160.0 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH THE RIGHTS OF THE RENO DITCH COMPANY LISTED ABOVE IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 3,427 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 320.0 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00070B, 32-02045.

PLACE OF USE WITHIN THE BOUNDARY OF THE RENO DITCH COMPANY. TOTAL IRRIGATED ACRES: 5,798.

Issues:

Point of diversion on BLM

A review of the Idaho Department of Water Resources shape files for this claim indicates that the following places of use reside on public land administered by the Bureau of Land Management :

T.8N, R.31E, S.12 NESE
T. 8N, R. 32E, S.02 SWSW
T.8N, R.32E, S.10 SENE

AJ5856N2

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

DATE: OCT-14-1999
PAGE: A-37

RIGHTS FROM : SOURCE: BIRCH CREEK TRIBUTARY: SINKS

RIGHT NUMBER : 32-00062 (CONT)

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.

EXPLANATORY MATERIAL : BASIS OF CLAIM - DECREE

Easter

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5450

WATER RIGHT NO(S). 32-00058/32-00059/32-00060/32-00061C/32-00061D
32-00062/32-00063/32-00064/32-00065/32-00066/32-00068/32-00069
32-00070A/32-00070B/32-00073/32-00074/32-00075/32-00076/32-00077
32-00078/32-00079/32-00080/32-00083/32-00085/32-00086/32-00087
32-00089/32-00090A/32-00091/32-00092/32-00093/32-00101/32-00102
32-02043 & 32-02045

This is to certify that: **RENO DITCH COMPANY**
C/O KENT FOSTER
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405

The requested changes have been reviewed in accordance with the provisions of Section 42-222, Idaho Code, and are hereby approved as hereafter set forth. The rights shall be used as herein described in accordance with the conditions of approval and applicable laws and rules.

	<u>PRIORITY</u>	<u>DIVERSION RATE</u>	<u>ACRES</u>	<u>ANNUAL VOLUME</u>
Right No. 32-00058 :	04/01/1910	1.00 CFS	67.0	234.5 AF
Right No. 32-00059 :	05/10/1884	6.40 CFS	320.0	1120.0 AF
Right No. 32-00060 :	05/10/1883	3.20 CFS	320.0	1120.0 AF
Right No. 32-00080 :	05/10/1886	3.20 CFS	320.0	1120.0 AF
Right No. 32-00061C :	05/10/1888	0.40 CFS	20.0	70.0 AF
Right No. 32-00068 :	05/10/1887	3.20 CFS	160.0	560.0 AF
Right No. 32-00069 :	05/10/1888	3.20 CFS	160.0	560.0 AF
Right No. 32-00073 :	05/15/1909	0.20 CFS	160.0	84.9 AF
Right No. 32-00077 :	05/15/1910	0.20 CFS	160.0	84.9 AF
Right No. 32-00078 :	05/15/1911	0.20 CFS	160.0	84.9 AF
Right No. 32-00079 :	05/15/1913	0.80 CFS	160.0	339.6 AF
Right No. 32-00085 :	05/10/1910	0.20 CFS	120.0	84.9 AF
Right No. 32-00086 :	05/01/1911	0.20 CFS	120.0	84.9 AF
Right No. 32-00087 :	05/01/1912	0.20 CFS	120.0	84.9 AF

TRANSFER NO. 5450

Right No. 32-00089	:	05/10/1888	2.50 CFS	160.0	560.0 AF
Right No. 32-00090A	:	05/10/1886	0.80 CFS	80.0	280.0 AF
Right No. 32-00091	:	05/01/1901	0.50 CFS	240.0	212.2 AF
Right No. 32-00092	:	05/10/1888	2.50 CFS	240.0	840.0 AF
Right No. 32-00093	:	05/10/1886	1.60 CFS	240.0	679.2 AF
Right No. 32-00102	:	05/10/1889	4.00 CFS	120.0	420.0 AF
Right No. 32-00061D	:	05/10/1888	2.80 CFS	140.0	490.0 AF
Right No. 32-00070A	:	08/19/1886	2.40 CFS	120.0	420.0 AF
Right No. 32-02043	:	09/19/1912	6.40 CFS	320.0	1120.0 AF
Right No. 32-00062	:	04/01/1904	3.20 CFS	160.0	560.0 AF
Right No. 32-00070B	:	09/19/1886	0.80 CFS	40.0	140.0 AF
Right No. 32-02045	:	11/16/1912	6.40 CFS	320.0	1120.0 AF
Right No. 32-00063	:	04/01/1904	3.20 CFS	159.2	557.2 AF
Right No. 32-00065	:	05/10/1884	3.20 CFS	160.0	560.0 AF
Right No. 32-00064	:	04/01/1907	3.20 CFS	160.0	560.0 AF
Right No. 32-00066	:	01/05/1910	6.40 CFS	320.0	1120.0 AF
Right No. 32-00074	:	10/01/1910	0.14 CFS	160.0	59.4 AF
Right No. 32-00075	:	05/15/1911	0.26 CFS	160.0	110.4 AF
Right No. 32-00076	:	05/15/1912	0.80 CFS	160.0	339.6 AF
Right No. 32-00083	:	05/15/1912	0.46 CFS	160.0	195.3 AF
Right No. 32-00101	:	06/04/1909	2.90 CFS	160.0	560.0 AF
TOTALS:			* 77.06 CFS	* 3427.0	* 11579.2 AF

BENEFICIAL USE
IRRIGATION

PERIOD OF USE
04/01 to 11/01

SOURCE
BIRCH CREEK

TRIBUTARY OF
SINKS

TRANSFER NO. 5450

LOCATION OF POINT(S) OF DIVERSION: SESW , Sec. 34, Township 09N, Range 30E
CLARK County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08N	31E	12	SESW 40	NESE 40	NWSE 40	
			SWSE 40	SESE 40		200
		13	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	NESE 40	NWSE 40	480
		14	NENE 40	SENE 40		80
32E	1	Lot 1 (NENE)	34	Lot 2 (NWNE)	34	SWNE 40
			SENE 40	Lot 3 (NENW)	34	Lot 4 (NWNW) 20
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			602
	2	Lot 1 (NENE)	2	SWNE 3	SENE 30	
			NESW 3	SWSW 3	SESW 30	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			231
	10		SENE 15	NESW 40	Lot 3 (NWSW) 41	
		Lot 4 (SWSW)	42	SESW 40	NESE 40	
			NWSE 40	SWSE 40	SESE 40	338
	11		NENE 40	NWNE 40	SENE 40	
			NENW 40	NWNW 20	SWNW 40	
			SENW 40	NESW 40	NWSW 40	
			SWSW 40	SESW 40		420
	12		NWNE 40	NENW 40	NWNW 40	
			SWNW 40			160
	14		NENW 40	NWNW 40		80
	15		NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	Lot 1 (NWNW) 42	
		Lot 2 (SWNW)	42	SENW 40		324
33E	5	Lot 3 (NENW)	34	Lot 4 (NWNW)	34	SWNW 40
			SENW 40	NWSW 40	SWSW 40	
						228
	6	Lot 1 (NENE)	34	Lot 2 (NWNE)	34	SWNE 40
			SENE 40	Lot 3 (NENW)	34	Lot 4 (NWNW) 17
		Lot 5 (SWNW)	20	SENW 40	NESW 40	
		Lot 6 (NWSW)	20	Lot 7 (SWSW)	20	SESW 40
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			539
	7		NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NESE 40	
			NWSE 40	SWSE 40	SESE 40	360
	8		NENW 40	NWNW 40	SWNW 40	
			SENW 40	NESW 40	NWSW 40	
			SWSW 40	SESW 40		320

TRANSFER NO. 5450

09N 31E 31	NESW 40	Lot 3 (NWSW) 40	Lot 4 (SWSW) 40	
	SESW 40	NESE 40	NWSE 40	
	SWSE 40	SESE 40		320
32	NENE 40	NWNE 40	SWNE 40	
	SENE 40	NENW 40	NWNW 40	
	SWNW 40	SENW 40	NESW 40	
	NWSW 40	SWSW 40	SESW 40	480
32E 36	NENE 40	NWNE 40	SWNE 40	
	SENE 40	NENW 40	NWNW 40	
	SWNW 40	SENW 40	NESW 40	
	NWSW 40	Lot 4 (SWSW) 35	Lot 3 (SESW) 41	
	NESE 40	NWSE 40	Lot 2 (SWSE) 40	
Lot 1 (SESE) 40				636
				* 5798

Permissible Place of Use Acres: * 5798

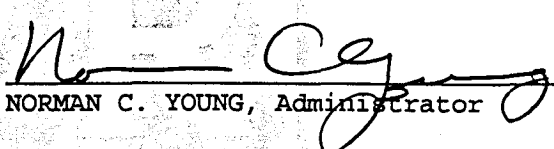
CONDITIONS OF APPROVAL

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 32D.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. Rights 32-00060 and 32-00080 when combined shall not exceed the total annual diversion volume of 1120.0 af and the irrigation of 320.0 acres.
8. Rights 32-00073, 32-00077, 32-00078 and 32-00079 when combined shall not exceed the total annual diversion volume of 560.0 af and the irrigation of 160.0 acres.
9. Rights 32-00085, 32-00086 and 32-00087 when combined shall not exceed the irrigation of 120.0 acres.
10. Rights 32-00089 and 32-00090A when combined shall not exceed the total annual diversion volume of 560.0 af and the irrigation of 160.0 acres.
11. Rights 32-00091, 32-00092 and 32-00093 when combined shall not exceed the total annual diversion volume of 840.0 af and the irrigation of 240.0 acres

TRANSFER NO. 5450

12. Rights 32-00061C, 32-00068, 32-00069, 32-00073, 32-00077, 32-00078, 32-00079, 32-00085, 32-00086, 32-00087, 32-00089, 32-00090A, 32-00091, 32-00092, 32-00093 and 32-00102 when combined shall not exceed the total annual diversion volume of 3360.0 af and the irrigation of 960.0 acres.
13. Rights 32-00061D, 32-00070A and 32-02043 when combined shall not exceed the total annual diversion volume of 1120.0 af and the irrigation of 320.0 acres.
14. Rights 32-00062, 32-00070B and 32-02045 when combined shall not exceed the total annual diversion volume of 1120.0 af and the irrigation of 320.0 acres.
15. Rights 32-00063 and 32-00065 when combined shall not exceed the total annual diversion volume of 560.0 af and the irrigation of 160.0 acres.
16. Rights 32-00074, 32-00075, 32-00076 when combined shall not exceed the irrigation of 160.0 acres.
- * 17. All rights under Transfer 5450 when combined shall not exceed a total diversion rate of 77.06 cfs, a total annual maximum diversion volume of 11,579.2 af at the field headgates, and the irrigation of 3,427.0 acres in the place of use described above in a single irrigation season.
18. Approval of Transfer 5450 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

Dated this 23RD day of July, 19 99.


NORMAN C. YOUNG, Administrator

MEMORANDUM

TO: Files 32-00058/00059/00060/00061C/00061D/00062/00063/00064/00065/00066/
00068/00069/00070A/00070B/00073/00074/00075/00076/00077/00078/
00079/00080/00083/00085/00086/00087/00089/00090A/00091/00092/
00093/00101/00102/02043 & 02045.

FROM: Pam Skaggs^{SS}/State Office

SUBJECT: Transfer 5450

DATE: June 29, 1999

Transfer 5450 combines the above referenced rights from Birch Creek and creates a 5798-acre permissible place of use for the newly formed Reno Ditch Company. The rights will have a common diversion point and water will be distributed to shareholders within the service area. This transfer resolves previous disputes among the water users.

Region water right and adjudication staff reviewed these rights and provided initial recommendations. Review of the rights as originally decreed and licensed provided further detail to each right. The total combined use under these rights is limited to a diversion rate of 77.06 cfs, a total annual diversion volume of 11,579.2 af, and the irrigation of 3,427 total acres each season within in the permissible place of use.

Season of use was identified as 04-01 to 11-01 under these rights to be consistent with previous transfers. Recommended conditions include watermaster control, measuring device and lockable controlling works, irrigation overlap, permissible place of use limits, combined right limits, and standard transfer conditions.

RECEIVED

JUN 18 1999

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right Number(s) 32-00060B, 32-00059B, 32-00080B, 32-00070B, 32-00062, 32-02045, 32-00060A, 32-00059A, 32-00065, 32-00080A, 32-00070A, 32-00061D, 32-00063, 32-00064, 32-00058, 32-00066A&B, 32-00074, 32-00076, 32-00083, 32-02043, 32-00090A, 32-00093, 32-00068, 32-00061C, 32-00069, 32-00089, 32-00092, 32-00102, 32-00091, 32-00073, 32-00101, 32-00085, 32-00077, 32-00086, 32-00078, 32-00087, 32-00079, and 32-00075

Adjudication Claim Number(s) _____

2. The following **REQUIRED** information must be submitted with this form.

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question. WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county).

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) L2 Limited Partnership, Lewis Newman, General Partner, and L3 Limited Partnership, Lane Newman, General Partner; D&D Enterprises, Inc.; and Birch Creek Ranches, L.L.C.

2941 North 800 East, Montevideo, ID 83435; P.O. Box 5, Rexburg, Idaho 83440; and 5203 South 11th East, Idaho Falls, ID 83404

4. New Owner/Claimant(s) The Reno Ditch Company, Inc.

Name connector (check one): [] AND [] OR, [] AND/OR

New Mailing Address: P.O. Box 5,

City, State and ZIP Code: Rexburg, Idaho 83440

New Telephone Number: (208)

5. Date you acquired the property _____

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____

Cubic Feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) Jim D. McDonald Date 6/18/99

(Corporations or other organizations must submit list of directors/officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attached a Notice of Appearance completed by your attorney.

**QUITCLAIM DEED
FOR
WATER RIGHTS**

Microfilm No. **048236**
30 Day March 19 99
At 1:35 O'Clock PM
CONNIS OWEN
Clark Co. Recorder
Fee \$ 9.00
Marcia Belcher Deputy
Recorded at Request of
H.K. H & Co.

THIS INDENTURE is made this 10 day of March, 1999, between L2 Limited Partnership, Lewis Newman, General Partner, and L3 Limited Partnership, Lane Newman, General Partner, referred to herein as the "GRANTOR" and Reno Ditch Company, Inc., whose principle place of business is in Clark County, Idaho and whose mailing address is P.O. Box 5, Rexburg, Idaho 83440, herein referred to as the "GRANTEE",

WITNESSETH, that the GRANTOR, for an in consideration of the sum of Ten and No/100 Dollars (\$10.00) lawful money of the United States of America and other good and valuable consideration to GRANTOR, in hand paid by the GRANTEE, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever QUITCLAIM unto the GRANTEE, and to GRANTEE's successors and assigns forever, all right, title and interest now owned or hereafter acquired by the Grantor in all of the following described water rights or portions thereof used on lands in the Counties of Clark and Jefferson, State of Idaho, to-wit:

RIGHT NO.	PRIORITY	AMOUNT	NATURE OF USE	PERIOD OF USE
32-00060 B	10 May, 1883	1.60	Irrigation	04/01 to 11/01
32-00059 B	10 May, 1884	5.52	Irrigation	04/01 to 11/01
32-00080B	10 May, 1886	1.60	Irrigation	04/01 to 11/01
32-00070B	19 August, 1886	0.80	Irrigation	04/01 to 11/01
32-00062	1 April, 1904	3.20	Irrigation	04/01 to 11/01
32-02045	16 November, 1912	6.40	Irrigation	04/01 to 11/01

RECEIVED
JUN 25 1999

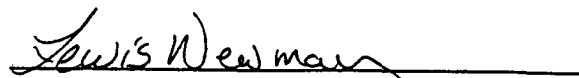
Department of Water Resources
Eastern Region

TOGETHER, with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, remainders, or rents, issues and profits therefrom.

TO HAVE AND TO HOLD the said water rights unto the GRANTEE, and to GRANTEE's successors and assigns forever.

In construing this Quitclaim Deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the GRANTOR has executed the within instrument the day and year first above written.



L2 Limited Partnership by, Lewis Newman,
General Partner

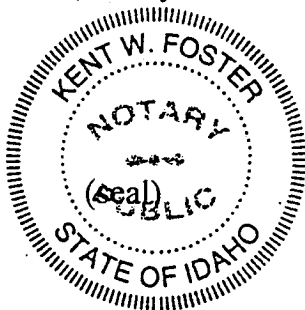


L3 Limited Partnership, by Lane Newman,
General Partner

STATE OF IDAHO)
)ss.
 County of Bonneville)

On the 10th day of March, 1999, before me the undersigned, a notary public in and for said State, personally appeared Lewis Newman, known or identified to me to be the general partner of L2 Limited Partnership who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

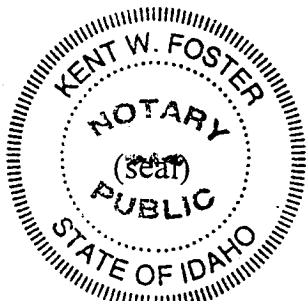


Kent W. Foster
 Notary Public for Idaho
 Residing at Idaho Falls, Idaho
 My Commission Expires: 11/20/2004

STATE OF IDAHO)
)ss.
 County of Bonneville)

On the 12 day of March, 1999, before me the undersigned, a notary public in and for said State, personally appeared Lane Newman, known or identified to me to be the general partner of L3 Limited Partnership who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Kent W. Foster
 Notary Public for Idaho
 Residing at Idaho Falls, Idaho
 My Commission Expires: 11/20/2004

G:\WPDATA\KWF\5568\QUITCLAIM.NWM:kmc

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: E023445

Date: 7/23/1997
Time: 16:28:50

Received
From: WEST SIDE PARTNERSHIP

Type of Payment	Program A cct	Amount
ADJ.AC FEE 32-00060B/80B/59B/62/70B 41503	337 1155	97.00

CHECK

1914

Total

\$

97.00

Region: EASTERN

Signature: 

June 12, 1991

L LA VAR NEWMAN
2941 N 800 E
MONTEVIEW ID 83435

RE: CHANGE OF OWNERSHIP

Dear Mr. Newman:

The request for Change of Ownership concerning Notices of Claim has been processed and the Department's records have been updated to reflect you as the new owner.

Enclosed is the typed Notices reflecting this change. Review the forms and if there are other corrections or questions, feel free to contact this office.

Respectfully submitted,

Eric Verner
Senior Water Agent

EV:sc

Enclosure: Printed Notices of Claim

File: "p"

MICROFILMED
NOV 18 1992



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 6/10/91

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

☒ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☒ Water Right Number(s)
Assigned by IDWR: A32-CCCG-2, A32-CCCG-51, A32-10129, A32-10131, A32-02100

☒ Name and Address of Former Owner/Claimant(s)(Seller):

ELDA H. OR CLERO B. WILKING
STAR RT.

☒ New Owner/Claimant (Purchaser):

DE DUBOIS, ID. 83423
L. LaVine Newman

☒ New Mailing Address:

2941 N. ECHO
Meridian, ID. 83435

☒ New Telephone Number:

(208) 657-2252

☒ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☒ Attach proof of ownership, describe proof attached:

N/A

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☒ Signature of New Owner/Claimant(s)

L. LaVine Newman

Date 11 June 1991

Date

☒ Signature of Former Owner/Claimant(s):

Elda H. Wilking

Date 11 June 1991

Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 6/11/91 By: ESV

Further Action Needed:

None

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date: 6/11/91 By: ESV

Claim Numbers of Split, if any:

None

MICROFILMED

NOV 18 1992

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Section 42-1409(7), Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures or if you have questions about completing this form please contact your nearest office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer.

The second line of information requires the legal description of the property being transferred. This information is **ESSENTIAL** and should be available from the documents that will be present at the time of closing. The first two lines of the legal description **MUST** be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions, and this information must be included on the form. If you also have available a legal description based upon a townsite or subdivision and lot and block number, please also include this additional information. A lot and block legal description is **NOT** a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box; complete the name, address and telephone information for yourself, the new owner; sign the form in the space provided and return the form to the IDWR office nearest you.

If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for **BOTH** the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records, then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

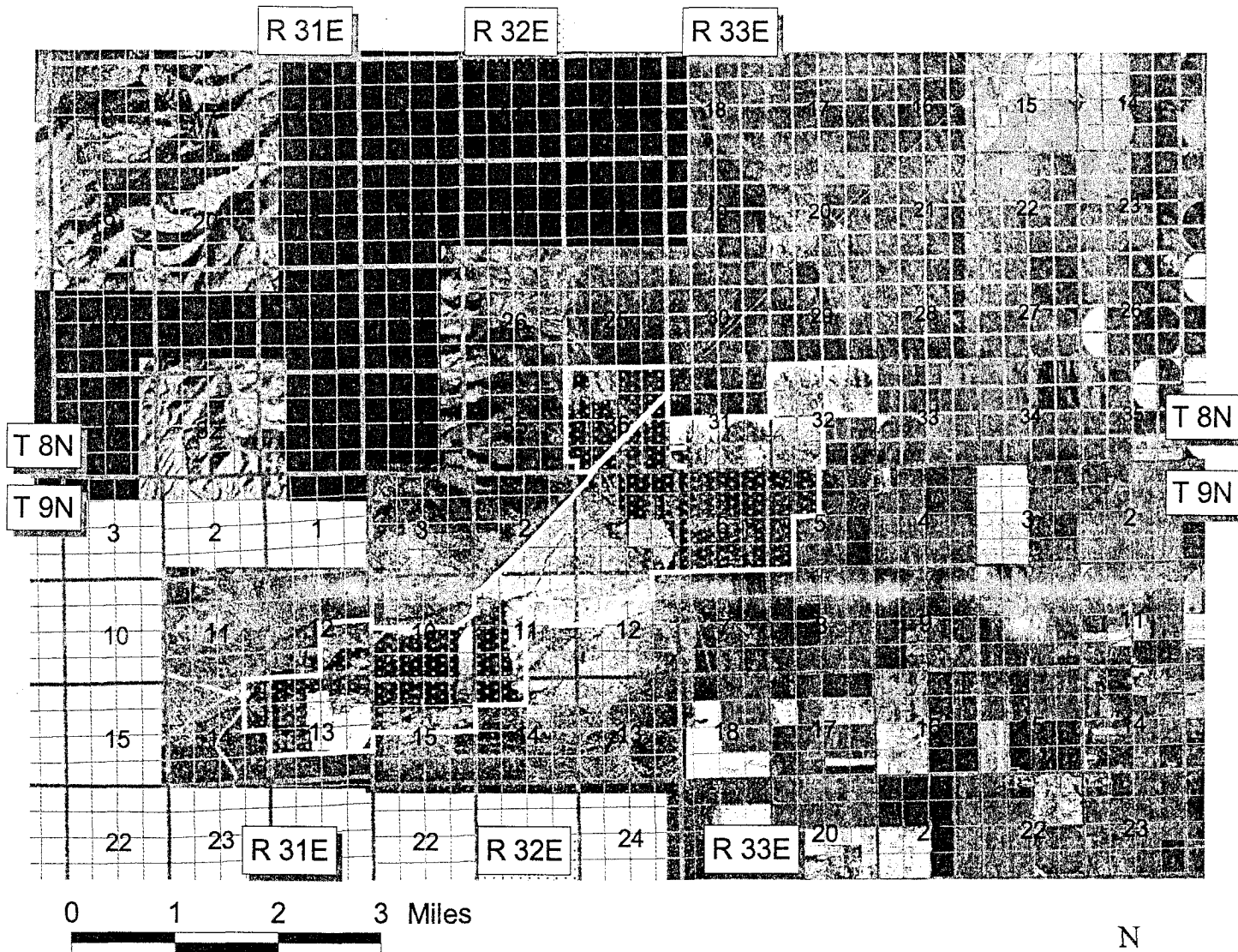
The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

When complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you or to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.

IDAHO DEPARTMENT OF WATER RESOURCES

The Reno Ditch Company, Inc

Water Right Numbers: 32-00058, 32-00059, 32-00060, 32-00061C,
32-00061D, 32-00062, 32-00063, 32-00064, 32-00065,
32-00066, 32-00068, 32-00069, 32-00070A, 32-00070B, 32-00073,
32-00074, 32-00075, 32-00076, 32-00077, 32-00078, 32-00079,
32-00080, 32-00083, 32-00085, 32-00086, 32-00087, 32-00089,
32-00090A, 32-00091, 32-00092, 32-00093, 32-00101, 32-00102,
32-02043, 32-02045



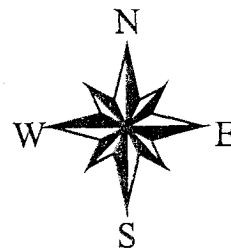
1/4 1/4 Section Lines



Section Lines

Place of Use Boundary

Townships 8N and 9N
Ranges 31E, 32E and 33E



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: Bryce A. Contor
Date: August, 1999

02/9/2001

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

RIGHT NUMBER: 32-62

NAME AND ADDRESS: RENO DITCH COMPANY INC
PO BOX 5
REXBURG ID 83440

SOURCE: BIRCH CREEK

TRIBUTARY: SINKS

QUANTITY: 3.20 CFS
560.0 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 1120.0 AF. COMBINED RIGHT NOS.:
32-00070B & 32-02045.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 77.06 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF ~~41,579.2~~ 12,937.2 AF. RIGHTS OF THE RENO DITCH COMPANY:
32-00058, 32-00059, 32-00060, 32-00061C, 32-00061D, 32-00062, 32-00063,
32-00064, 32-00065, 32-00066, 32-00068, 32-00069, 32-00070A, 32-00070B,
32-00073, 32-00074, 32-00075, 32-00076, 32-00077, 32-00078, 32-00079,
32-00080, 32-00083, 32-00085, 32-00086, 32-00087, 32-00089, 32-00090A,
32-00091, 32-00092, 32-00093, 32-00101, 32-00102, 32-02043, & 32-02045 &
32-11224.

PRIORITY DATE: 04/01/1904

POINT OF DIVERSION:

T09N R30E S34 SESESW Within CLARK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 11/01	3.200 CFS 560.00 AFY

PLACE OF USE:

IRRIGATION Within CLARK County

<u>T08N R31E S12</u>	<u>SESW</u>	<u>40.0</u>	<u>T08N R31E S12</u>	<u>NWSE</u>	<u>40.0</u>
<u>T08N R31E S12</u>	<u>SWSE</u>	<u>40.0</u>	<u>T08N R31E S12</u>	<u>SESE</u>	<u>40.0</u>
<u>T08N R31E S13</u>	<u>NENE</u>	<u>40.0</u>	<u>T08N R31E S13</u>	<u>NWNE</u>	<u>40.0</u>
<u>T08N R31E S13</u>	<u>SWNE</u>	<u>40.0</u>	<u>T08N R31E S13</u>	<u>SENE</u>	<u>40.0</u>
<u>T08N R31E S13</u>	<u>NENW</u>	<u>40.0</u>	<u>T08N R31E S13</u>	<u>NWNW</u>	<u>40.0</u>
<u>T08N R31E S13</u>	<u>SWNW</u>	<u>40.0</u>	<u>T08N R31E S13</u>	<u>SENW</u>	<u>40.0</u>
<u>T08N R31E S13</u>	<u>NESW</u>	<u>40.0</u>	<u>T08N R31E S13</u>	<u>NWSW</u>	<u>40.0</u>
<u>T08N R31E S13</u>	<u>NESE</u>	<u>40.0</u>	<u>T08N R31E S13</u>	<u>NWSE</u>	<u>39.0</u>
<u>T08N R31E S14</u>	<u>NENE</u>	<u>39.0</u>	<u>T08N R31E S14</u>	<u>SENE</u>	<u>39.0</u>
<u>T08N R32E S10</u>	<u>NESW</u>	<u>40.0</u>	<u>T08N R32E S10 Lot 3</u>	<u>NWSW</u>	<u>41.0</u>
<u>T08N R32E S10 Lot 4</u>	<u>SWSW</u>	<u>41.0</u>	<u>T08N R32E S10</u>	<u>SESW</u>	<u>40.0</u>
<u>T08N R32E S10</u>	<u>NESE</u>	<u>40.0</u>	<u>T08N R32E S10</u>	<u>NWSE</u>	<u>40.0</u>
<u>T08N R32E S10</u>	<u>SWSE</u>	<u>40.0</u>	<u>T08N R32E S10</u>	<u>SESE</u>	<u>40.0</u>
<u>T08N R32E S01 Lot 1</u>	<u>NENE</u>	<u>34.0</u>	<u>T08N R32E S01 Lot 2</u>	<u>NWNE</u>	<u>34.0</u>
<u>T08N R32E S01</u>	<u>SWNE</u>	<u>40.0</u>	<u>T08N R32E S01</u>	<u>SENE</u>	<u>40.0</u>

<u>T08N R32E S01 Lot 3 NENW 34.0</u>	<u>T08N R32E S01 Lot 5 NWNW 22.0</u>
<u>T08N R32E S01 SWNW 40.0</u>	<u>T08N R32E S11 NENE 41.0</u>
<u>T08N R32E S11 NWNE 41.0</u>	<u>T08N R32E S11 SENE 41.0</u>
<u>T08N R32E S11 NENW 41.0</u>	<u>T08N R32E S11 NWNW 28.0</u>
<u>T08N R32E S01 SENW 40.0</u>	<u>T08N R32E S11 SWNW 41.0</u>
<u>T08N R32E S11 SENW 41.0</u>	<u>T08N R32E S11 NESW 41.0</u>
<u>T08N R32E S11 NWSW 41.0</u>	<u>T08N R32E S11 SWSW 41.0</u>
<u>T08N R32E S11 SESW 41.0</u>	<u>T08N R32E S01 NESW 40.0</u>
<u>T08N R32E S01 NWSW 40.0</u>	<u>T08N R32E S01 SWSW 40.0</u>
<u>T08N R32E S01 SESW 40.0</u>	<u>T08N R32E S01 NESE 40.0</u>
<u>T08N R32E S01 NWSE 40.0</u>	<u>T08N R32E S01 SWSE 40.0</u>
<u>T08N R32E S12 NWNE 40.0</u>	<u>T08N R32E S12 NENW 40.0</u>
<u>T08N R32E S12 NWNW 40.0</u>	<u>T08N R32E S01 SESE 40.0</u>
<u>T08N R32E S12 SWNW 40.0</u>	<u>T08N R32E S14 NENW 40.0</u>
<u>T08N R32E S14 NWNW 40.0</u>	<u>T08N R32E S15 NENE 40.0</u>
<u>T08N R32E S15 NWNE 40.0</u>	<u>T08N R32E S15 SWNE 40.0</u>
<u>T08N R32E S15 SENE 40.0</u>	<u>T08N R32E S15 NENW 40.0</u>
<u>T08N R32E S15 Lot 1 NWNW 42.0</u>	<u>T08N R32E S15 Lot 2 SWNW 42.0</u>
<u>T08N R32E S15 SENW 40.0</u>	<u>T08N R32E S02 SENE 24.0</u>
<u>T08N R32E S02 SESW 26.0</u>	<u>T08N R32E S02 NESE 40.0</u>
<u>T08N R32E S02 NWSE 24.0</u>	<u>T08N R32E S02 SWSE 40.0</u>
<u>T08N R32E S02 SESE 40.0</u>	<u>T08N R33E S05 Lot 3 NENW 34.0</u>
<u>T08N R33E S05 Lot 4 NWNW 34.0</u>	<u>T08N R33E S05 SWNW 40.0</u>
<u>T08N R33E S05 SENW 40.0</u>	<u>T08N R33E S05 NWSW 40.0</u>
<u>T08N R33E S05 SWSW 40.0</u>	<u>T08N R33E S06 Lot 1 NENE 34.0</u>
<u>T08N R33E S06 Lot 2 NWNE 34.0</u>	<u>T08N R33E S06 SWNE 40.0</u>
<u>T08N R33E S06 SENE 40.0</u>	<u>T08N R33E S06 Lot 3 NENW 34.0</u>
<u>T08N R33E S06 Lot 4 NWNW 17.0</u>	<u>T08N R33E S06 Lot 5 SWNW 20.0</u>
<u>T08N R33E S06 SENW 40.0</u>	<u>T08N R33E S06 NESW 40.0</u>
<u>T08N R33E S06 Lot 6 NWSW 20.0</u>	<u>T08N R33E S06 Lot 7 SWSW 20.0</u>
<u>T08N R33E S06 SESW 40.0</u>	<u>T08N R33E S06 NESE 40.0</u>
<u>T08N R33E S06 NWSE 40.0</u>	<u>T08N R33E S06 SWSE 40.0</u>
<u>T08N R33E S06 SESE 40.0</u>	<u>T08N R33E S07 NENE 40.0</u>
<u>T08N R33E S07 NWNE 40.0</u>	<u>T08N R33E S07 SWNE 40.0</u>
<u>T08N R33E S07 SENE 40.0</u>	<u>T08N R33E S07 NENW 40.0</u>
<u>T08N R33E S07 NESE 40.0</u>	<u>T08N R33E S07 NWSE 40.0</u>
<u>T08N R33E S07 SWSE 40.0</u>	<u>T08N R33E S07 SESE 40.0</u>
<u>T08N R33E S08 NENW 40.0</u>	<u>T08N R33E S08 NWNW 40.0</u>
<u>T08N R33E S08 SWNW 40.0</u>	<u>T08N R33E S08 SENW 40.0</u>
<u>T08N R33E S08 NESW 40.0</u>	<u>T08N R33E S08 NWSW 40.0</u>
<u>T08N R33E S08 SWSW 40.0</u>	<u>T08N R33E S08 SESW 40.0</u>
<u>T09N R32E S36 NENE 40.0</u>	<u>T09N R32E S36 NWNE 40.0</u>
<u>T09N R32E S36 SWNE 40.0</u>	<u>T09N R32E S36 SENE 40.0</u>
<u>T09N R32E S36 NENW 40.0</u>	<u>T09N R32E S36 NWNW 40.0</u>

T09N R32E S36	SWNW	40.0	T09N R32E S36	SESW	40.0
T09N R32E S36	NESW	40.0	T09N R32E S36	NWSW	40.0
T09N R32E S36 Lot 4	SWSW	37.0	T09N R32E S36 Lot 3	SESW	40.0
T09N R32E S36	NESE	40.0	T09N R32E S36	NWSE	40.0
T09N R32E S36 Lot 2	SWSE	40.0	T09N R32E S36 Lot 1	SESE	40.0
T09N R33E S31	NESW	40.0	T09N R33E S31 Lot 3	NWSW	40.0
T09N R33E S31 Lot 4	SWSW	40.0	T09N R33E S31	SESW	40.0
T09N R33E S31	NESE	40.0	T09N R33E S31	NWSE	40.0
T09N R33E S31	SWSE	40.0	T09N R33E S31	SESE	40.0
T09N R33E S32	NENE	40.0	T09N R33E S32	NWNE	40.0
T09N R33E S32	SWNE	40.0	T09N R33E S32	SENE	40.0
T09N R33E S32	NENW	40.0	T09N R33E S32	NWNW	40.0
T09N R33E S32	SWNW	40.0	T09N R33E S32	SESW	40.0
T09N R33E S32	NESW	40.0	T09N R33E S32	NWSW	40.0
T09N R33E S32	SWSW	40.0	T09N R33E S32	SESW	40.0

5723 ACRES TOTAL

USE OF THE RIGHTS OF THE RENO DITCH COMPANY LISTED ABOVE ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF ~~3,427~~ 3,815 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 320 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00070B & 32-02045.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

THE USE OF WATER WITHIN T08NR32E S02 SESW, NWSE AND SENE, AND S11 NWNW, DOES NOT INCLUDE ANY FEDERAL PUBLIC LANDS.

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

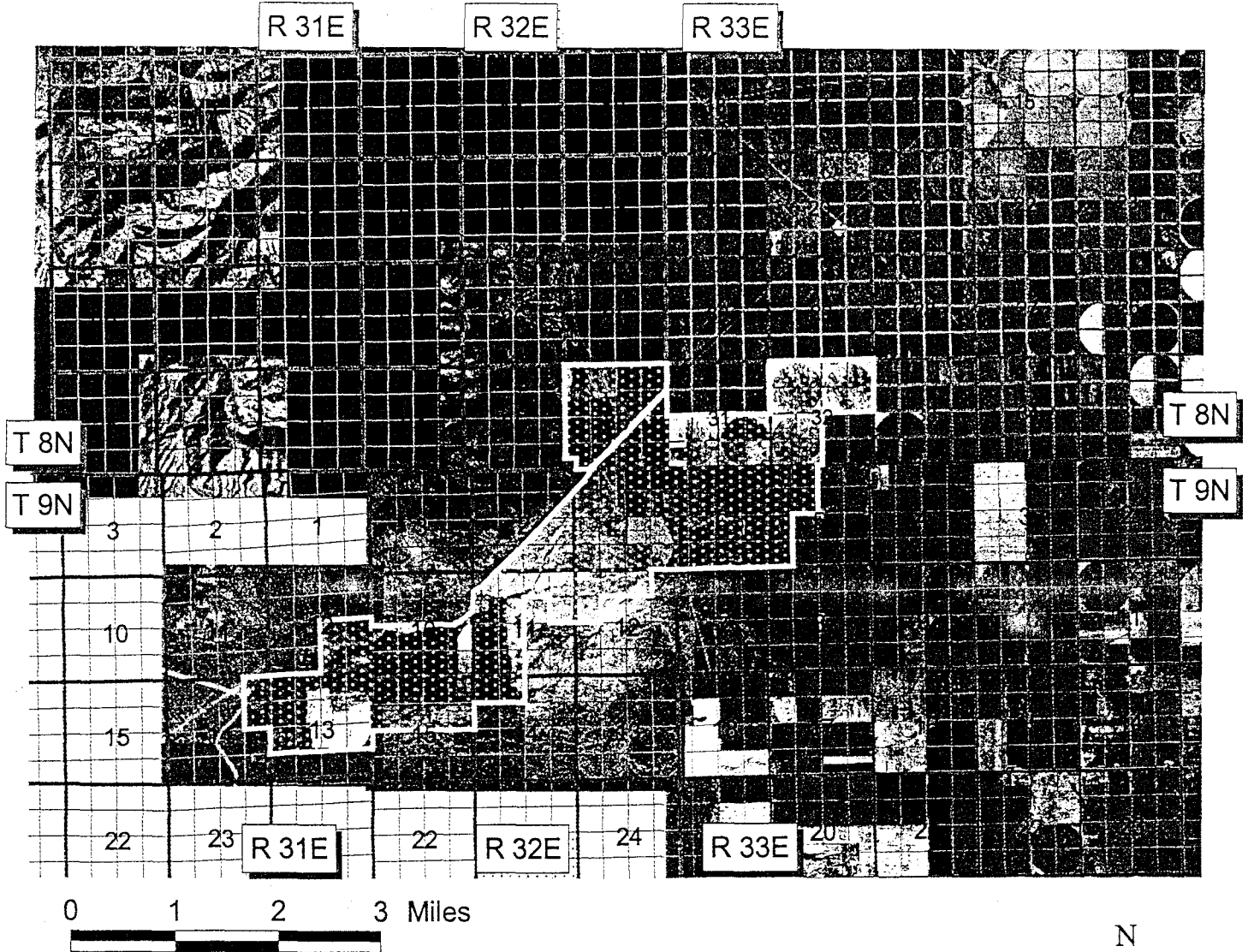
RIGHT NO. 32-11224 IS AN ENLARGEMENT OF RIGHTS 32-00059 AND 32-00062 PURSUANT TO SECTION 42-1426, IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES

The Reno Ditch Company, Inc

Water Right Numbers: 32-00058, 32-00059, 32-00060, 32-00061C, 32-00061D, 32-00062, 32-00063, 32-00064, 32-00065, 32-00066, 32-00068, 32-00069, 32-00070A, 32-00070B, 32-00073, 32-00074, 32-00075, 32-00076, 32-00077, 32-00078, 32-00079, 32-00080, 32-00083, 32-00085, 32-00086, 32-00087, 32-00089, 32-00090A, 32-00091, 32-00092, 32-00093, 32-00101, 32-00102, 32-02043, 32-02045

*Original claim
sent to
court
12-17-91
w*

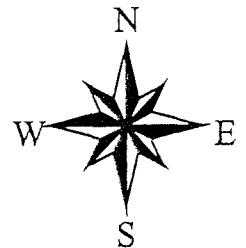


 1/4 1/4 Section Lines

 Section Lines

Place of Use Boundary

Townships 8N and 9N
Ranges 31E, 32E and 33E



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: Bryce A. Contor
Date: August, 1999

11/14/2000

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

RIGHT NUMBER: 32-62

NAME AND ADDRESS: RENO DITCH COMPANY INC
PO BOX 5
REXBURG, ID 83440

SOURCE: BIRCH CREEK TRIBUTARY: SINKS

QUANTITY: 3.2 CFS
560 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1120.0 AF. COMBINED
RIGHT NOS.: 32-00070B & 32-02045.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 77.06 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF ~~11,579.2~~ 12,937.2 AF.
RIGHTS OF THE RENO DITCH COMPANY: 32-00058, 32-00059, 32-
00060, 32-00061C, 32-00061D, 32-00062, 32-00063, 32-00064, 32-
00065, 32-00066, 32-00068, 32-00069, 32-00070A, 32-00070B, 32-
00073, 32-00074, 32-00075, 32-00076, 32-00077, 32-00078, 32-
00079, 32-00080, 32-00083, 32-00085, 32-00086, 32-00087, 32-
00089, 32-00090A, 32-00091, 32-00092, 32-00093, 32-00101, 32-
00102, 32-02043, & 32-02045 & ~~32-11224~~.

PRIORITY DATE: 04/01/1904

POINT OF DIVERSION: T09N R30E S34 SESESW Within CLARK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-01 11-01	3.20 CFS 560.0 AFY

PLACE OF USE:

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN
THE ~~PLACE OF USE DESCRIBED ABOVE~~ BOUNDARY OF THE RENO DITCH
COMPANY IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED
TO THE IRRIGATION OF A COMBINED TOTAL OF 320 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00070B & 32-02045.

USE OF THE RIGHTS OF THE RENO DITCH COMPANY LISTED ABOVE IS
LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF ~~3,427~~ 3,815
ACRES IN A SINGLE IRRIGATION SEASON.

PLACE OF USE WITHIN THE BOUNDARY OF THE RENO DITCH COMPANY.
TOTAL IRRIGATED ACRES: ~~5,798~~ 5,740.

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 NO. 32-11224 IS AN ENLARGEMENT OF RIGHTS 32-00059 AND
32-00062 PURSUANT TO SECTION 42-1426, IDAHO CODE.

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RENO DITCH COMPANY INC PO BOX 5 REXBURG ID 83440	04/01/1904	IRRIGATION	04-01 11-01	3.200 CFS	560.00 AFA
					TOTAL DIVERSION:	3.200 CFS 560.00 AFA

Water Source: BIRCH CREEK

Tributary to: SINKS

Stage: DECREED

Point(s) of Diversion:

T09N R30E S34

SESESW

CLARK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE									
				NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM	
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
08N	31E	12	:					:					:				40	:	40	40	40	40	:	200.0	
08N	31E	13	:	40	40	40	40	:	40	40	40	40	:	40	40			:	40	40			:	480.0	
08N	31E	14	:	40			40	:					:					:					:	80.0	
08N	32E	1	:	01-34	02-34		40	:	03-34	04-20		40	:	40	40	40	40	:	40	40	40	40	:	602.0	
08N	32E	2	:	01-02			03	:				30	:	03		03	30	:	40	40	40	40	:	231.0	
08N	32E	10	:				15	:					:	40	03-41	04-42	40	:	40	40	40	40	:	338.0	
08N	32E	11	:	40	40		40	:	40	20	40	40	:	40	40	40	40	:					:	420.0	
08N	32E	12	:		40			:	40	40	40		:					:					:	160.0	
08N	32E	14	:					:	40	40			:					:					:	80.0	
08N	32E	15	:	40	40	40	40	:	40	42	42	40	:					:					:	324.0	
08N	33E	5	:					:	03-34	04-34		40	:		40	40		:					:	228.0	
08N	33E	6	:	01-34	02-34		40	:	03-34	04-17	05-20	40	:	40	06-20	07-20	40	:	40	40	40	40	:	539.0	
08N	33E	7	:	40	40	40	40	:		40			:					:	40	40	40	40	:	360.0	
08N	33E	8	:					:	40	40	40	40	:	40	40	40	40	:					:	320.0	
09N	31E	31	:					:					:	40	03-40	04-40	40	:	40	40	40	40	:	320.0	
09N	31E	32	:	40	40	40	40	:	40	40	40	40	:	40	40	40	40	:					:	480.0	
09N	32E	36	:	40	40	40	40	:	40	40	40	40	:	40	40	03-35	04-41	:	40	40	02-40	01-40	:	636.0	
																							TOTAL ACRES	5798.0	

POU County: CLARK, JEFFERSON

Other Rights: 32-00080B, 00059, 02100, 10129, 10128.

Remarks: QNT USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 77.06 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 11,579.2 AF. RIGHTS OF THE RENO DITCH COMPANY: 32-00058, 32-00059, 32-00060, 32-00061C, 32-00061D, 32-00062, 32-00063, 32-00064, 32-00065, 32-00066, 32-00068, 32-00069, 32-00070A, 32-00070B, 32-00073, 32-00074, 32-00075, 32-00076, 32-00077, 32-00078, 32-00079, 32-00080, 32-00083, 32-00085, 32-00086, 32-00087, 32-00089, 32-00090A, 32-00091, 32-00092, 32-00093, 32-00101, 32-00102, 32-02043 & 32-02045.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1120.0 AF.

Remarks: COMBINED RIGHT NOS.: 32-000708, 32-02045.

POU1 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160.0 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH THE RIGHTS OF THE RENO DITCH COMPANY
LISTED ABOVE IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF
3,427 ACRES IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 320.0 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-000708,
32-02045.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 32D Field Inspection Flag:
Presumption Flag: D

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: A32-00062
Date Received: 7/29/1988
Receipt No: E002094
Received By: Kew

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: L LA VAR NEWMAN 208-657-2252
Address: 2941 N 800 E
MONTEVIEW ID 83435

2. Date of Priority: APR 1, 1904

3. Source: BIRCH CREEK Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	30E	3	NE	NE	NW		CLARK

5. Description of diverting works:
HEADGATE OF SORENSEN HYDRO PROJECT W/ DITCHES AT PLACE OF USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	01/01	12/31	3.200		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	31E	13	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres		
08N	31E	13	NW	NW		IRR	40.0		
			SW	NW		IRR	40.0		
			SE	NW		IRR	40.0		
			NE	SW		IRR	40.0		
			NW	SW		IRR	40.0		
			NE	SE		IRR	40.0		
			NW	SE		IRR	40.0		
					Section Acres			480.0	
			14	SE	NE		IRR	38.0	
				Section Acres			38.0		
			32E	10	SW	SW	4	IRR	40.0
		SE			SW		IRR	40.0	
				Section Acres			80.0		
			15	NE	NW		IRR	40.0	
		NW		NW	1	IRR	40.0		
				Section Acres			80.0		
			33E	7	NE	NE		IRR	40.0
		NW			NE		IRR	40.0	
		SW			NE		IRR	40.0	
		SE			NE		IRR	40.0	
		NE			NW		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			
	8	NE			NW		IRR	40.0	
NW		NW				IRR	40.0		
SW		NW				IRR	40.0		
SE		NW				IRR	40.0		
NE		SW		IRR	40.0				
NW		SW		IRR	40.0				
SW		SW		IRR	40.0				
SE		SW		IRR	40.0				

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
----------	-------	---------	------------	-----	-----	-------

Section Acres 320.0

Total Acres	1358.0
-------------	--------

11. Place of use in counties: CLARK, JEFFERSON

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

13. Other Water Rights Used:
32-00080B, 00059, 02100, 10129, 10128.

14. Remarks:
TRANSFER #257.
CHANGE IN OWNERSHIP FILED 5/91.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 9/ 6/1922

AGNES B. RENO, ET. AL.
Decree Plaintiff

J. R. RICHARDS, ET. AL.
vs 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 Individuals:

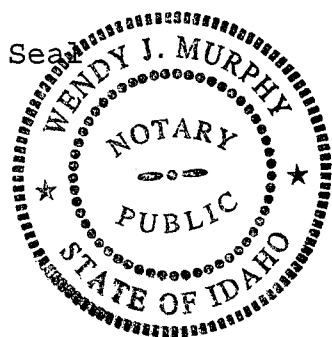
I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): L. A. Fort Huendler Date: 25 July 1997
Date:

State of Idaho)
County of BONNEVILLE) SS.

Subscribed and sworn (or affirmed) before me this 25 day
of July 19 97

Wendy J. Murphy
Notary Public



Residing at Idaho Falls

My Commission Expires 6/23/2000

5939

6264

5331

1

3

2

5399

5186

4939

4952

22

BM
4971

Borrow
x Pit

5090

5030

10

11

CANAL FROM
POINT OF
DIVERSION
Pit

5138

ent 40

40

40

40

40

40

40

40

38

40

40

40

40

40

40

40

40

40

40

40

40

Borrow
x Pit

5092

TESTING

5002

STATION

4923

CLARK CO
JEFFERSON CO

5025

A32-00062

24

R31E

R32E

22

23

NATIONAL

REACTOR

TESTING

S

BM
5091

R31E
R32E

T9N

CLARK CO

CLARK CO

JEFFERSON CO

JEFFERSON CO

T8N

R32E R33E

POINT OF
DIVERSION

CANAL FROM BIRCH CK.

Relief Pump
INT. Sprinkler
System

L-1

L-2

L-3

L-4

40

40

40

40

40

40

40

40

40

40

40

40

40

40

40

40

40

T8N

R32E R33E

A32-00062

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: A32-00062

Date Received: 7/29/1988

Receipt No: E002094

Received By: Scr

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: L. LA VAR NEWMAN 208-657-2252
Address: 2941 N. 800 E.
MONTEVIEW, ID 83435

2. Date of Priority: APR 1, 1904

3. Source: BIRCH CREEK Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08N	30E	3	NE	NE	NW		CLARK

5. Description of diverting works:
HEADGATE OF SORENSEN HYDRO PROJECT W/ DITCHES AT PLACE OF USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	01/01	12/31	3.200		

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

8. Total consumptive use is 3150.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
08N	31E	13	NE	NE		IRR	38.0
			NW	NE		IRR	38.0
			SW	NE		IRR	40.0
			SE	NE		IRR	
			NE	NW		IRR	38.0

MICROFILMED

NOV 18 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres		
08N	31E	13	NE		NE		IRR	38.0		
			NW		NE		IRR	38.0		
			SW		NE		IRR	40.0		
			SE		NE		IRR	40.0		
			NE		NW		IRR	38.0		
08N	31E	13	NW		NW		IRR	36.0		
			SW		NW		IRR	32.0		
			SE		NW		IRR	40.0		
			NE		SW		IRR	20.0		
			NE		SE		IRR	40.0		
			NW		SE		IRR	40.0		
							Section Acres	402.0		
				14	NE		NE		IRR	20.0
							Section Acres	20.0		
			32E	10	SW		SW	4	IRR	40.0
					SE		SW		IRR	40.0
			SW		SE		IRR	1.0		
					Section Acres	81.0				
		15	NE		NW		IRR	38.0		
			NW		NW	1	IRR	40.0		
					Section Acres	78.0				
	33E	7	NE		NE		IRR	40.0		
			NW		NE		IRR	40.0		
			SW		NE		IRR	40.0		
			SE		NE		IRR	40.0		
			NE		NW		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				
		8	NE		NW		IRR	40.0		
			NW		NW		IRR	40.0		
			SW		NW		IRR	40.0		
			SE		NW		IRR	40.0		
			NE		SW		IRR	40.0		
			NW		SW		IRR	40.0		
			SW		SW		IRR	40.0		
			SE		SW		IRR	40.0		
					Section Acres	320.0				

Total Acres 1261.0

MICROFILMED

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres		
08N	31E	13	NW		NW		IRR	36.0		
			SW		NW		IRR	32.0		
			SE		NW		IRR	40.0		
			NE		SW		IRR	20.0		
			NE		SE		IRR	40.0		
			NW		SE		IRR	40.0		
					Section Acres					402.0
			14	NE		NE		IRR	20.0	
				Section Acres					20.0	
			32E	10	SW		SW	4	IRR	40.0
		SE				SW		IRR	40.0	
		SW				SE		IRR	1.0	
		Section Acres					81.0			
	15	NE		NW		IRR	38.0			
NW			NW	1	IRR	40.0				
		Section Acres					78.0			
	33E	7	NE		NE		IRR	40.0		
NW				NE		IRR	40.0			
SW				NE		IRR	40.0			
SE				NE		IRR	40.0			
NE				NW		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	
	8	NE		NW		IRR	40.0			
NW			NW		IRR	40.0				
SW			NW		IRR	40.0				
SE			NW		IRR	40.0				
NE			SW		IRR	40.0				
NW			SW		IRR	40.0				
SW			SW		IRR	40.0				
SE			SW		IRR	40.0				
		Section Acres					320.0			

Total Acres 1261.0

MICROFILMED
NOV 18 1992

11. Place of use in counties: CLARK, JEFFERSON

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

13. Other Water Rights Used:
32-00080B, 00059, 02100, 10129, 10128.

14. Remarks:
TRANSFER #257.
CHANGE IN OWNERSHIP FILED 5/91.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 9/ 6/1922

AGNES B. RENO, ET. AL.
Decree Plaintiff

J. R. RICHARDS, ET. AL.
vs 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 Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Lewis LaVar Anderson Date: 11 June 1991

Date: _____

MICROFILMED

State of Idaho

County of Jefferson) SS.

Subscribed and sworn (or affirmed) before me this 11th day

of June 19 91

Nolan C. Lee
Notary Public

Seal

Residing at Idaho Falls

My Commission Expires 11-21-95

BM
X 4949

A32-00062

Well
C 4915

BM
4936

Borrow
Pit

CLARK CO
JEFFERSON CO

CLARK CO
JEFFERSON CO

T
9
N

T
8
N

T
8
N

R33E

POINT OF DIVERSION

Well
4848

RELIEF
PUMP INTO
SPRINKLER
SYSTEM

680
ac

CANAL FROM
BIRCH CREEK

R32E

R33E

1260 total
3150

NOV 18 19

32

33

34

Rattlesnake
6648

T9N

T8N

A32-00062

R31E R32E

11

12

10

14

13

15

Borrow Pit

Borrow Pit

Borrow Pit

BM 4971

Ranch

Borrow Pit

TESTING

MICROFILMED

NOV 1 1992

RK CO
RSUN CO

STATION

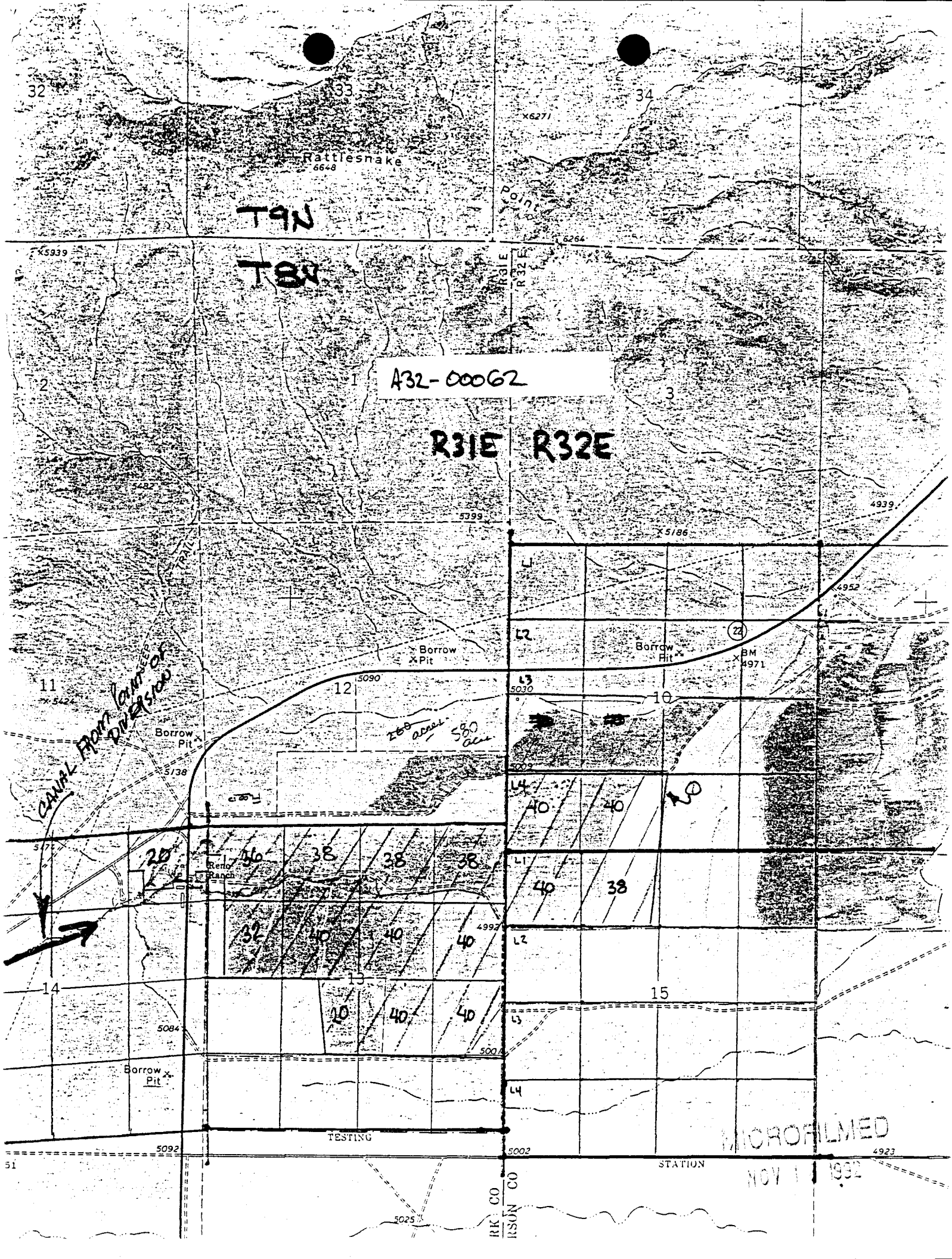
4923

51

5092

5002

5025



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: A32-00062
Date Received: 7/29/1988
Receipt No: E002094
Received By: ADP

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ESTATE OF BEN R. WILDING 208-657-2577
Address: STAR RT.
DUBOIS, ID 83423

OR
Name: ELDA H. WILDING 208-657-2577
Address: STAR RT.
DUBOIS, ID 83423

2. Date of Priority: APR 01, 1904

3. Source: BIRCH CREEK Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
09N	30E	35	SE NW NE		CLARK

5. Description of diverting works:
HEADGATE OF SORENSEN HYDRO PROJECT W/ DITCHES AT PLACE OF USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	01/01	12/31	3.200		

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

8. Total consumptive use is 1000.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	31E	14	NE	NE		IRR	40.0
			SE	NE		IRR	40.0
				Section Acres			80.0
	33E	7	NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
				Section Acres			160.0
		8	NE	SW		IRR	40.0
			NW	SW		IRR	40.0
SW			SW		IRR	40.0	
SE			SW		IRR	40.0	
			Section Acres			160.0	
Total Acres						400.0	

11. Place of use in counties: CLARK

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

13. Other Water Rights Used:
A32-10128, A32-10129

14. Remarks:
TRANSFER #257. EXPANDED TO INCLUDE 80.0 ACRES IN T8N R31E SEC14
NENE AND SENE. HEADGATE WITH MEASURING WEIR IN BIRCH CREEK HYDRO
CANAL. DIRECT OVERLAP WITH A32-10128 AND A32-10129.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

AGNES B. RENO, ET. AL.
Decree Plaintiff

vs

J. R. RICHARDS, ET. AL.
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 Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ 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 _____

A32-00062

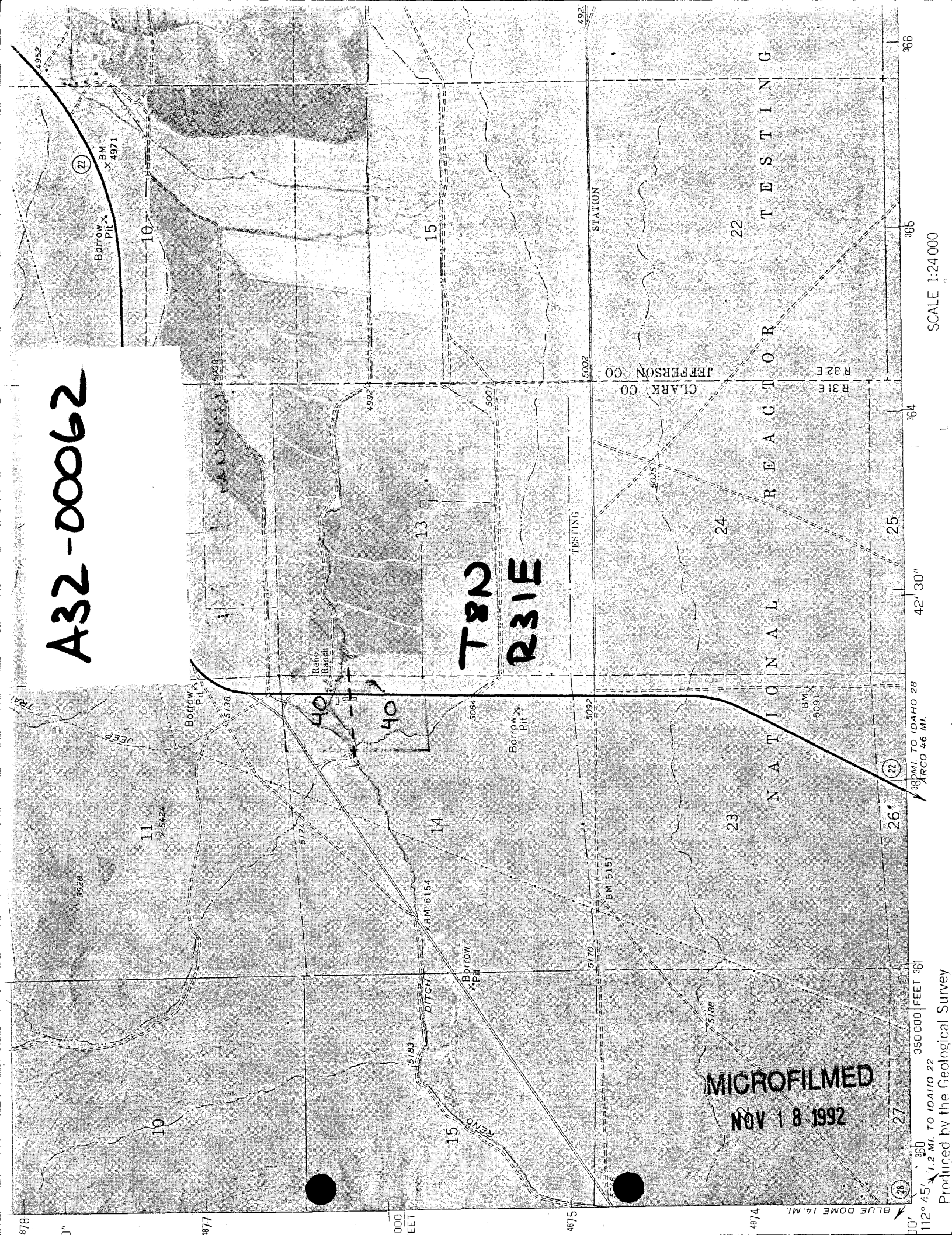
T8N
R31E

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N A T I O N A L
R E A C T O R
T E S T I N G

SCALE 1:24 000

Produced by the Geological Survey



A32-00062

BM
5779

4880

5'

4882

4884

4886

4879

2' 30"

P/D AS
CLAIMED

P/D OF
SORENSEN HYDRO

R30E T9N
T8N

DITCH TO POWER PLANT

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DITCH

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: 39356

Ident. Number

A 32-00062

Date Received

Receipt Number

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

A3200062

Please type or print clearly

1. Name of Claimant (s) Elda H. Wilding and
Estate of Ben R. Wilding Phone (208) 657-2577
- Mailing Address Star Route, Dubois Zip 83423
2. Date of Priority (Only one (1) per claim) April 1, 1904
3. Source of water supply (a) Birch Creek
which is tributary to (b) _____
4. a. Location of existing point of diversion is: Township 9N Range 30E Section 35,
SE 1/4 of NW 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of Clark
- Additional points of diversion if any: _____
- b. If instream flow, beginning point of claimed instream flow is:
- Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
- ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of
_____ 1/4, Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.
- Headgate with measuring weir in Birch Creek Hydro Canal. Shared with Double D
Enterprises & Birch Creek Hydro (Ted Sorensen). At place of use is applied by way
of ditches.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 1-1 to 12-31 amount 3.2 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 3.2 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
8N	31E	14	40			40													80
8N	33E	7												40	40	40	40		160
8N	33E	8									40	40	40	40					160

Total number of acres irrigated 400

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

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
Several other claims filed herewith or None ()

14. Remarks:

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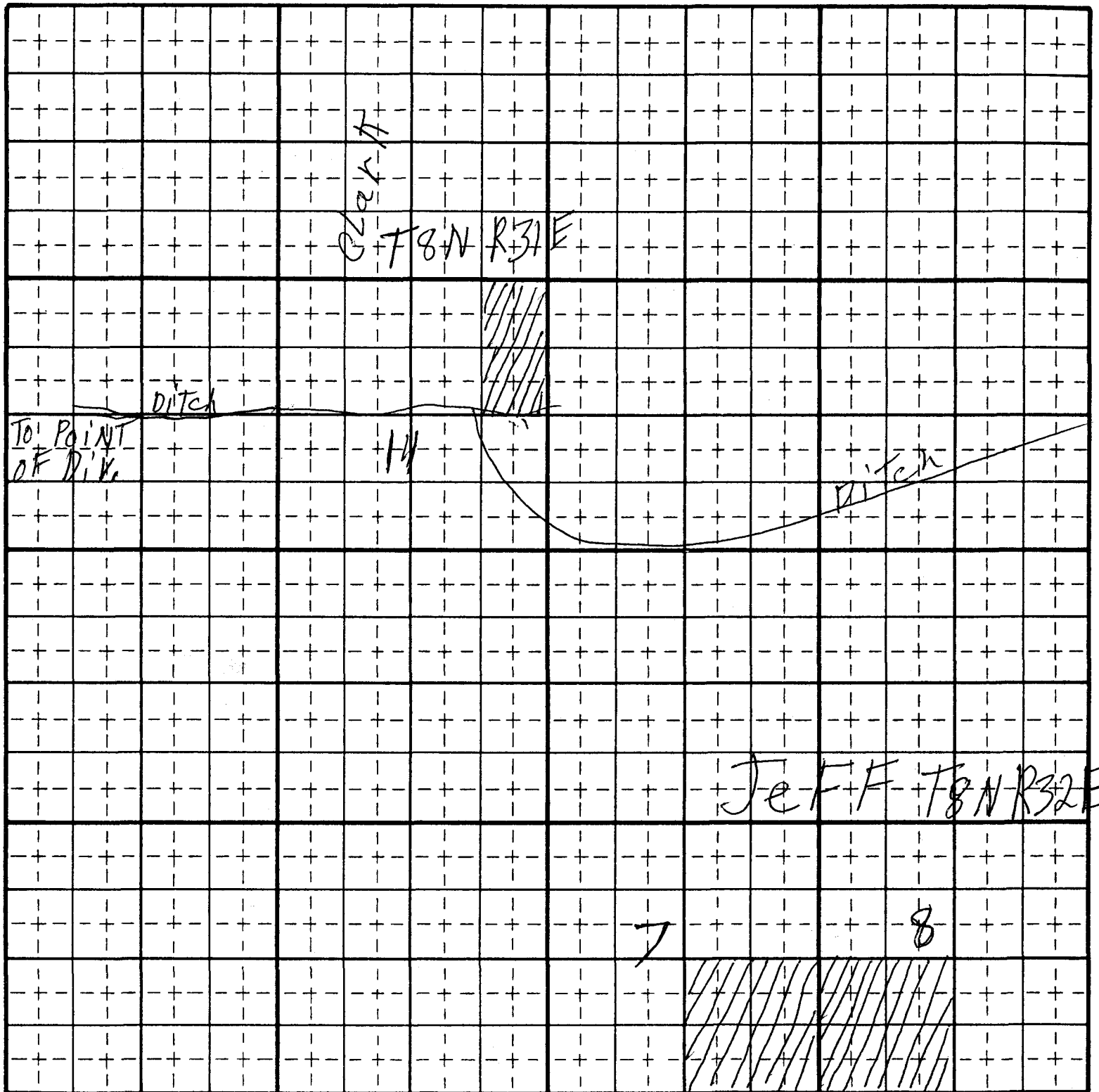
NOV 18 1992

Last Name Wilding Ident No. _____

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



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Last Name Wilding Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) ☐ Official Use ☐ Posted Notice ☐ License ☐ Permit ☐ Decree ☒ X

If applicable provide IDWR Water Right Number _____

Court Fremont County Case Number 9862 & 89265 Decree Date 1922 & 1937

Plaintiff vs Defendant Reno v. Richards, et al.

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 2

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Elda H. Wilding Date 7/26/88

As Attorney in Fact for Elda H. Wilding Date _____

For Organizations: I do solemnly swear or affirm that I am _____

_____ Title
of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Madison) SS.

Subscribed and sworn (or affirmed) before me this 26th day of July 19 88

SEAL

Notary Public Jerry R. Rigby

Residing at Rexburg, Idaho

My Commission Expires 11-9-93

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Jerry R. Rigby will be acting as attorney at law on behalf of the claimant signing 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 Jerry R. Rigby

Address P.O. Box 250, Rexburg, ID 83440

Date July 26, 1988

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Last Name Wilding Ident. Number _____

Copies White-State, Yellow-Claimant