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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 32-00070B

(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)

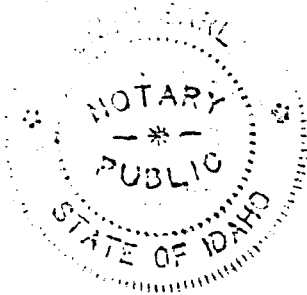
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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 A. 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: ,

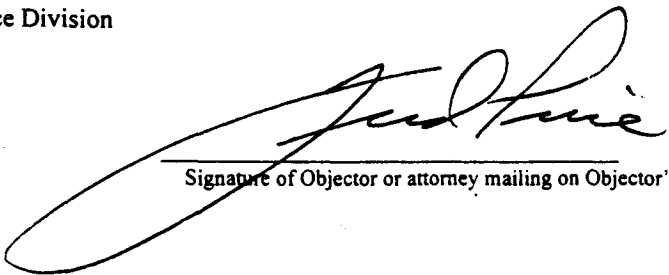
Name:
Address: ,

3. Copies to:

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

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

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: OCT-14-1999
PAGE: A-18

RIGHTS FROM : SOURCE: BIRCH CREEK TRIBUTARY: SINKS
RIGHT NUMBER : 32-00070B
NAME & ADDRESS : RENO DITCH COMPANY INC
PO BOX 5
REXBURG ID 83440
SOURCE: BIRCH CREEK TRIBUTARY: SINKS
QUANTITY: 0.8 CFS
140.0 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.: 32-00062, 32-02045

PRIORITY DATE : 09/19/1886
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
0.8 CFS
140.0 AFY

PLACE OF USE:

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 40.0 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.: 32-00062, 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

AJ5856NP

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

DATE: OCT-14-1999
PAGE: A-19

RIGHTS FROM : SOURCE: BIRCH CREEK TRIBUTARY: SINKS

RIGHT NUMBER : 32-00070B (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
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Address: P.O. Box 5, Rexburg, ID. 83440
Name:
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Name:
Address:,
Name:
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1. ☐ **Name and Address**
Should be: _____
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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

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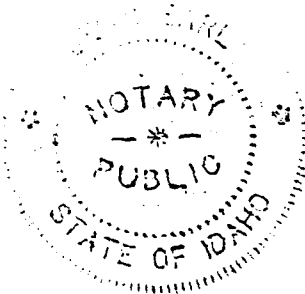
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Jean Earl
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Notary Public for Idaho

Residing at: Boise

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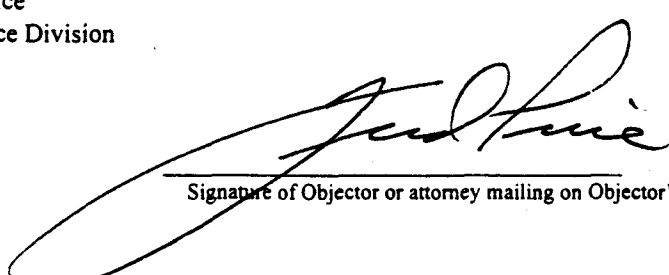
Name: Reno Ditch Company, Inc.
Address: P.O. Box 5, Rexburg, ID. 83440
Name:
Address:,
Name:
Address:,
Name:
Address:,

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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

AJS956NP

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RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: OCT-14-1999
PAGE: A-19-----
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RIGHT NUMBER : 32-00070B

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

SOURCE: BIRCH CREEK TRIBUTARY: SINKS

QUANTITY: 0.8 CFS
140.0 AFY

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COMBINED RIGHT NOS.: 32-00062, 32-02045

PRIORITY DATE : 09/19/1886

POINT OF DIVERSION : T09N R30E S34

SESESW

BLM

Within CLARK County

PURPOSE AND
PERIOD OF USE : PURPOSE OF USE
IRRIGATIONPERIOD OF USE
04-01 11-01QUANTITY
0.8 CFS
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T. 8N, R. 32E, S.02 SWSW
T.8N, R.32E, S.10 SENE

AJ5856N9

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

DATE: OCT-14-1999
PAGE: A-19

RIGHTS FROM : SOURCE: BIRCH CREEK TRIBUTARY: SINKS

RIGHT NUMBER : 32-000708 (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	SWNE 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:

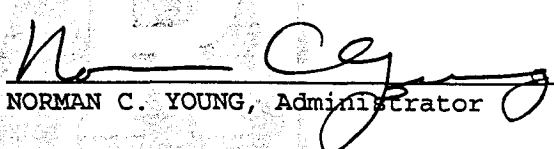
CONDITIONS OF APPROVAL

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 79.


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^{PS}/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. McDaniel, Secretary 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.

COPY

**QUITCLAIM DEED
FOR
WATER RIGHTS**

Microfilm No. 048235
30 Day March 19 99
At 1:35 O'Clock PM
CONNIE 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.

Lewis Newman

L2 Limited Partnership by, Lewis Newman,
General Partner

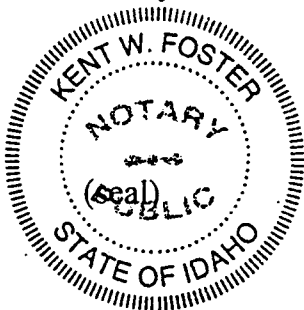
Lane Newman

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.

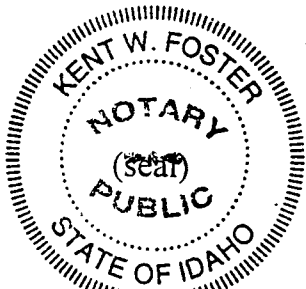


Kent W. Foster
 Notary Public for Idaho
 Residing at Idaho Falls, Idaho
 My Commission Expires: 11/20/2004

STATE OF IDAHO)
)ss.
 County of Bonneville)

On the 10 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\QUITCLAI.NWM:kmc

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

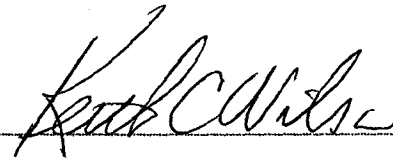
Receipt No: E023445

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	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

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 32-70B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RENO DITCH COMPANY INC PO BOX 5 REXBURG, ID 83440 (208)523-0620

Priority Date: 09/19/1886
Basis: Decreed
Status:

<u>Source</u>	<u>Tributary to</u>
BIRCH CREEK	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01	11/01	0.8 CFS	140 AFA	
Total Diversion			0.8 CFS	140 AFA	

Location of Point(s) of Diversion:

BIRCH CREEK SESESW Sec. 34 Township 09N Range 30E CLARK County

Place(s) of use:

Place of Use Legal Description: IRRIGATION

CLARK County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
08N	31E	12		SESW	40									
				NWSE	40		SWSE	40		SESE	40			
		13		NENE	40		NWNE	40		SWNE	40		SENE	40
				NENW	40		NWNW	40		SWNW	40		SENW	40
				NESW	40		NWSW	40						
				NESE	40		NWSE	39						
		14		NENE	39		SENE	39						
	32E	10		NESW	40	3	NWSW	41	4	SWSW	41		SESW	40
				NESE	40		NWSE	40		SWSE	40		SESE	40
		1	1	NENE	34	2	NWNE	34		SWNE	40		SENE	40
			3	NENW	34	5	NWNW	22		SWNW	40			
		11		NENE	41		NWNE	41		SENE	41			
				NENW	41		NWNW	28						
		1		SENW	40									
		11		SWNW	41		SENW	41						
				NESW	41		NWSW	41		SWSW	41		SESW	41
		1		NESW	40		NWSW	40		SWSW	40		SESW	40
				NESE	40		NWSE	40		SWSE	40			
		12		NWNE	40									
				NENW	40		NWNW	40						
		1		SESE	40									
		12		SWNW	40									
		14		NENW	40		NWNW	40						
		15		NENE	40		NWNE	40		SWNE	40		SENE	40
				NENW	40	1	NWNW	42	2	SWNW	42		SENW	40
		2		SENE	24									
				SESW	26									
				NESE	40		NWSE	24		SWSE	40		SESE	40
	33E	5	3	NENW	34	4	NWNW	34		SWNW	40		SENW	40

			NWSW	40		SWSW	40						
	6	1	NENE	34	2	NWNE	34		SWNE	40		SENE	40
		3	NENW	34	4	NWNW	17	5	SWNW	20		SENW	40
			NESW	40	6	NWSW	20	7	SWSW	20		SESW	40
			NESE	40		NWSE	40		SWSE	40		SESE	40
	7		NENE	40		NWNE	40		SWNE	40		SENE	40
			NENW	40									
			NESE	40		NWSE	40		SWSE	40		SESE	40
	8		NENW	40		NWNW	40		SWNW	40		SENW	40
			NESW	40		NWSW	40		SWSW	40		SESW	40
09N	32E	36	NENE	40		NWNE	40		SWNE	40		SENE	40
			NENW	40		NWNW	40		SWNW	40		SENW	40
			NESW	40		NWSW	40	4	SWSW	37	3	SESW	40
			NESE	40		NWSE	40	2	SWSE	40	1	SESE	40
	33E	31	NESW	40	3	NWSW	40	4	SWSW	40		SESW	40
			NESE	40		NWSE	40		SWSE	40		SESE	40
		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

Total Acres: 5723

Conditions of Approval:

1. C18 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.

Remarks:

1. Quantity 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 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.
2. Quantity USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1120.0 AF. COMBINED RIGHT NOS.: 32-00062 & 32-02045.
3. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 40 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
4. Place of Use - Irrigation 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.: 32-00062 & 32-02045.
5. Place of Use - Irrigation USE OF THE RIGHTS OF THE RENO DITCH COMPANY LISTED ABOVE IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 3,815 ACRES IN A SINGLE IRRIGATION SEASON.

Dates:

Licensed Date:
 Claim Received Date: 08/04/1988
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Decreed Date: 09/06/1922
 Date Filed with Court:
 Objection Filed Date:
 SF5 Filed:
 Special Master Recom Signed Date:

Element Reviewed/Verified Dates: No dates found

Other Information:

Receipt Number(s): E002094
 State or Federal: S
 Owner Name Connector: AND

Water District Number: 32D
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
PresumptionFlag:
Notice of Error Flag:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Verification Log:

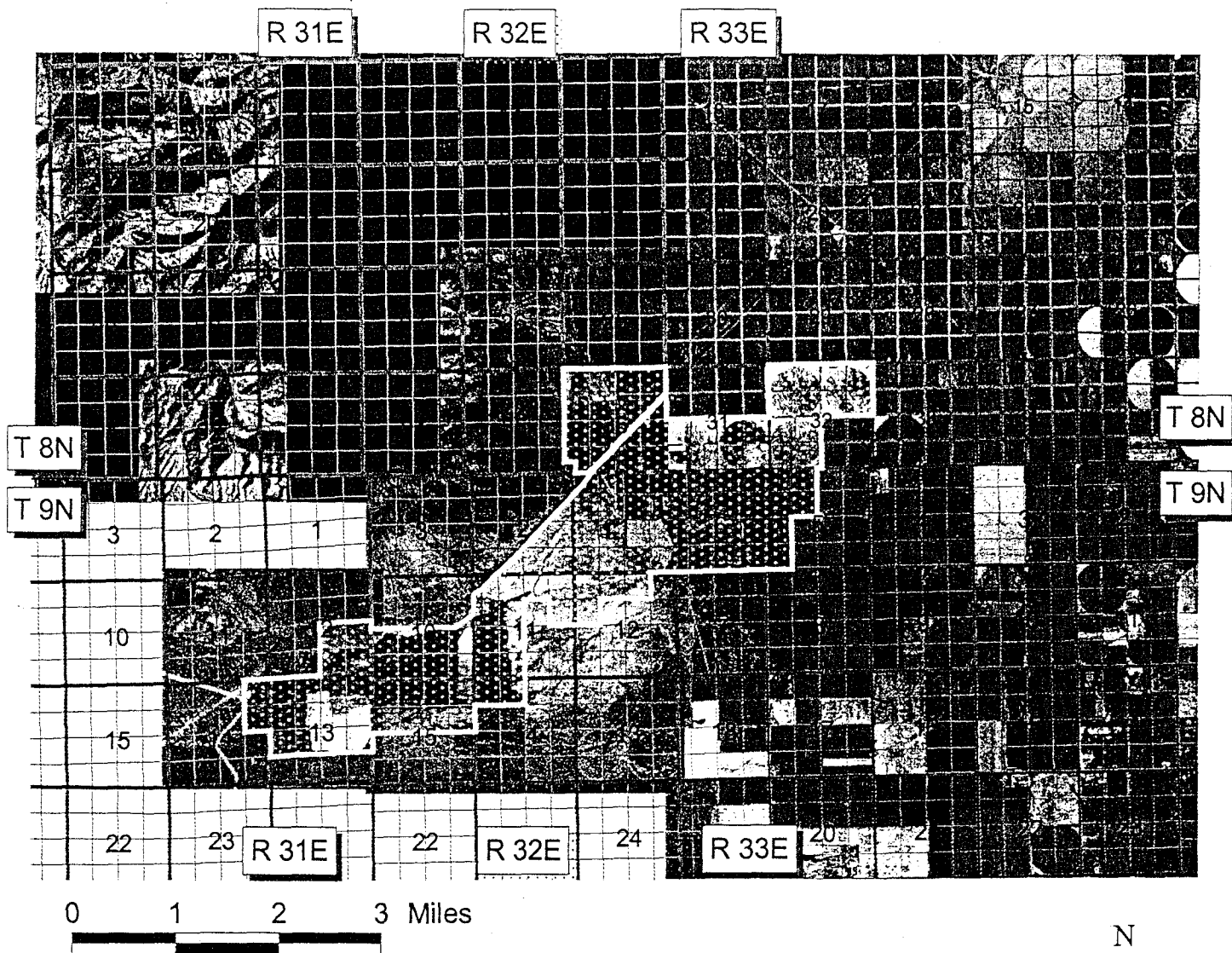
<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log Text</u>
POU	3/5/01 11:58:12 AM	bcontor	Edited shape boundary
POU	2/8/01 11:30:09 AM	bcontor	Edited PLS
POU	2/8/01 11:26:22 AM	bcontor	Edited shape boundary

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
12-17-99*

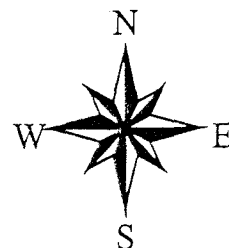


 1/4 1/4 Section Lines

 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: 32-70B

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

SOURCE: BIRCH CREEK TRIBUTARY: SINKS

QUANTITY: 0.8 CFS
140 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.: 32-00062 & 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: 09/19/1886

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	0.80 CFS 140.0 AFY

PLACE OF USE:

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 40 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.: 32-00062 & 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

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	09/19/1886	IRRIGATION	04-01 11-01	0.800 CFS	140.00 AFA
					TOTAL DIVERSION:	0.800 CFS 140.00 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		:	
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	
08N	31E	12	:							:										:								:	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						:										:								:					:	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	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	:	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	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	:	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: 32-0062, 0080B, 0060B, 0059, 02100, 10154,

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.: 32-00062, 32-02045

POU1 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 40.0 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.: 32-00062,
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: A32-00070B
Date Received: 8/ 4/1988
Receipt No: E002094
Received By: KW

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: L LA VAR NEWMAN 208-657-2252
Address: 2491 N 800 E
MONTEVIEW ID 83435

2. Date of Priority: SEP 19, 1886

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:
HEADWORKS OF SORENSEN HYDRO POWER PROJECT. FLOOD & SPRINKLER IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	01/01	12/31	0.800		

7. Total Quantity Appropriated is:
0.800 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:

32-0062, 0080B, 0060B, 0059, 02100, 10154,

14. Remarks:

TRANS. #257.

THIS CLAIM RENUMBERED FROM A32-10129 BY CHANGE IN OWNERSHIP &
AMENDMENT. ESV 5/34/91

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. L. Varner

Date: 25 July 1997

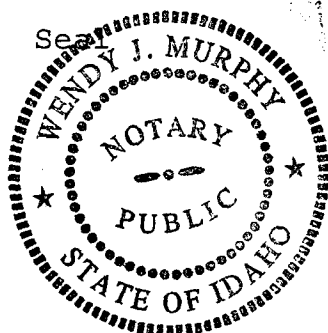
Date: _____

State of Idaho)
County of Bonneville) SS.

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

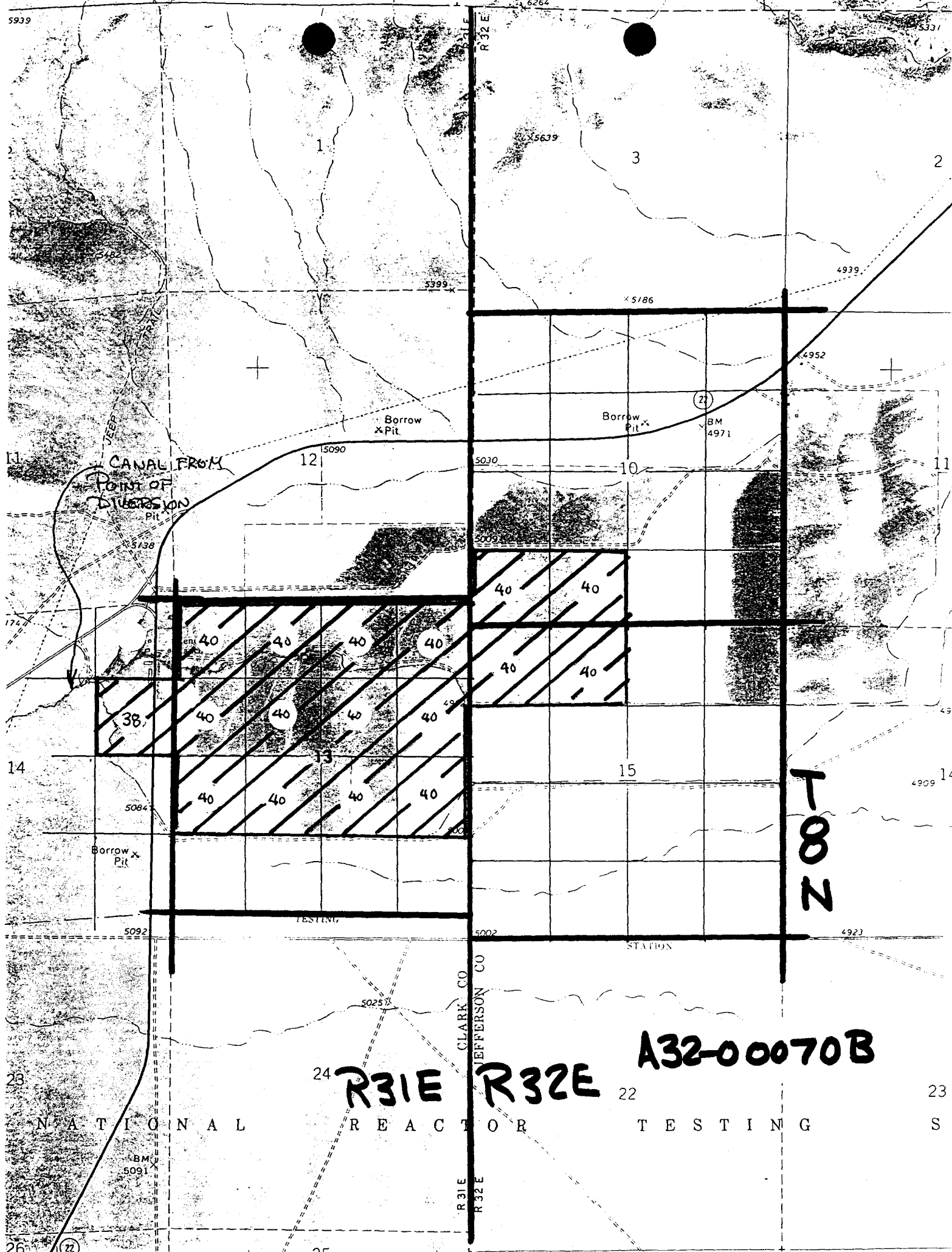
of July 19 97

Wendy J. Murphy
Notary Public



Residing at Idaho Falls

My Commission Expires 6/23/2000



24

R31E

R32E

22

A32-00070B

23

NATIONAL

REACTOR

TESTING

S

T9N

CLARK CO

CLARK CO

JEFFERSON CO

JEFFERSON CO

T8N

R32E R33E

POINT OF
DIVERSION

CANAL FROM BIRCH CK.

Relief Pump
INTO Sprinkler
System

T8N

R32E R33E

A32-00070B

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: A32-00070B
Date Received: 8/ 4/1988
Receipt No: E002094
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: L. LA VAR NEWMAN 208-657-2252
Address: 2491 N. 800 E.
MONTEVIEW, ID 83435

2. Date of Priority: SEP 19, 1886

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:
HEADWORKS OF SORENSEN HYDRO POWER PROJECT. FLOOD & SPRINKLER IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	~~04/01~~	~~11/01~~	0.800		

7. Total Quantity Appropriated is: 01/01 12/31 252
0.800 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	40.0
			NE	NW		IRR	38.0

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

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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:

32-0062, 0080B, 0060B, 0059, 02100, 10154,

14. Remarks:

TRANS. #257.

THIS CLAIM RENUMBERED FROM A32-10129 BY CHANGE IN OWNERSHIP &
AMENDMENT. ESV 5/34/91

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): *James L. Far...* Date: 11 June 1991

Date:

MICROFILMED

NOV 18 1992

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

MICROFILMED

A32-00070B

Well
4915

BM
X 4949

BM
4936

Borrow
Pt

36

31

31

32

T
9
N

T
8
N

CLARK CO

JEFFERSON CO

CLARK CO

JEFFERSON CO



T
8
2

R33E

POINT OF DIVERSION

Well
4848

RELIFT
PUMP INTO
SPRINKLER
SYSTEM

650
aln

CADAL FROM
BIRCH CREEK

1260 total
3150

R32E

R33E

13

18

17

Well

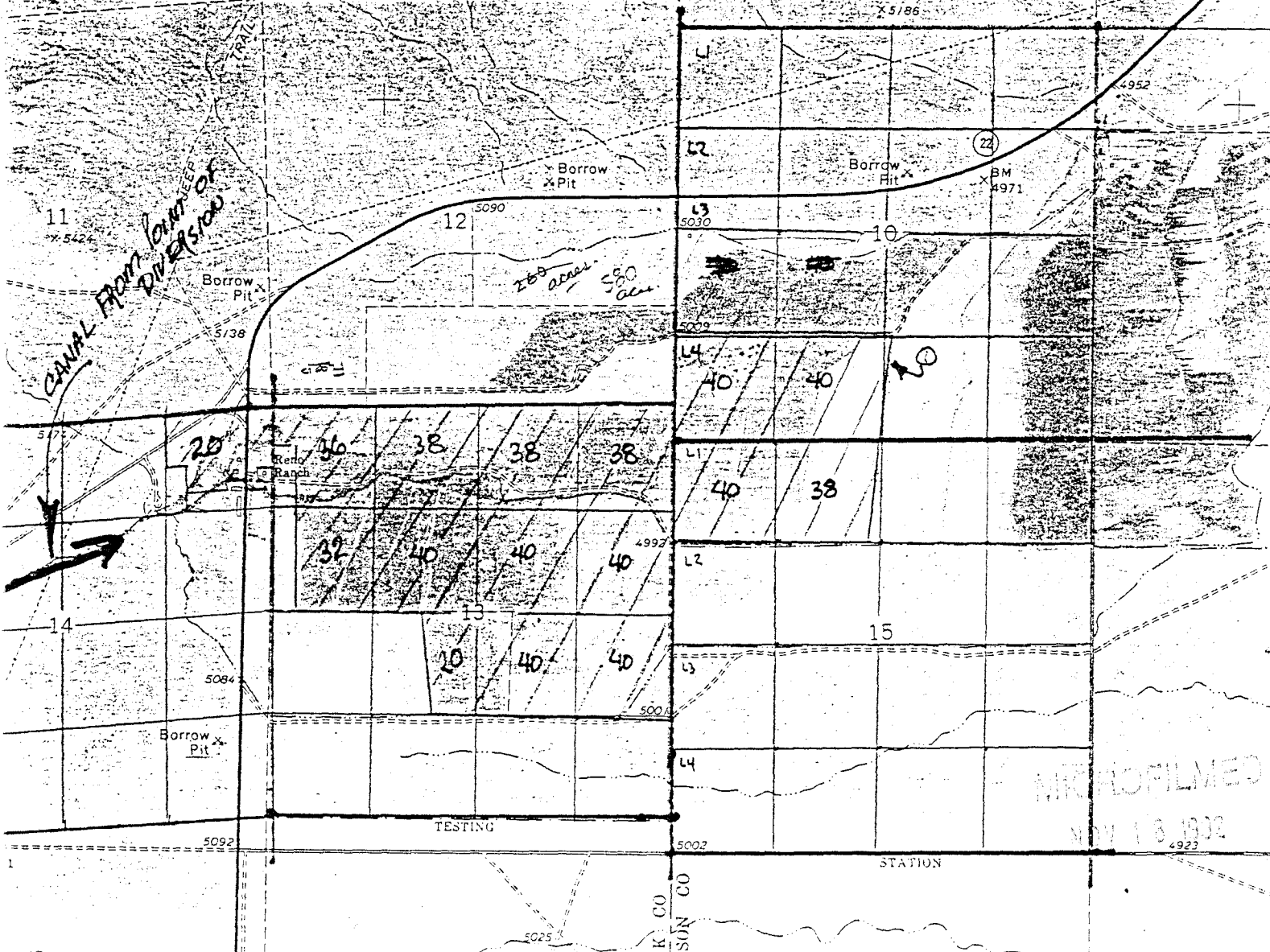
T9N

T8N

72-000700

R31E R32E

CANAL FROM LAKE OF DIVERSITY



MICROFILMED
NOV 13 1992

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

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

CIVIL CASE NUMBER: 39576

RENUMBERED A32-00070B 5/2-1/21

Ident. Number: ~~A32-10129~~

Date Received: 7/29/1988

Receipt No: E002094

Received By: PDW

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: AUG 19, 1886

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	6.400		

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

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

9. Non-irrigation uses:

A32-10129

Page 1

Date: 03/09/89

MICROFILMED

NOV 18 1992

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, JEFFERSON

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

13. Other Water Rights Used:
A32-10128, A32-00062

14. Remarks:
THIS RIGHT IS BASED ON A32-00070B. A32-00070A HAS BEEN PREVIOUSLY FILED BY D & D ENTERPRISES. THE P/U OF THIS RIGHT DOES NOT MATCH A32-00070A. HOWEVER, P/U MATCHES THAT OF 32-00070B. 32-00070B HAS ONLY 0.8 C.F.S. COMBINED WITH THE 2.4 C.F.S. FROM A32-00070A, THIS TOTALS 3.2 C.F.S FOR THE ORIGINAL RIGHT 32-00070. CLAIMANT WISHES TO CLAIM 6.4 C.F.S. THIS RIGHT ALSO EXPANDS P/U TO INCLUDE T8N R31E SEC14 NENE AND SENE(80 ACRES).

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

A32-10129

Page

2

Date: 03/09/89

MICROFILMED

NOV 18 1992

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 _____

BM
5779

A32-10129

P/D AS
CLAIMED

P/D OF
SORENSEN HYDRO

DITCH TO POWER PLANT

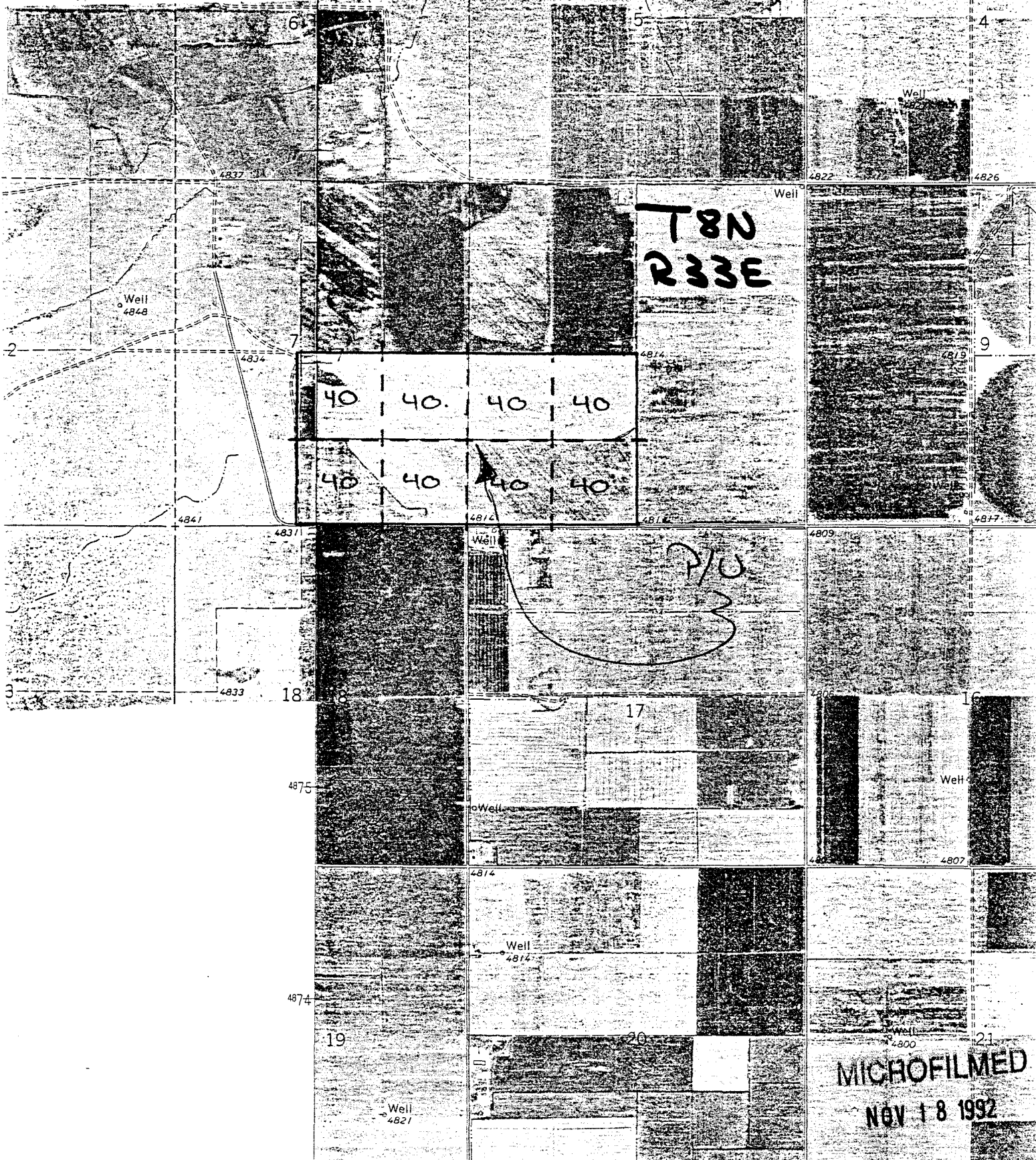
R30E T9N
T8N

MICROFILMED
NOV 18 1992

A32-10129

T. 9 N.

T. 8 N.



MICROFILMED
NOV 18 1992

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 A32-10129

Date Received A32-10129

Receipt Number _____

Renumbered: A32-00070B

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

A3200070B

Please type or print clearly

1. Name of Claimant (s) Elda H. Wilding and
Estate of Ben R. Wilding Phone (208) 657-257
Mailing Address Star Route, Dubois Zip 83423
2. Date of Priority (Only one (1) per claim) August 19, 1886
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.

MICROFILMED

NOV 18 1992

Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 1-1 to 12-31 amount 6.4 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 6.4 (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:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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
																			400

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:

MICROFILMED

NOV 18 1992

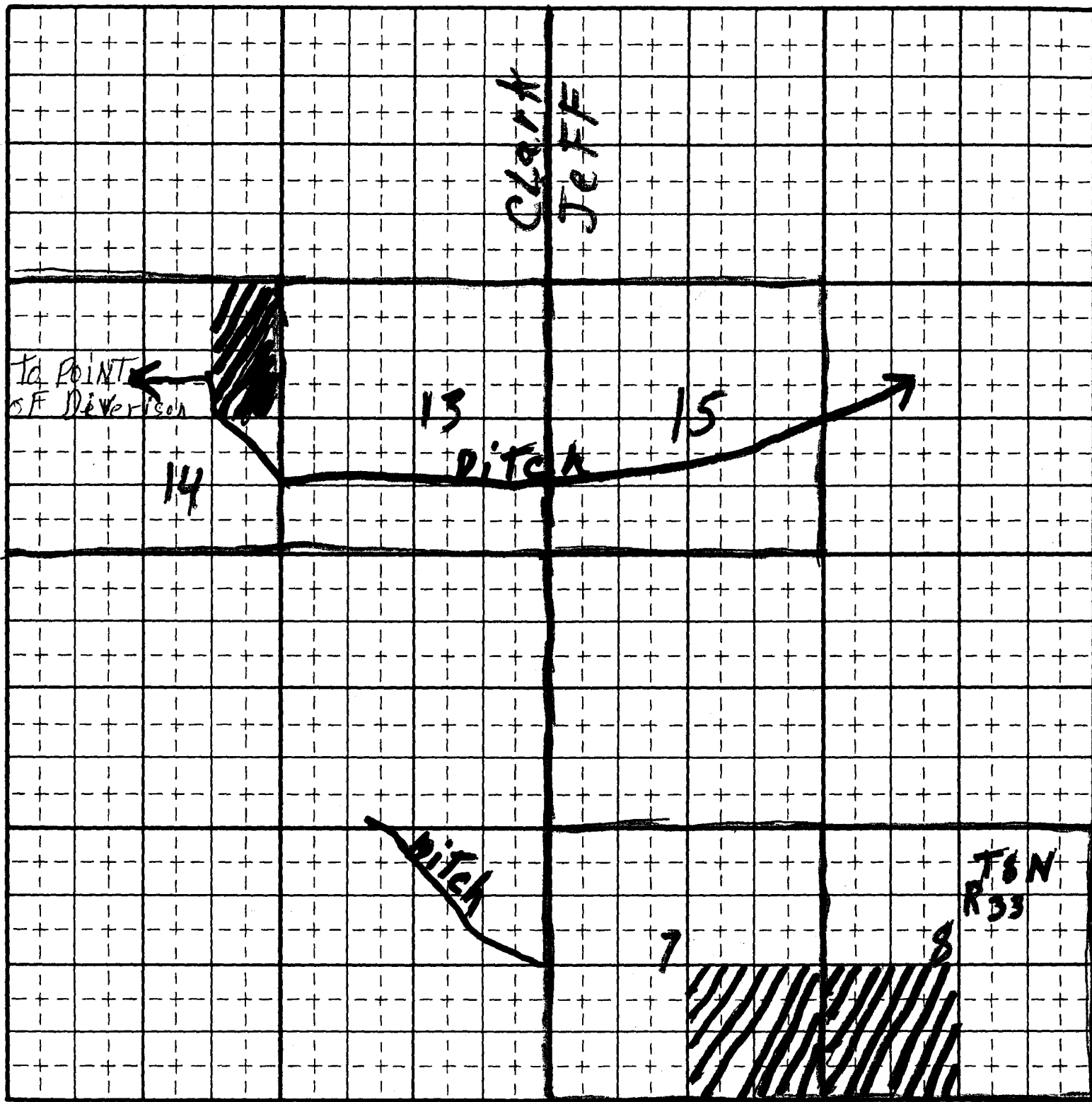
Last Name Wilding Ident No. _____

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

T8N R30



S

MICROFILMED

Last Name Wilding Ident No. _____

Copies: White-State, Yellow-Gummi NOV 18 1992

15. Basis of Claim (check one) ☒ Commercial 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 ☐ 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

MICROFILMED

NOV 18 1992

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant