

NO
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DOCUMENTS
IN
FILE

AJ0743NP
(00-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

09/15/99 07:34:32
Page 1

Water Right Number - A32-00091

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

*** C - CURRENT OWNER ***
RENO DITCH COMPANY INC

1 - PO BOX 5
2 -
3 -
City- REXBURG
Phone - 208-523-0620

State- ID Zip- 83440

Priority Date - 05/01/1901

Region - 15 EASTERN

Stage -

Status - W - WITHDRAWN

Source - BIRCH CREEK
WITHDRAWN

Tributary - SINKS

Twn Rng Sec Tract lot Rflg County
09N 30E 34 SE SE SM (33) CLARK

SORENSEN HYDROPOWER PLANT

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	11/01		0.500	221.20
Total Div. Rate - 0.500				Total Div. Volume - 212.20	Total Consumptive Use - 0.0	

Twn	Rng	Sec	Tract	lot	Acres	Place of Use	Code	Description	County
-----	-----	-----	-------	-----	-------	--------------	------	-------------	--------

Total Acres:

- - - Diversion Means - HEADWORKS FOR SORENSON ENGINEERING HYDRO PROJECT

- - - Non-irrigation Use - NONE

- - - Other Rights for Same Use - A32-00088/10124

Remarks -

CNT

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 &

Water right number - A32-00091

Prefix Translation: ADJUDICATION CLAIM

+ - - - - - Remarks - - - - - +

32-02045.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 3360 AF.
COMBINED RIGHT NOS.: 32-00061C, 32-00068, 32-00073, 32-00077,
32-00078, 32-00079, 32-00085, 32-00086, 32-00087, 32-00089,
32-00090A, 32-00092, 32-00093, 32-00102
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 840.0 AF.
COMBINED RIGHT NOS.: 32-00092, 32-00093.

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

POU1
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 240.0 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 960.0 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-0061C, 32-00068,
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IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00092,
32-00093.

GEN WITHDRAWN

+ - - - - - Old Water Right Numbers - - - - - +
+ - - - - - No Old Water Right Numbers Found

+ - - - - - Conditions of Approval - - - - - +
+ - - - - - No Conditions of Approval found.

+ - - - - - Decree Plaintiff - - - + + - - - - - Decree Defendant - - - + + - - - - - Decree Date - - +
AGNES B. RENO, ET. AL. J. R. RICHARDS, ET. AL. 09/06/1922

+ - - - - - Comments - - - - - +
+ - - - - - No Comments Found

+ - - - - - Audit fields - - +
09/15/99 SSHERMAN

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	-	39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-	
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-	

AJ0743NP
(CD-124)

IDaho DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

09/15/99 07:34:32
Page 3

Water right number - A32-00091

Prefix Translation: ADJUDICATION CLAIM

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +					
Claim Received Date	- 07/27/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- E013061	Water District	- 32D
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

AJ0743NP
(CD-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

09/15/99 07:36:04
Page 1

Water Right Number - R32-00091

Prefix Translation: RESEARCH

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Status - W - WITHDRAWN

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BIRCH CREEK
WITHDRAWN

Tributary -
SINKS

Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion
09N	30E	34	SE SE SW		(33)	CLARK	SORENSEN HYDROPOWER PLANT

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	11/01		0.500	221.20
+ - Total Div. Rate - +		+ - Total Div. Volume - +		+ - Total Consumptive Use - +		+ - KW Usage - +
0.500		212.20		0.0		

Total Acres:

+ - - Diversion Means - HEADWORKS FOR SORENSON ENGINEERING HYDRO PROJECT

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - A32-00088/10124

+ - - Remarks -

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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, 32-00088, 32-00089, 32-00090A,
32-00091, 32-00092, 32-00093, 32-00101, 32-00102, 32-02043 &

Water right number - R32-00091

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32-02045. Remarks

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COMBINED RIGHT NOS.: 32-00061C, 32-00068, 32-00073, 32-00077,
32-00078, 32-00079, 32-00085, 32-00086, 32-00087, 32-00089,
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IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-0061C, 32-00068,
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IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00092,
32-00093.

GEN WITHDRAWN

No Old Water Right Numbers Found Old Water Right Numbers

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.

Decree Plaintiff AGNES B. RENO, ET. AL. Decree Defendant J. R. RICHARDS, ET. AL. Decree Date 09/06/1922

Date: 07/28/1999 User Id: BCNONTOR Subject: COPIED FROM REMARKS
THE ATTACHED AGREEMENT LIST THIS RIGHT AS BELONGING TO WILLIAM T. SIMMONS, HOWEVER, THE DOCUMENT IS INTENDED TO SHOW THAT HE HAS
NO RIGHTS IN PASS CREEK.
*** WITHDRAWN 6/3/99 ESY
Date: 07/31/1999 User Id: AJU10-EC Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

AJ0743NP
(DD-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
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09/15/99 07:36:04
Page 3

Water right number - R32-00091

Prefix Translation: RESEARCH

+ - - Audit Fields - - +
09/15/99 SSHERMAN

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +									
Court Report Filing	-	00/00/0000	Field Inspection Made	-	00/00/0000	Civil Case Number	-	39576	
Objection Filed Date	-	00/00/0000	Field Inspection Flag	-		Old Case Number	-		
Response Filed Date	-	00/00/0000	Verified Date	-	00/00/0000	Old Judicial District	-		
Claim Received Date	-	07/27/1998	Last Amended Date	-	00/00/0000	Temporary Right	-	P	
			Receipt Number	-	X777777	Water District	-	32D	
			POU Ownership Flag	-	Y	Federal/State Indicator	-	S	
			Name Connector	-	AND/OR	Presumption Flag	-		
						Notice of Error Flag	-		

Ernie C

REFUND REQUEST

TO: S. Sherman to Log In
FOR: D. Shaff/D. Allen
FROM: Ernie Carben via Sal Date: 06-09-99
SUBJ: Receipt No. E000903 (Please attach ARQ2 Receipt copy immediately behind blue form)

RE: PayOR C. A. Wagoner
Address 40 Mac Wagoner
PO Box 296
Dubois, ID 83423

Claimant(s) if NOT Payor Mac & Betty Wagoner

Refund Amount \$ _____ Claim Location (Region/Claimant)

Extension Filed? Y/N NA Copy Attached? Y/N NA

Late Fees Paid? Y/N NA Late Fee Receipt # _____

S.O. Verified Ext. by _____ on _____ D.B. Query by _____

Refund Generated By () Agent (☒) Claimant

Refund Category:
insufficient fees / claim incomplete / withdrawn / o-pmt

Date of Last Correspondence (copy attached) _____

Claim No.	Use*	Fees	Correct	Rec't #
		Paid	Fee	
<u>A32-00091</u>	<u>01</u>	<u>\$50.00</u>	<u>\$50.00</u>	<u>E000903</u>
<u>A32-10124</u>	<u>01</u>	<u>\$50.00</u>	<u>\$50.00</u>	<u>E000903</u>
_____	_____	\$ _____	_____	_____
_____	_____	\$ _____	_____	_____
_____	_____	\$ _____	_____	_____
Total		<u>\$100.00</u>	<u>\$100.00</u>	

*Incomplete claims or insufficient fees for irrigation use will generally NOT be refunded. D.E. claim in AJSP1 at minimum.

Detailed Reason(s) for Refund Attached (Y/N)
"Claims not necessary, filed in error."

Region AJ Spvsr. Approval * S.O. AJ Spvsr. Approval _____
Don Shaff Approval 9/14/99 Hold _____ To Fiscal 2452070
Denied Logged 06-09-99
Data Base Modified? (Y/N) NA A &/or R Records By do on 9-15-99
* Recommends no refund. No site field exam done.

RECEIVED

JUN 03 1999

Department of Water Resources
Eastern Region

RECEIVED

JUN 09 1999

Department of Water Resources
Form 25a

REQUEST FOR WITHDRAWAL OF CLAIM

Name of Claimant: MAC OR BETTY WAGONER
(Please Print)

Mailing Address: PO Box 296 DUBOIS, 83423

Amount: \$ 100⁰⁰ Receipt No.: E000907

County of Water Right: CLARK

Claim No(s): A32-10124 (A32-00092) } A32-00091

I wish to withdraw the Notice(s) of Claim to a Water Right which number(s) appear above and for which I previously paid a filing fee to the Idaho Department of Water Resources. I do ☒ do not request a refund of the filing fee. If a refund is requested I have attached an explanation of the justification for granting a refund.

Mac Wagoner
(Signature of Claimant)

6-3-99
(Date)

Betty Wagoner
(Signature of Claimant)

6-3-99
(Date)

(Signature of Claimant)

(Date)

Return to:

Idaho Department of Water Resources
Adjudication Section

For IDWR Use

	Initials	Date
Approval Region	<u>EMC</u>	<u>6-4-99</u>
Approval State Office	_____	_____
Data Entry	_____	_____
Claim File	_____	_____

recommend no refund.

RECEIVED

JUN 03 1999

Department of Water Resources
Eastern Region

June 3, 1999

We recently acquired this property from my deceased mother. The claims we are withdrawing were filed in error and are not necessary to record our uses of water from Pass Creek.

Mac Wagoner Mac Wagoner

Betty Wagoner Betty Wagoner



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

September 15, 1999

KARL J. DREHER
DIRECTOR

MAC AND BETTY WAGONER
PO BOX 296
DUBOIS ID 83423

RE: Snake River Basin Adjudication (SRBA)
Clark County - #A32-00091, #A32-10003 & A32-10124

Dear Mr. & Mrs. Wagoner:

Thank you for your letter advising us of your withdrawal of the claims referenced above and your request to receive a refund of the \$150.00 filing fees submitted for these claims.

The Department has reviewed your request for refund of these filing fees. Rule 55 of the Adjudication Rules and Regulations states, "Fees shall not be refunded or returned except where the fee was miscalculated at the time the claim was filed or as expressly provided in these rules." The records of the Department do not show these filing fees were miscalculated or the filing of the claims in 1988 was accidental, duplicative, or inadvertent. Your request for refund of the filing fees is denied.

Your decision to withdraw the claims will be followed. If you have any further questions, I would like you to contact me.

Thank you,

Donald V. Shaff
Manager, Adjudication Section

DVS:ss:ref:region

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

A. Subcase 32-00091

(Insert water right number)

Case No. 39576

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)

James A. Burn
(Attorney signing in representative capacity)

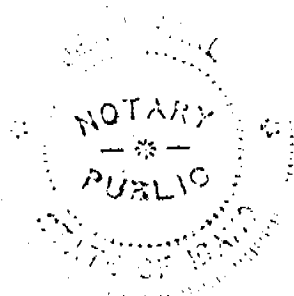
Subscribed and sworn to before me on: December 16, 1999

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: ,

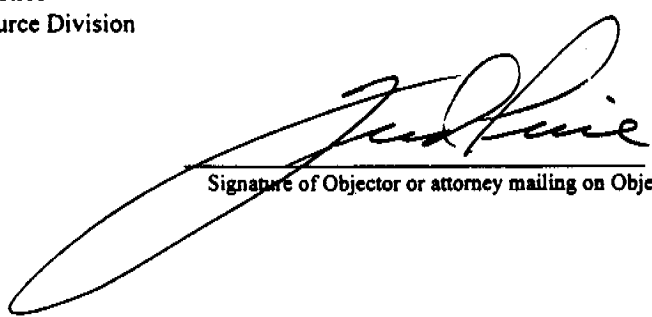
Name:
Address: ,

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

RIGHTS FROM : SOURCE: BIRCH CREEK TRIBUTARY: SINKS

RIGHT NUMBER : 32-00091

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

SOURCE: BIRCH CREEK TRIBUTARY: SINKS

QUANTITY: 0.5 CFS
212.2 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 3360 AF. COMBINED RIGHT NOS.: 32-00061C, 32-00068, 32-00073, 32-00077, 32-00078, 32-00079, 32-00085, 32-00086, 32-00087, 32-00089, 32-00090A, 32-00092, 32-00093, 32-00102

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PRIORITY DATE : 05/01/1901

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
0.5 CFS
221.2 AFY

PLACE OF USE:

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

RIGHTS FROM : SOURCE: BIRCH CREEK TRIBUTARY: SINKS

RIGHT NUMBER : 32-00091 (CONT)

PERIOD OF USE: (CONT)

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 240.0 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.

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

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 32-00091

(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)

James A. Burn
(Attorney signing in representative capacity)

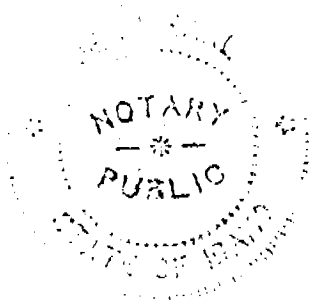
Subscribed and sworn to before me on: December 16, 1999

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: ,

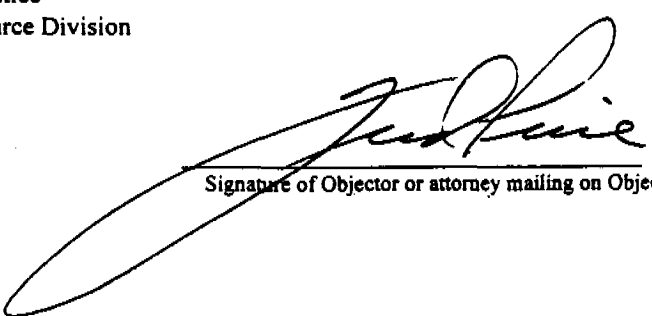
Name:
Address: ,

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 LAW

DATE: OCT-14-1999
PAGE: A-34

RIGHTS FROM : SOURCE: BIRCH CREEK TRIBUTARY: SINKS

RIGHT NUMBER : 32-00091

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

SOURCE: BIRCH CREEK TRIBUTARY: SINKS

QUANTITY: 0.5 CFS
212.2 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 3360 AF. COMBINED RIGHT NOS.: 32-00061C, 32-00068, 32-00073, 32-00077, 32-00078, 32-00079, 32-00085, 32-00086, 32-00087, 32-00089, 32-00090A, 32-00092, 32-00093, 32-00102

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 840.0 AF. COMBINED RIGHT NOS.: 32-00092, 32-00093.

PRIORITY DATE : 05/01/1901

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
0.5 CFS
221.2 AFY

PLACE OF USE:

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

RIGHTS FROM : SOURCE: BIRCH CREEK TRIBUTARY: SINKS

RIGHT NUMBER : 32-00091 (CONT)

PERIOD OF USE: (CONT)

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 240.0 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 960.0 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-0061C, 32-00068, 32-00069, 32-00073, 32-00077, 32-00078, 32-00079, 32-00085, 32-00086, 32-00087, 32-00089, 32-00090A, 32-00092, 32-00093, 32-00102

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 240.0 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00092, 32-00093.

PLACE OF USE WITHIN THE BOUNDARY OF THE RENO DITCH COMPANY.
TOTAL IRRIGATED ACRES: 5.798.

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

12165

A32-000091
RENO BITCH CO.
N



A3200091

□ A323 Photos

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
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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)
			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)
		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

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 Skaggs²⁸/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, Montevue, 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 Date 6/15/99

(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

Microfilm No. 048238
30 Day March 19 99
 At 1:40 O'Clock P.M.
CONNIE OWEN
 Clark Co. Recorder
 Fee \$ 9.00
Marcia Belcher Deputy
 Recorded at Request of
H. K. H. & Chap

QUITCLAIM DEED FOR WATER RIGHTS

THIS INDENTURE is made this 10 day of March, 1999, between Birch Creek Ranches, L.L.C., 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
32-00090A	10 May, 1886	0.80	Irrigation	04/01 to 11/01
32-00093	10 May, 1886	1.60	Irrigation	04/01 to 11/01
32-00068	10 May, 1887	3.20	Irrigation	04/01 to 11/01
32-00061C	10 May, 1888	0.40	Irrigation	04/01 to 11/01
32-00069	10 May, 1888	3.20	Irrigation	04/01 to 11/01
32-00089	10 May, 1888	2.50	Irrigation	04/01 to 11/01
32-00092	10 May, 1888	2.50	Irrigation	04/01 to 11/01
32-00102	10 May, 1889	4.00	Irrigation	04/01 to 11/01

32-00091	1 May, 1901	0.50	Irrigation	04/01 to 11/01
32-00073	15 May, 1909	0.20	Irrigation	04/01 to 11/01
32-00101	4 June, 1909	2.90	Irrigation	04/01 to 11/01
32-00085	10 May, 1910	0.20	Irrigation	04/01 to 11/01
32-00077	15 May, 1910	0.20	Irrigation	04/01 to 11/01
32-00086	1 May, 1911	0.20	Irrigation	04/01 to 11/01
32-00078	15 May, 1911	0.20	Irrigation	04/01 to 11/01
32-00087	1 May, 1912	0.20	Irrigation	04/01 to 11/01
32-00079	15 May, 1913	0.80	Irrigation	04/01 to 11/01

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 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.

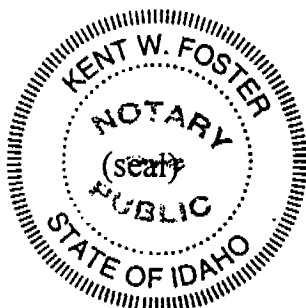
BIRCH CREEK RANCHES, L.L.C.


by Ted Sorenson, Managing Member

STATE OF IDAHO)
)ss.
 County of Bonneville)

On the 12th day of March, 1999, before me, the undersigned, a notary public in and for said State, personally appeared Ted Sorenson, known or identified to me to be the managing member of the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company, and acknowledged to me that such limited liability company executed the same.

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



G:\WPDATA\KWF5568\QUITCLAIM.BCR.kmc

Kent W. Foster
 Notary Public for Idaho
 Residing at Idaho Falls, Idaho
 My Commission Expires: 11/21/2004

RECEIVED

JUN 03 1999

Department of Water Resources
Eastern Region

Form 25a

REQUEST FOR WITHDRAWAL OF CLAIM

Name of Claimant: MAC OR BETTY WAGONER
(Please Print)

Mailing Address: PO Box 296 DUBOIS, 83423

Amount: \$ 100⁰⁰ Receipt No.: E000907

County of Water Right: CLARK

Claim No(s): A32-10124 (A32-00092) } A32-00091A

I wish to withdraw the Notice(s) of Claim to a Water Right which number(s) appear above and for which I previously paid a filing fee to the Idaho Department of Water Resources. I do ☒ /do not request a refund of the filing fee. If a refund is requested I have attached an explanation of the justification for granting a refund.

Mac Wagoner
(Signature of Claimant)

6-3-99
(Date)

Betty Wagoner
(Signature of Claimant)

6-3-99
(Date)

(Signature of Claimant)

(Date)

Return to:

Idaho Department of Water Resources
Adjudication Section

For IDWR Use

	Initials	Date
Approval Region	<u>EMC</u>	<u>6-4-99</u>
Approval State Office	_____	_____
Data Entry	_____	_____
Claim File	_____	_____

recommend no refund.

RECEIVED

JUN 03 1999

Department of Water Resources
Eastern Region

June 3, 1999

We recently acquired this property from my deceased mother. The claims we are withdrawing were filed in error and are not necessary to record our uses of water from Pass Creek.

Mac Wagoner Mac Wagoner

Betty Wagoner Betty Wagoner



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 24, 1999

MAC & BETTY WAGONER
PO BOX 296
DUBOIS ID 83423

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP (NCO) FOR PARTIAL
DECREE(S) 32-10008 AND NOTICE(S) OF CLAIM TO A WATER RIGHT
A32-00088, A32-00091, A32-10124, A32-10315

Dear Mr. & Mrs. Wagoner:

The Department's records have been modified to reflect the change
in ownership for the above referenced partial decree(s) and
notice(s) of claim.

Enclosed for your files is a report listing you as the current
owner(s). Review the form and if there are corrections or
questions, feel free to contact this office.

Respectfully submitted,

Jennifer Hoagland
Technical Records Specialist

Enclosure

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

RECEIVED

MAY 04 1999

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) _____
Adjudication Claim Number(s) A32-00088, A32-00091, A32-10008, A32-10124, A32-10315

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)

Blanche Wagoner
Lendore Idaho

4. New Owner/Claimant(s)

MAC OR Betty Wagoner

New Mailing Address

P.O. Box 296 Dubois Idaho 83423

City, State and ZIP Code

New Telephone Number

208-374-5415

5. Date you acquired the property

October 1996

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)

Mac Wagoner

Date 5-4-99

Date _____

(Corporations or other organizations must submit a 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 attach a Notice of Appearance completed by your attorney.

DEED IN LIEU OF FORECLOSURE

This indenture, made this 24 day of October, 1996, between Blanche Wagoner, of Dubois Idaho, party of the first part and Mac Wagoner and Betty Anne Wagoner, parties of the second part;

WITNESSETH, that the party of the first part, for and in consideration of the sum of one and no/100 dollars, (\$1.00) lawful money of the United States of America, and other valuable consideration to them in hand paid by party of the second part, receipt of which is hereby acknowledged, has granted, bargained, sold and by these presents does hereby grant, bargain, sell, convey and confirm unto said party of the second part, their successors and assigns, forever, all the following described real estate, situated in Clark County, Idaho, to-wit:

Township 10 North, Range 30 East of the Boise Meridian, CLARK COUNTY, IDAHO.

SECTION 30: NE 1/4 SE 1/4

ALSO, Beginning at a point 12 chains West of the NE corner of the NW 1/4 SW 1/4 Section 29; thence South 18 chains; thence East 2 chains; thence South 18 chains; thence West 3 chains; thence South 14 chains; thence West 7 chains; thence North 30 chains, thence East 8 chains to the point of beginning.

EXCEPTING THEREFROM: a tract of land described as follows:
Beginning at a point 10 chains North and 7 chains East from the SW corner of the NW 1/4 NW 1/4 of Section 32; thence West 60 feet; thence North 260 feet; thence East 60 feet; thence South 260 feet to the place of beginning.

ALSO EXCEPTING THEREFROM: A tract of land described as follows:
Beginning at a point from which the Section corner common to Section 29 and 30, 31 and 32 bears West 363.9 feet and N 0° 4' W 424.0 feet; thence N 68° 26' E 78.0 feet; thence N 0° 30' E 217.0 feet; thence West 70.0 feet; thence S 3° 30' W 247.0 feet to the POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM: County Road Rights of Way.

Together with all and singular the tenements, hereditaments, and appurtenances thereto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents, issues, and profits thereof; and all estate, right, title, and interest in and to the said property, as well as in law as in equity of the party of the first part.

To have and to hold the premises, together with all and singular the tenements, hereditaments, encumbrances and appurtenances thereto belonging or in anywise appertaining; and the reversions, remainders, rents, issues, and profits thereof; and all first part's estate, right, title and interest, including conveyance of all rights of redemption or claims for redemption in and to the premises, in law, as well as in equity.

First party shall and by these presents does hereby warrant and agree to forever defend the second party, their successors and assigns, in the quiet and peaceable possession of the premises and from and against all and every person lawfully claiming an interest therein.

This deed is an absolute conveyance of title, in effect as well as in form, and is not intended as a mortgage, trust conveyance, or security of any kind. The consideration therefore is the sum of one dollar, and full release of all debts and obligations heretofore existing on account of that certain Real Estate Mortgage with Blanche Wagoner as Mortgagor and Mac Wagoner and Betty Anne Wagoner as Mortgagees. This deed completely satisfies said contract indebtedness and terminates said contract and any effect thereof in all respects.

IN WITNESS WHEREOF the party of the first part has hereunto set their hands and seals the day and year first above written.

*

Blanche Wagoner

STATE OF IDAHO,)

County of Burley)

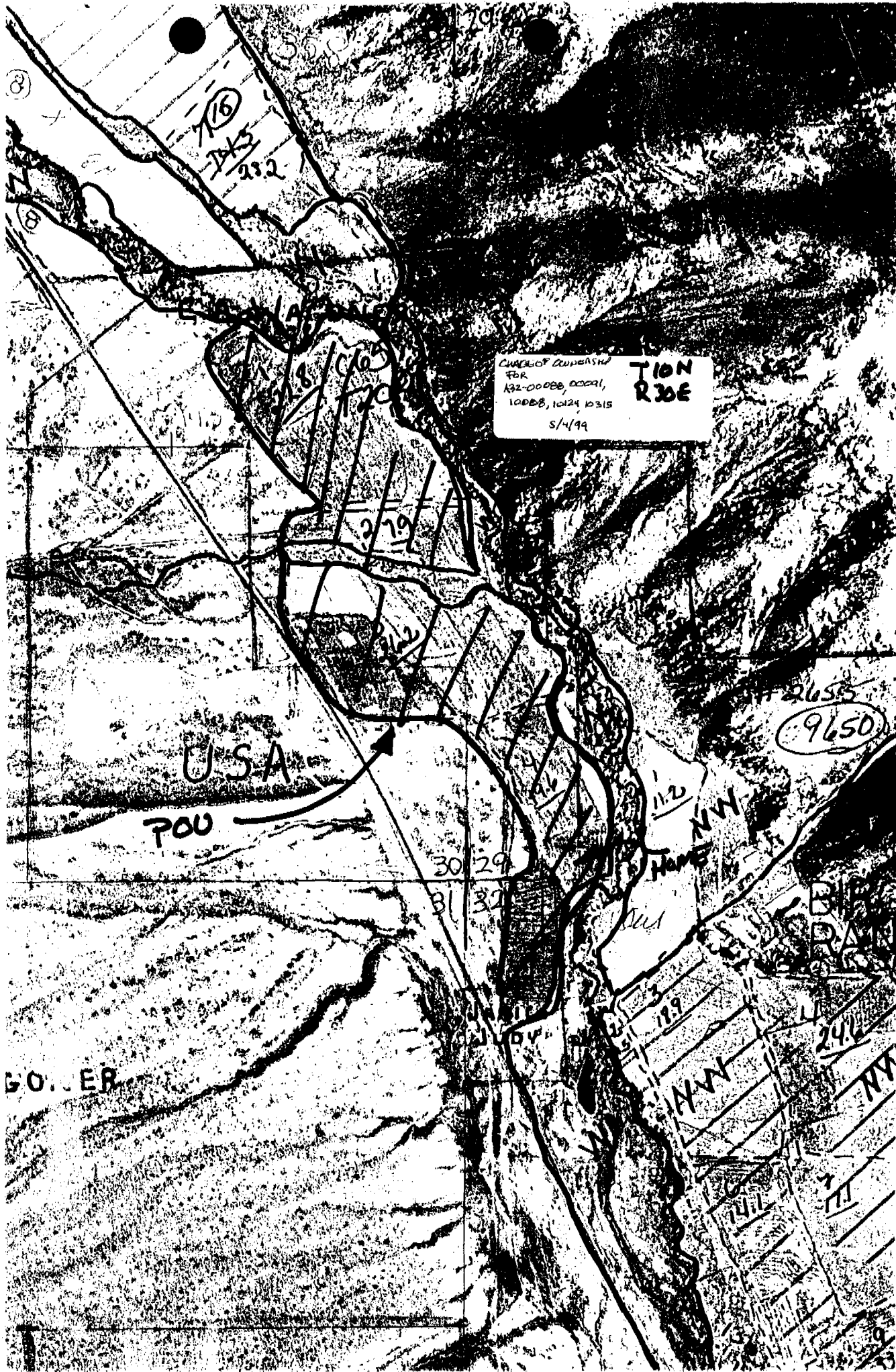
On this 16th day of July, 1977, before me the undersigned, a Notary Public in and for said State, personally appeared Blanche Wagoner, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me she executed the same.

[Signature]
Notary Public for Idaho

Residing at: [Address]

Commission Expires: [Date]

JOHN R. TAYLOR



CHARTER OF OWNERSHIP
FOR
132-00000, 00001,
10000, 10124 10315
5/4/99

TIGRIDE

USA

POU

GO. ER

9650

NW

NE

SW

SE

NW

NE

SW

SE

NW

NE

SW

SE

NW

NE

LAW OFFICES
HOLDEN, KIDWELL, HAHN & CRAPO

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
CHARLES A. HOMER
GARY L. MEIKLE
MICHAEL D. CRAPO
GAYLE A. SORENSON
DONALD L. HARRIS
GREGOR S. CHVISUK
RANDALL B. REED
MARIE T. FEELEY
ROBERT M. FOLLETT

WEST ONE BANK BUILDING
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
TELEFAX (208) 523-9518

ARTHUR W. HOLDEN (1877-1967)
ROBERT B. HOLDEN (1911-1971)
TERRY L. CRAPO (1939-1982)
WILLIAM S. HOLDEN (1907-1988)

R. VERN KIDWELL, OF COUNSEL

April 10, 1990

Idaho Department of Water Resources
150 Shoup Avenue, Suite 15
Idaho Falls, Idaho 83402

Gentlemen:

We are enclosing for filing eight Amended Notices of Claim in the Snake River Basin Adjudication and one new Notice of Claim for Birch Creek Ranches, Inc.

We have enclosed a check in the amount of \$174.00 for the filing fee, which is broken-down as follows:

\$50.00	New Claim, 32-0091
\$50.00	Late Fee
\$74.00	Additional acres shown in the place of use for each of the rights.

Yours very truly,


Kent W. Foster

#6936.00/srr

Enclosure

RECEIVED
APR 10 1990
Department of Water Resources
Eastern District Office
MICROFILMED
NOV 18 1992

02/9/2001

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

RIGHT NUMBER: 32-91

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

SOURCE: BIRCH CREEK

TRIBUTARY: SINKS

QUANTITY: 0.50 CFS
212.2 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 3360 AF. COMBINED RIGHT NOS.: 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, 32-00102.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 840.0 AF. COMBINED RIGHT NOS.: 32-00091, 32-00092, 32-00093.

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 ~~44,579.2~~ 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: 05/01/1901

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	0.500 CFS 221.20 AFY

PLACE OF USE:

IRRIGATION Within JEFFERSON 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 SWSW 41.0</u>	<u>T08N R32E S10 SESW 40.0</u>
<u>T08N R32E S10 NESE 40.0</u>	<u>T08N R32E S10 NWSE 40.0</u>
<u>T08N R32E S10 SWSE 40.0</u>	<u>T08N R32E S10 SESE 40.0</u>
<u>T08N R32E S01 Lot 1 NENE 34.0</u>	<u>T08N R32E S01 Lot 2 NWNE 34.0</u>
<u>T08N R32E S01 SWNE 40.0</u>	<u>T08N R32E S01 SENE 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>

T08N R33E S08	NESW	40.0	T08N R33E S08	NWSW	40.0
T08N R33E S08	SWSW	40.0	T08N R33E S08	SESW	40.0
T09N R32E S36	NENE	40.0	T09N R32E S36	NWNE	40.0
T09N R32E S36	SWNE	40.0	T09N R32E S36	SENE	40.0
T09N R32E S36	NENW	40.0	T09N R32E S36	NWNW	40.0
T09N R32E S36	SWNW	40.0	T09N R32E S36	SENW	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	SENW	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 THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 960.0 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 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, 32-00102.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 240.0 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00091, 32-00092, 32-00093

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.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 240.0 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

~~PLACE OF USE WITHIN THE BOUNDARY OF THE RENO DITCH COMPANY. TOTAL IRRIGATED ACRES 5798.~~

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.

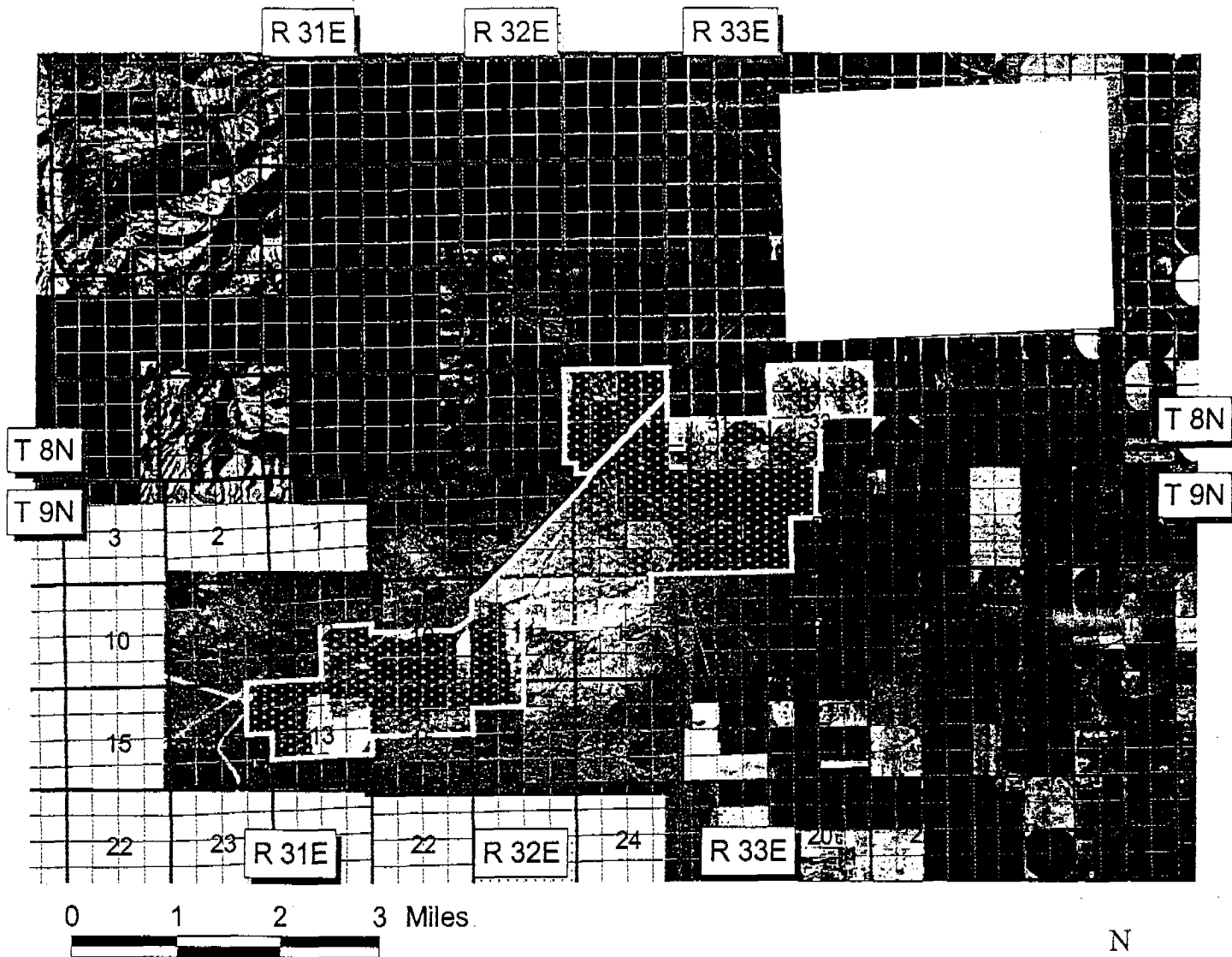
EXPLANATORY MATERIAL: Decreed

Amended SF5 - Water Right 32-91

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



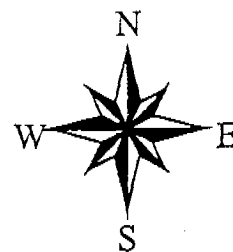
1/4 1/4 Section Lines



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

11/15/2000

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

RIGHT NUMBER: 32-91

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

SOURCE: BIRCH CREEK TRIBUTARY: SINKS

QUANTITY: 0.5 CFS
212.2 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 840.0 AF. COMBINED RIGHT NOS.: 32-00091, 32-00092, 32-00093.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 3360 AF. COMBINED RIGHT NOS.: 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, 32-00102.

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: 05/01/1901

POINT OF DIVERSION: T09N R30E S34 SESESW Within CLARK County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	4-01 11-01	0.50 CFS 221.2 AFY

PLACE OF USE:

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 240.0 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 240.0 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00091, 32-00092, 32-00093

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 960.0 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 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, 32-00102.

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

Old (D) Number -

*** 0 - ORIGINAL OWNER ***
RENO DITCH COMPANY INC

1 -
2 -
3 -
City- X
Phone - 208-000-0000

1 - PO BOX 5
2 -
3 -
City- REXBURG
Phone - 208-523-0620

State- ID Zip- 0

State- ID Zip- 83440

Source	Tributary
BIRCH CREEK	SINKS
WITHDRAWN	

+	Turn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion
09N	30E	34	SE SE SW	(33)	CLARK			SORENSEN HYDROPOWER PLANT

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume	Diversion
01 - IRRIGATION		04/01	11/01		0.500	221.20	
+ - Total Div. Rate - +				0.500	+ - Total Consumptive Use - +		
0.500				212.20	0.0		
					+ - KW Usage - +		

Total Acres:

+ - - Diversion Means - HEADWORKS FOR SORENSON ENGINEERING HYDRO PROJECT

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - A32-00088/10124

..... Remarks

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

Water right number - A32-00091

Prefix Translation: ADJUDICATION CLAIM

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 3360 AF.
COMBINED RIGHT NOS.: 32-00061C, 32-00068, 32-00073, 32-00077,
32-00078, 32-00079, 32-00085, 32-00086, 32-00087, 32-00089,
32-00090A, 32-00092, 32-00093, 32-00102
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 840.0 AF.
COMBINED RIGHT NOS.: 32-00092, 32-00093.

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

POU1 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 240.0 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 960.0 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-0061C, 32-00068,
32-00069, 32-00073, 32-00077, 32-00078, 32-00079, 32-00085,
32-00086, 32-00087, 32-00089, 32-00090A, 32-00092,
32-00093, 32-00102
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 240.0 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00092,
32-00093.

GEN WITHDRAWN

No Old Water Right Numbers Found

No Conditions of Approval found.

Decree Plaintiff AGNES B. RENO, ET. AL.
Decree Defendant J. R. RICHARDS, ET. AL.
Decree Date 09/06/1922

Water right number - A32-00091

Prefix Translation: ADJUDICATION CLAIM

-Comments-
No Comments Found

+ - - Audit Fields - - - +
11/03/99 CVANDERN

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +									
Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	-	39576			
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-				
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-				
Claim Received Date	- 07/27/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P				
		Receipt Number	- E013061	Water District	- 32D				
		POU Ownership Flag	- Y	Federal/State Indicator	- S				
		Name Connector	- AND/OR	Presumption Flag	-				
				Notice of Error Flag	-				

AJ0749NP
No. R32-00091

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 10/13/99
PAGE: 1

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 836440 (208) 523-0620	05/01/1901	IRRIGATION	04-01 11-01	0.500 CFS	221.20 AFA
TOTAL DIVERSION:					0.500 CFS	212.20 AFA

Water Source: BIRCH CREEK

Tributary to: SINKS

Point(s) of Diversion:

T09N R30E S34

SESESW

Stage: DECREED

CLARK County

POU County:

Conditions of Approval:

- 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.

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 3360 AF.
COMBINED RIGHT NOS.: 32-00061C, 32-00068, 32-00073, 32-00077,
32-00078, 32-00079, 32-00085, 32-00086, 32-00087, 32-00089,
32-00090A, 32-00092, 32-00093, 32-00102
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 840.0 AF.
COMBINED RIGHT NOS.: 32-00092, 32-00093.

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

POU1

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 240.0 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 960.0 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-0061C, 32-00068,
32-00069, 32-00073, 32-00077, 32-00078, 32-00079, 32-00085,

AJ0749NP
No. R32-00091

IDaho DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 10/13/99
PAGE: 2

Remarks:

32-00086, 32-00087, 32-00089, 32-00090A, 32-00092,
32-00093, 32-00102
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 240.0 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00092,
32-00093.

Dates:

Exam Made Date:

Verified Date:

Objection Filed Date:

Misc:

Water District Number: 32D

Field Inspection Flag:
Presumption Flag:

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: A32-00091
Date Received: 7/27/1988
Receipt No: X777777
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

2. Date of Priority: MAY 1, 1901

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	34	SE	SE	SW		CLARK

5. Description of diverting works:

HEADWORKS FOR SORENSON ENGINEERING HYDRO PROJECT

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.500		221.20

7. Total Quantity Appropriated is:

0.500 C.F.S. (and/or) 212.20 A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

NONE

10. Place of Use:

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

11. Place of use in counties:

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

13. Other Water Rights Used:

A32-00088/10124

14. Remarks:

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 3360 AF. COMBINED RIGHT NOS.: 32-00061C, 32-00068, 32-00073, 32-00077, 32-00078, 32-00079, 32-00085, 32-00086, 32-00087, 32-00089, 32-00090A, 32-00092, 32-00093, 32-00102

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 840.0 AF. COMBINED RIGHT NOS.: 32-00092, 32-00093.

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

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 240.0 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 960.0 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00061C, 32-00068, 32-00069, 32-00073, 32-00077, 32-00078, 32-00079, 32-00085, 32-00086, 32-00087, 32-00089, 32-00090A, 32-00092, 32-00093, 32-00102

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 240.0 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00092, 32-00093.

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): _____ 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 _____

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	WITHDRAWN XXX ID 99999	05/01/1901	IRRIGATION	04-01 11-01	0.500 CFS	221.20 AFA
TOTAL DIVERSION:					0.500 CFS	212.20 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	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	:	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

Non-Irrigation Uses: NONE

Other Rights: A32-00088/10124

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.

Remarks:

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 3360 AF.

COMBINED RIGHT NOS.: 32-00061C, 32-00068, 32-00073, 32-00077,
32-00078, 32-00079, 32-00085, 32-00086, 32-00087, 32-00089,
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TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 840.0 AF.
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POU1 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 240.0 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.

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IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-0061C, 32-00068,
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32-00086, 32-00087, 32-00089, 32-00090A, 32-00092,
32-00093, 32-00102

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 240.0 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00092,
32-00093.

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

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: A32-00091
Date Received: 7/27/1988
Receipt No: E000903
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name:	MAC WAGONER	208-374-5415
Address:	PO BOX 296	
	DUBOIS ID	83423
	OR	
Name:	BETTY WAGONER	208-374-5415
Address:	PO BOX 296	
	DUBOIS ID	83423

2. Date of Priority: MAY 1, 1901

3. Source: PASS CREEK Trib. to: BIRCH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	30E	30	NE	NE	SW		CLARK

5. Description of diverting works:
HEADGATE TO DITCHES FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.500		

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

8. Total consumptive use is 230.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	30E	29	NW	SW		IRR	5.0
			SW	SW		IRR	11.0
					Section Acres		16.0
		30	SW	NE		IRR	20.0
			SE	NE		IRR	20.0
			NE	SE		IRR	33.0
			NW	SE		IRR	2.0
			SE	SE		IRR	1.0
					Section Acres		76.0
					Total Acres		92.0

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:

A32-00088/10124

14. Remarks:

THE ATTACHED AGREEMENT LIST THIS RIGHT AS BELONGING TO WILLIAM T. SIMMONS; HOWEVER, THE DOCUMENT IS INTENDED TO SHOW THAT HE HAS NO RIGHTS IN PASS CREEK.

*** CHANGE OF OWNERSHIP FILED 5/4/99, ESV

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

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: A32-00091
Date Received: 7/01/1988
Receipt No: E000903
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BLANCHE WAGONER
Address: STAR ROUTE
LEADORE, ID

83464

2. Date of Priority: MAY 01, 1901

3. Source: PASS CREEK

Trib. to: BIRCH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	30E	30	NE	NE	SW		CLARK

5. Description of diverting works:
HEADGATE TO DITCHES FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.500		

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

8. Total consumptive use is 230.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	30E	29	NW	SW		IRR	5.0
			SW	SW		IRR	11.0
Section Acres							16.0

A32-00091

Page

1

Date: 07/22/88

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JUL 26 1988

Department of Water Resources

MICROFILMED

NOV 18 1992

A3200091

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	30E	30	SW	NE		IRR	20.0 ✓
			SE	NE		IRR	20.0 ✓
			NE	SE		IRR	33.0 ✓
			NW	SE		IRR	2.0 ✓
			SE	SE		IRR	1.0 ✓
						Section Acres	76.0
						Total Acres	92.0

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:
A32-00088/10124

14. Remarks:
THE ATTACHED AGREEMENT LIST THIS RIGHT AS BELONGING TO WILLIAM T. SIMMONS; HOWEVER, THE DOCUMENT IS INTENDED TO SHOW THAT HE HAS NO RIGHTS IN PASS CREEK.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 9/06/1922

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): Blanche Wagner Date: July 25-1988
_____ Date: _____

State of Idaho)
County of Jefferson) SS.

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

of July 19 88

Seal

Cindy Nickell
Notary Public

Residing at Perrinton

My Commission Expires Oct. 1988

19120
302A

R30E

T10N

POINT OF
DIVERSION

PLACE OF USE

302A

Wm. SIMMONS

1 AC WAGONER

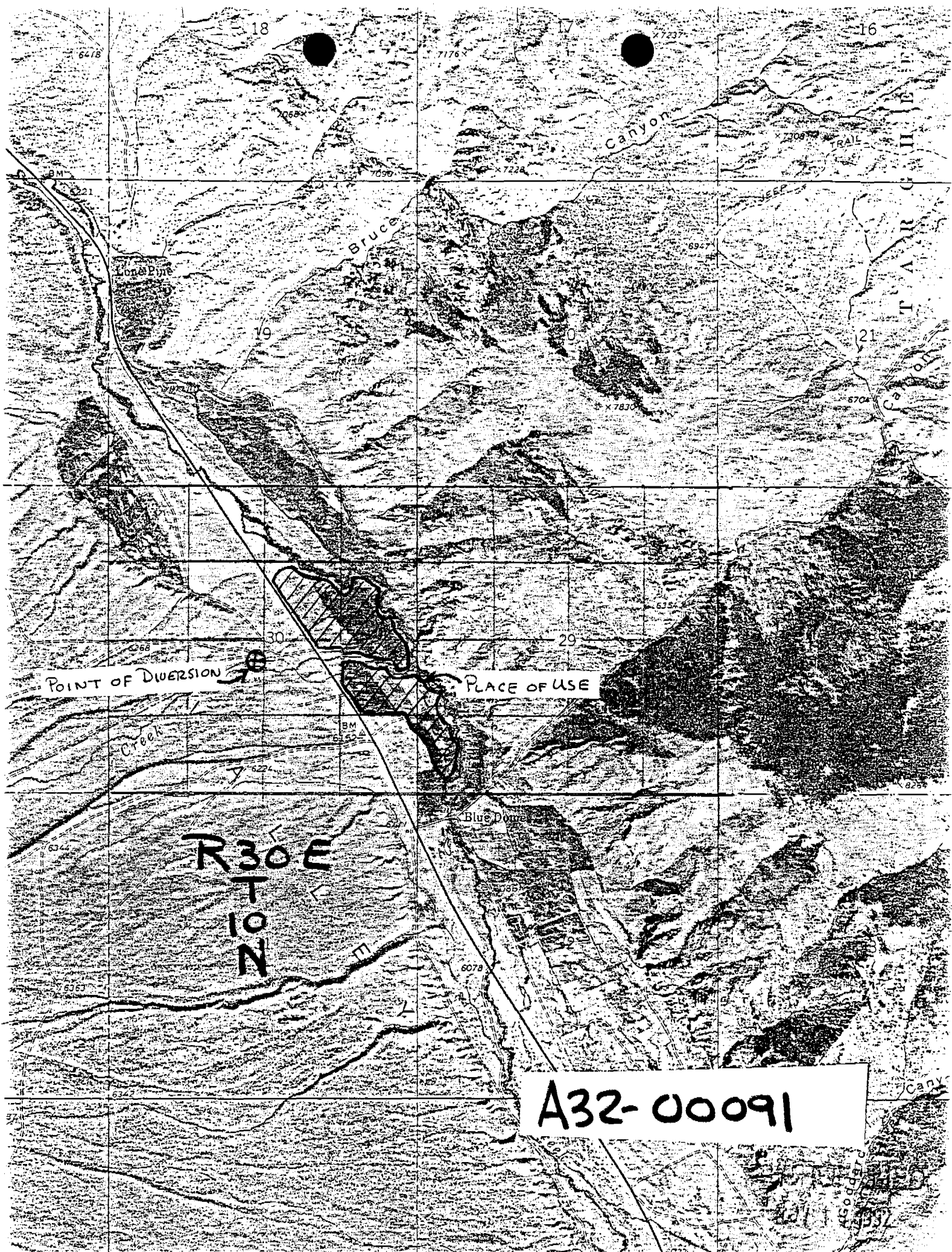
C65

T199

T10N/R30E

A32-00091

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R30E
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A32-00091

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