

IDWR Concurrence:

[Signature]
Denise Kidman
Agent, IDWR

[Signature] *[Signature]* *[Signature]* 11/4/08
Notar Public
Deputy Attorney General

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

RIGHT NUMBER: 21-114C
NAME AND ADDRESS: DONNA T FUCHS
3857 E 500 N
RIGBY ID 83442
ROBERT E FUCHS
3857 E 500 N
RIGBY ID 83442
SOURCE: Source: Tributary:
FALL RIVER HENRYS FORK
QUANTITY: 3.500 CFS 0.00 AFY

The rights listed below are limited to a total combined diversion rate of 3.5 cfs. Combined Right Nos. 21-114C, 21-12985.

~~The rights listed below are limited to a total combined diversion rate of 3.5 cfs. Combined Right Nos. 21-114C, 21-1152, 21-12992.~~

PRIORITY DATE: 06/01/1890

POINT OF DIVERSION: T08N R43E S35 NWSE Within FREMONT County
~~T08N R42E S35 SESE Within FREMONT County~~

PURPOSE AND PERIOD OF USE:	Purpose of use	Period of use:	Quantity:
	IRRIGATION	04/01 10/31	3.500 CFS

PLACE OF USE: IRRIGATION within FREMONT County

T08N R41E S12 Lot 1 SESE 31.0
T08N R42E S06 Lot 9 NESW 21.0
T08N R42E S06 SESW 40.0
T08N R42E S06 WESE 39.0
T08N R42E S06 Lot 14 NWSE 32.0
T08N R42E S06 SWSE 40.0
T08N R42E S06 SESE 40.0
T08N R42E S07 NENE 40.0
T08N R42E S07 NWNE 40.0
T08N R42E S07 NENW 40.0
T08N R42E S07 Lot 1 NWNW 27.0
T08N R42E S07 Lot 2 SWNW 30.0
~~T08N R42E S07 Lot 3 NWSE 30.0~~
~~T08N R42E S07 Lot 4 SWSW 30.0~~

420 ACRES TOTAL

~~480 ACRES TOTAL~~

The rights listed below are limited to the irrigation of a combined total of 420 acres in a single irrigation season. Combined Right Nos.: 21-114C, 21-115A, 21-115B, 21-12985, 21-12991

~~The rights listed below are limited to the irrigation of a combined total of 480 acres in a single irrigation season. Combined Right Nos.: 21-114C, 21-115A, 21-115B, 21-12985, 21-12991~~

This right is limited to the irrigation of 57 acres within the place of use described above in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(5), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right No. 21-12985 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Water is delivered through North Fremont Canal System (Farmers Own Canal).

~~Use of this right is combined with water from Farmers Own Canal.~~

CERTIFICATE OF MAILING

I certify that on 11/14, 2008, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

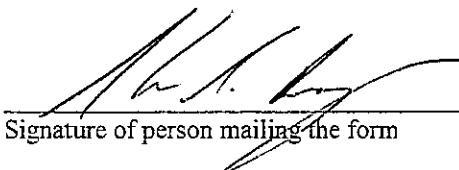
2. Copies to:

DONNA T & ROBERT E FUCHS
DONNA T FUCHS
ROBERT E FUCHS
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UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098



Signature of person mailing the form