

Water Right No(s). A 22-13464

GPS data - 2670709
1402655

GPS File #
2213464 |

GPS DATA:

Tag # No tag placed Location: _____

Diversion Data:

Source: Drain Trib to: Texas Slough

MOTOR Tractor Pump used - portable

Make: _____ Model: _____ Hp: _____
SN: _____

PUMP

Make: _____ Model: _____ Disch: _____
SN: _____

NOTES:

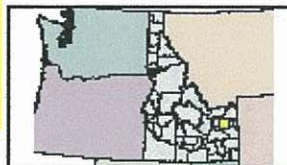
I met with Gary Ricks (cell phone # 351-7006) + he confirmed
address, phone + P.O.U. Water is taken via tractor pump to
Flood irrigation. Ground is rented out for Hay + grain.
Mr Ricks also has shares of Texas Slough Irrigation. for same
P.O.U.

Field Exam Date: 1-31-06 Agent: DW Jones

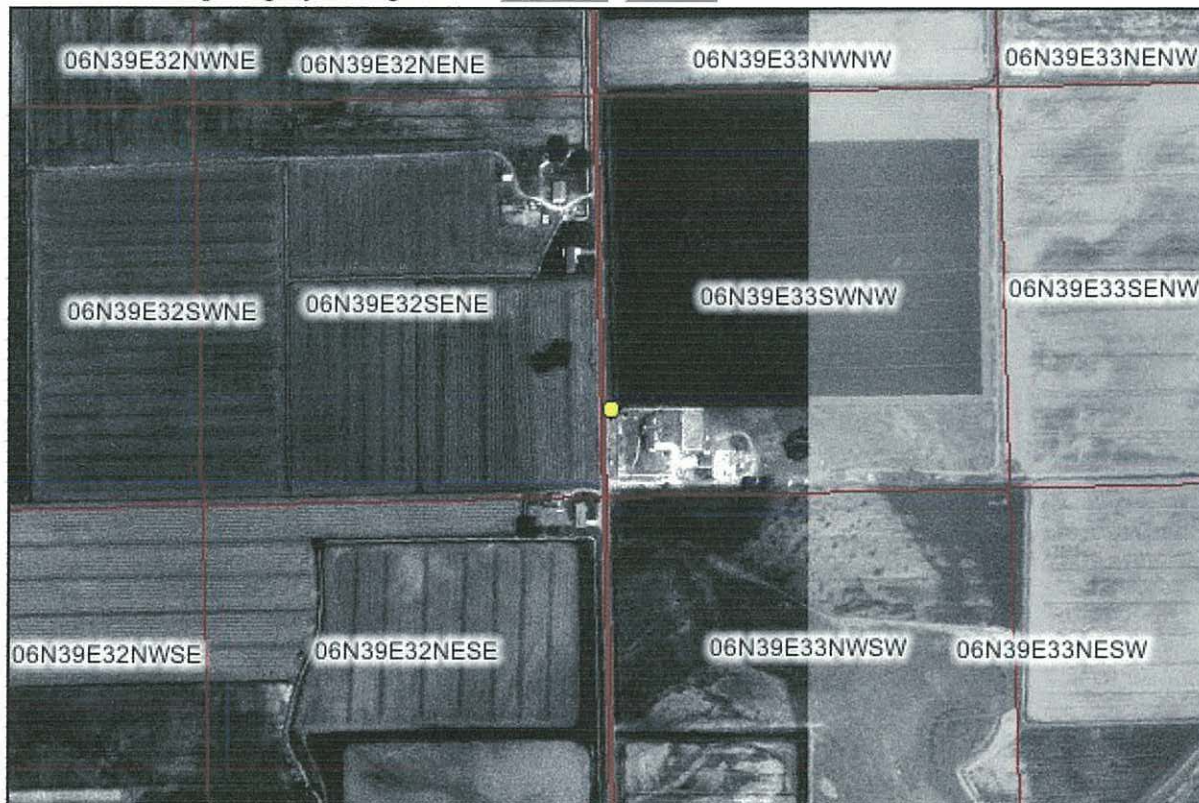
Here are the results:

SWquarter of the **NW**quarter of Section **33**, Township **06N**, Range **39E**

IDTM NAD83 coordinates: Easting=2670709; Northing=1402655



Choose the map-display background: ☒ Photo ☐ Topo



A 22-13464



Drain, Looking North

A 22-13464



Diversion point, Looking N.E.



06N39E32

06N39E33

2213464

SVNW

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 22-2228

WATER RIGHT NUMBER: 22-2228

Owner Type Name and Address
 Current Owner NORTH BURTON DRAIN ASSN
 C/O MARY SMITH
 REXBURG, ID 83440

Priority Date: 04/23/1963

Basis:

Status: Active

Source Tributary
 NORTH BURTON DRAIN HENRYS FORK

Beneficial Use From To Diversion Rate Annual Volume
 IRRIGATION / to / 17.600 CFS

Total Diversion: 17.600 CFSLocation of Point(s) of Diversion

NORTH BURTON DRAIN Sec. 28, Twp 06N, Rge 39E, B.M.
 MADISON County
 NORTH BURTON DRAIN Sec. 32, Twp 06N, Rge 39E, B.M.
 MADISON County
 NORTH BURTON DRAIN Sec. 27, Twp 06N, Rge 39E, B.M.
 MADISON County
 NORTH BURTON DRAIN Sec. 33, Twp 06N, Rge 39E, B.M.
 MADISON County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	39E	27									20.0	20.0	40.0						80.0
06N	39E	28			40.0							20.0	20.0		40.0	40.0	40.0		200.0
06N	39E	32										40.0	40.0	40.0	40.0	40.0	40.0		240.0
06N	39E	33	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0									320.0
06N	39E	34					40.0												40.0

Total Acres: 880

Conditions of Approval:

1. P.D DESCRIBED AS VARIOUS PTS. IN SEC. 27, 28, 32 & 33, T6N, R39E. REINSTATED 05-29-1973.

Remarks:*Proof made in 1973*

AGREEMENT

This agreement made and entered into this 28th day of August, 1961, by and among the following named persons: BEN SUMMERS and JUNE SUMMERS, his wife; APTON K. LITTLE, a widow; DEAN RICKS and CARMA RICKS, his wife; RALPH KAUER and BERNICE KAUER, his wife; H. LESTER PETERSEN and LU SEBA PETERSEN, his wife; JACK W. SMITH and FERN SMITH, his wife; LELAND J. JENSEN and MELBA JENSEN, his wife; REX JENSEN AND VIRA JENSEN, his wife; GRANT JENSEN and LORETTA JENSEN, his wife; CONRAD WALZ, a widower; WELDON J. NEF and CAROL SUE NEF, his wife; ARNOLD J. ALEX WEBER and FREEDA WEBER, his wife, NEF and LETA NEF, his wife, all of Madison County, Idaho,

WITNESSETH:

WHEREAS, the real property belonging to the undersigned and/or their predecessors in interest, accumulated waste water, surplus irrigation and subwaters to such an extent it damaged the crops of the undersigned and/or their predecessors in interest, and made it impossible to cultivate certain portions of their farming land, and

WHEREAS, on the 10th day of August, 1953, the undersigned and/or their predecessors in interest, entered into an agreement wherein and whereby they formed the North Burton Drain Association for the purpose of constructing and maintaining a drain ditch with which to drain such waste waters, surplus irrigation and sub waters from lands belonging to them, and

WHEREAS, such drain ditch has been constructed and maintained by such association as agreed, and

WHEREAS, the said waste waters, surplus irrigation and sub waters draining into said drain ditch from the lands of the undersigned is more than 760", and

WHEREAS, the undersigned are desirous of conveying to the said North Burton Drain association, its successors and assigns, all of their right, title and interest of every kind and nature in and to the ownership and use of said waste waters, surplus

irrigation and subwaters after the same has accumulated in said drain ditch,

NOW, THEREFORE, in consideration of the mutual covenants and agreements by and among the parties hereto, the undersigned hereby give, grant and convey to the association known as the NORTH BURTON DRAIN, its successors and assigns, all of their right, title and interest in and to the waste waters, surplus irrigation and sub waters draining from their respective real property into the said drainage ditch, after the same accumulates in said drain ditch.

It is further understood and agreed that title to such water is conveyed to such association for the irrigation, benefit and use of the lands of the undersigned, in proportion to their respective acreages as hereinafter set forth, and that such association will distribute such water to the undersigned in proportion to such respective acreages for the irrigation, benefit and use of such acreages.

It is further understood and agreed that the undersigned are the members of said NORTH BURTON DRAIN ASSOCIATION, and the owners of the real property situated in Madison County, Idaho, and described as follows:

NAME	DESCRIPTION	ACREAGE	EXISTING WATER RIGHT
Ben Summers & June Summers, his wife	S $\frac{1}{2}$ S $\frac{1}{2}$ & N $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 32, T 7 N., R. 39 E.B.M.	240	49 sh. Texas Slough Irrigation Canal Co.
Afton K. Little, a widow (Dean Ricks & Carma Ricks, his wife,)	S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 33, T 6 N., R 39 E.B.M.	120	21 Sh. Texas Slough Irrigation Canal Co.
Ralph Kauer & Bernice Kauer, his wife	NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 33, T. 7 N., R 39 E.B.M.	40	7 sh. Texas Slough Irrigation Canal Co.
Jack W. Smith & Fern Smith, his wife	S $\frac{1}{2}$ S $\frac{1}{2}$ SW $\frac{1}{4}$ S.c. 28, T. 6 N., R 39 E.B.M.	40	5 sh. Rexburg Irrigation Co.
Leland J. Jensen & Melba Jensen, his wife; Rex Jensen & Vira Jensen, his wife, Grant Jensen & Loretta Jensen, his wife.	W $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 28, T 6 N., R 39 E.B.M.	120	13 Sh. Rexburg Irrigation Co.

Weldon J. Nef & NE $\frac{1}{4}$ of Sec. 33,
Carol Sue Nef, his T 6 N., R 39 E.B.M.
wife; Arnold J.
Nef & Leta Nef,
his wife.

160 25 sh. Texas
Slough Irrigation
Canal Co.

H. Lester Petersen SE $\frac{1}{4}$ Sec. 28, SW $\frac{1}{4}$ Sec. 27, T 6 N., R 39
& LuS. ba Petersen, E.B.M.
his wife

80 10 sh. Rexburg
Irrigation Co.

Conrad Walz, a S $\frac{1}{4}$ N $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 27, T 6
widower N, R 39 E.B.M.

40 5 sh. Rexburg
Irrigation Co.

Alex Weber & NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 34, Twp.
Freedda Weber, 6 N., R 39 EBM
his wife,

40 4 sh. Rexburg
Irrigation Co.

It is further understood and agreed that the said association shall not be responsible or liable in any manner for the accumulation of water in such drain ditch and the distribution of any such amounts to the undersigned in the event the waters fail to accumulate in such drain ditch.

It is further understood and agreed that the officers of said association shall have the power and authority, and the undersigned hereby gives and grants to such officers, the power and authority to make application to the Bureau of Reclamation of the State of Idaho, for permit to appropriate such waters for the irrigation, benefit and use of the acreages of the undersigned as above set forth, and to execute all necessary instruments pertaining thereto.

Arnold J. Nef	Leland F. Jensen
Leta C. Nef	Miller Jensen
John V. Jensen	Roy Jensen
James Zimmerman	Vera Jensen
H. Lester Petersen	Shirley L. Jensen
LuS. ba Petersen	Loretta Jensen
Arthur R. Smith	William W. Nef
Jack R. Smith	Carol Sue Nef
Peter Smith	Ralph W. Lowe
Freddie Webb	Bernice C. Kauer
Dean Webb	Carma Ricks
Alex Weber	Freedda Weber

STATE OF IDAHO,)
) SS
County of Madison.)

On this 28th day of August, 1961, before me, the undersigned, a Notary Public in and for said state, personally appeared Ben Summers and June summers, his wife; Afton K. Little, Dean Ricks and Carma Ricks, his wife; Ralph Kauer and Bernice Kauer, his wife; H. Lester Petersen and LuSeba Petersen, his wife; Jack W. Smith and Fern Smith, his wife; Leland J. Jensen and Melba Jensen, his wife; Rex Jensen and Vira Jensen, his wife; Grant Jensen and Loretta Jensen, his wife; Conrad Wals, a widower; Weldon J. Nef and Carol Sue Nef, his wife; Arnold J. Alex Weber and Freeda Weber, his wife, Nef and Leta Nef, his wife, /known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me they executed the same.

Mary Smith

Notary Public, residing at
Rexburg, Idaho. My commission
expires June 25, 1963.

(Seal)

NAME	Description	Acres	Existing water right
Ben Summers & June Summers, his wife	S $\frac{1}{2}$ S $\frac{1}{2}$ & N $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 32, T 7 N., R. 39 E.B.M.	240	40 sh. Texas Slough Irrigation Canal Co.
Ray Little & Afton K. Little, his wife	S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 33, T 6 N., R 39 EDM	120	21 sh. Texas Slough Irrigation Canal Co.
Ralph Kauer & Bernice Kauer, his wife,	NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 33, T. 7 N., R 39 EDM	40	7 sh. Texas Slough Irrigation Canal Co.
Jack W. Smith and Smith, his wife,	S $\frac{1}{2}$ S $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 28, T. 6 N., R 39 EDM.	40	4 sh. Rexburg Irrigation Co.
2.			

22-2222
346

Gary Rocks

22-10955

Continued NAME	Description	Acres	Existing water right
✓ Leland J. Jensen and Jensen, his wife; Rex Jensen & Jensen, his wife; Grant Jensen & Jensen, his wife,	W $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 28, T 6 N., R 39 EBN	120	13 sh. Rexburg Irrigation Co.
Weldon J. Nef & Nef, his wife; Arnold J. Nef & Nef, his wife,	Commencing NW cor. SE $\frac{1}{4}$ Sec. 33, T 6 N., R 39 EBN., th E 88 rds; S 18 rds; E 72 rds; S 62 rds; W 160 rods; N 80 rds to beg.	80	25 sh. Texas Slouth Irrigat- ion Canal Co. E 1452' S 247' E 1188' S 1023' W 2640' N 1320'
✓ H. Lester Petersen & LuSaba Petersen, his wife,	SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 28, SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 27, T 6 N., R 39 EBN	80	10 sh. Rexburg Irrigation Co.
✓ Conrad Walts & Aurelia Walts, his wife,	SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 27, T 6 N, R 39 EBN <i>22-53357</i> <i>J.H.H.</i>	40	5 sh. Rexburg Irrigation Co.

22-10634

22-10609