



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

December 30, 2011

Jerry R. Rigby
25 N 2nd E
PO Box 250
Rexburg, ID 83440-0250

Via E-mail & Regular Mail

RE: Subcase No. 00-92020 ("Rec/Rec")

Dear Jerry:

As discussed during the status conference of December 7, 2011, the Department is providing the third round of proposed Amended Director's Reports ("ADRs") for the water rights in which errors have been identified. There are 30 proposed ADRs included in this mailing. Please note, as discussed at the status conference, copies of the proposed ADRs are not being provided to the Court, but only to the parties. I will e-mail Special Masters Bilyeu and Dolan, alerting them that we have provided the proposed ADRs to you and the parties.

In addition to Boom Creek Canal 21-148, there are eleven Basin 01 "rec/rec" rights remaining. The Department is not providing proposed ADRs for these rights in Round 3, as it is our understanding they contain BLM objections that will be resolved through forthcoming SF5s.

As you are aware, additional overlap analysis in subcase nos. 21-12902, 21-12911, 21-12919, 21-12954, 21-12955, 22-512, 22-513, 22-514, 22-549, 22-12655 and 22-13388 is needed so no proposed ADRs for those water rights are enclosed. Proposed ADRs for those eleven subcases will be provided in a final "Round 4" mailing that will be circulated in the near future.

If you should have any questions or concerns, contact me at 287-4810.

Sincerely,

A handwritten signature in black ink that reads "Andrea L. Courtney".

Andrea L. Courtney
Deputy Attorney General, IDWR

Encls.

Cc via e-mail w/enclosures: Travis T. Thompson
Candice McHugh
Harriet Hensley
Randy Budge

Kent Fletcher
Craig Hobdey
David Negri
David Gehlert

12/30/2011

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

RIGHT NUMBER: 21-48

NAME AND ADDRESS: NORTH FREMONT CANAL SYSTEMS INC
C/O LON ATCHLEY
PO BOX 241
ASHTON ID 83420

SOURCE: FALL RIVER

TRIBUTARY: HENRYS FORK

QUANTITY: 34.000 CFS

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

PRIORITY DATE: 04/01/1896

POINT OF
DIVERSION:

T08N R42E S4 NENE Lot 1 Within FREMONT County
T08N R42E S21 NESE Lot 1 Within FREMONT County
T08N R42E S22 SESE Within FREMONT County
T09N R42E S13 SWNW Lot 4 Within FREMONT County
T09N R42E S23 NWNE Within FREMONT County
T09N R42E S23 NESE Within FREMONT County
T09N R42E S25 NWNE Within FREMONT County
T09N R43E S35 NESE Within FREMONT County
T09N R43E S35 NESE Within FREMONT County
T09N R44E S35 NWNW Within FREMONT County
T09N R45E S33 NWSW Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	34.000 CFS

PLACE OF USE:

31539 ACRES TOTAL

Place of use is within the area served by North Fremont Canal Systems Inc.

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

The rights listed below are limited to the irrigation of a combined total of 31,539 acres in a single irrigation season. Combined Right Nos.: 21-48, 21-49, 21-73B, 21-73D, 21-73F, 21-73J, 21-75, and 21-10944.

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.

The right holder shall provide the watermaster of State Water District No. 01, Snake River, with a water right distribution summary prior to each irrigation season designating the amount of water to be diverted from each point of diversion and specifying the associated water right number(s) and date of priority.

The right holder shall provide the watermaster of State Water District No. 01, Snake River, with an assignment of available storage water among the various points of diversion prior to the storage being delivered if the right holder does not wish the storage water to be uniformly available to all diversion points.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

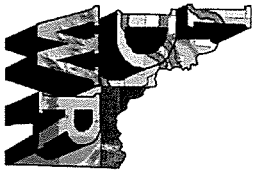
The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

The right holder shall accomplish the change authorized by transfer 4014 within one year of the date of the approval.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 1.

This right does not grant any right-of-way or easement across the land of another.

Failure of the right holder to comply with the conditions of transfer 4014 is cause for the Director to rescind approval of the transfer.

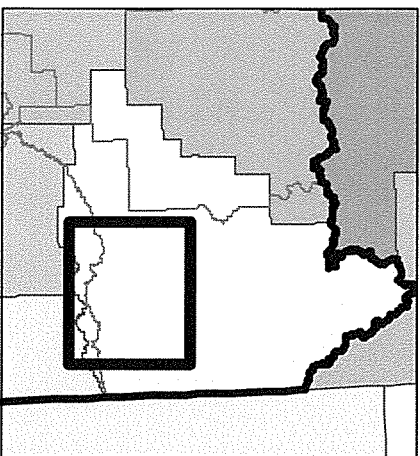


North Fremont Canal Systems Inc

Adjudication Recommendations: 21-48, 21-49, 21-73B, 21-73D, 21-73F, 21-73J, 21-75, 21-10944

Irrigation Service Area Boundary
GIS Place of Use Illustration

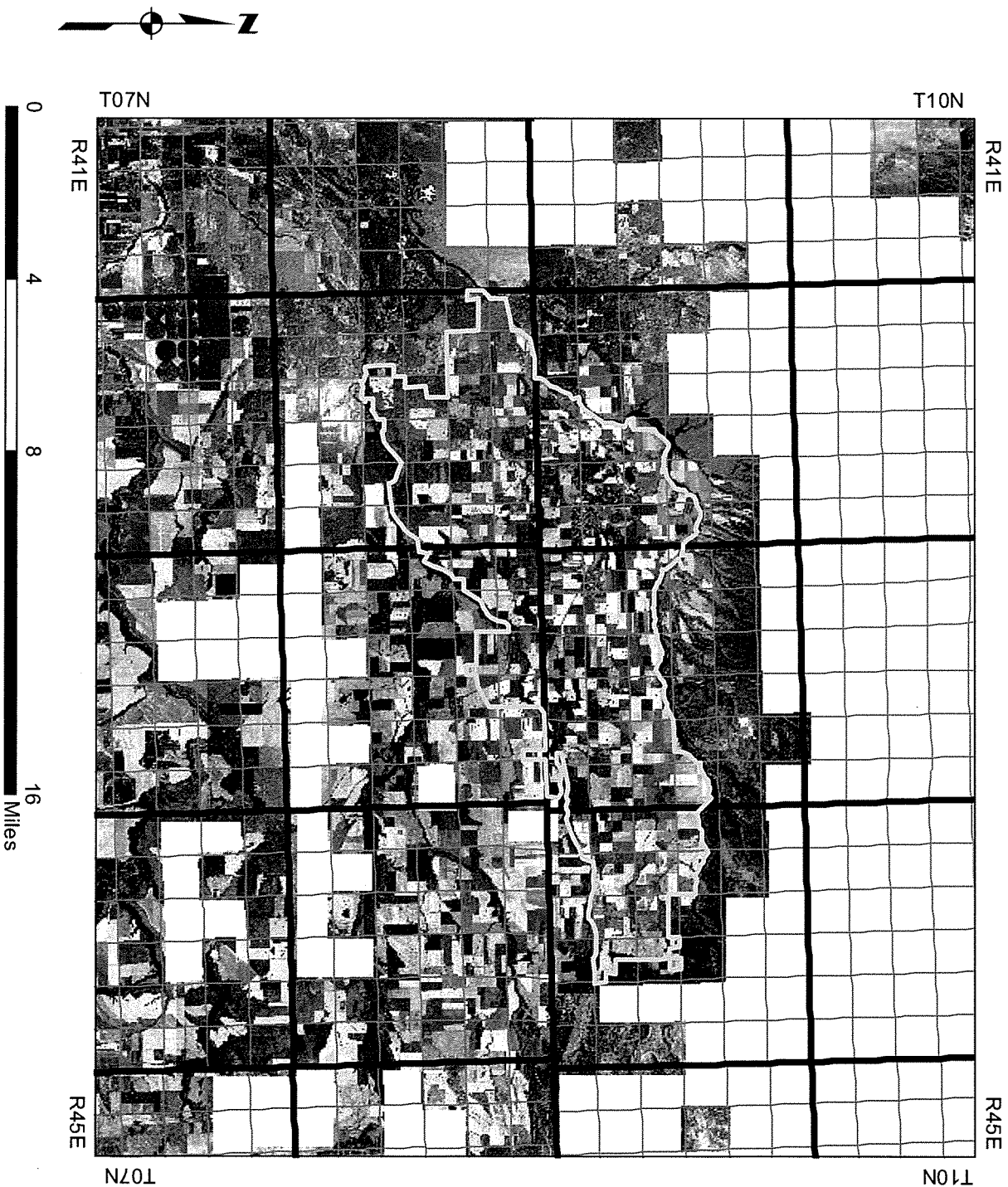
-  Service Area
-  State Outline
-  Townships
-  PLS Sections



Fremont County
IDWR Basin 21

Prepared by Egbert, Sandy

1987/88 Aerial Photography



12/30/2011

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

RIGHT NUMBER: 21-49

NAME AND ADDRESS: NORTH FREMONT CANAL SYSTEMS INC
C/O LON ATCHLEY
PO BOX 241
ASHTON ID 83420

SOURCE: FALL RIVER

TRIBUTARY: HENRYS FORK

QUANTITY: 12.000 CFS

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

PRIORITY DATE: 05/01/1904

POINT OF
DIVERSION:

T08N R42E S4 NENE Lot 1 Within FREMONT County
T08N R42E S21 NESE Lot 1 Within FREMONT County
T08N R42E S22 SESE Within FREMONT County
T09N R42E S13 SWNW Lot 4 Within FREMONT County
T09N R42E S23 NWNE Within FREMONT County
T09N R42E S23 NESE Within FREMONT County
T09N R42E S25 NWNE Within FREMONT County
T09N R43E S35 NESE Within FREMONT County
T09N R43E S35 NESE Within FREMONT County
T09N R44E S35 NWNW Within FREMONT County
T09N R45E S33 NWSW Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	12.000 CFS

PLACE OF USE:

31539 ACRES TOTAL

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

Place of use is within the area served by North Fremont Canal Systems Inc.

The rights listed below are limited to the irrigation of a combined total of 31,539 acres in a single irrigation season. Combined Right Nos.: 21-48, 21-49, 21-73B, 21-73D, 21-73F, 21-73J, 21-75, and 21-10944.

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

The right holder shall provide the watermaster of State Water District No. 01, Snake River, with a water right distribution summary prior to each irrigation season designating the amount of water to be diverted from each point of diversion and specifying the associated water right number(s) and date of priority.

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.

The right holder shall provide the watermaster of State Water District No. 01, Snake River, with an assignment of available storage water among the various points of diversion prior to the storage being delivered if the right holder does not wish the storage water to be uniformly available to all diversion points.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Failure of the right holder to comply with the conditions of transfer 4014 is cause for the Director to rescind approval of the transfer.

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(s).

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 1.

The right holder shall accomplish the change authorized by transfer 4014 within one year of the date of the approval.

This right does not grant any right-of-way or easement across the land of another.

12/30/2011

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

RIGHT NUMBER: 21-73B

NAME AND ADDRESS: NORTH FREMONT CANAL SYSTEMS INC
C/O LON ATCHLEY
PO BOX 241
ASHTON ID 83420

SOURCE: FALL RIVER

TRIBUTARY: HENRYS FORK

QUANTITY: 4.000 CFS

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

PRIORITY DATE: 11/05/1895

POINT OF
DIVERSION:

T08N R42E S4 NENE Lot 1 Within FREMONT County
T08N R42E S21 NESE Lot 1 Within FREMONT County
T08N R42E S22 SESE Within FREMONT County
T09N R42E S13 SWNW Lot 4 Within FREMONT County
T09N R42E S23 NWNE Within FREMONT County
T09N R42E S23 NESE Within FREMONT County
T09N R42E S25 NWNE Within FREMONT County
T09N R43E S35 NESE Within FREMONT County
T09N R43E S35 NESE Within FREMONT County
T09N R44E S35 NWNW Within FREMONT County
T09N R45E S33 NWSW Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	4.000 CFS

PLACE OF USE:

31539 ACRES TOTAL

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

Place of use is within the area served by North Fremont Canal Systems Inc.

The rights listed below are limited to the irrigation of a combined total of 31,539 acres in a single irrigation season. Combined Right Nos.: 21-48, 21-49, 21-73B, 21-73D, 21-73F, 21-73J, 21-75, and 21-10944.

This right is limited to the irrigation of 240 acres within the place of use described above in a single irrigation season.

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

The right holder shall provide the watermaster of State Water District No. 01, Snake River, with an assignment of available storage water among the various points of diversion prior to the storage being delivered if the right holder does not wish the storage water to be uniformly available to all diversion points.

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.

The right holder shall provide the watermaster of State Water District No. 01, Snake River, with a water right distribution summary prior to each irrigation season designating the amount of water to be diverted from each point of diversion and specifying the associated water right number(s) and date of priority.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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(s).

Failure of the right holder to comply with the conditions of transfer 4014 is cause for the Director to rescind approval of the transfer.

This right does not grant any right-of-way or easement across the land of another.

The right holder shall accomplish the change authorized by transfer 4014 within one year of the date of the approval.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 1.

12/30/2011

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

RIGHT NUMBER: 21-73D

NAME AND ADDRESS: NORTH FREMONT CANAL SYSTEMS INC
C/O LON ATCHLEY
PO BOX 241
ASHTON ID 83420

SOURCE: FALL RIVER

TRIBUTARY: HENRYS FORK

QUANTITY: 4.000 CFS

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

PRIORITY DATE: 11/05/1895

POINT OF
DIVERSION:

T08N R42E S4 NENE Lot 1 Within FREMONT County
T08N R42E S21 NESE Lot 1 Within FREMONT County
T08N R42E S22 SESE Within FREMONT County
T09N R42E S13 SWNW Lot 4 Within FREMONT County
T09N R42E S23 NWNE Within FREMONT County
T09N R42E S23 NESE Within FREMONT County
T09N R42E S25 NWNE Within FREMONT County
T09N R43E S35 NESE Within FREMONT County
T09N R43E S35 NESE Within FREMONT County
T09N R44E S35 NWNW Within FREMONT County
T09N R45E S33 NWSW Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	4.000 CFS

PLACE OF USE:

31539 ACRES TOTAL

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

Place of use is within the area served by North Fremont Canal Systems Inc.

This right is limited to the irrigation of 240 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 31,539 acres in a single irrigation season. Combined Right Nos.: 21-48, 21-49, 21-73B, 21-73D, 21-73F, 21-73J, 21-75, and 21-10944.

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

The right holder shall provide the watermaster of State Water District No. 01, Snake River, with an assignment of available storage water among the various points of diversion prior to the storage being delivered if the right holder does not wish the storage water to be uniformly available to all diversion points.

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.

The right holder shall provide the watermaster of State Water District No. 01, Snake River, with a water right distribution summary prior to each irrigation season designating the amount of water to be diverted from each point of diversion and specifying the associated water right number(s) and date of priority.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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(s).

This right does not grant any right-of-way or easement across the land of another.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 1.

Failure of the right holder to comply with the conditions of transfer 4014 is cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by transfer 4014 within one year of the date of the approval.

12/30/2011

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

RIGHT NUMBER: 21-73F

NAME AND ADDRESS: NORTH FREMONT CANAL SYSTEMS INC
C/O LON ATCHLEY
PO BOX 241
ASHTON ID 83420

SOURCE: FALL RIVER

TRIBUTARY: HENRYS FORK

QUANTITY: 3.920 CFS

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

PRIORITY DATE: 11/05/1895

POINT OF
DIVERSION:

T08N R42E S4 NENE Lot 1 Within FREMONT County
T08N R42E S21 NESE Lot 1 Within FREMONT County
T08N R42E S22 SESE Within FREMONT County
T09N R42E S13 SWNW Lot 4 Within FREMONT County
T09N R42E S23 NWNE Within FREMONT County
T09N R42E S23 NESE Within FREMONT County
T09N R42E S25 NWNE Within FREMONT County
T09N R43E S35 NESE Within FREMONT County
T09N R43E S35 NESE Within FREMONT County
T09N R44E S35 NWNW Within FREMONT County
T09N R45E S33 NWSW Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	3.920 CFS

PLACE OF USE:

31539 ACRES TOTAL

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

Place of use is within the area served by North Fremont Canal Systems Inc.

The rights listed below are limited to the irrigation of a combined total of 31,539 acres in a single irrigation season. Combined Right Nos.: 21-48, 21-49, 21-73B, 21-73D, 21-73F, 21-73J, 21-75, and 21-10944.

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.

The right holder shall provide the watermaster of State Water District No. 01, Snake River, with a water right distribution summary prior to each irrigation season designating the amount of water to be diverted from each point of diversion and specifying the associated water right number(s) and date of priority.

The right holder shall provide the watermaster of State Water District No. 01, Snake River, with an assignment of available storage water among the various points of diversion prior to the storage being delivered if the right holder does not wish the storage water to be uniformly available to all diversion points.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right does not grant any right-of-way or easement across the land of another.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 1.

The right holder shall accomplish the change authorized by transfer 4014 within one year of the date of the approval.

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(s).

Failure of the right holder to comply with the conditions of transfer 4014 is cause for the Director to rescind approval of the transfer.

12/30/2011

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

RIGHT NUMBER: 21-73J

NAME AND ADDRESS: NORTH FREMONT CANAL SYSTEMS INC
C/O LON ATCHLEY
PO BOX 241
ASHTON ID 83420

SOURCE: FALL RIVER TRIBUTARY: HENRYS FORK

QUANTITY: 317.660 CFS

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

PRIORITY DATE: 11/05/1895

POINT OF
DIVERSION:

T08N R42E S4 NENE Lot 1 Within FREMONT County
T08N R42E S21 NESE Lot 1 Within FREMONT County
T08N R42E S22 SESE Within FREMONT County
T09N R42E S13 SWNW Lot 4 Within FREMONT County
T09N R42E S23 NWNE Within FREMONT County
T09N R42E S23 NESE Within FREMONT County
T09N R42E S25 NWNE Within FREMONT County
T09N R43E S35 NESE Within FREMONT County
T09N R43E S35 NESE Within FREMONT County
T09N R44E S35 NWNW Within FREMONT County
T09N R45E S33 NWSW Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	317.660 CFS

PLACE OF USE:

31539 ACRES TOTAL

Place of use is within the area served by North Fremont Canal Systems Inc.

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

This right is limited to the irrigation of 6320 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 31,539 acres in a single irrigation season. Combined Right Nos.: 21-48, 21-49, 21-73B, 21-73D, 21-73F, 21-73J, 21-75, and 21-10944.

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

The right holder shall provide the watermaster of State Water District No. 01, Snake River, with an assignment of available storage water among the various points of diversion prior to the storage being delivered if the right holder does not wish the storage water to be uniformly available to all diversion points.

The right holder shall provide the watermaster of State Water District No. 01, Snake River, with a water right distribution summary prior to each irrigation season designating the amount of water to be diverted from each point of diversion and specifying the associated water right number(s) and date of priority.

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

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 1.

Failure of the right holder to comply with the conditions of transfer 4014 is cause for the Director to rescind approval of the transfer.

This right does not grant any right-of-way or easement across the land of another.

The right holder shall accomplish the change authorized by transfer 4014 within one year of the date of the approval.

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(s).

12/30/2011

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

RIGHT NUMBER: 21-75

NAME AND ADDRESS: NORTH FREMONT CANAL SYSTEMS INC
C/O LON ATCHLEY
PO BOX 241
ASHTON ID 83420

SOURCE: FALL RIVER

TRIBUTARY: HENRYS FORK

QUANTITY: 3.000 CFS

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

PRIORITY DATE: 06/01/1894

POINT OF
DIVERSION:

T08N R42E S4 NENE Lot 1 Within FREMONT County
T08N R42E S21 NESE Lot 1 Within FREMONT County
T08N R42E S22 SESE Within FREMONT County
T09N R42E S13 SWNW Lot 4 Within FREMONT County
T09N R42E S23 NWNE Within FREMONT County
T09N R42E S23 NESE Within FREMONT County
T09N R42E S25 NWNE Within FREMONT County
T09N R43E S35 NESE Within FREMONT County
T09N R43E S35 NESE Within FREMONT County
T09N R44E S35 NWNW Within FREMONT County
T09N R45E S33 NWSW Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	3.000 CFS

PLACE OF USE:

31539 ACRES TOTAL

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

Place of use is within the area served by North Fremont Canal Systems Inc.

The rights listed below are limited to the irrigation of a combined total of 31,539 acres in a single irrigation season. Combined Right Nos.: 21-48, 21-49, 21-73B, 21-73D, 21-73F, 21-73J, 21-75, and 21-10944.

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.

The right holder shall provide the watermaster of State Water District No. 01, Snake River, with an assignment of available storage water among the various points of diversion prior to the storage being delivered if the right holder does not wish the storage water to be uniformly available to all diversion points.

The right holder shall provide the watermaster of State Water District No. 01, Snake River, with a water right distribution summary prior to each irrigation season designating the amount of water to be diverted from each point of diversion and specifying the associated water right number(s) and date of priority.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right does not grant any right-of-way or easement across the land of another.

The right holder shall accomplish the change authorized by transfer 4014 within one year of the date of the approval.

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(s).

Failure of the right holder to comply with the conditions of transfer 4014 is cause for the Director to rescind approval of the transfer.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 1.

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

digital boundary.

The rights listed below are limited to the irrigation of a combined total of 41,098 acres in a single irrigation season. Combined Right Nos.: 21-110, 21-111, 21-112, 21-2154, 21-2161, 21-12946, 21-12897, 21-12908, 21-111, 21-112, 21-2154, 21-2161, 21-12946, 21-12897, 21-12908, 21-12910, 21-12912, 21-12921, 21-12922, 21-12928, 21-12934, 21-12961, 21-12962, 21-12909, 21-12923, 21-12924, 22-428, 22-13342, 22-13343, 22-13344, 22-13347, 22-13349.

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

This right is a split from former right 21-160.

Source is also known as Dry Creek.

Point of rediversion is Henrys Lake Dam.

12/30/2011

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

RIGHT NUMBER: 21-2161

NAME AND ADDRESS: NORTH FORK RESERVOIR CO
C/O RAY W RIGBY SEC
PO BOX 250
REXBURG ID 83440

SOURCE: HENRYS LAKE

TRIBUTARY: HENRYS FORK

QUANTITY: 10,550.00 AFY

Total reservoir capacity is 89,900 acre feet when filled to elevation 6476.9 and measured at the upstream face of the dam.

PRIORITY DATE: 07/29/1965

POINT OF
DIVERSION:

T15N R43E S26 SWNW Lot 6 Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION STORAGE	01/01 12/31	10,550.00 AFY
IRRIGATION FROM STORAGE	04/01 10/31	10,550.00 AFY

PLACE OF USE:

41098 ACRES TOTAL

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

Place of use for irrigation storage is Henrys Lake, provided, however, that water under this right may be temporarily held in the unoccupied space of any of the reservoirs upstream of Milner Dam, located at township 10S, range, 21E, sections 28 and 29, when determined by the Department of Water Resources, the Water District advisory committee, and the United States Bureau of Reclamation that such temporary storage will maximize the storage of water upstream of Milner Dam.

Place of use for irrigation from storage is within the area served by North Fork Reservoir Company which includes Egin Bench Canals Inc., Salem Union Canal Co., and Consolidated Farmers Canal Co., located within Madison and Fremont Counties, Idaho.

The rights listed below are limited to the irrigation of a combined total of 41,098 acres in a single irrigation season. Combined Right Nos.: 21-110, 21-111, 21-112, 21-2154, 21-2161, 21-12946, 21-12897, 21-12908, 21-12910, 21-12912, 21-12921, 21-12922, 21-12928, 21-12934, 21-12961, 21-12962, 21-12909, 21-12923, 21-12924, 22-428, 22-13342, 22-13343, 22-13344, 22-13347, 22-13349.

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

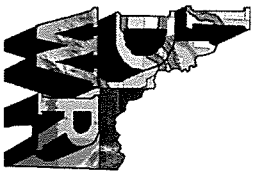
Proposed Amended Director's Report

The remainder of this right was forfeited for non-use from 1971 to 1988.

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 - License

Point of diversion is Henrys Lake Dam.

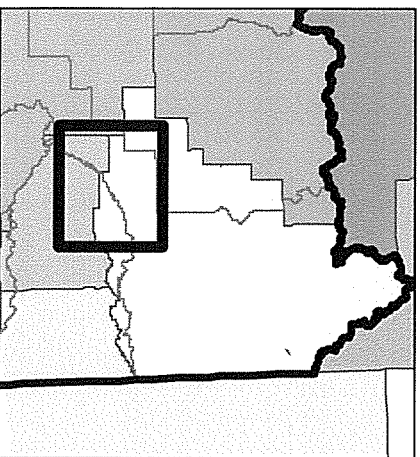


North Fork Reservoir Co

Adjudication Recommendations: 21-110, 21-111, 21-112, 21-2154, 21-2161, 21-12946

Irrigation From Storage Service Area Boundary
GIS Place of Use Illustration

- Service Area
- State Outline
- Townships
- PLS Sections

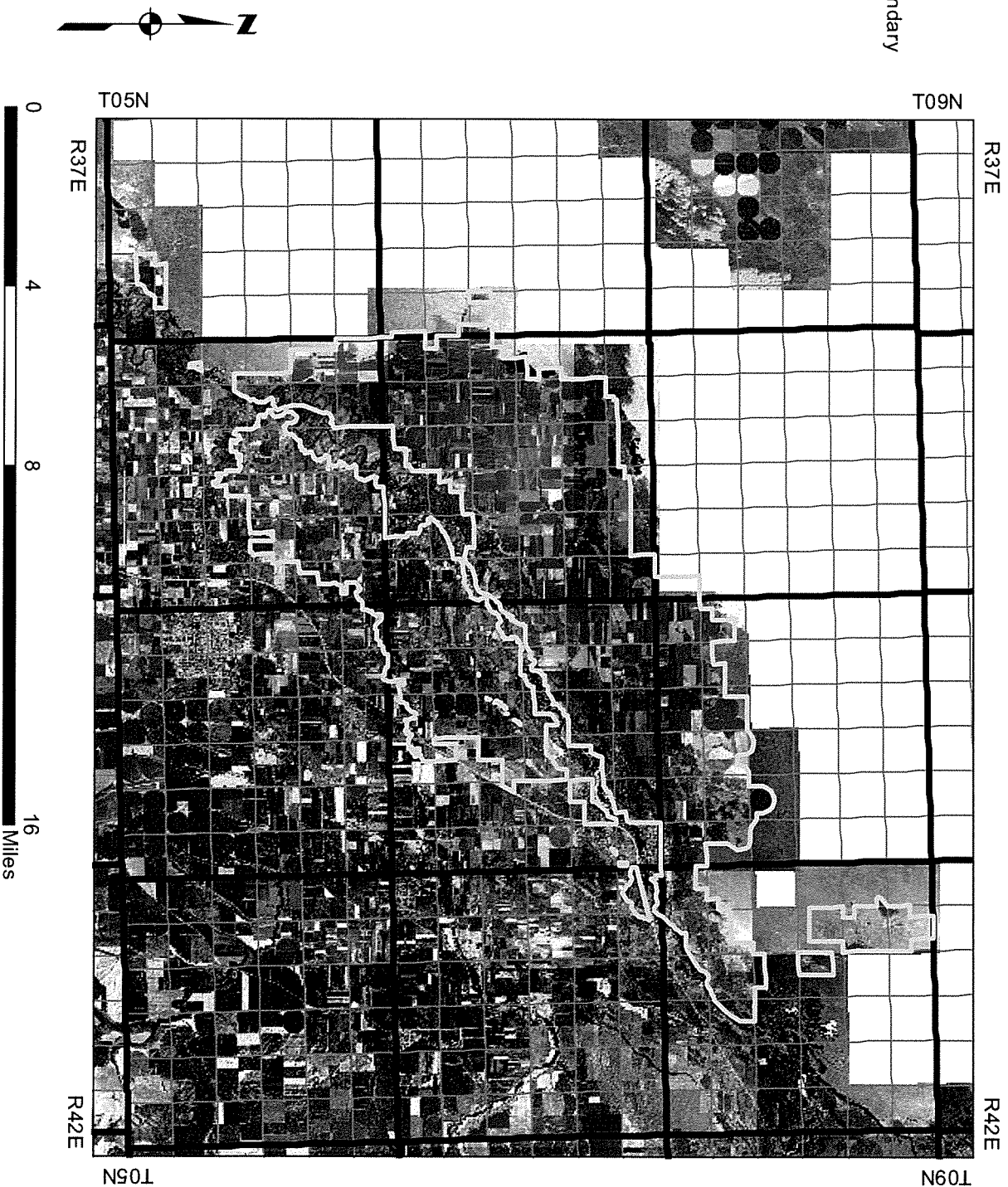


Fremont, Madison Counties

IDWR Basin 21

Prepared by Egbert, Sandy

1987/88 Aerial Photography



12/30/2011

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

RIGHT NUMBER: 21-10944

NAME AND ADDRESS: NORTH FREMONT CANAL SYSTEMS INC
C/O LON ATCHLEY
PO BOX 241
ASHTON ID 83420

SOURCE: BLACK SPRINGS CREEK TRIBUTARY: HENRYS FORK

Point of injection into and point of rediversion from Black Springs Creek.

Diversion of water under this right from Fall River is limited to those times when water is available for diversion under the priority of this right at the original point of diversion in T8N R42E S4 NENE Lot 1.

QUANTITY: 1.900 CFS

PRIORITY DATE: 06/01/1892

POINT OF
DIVERSION:

T08N R42E S4 NENE Lot 1 Injection Within FREMONT County
T08N R42E S4 NENE Lot 1 Rediversion Within FREMONT County
T09N R43E S35 NESE Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.900 CFS

PLACE OF USE:

31539 ACRES TOTAL

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

Place of use is within the area served by North Fremont Canal Systems Inc.

The rights listed below are limited to the irrigation of a combined total of 31,539 acres in a single irrigation season. Combined Right Nos.: 21-48, 21-49, 21-73B, 21-73D, 21-73F, 21-73J, 21-75, and 21-10944.

Right Nos. 21-75 and 21-10944 are limited to the irrigation of a combined total of 171.6 acres 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(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a combination of old Right Nos. 21-38 and 21-74A.

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

Water is delivered through Farmers Own Canal.

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

RIGHT NUMBER: 21-12909

NAME AND ADDRESS: SALEM UNION CANAL CO LTD
C/O JERRY DALLING
1419 N 7TH N
SUGAR CITY ID 83448

SOURCE: HENRYS FORK

TRIBUTARY: SNAKE RIVER

QUANTITY: 15.000 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 04/01/1939

POINT OF
DIVERSION:

T08N R41E S32 SESW Lot 2 Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	15.000 CFS
STOCKWATER	04/01 10/31	0.230 CFS

PLACE OF USE:

4978 ACRES TOTAL

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2) (h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

Place of use is within the area served by Salem Union Canal Co.

The rights listed below are limited to the irrigation of a combined total of 4978 acres in a single irrigation season. Combined Right Nos.: 21-12909, 21-12923, 21-12924, and 22-428.

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

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

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Water is delivered through Salem Union Canal.

This right is former right no. 1-346.

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

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

RIGHT NUMBER: 21-12923

NAME AND ADDRESS: SALEM UNION CANAL CO LTD
C/O JERRY DALLING
1419 N 7TH N
SUGAR CITY ID 83448

SOURCE: HENRYS FORK TRIBUTARY: SNAKE RIVER

QUANTITY: 240.000 CFS

PRIORITY DATE: 04/28/1892

POINT OF
DIVERSION: T08N R41E S32 SESW Lot 2 Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	07/01 10/31	240.000 CFS

PLACE OF USE:

4978 ACRES TOTAL

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

Place of use is within the area served by Salem Union Canal Co.

The rights listed below are limited to the irrigation of a combined total of 4978 acres in a single irrigation season. Combined Right Nos.: 21-12909, 21-12923, 21-12924, and 22-428.

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

Water is delivered through Salem Union Canal.

This right is former right no. 1-167.

12/30/2011

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

RIGHT NUMBER: 21-12946

NAME AND ADDRESS: NORTH FORK RESERVOIR CO
C/O RAY W RIGBY SEC
PO BOX 250
REXBURG ID 83440

SOURCE: HENRYS LAKE

TRIBUTARY: HENRYS FORK

QUANTITY: 79,350.00 AFY

Total reservoir capacity is 89,900 acre feet when filled to elevation 6476.9 and measured at the upstream face of the dam.

The rights listed below are limited to a total combined annual diversion volume of 79,350 af. Combined Right Nos.: 21-110, 21-111, 21-112, 21-2154, and 21-12946.

PRIORITY DATE: 05/15/1917

POINT OF
DIVERSION:

T15N R43E S26 SWNW Lot 6 Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION STORAGE	01/01 12/31	79,350.00 AFY
IRRIGATION FROM STORAGE	04/01 10/31	79,350.00 AFY

PLACE OF USE:

41098 ACRES TOTAL

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

Place of use for irrigation from storage is within the area served by North Fork Reservoir Company which includes Egin Bench Canals Inc., Salem Union Canal Co., and Consolidated Farmers Canal Co., located within Madison and Fremont Counties, Idaho.

Place of use for irrigation storage is Henrys Lake, provided, however, that water under this right may be temporarily held in the unoccupied space of any of the reservoirs upstream of Milner Dam, located at township 10S, range, 21E, sections 28 and 29, when determined by the Department of Water Resources, the Water District advisory committee, and the United States Bureau of Reclamation that such temporary storage will maximize the storage of water upstream of Milner Dam.

The rights listed below are limited to the irrigation of a combined total of 41,098 acres in a single irrigation season. Combined Right Nos.: 21-110, 21-111, 21-112, 21-2154, 21-2161, 21-12946, 21-12897, 21-12908, 21-12910, 21-12912, 21-12921, 21-12922, 21-12928, 21-12934, 21-12961, 21-12962, 21-12909, 21-12923, 21-12924, 22-428, 22-13342, 22-13343, 22-13344, 22-13347, 22-13349.

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

This right is a split from former right 21-160.

Point of diversion is Henrys Lake Dam.

12/30/2011

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

RIGHT NUMBER: 22-163A

NAME AND ADDRESS: CANYON CREEK LATERAL DITCH ASSN
12241 E 3749 N
NEWDALE ID 83436

SOURCE: TETON RIVER

TRIBUTARY: HENRYS FORK

QUANTITY: 1.330 CFS
160.00 AFY

Right Nos. 22-163A, 22-7276, and 22-13739 are limited to a total combined diversion rate of 24.03 cfs.

The rights listed below are limited to a total combined diversion rate of 29.04 cfs. Combined Right Nos.: 22-163A, 22-7253, 22-7276, 22-13738, and 22-13739.

PRIORITY DATE: 04/01/1896

POINT OF
DIVERSION:

T07N R42E S30 SENE Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.330 CFS 160.00 AFY

PLACE OF USE:

3667.9 ACRES TOTAL

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

Place of use is within the area served by Canyon Creek Lateral Ditch Association.

This right is limited to the irrigation of 80 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 3667.9 acres in a single irrigation season. Combined Right Nos.: 22-163A, 22-7253, 22-7276, 22-13738, and 22-13739.

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

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.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 1.

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

Six pumps are located at the point of diversion described above.

Place of use is overlapped by non-SRBA water permits 22-7490 and 22-7508.

The following rights are (re)diverted through point of diversion described above: 22-163A, 22-7253, 22-7276, 22-13738, and 22-13739.

12/30/2011

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

RIGHT NUMBER: 22-195

NAME AND ADDRESS: CANYON CREEK CANAL CO INC
13289 E HWY 33
NEWDALE ID 83436

SOURCE: CANYON CREEK TRIBUTARY: TETON RIVER

Point of injection into and point of rediversion from Teton River.

No more water may be diverted from Canyon Creek and the Teton River under this right than is actually available and could have been diverted by the Canal Company at its original point of diversion in T5N R43E S6 Lot 4, as demonstrated by the record of the required measuring devices.

QUANTITY: 16.000 CFS

PRIORITY DATE: 06/01/1900

POINT OF
DIVERSION:

T05N R43E S6 Lot 4 Within MADISON County
T06N R42E S13 NWSE Within MADISON County
T06N R42E S13 SWSE Within MADISON County
T06N R43E S19 SWNW Lot 2 Within MADISON County
T07N R42E S23 NESE Injection Within MADISON County
T07N R42E S30 SENE Rediversion Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	16.000 CFS

PLACE OF USE:

10615 ACRES TOTAL

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

Place of use does not include Federal lands unless authorized in writing by the United States Bureau of Reclamation.

Place of use is within the area served by Canyon Creek Canal Company.

Right Nos. 22-195 and 22-196 are limited to the irrigation of a combined total of 10,615 acres 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(6), Idaho Code.

This right is subject to all prior and intervening water rights which would otherwise be injured by the approval of transfer 1985.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

Water is delivered through Canyon Creek Canal, P Stevens pump, G Crapo pump, Canyon Creek Lateral pumps, and an unnamed pump.

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

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 1.

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(s).

The right holder shall install a permanent measuring device in Canyon Creek at the point of diversion located in T5N R43E S6 Lot 4. The right holder shall also install a permanent measuring device in Canyon Creek Canal and at each additional point of diversion.

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

RIGHT NUMBER: 22-196

NAME AND ADDRESS: CANYON CREEK CANAL CO INC
13289 E HWY 33
NEWDALE ID 83436

SOURCE: CANYON CREEK TRIBUTARY: TETON RIVER

No more water may be diverted from Canyon Creek and the Teton River under this right than is actually available and could have been diverted by the Canal Company at its original point of diversion in T5N R43E S6 Lot 4, as demonstrated by the record of the required measuring devices.

Point of injection into and point of rediversion from Teton River.

QUANTITY: 54.000 CFS

PRIORITY DATE: 06/01/1902

POINT OF
DIVERSION:

T05N R43E S6 Lot 4 Within MADISON County
T06N R42E S13 NWSE Within MADISON County
T06N R42E S13 SWSE Within MADISON County
T06N R43E S19 SWNW Lot 2 Within MADISON County
T07N R42E S23 NESE Injection Within MADISON County
T07N R42E S30 SENE Rediversion Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	54.000 CFS

PLACE OF USE:

10615 ACRES TOTAL

Place of use is within the area served by Canyon Creek Canal Company.

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

Place of use does not include Federal lands unless authorized in writing by the United States Bureau of Reclamation.

Right Nos. 22-195 and 22-196 are limited to the irrigation of a combined total of 10,615 acres 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

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later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

This right is subject to all prior and intervening water rights which would otherwise be injured by the approval of transfer 1985.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

Water is delivered through Canyon Creek Canal, P Stevens pump, G Crapo pump, Canyon Creek Lateral pumps, and an unnamed pump.

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

The right holder shall install a permanent measuring device in Canyon Creek at the point of diversion located in T5N R43E S6 Lot 4. The right holder shall also install a permanent measuring device in Canyon Creek Canal and at each additional point of diversion.

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(s).

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 1.

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

RIGHT NUMBER: 22-207A

NAME AND ADDRESS: PINCOCK GARNER DITCH ASSN
C/O WAYNE S WARD
3976 N 5000 E
SUGAR CITY ID 83448

SOURCE: TETON RIVER

TRIBUTARY: HENRYS FORK

QUANTITY: 1.600 CFS

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 place of use.

PRIORITY DATE: 05/15/1898

POINT OF
DIVERSION:

T07N R40E S36 SENW Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.600 CFS

PLACE OF USE:

331 ACRES TOTAL

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

Place of use is within the area served by Pincock Garner Ditch Association.

This right is limited to the irrigation of 40 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 331 acres in a single irrigation season. Combined Right Nos.: 22-207A, 22-659, 22-10904, and 22-10906.

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

The right holder shall accomplish the change authorized by transfer 5689 within one year of the date of the approval.

Failure of the right holder to comply with the conditions of transfer 5689 is cause for the Director to rescind approval of the transfer.

Water is delivered through Teton Island Feeder Canal.

This right does not grant any right-of-way or easement across the land of another.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 1.

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.

12/30/2011

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

RIGHT NUMBER: 22-207B

NAME AND ADDRESS: HK CONTRACTORS INC
PO BOX 51450
IDAHO FALLS ID 83405

SOURCE: TETON RIVER TRIBUTARY: HENRYS FORK

QUANTITY: 1.600 CFS

PRIORITY DATE: 05/15/1898

POINT OF
DIVERSION: T07N R40E S36 SWNE Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.600 CFS

PLACE OF USE: IRRIGATION in FREMONT County

T07N R40E S36 SWSW 38.00

38 ACRES TOTAL

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

Water is delivered through Pincock-Garner Canal.

12/30/2011

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

RIGHT NUMBER: 22-456

NAME AND ADDRESS: PIONEER DITCH CO
C/O JAY KLEIN
160 N 2400 E
ST ANTHONY ID 83445

SOURCE: TETON RIVER

TRIBUTARY: HENRYS FORK

QUANTITY: 18.000 CFS

PRIORITY DATE: 04/01/1898

POINT OF
DIVERSION:

T07N R41E S29 SWNW Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	18.000 CFS

PLACE OF USE:

250.4 ACRES TOTAL

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

Place of use is within the area served by Pioneer Ditch Company.

Right Nos. 22-456 and 22-457 are limited to the irrigation of a combined total of 250.4 acres 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(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

Water is delivered through Pioneer Canal.

12/30/2011

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

RIGHT NUMBER: 22-457

NAME AND ADDRESS: PIONEER DITCH CO
C/O JAY KLEIN
160 N 2400 E
ST ANTHONY ID 83445

SOURCE: TETON RIVER TRIBUTARY: HENRYS FORK

QUANTITY: 10.560 CFS

PRIORITY DATE: 05/01/1883

POINT OF
DIVERSION: T07N R41E S29 SWNW Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	10.560 CFS

PLACE OF USE:

250.4 ACRES TOTAL

Place of use is within the area served by Pioneer Ditch Company.

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

Right Nos. 22-456 and 22-457 are limited to the irrigation of a combined total of 250.4 acres 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(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered through Pioneer Canal.

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

12/30/2011

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

RIGHT NUMBER: 22-659

NAME AND ADDRESS: PINCOCK GARNER DITCH ASSN
C/O WAYNE S WARD
3976 N 5000 E
SUGAR CITY ID 83448

SOURCE: TETON RIVER

TRIBUTARY: HENRYS FORK

QUANTITY: 4.000 CFS

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 place of use.

PRIORITY DATE: 04/01/1939

POINT OF
DIVERSION:

T07N R40E S36 SENW Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	4.000 CFS

PLACE OF USE:

331 ACRES TOTAL

Place of use is within the area served by Pincock Garner Ditch Association.

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

The rights listed below are limited to the irrigation of a combined total of 331 acres in a single irrigation season. Combined Right Nos.: 22-207A, 22-659, 22-10904, and 22-10906.

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

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 1.

This right does not grant any right-of-way or easement across the land of another.

Failure of the right holder to comply with the conditions of transfer 5689 is cause for the Director to rescind approval of the transfer.

Water is delivered through Teton Island Feeder Canal.

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.

This right is former right no. 1-344.

The right holder shall accomplish the change authorized by transfer 5689 within one year of the date of the approval.

12/30/2011

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

RIGHT NUMBER: 22-660

NAME AND ADDRESS: SAUREY-SOMMER CANAL COMPANY
C/O DON HARRIS
4431 N 2000 W
REXBURG ID 83440

SOURCE: TETON RIVER

TRIBUTARY: HENRYS FORK

QUANTITY: 9.000 CFS

PRIORITY DATE: 04/01/1939

POINT OF
DIVERSION:

T07N R39E S35 SESE Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	9.000 CFS

PLACE OF USE:

350 ACRES TOTAL

Place of use is within the area served by Saurey Sommer Canal Company.

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

The rights listed below are limited to the irrigation of a combined total of 350 acres in a single irrigation season. Combined Right Nos.: 22-660 and 22-11329.

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

Water is delivered through Saurey-Sommer Ditch.

12/30/2011

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

RIGHT NUMBER: 22-7276

NAME AND ADDRESS: CANYON CREEK LATERAL DITCH ASSN
12241 E 3749 N
NEWDALE ID 83436

SOURCE: TETON RIVER

TRIBUTARY: HENRYS FORK

QUANTITY: 22.700 CFS
6,020.00 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

Right Nos. 22-163A, 22-7276, and 22-13739 are limited to a total combined diversion rate of 24.03 cfs.

The rights listed below are limited to a total combined diversion rate of 29.04 cfs. Combined Right Nos.: 22-163A, 22-7253, 22-7276, 22-13738, and 22-13739.

PRIORITY DATE: 04/21/1978

POINT OF
DIVERSION:

T07N R42E S30 SENE Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	22.700 CFS 6,020.00 AFY

The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 15 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE:

3667.9 ACRES TOTAL

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

Place of use is within the area served by Canyon Creek Lateral Ditch Association.

This right is limited to the irrigation of 1720 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 3667.9 acres in a single irrigation season. Combined Right Nos.: 22-163A,

22-7253, 22-7276, 22-13738, and 22-13739.

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 - License

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 1.

The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works.

This right does not grant any right-of-way or easement across the land of another.

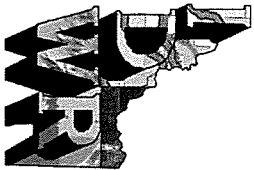
Place of use is overlapped by non-SRBA water permits 22-7490 and 22-7508.

The following rights are (re)diverted through point of diversion described above: 22-163A, 22-7253, 22-7276, 22-13738, and 22-13739.

Right No. 22-13739 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.

Six pumps are located at the point of diversion described above.

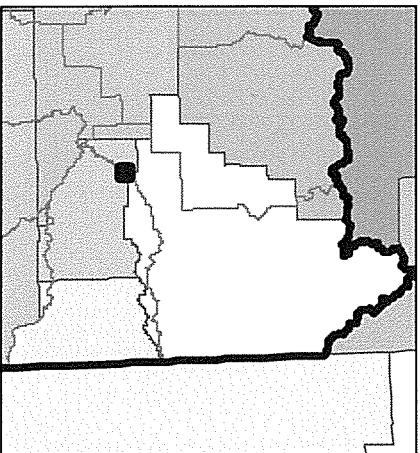


Saurey-Sommer Canal Company

Adjudication Recommendations: 22-660, 22-11329

Irrigation Service Area Boundary
GIS Place of Use Illustration

-  Service Area
-  State Outline
-  Townships
-  PLS Sections
-  Quarter Quarters

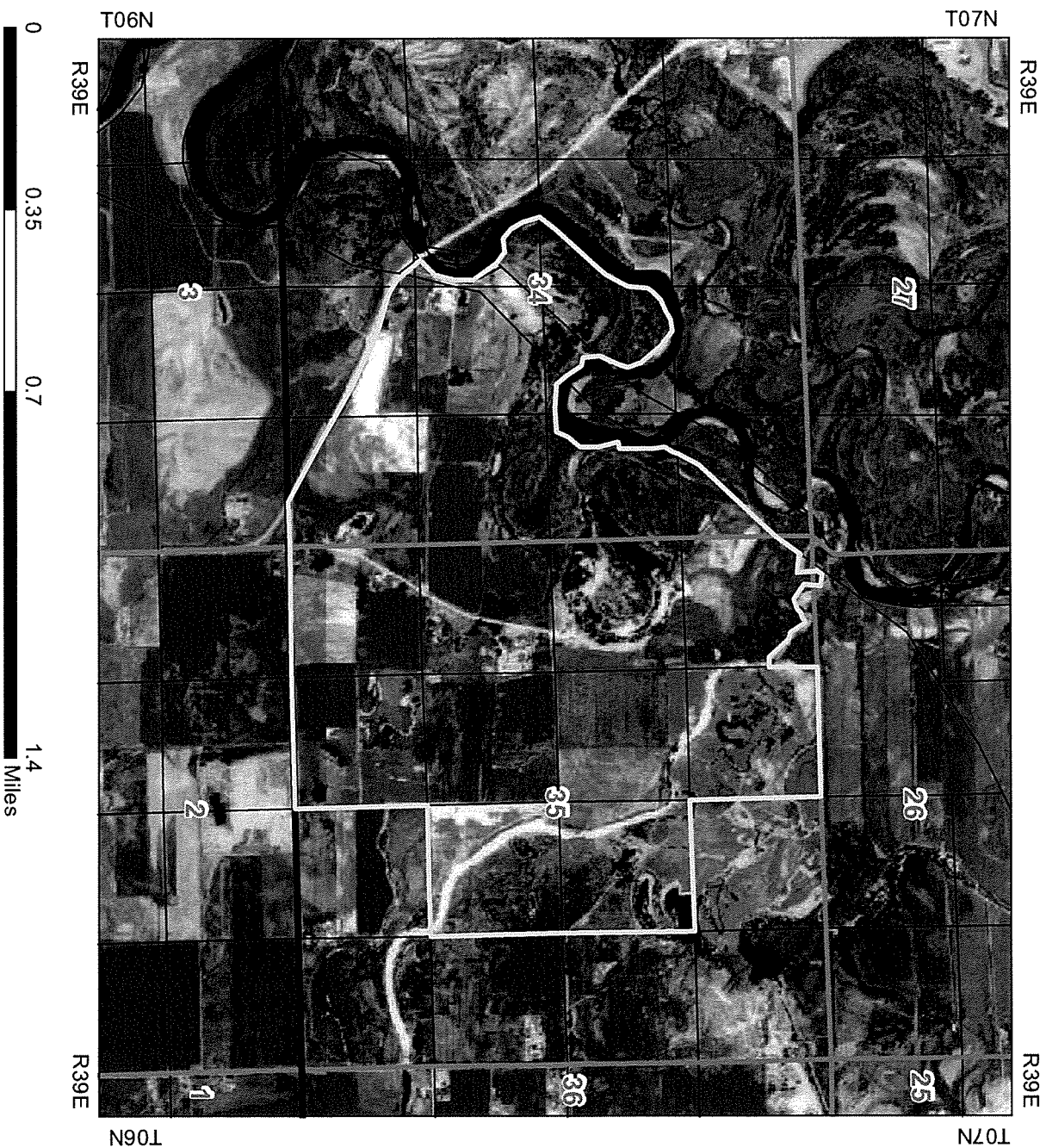


Fremont, Madison Counties

IDWR Basin 22

Prepared by Egbert, Sandy

1987/88 Aerial Photography



12/30/2011

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

RIGHT NUMBER: 22-10904

NAME AND ADDRESS: PINCOCK GARNER DITCH ASSN
C/O WAYNE S WARD
3976 N 5000 E
SUGAR CITY ID 83448

SOURCE: TETON RIVER

TRIBUTARY: HENRYS FORK

QUANTITY: 8.880 CFS

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 place of use.

PRIORITY DATE: 03/01/1884

POINT OF
DIVERSION:

T07N R40E S36 SENW Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	8.880 CFS

PLACE OF USE:

331 ACRES TOTAL

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

Place of use is within the area served by Pincock Garner Ditch Association.

The rights listed below are limited to the irrigation of a combined total of 331 acres in a single irrigation season. Combined Right Nos.: 22-207A, 22-659, 22-10904, and 22-10906.

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

This right is former right no. 1-62.

The right holder shall accomplish the change authorized by transfer 5689 within one year of the date of the approval.

Failure of the right holder to comply with the conditions of transfer 5689 is cause for the Director to rescind approval of the transfer.

This right does not grant any right-of-way or easement across the land of another.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 1.

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.

Water is delivered through Teton Island Feeder Canal.

12/30/2011

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

RIGHT NUMBER: 22-10906

NAME AND ADDRESS: PINCOCK GARNER DITCH ASSN
C/O WAYNE S WARD
3976 N 5000 E
SUGAR CITY ID 83448

SOURCE: TETON RIVER

TRIBUTARY: HENRYS FORK

QUANTITY: 16.000 CFS

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 place of use.

PRIORITY DATE: 04/01/1898

POINT OF
DIVERSION:

T07N R40E S36 SENW Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	16.000 CFS

PLACE OF USE:

331 ACRES TOTAL

Place of use is within the area served by Pincock Garner Ditch Association.

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

The rights listed below are limited to the irrigation of a combined total of 331 acres in a single irrigation season. Combined Right Nos.: 22-207A, 22-659, 22-10904, and 22-10906.

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

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 1.

The right holder shall accomplish the change authorized by transfer 5689 within one year of the date of the approval.

This right does not grant any right-of-way or easement across the land of another.

Failure of the right holder to comply with the conditions of transfer 5689 is cause for the Director to rescind approval of the transfer.

This right is former right no. 1-63.

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.

Water is delivered through Teton Island Feeder Canal.

12/30/2011

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

RIGHT NUMBER: 22-11329

NAME AND ADDRESS: SAUREY-SOMMER CANAL COMPANY
C/O DON HARRIS
4431 N 2000 W
REXBURG ID 83440

SOURCE: TETON RIVER

TRIBUTARY: HENRYS FORK

QUANTITY: 27.000 CFS

PRIORITY DATE: 10/17/1885

POINT OF
DIVERSION:

T07N R39E S35 SESE Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	27.000 CFS

PLACE OF USE:

350 ACRES TOTAL

Place of use is within the area served by Saurey Sommer Canal Company.

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

The rights listed below are limited to the irrigation of a combined total of 350 acres in a single irrigation season. Combined Right Nos.: 22-660 and 22-11329.

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

Water is delivered through Saurey-Sommer Ditch.

This right is a combination of old Right Nos.: 22-7, 22-8, and 22-9.

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

12/30/2011

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

RIGHT NUMBER: 22-12520

NAME AND ADDRESS: WALTERS PRODUCE INC
PO BOX 177
NEWDALE ID 83436

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.230 CFS
47.50 AFY

PRIORITY DATE: 12/31/1951

POINT OF
DIVERSION:

T07N R41E S34 SESW Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
COMMERCIAL	01/01 12/31	0.230 CFS 47.50 AFY
Commercial use is for a fresh pack potato processing facility.		

PLACE OF USE: COMMERCIAL in FREMONT County

T07N R41E S34 SESW

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 - Beneficial Use

After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.

Failure of the right holder to comply with the conditions of transfer 4862 is cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by transfer 4862 within one (1) year of the date of the approval.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

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

T06N R42E S05	NWSW	39.00	T06N R42E S05	SWSW	40.00
T06N R42E S05	SESW	34.00	T06N R42E S05	NESE	39.00
T06N R42E S05	NWSE	39.00	T06N R42E S05	SWSE	39.00
T06N R42E S05	SESE	39.00	T06N R42E S06 Lot 1	NENE	32.00
T06N R42E S06 Lot 2	NWNE	38.00	T06N R42E S06	SWNE	40.00
T06N R42E S06	SENE	39.00	T06N R42E S06 Lot 3	NENW	39.00
T06N R42E S06 Lot 5	SWNW	29.00	T06N R42E S06	SENW	39.00
T06N R42E S06	NESW	39.00	T06N R42E S06 Lot 6	NWSW	24.00
T06N R42E S06 Lot 7	SWSW	37.00	T06N R42E S06	SESW	37.00
T06N R42E S06	NESE	40.00	T06N R42E S06	NWSE	40.00
T06N R42E S06	SWSE	40.00	T06N R42E S06	SESE	40.00
T06N R42E S07	NENE	39.00	T06N R42E S07	NWNE	40.00
T06N R42E S07	SWNE	40.00	T06N R42E S07	SENE	40.00
T06N R42E S07	NENW	40.00	T06N R42E S07 Lot 1	NWNW	38.00
T06N R42E S07 Lot 2	SWNW	38.00	T06N R42E S07	SENW	40.00
T06N R42E S07	NESW	40.00	T06N R42E S07 Lot 3	NWSW	38.00
T06N R42E S07 Lot 4	SWSW	38.00	T06N R42E S07	SESW	40.00
T06N R42E S07	NESE	40.00	T06N R42E S07	NWSE	40.00
T06N R42E S07	SWSE	40.00	T06N R42E S07	SESE	39.00
T06N R42E S08	NWNE	40.00	T06N R42E S08	SWNE	14.00
T06N R42E S08	NENW	40.00	T06N R42E S08	NWNW	40.00
T06N R42E S08	SWNW	40.00	T06N R42E S08	SENW	40.00
T06N R42E S08	NESW	40.00	T06N R42E S08	NWSW	40.00
T06N R42E S08	SWSW	40.00	T06N R42E S08	SESW	40.00
T06N R42E S08	NWSE	14.00	T06N R42E S08	SWSE	13.00
T07N R41E S26	NESW	39.00	T07N R41E S26	NWSW	13.00
T07N R41E S26	SWSW	35.00	T07N R41E S26	SESW	39.00
T07N R41E S27	SESE	5.00	T07N R41E S35	NENE	39.00
T07N R41E S35	NWNE	39.00	T07N R41E S35	SWNE	40.00
T07N R41E S35	SENE	40.00	T07N R41E S35	NENW	39.00
T07N R41E S35	NWNW	39.00	T07N R41E S35	SWNW	40.00
T07N R41E S35	SENW	40.00	T07N R41E S35	NESE	40.00
T07N R41E S35	NWSE	40.00	T07N R41E S35	SWSE	33.00
T07N R41E S35	SESE	37.00	T07N R42E S30 Lot 4	SWSW	17.00
T07N R42E S30	SESW	40.00	T07N R42E S30	NESE	9.10

T07N R42E S30	SWSE	40.00	T07N R42E S30	SESE	40.00
T07N R42E S31	SWNE	40.00	T07N R42E S31	SENE	38.00
T07N R42E S31 Lot 2	SWNW	39.00	T07N R42E S31	SENW	40.00
T07N R42E S31	NESW	40.00	T07N R42E S31	SESW	38.00
T07N R42E S31	NESE	37.00	T07N R42E S31	NWSE	40.00
T07N R42E S31	SWSE	39.00	T07N R42E S31	SESE	38.00
T07N R42E S32	NESW	40.00	T07N R42E S32	NWSW	39.00
T07N R42E S32	SWSW	37.00	T07N R42E S32	NWSE	36.00

3667.9 ACRES TOTAL

Place of use does not include federal public lands.

The rights listed below are limited to the irrigation of a combined total of 3667.9 acres in a single irrigation season. Combined Right Nos.: 22-163A, 22-7253, 22-7276, 22-13738, and 22-13739.

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

This right is based upon an enlargement of Right No. 22-7253 pursuant to Section 42-1426, Idaho Code.

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.

No demand on upstream prior rights or existing prior exchanges can be made and no interference with prior rights located between the diversion pumps and the point of injection will be allowed even if the exchange well is pumping water into the Teton Irrigation Canal.

The exchange well must inject water into the Teton Irrigation Canal under this right, and the injection must continue after the diversion from the Teton River ceases until the water not diverted reaches the point of injection.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Place of use is overlapped by non-SRBA water permits 22-7490 and 22-7508.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 1.

This right is for an enlargement of 607.9 acres within the place of use described for this right.

The following rights are (re)diverted through point of diversion described above: 22-163A, 22-7253, 22-7276, 22-13738, and 22-13739.

Unperforated well casing shall be retained above the first confining layer to prevent interference with shallow wells and recharge to the river.

Totalizing measuring devices shall be maintained at the exchange well and diversion pumps from the Teton River.

Right No. 22-7253 is also diverted through point of diversion described above.

12/30/2011

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

RIGHT NUMBER: 27-2126

NAME AND ADDRESS: LA VERELLE STECKLEIN
757 W RIVERTON RD
BLACKFOOT ID 83221

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 4.740 CFS
948.00 AFY

PRIORITY DATE: 08/11/1961

POINT OF
DIVERSION:

T03S R34E S23 NWNE Lot 1 Within BINGHAM County
T03S R34E S23 NESW Lot 5 Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	4.740 CFS 948.00 AFY

PLACE OF USE: IRRIGATION in BINGHAM County

T03S R34E S23 Lot 1 NWNE	25.00	T03S R34E S23 Lot 15 NWNE	2.40
T03S R34E S23 SWNE	40.00	T03S R34E S23 Lot 15 NENW	3.50
T03S R34E S23 Lot 2 SENW	38.00	T03S R34E S23 Lot 5 NESW	39.00
T03S R34E S23 Lot 4 NWSW	40.00	T03S R34E S23 Lot 4 SWSW	15.00
T03S R34E S23 Lot 5 SESW	4.10	T03S R34E S23 Lot 6 NWSE	30.00

237 ACRES TOTAL

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 - License

Right No. 27-7065 is also diverted through point of diversion described above as T03S R34E S23 Lot 5.

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

Use of this right is combined with water from Blackfoot Irrigation Co.

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

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

Proposed Amended Director's Report