

10/17/2006

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

RIGHT NUMBER: 73-90

NAME AND ADDRESS: BAR G FARMS ENTERPRISES TRUST
PO BOX 175
MAY ID 83253

SOURCE: PAHSIMEROI RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 2.500 CFS

PRIORITY DATE: 04/18/1888

POINT OF DIVERSION:

T14N R21E S1 NESESW Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	2.500 CFS

PLACE OF USE: IRRIGATION Within CUSTER County

T15N R21E S34	NESW	40.00	T15N R21E S34	NWSW	21.00
T15N R21E S34	SWSW	13.00	T15N R21E S34	SESW	40.00

114 ACRES TOTAL

Right Nos. 73-90 and 73-11978 are limited to the irrigation of a combined total of 114 acres in a single irrigation season.

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

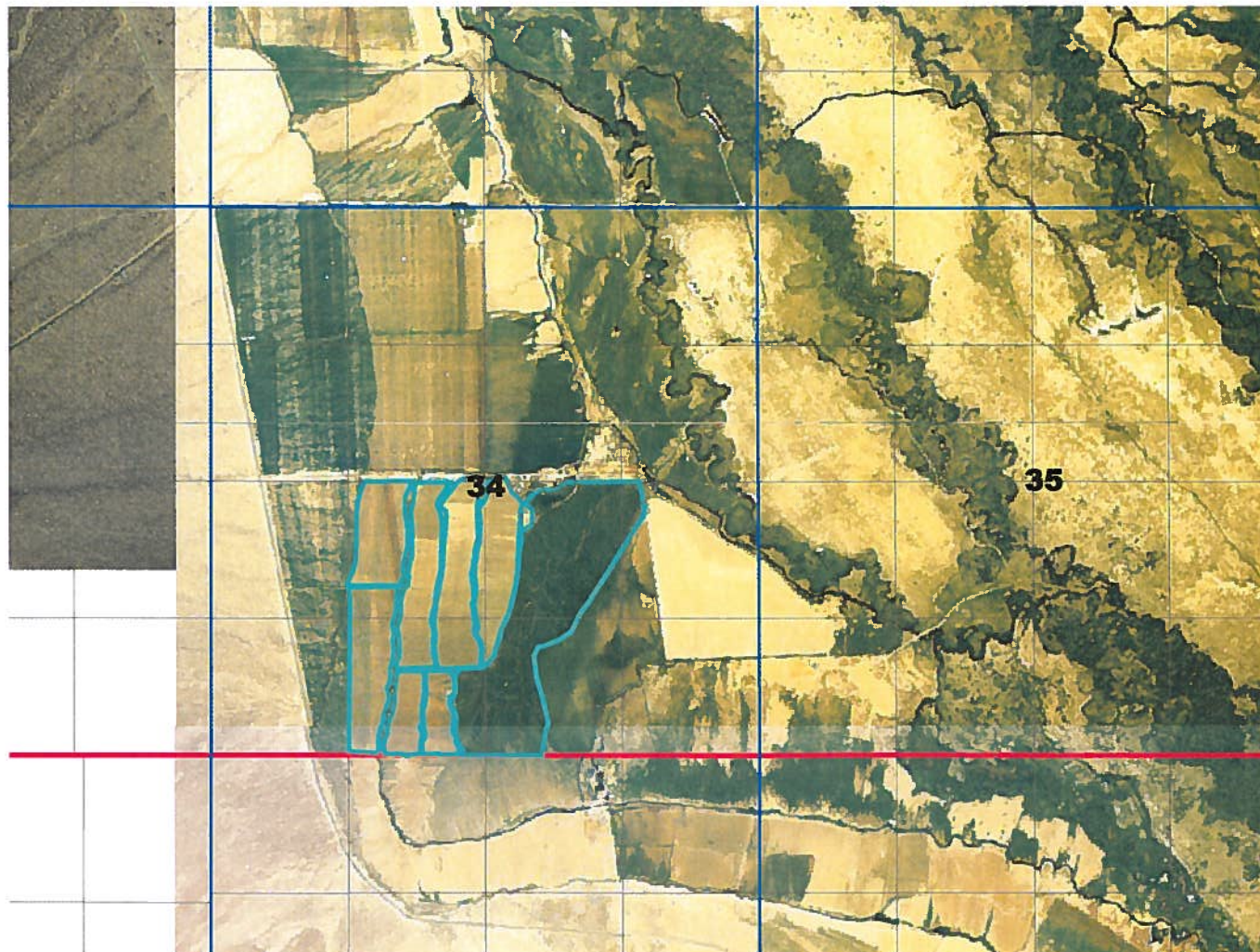
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Idaho Dept. of Water Resources

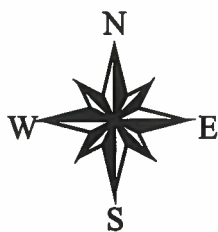
Water Right 73-90

Bar G Farms Enterprises



0.4 0 0.4 0.8 Miles

 73-00090



GIS Presentation
Prepared by R. Brown
July 15, 2004
1988 Aerial Photography

07/15/2004

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PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 73-90

NAME AND ADDRESS: BAR G FARMS ENTERPRISES
PO BOX 175
MAY ID 83253

SOURCE: PAHSIMEROI RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 2.500 CFS

PRIORITY DATE: 04/18/1888

POINT OF DIVERSION:

T14N R21E S1 NESESW Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	2.500 CFS

PLACE OF USE: IRRIGATION Within CUSTER County

T15N R21E S34	NESW	34.0	T15N R21E S34	SESW	36.0
T15N R21E S34	NESE	2.0	T15N R21E S34	NWSE	35.0
T15N R21E S34	SWSE	18.0			

125 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: Decreed

DRAFT

Hi Nate

Would it be possible for you to contact the claimant and ask them if the rights should be under the trust name? They may have filed some documentation under one of their other rights that didn't make it into these files. Fred Price is leaning towards having a problem with us just changing them based on lot info.

-----Original Message-----

From: Arave, Nathaniel
Sent: Wednesday, January 30, 2008 12:18 PM
To: Kelly, Vicki
Subject: RE: 73-00090, 73-11978, 73-11983; Claimant: Big G Farms Enterprises Trust

I don't really have a good answer for you on this. Big G is not registered as a business entity in Idaho. The name on the water right matches the name associated with the tax lot and I would assume that is where the department obtained the trust portion from.

Nate

-----Original Message-----

From: Kelly, Vicki
Sent: Wednesday, January 30, 2008 11:59 AM
To: Arave, Nathaniel
Subject: RE: 73-00090, 73-11978, 73-11983; Claimant: Big G Farms Enterprises Trust

Hey Nate

Do we know how this became a trust? The feds are asking and I didn't see anything that leaped right out at me to answer them. Any clue? Thanks -
V

-----Original Message-----

From: Arave, Nathaniel
Sent: Wednesday, January 30, 2008 8:16 AM
To: Kelly, Vicki
Subject: FW: 73-00090, 73-11978, 73-11983; Claimant: Big G Farms Enterprises Trust

Vicki,

Here is the first of the Basin 73 SF5's.

PS What is the new paralegal's name who is working on 75?

Nate

-----Original Message-----

From: Brown, Larry (ENRD) [mailto:Larry.Brown@usdoj.gov]
Sent: Tuesday, January 29, 2008 3:03 PM
To: Bromley, Chris; Kelly, Vicki; Carlsen, Ernie; Arave, Nathaniel
Cc: Fredric_Price@blm.gov; Sherman_Beazer@blm.gov; Casey_O'Brien@blm.gov
Subject: 73-00090, 73-11978, 73-11983; Claimant: Big G Farms Enterprises Trust

Billy Gydesen called me today. We agreed to resolve BLM's objections to the above-referenced claims by adding the "no fed land" remark to the place of use element. Please draft appropriate SF-5s and let Fred know when they are done. Thanks,

Larry

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

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 73-00090

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

JUN 12 2008

By _____

Clerk

Deputy Clerk

NAME AND ADDRESS: BAR G FARMS ENTERPRISES
PO BOX 175
MAY, ID 83253

SOURCE: PAHSIMEROI RIVER TRIBUTARY: SALMON RIVER

QUANTITY: 2.50 CFS

PRIORITY DATE: 04/18/1888

POINT OF DIVERSION: T14N R21E S01 NESESW Within Custer County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	04-01 TO 10-31	2.50 CFS

PLACE OF USE:

Irrigation	Within Custer County
T15N R21E S34	NESW 40.0 NWSW 21.0 SWSW 13.0 SESW 40.0
114.0 Acres Total	

Right Nos. 73-90 and 73-11978 are limited to the irrigation of a
combined total of 114 acres in a single irrigation season.
PLACE OF USE DOES NOT INCLUDE FEDERAL PUBLIC LANDS.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication