

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A43-10334
Date Received: 6/05/1989
Receipt No: 5007495
Received By: AD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RIGBY FARMS 208-645-2450
Address: H.C. 61 BOX 1072
MALTA, ID 83342

2. Date of Priority: JUN 30, 1985

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13S	28E	3	SE	SE	NE		CASSIA

5. Description of diverting works:
WELL & 200 H.P. PUMP TO DITCH TO BOOSTER PUMP TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.200		

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

8. Total consumptive use is 480.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12S	28E	33	NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12S	28E	33	SE	NW		IRR	40.0

Section Acres 160.0

Total Acres 160.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
SHARES IN SUBLETT IRRIGATION CO.

14. Remarks:
THIS CLAIM IS FOR EXPANDED ACRES IN A CRITICAL GROUNDWATER AREA.
THE LICENSE EXPANDED IS 43-02486. THE LICENSE IS LIMITED TO
3.36 CFS.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: See Map A43-02486

For Organizations:

I do solemnly swear or affirm that I am Partner of
Rigby Farms Organization, that I have signed the foregoing
document in the space below as Partner of
Rigby Farms Organization and that the statements contained in the
foregoing document are true and correct.

Janie Rigby
Signature of Authorized Agent

Partner - Rigby Farms
Title and Organization

6-5-89
Date

State of Idaho)
County of Thielsen) SS.

Subscribed and sworn (or affirmed) before me this 5th day
of June 19 89

[Signature]
Notary Public

Seal

Residing at Kilservy, ID
My Commission Expires 6/30/92



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

December 5, 1991

R. KEITH HIGGINSON
Director

A43-10334
RIGBY FARMS
H.C. 61 BOX 1072

MALTA

ID 83342

RE: Evidence of Priority

RESPONSE DEADLINE
FEBRUARY 3, 1992

Dear Claimant:

The Notice(s) of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice(s) indicate your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. **The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will soon conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, proof must be provided supporting the priority date you have claimed.**

The Department will not recommend the Notice(s) be decreed by the court as claimed if no evidence of a priority date is submitted.

Please find enclosed a computer printout of your Notice(s) and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some Examples of Documents Which May Be Evidence of the Priority Date".

Please submit the required evidence supporting the priority date(s) by **February 3, 1992**, referencing all documents with the corresponding Notice number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,

Allen Merritt, P.E.
Water Rights Supervisor

Enclosures

MICROFILMED

MAR 04 1993

Water Right Number - A43-10334

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

Last Name -

First Name -

Address -

*** C - CURRENT OWNER ***
RIGBY FARMS

1 - H.C. 61 BOX 1072
2 -
3 -
City- MALTA
Phone - 208-645-2450

State- ID Zip- 83342

Priority Date - 06/30/1985

Region - 17 SOUTHERN

Stage - J - BENEFICIAL USE

Status -

Source - GROUNDWATER

Tributary -

Twn Rng Sec Tract Lot Rflg County Point of Diversion Stream Index (Blank if no Index Code)

13S 28E 3 SE SE NE (31) CASSIA

Code Description Period From Period To Water Use Diversion Rate Diversion Volume

01 - IRRIGATION

03/15 11/15

3.200

Total Div. Rate - 3.200 Total Div. Volume - 480.0 Total Div. Capacity - 480.0 Total Consumptive Use - 480.0 KW Usage -

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
12S	28E	33	NE NW		40.0	01	IRRIGATION	(31) CASSIA
12S	28E	33	NW NW		40.0	01	IRRIGATION	(31) CASSIA
12S	28E	33	SW NW		40.0	01	IRRIGATION	(31) CASSIA
12S	28E	33	SE NW		40.0	01	IRRIGATION	(31) CASSIA

Total Acres: 160.0

- Diversion Means - WELL & 200 H.P. PUMP TO DITCH TO BOOSTER PUMP TO SPRINKLERS

- Non-Irrigation Use - NONE

- Other Rights for Same Use - SHARES IN SUBLETT IRRIGATION CO.

Remarks - THIS CLAIM IS FOR EXPANDED ACRES IN A CRITICAL GROUNDWATER AREA.
THE LICENSE EXPANDED IS 43-02486. THE LICENSE IS LIMITED TO 3.36 CFS.

- Old Water Right Numbers - No Old Water Right Numbers found.

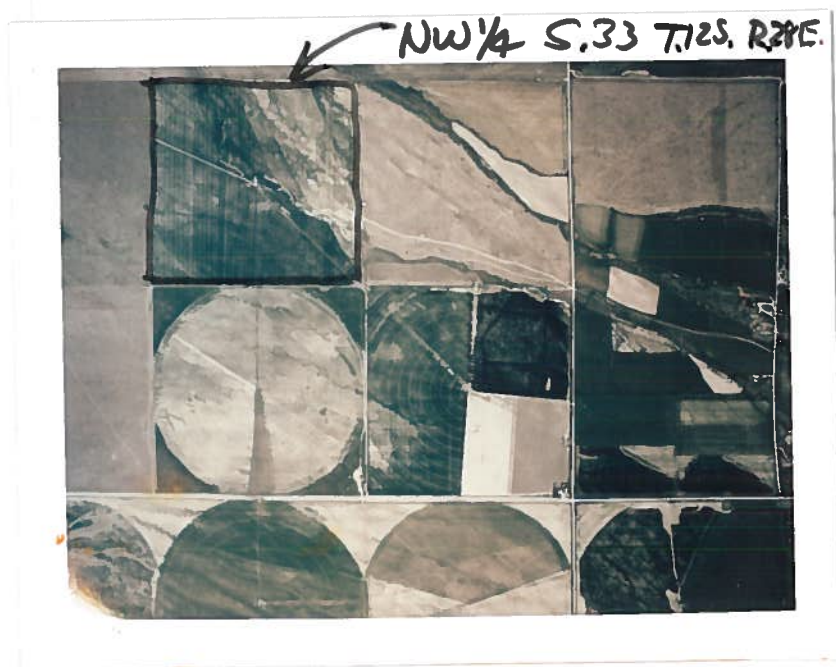
MICROFILMED
MAR 04 1993

1/23/92

A43-10334

Jim Rigby came in and supplied
the attached ASCS photo for 1989
and the power records. 020026 is
for the well and 016029 is for the
booster that supplies the pivot.

ADm



See back for
date.

MICROFILMED
MAR 04 1993

A43-10334

Water right number - A43-10334

Prefix Translation: ADJUDICATION CLAIM

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

+ - - - - - Decree Plaintiff - - - - - + - - - - - Decree Defendant - - - - - +
+ - Decree Date - - +
00/00/0000

+ - - Audit Fields - 06/05/89 MERRITT

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

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Verified Date	- 03/12/1985	Old Case Number	-
Response Filed Date	- 00/00/0000	Last Amended Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 06/05/1989	Proof Made Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Receipt Number	- S007495	Water District	-
Licensed Date	- 00/00/0000	POU Ownership Flag	- Y	Federal/State Indicator	- S
Claims Tape Error Flag	-	Name Connector	-	Presumption Flag	- E
Fee Exempt Flag	-			Notice of Error Flag	-

MICROFILMED
MAR 04 1993

RAFT RIVER RURAL ELECTRIC COOP., INC.

P.O. BOX 617 PHONE 845-2211
MALTA, IDAHO 83342

5/31/84 190389

FRED RIGBY & SONS
SUBLETT RTE
MALTA ID 83342

- BILLING CODES**
- 1 RESIDENTIAL
 - 2 SMALL COMMERCIAL
 - 3 STOCK PUMPS
 - 4 PUBLIC BUSES
 - 5 IRRIGATION POWER
 - 6 LARGE POWER
 - 7 INTEREST
 - 8 NOTES RECEIVABLE
 - 9 OTHER RECEIVABLE
 - 10 PAYMENTS
 - 11 ADJUSTMENTS
 - 12 SALES TAX

INDICATES ESTIMATED
METER READINGS

SERVICE OR REFERENCE NO.	METER READINGS		KWH USED	DEMAND	READING CODE	AMOUNT
	PREVIOUS	PRESENT				
	BALANCE FORWARD					752.56
051104					17	147.63CR
051104					67	604.93CR
014443					6	618.09
014443					9	16.45
016029	98016	3236	5220	47	2	193.14
020014	2890	2960	700		1	36.00
020037	4692	4812	4800	68	2	177.60
A LEVEL PAYMENT PLAN IS AVAILABLE FOR YOUR RESIDENTIAL SERVICE. AT PRESENT YOUR MONTHLY PAYMENT WOULD BE \$4.00 . FOR DETAILS CONTACT THE OFFICE.						
10 DAYS AND OVER		10 DAYS	15 DAYS	CURRENT		
.00		.00	.00	1041.20		1.041.20

A LEVEL PAYMENT PLAN IS AVAILABLE FOR YOUR RESIDENTIAL SERVICE.
AT PRESENT YOUR MONTHLY PAYMENT WOULD BE \$4.00.
FOR DETAILS CONTACT THE OFFICE.

TERMS: All payments are due and payable upon receipt and become past due the last day of the month stated. FINANCE CHARGE 1-1/4% PER MONTH (15% ANNUAL RATE) will be applied to all past due amounts. Purchaser agrees to pay a reasonable attorney or collection fee in case of forced collection with or without suit.

RAFT RIVER RURAL ELECTRIC COOP., INC.

P.O. BOX 617 PHONE 845-2211
MALTA, IDAHO 83342

4/30/84 190389

FRED RIGBY & SONS
SUBLETT RTE
MALTA ID 83342

- BILLING CODES**
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 - 9 OTHER RECEIVABLE
 - 10 PAYMENTS
 - 11 ADJUSTMENTS
 - 12 SALES TAX

INDICATES ESTIMATED
METER READINGS

SERVICE OR REFERENCE NO.	METER READINGS PREVIOUS	METER READINGS PRESENT	KWH USED	DEMAND	READING CODE	AMOUNT
			BALANCE FORWARD			100.56
014357					6	565.83
014357					4	12.96
020014	2730	2890	1600		1	72.00
					4	1.51

MICROFILMED
MAR 14 1982

A LEVEL PAYMENT PLAN IS AVAILABLE FOR YOUR RESIDENTIAL SERVICE.
AT PRESENT YOUR MONTHLY PAYMENT WOULD BE \$4.00 .
FOR DETAILS CONTACT THE OFFICE.

45 DAYS AND OVER	30 DAYS	15 DAYS	CURRENT
.00			

A LEVEL PAYMENT PLAN IS AVAILABLE FOR YOUR RESIDENTIAL SERVICE.
AT PRESENT YOUR MONTHLY PAYMENT WOULD BE \$4.00.
FOR DETAILS CONTACT THE OFFICE.

10 DAYS AND OVER 10 DAYS 10 DAYS CURRENT

RAFT RIVER RURAL ELECTRIC COOP., INC.

P.O. BOX 617 PHONE 645-2211
MALTA, IDAHO 83342

7/31/84 190389

FRED RIGBY & SONS
SUBLETT RTE
MALTA ID 83342

BILLING CODES

- | | |
|----------------------|---------------------|
| 1 RESIDENTIAL | 6 NOTES RECEIVABLE |
| 2 COMMERCIAL | 7 OTHER RECEIVABLES |
| 3 STOCK PUMPS | 8 PAYMENTS |
| 4 PUBLIC BILLS | 9 ADJUSTMENTS |
| 5 DISCONTINUED POWER | 0 SALES TAX |
| 6 LARGO POWER | |
| 7 INTEREST | |

INDICATES ESTIMATED
METER READING

SERVICE OR REFERENCE NO.	METER READING		KWH USED	DEMAND	PLANT CODE	AMOUNT
	PREVIOUS	PRESENT				
	BALANCE FORWARD					2,986.06
071784					67	953.65CR
071784					17	2,032.41CR
014683					9	4.66
014683					6	116.54
016029	12989	61163	48174	80	2	1,245.87
020014	3155	3310	1558		1 1	70.00
020026	3864	6115	90040	165	2	2,331.29
020037	5395	6189	31760	78	2	923.79
020043	78589	89802	12941	28	2	357.02
REFUND RESIDENTIAL EXCHANGE 10/83-05/84						209.76CR
A LEVEL PAYMENT PLAN IS AVAILABLE FOR YOUR RESIDENTIAL SERVICE. AT PRESENT YOUR MONTHLY PAYMENT WOULD BE \$4.00 . FOR DETAILS CONTACT THE OFFICE.						
9 DAYS AND OVER		9 DAYS		9 DAYS		CURRENT
.00		.00		.00		4839.41
						4,839.41

TERMS: All accounts payable and payable upon receipt and become past due the last day of the month marked. FINANCE CHARGE 1 1/2% PER ANNUM (10% ANNUAL RATE) and is applied to all past due accounts. Purchaser agrees to pay a reasonable attorney or collection fee in case of forced collection with or without suit.

RAFT RIVER RURAL ELECTRIC COOP., INC.

P.O. BOX 617 PHONE 645-2211
MALTA, IDAHO 83342

6/30/84 190389

FRED RIGBY & SONS
SUBLETT RTE
MALTA ID 83342

BILLING CODES

- | | |
|----------------------|---------------------|
| 1 RESIDENTIAL | 6 NOTES RECEIVABLE |
| 2 COMMERCIAL | 7 OTHER RECEIVABLES |
| 3 STOCK PUMPS | 8 PAYMENTS |
| 4 PUBLIC BILLS | 9 ADJUSTMENTS |
| 5 DISCONTINUED POWER | 0 SALES TAX |
| 6 LARGO POWER | |
| 7 INTEREST | |

INDICATES ESTIMATED
METER READING

SERVICE OR REFERENCE NO.	METER READING		KWH USED	DEMAND	PLANT CODE	AMOUNT
	PREVIOUS	PRESENT				
	BALANCE FORWARD					1,041.28
014554					6	310.21
014554					6	8.90
016029	3236	12989	9753	86	2	360.00
020014	2960	3155	1958		1	86.00
020026	3617	3864	9880	164	2	365.36
020037	4812	5395	23320	81	2	799.91
020043	6456	6786	6000	26	2	222.00
0029					6	119.92CR
0037					6	101.04CR
					4	12.30
A LEVEL PAYMENT PLAN IS AVAILABLE FOR YOUR RESIDENTIAL SERVICE. AT PRESENT YOUR MONTHLY PAYMENT WOULD BE \$4.00 . FOR DETAILS CONTACT THE OFFICE.						

P.O. BOX 617 PHONE 845-2211
MALTA, IDAHO 83342

P.O. BOX 617 PHONE 845-2211
MALTA, IDAHO 83342

9/30/84

190389

FRED RIGBY & SONS
SUBLETT RTE
MALTA ID 03342

KEYWORDS: *child abuse; child sexual abuse; child sexual exploitation; child sexual abuse investigation; child sexual abuse assessment; child sexual abuse response; child sexual abuse investigation; child sexual abuse assessment; child sexual abuse response*

- | | |
|--------------------|---------------------|
| 1 RECEIVABLE | 8 NOTES RECEIVABLE |
| 2 SMALL COMMERCIAL | 9 OTHER RECEIVABLES |
| 3 STOCK PUMP | 7 PAYMENTS |
| 4 PUBLIC GLOSS | 6 ADJUSTMENTS |
| 5 INVESTMENT POWER | 0 SALES TAX |
| 6 LARGE POWER | |
| 7 INTEREST | |

INDICATES ESTIMATED
METER READING

SERVICE OR REFERENCE NO.	ENTER REASON		EVS USED	DEBARD	MARK CODE	AMOUNT
	PREVIOUS	PRESENT				
	BALANCE FORWARD					5,936.91
091484					17	5,815.71CR
091484					67	121.20CR
REFUND	RESIDENTIAL EXCHANGE 07/84				8	1,886.05CR
014903					6	39.21
014903					9	1.57
016029	87457	25901	3844A	84	2	1,064.83
020014	3405	3505	1000		1 1	48.00
00037	6248	6536	7520	34	2	278.24
020043	90854	92215	1361	28	2	50.36
A LEVEL PAYMENT PLAN IS AVAILABLE FOR YOUR RESIDENTIAL SERVICE. AT PRESENT YOUR MONTHLY PAYMENT WOULD BE \$4.00 . FOR DETAILS CONTACT THE OFFICE.						
15 DAYS AND OVER		10 DAYS		5 DAYS		CURRENT
.00		.00		.00		404.64-
						404.64CR

TERMS: All payments are due and payable upon receipt and become past due the last day of the month notified. **FINANCE CHARGE 1-1/2% PER MONTH 10% ANNUAL RATE** will be applied to all past due amounts. Purchaser agrees to pay a reasonable attorney's or collection fee in case of forced collection with or without suit.

P.O. BOX 677 PHONE 845-2211
MALTA, IDAHO 83842

P.O. BOX 677 PHONE 646-2211
MALTA, IDAHO 83842

0/31/84

190389

FRED RIGBY & SONS
SUBLETT RTE
NALTA ID 83342

—

1. CONSTITUTION
2. GOVERNMENT
3. LEGISLATION
4. JUDICIARY
5. EXECUTIVE
6. ADMINISTRATIVE
7. FINANCE
8. EDUCATION
9. HEALTH
10. INDUSTRY

INDICATES ESTIMATED
METER READING

SERVICE OR REFERENCE NO.	METER READING PREVIOUS	METER READING PRESENT	GAS USED	RATE PER CU FT	TAXES	AMOUNT
		BALANCE FORWARD				4.839.01
016020	61163	87457	26294	.06	2	674.00
020014	3310	3405	950		1	46.00
020026	6115	6321	6240	165	2	304.00
020037	6189	6348	6360	77	2	235.32
020043	69802	90854	1052	20	2	38.92
REFUND	RESIDENTIAL EXCHANGE 06/84				8	467.79CR
					4	65.57

A LEVEL PAYMENT PLAN IS AVAILABLE FOR YOUR RESIDENTIAL SERVICE.
AT PRESENT YOUR MONTHLY PAYMENT WOULD BE \$4.00 .
FOR DETAILS CONTACT THE OFFICE.

TO DATE AND OVER	NO DAYS	NO MTS	CURRENT	
-00	--	4371.02	1565.29	5.936.91

RAFT RIVER RURAL ELECTRIC COOP., INC.

P.O. BOX 617 PHONE 845-2211
MALTA, IDAHO 83342

11/30/84

190389

FRED RIGBY & SONS
SUBLETT RTE
MALTA ID 83342

- BILLING CODES**
- 1 RESIDENTIAL
 - 2 SMALL COMMERCIAL
 - 3 POWER PUMPS
 - 4 PUBLIC BLDG.
 - 5 INDUSTRIAL POWER
 - 6 LARGE POWER
 - 7 WIRELESS
 - 8 POWER RECEIVABLE
 - 9 OTHER RECEIVABLE
 - 0 ADJUSTMENTS
 - 1 SALES TAX

INDICATES ESTIMATED
METER READING

SERVICE OR REFERENCE NO.	PREVIOUS	PAYMENT	AMOUNT USED	DEMAND	DATE	AMOUNT
						152.00
REFUND						353.42CR
111484					67	40.78CR
111484					17	111.28CR
020014	3740	3842	1020		1	40.00
NREFND					0	107.67CR
BALANCE FORWARD						
RESIDENTIAL EXCHANGE 9/84						
A LEVEL PAYMENT PLAN IS AVAILABLE FOR YOUR RESIDENTIAL SERVICE.						
AT PRESENT YOUR MONTHLY PAYMENT WOULD BE \$4.00.						
FOR DETAILS CONTACT THE OFFICE.						
15 DAYS AND OVER						
.00						
15 DAYS						
.00						
15 DAYS						
.00						
CURRENT						
412.29						
412.29CR						

TERMS: All accounts are due and payable upon receipt and become due on the last day of the month stated. FINANCE CHARGE 1 1/2% PER ANNUM (24% ANNUAL RATE) will be applied to all past due amounts. Purchaser agrees to pay a reasonable attorney's fee in case of forced collection with or without suit.

RAFT RIVER RURAL ELECTRIC COOP., INC.

P.O. BOX 617 PHONE 845-2211
MALTA, IDAHO 83342

10/31/84

190389

FRED RIGBY & SONS
SUBLETT RTE
MALTA ID 83342

- BILLING CODES**
- 1 RESIDENTIAL
 - 2 SMALL COMMERCIAL
 - 3 POWER PUMPS
 - 4 PUBLIC BLDG.
 - 5 INDUSTRIAL POWER
 - 6 LARGE POWER
 - 7 WIRELESS
 - 8 POWER RECEIVABLE
 - 9 OTHER RECEIVABLE
 - 0 ADJUSTMENTS
 - 1 SALES TAX

INDICATES ESTIMATED
METER READING

SERVICE OR REFERENCE NO.	PREVIOUS	PAYMENT	AMOUNT USED	DEMAND	DATE	AMOUNT
						404.64CR
001601	8403	8543	400	2	2	24.00
010020	25901	32871	6970	82	2	257.89
020014	3505	3740	2350		1	102.00
020037	6536	6930	12000	74	2	446.96
020043	92215	96780	4565	26	2	160.91
REFUND					0	443.06CR
BALANCE FORWARD						
RESIDENTIAL EXCHANGE 2 - 8/84						
A LEVEL PAYMENT PLAN IS AVAILABLE FOR YOUR RESIDENTIAL SERVICE.						
AT PRESENT YOUR MONTHLY PAYMENT WOULD BE \$4.00.						
FOR DETAILS CONTACT THE OFFICE.						
15 DAYS AND OVER						
.00						
15 DAYS						
.00						
15 DAYS						
.00						
CURRENT						
152.00						
152.00						

TERMS: All accounts are due and payable upon receipt and become due on the last day of the month stated. FINANCE CHARGE 1 1/2% PER ANNUM (24% ANNUAL RATE) will be applied to all past due amounts. Purchaser agrees to pay a reasonable attorney's fee in case of forced collection with or without suit.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

August 29, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RIGBY FARMS
3144 E 1400 S
MALTA ID 83342

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim No. 43-2486, 43-4106A, 43-10334, 43-10339,
43-10340, 43-10341, 43-10343
Change of Address Notification

Dear Claimant(s):

Thank you for notifying us of your change in address on the water right claim(s) referenced above. Our records have been updated accordingly.

If you have any questions, please feel free to contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf

**NOTICE OF ERROR
REPLY**

RECEIVED

JUN 05 2001

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation. **Department of Water Resources**

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: June 15, 2001

Water right number: 43-10334

RIGBY FARMS
HC 61 BOX 1072
MALTA ID 83342

Telephone Number: (208)645-2450

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

Address Change: Rigby Farms
3144 East 1400S
Malta, Idaho 83342-9704

3. Give a brief explanation as to why you disagree with these portions:

 I AGREE with this proposed recommendation: no changes need to be made.

DATE: 5-30-01

SIGNATURE: Jim Rigby

Please print your name: Jim Rigby

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, (208)736-3033

*De-processed
7/31/01*

03/21/2001

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

RIGHT NUMBER:

43-10334

NAME AND ADDRESS:

RIGBY FARMS
HC 61 BOX 1072
MALTA, ID 83342

SOURCE:

GROUND WATER

QUANTITY:

0.98 CFS

USE OF THIS RIGHT WITH RIGHT NO. 43-02486 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.36 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 1424 AF.

PRIORITY DATE:

06/30/1985

POINT OF DIVERSION:

T13S R28E S3

SESENE

Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04-01 10-31

QUANTITY
0.98 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County

T12S R28E S33	NENW	40	T12S R28E S33	NWNW	40
T12S R28E S33	SWNW	40	T12S R28E S33	SENE	40
T12S R28E S33	NESE	39	T12S R28E S33	NWSE	40
T12S R28E S33	SWSE	39	T12S R28E S33	SESE	38
T13S R28E S3	NWNE	5	T13S R28E S3	SWNE	39
T13S R28E S3	SENE	27	T13S R28E S3	NENW	39
T13S R28E S3	NWNW	38	T13S R28E S3	SWNW	39
T13S R28E S3	SENE	39			

542 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 158 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON.

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

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

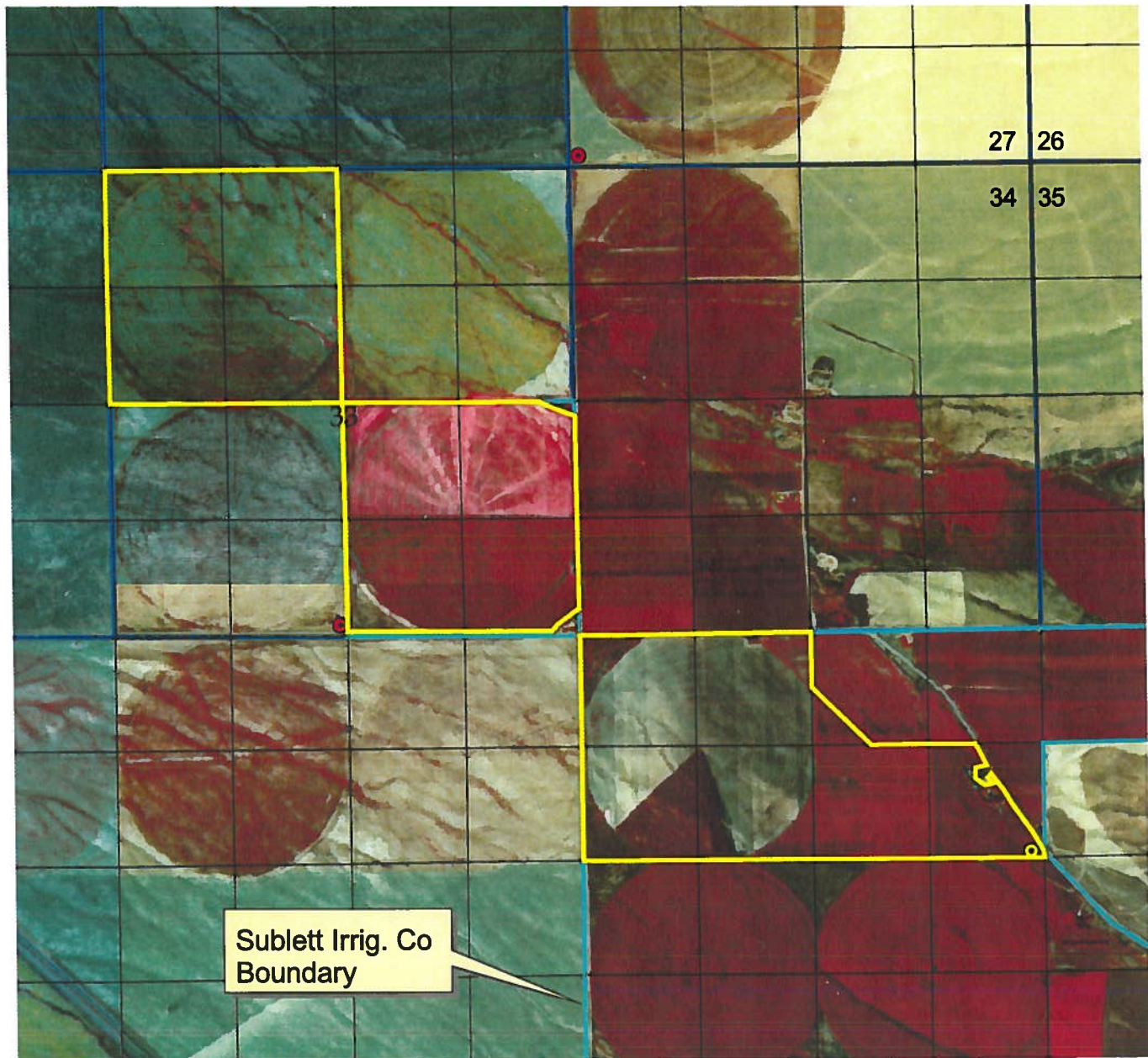
THIS RIGHT IS AN EXPANSION OF RIGHT NO. 43-02486 PURSUANT
TO SECTION 42-1416B, IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

THIS RIGHT IS FOR AN ENLARGEMENT OF 158 ACRES WITHIN THE
PLACE OF USE DESCRIBED FOR THIS RIGHT.

IDAHO DEPARTMENT OF WATER RESOURCES

43-02486 & 43-10334



Sublett Irrig. Co
Boundary

660 0 660 1320 1980 2640 Feet



T12S R28E SEC 33
T13S R28E SEC 3



- RECOMMENDED PLACE OF USE**
- POINT OF DIVERSION**
- SECTION LINES**
- 1/4-1/4 LINES**

GIS PLACE OF USE PRESENTATION
1987 &/OR 1988 NAPP PHOTOGRAPHY

DATA ENTRY BY: STEVE CLELLAND
DATE: March 16, 2001

	TWP	RNG	SEC	NE				NW				SW				SE			
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
CLAIM	12S	28E	33	40	40	40	40												
GIS	12S	28E	33																
RECOM	12S	28E	33																
CLAIM																			
GIS																			
RECOM																			
CLAIM																			
GIS																			
RECOM																			

B43-POU.SHP

SHAPE NOS.

(this is an expansion of 43-2486)

⊗ see full review in file 43-2486

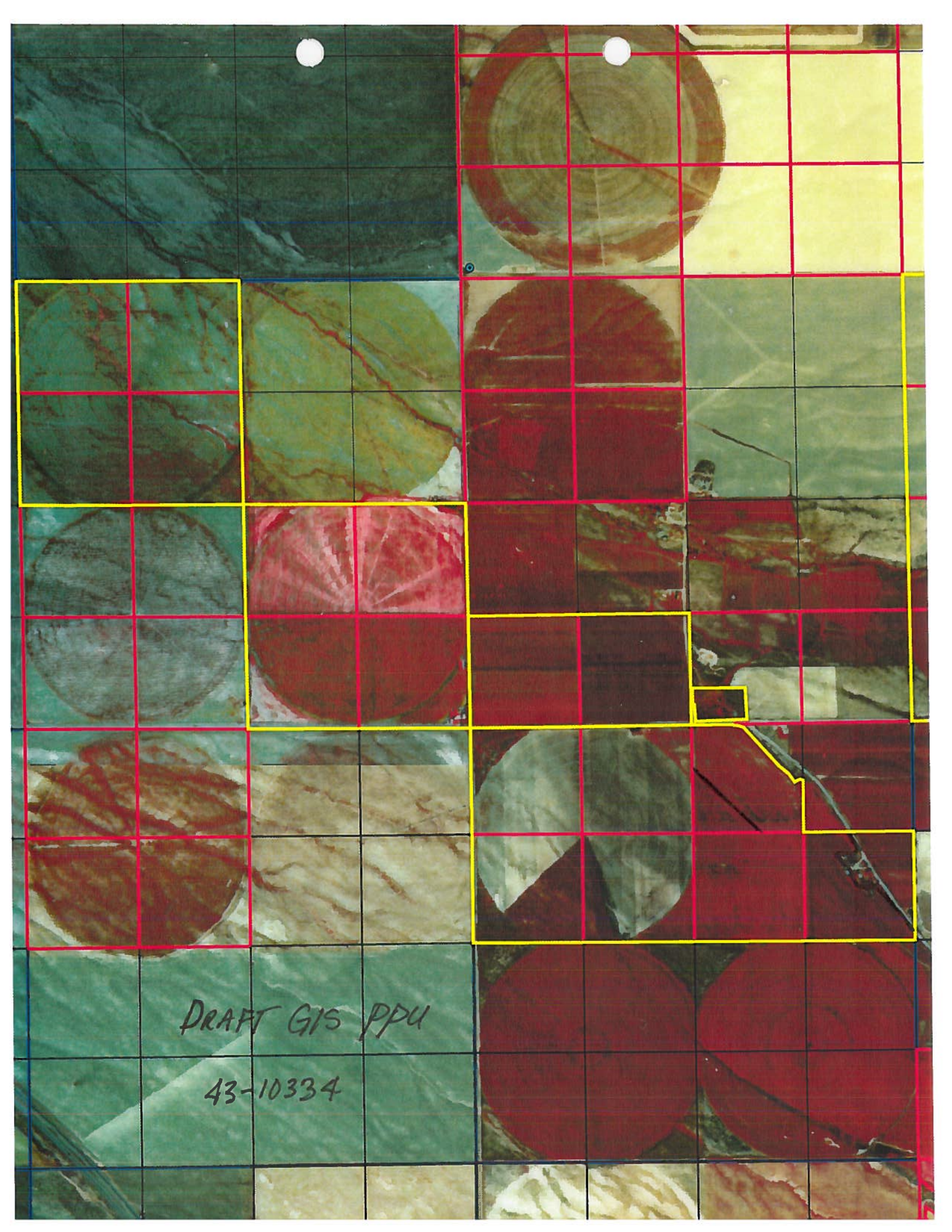
B43-POD.SHP

NOS. DESCRIPTION

rate calculation: 3.36 cfs ÷ 542 Acres = .0062 cfs/Ac

POU 542 AC - 384 AC LIC = 158 Exp. AC

Q = 158 x .0062 = 0.98 cfs

An aerial photograph of a landscape, possibly a wetland or coastal area, with a grid overlay. The grid consists of red and yellow lines. The red lines form a regular grid, while the yellow lines form a more irregular, stepped pattern. The landscape features various shades of green, brown, and red, indicating different vegetation or soil types. Two white circular marks are visible at the top of the image. Handwritten text is present in the bottom left corner.

DRAFT GIS PPU

43-10334



Idaho Statutes

TITLE 42 IRRIGATION AND DRAINAGE -- WATER RIGHTS AND RECLAMATION CHAPTER 14

ADJUDICATION OF WATER RIGHTS

42-1416B. CLAIM FOR EXPANDED USE IN CRITICAL GROUND WATER AREA -- DETERMINATION OF WATER AVAILABILITY. (1) Within any critical ground water area designated pursuant to section 42-233a, Idaho Code, a claim to the expanded use of a ground water right, which use was expanded in violation of the mandatory permit requirements, may be decreed in a general water rights adjudication if the expansion occurred after the designation of the critical ground water area, before the commencement of the adjudication, and before the date of enactment of this section. The priority date for the right decreed shall be June 30, 1985.

(2) Water shall be deemed unavailable to fill the rights for expanded use, even if decreed in the adjudication, unless the director finds that a management program exists which will, within a time period acceptable to the director, limit the average annual water withdrawals from the aquifer designated in the critical ground water area to no more than the average annual recharge to the aquifer.

(3) Within two (2) years after a decree determining the water rights within a critical ground water area becomes final, but not sooner than four

(4) years from the date of enactment of this section, the director of the department of water resources shall make a finding as to whether an adequate management program exists to bring withdrawals into balance with recharge.

(4) If the director finds that an adequate management program to bring withdrawals into balance with recharge does not exist, the director shall order all holders of rights to expanded use of ground water within the area to cease or reduce withdrawal of water until such time as the director determines that withdrawals have been brought into balance with recharge and sufficient ground water is available to resume or increase withdrawals. The director's order shall be issued before September 1 and shall be effective beginning with the following growing season.

(5) For purposes of this section, the following definitions shall apply:

(a) "Expanded use" means an increase in the number of acres irrigated, or other additional use, under a valid ground water right without any increase in the rate of diversion or volume of water diverted.

(b) "Management program" means a program to recharge the aquifer, limit withdrawals from the aquifer or provide surface water supplies for all, or a portion, of the land irrigated with water withdrawn from the aquifer, including any actions designed to bring withdrawals into balance with the average annual recharge to the aquifer.

(c) "Recharge" refers to all processes, natural or artificial, which add water to the aquifer.

(d) "Withdrawal" refers to all processes, natural or artificial, which take water from the aquifer.

(6) The hearing and judicial review provisions of section 42-1701A, Idaho Code, shall apply to any findings and orders issued by the director pursuant to this section.

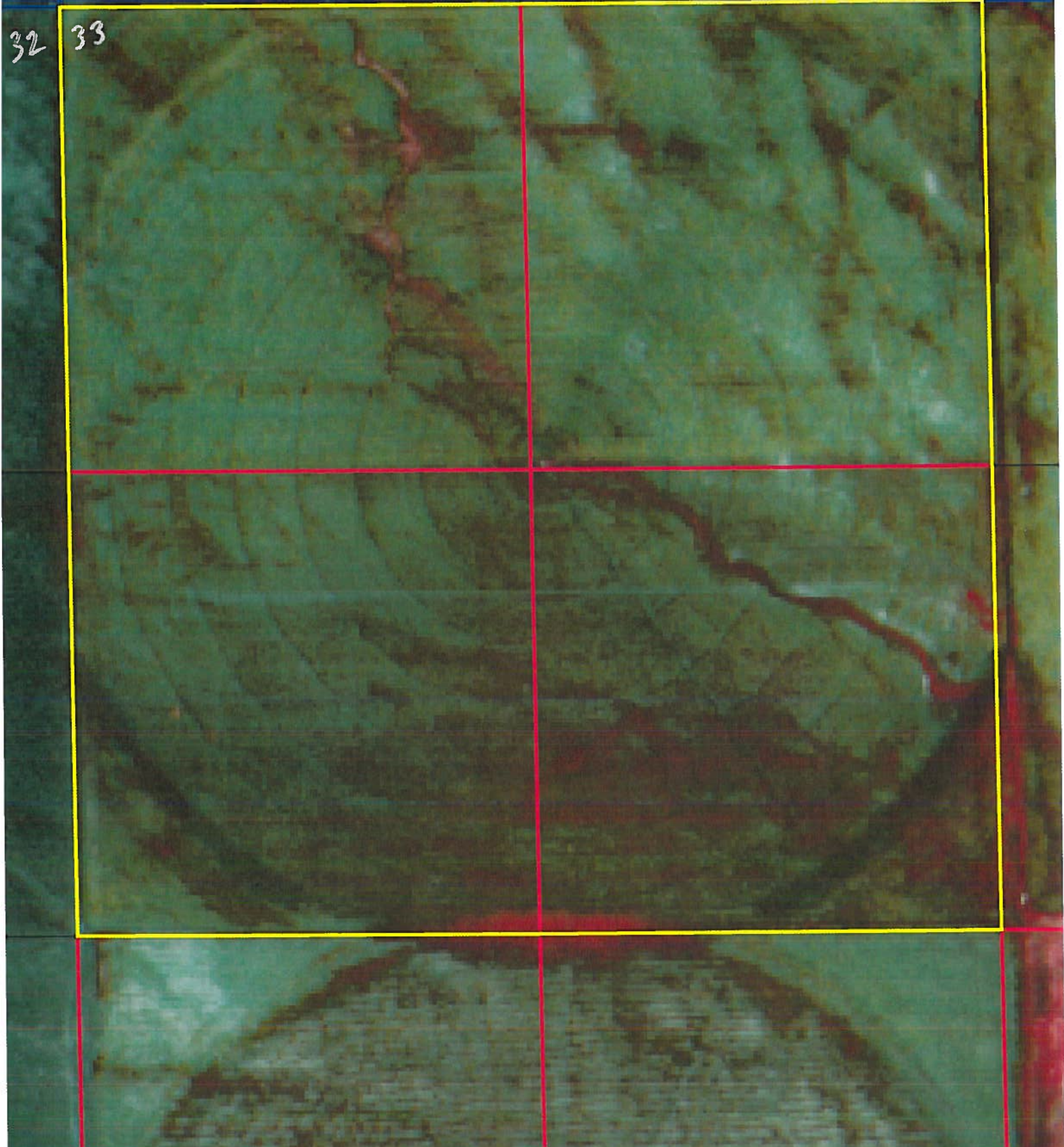
(7) Nothing contained in this section shall be construed to limit the authority of the director of the department of water resources to administer and enforce any other ground water laws of the state.

The Idaho Code is made available on the Internet by the Idaho Legislature as a public service. This Internet version of the Idaho Code may not be used for commercial purposes, nor may this database be published or repackaged for commercial sale without express written permission.

43-10334

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