



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

05/10/2001

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.

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

Water right number: 43-4106A

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~~ Rigby Farms
~~3144 East 1400 S~~ 3144 East 1400 South
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 - [Signature] 7/31/01

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: A43-04106A
Date Received: 3/24/1989
Receipt No: S006669
Received By: *[Signature]*

*Change of
Owner
2/4/92 RVW*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RIGBY FARMS
Address: HC 61 BOX 1072
MALTA ID

208-645-2450

83342

2. Date of Priority: MAR 15, 1878

3. Source: WARM CREEK

Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
12S	28E	35	NW	SW			CASSIA

5. Description of diverting works:

CHECK DAMS & CONCRETE PIPE, DITCHES. POND CREATED BY SPR. DEV.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.800		
STOCKWATER	01/01	12/31	0.030		

7. Total Quantity Appropriated is:

2.800 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

246.0 Acre Feet Per Annum.

9. Non-irrigation uses:

S/100 RANGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
12S	28E	34	SW	SW		IRR	38.0
			SE	SW		IRR	38.0
			SW	SE		IRR	6.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	82.0
					Total Acres	82.0

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:
NONE

14. Remarks:

THE TOTAL FLOW OF WARM CREEK IS ROTATED AMONG THE THREE OWNERS.
THE TOTAL FLOW FROM THE SPRINGS IS APPROX. 2.80 CFS. THE GUILLES
PROPERTY GETS THIS 2.80 CFS FOR 3 1/2 DAYS EVERY 2 WEEKS.
CHANGE OF OWNERSHIP FILED 2/04/1992. RVW.

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 _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

MICROFILMED

MAR 04 1993

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____.
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) Assigned by IDWR: A43-04106A
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Ray A. Guiles
318 E 25th St.
Burley ID 83318
- ☐ New Owner/Claimant (Purchaser): Rigby Farms
- ☐ New Mailing Address: H.C. 61 Box 1072
Malta ID 83342
- ☐ New Telephone Number: (208) 645-2450
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
- _____
- _____
- _____

- ☐ Attach proof of ownership, describe proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s) _____ Date _____
- ☐ Signature of Former Owner/Claimant(s): Ray A. Guiles Date 1-23-92

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: _____ By: _____
Further Action Needed:
Further Action Taken
Date: _____ By: _____
Final Review and Data-Entry
Date: _____ By: _____
Claim Numbers of Split, if any:

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MAR 04 1993

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

20097 /

Indexed

WARRANTY DEED

THIS INDENTURE, made this 10th day of November, 1989, between RAY GUILLES, a/k/a RAY A. GUILLES, and BERYL GUILLES, husband and wife, and SHARON LANELL MITCHELL, a single person, DONALD RAY GUILLES, a married person contracting with his sole and separate property, and RANDY ANDREW GUILLES, a married person contracting with his sole and separate property whose address for the purpose of this deed is 318 East 25th, Burley, Idaho 83318, ("Grantors") and RIGBY FARMS, a partnership, consisting of JAMES RIGBY, THOMAS RIGBY and STEVEN RIGBY, of Sublet Route, Malta, Idaho 83342, ("Grantee").

W I T N E S S E T H:

That the Grantors for and in consideration of the sum of Ten Dollars (\$10.00), lawful money of the United States of America, and other good and valuable consideration, to the Grantors in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold and by these presents do grant, bargain and sell, convey and confirm unto the Grantee, and to the heirs and assigns of Grantee forever, all of the following described real estate situated in the County of Cassia, State of Idaho, to-wit:

Described on Exhibit A attached to this Deed and made a part hereof by reference.

TOGETHER with all water rights.

SUBJECT TO: 1989 accruing taxes, levies and assessments, Easements, if any of record and that may be obvious from a visual inspection.

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MAR 04 1993

1 TOGETHER with all and singular the tenements,
2 hereditaments and appurtenances thereunto belonging or in
3 anywise appertaining, the reversion and reversions, remainder
4 and remainders, rents, issues and profits thereof, and all
5 estate, right, title and interest in and to said property as
6 well in law as in equity of the Grantors.

7 TO HAVE AND TO HOLD, all and singular the above-
8 mentioned and described premises, together with appurtenances
9 unto the Grantee and to the heirs and assigns of Grantee
10 forever.

11 The Grantors shall and will warrant and by these
12 presents will forever defend the said premises in the quiet and
13 peaceable possession of the Grantee, and the heirs and assigns
14 of Grantee against all and every person and persons whomsoever
15 lawfully claiming the same, except as aforesaid.

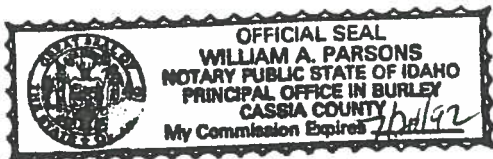
16 The Grantors are conveying the property in their
17 undivided interests and the joint execution of this deed shall
18 not be construed as altering the respective interests of the
19 Grantors as appears of record.

20 IN WITNESS WHEREOF, the Grantors have executed this
21 Deed the day and year first above written.

22 Donald Lee Seuler
23 Sharon K. Mitchell
24 Randy Andrew Seuler
25 Ray A. Seuler
26 Beryl W. Seuler

STATE OF IDAHO)
County of Cassia) SS

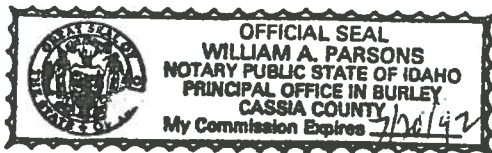
On this 10 day of November, in the year 1989, before me, the undersigned, a Notary Public in and for said State, personally appeared RAY GUILLES, a/k/a RAY A. GUILLES and BERYL GUILLES, husband and wife,, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



William A. Parsons
Notary Public for Idaho
Residing at _____
My commission expires on _____

STATE OF IDAHO)
County of Cassia) SS

On this 10 day of November, in the year of 1989, before me, the undersigned, a Notary Public in and for said State, personally appeared SHARON LANEEL MITCHELL, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.



William A. Parsons
Notary Public for Idaho
Residing at _____
My commission expires on _____

STATE OF IDAHO)
County of Cassia) SS

On this 10 day of November, in the year of 1989, before me, the undersigned, a Notary Public in and for said State, personally appeared DONALD RAY GUILLES, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.



William A. Parsons
Notary Public for Idaho
Residing at _____
My commission expires on _____

PARCEL NO. 1:

TOWNSHIP 12 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 34: S½SW¼ and S½S½SE¼ of said Section 34, SAVING
AND EXCEPTING therefrom the following tract of
land:

Commencing at the Southwest corner of the SW¼SE¼ of
said Section 34;
Thence North 398 feet;
Thence East 640 feet;
Thence South 398 feet;
Thence West 640 feet to the Point of Beginning.

PARCEL NO. 2:

TOWNSHIP 12 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 34: A part of SW¼SE¼ of said Section 34, more particu-
larly described as follows:

Commencing at the Southwest corner of the SW¼SE¼ of
the said Section 34;
Thence North 398 feet;
Thence East 640 feet;
Thence South 398 feet;
Thence West 640 feet to the Point of Beginning.

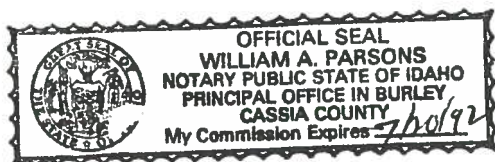
Exhibit A to Warranty Deed - Ray Guiles and Beryl Guiles, Sharon
Lanell Mitchell, Donald Ray Guiles and Randy Andrew Guiles to
Rigby Farms.

MICROFILMED

MAR 04 1993

STATE OF IDAHO)
County of ~~Twin Falls~~ ^{CASSIA}) SS

On this 10 day of November, in the year of 1989,
before me, the undersigned, a Notary Public in and for said
State, personally appeared RANDY ANDREW GUILLES, known or
identified to me to be the person whose name is subscribed to
the within instrument, and acknowledged to me that he executed
the same.



William Parsons
Notary Public for Idaho
Residing at _____
My commission expires on _____

November 29
Bm

204797
LAND TITLE & ESCROW
Nov 13 1 20 PM '89
CASSIA COUNTY, IDAHO
FRANK A. PARSONS
FEE 15.00
Jm

MICROFILMED

MAR 04 1993

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: A43-04106A
Date Received: 9/06/1988
Receipt No: 5006669
Received By: ADn

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RAY A. GUILLES 208-678-3566
Address: 318 E. 25TH ST.
BURLEY, ID 83318

2. Date of Priority: MAR 15, 1878

3. Source: WARM CREEK Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12S	28E	35	NW	SW			CASSIA

5. Description of diverting works:
CHECK DAMS & CONCRETE PIPE, DITCHES. POND CREATED BY SPR. DEV.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.800		
STOCKWATER	01/01	12/31	0.030		

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

8. Total consumptive use is 246.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/100 RANGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12S	28E	34	SW	SW		IRR	38.0
			SE	SW		IRR	38.0

A43-04106A

Page 1

Date: 03/24/89

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MAR 04 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12S	28E	34	SW	SE		IRR	6.0
Section Acres							82.0
Total Acres							82.0

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:
NONE

14. Remarks:
THE TOTAL FLOW OF WARM CREEK IS ROTATED AMONG THE THREE OWNERS.
THE TOTAL FLOW FROM THE SPRINGS IS APPROX. 2.80 CFS. THE GUILLES
PROPERTY GETS THIS 2.80 CFS FOR 3 1/2 DAYS EVERY 2 WEEKS.

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 _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Ray A. Guila Date: 3-24-89

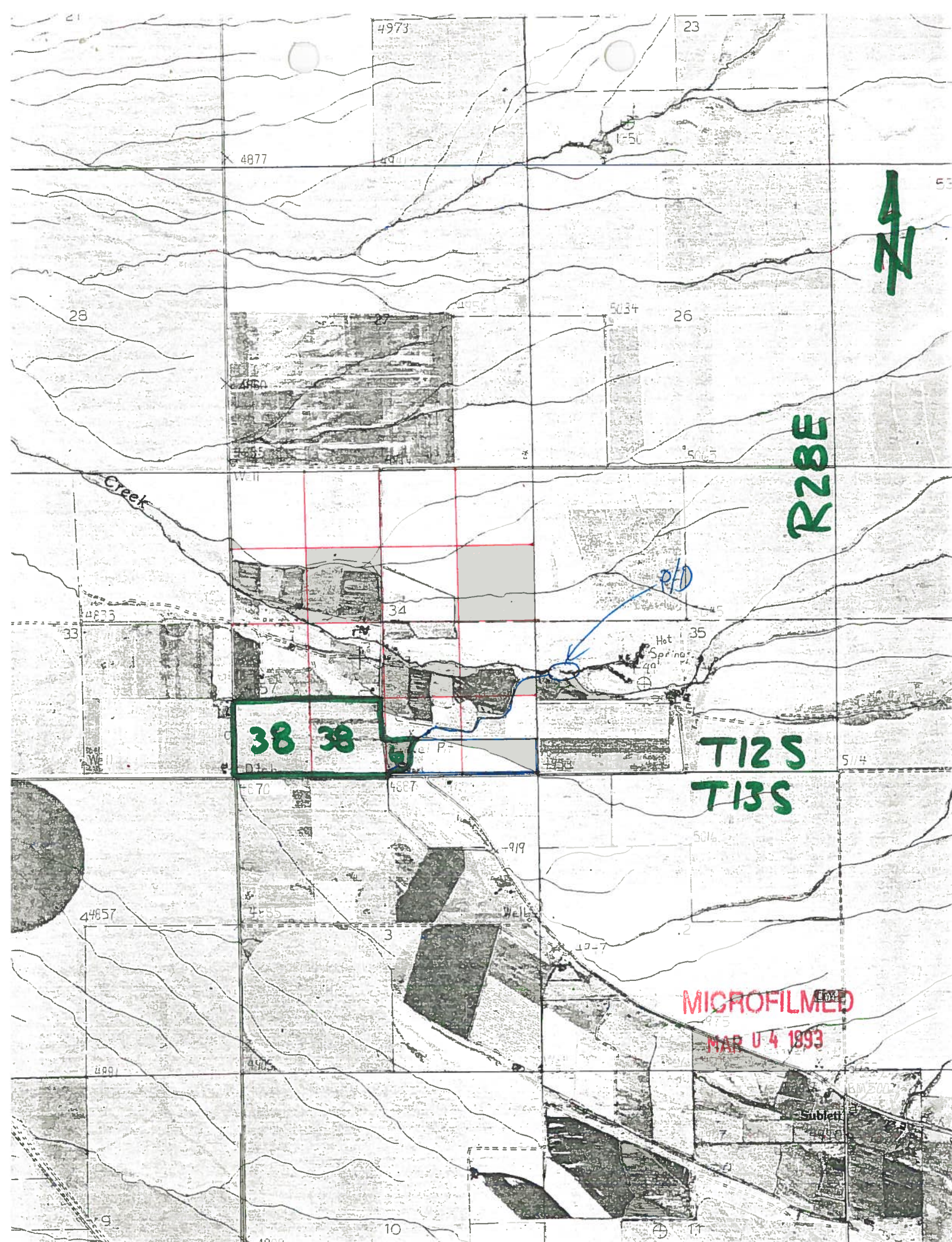
Date: _____

State of Idaho)
County of Thierville) SS.

Subscribed and sworn (or affirmed) before me this 24th day
of March 19 89
[Signature]
Notary Public

Seal

Residing at Kilbuck, IL
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

A43-04106A
RAY A. GUILLES
318 E. 25TH ST.

BURLEY

ID 83318

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 - 43-04106A Prefix Translation: WATER RIGHT Old (D) Number -

+ - - - - Last Name - - - - + + - - - - First Name - - - - + + - - - - Address - - - - - +

+ - - - - Priority Date - - + + - - - - Region - - - - + + - - - - Stage - - - - + + - - - - Status - - - - +
00/00/0000 ERROR IN REGION

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +

+ - - - - + - - - - Point of Diversion - - - - - +

TwN Rng Sec Tract Lot Rflg County Stream Index (Blank if no Index Code)

+ - - - - Description Period From Period To Water Use Diversion Rate Diversion Volume

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

+ - - - - Total Div. Rate - + + - - - - Total Div. Volume - + + - - - - Total Div. Capacity - +

+ - - - - TwN Rng Sec Tract Lot Acres Code Description County

+ - - - - Diversion Means -

+ - - - - Non-Irrigation Use -

+ - - - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.

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

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

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

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

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date - 00/00/0000 Field Exam Made - 00/00/0000 Field Exam Fee -
Approved/Denied - 00/00/0000 Protested Date - 00/00/0000 Swan Falls -
Proof Made Date - 00/00/0000 Hearing Date - 00/00/0000 Temporary Right -
Exam to S.O. Date - 00/00/0000 Verified Date - 00/00/0000 DLE/Carey Act -
Order Show Cause - 00/00/0000 Receipt Number - Water District -
Licensed Date - 00/00/0000 Appl Received - 00/00/0000 Transfer/Amended -
Decree Date - 00/00/0000 Presumption Flag -

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MAR 04 1993

I am James Rigby, I have lived
all my life in Seblett, Idaho, next to
the Powers, Guiles and Burke (Walker now) Property.

A43-D4106A
Evidence of
Priority
Submitted
2/4/92
G.D.W.

These properties have shared the water
flowing from Warm Creek since ~~it~~ this
land was homesteaded in 1876 by the
Powers Family. They have always used
sound practices in managing their farm
and put their water to good use.

James Rigby

STATE OF IDAHO
COUNTY OF CASSIA

On this 4th day of February, 1992,
before me a notary public in and for said State, personally
appeared James Rigby who is the
(person described in the foregoing instrument) subscribed to
the within instrument, acknowledged to me (hereinafter,
they, executed the same.

Sue Ellen Keeler

Notary Public
Residing at Ashton, Idaho
My Comm. Expires 4-9-93

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MAR 04 1993



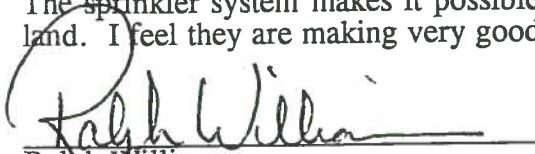
**Raft River Rural
Electric Cooperative, Inc.**

250 North Main
P.O. Box 617
Malta, ID 83342
Telephone: 208-645-2211
FAX: 208-645-2300

A43-04/06 A
Evidence of Priority
Submitted 2/4/92
R. W. V.

January 29, 1991

My name is Ralph Williams. I've known the Powers family all my life. Their farm was settled in 1876 by Henry Powers. The Powers have always farmed the land and utilized the water very well. In 1970 they updated the old irrigation system of ditches to a underground watering system, then in 1985 sprinklers were added and additional farm ground was utilized. The sprinkler system makes it possible to use the same amount of water and cover more crop land. I feel they are making very good use of their crop land and their water.


Ralph Williams
Administrative Assistant

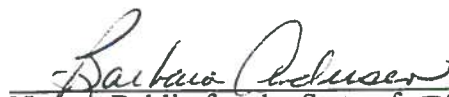
NOTARY

STATE OF IDAHO

COUNTY OF CASSIA

On this 29th day of January, 1992 before me, the undersigned, a Notary Public in and for said State, personally appeared Ralph Williams, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year first above written.


Notary Public for the State of IDAHO
Residing at Albion, Idaho
My Commission expires 7/23/93

MICROFILMED
MAR 04 1993

Evidence of Priority
A43-04106 A
Submitted 2/4/92
R. V. J.

HENRY HARRISON POWERS HISTORY

1887
Harrison Powers was born in Sublette, Idaho October 2, 1887 the eighth living child, of 10, of Henry C. and Isabel W. Powers. His parents were first settlers in the Warm Creek area and, as such, were leaders of the region and considered reasonably wealthy. He attended school through the eighth grade and then went on to two years at Albion Normal School. He also went to Boise, Idaho for one year of business school.

The ranch on which he was born had been homesteaded by his father, beginning in 1876. The original log cabin was still present and used as an ice house. He was still living at his parent's home in a two story house, when that house was moved back some distance and the large, impressive house which is today the main home on the ranch was built from plans brought back from St. Louis by his parents. Harrison took out his own homestead about one-half mile East, up the mountain, from the main ranch. To qualify for the homestead, he built a small cabin on the property and slept there each night.

One adventure of his youth passed down by Harrison was accompanying a trainload of hogs to San Francisco. A neighbor of the region, Dave Taylor, sent the hogs, accompanied by Powers and the younger Taylor brother, Wec. The two boys frequently rode on top of the train cars and once missed serious injury when noticing a coming low tunnel just in time. Harrison often told of the short Wec Taylor running quickly to bar stools so that his stature would not be notice and he might be served. Harrison also told of accompanying his father and older brothers on one wagon freight trip into Montana. He claimed that the six weeks on the trail with little to do was the most boring time of his life.

On November 25, 1916, Powers (then age 29) and his fiancée, Rocha Hall, traveled to Albion with his younger brother, John, and fiancée, Lou Mortensen, to serve as witnesses at the latter's wedding. Harrison and Rocha decided to marry also and therefore the four plus another witness, George Wake, left in a none-too-trustworthy car to Salt Lake for the honeymoon. The Harrison Powers family lived for a number of years in a small house behind the main Powers ranch house. They then purchased the farm immediately down the slope from the main ranch from Harrison's sister, Ida, and her husband, Herbert Condit. In 1927, they purchased a home in Burley, Idaho on Burton Avenue to which they would move each winter in order to provide the better city education for their four boys.

MICROFILMED
MAR 04 1993

LYDIA JUSTICE EDWARDS
STATE TREASURER
208 334-3200



Priority Evidence
443-04106A
Submitted 2/4/82
R.V.L.

STATE OF IDAHO
OFFICE OF THE STATE TREASURER
ROOM 102 STATEHOUSE
BOISE, IDAHO 83720

October 19, 1990

Mr. and Mrs. James Powers
Sublett Route
Malta, ID 83342

Dear James and Rozann:

I was honored to present several of the Century Farm Awards to you who've owned and worked your land continuously for at least 100 years. Our records show that 284 farms in Idaho were recognized as Century Farms.

Congratulations on receiving this Century Farm award. This program is sponsored by the Idaho Department of Agriculture, Food Producers of Idaho, the State Grange, Centennial Commission and the Idaho Cooperative Extension Service.

The Century Farm program recognizes the special contributions of our pioneer farm and ranch families in Idaho who persevered through economic hardships and natural disasters to make Idaho such a unique place to live.

Best wishes to you and your family for another 100 years of successful ownership and productivity.

Sincerely,


LYDIA JUSTICE EDWARDS
State Treasurer

MICROFILMED

MAR 04 1993

Celebrate
IDAHO
1890 • CENTENNIAL • 1990

AN IDAHO CENTURY FARM

Priority Evidence
A43-04106A
Submitted 2/4/92
G.P.V.W.

IN RECOGNITION OF

Jim & Rozann Powers

OWNERS OF AN IDAHO FARM OR RANCH
THAT IS 100 YEARS OLD OR MORE AS OF 1990,
THE YEAR OF IDAHO'S CENTENNIAL CELEBRATION.



HONORING THE FARMERS AND RANCHERS WHO WERE
AND WILL ALWAYS BE THE BACKBONE OF THE STATE
OF IDAHO.

THIS PROPERTY HAS BEEN IN THE HANDS OF ONE OF
IDAHO'S SPECIAL PIONEER FAMILIES FOR 100 YEARS
OR MORE.



PRESENTED UNDER OUR HANDS WITH MUCH GRATITUDE

THIS 15th DAY OF June 19 90

Paul D. Anderson
GOVERNOR OF IDAHO

W.H. Nelson
DIRECTOR, DEPARTMENT OF AGRICULTURE

Victoria S. Patterson
PRESIDENT, FOOD PRODUCERS OF IDAHO

MICROFILMED

MAR 04 1993

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

03/22/2001

RIGHT NUMBER: 43-4106A

NAME AND ADDRESS: RIGBY FARMS
HC 61 BOX 1072
MALTA, ID 83342

SOURCE: WARM CREEK TRIBUTARY: SINKS

QUANTITY: 0.7 CFS

PRIORITY DATE: 03/15/1878

POINT OF DIVERSION: T12S R28E S35 SWNWSW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04-01 10-31	0.70 CFS
STOCKWATER	01-01 12-31	0.03 CFS

PLACE OF USE:

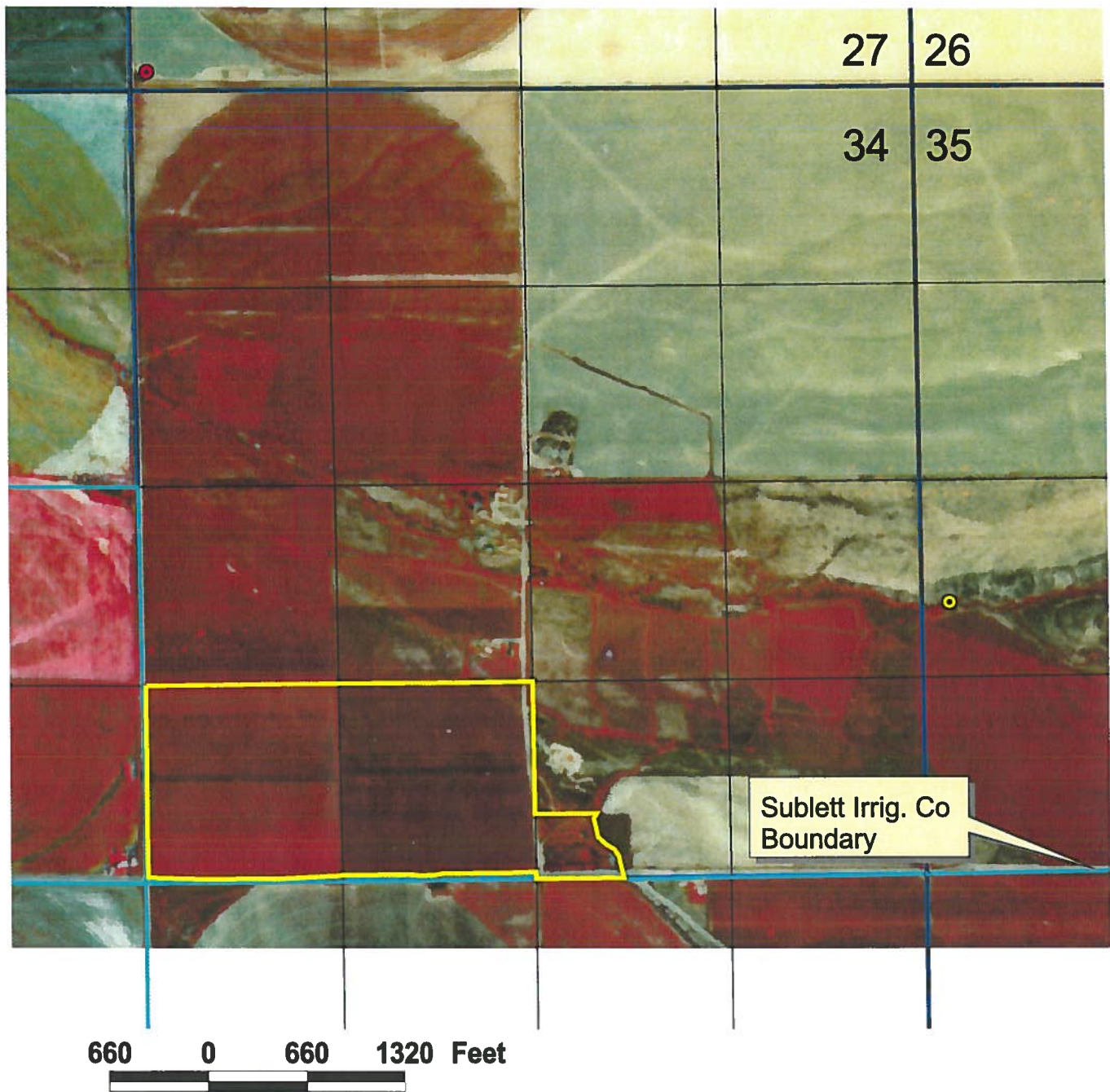
IRRIGATION Within CASSIA County			
T12S R28E S34	SWSW	38	T12S R28E S34
T12S R28E S34	SWSE	2	SESW 38
STOCKWATER Use same as IRRIGATION			
78 ACRES TOTAL			

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 - Beneficial Use

43-4106A



T12S R28E SEC 34 SW 1/4 SWSE



- 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 22, 2001

A43-04106A

AGENT**CLAIMED ACRE TOTAL**

GIS ACRE TOTAL

JPEG LAYOUT

flow measurement calculated during pre-transfer exam by Jim Stanton in 1993. (3/22)

(3/22/01
Sec)

27 26

34 35

43-4106 D

43-4106
ORIGINAL ACRES
(IN RED)

43-4106 E
(yellow)

40

38

38 38

11

43-4106 B

43-4106 A

43-4106 A

Claimed Acres

3/22/01
SCU

MAP W/
STAT. CLAIM
DOES NOT SHOW THIS
AS IRRIG. POU

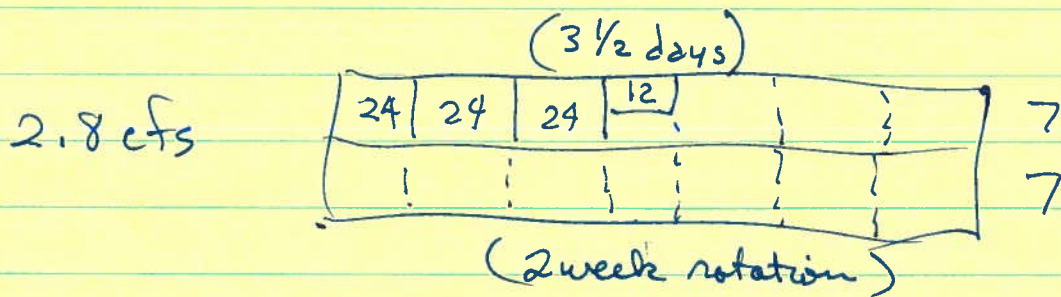
4

3

POD

Conversion to 24 hr rate:

3/22/01
Sec



$$14 \times 24 = 336 \text{ hrs}$$

$$(3.5 \times 24) \text{ water use} = 84 \text{ hrs}$$

$$\left(\frac{2.8 \text{ cfs}}{\text{sec}} \right) \left(\frac{60 \text{ sec}}{\text{min}} \right) \left(\frac{60 \text{ min}}{\text{hr}} \right) \left(\frac{84 \text{ hrs}}{1} \right) = 846720 \text{ cf}$$

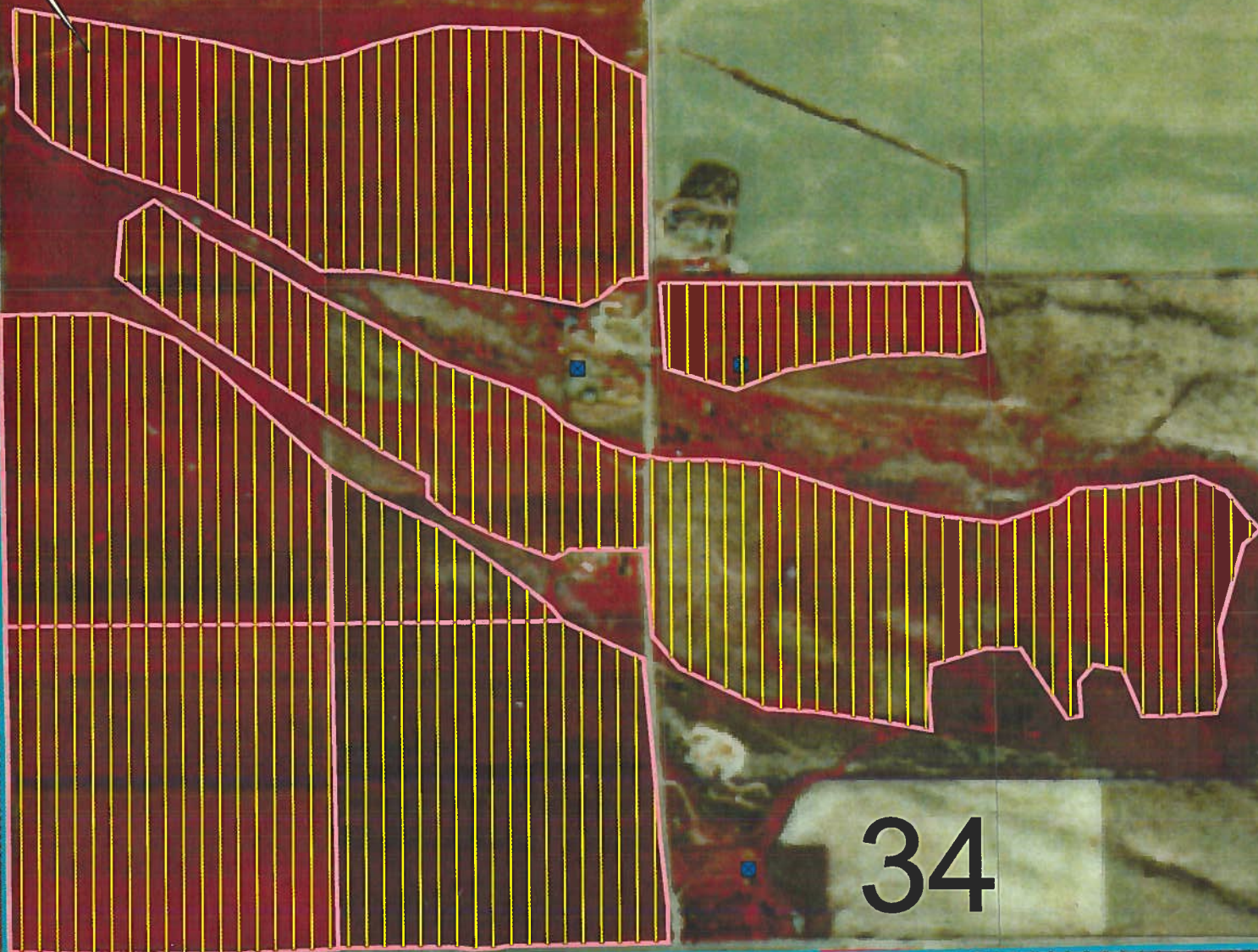
$$\underline{x \text{ cfs}} \quad \underline{60} \quad \underline{60} \quad \underline{336} = \frac{\quad}{(60)(60)(336)}$$

$$= .7 \text{ cfs} \quad 24/7 \text{ rate}$$

approximately 234 acres as shown with this shape for the historic POU of claim 43-4106.

3/21/01 scc

STAT. CLAIM = 222 Ac.



CLAIM TO A WATER RIGHT

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that **Alice R. Powers &/or Jean Walker &/or Romney Burke &/or May Cul**
 (Name of Claimant)
 c/o **Alice Powers, 1319 Malta Ave., Burley, Id 83918** Telephone No. **678-7355**
 (Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (Which was the water first applied to a beneficial use?) 1976/ 1978
 A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception: when a claim may be filed on single family domestic use from a ground water source.
 (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Warm Creek
 tributary to river
 (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed.

Irr. and AFA		(Domestic Irrigation Block - 1991)		(Start dates inclusive)	
Quantity		Use		(Mo. Day)	(Mo. Day)
Quantity	2.80 cfs	Use	Irrigation	Period of Use From	Mar 15 To Nov 15
Quantity	0.05 cfs	Use	livestock	Period of Use From	Mar 15 To Nov 15
Quantity	1.40 cfs	Use	livestock	Period of Use From	Nov 16 To Mar 14
Quantity	1/1100/did/1	Use	1/1100/did/1	Period of Use From	Mar 16 To Mar 14
Quantity	2.80 cfs	Use	TOTAL QUANTITY USED	Period of Use From	To

- (5) A) Point of diversion (Location of water source (drawn from its source))
NW 1/4 SW 1/4 Sec. 35 T. 128 R. 28E B.M. County of Cassia
Additional points of diversion NE/SE Sec. 34 T. 128 R. 28E
- B) Describe means of diversion of waters (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sites and capacities. Be as specific as possible. Describe any changes in the system and give the date of the change. **Check dam & ditches, concrete pipes to gravity irrigation system (pipes installed in 1969 to prevent washouts & rodent damage). Also, a small pond was built on one of the springs about 1898).**
- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

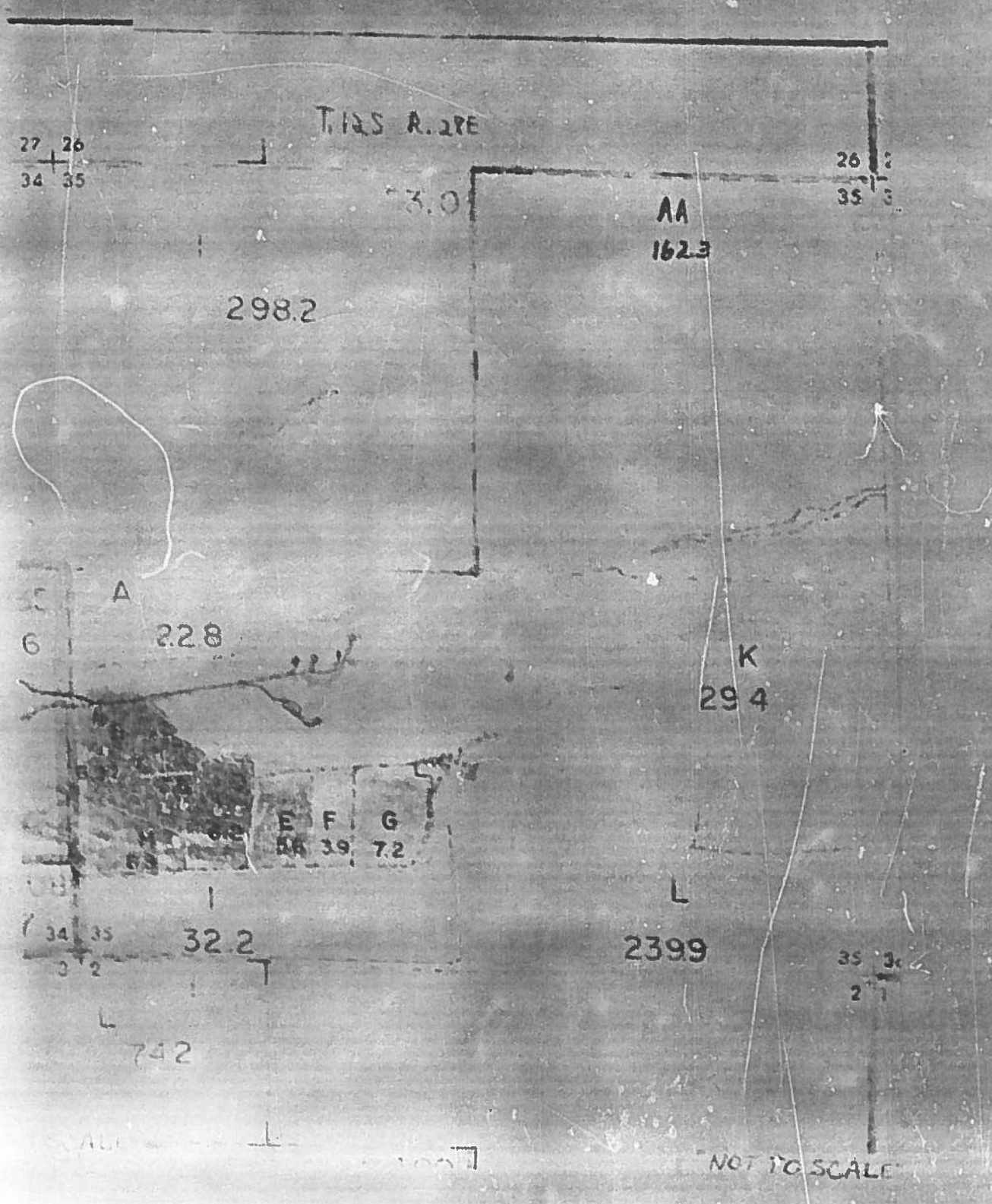
[illegible]

No. of obs. 222

BT If ~~not~~ used for other than ~~specified~~ fully described feature, bring it specific as possible
/bearing/ etc /to /to /keep /concrete/

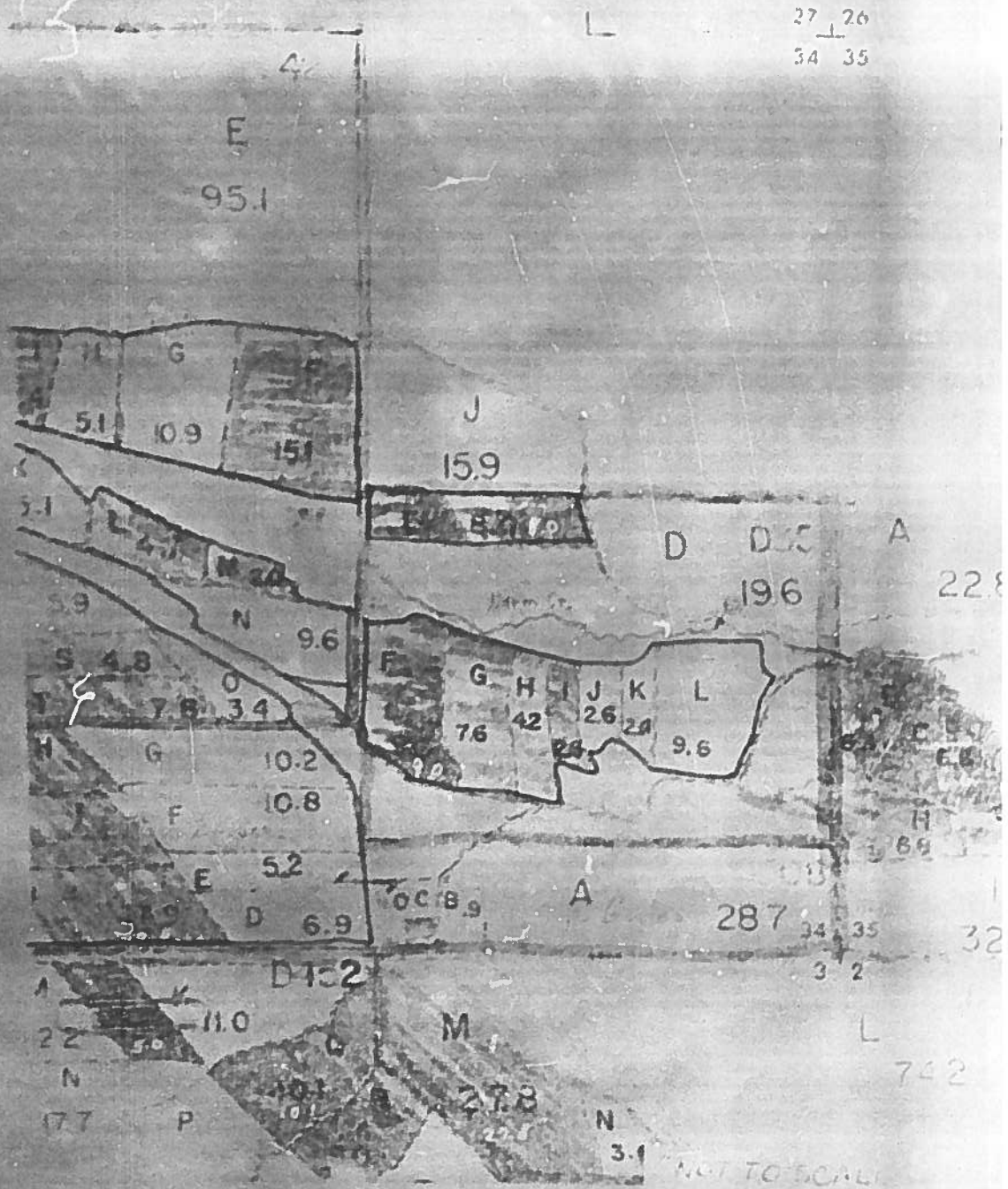
NOTE: Include both the type and number of stock owned: 200 range cattle & other assorted. If you are claiming water as a member of a corporation, list name of corporation.

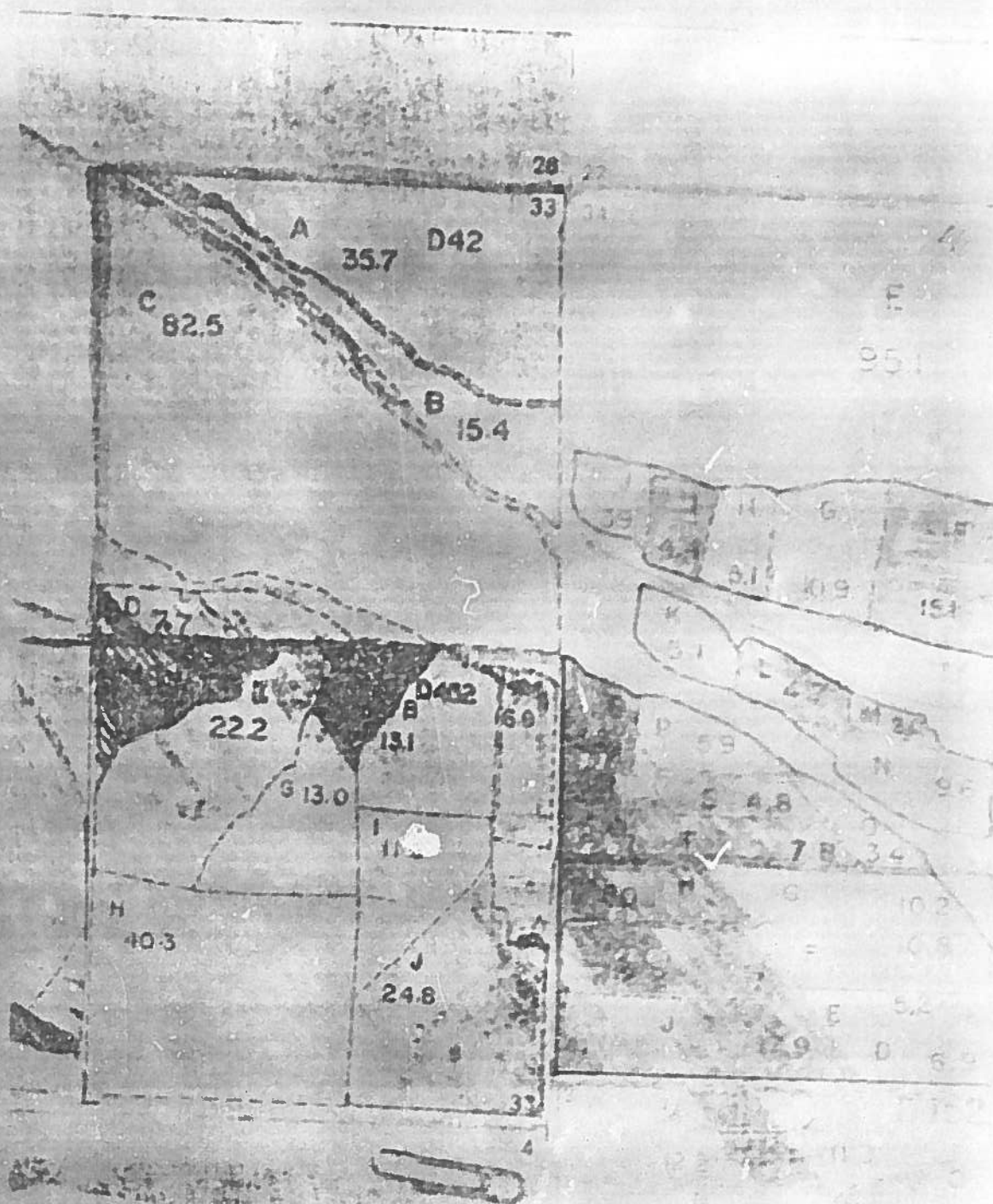
43-4106A



NOT TO SCALE

27 26
34 35





[illegible]

County of Idaho

County of Idaho

Idaho Falls

SECRET - TO BE DECLASSIFIED BY: 124

1985-1986 175

THE COMMISSION

FD-302 (Rev. 11-27-70)

Date: 11/11/11
 By: [Signature]
 For: [Signature]
 By: [Signature]

38

38

2

43-4106 A

Rec'd
3/22/01
scu

17
426.4

NHEL/W

2280
T1755

1
44.3

NW
HEL

NHEL/W

2
71.3

NHEL/W

2
119.7

NW
HEL

2
111.0

NHEL/W

3
70.3

W

H

*no claims
filed here?
transfer?
permit?
(no WR records
either)*

22-22

IDAHO
CASSIA
Report ID: ASCS-156EZ

U.S. Dept. of Agriculture
Agri. Stab. & Consv. Svc.
Abbreviated 156 Farm Record

FARM 2280
Prepared: 12/27/93
Crop Year: 94
Page: 2

No. of Tracts: 4

Current Year

TRACT NO.	FARMLAND	CROPLAND	IRRIGATED CROPLAND	HEL	Ø27	AØ27	W	CW	FW	PC	AW	MW	RW	HG	CWTE	CWNA	PCW
1738	390.0	381.4	381.4	N	N	N	N	N	N	N	—						N
IDENTIFIER			JJ22-24	S-33	T-12	R-28	S-3	T-13	R-28								
OWNER	1 - RIGBY FARMS																
1755	240.0	225.6	225.6	Y	Y	Y	N	N	N	—							N
IDENTIFIER			S-23	T-12	R-28	KK-20											
OWNER	1 - RIGBY FARMS																
1759	125.0	108.1	Ø	N	N	N	N	N	N								N
IDENTIFIER			JJ-22	S-34	T-12	R-28											
OWNER	1 - RIGBY FARMS																
1963	160.0	157.0	157.0	Y	Y	Y	N	N	N	—							N
IDENTIFIER			JJ22	S-33	T-11	R-28											
OWNER	1 - RIGBY FARMS																

no claims here
?

IDAHO
CASSIA
Report ID: ASCS-156EZ

U.S. Dept. of Agriculture
Agri. Stab. & Consv. Svc.
Abbreviated 156 Farm Record

FARM 2280
Prepared: 12/27/93
Crop Year: 94
Page: 1

OPERATOR: Name, Address & I D No.	FARMLAND	CROPLAND	IRRIGATED CROPLAND	EFFECTIVE CROPLAND	FARM IDENTIFIER	STATUS
82-6025204 E RIGBY FARMS % JIM RIGBY SUBLETT RT MALTA	915.0	872.1	764.0	872.1	NONE	ACTIVE
ID 83342 0000						

CRP: .0
IFM: N
RECON. REF. NO.: A00758
OFAY NORMAL PLANTED ACRES: .0

CROP	ROT.	BASE	CRP REDUCTION	ADJ. BASE	DATE	-----P&CP-----		-----YIELD-----		
						YEAR		YEAR	NI	IR
WHEAT	1	605.8	.0			93	608.3	94	23	80
						92	610.5	85	26	86
						91	609.9			
						90	612.4			
						89	588.0	94	66	
						88	620.8	85	71	
BARLEY	1	125.4	.0			93	125.1	94	21	85
						92	122.6	85	21	88
						91	118.5			
						90	127.8			
						89	133.1	94	81	
						88	123.6	85	84	

1963	160.0	157.0	157.0	Y	Y	Y	N	N	N	N
IDENTIFIER		JJ22	S-33 T-11 R-28							
OWNER	1 - RIGBY FARMS									

R PROOF

CVR

MAPS

PHOTOS

MISC

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