

RECEIVED

DEC 23 2013

DEPARTMENT OF
WATER RESOURCES

SRBA Form No.42-1409-1 (Internet 2/09)

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

SEP 30 2013

CIVIL CASE NUMBER: 39576

Ident. Number 21-13174

Date Received: 12-23-13

Receipt No: C098105

Received By: JLP

NOTICE OF CLAIM
TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Squirrel Creek Irrigation and Canal Co. Phone (208) _____

Mailing Address P.O. Box 621 Ashton ID ZIP 83420

2. Date of Priority (Only one (1) per claim) January 20, 1913
Month Day Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other () (a) Bergman Lake Reservoir
which is tributary to (b) Squirrel Creek

4. a. Location of Point of Diversion is: Township 08N, Range 43E, Section 15,
SW, 1/4 of SE, 1/4 Govt. Lot _____, BM., County of Fremont

Parcel (PIN) no. _____

Additional points of diversion if any: _____

If available, GPS Coordinates _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., County of _____

ending point is: Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. A dam and reservoir in Wyoming, which is diverted into Squirrel Creek and then into Conant Creek. The water is diverted from Conant Creek by a pump and pumped into a pipeline which feeds a sprinkler system.

6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD)

(cfs)

(acre feet)

For Irrigation Storage purposes from 01/01 to 12/31 amount or 904

For Irrigation from Storage purposes from 01/01 to 12/31 amount or 904

For purposes from to amount or

For purposes from to amount or

7. Total quantity claimed (a) (cfs) and/or (b) 904 (acre feet)

8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.)

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

Twn	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
8N	43E	10	40		40	40				40	40	40	40	40	40	40	40	40	480
8N	43E	15	40	40	40	40	40	40	40	40									320

Parcel (PIN) no(s).

Total number of acres irrigated 800

10. In which county (ies) are lands listed above as place of use located? Fremont

11. Do you own the property listed above as place of use? Yes () No (✓)

If your answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.

21-109C, 21-2156K, 21-2157

or None ()

13. Remarks: This water right is claimed pursuant to a valid Wyoming water right permit, permit number 21147, which allows Claimant to store water for irrigation in Bergman Lake Reservoir in Wyoming and to divert that water from Squirrel Creek and Conant Creek in Fremont County, Idaho.

Last Name Identification No.

EXHIBIT A

Page 1 of 2

Indian and Bergman Reservoirs
and Dams and Bergman Service Road

AGRICULTURE IRRIGATION AND
STOCKWATERING EASEMENT

for

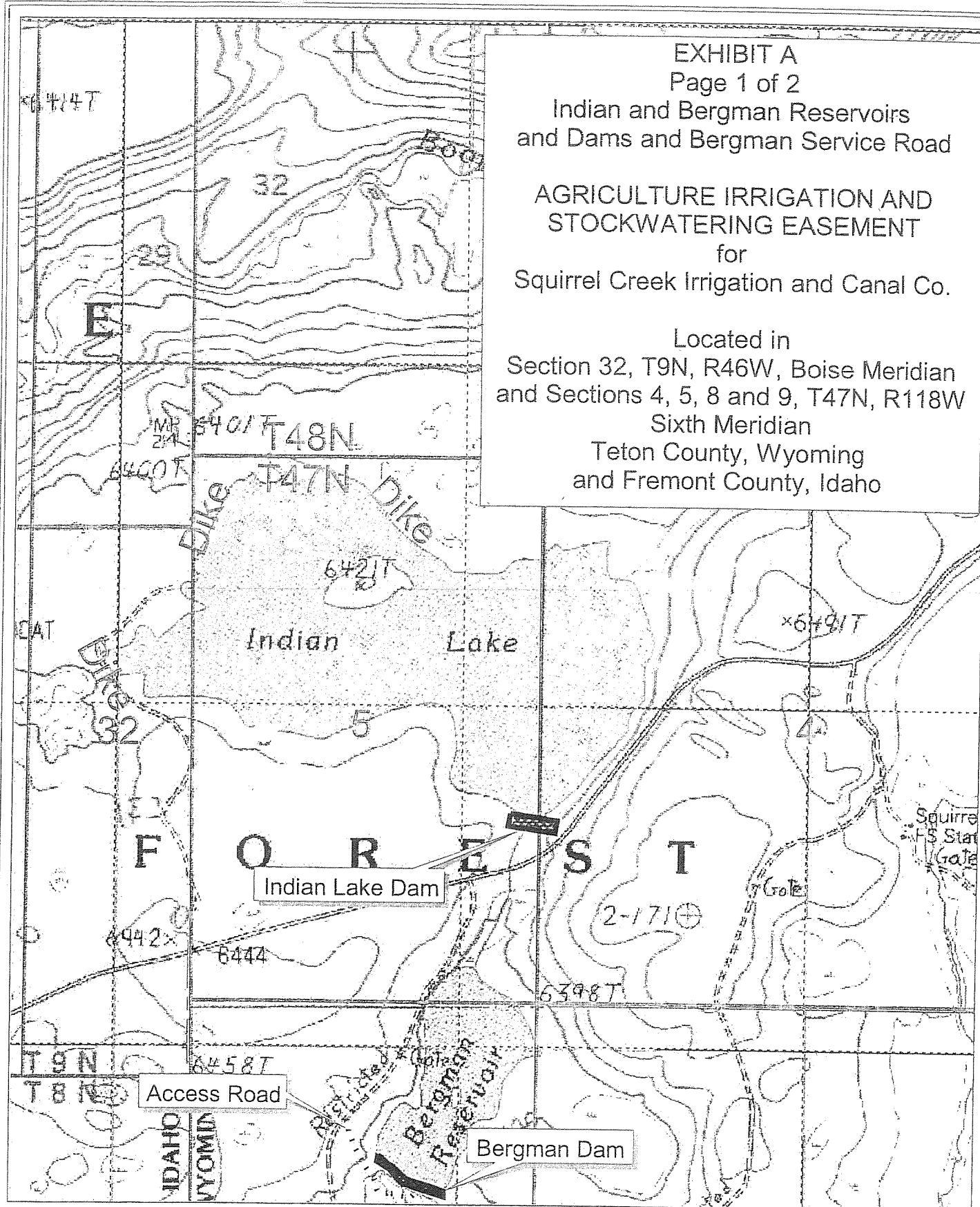
Squirrel Creek Irrigation and Canal Co.

Located in

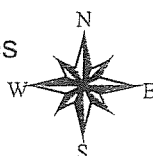
Section 32, T9N, R46W, Boise Meridian
and Sections 4, 5, 8 and 9, T47N, R118W

Sixth Meridian

Teton County, Wyoming
and Fremont County, Idaho



0.2 0 0.2 0.4 Miles



SOURCE: USGS 7.5 Minute Quadrangle
PROJECTION: UTM Zone 12
DARUM: NAD 27

B. Klarich
12-3-2002

14. Basis of Claim (Check One) Beneficial Use () Posted Notice () License (✓) Permit () Decree ()

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number Wyoming Permit 21147 / IDWR No. 21-13174

15. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices 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 under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date: _____

_____ Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

President _____ of Squirrel Creek Irrigation and Canal Company,
Title Organization

that I have signed the foregoing document in the space below as

President _____ of Squirrel Creek Irrigation and Canal Company,
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Walter Sage Date Aug 30, 2013

Title and Organization President, Squirrel Creek Irrigation and Canal Company

16. Notice of Appearance:

Notice is hereby given that I, Robert H. Wood, will be acting as attorney at law of behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Robert H. Wood Date 9-26-13

Address P. O. Box 250, Rexburg, ID 83440

Last Name _____ Identification No. _____

RECEIVED

DEC 23 2013

DEPARTMENT OF
WATER RESOURCES

SRBA Form No.42-1409-1 (Internet 2/09)

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

DEC 17 2013

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

Deputy Clerk

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 21-13174

Date Received:

Receipt No:

Received By:

AMENDED

NOTICE OF CLAIM
TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Squirrel Creek Irrigation and Canal Co. Phone (208) _____
 Mailing Address P.O. Box 621 Ashton ID 83420
Street or Box City State
 2. Date of Priority (Only one (1) per claim) January 20, 1913
Month Day Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other () (a) Bergman Lake Reservoir
 which is tributary to (b) Squirrel Creek

4. a. Location of Point of Diversion is: Township 08N, Range 43E, Section 15,
SW, 1/4 of SE, 1/4 Govt. Lot _____, BM., County of Fremont

Parcel (PIN) no. _____

Additional points of diversion if any: _____

If available, GPS Coordinates _____

- b. If instream flow, beginning point of claimed instream flow is:

Township _____, Range _____, Section _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., County of _____

ending point is: Township _____, Range _____, Section _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. A dam and reservoir in Wyoming, which is diverted into Squirrel Creek and then into Conant Creek. The water is diverted from Conant Creek by a pump and pumped into a pipeline which feeds a sprinkler system.

6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD) (cfs) (acre feet)

For Irrigation Storage purposes from 01/01 to 12/31 amount _____ or 201.45

For Irrigation from Storage purposes from 01/01 to 12/31 amount _____ or 201.45

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (cfs) and/or (b) 904 (acre feet)

8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) _____

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

Twn	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
8N	43E	10	40		40	40				40	40	40	40	40	40	40	40	40	480
8N	43E	15	40	40	40	40	40	40	40	40					40	40	40	40	320

Parcel (PIN) no(s). _____

Total number of acres irrigated 800

10. In which county (ies) are lands listed above as place of use located? Fremont

11. Do you own the property listed above as place of use? Yes () No (✓)

If your answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.

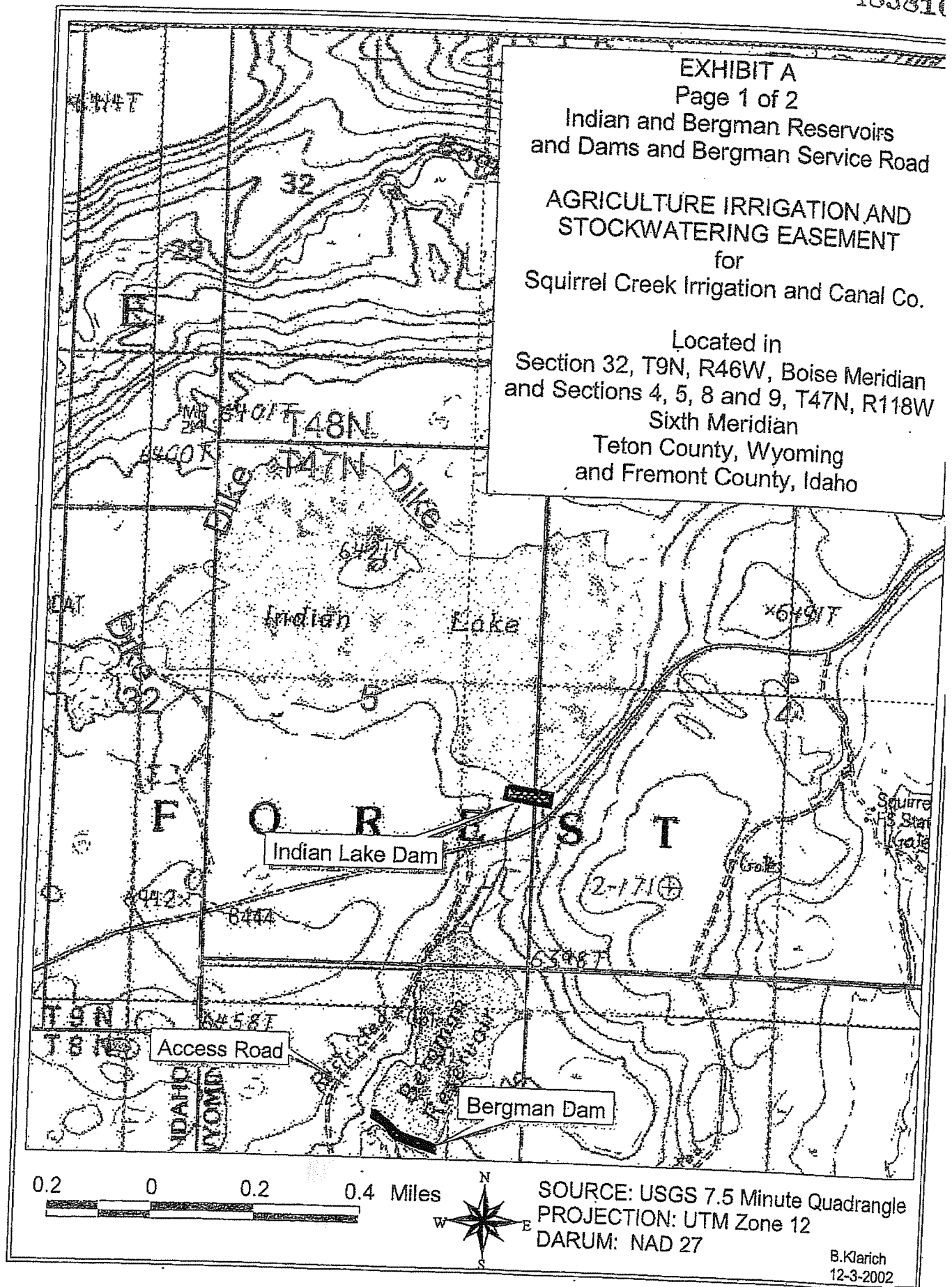
21-109C, 21-2156K, 21-2157

or None ()

13. Remarks: This water right is claimed pursuant to a valid Wyoming water right permit, permit number 21147, which allows Claimant to store water for irrigation in Bergman Lake Reservoir in Wyoming and to divert that water from Squirrel Creek and Conant Creek in Fremont County, Idaho.

Last Name _____ Identification No. _____

483810



14. Basis of Claim (Check One) Beneficial Use () Posted Notice () License (☒) Permit () Decree ()

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number Wyoming Permit 21147 / IDWR No. 21-13174

15. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices 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 under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date: _____

_____ Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

President _____ of Squirrel Creek Irrigation and Canal Company,
Title _____ Organization _____

that I have signed the foregoing document in the space below as

President _____ of Squirrel Creek Irrigation and Canal Company,
Title _____ Organization _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Walter Seager Date 12-17-2013

Title and Organization President, Squirrel Creek Irrigation and Canal Company

16. Notice of Appearance:

Notice is hereby given that I, Robert H. Wood, will be acting as attorney at law of behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Robert H. Wood Date 12-1-2013

Address P. O. Box 250, Rexburg, ID 83440

Last Name _____ Identification No. _____

THE STATE OF WYOMING

Proof No. 25516

Certificate of Appropriation of Water

Certificate Record No. 64, Page 31

WHEREAS, Squirrel Creek Irrigation Company has presented to the Board of Control of the State of Wyoming proof of the appropriation of water stored in Bergman Lake Reservoir (Permit 6001 Res.) supplied from Indian Lake Creek, tributary of Squirrel Creek, tributary of Fall River through the Squirrel Creek Irrigation Company Canal under Permit No. 21147

for irrigation of the lands herein described, lying and being in Fremont County, Wyoming, Idaho, as authorized by Chapter 96, Session Laws of Wyoming 1953.

NOW KNOW YE, That the State Board of Control, under the provisions of the Statutes of Wyoming, has, by an order duly made and entered on the 9th day of May, A. D. 1956, in Order Record No. 13, Page 279, determined and established the priority and amount of such appropriation as follows:

Name of Appropriator Squirrel Creek Irrigation Company; Postoffice Address c/o Walter Bergman, Box 65, Ashton, Idaho, Wyoming;

Date of Appropriation January 20, 1953; Total Acreage Eight hundred (800) Acres;

Amount of Appropriation 201.45 Ac.-Ft. ~~acres~~; Description of land to be irrigated and for which this appropriation is determined and established:

TWP.	RANGE	SEC.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				TOTAL
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
SECONDARY SUPPLY OF 201.45 ACRE- FEET OF WATER STORED IN BERGMAN LAKE RESERVOIR (PERMIT 6001 RES) FOR THE FOLLOWING LANDS:																			
S. N.	43 E.	10	40		40	40				40	40	40	40	40	40	40	40	480	
S. N.	43 E.	15	40	40	40	40	40	40	40	40								320	
	B. M.																Total	800	

The water hereby confirmed and established is limited to irrigation and to the place where acquired and to the purpose for which acquired; rights for irrigation not to exceed one cubic foot of water per second for each acre and for which the appropriation is hereby determined and established, except when there is surplus water in the stream as provided by Sections 71-216.

WHEREOF, I, L. C. Bishop, President of the State Board of Control, have hereunto set my

day of May, A. D. 1956, and caused the seal of said Board to be hereunto affixed.

Attest: *E. H. Boyd* Ex-officio Secretary.

L. C. Bishop President.

Q. 437