

11/06/2006

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

RIGHT NUMBER: 1-1L

NAME AND ADDRESS: OWNERS MUTUAL IRRIGATION CO
C/O WILLIAM TAYLOR PRES
PO BOX 51780
IDAHO FALLS ID 83405

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 6.130 CFS

PRIORITY DATE: 07/10/1889

POINT OF DIVERSION:
T04N R37E S35 NENE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	6.130 CFS
PLACE OF USE:	<u>IRRIGATION in BONNEVILLE County</u>		
	T03N R37E S11 NENE	2.80	T03N R37E S11 NWNE 40.00
	T03N R37E S11 SWNE	40.00	T03N R37E S11 SENE 10.00
	T03N R37E S11 NENW	0.70	T03N R37E S11 SENW 1.20
	T03N R37E S11 NESW	1.00	T03N R37E S11 NWSE 34.00
	T03N R37E S11 SWSE	0.70	T03N R37E S15 NENE 38.00
	T03N R37E S15 NWNE	38.00	T03N R37E S15 SWNE 40.00
	T03N R37E S15 SENE	38.00	T03N R37E S15 NENW 40.00
	T03N R37E S15 NWNW	37.00	T03N R37E S15 SWNW 39.00
	T03N R37E S15 SENW	40.00	T03N R37E S15 NESW 40.00
	T03N R37E S15 NWSW	39.00	T03N R37E S15 SWSW 38.00
	T03N R37E S15 SESW	40.00	T03N R37E S15 NESE 37.00
	T03N R37E S15 NWSE	40.00	T03N R37E S15 SWSE 40.00
	T03N R37E S15 SESE	39.00	

753.4 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 753.4 acres in a single irrigation season. Combined Right Nos.: 1-1L, 1-47P, 1-290, and 1-291.

This right is limited to the irrigation of 232 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

Water is delivered from Great Western Canal through Kennedy Ditch.

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



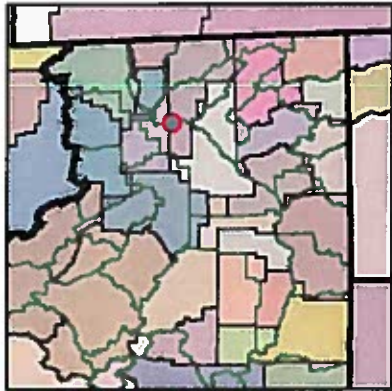
Idaho Department of Water Resources

Right Nos.:

- 1-1L
- 1-47P
- 1-290
- 1-291

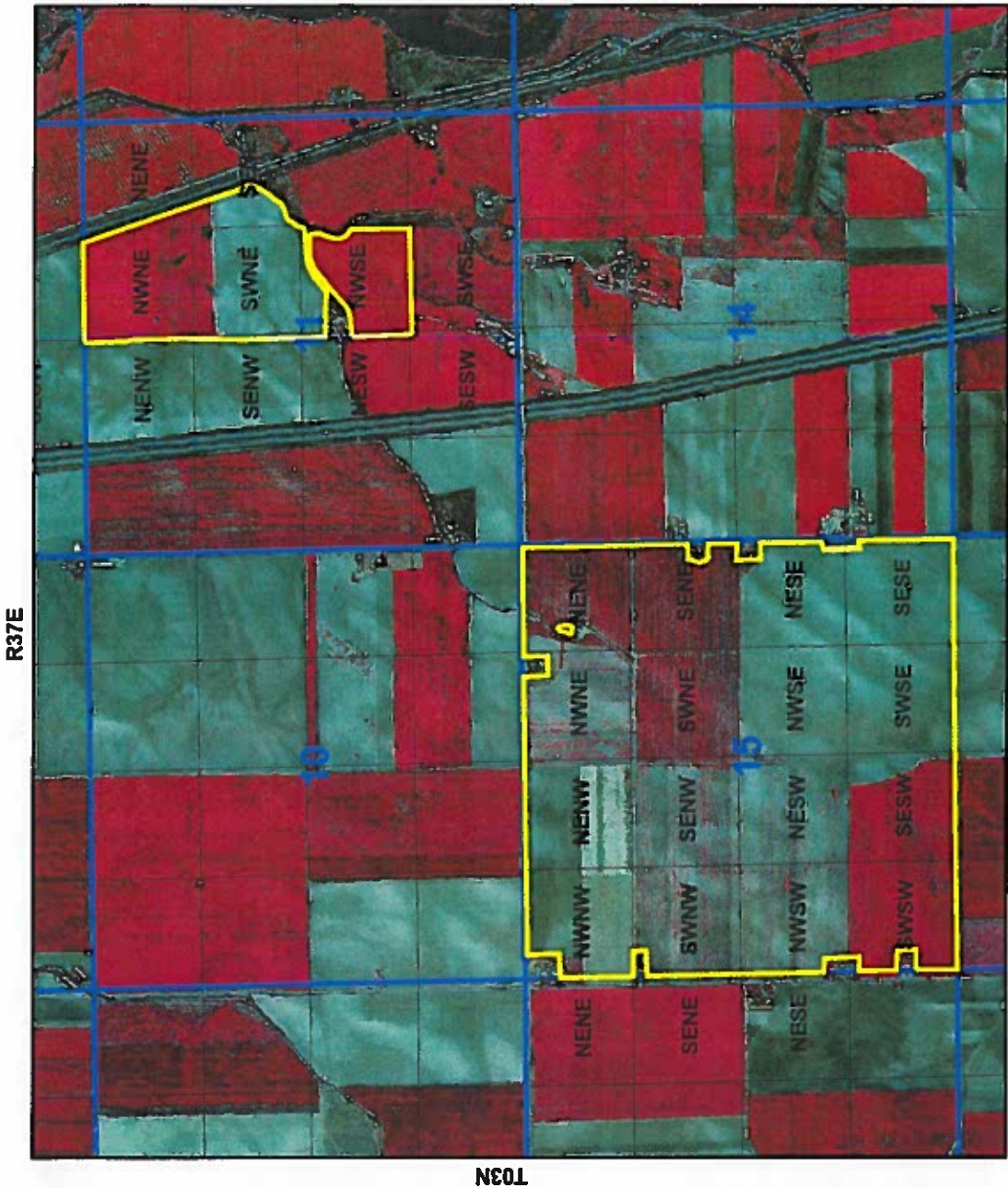
Legend

	Place of Use
	Townships
	PLS Sections
	Quarter Quarters



Bonneville County
IDWR Basin 1

Prepared by M. Holliday
On Monday, November 6, 2006
1987/88 Aerial Photography



0 0.9 1.8 Miles

STATE OF IDAHO.
DEPARTMENT OF RECLAMATION
CERTIFICATE OF WATER RIGHT.
Transferred Right No. 283.

This is to certify that H. Burgraff, Jr., of Idaho Falls, County of Bonneville, State of Idaho, has rights to the use of the waters of Snake River, for irrigation and domestic purposes, and that such rights have been confirmed by decree of the District Court of the Sixth Judicial District of the State of Idaho, in and for the County of Fremont, in the case entitled "Rexburg Irrigation Company, et al, plaintiffs, vs. Teton Irrigation Canal Company, et al, defendants, J. M. Stevens, District Judge, wherein certain water rights were decreed as follows, to-wit: 439.96 inches, decreed to the Blackfoot Irrigation Company, with date of priority of July 10, 1889; 140.60 inches to the Corbett Slough Ditch Company, with date of priority of May 1, 1889; 229.68 inches to the Trego Ditch Company, with date of priority of June 1, 1890, making a total of 810.24 inches, or 16.21 second feet of the waters of Snake River, in Water District No. 36, for the irrigation of Lots 4, 5 and 6, Sec. 23; Lots 1, 2 and 3, the SW $\frac{1}{4}$, SW $\frac{1}{4}$ & ESW $\frac{1}{4}$ Sec. 24; the NE $\frac{1}{4}$ Sec. 25; the NE $\frac{1}{4}$ and Lot 1, Sec. 26, in T. 2 S., R. 35 E., B.M.; also, beginning at the southwest corner of SE $\frac{1}{4}$ Sec. 32, T. 2 S., R. 35 E., B.M., running thence North 68° 0' E. along the north bank of Snake River 285 feet; thence, North 65° 52' E., 611 feet; thence North 74° 57' E., 420 feet; thence South 86° 21' E., 425 feet; thence North 484 feet to the north side of the county road; thence West and along the north side of said county road 370 feet, to the north bank of Colo River Canal; thence North 63° 42' W., along the north bank of said canal 256 feet; thence North 65° 42' W., 372 feet; thence North 37° 17' W., 420 feet; thence North 10° W., 368 feet; thence 71° 10' W., 413 feet, to the west line of the SE $\frac{1}{4}$ Sec. 32, T. 2 S., R. 35 E., B.M.; thence South 1930 feet, to the place of beginning, containing in all approximately 698.21 acres; that said decree has been entered at Boise, Idaho, in the records of the Department of Reclamation in Volume 3 of Decrees, at page 450; that, upon the application of H. Burgraff, Jr., for a transfer of water right, made before the Commissioner of Reclamation of the State of Idaho, and the said application having been granted, the right to the use of 16.21 second feet, or 810.24 inches, of the waters of Snake River, upon the lands above described, is hereby abandoned and a description of the lands to be irrigated under such right and to which the water right hereby confirmed shall by this certificate become appurtenant, for irrigation and domestic purposes, is shown in the following table, limited at any given time to an amount actually needed and beneficially used for said purposes and shall not exceed the following amounts, to-wit:

		810.24		439.96 inches, dated July 10, 1889; Blackfoot		133.37		410.47		
		282		140.60 inches, dated May 1, 1889; Corbett		82.47		140.47		
		4.59		229.68 inches, dated June 1, 1890; Trego		229.68		229.68		
		NW		NE		SW		SE		443.8
Trp.	Sec.	NW	NE	SW	SE	NW	NE	SW	SE	Totals
36	23	40	40	40	40	40	40	40	40	640
	14	40	40	40	40	40	40	40	40	400
	23					40	40			80

The right to the use of the water aforesaid, hereby confirmed, is restricted to the lands herein described, as provided by the laws of the State of Idaho.

This transfer is granted subject to the rights of the protestant herein, the Utah Power and Light Company, to the use of 1500 second feet of the waters of Snake River, to be used for power purposes under the provisions of Water License No. 445, and the right of the applicant to enjoy the use of this water under this certificate must necessarily respect the right of the said Utah Power and Light Company in its use of 1500 second feet of water in Snake River.

WITNESS, The seal and signature of the Commissioner of Reclamation of the State of Idaho, affixed at Boise, Idaho, this 1st day of September, 1920.


Commissioner of Reclamation.

Recorded in Water Dist.-36-E. 9-2-20-M.E.B.
Platted on Map-Water Dist. #36-E. 9-1-20-S.T.B.
Diversion Point: West channel Snake river near
H.W.Cer.SB; Dec.35-47-37E.B.M.

Shattuck Irrigation Company later acquired
2.67 cfs of the July 10, 1889 water,
1.65 cfs of the May 1, 1889 water, and
4.59 cfs of the June 1, 1890 water
described in T283.

SCANNED

AUG 1 2001

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: A01-00001L

Date Received: 9/14/1989

Receipt No: E010408

Received By: E024019 *AT.*
4/2/98

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: OWNERS MUTUAL IRRIGATION CO 208-522-7770
Address: C/O WILLIAM TAYLOR PRES
PO BOX 51780
IDAHO FALLS ID 83405

2. Date of Priority: JUL 10, 1889

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	37E	35	NE	NE	NE	1	JEFFERSON

5. Description of diverting works:
HEAD WORKS OF GREAT WESTERN CANAL INTO OWNERS MUTUAL DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	6.130		

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

8. Total consumptive use is 2395.0 Acre Feet Per Annum.

9. Non-irrigation uses:
INCIDENTAL STOCKWATERING

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03N	37E	11	NE	NE		IRR	6.0
			NW	NE		IRR	39.0
			SW	NE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	37E	11	SE	NE		IRR	12.0
			NE	NW		IRR	37.0
			NW	NW		IRR	36.0
			SW	NW		IRR	38.0
			SE	NW		IRR	35.0
			NE	SW		IRR	15.0
			NW	SW		IRR	37.0
			SW	SW		IRR	9.5
			NE	SE		IRR	2.0
			NW	SE		IRR	36.0

Section Acres 342.5

15	NE	NE	IRR	38.0
	NW	NE	IRR	39.0
	SW	NE	IRR	40.0
	SE	NE	IRR	38.0
	NE	NW	IRR	39.0
	NW	NW	IRR	36.0
	SW	NW	IRR	38.0
	SE	NW	IRR	40.0
	NE	SW	IRR	40.0
	NW	SW	IRR	38.0
	SW	SW	IRR	38.0
	SE	SW	IRR	40.0
	NE	SE	IRR	38.0
	NW	SE	IRR	40.0
	SW	SE	IRR	40.0
	SE	SE	IRR	39.0

Section Acres 621.0

Total Acres 963.5

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:

01-00290, 00047G, 00291, 00143, 00142, 00144, 00145, 35-0055

14. Remarks:

FLows CARRIED BY GREAT WESTERN CANAL.

SEE DECREE FOR TERMS.

RIGHTS 01-00142 - 00145 ARE FROM PARKS & LEWISVILLE CANAL.

OWNERS MUTUAL PAYS YEARLY SHAREHOLDS FEES FOR THESE RIGHTS.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/16/1910

REXBURG IRR. CO. ET AL

Decree Plaintiff

TETON IRRIGATION CANAL CO. ET

vs

Decree Defendant

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 Organizations:

I do solemnly swear or affirm that I am SECRETARY of _____ Title

OWNERS Mutual IRRIGATION Co. that I have signed the foregoing Organization

document in the space below as Secretary of _____ Title

OWNERS Mutual IRRIGATION Co. and that the statements contained in the Organization

foregoing document are true and correct.

William A. Dwyer
Signature of Authorized Agent

Secy. OWNERS Mutual IRRIGATION Co.
Title and Organization

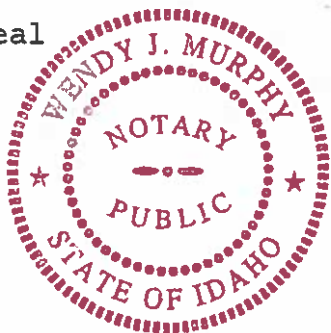
2 April, 1998
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 2nd day
of April 19 98

Wendy J. Murphy
Notary Public

Seal



Residing at Idaho Falls

My Commission Expires 6/23/00

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
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Ident. Number: A01-00001L
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Receipt No: 2010408
Received By: [Signature]

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ACQUIRED UNDER STATE LAW

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P.O. BOX 51780
IDAHO FALLS, ID 83405

2. Date of Priority: JUL 10, 1889

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7. Total Quantity Appropriated is:
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Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03N	37E	11	NE	NE		IRR	6.0
			NW	NE		IRR	39.0

A01-00001L

Page 1

Date: 09/14/89



MICROFILMED
OCT 16 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres			
03N	37E	11	SW	NE		IRR	40.0			
			SE	NE		IRR	12.0			
			NE	NW		IRR	37.0			
			NW	NW		IRR	36.0			
			SW	NW		IRR	38.0			
			SE	NW		IRR	35.0			
			NE	SW		IRR	15.0			
			NW	SW		IRR	37.0			
			SW	SW		IRR	4.0			
			NE	SE		IRR	2.0			
			NW	SE		IRR	36.0			
									Section Acres	337.0
			15			NE	NE		IRR	38.0
NW	NE					IRR	39.0			
SW	NE					IRR	40.0			
SE	NE					IRR	38.0			
NE	NW					IRR	39.0			
NW	NW					IRR	36.0			
SW	NW					IRR	38.0			
SE	NW					IRR	40.0			
NE	SW					IRR	40.0			
NW	SW					IRR	38.0			
SW	SW					IRR	38.0			
SE	SW					IRR	40.0			
NE	SE					IRR	38.0			
NW	SE					IRR	40.0			
SW	SE					IRR	40.0			
SE	SE					IRR	39.0			
						Section Acres	621.0			
						Total Acres	958.0			

11. Place of use in counties: BONNEVILLE

12. Do you own the property listed above as place of use? ~~YES~~ NO *WHT*

13. Other Water Rights Used:

01-00290, 00047G, 00291, 00143, 00142, 00144, 00145, 35-0055

14. Remarks:

FLows CARRIED BY GREAT WESTERN CANAL.
SEE DECREE FOR TERMS.

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RIGHTS 01-00142 - 00145 ARE FROM PARKS & LEWISVILLE CANAL.
OWNERS MUTUAL PAYS YEARLY SHAREHOLDS FEES FOR THESE RIGHTS.

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REXBURG IRR. CO. ET AL
Decree Plaintiff

vs

TETON IRRIGATION CANAL CO. ET A
Decree Defendant

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: 1

For Organizations:

I do solemnly swear or affirm that I am Sec. of

Owners Mutual Irr. Co. Title
Organization, that I have signed the foregoing

document in the space below as Sec. of

Owners Mutual Irr. Co. Title
Organization and that the statements contained in the
foregoing document are true and correct.

William H. Taylor
Signature of Authorized Agent

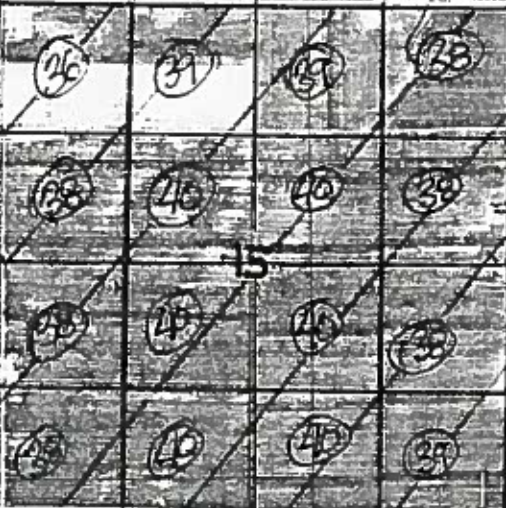
Sec. Owners Mutual Irr. Co.
Title and Organization

Sept 14, 1989
Date

Subscribed and sworn (or affirmed) before me this 14 day
of September 19 89 [Signature]

RESIDING AT IDAHO FALLS, IDAHO
MY COMMISSION EXPIRES 8-22-1974

AD1-00001L



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3
N

R37E

MICROFILMED
OCT 16 1992