

11/14/2006

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

RIGHT NUMBER: 1-18C

NAME AND ADDRESS: CLEMENT ENTERPRISESS
PO BOX 99
LEWISVILLE ID 83431

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 3.400 CFS

PRIORITY DATE: 01/12/1889

POINT OF DIVERSION:

T04N R37E S35 NENE Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 10/31

QUANTITY
3.400 CFS

PLACE OF USE:

IRRIGATION in BONNEVILLE County

T03N R37E S01	NWSW	1.80	T03N R37E S01 Lot 8	NWSW	1.00
T03N R37E S01	SWSW	0.90	T03N R37E S01 Lot 8	SWSW	15.00
T03N R37E S02	NWNE	0.20	T03N R37E S02 Lot 4	NWNE	2.50
T03N R37E S02 Lot 13	NWNE	12.00	T03N R37E S02 Lot 14	SWNE	19.00
T03N R37E S02 Lot 14	SENE	4.00	T03N R37E S02 Lot 4	NENW	2.50
T03N R37E S02 Lot 1	NESE	15.00	T03N R37E S02 Lot 16	NESE	8.20
T03N R37E S02 Lot 2	NWSE	10.00	T03N R37E S02 Lot 16	NWSE	5.10
T03N R37E S02	SWSE	3.10	T03N R37E S02	SESE	37.00
T03N R37E S11	NENE	30.00	T03N R37E S11	SENE	8.50
T03N R37E S11	NESE	4.00	T03N R37E S12 Lot 8	NENW	4.10
T03N R37E S12 Lot 8	NWNW	33.00	T03N R37E S12 Lot 7	SWNW	33.00
T03N R37E S12 Lot 7	SENW	0.10	T03N R37E S12 Lot 6	NWSW	22.00

272 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 - Decreed

Water is delivered from Great Western Canal through Kennedy Ditch.

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



Idaho Department of Water Resources

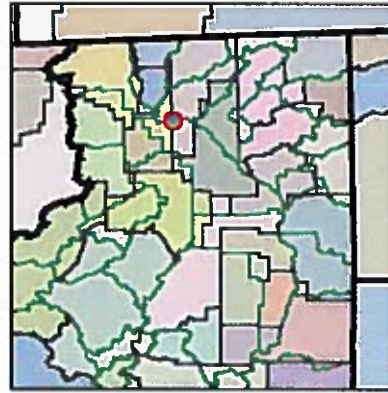
SRBA Recommendation:

1-18C

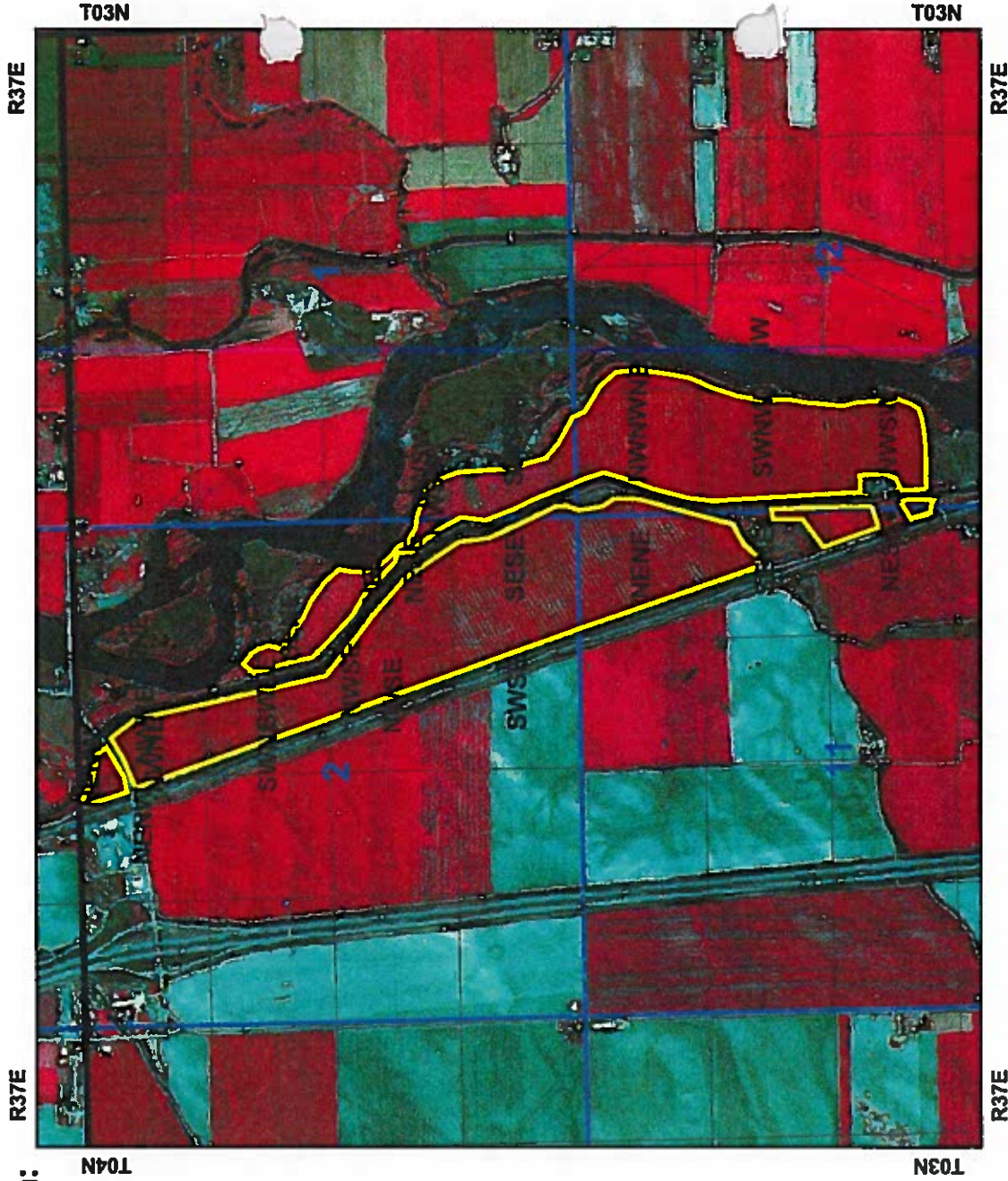
(Irrigation)

Legend

- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Bonneville County
IDWR Basin 1



0 0.7 1.4 Miles

Prepared by A. Golar
On Thursday, September 21, 2006
1987/88 Aerial Photography

Notes

Claim A01-00018 ✓

1/ Exam for Place of Use Verification was done with Ryan Clement on Feb 24, 2004. Mr. Clement was given a Change of Ownership form to change claimant name to "Clement Enterprises" (Same address + phone #).

2/ One "out" pipe noted on map and 2 relief pump locations noted also.

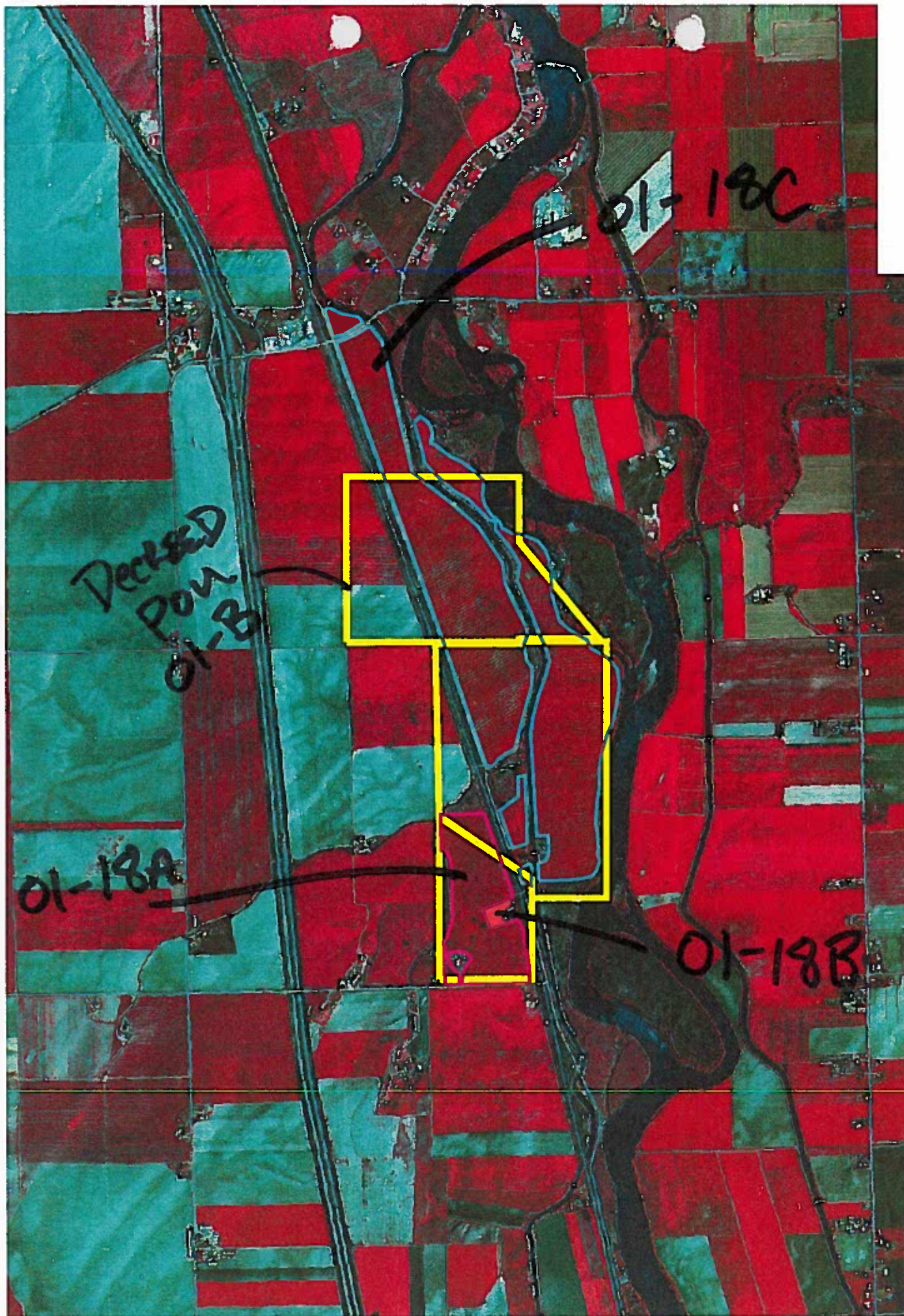
3/ Exam was done by Harold C. Jones of Water Rights Contracting Services.

SCANNED

SEP 20 2006

PROFILE

SCANNED
OCT 07 2004



IN THE DISTRICT COURT OF THE SIXTH (NOW NINTH) JUDICIAL DISTRICT
OF IDAHO IN AND FOR THE COUNTY OF FREMONT 01-B

Rexburg Irrigation Company et al
Plaintiffs

VS

SUPPLEMENTAL DECREE.

Teton Canal Company, et al.

Defendants.

The Petition of W. S. Lyle of Idaho Falls, Bonneville County, State of Idaho, coming on this day to be heard before the Honorable J. M. Stevens, Judge of the District Court of the Sixth Judicial District of Idaho in and for the County of Bingham, being the Judge who tried said cause and made a decree therein.

And it appearing from said petition that the said W. S. Lyle is the owner of the real estate described in said petition, to-wit:

The Southeast Quarter of Section 2, the lot numbered 8 of Section 1, and Lots 6, 7 and 8 of Section 12 Township 3 north Range 37 East of the Boise Meridian and the East Half of the Northeast Quarter and the East Half of the Southeast Quarter Section 11 in Township 3 North Range 37 East of the Boise Meridian, in Idaho, containing in all 405 acres, more or less.

And it further appearing that the said petitioner submitted testimony relative to his proof before the referee in said cause and that the said petitioner made proof for the use of 250 inches of water for the irrigation of said land,

And it further appearing that through mistake, inadvertence or oversight, the said petitioner was not decreed the water to which he was entitled as appears from the decree on file herein.

Now therefore, for the purpose of correcting said omission, inadvertence and mistake, it is hereby ordered, adjudged and decreed and the Judge of this Court does hereby order adjudge and decree that the decree entered herein be and the same is hereby amended and corrected accordingly, and the said W. S. Lyle is hereby awarded the use of 250 inches of the waters of Snake River for the irrigation of said land herein described, and said right to date from January 12, 1889,

Done this 12th day of November, 1912.



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 1-18C
Date Received: 9/14/1989
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CLEMENT ENTERPRISESS Phone: (208)754-4611
PO BOX 99
LEWISVILLE ID USA 83431

2. Date of Priority: 01/12/1889

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

4. Point of Diversion:

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

5. Description of diverting works:

HEADWORKS OF GREAT WESTERN CANAL.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	5	

7. Total Quantity Appropriated is:
5 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
03N	37E	1	SW SW 8	IRRIGATION	15
				Section Acres	15

SCANNED

SEP 20 2006

PROFILED

03N	37E	2	SE	SE		IRRIGATION	35
			SW	NE		IRRIGATION	20
			NW	NE		IRRIGATION	15
			NE	SE	1	IRRIGATION	30
			NW	SE	2	IRRIGATION	20
			SW	SE		IRRIGATION	5
						Section Acres	125
03N	37E	11	NE	NE		IRRIGATION	30
			SE	NE		IRRIGATION	15
			NE	SE		IRRIGATION	5
						Section Acres	50
03N	37E	12	NW	NW	8	IRRIGATION	15
			SW	NW	7	IRRIGATION	32
			NW	SW	6	IRRIGATION	35
						Section Acres	82
						Total Acres	272

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:

14. Remarks:

RT. RENUMBERED 22-0149.
THIS IS A SUPPLEMENTAL DECREE (01-B) TO REXBURG DECREE.

This right is renumbered from former right 1-18 .

15. Basis of Claim: Decreed

SCANNED

#322

AUG 17 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

A01-00018C

Ident. Number: ~~A01-00018~~
Date Received: 2/17/1989
Receipt No: E010434/20
Received By: _____

RECEIVED

SEP 14 1989

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CLEMENT BROTHERS
Address: P.O. BOX 99
LEWISVILLE, ID 83431
208-754-4611

2. Date of Priority: JAN 12, 1889

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

4. Point of Diversion:

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

5. Description of diverting works:
HEADWORKS OF GREAT WESTERN CANAL.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	5.000		

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

8. Total consumptive use is 680.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	37E	1	SW	SW	8	IRR	15.0
Section Acres							15.0

A01-00018

Page 1

Date: 02/17/89

A0100018

MICROFILMED

OCT 16 1992

COPY

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	37E	2	NW	NE		IRR	15.0
			SW	NE		IRR	20.0
			NE	SE	1	IRR	30.0
			NW	SE	2	IRR	20.0
			SW	SE		IRR	5.0
			SE	SE		IRR	35.0
			Section Acres				125.0
		11	NE	NE		IRR	30.0
			SE	NE		IRR	15.0
			NE	SE		IRR	5.0
			Section Acres				50.0
		12	NW	NW	8	IRR	15.0
			SW	NW	7	IRR	32.0
			NW	SW	6	IRR	35.0
			Section Acres				82.0
			Total Acres				272.0

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:
NONE

14. Remarks:
RT. RENUMBERED 22-0149.
THIS IS A SUPPLEMENTAL DECREE (01-B) TO REXBURG DECREE.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 12/16/1912

REXBURG IRR. CO., ET AL.
Decree Plaintiff

vs

TETON CANAL CO. ET. AL.
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 Partner of
_____ Title
Clement Brothers, that I have signed the foregoing
Organization
document in the space below as Partner of
_____ Title
Clement Brothers and that the statements contained in the
Organization
foregoing document are true and correct.

T. Don Clary
Signature of Authorized Agent

Partner Clement Brothers
Title and Organization

9/5/89

Date

State of Idaho)
County of Jefferson) SS.

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

Cecelia M. Burman
Notary Public

Seal

Residing at Idaho Falls, ID
My Commission Expires 03-24-95

1404 D2
T764

D1
T763

H-1

93.3
①

193.2
②

12.1
③
135.4
④

④
17.1

2.0
11.0

94.3
⑤

⑥
8.2

MICROFILMED
OCT 16 1992

NOT TO SCALE
A01-00012