11/06/2006

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 1-47P

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: 1.170 CFS

PRIORITY DATE: 06/01/1889

POINT OF DIVERSION:
T04N R37E S35 NENE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	1.170 CFS

PLACE OF USE: IRRIGATION in BONNEVILLE County

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

This right is limited to the irrigation of 74 acres within the place of use described above in a single irrigation season.

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.

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.

This right is a split from former right 1-47G.

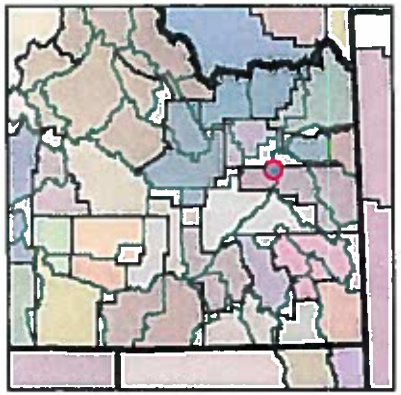
Idaho Department of Water Resources

Right Nos.:

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

Legend

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

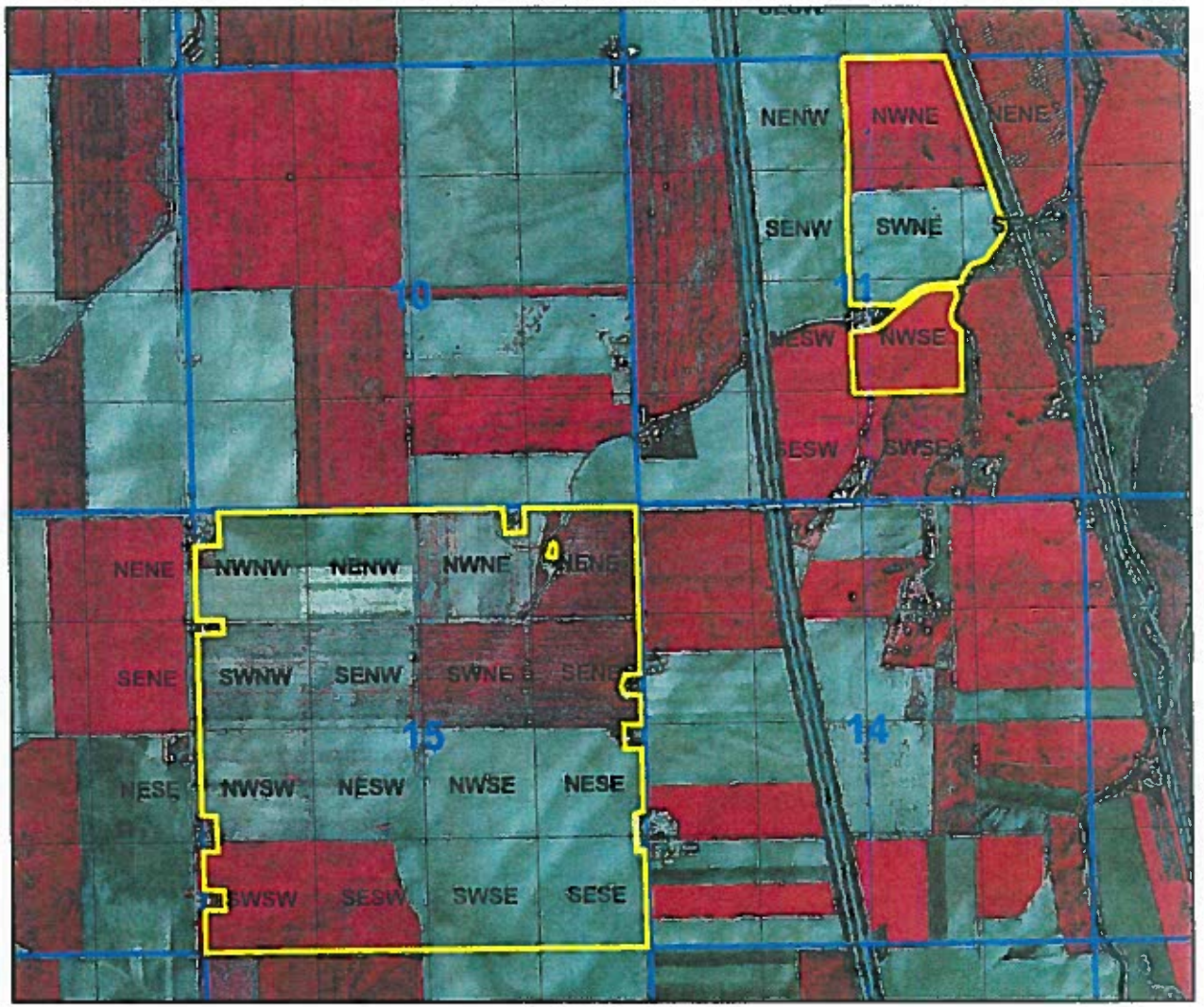


Bonneville County
IDWR Basin 1

N

R37E

T03N



0 0.9 1.8 Miles

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

[illegible]
[illegible]
Transferred Right No. 285.

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. H. 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; 140.80 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 810.44 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. 25; Lots 1, 2 and 3, the SW¼SW¼ & E½SW¼ Sec. 24; the N½NW¼ Sec. 25; the N½NE¼ and Lot 1, Sec. 26, in T. 2 S., R. 35 E., B.M.; also, beginning at the southwest corner of SE¼ Sec. 32, T. 2 S., R. 35 E., B.M., running thence North 68° 0' E. along the north bank of Snake River 283 feet; thence, North 65° 52' E., 611 feet; thence North 74° 57' E., 420 feet; thence South 88° 21' E., 427 feet; thence North 464 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 57° 17' W., 420 feet; thence North 10° W., 568 feet; thence 71° 10' W., 415 feet, to the west line of the SE¼ Sec. 32, T. 2 S., R. 35 E., B.M.; thence South 1980 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 810.44 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:

16.21

440 Kennedy Canal 8.80
Kennedy " 2.82
Kennedy Canal 4.59

439.96 inches, dated July 10, 1889;
140.80 inches, dated May 1, 1889;
229.68 inches, dated June 1, 1890;

133.3 = 2.67"
82.47"
229.68
445.5

Twp.	Rge.	Sec.	NW NE SW SE	NW NE SW SE	NE NW SW SE	SW NW NE SW SE	SE NW NE SW SE	Totals
3S	37E	15	40 40 40 40	40 40 40 40	40 40 40 40	40 40 40 40	40 40 40 40	640
		14	40 40 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 Licenses No. 446, 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.

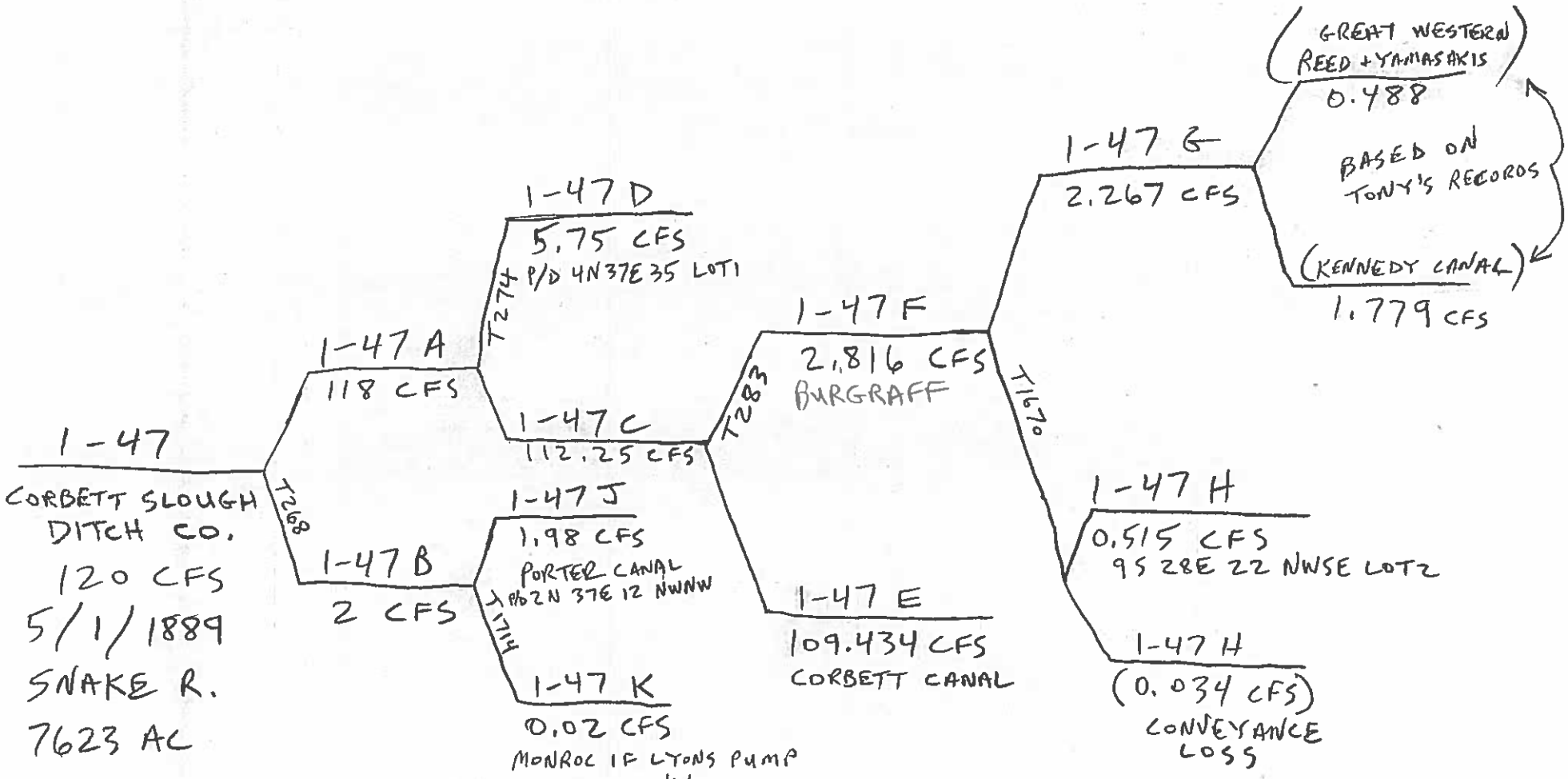
WITNESS, The seal and signature of the Commissioner of Reclamation of the State of Idaho, affixed at Boise, Idaho, this 1st day of September, 1920.

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
N.W.Cor.SE¼ Sec.35-4N-37E.B.M.

F

SHATTUCK DISSOLUTION PERTAINS TO 1.65 CFS OF 1-47 ~~G~~



SCANNED
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

Ident. Number: A01-00047P
Date Received: 9/14/1989
Receipt No: E010408
Received By: E024019 DS. 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: JUN 1, 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	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	1.170		

7. Total Quantity Appropriated is:
   1.170 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	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:
01-00001L, 00290, 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 IRRIGATION CO. ET AL (Decree Plaintiff) vs TETON IRR. 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 ____ 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 (Title) of Owners Mutual Irrigation Co. (Organization), that I have signed the foregoing document in the space below as Secretary (Title) of Owners Mutual Irrigation Co. (Organization) and that the statements contained in the foregoing document are true and correct.

William H Taylor
Signature of Authorized Agent

See, Owners Mutual Irrigation Co
Title and Organization

2 April, 1998
Date

State of Idaho)
) SS.
County of Bonneville)

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

Wendy J. Murphy
Notary Public

Seal

WENDY J. MURPHY NOTARY PUBLIC STATE OF IDAHO

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
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A01-00047P
Date Received: 9/14/1989
Receipt No: E010408
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

2. Date of Priority: JUN 1, 1889

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

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

MICROFILMED
OCT 16 1992

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	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
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			SE	SE		IRR	39.0
						Section Acres	621.0
						Total Acres	958.0

11. Place of use in counties: BONNEVILLE

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OWNERS MUTUAL PAYS YEARLY SHAREHOLDS FEES FOR THESE RIGHTS.

WATER FILMED
OCT 16 1992

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/16/1910

REXBURG IRRIGATION CO. ET AL
Decree Plaintiff

vs

TETON IRR. 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 ____ 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: _____

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 _____

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OCT 16 1992

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
RENUMBERED A01-00047P
Ident. Number: A01-10184
Date Received: 9/14/1989
Receipt No: 6010408
Received By: EG

A0100047P

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

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

2. Date of Priority: JUN 01, 1889

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

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			NW NE		IRR	39.0

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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:
01-00001L, 00290, 00291, 00143, 00142, 00144, 00145,35-0055

14. Remarks:
FLOWS CARRIED BY GREAT WESTERN CANAL.
SEE DECREE FOR TERMS.

MICROFILMED
OCT 16 1992

14. Remarks: Continued
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 IRRIGATION CO. ET AL (Decree Plaintiff) vs TETON IRR. CANAL CO. ET AL (Decree Defendant)

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Number of attachments: 1

For Organizations:

I do solemnly swear or affirm that I am Sec. (Title) of Owners Mutual Irr. Co (Organization) that I have signed the foregoing document in the space below as Sec. (Title) of Owners Mutual Irr. Co (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

MICROFILMED
OCT 16 1992

State of Idaho)
) SS.
County of Bonneville)

Subscribed and sworn (or affirmed) before me this 14 day of Sept 19 89

Notary Public

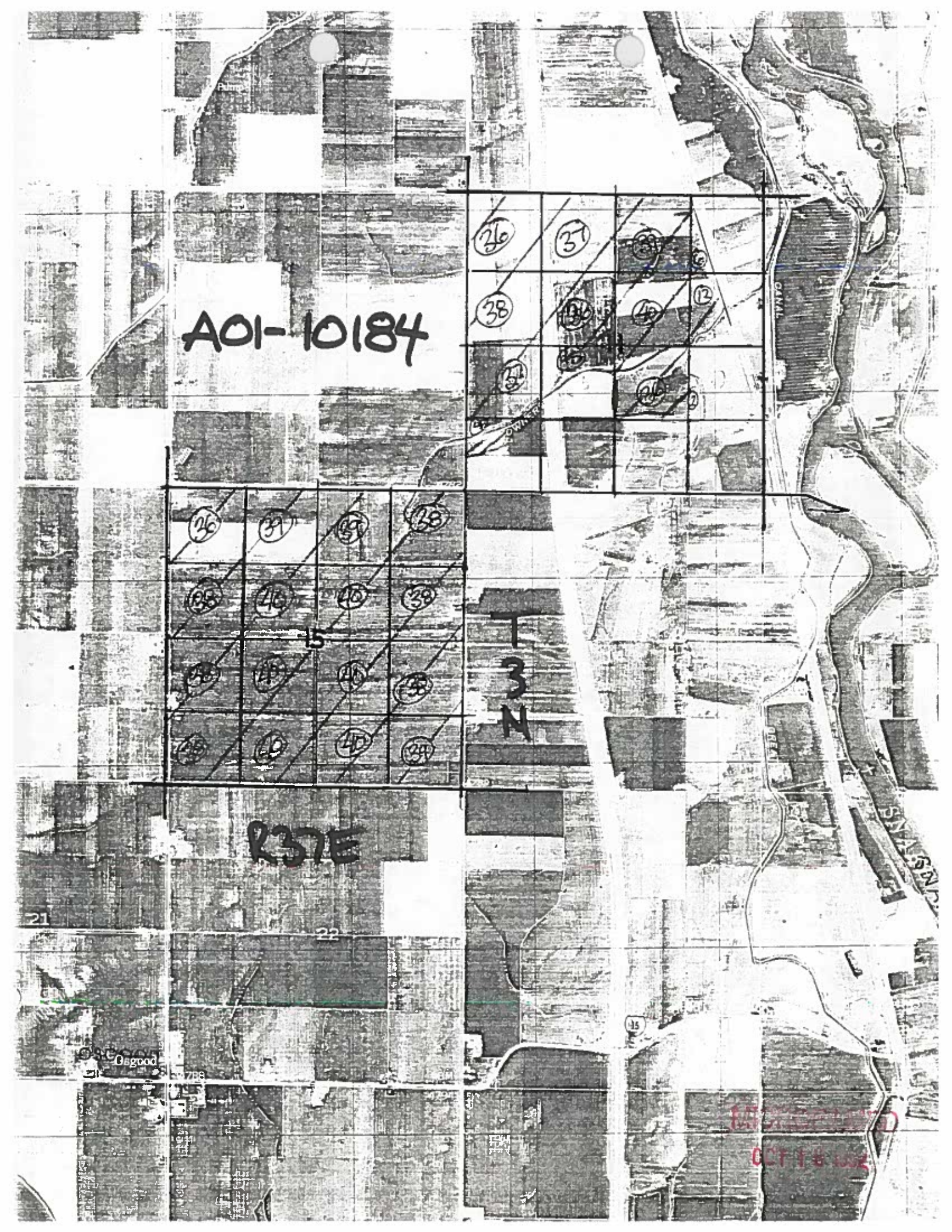
Seal

RESIDING AT IDAHO FALLS, IDAHO
MY COMMISSION EXPIRES 8-22-1994

Residing at _____

My Commission Expires _____

MICROFILMED
OCT 16 1992


A01-10184
T 3 N
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CANAL
Osgood
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OCT 16 1992