

05/08/2006

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

RIGHT NUMBER: 1-105

NAME AND ADDRESS: LIBERTY PARK IRRIGATION CO INC
C/O ORA LEE BENNETT
5293 S 4300 W
REXBURG ID 83440

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 38.000 CFS

PRIORITY DATE: 06/01/1886

POINT OF DIVERSION:

T04N R40E S6 SWSW Lot 7 Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	38.000 CFS

PLACE OF USE:

4047 ACRES TOTAL

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

Place of use is within the area served by Liberty Park Irrigation Company.

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 through Liberty Park Canal.



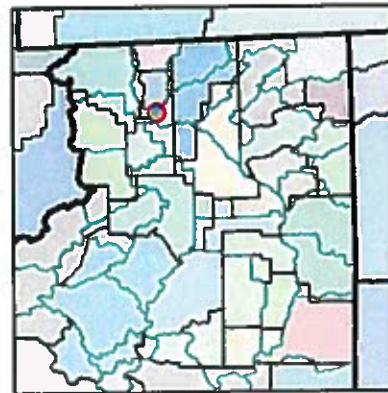
Liberty Park Irrigation Co Inc

SRBA Recommendations: 1-104, 1-105, 1-106, 1-107, 1-108, 1-253, 1-316

Service Area Boundary
GIS Place of Use Illustration

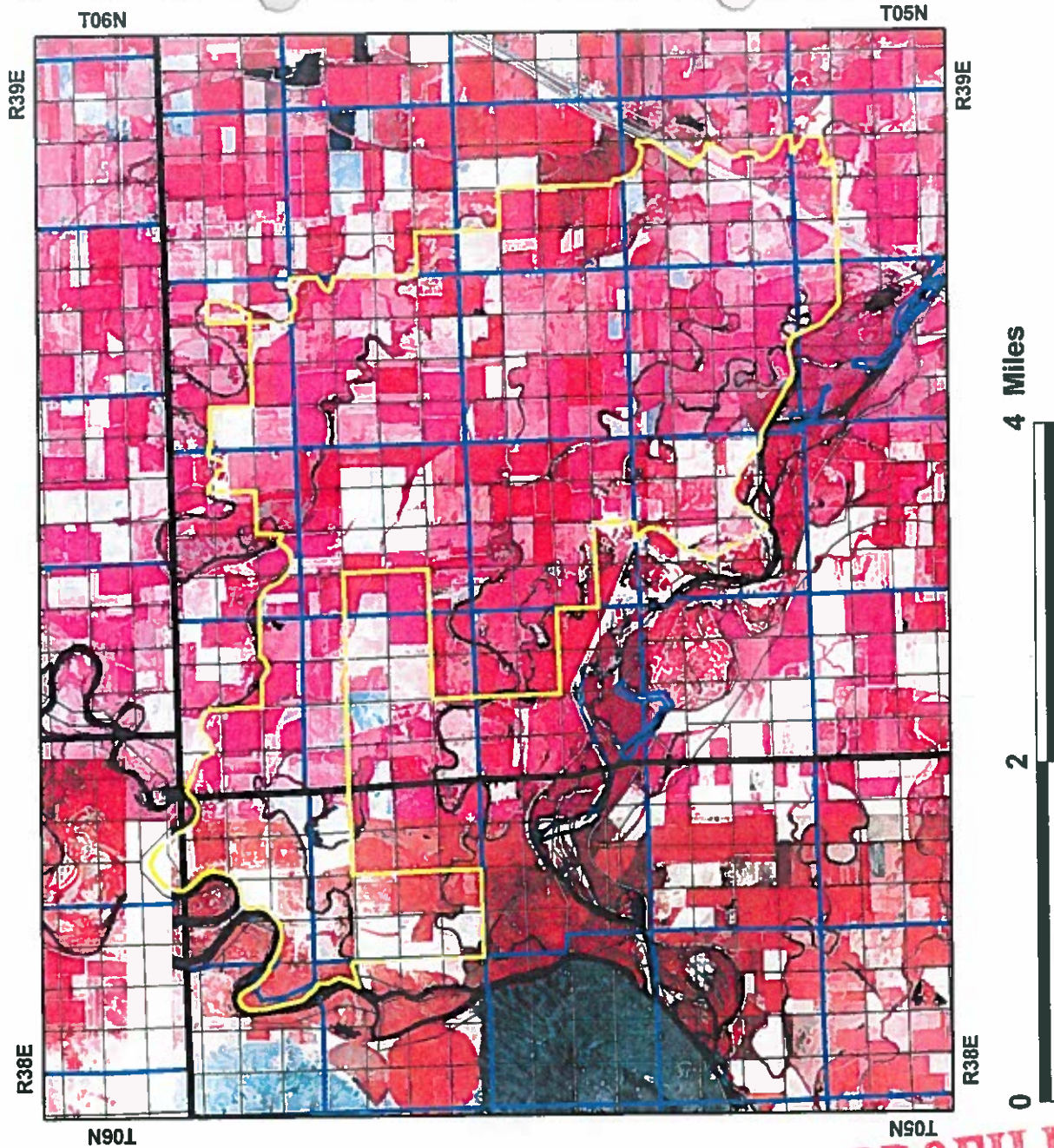
Legend

- Service Area
- Townships
- PLS Sections
- Quarter Quarters



Jefferson, Madison Counties
IDWR Basin 1

Prepared by C. Moore
On Monday, November 20, 2006
1987/88 Aerial Photography



PROFILED
SCANNED
APR 30 2007

11/21/2006

**NOTICE OF ERROR
REPLY**

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: November 30, 2006

Water right number: 1-105

LIBERTY PARK IRRIGATION CO INC
C/O ORA LEE BENNETT
5293 S 4300 W
REXBURG ID 83440
Telephone Number: (208)356-5791

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:

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: Nov 29 - 2006 SIGNATURE: Larry L Hansen

Please print your name: Larry L. HANSEN

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

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**SCANNED
APR 30 2007**

*LMS
12/04*

11

AUG 2 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: A01-00105
Date Received: 8/25/1988
Receipt No: E001834
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: LIBERTY PARK IRRIGATION CO. INC. 208-356-5791
Address: 5293 SOUTH 4300 WEST
REXBRUG, ID 83440

2. Date of Priority: JUN 1, 1886

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	40E	6	NE	SW	SW	6	MADISON

5. Description of diverting works:
HEADGATE TO DIVERSION CANAL FOR LIBERTY PARK CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	38.000		
STOCKWATER	11/01	04/01	38.000		

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

8. Total consumptive use is 13567.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05N	38E	1	SE	SW		IRR	13.0
			NE	SE		IRR	5.0
			SW	SE		IRR	40.0

A01-00105

Page 1

Date: 01/03/91

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	38E	1	SE	SE		IRR	27.0
			Section Acres				85.0
		12	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			NE	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			Section Acres				360.0
	39E	4	NW	SW		IRR	39.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	20.0
			SW	SE		IRR	39.0
			Section Acres				178.0
			Total Acres				623.0

11. Place of use in counties: MADISON

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

13. Other Water Rights Used:
01-0104/0106/0107/0108/0253/0316

14. Remarks:
P/U SAME AS A01-00104/00106/00107/00108/00253/00316 AC.IRR.=5427
P/D IS THE SAME FOR REID CANAL, TEXAL SLOUGH AND THE LIBERTY PARK
CANAL.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

REXBURG IRRIGATION CANAL
Decree Plaintiff

vs

TETON IRRIGATION CANAL.
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

Liberty Park Irrigation Co. Inc. that I have signed the foregoing
Organization

document in the space below as Secretary of

Liberty Park Irrigation Co. Inc. and that the statements contained in the
Organization

foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

Secretary, Liberty Park Irrigation Co. Inc.
Title and Organization

1/3/91
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 3 day
of JAN 19 91

[Signature]
Notary Public

Seal

Residing at Heise, Id
My Commission Expires 2/26/96

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: A01-00105
Date Received: 8/25/1988
Receipt No: E001834
Received By: Kew

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LIBERTY PARK IRRIGATION CO. INC. 208-356-5791
Address: 5293 SOUTH 4300 WEST
REXBRUG, ID 83440

2. Date of Priority: JUN 01, 1886

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	40E	6	NE	SW	SW	6	MADISON

5. Description of diverting works:
HEADGATE TO DIVERSION CANAL FOR LIBERTY PARK CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	38.000		

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

8. Total consumptive use is 13567.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	38E	1	SE	SW		IRR	13.0
			NE	SE		IRR	5.0
			SW	SE		IRR	40.0

A01-00105

Page 1

Date: 08/25/88

A0100105



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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	38E	1	SE	SE		IRR	27.0
			Section Acres				85.0
		12	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			NE	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			Section Acres				360.0
	39E	4	NW	SW		IRR	39.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	20.0
			SW	SE		IRR	39.0
			Section Acres				178.0
			Total Acres				623.0

11. Place of use in counties: MADISON

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

13. Other Water Rights Used:
01-0104/0106/0107/0108/0253/0316

14. Remarks:
P/U SAME AS A01-00104/00106/00107/00108/00253/00316 AC.IRR.=5427
P/D IS THE SAME FOR REID CANAL, TEXAL SLOUGH AND THE LIBERTY PARK
CANAL.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

<u>REXBURG IRRIGATION CANAL</u>		<u>TETON IRRIGATION CANAL.</u>
Decree Plaintiff	vs	Decree Defendant

A01-00105 Page 2 Date: 08/25/88

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OCT 19 1992

(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.

For Organizations:

The Liberty Park Irrigation Co. Fr. that I have signed the foregoing
Organization

The Liberty Park Irrigation Co., Inc. and that the statements contained in the
Organization
foregoing document are true and correct.

Secretary Liberty Park Irrigation Co. Inc.
Title and Organization

State of Idaho)
County of *Benewah*) SS.

Subscribed and sworn (or affirmed) before me this 25th day

of Aug 19 88

Colleen Wang
Notary Public

Seal

Residing at Idaho Falls

My Commission Expires 5/29/1991

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OCT 19 1992

1. Name: LIBERTY PARK IRRIGATION CO. INC.
Address: 5293 SOUTH 4300 WEST
REXBURG, ID 83440

208-356-5791

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	38E	1	SE	SW		IRR	13.0
			NE	SE		IRR	5.0
			SW	SE		IRR	40.0

Page

1

Date: 08/25/88

P/u Not Coded

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OCT 19 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	38E	1	SE	SE		IRR	27.0
			Section Acres				85.0
		12	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			NE	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			Section Acres				360.0
	39E	4	NW	SW		IRR	39.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	20.0
			SW	SE		IRR	39.0
			Section Acres				178.0
		5	SW	SW		IRR	30.0
			SE	SW		IRR	10.0
			NE	SE		IRR	30.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
			Section Acres				150.0
		6	SW	NW	4	IRR	22.0
			SE	NW	3	IRR	15.0
			NE	SW		IRR	40.0
			NW	SW	5	IRR	40.0
			SW	SW	6	IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
			Section Acres				357.0
		7	NE	NE		IRR	40.0

P/u NOT CODED

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OCT 19 1992

10. Place of Use: Continued

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
05N	39E	7	NW	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW	1	IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
			Section Acres				240.0
		8	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SE	NW		IRR	20.0
			NE	SW		IRR	20.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
			Section Acres				520.0
		9	NE	NE		IRR	30.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	38.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
			Section Acres				628.0
		15	NW	NW		IRR	40.0

P/u NOT CODED

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OCT 19 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	39E	15	SW	NW		IRR	40.0
			SE	NW		IRR	30.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			SW	SE		IRR	5.0
					Section Acres		275.0
		16	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
					Section Acres		640.0
		17	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	35.0
					Section Acres		555.0

P/u NOT CODED

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OCT 19 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	39E	18	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
						Section Acres	160.0
		20	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	10.0
			NE	NW		IRR	10.0
			SE	NW	3	IRR	12.0
						Section Acres	152.0
		21	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW	1	IRR	10.0
			SE	SW		IRR	30.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	38.0
			SE	SE		IRR	40.0
						Section Acres	598.0
		22	NW	NE		IRR	30.0
			SW	NE		IRR	12.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	37.0
			SW	SW		IRR	40.0

Plu NOT CODED MICROFILMED
OCT 19 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	39E	22	SE	SW		IRR	21.0
			NW	SE		IRR	22.0
			SW	SE		IRR	29.0
			Section Acres				391.0
		27	NW	NE		IRR	26.0
			NE	NW		IRR	27.0
			NW	NW		IRR	30.0
			Section Acres				83.0
		28	NE	NE		IRR	40.0
			NW	NE	6	IRR	15.0
			Section Acres				55.0
			Total Acres				5427.0

P/u NOT CODED MICROFILMED
OCT 19 1992

PROLOGUE



