

04/09/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 1-118F

NAME AND ADDRESS: ISLAND IRRIGATION CO
C/O RICHARD SHEPPARD
3837 E 850 N
RIGBY ID 83442

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER
Water is delivered from the Dry Bed.

QUANTITY: 19.160 CFS

PRIORITY DATE: 06/01/1889

POINT OF

DIVERSION: T04N R39E S10 SWNESE Within JEFFERSON County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

19.160 CFS

PLACE OF USE:

3166 ACRES TOTAL

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

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.

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 Island Canal.



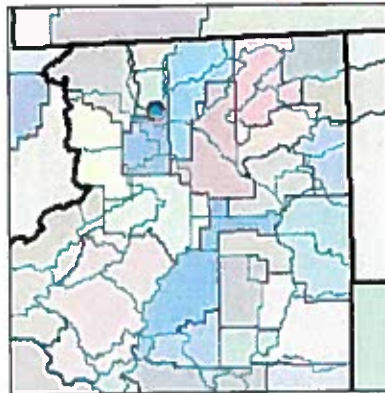
Island Irrigation Co

SRBA Recommendations: 1-81C, 1-82C, 1-83X, 1-117F, 1-118F, 1-4005

Service Area Boundary
GIS Place of Use Illustration

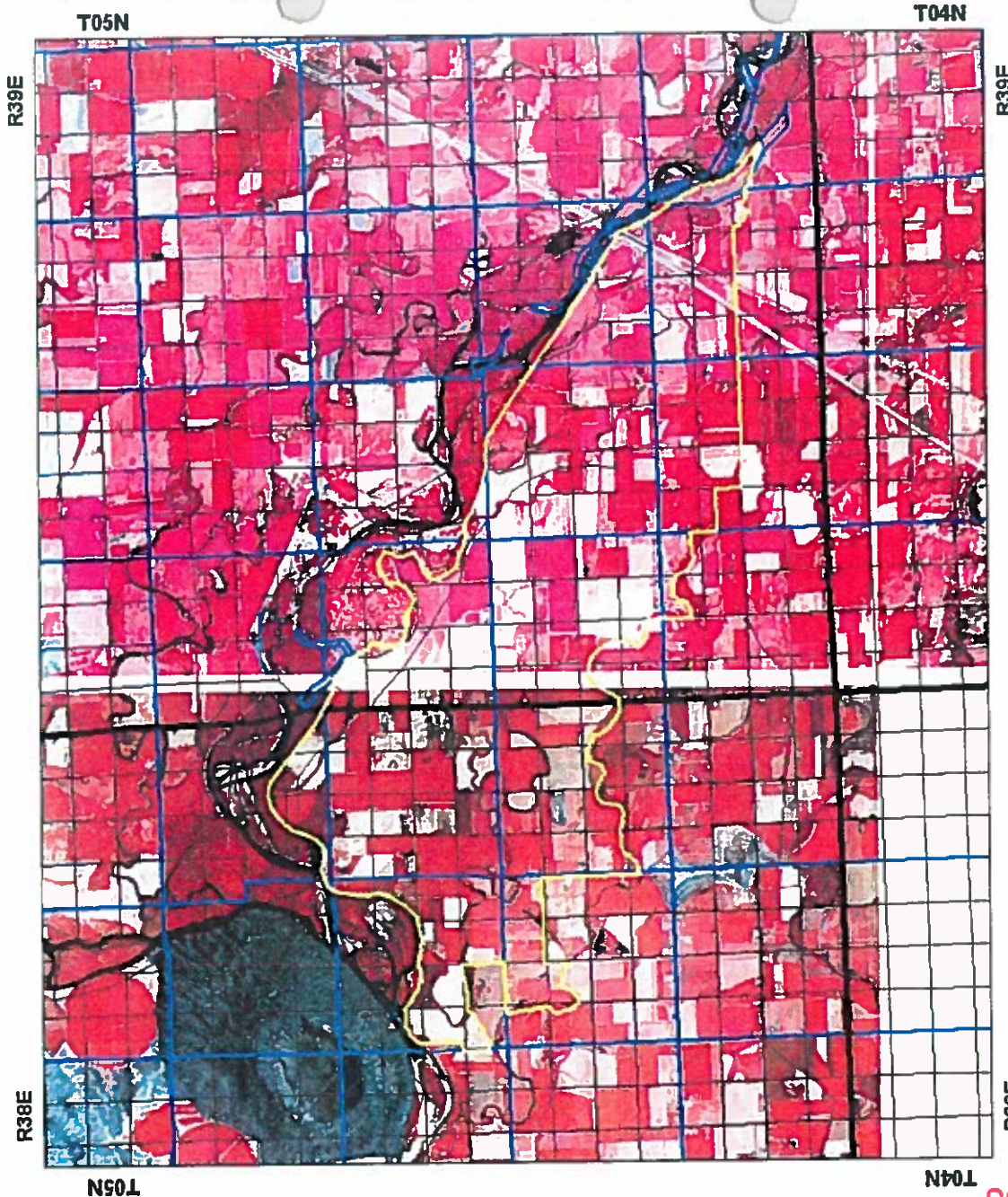
Legend

- 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



SCANNED

APR 30 2007

PROFILED

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: 1-118F

ISLAND IRRIGATION CO
C/O KENNETH THORNGREN
3829 E MENAN LORENZO HWY
RIGBY ID 83442
Telephone Number: (208)745-7549

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: 11/30/06

SIGNATURE:

Richard Sheppard

Please print your name:

Richard Sheppard

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

SCANNED
APR 30 2007

PROFILED

KMO
11/30

Affidavit for Change of Point of Diversion of Decreed Water Right



T137

STATE OF IDAHO,

County of Bonneville ss.

Island Irrigation Co. by C.W. Allred, President, being first duly sworn, deposes and says: That his postoffice address is Lorenzo, Idaho; That he is the owner of and using a certain water right, bearing date of priority of 14.76 ac. ft June 1, 1886 : 24.16 ac. ft June 1, 1888 : 29.32 " June 1, 1889 : 14.44 " June 1, 1889 : 163.56 " June 1, 1891 cubic feet per second of the waters of Jefferson County of Jefferson State of Idaho, decreed to by decree of Judge Stevens of the 6th Judicial District of the State of Idaho, in and for the County of Fremont in the case of Roxburg Irr. Co. vs. Teton Irr. Co. said decree bearing date of Dec 16 1910 for the purpose of irrigating the following described lands, situate, lying and being in Water Dist. No. 36 in the County of Jefferson and State of Idaho, to-wit: Lands under Island Canal in Jefferson Co.

That he is the person (or representative of the corporation) to whom such right was issued, (or has become the owner thereof in the following manner: By decree and transfer

That said waters are now diverted from said stream in the 1/4 SW 1/4 of Sec. 34 Twp. 5N Range 39E and conducted to the above described lands through the Island ditch, as per map filed herewith and of this affidavit made a part;

That affiant desires to change the point of diversion of said water from the point above described to a point located in 1/4 of SE 1/4 Sec. 10 Twp. 4N Range 39E and thereafter conduct same to the above described land through the Island Ditch ditch, as per map above referred to:

That his reasons for desiring to make such change are as follows: Better heading at new location

That no one will be injured by such change and that such change will be made at affiant's own risk.

Island Irr. Co. by W. C. Allred, President
Affiant.

Subscribed and sworn to before me this 1st day of February, 1934

Lois Dr. Danner
Notary Public

PROFILED

NOTE: If this water right has heretofore been carried jointly in a ditch with other water, affiant should secure written consent of other owners or users to removal from its original carrier and file such consent with this affidavit.

O.K.
Lynn Lundell
Feb 1, 1934

MICROFILMED

SCANNED
APR 30 2007

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CERTIFICATE OF WATER RIGHT
~~RECORDED IN DIST. #36~~

This is to certify that the ~~Long Island~~ Irrigation Company, of Menan, County of Jefferson, State of Idaho, has certain rights to the use of the waters of the South Fork of Snake River, for irrigation and domestic purposes, and that said 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 the following water rights, in Water District No. 36, were decreed to the Long Island Irrigation Company:

3,000 inches, dated June 1, 1888, from South Fork Snake River;
2,000 " " June 1, 1889, " " " " "

that said water was made appurtenant to the following described lands, to-wit: ~~All Sections 19, 20, 21, 27, 28, 29, 30, 31, 32, 33, 34 & 35, and Township 5 North, Range 38 East of Boise Meridian;~~ that said decree has been entered at Boise, Idaho, in the records of the Department of Reclamation of the State of Idaho, in Vol. 3 of Decrees, at page 450; that, upon the application of the ~~Long Island~~ Irrigation Company for a transfer of water right, and the said application having been granted, the right to the use of 2500 inches, or 50 second feet, of the waters of the South Fork 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 list, limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit:

1-117 F 30 sec.ft., dated June 1, 1888;
1-118 F 20 " " " June 1, 1889;

All Sections 22, 23, 24, 25 & 26, in Township 5 North, Range 38 East of Boise Meridian; Section 30; Lots 1,2,3,4,5 & 6, Section 19; Lots 1,2,3,4,5,6, the West, and SW 1/4, Section 29, in Township 5 North, Range 39 East of Boise Meridian.

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

WITNESS, The seal and signature of the Commissioner of Reclamation of the State of Idaho, affixed at Boise, Idaho, this 11th day of April, 1920.

Commissioner of Reclamation.

Recorded in Water Dist. #36
Diversion- Lot 3, Sec. 34, 5N-39E.
Thro Long Island Irr. Co. Ditch.

SCANNED

APR 30 1907
PROFILED

T-2179
2-2-21



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

APRIL 10, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

ISLAND IRRIGATION CO
C/O RICHARD SHEPPARD
3837 E 850 N
RIGBY ID 83442

RE: Notice of Change of Address for 1-81C, 1-82C, 1-83X, 1-117F, 1-118F, 1-4005, 1-4017, 1-4028, 1-10037, 1-10038, 1-10041, 1-10417 and Notice of Completed Administrative Proceeding (NCAP)

Dear Sir:

On April 10, 2007, the Idaho Department of Water Resources (IDWR) received a change of address for the above referenced water right(s). Based on this change, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosure

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

In Re SRBA

Case No. 39576

) **Water Rights: 1-81C**
) 1-82C, 1-83X, 1-117F, 1-118F, 1-4005,
) 1-4017, 1-4028, 1-10037, 1-10038, 1-10041,
) 1-10417
**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following Administrative proceeding:

☒ Address change

☐ Substitution of Party

☐ I.C. § 42-222 transfer

☐ point of diversion ☐ place of use

☐ period of use ☐ nature of use

☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 4-11-07

Ernest Carlson
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on April 13, 2007, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
ISLAND IRRIGATION CO
C/O RICHARD SHEPPARD
3837 E 850 N
RIGBY ID 83442

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
N/A

4. One copy to:

Each party in the subcase, or attorney of record
N/A

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.
(Please print or type)

1-83X

[] ^{AS CLAIM} ~~Water Right~~ Number(s): 1-81C, 1-82C, 1-117F,
1-118F, 1-4005, 1-4017, 1-4028,
1-10037, 1-10038, 1-10041, ~~1-10042~~ 1-10417

[] Name(s): ISLAND IRRIGATION CO

[] Old Mailing Address: C/O KENNETH THORNGREN
3829 E MENAN LORENZO HWY
RIGBY, ID 83442

[] New Mailing Address: C/O RICHARD SHEPPARD
3837 E 850 N
RIGBY ID 83442

DE DONE
CM 4-9-07

Telephone Number: (208) 745-6114

[] Signature(s) of Owner(s) Richard Sheppard
Pres. Island Irrigation Co.
(Include your title if on behalf of company or organization)

Date: 3/9/07

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed
Water is delivered through Island Canal.

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: A01-00118F
Date Received: 11/30/1988
Receipt No: E004804
Received By: VP

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ISLAND IRRIGATION COMPANY
Address: 3829 E. MENAN LORENZO HWY.
RIGBY, ID 83442

208-745-7549

2. Date of Priority: JUN 01, 1889

3. Source: SNAKE RIVER, DRY BED Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
04N	39E	10	SW NE SE		JEFFERSON

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S (or)	A.F.A.
IRRIGATION	04/01	11/01	19.160	

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

8. Total consumptive use is 9400.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	38E	13	SW SE		IRR	30.0
					IRR	30.0

Section Acres 60.0

A01-00118F

Page

1

Date: 12/02/88

A0100118F



COPY

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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	23	NE		NE		IRR	20.0
			SE		NE		IRR	22.0
			SW		NW		IRR	14.0
			NE		SW		IRR	40.0
			NW		SW		IRR	34.0
			SW		SW		IRR	32.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	37.0
							Section Acres	359.0
		24	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	35.0
			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	30.0
			NW		SE		IRR	36.0
			SW		SE		IRR	40.0
			SE		SE		IRR	38.0
							Section Acres	619.0
		25	NE		NE		IRR	20.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	35.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	33.0
			NW		SW		IRR	35.0
			SW		SW		IRR	3.0

MICROFILMED
OCT 19 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres	
05N	38E	25	NE	SE		IRR	25.0	
			NW	SE		IRR	14.0	
			Section Acres					405.0
		26	NE	NE		IRR	36.0	
			NW	NE		IRR	34.0	
			NE	NW		IRR	40.0	
			SW	NW		IRR	4.0	
			SE	NW		IRR	18.0	
			Section Acres					132.0
39E		19	SE	NE		IRR	10.0	
			NE	NW		IRR	6.0	
			NW	NW		IRR	30.0	
			SW	NW		IRR	40.0	
			SE	NW		IRR	10.0	
			NE	SW		IRR	40.0	
			NW	SW		IRR	40.0	
			SW	SW		IRR	30.0	
			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					406.0
		20	SW	SW		IRR	15.0	
			Section Acres					15.0
		28	NW	NW		IRR	10.0	
			NE	SW		IRR	20.0	
			NW	SW		IRR	30.0	
			SW	SW		IRR	40.0	
			SE	SW		IRR	32.0	
			NW	SE		IRR	5.0	
			SW	SE		IRR	20.0	
			SE	SE		IRR	5.0	
			Section Acres					162.0
		29	NE	NE		IRR	12.0	

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05N	39E	29	NW		NE		IRR	20.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	38.0
			SW		NW		IRR	38.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	35.0
			SW		SW		IRR	36.0
			SE		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					574.0
		30	NE		NE		IRR	40.0
			NW		NE		IRR	35.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	35.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	30.0
			NW		SW		IRR	20.0
			SE		SW		IRR	15.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	35.0
			SE		SE		IRR	38.0
			Section Acres					528.0
		31	NE		NE		IRR	27.0
			NW		NE		IRR	19.0
			Section Acres					46.0
		32	NE		NE		IRR	40.0
			NW		NE		IRR	37.0
			SW		NE		IRR	40.0
			SE		NE		IRR	35.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	39E	32	NE	NW		IRR	35.0
			NW	NW		IRR	40.0
			SE	NW		IRR	10.0
			Section Acres				237.0
		33	NE	NE		IRR	5.0
			NW	NE		IRR	10.0
			SW	NE		IRR	32.0
			SE	NE		IRR	15.0
			NE	NW		IRR	30.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	25.0
			NE	SE		IRR	10.0
			Section Acres				207.0
		34	NW	NW		IRR	5.0
			NW	SW		IRR	5.0
			Section Acres				10.0
			Total Acres				3760.0

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:

ISLAND IRRIG. - 01-00081 -00082 -00083 -00117 -00118 -04005

14. Remarks:

TRANSFER P/D #137, 420, 611.

CANAL ORIGINALLY WAS DIVERTED DIRECTLY FROM THE SNAKE RIVER IN SEC 34 OF T5N, R39E. IN 1929 A RIGHT-OF-WAY WAS ACQUIRED AND A POINT OF DIVERSION WAS ESTABLISHED ON THE GREAT FEEDER ALMOST DUE SOUTH OF THE ORIGINAL HEAD ON THE SNAKE RIVER. THIS IS THE PRESENT LOCATION. AT THE HEAD, THERE IS AN INCOMING CHANNEL FROM THE GREAT FEEDER WITH THREE GATES, SIDE BY SIDE, EACH 6' WIDE, WITH A CHECK AND SPILLWAY BELOW.

OTHER WATER RIGHTS: DONNEL WEBER FARM; 61 ACRES IN SEC 23 OF T5N R38E, NESW, SWSW, AND SESW. WATER RIGHT ON HY POOLE SLOUGH.

CANAL WATER TO DUMP IN SLOUGH. DIVERTED FROM HY POOLE SLOUGH.

JERRY HALL FARM; #A25-04095, 56.8 ACRES IN NE OF SEC 25, T5N, R38E. WATER RIGHT ON SPRING, TRIBUTARY TO HY POOLE SLOUGH.

DIVERTED FROM HY POOLE SLOUGH.

GARTH HALL FARM; NESE AND SENE OF SEC 25. T5N. R38E. 37 ACRES

IRRIGATED WITH LONG ISLAND WATER OR ISLAND IRRIGATION CO. WATER.

MICROFILMED

OCT 19 1992

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

REXBURG IRRIGATION CANAL vs TETON IRRIGATION CANAL.
Decree Plaintiff Decree Defendant

Signature(s)

I 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 in Adjudication." (b.) I/We do _____ do not X wish to receive and pay small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

Organizations:

I do solemnly swear or affirm that I am President of Island Irrig. Co, that I have signed the foregoing document in the space below as President of Island Irrig. Co and that the statements contained in the foregoing document are true and correct.

Erwin E. Hanson
Signature of Authorized Agent
Island Irrig. Co.
Title and Organization
30-Nov-88
Date

MICROFILMED
OCT 19 1992

State of Idaho

County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 30 day

of November 19 88

[Signature]
Notary Public

Residing at Idaho Falls, ID

My Commission Expires 22 Aug 1994



