

12/13/2006

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

RIGHT NUMBER: 1-164F
NAME AND ADDRESS: BRENT STOLWORTHY FAMILY LTD PARTNERSHIP
3250 N 87 ST
MESA AZ 85207
SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER
QUANTITY: 0.804 CFS
PRIORITY DATE: 06/01/1900
POINT OF DIVERSION:
T02N R37E S12 NWNENW Within BONNEVILLE County
T04N R37E S35 NENENE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	0.804 CFS
PLACE OF USE: IRRIGATION in BINGHAM County		
T01S R36E S09 NENE 9.80	T01S R36E S09 SENE 3.40	
T01S R36E S09 SESE 19.00	T01S R36E S10 NENE 3.30	
T01S R36E S10 SWNE 25.00	T01S R36E S10 SENE 36.00	
T01S R36E S10 NENW 3.10	T01S R36E S10 NWNW 12.00	
T01S R36E S10 SWNW 37.00	T01S R36E S10 SENW 39.00	
T01S R36E S10 NESW 36.00	T01S R36E S10 NWSW 35.00	
T01S R36E S10 SWSW 38.00	T01S R36E S10 SESW 31.00	
T01S R36E S10 NESE 40.00	T01S R36E S10 NWSE 34.00	
T01S R36E S10 SWSE 40.00	T01S R36E S10 SESE 40.00	
T01S R36E S11 SWNW 40.00	T01S R36E S11 SENW 39.00	
T01S R36E S11 NESW 28.00	T01S R36E S11 NWSW 40.00	
T01S R36E S11 SWSW 40.00	T01S R36E S11 SESW 14.00	
T01S R36E S11 NWSE 0.60	T01S R36E S14 NWNW 6.30	
T01S R36E S15 NENE 39.00	T01S R36E S15 NWNW 35.00	
T01S R36E S15 SWNE 16.00	T01S R36E S15 SENE 26.00	
T01S R36E S15 NENW 39.00	T01S R36E S15 NWNW 30.00	
T01S R36E S15 SWNW 8.00	T01S R36E S15 SENW 6.30	
T01S R36E S15 NESE 20.00	T01S R36E S15 NWSE 20.00	
T01S R36E S16 NENE 16.00	T01S R36E S16 SENE 1.30	

946.1 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 946.1 acres in a single irrigation season. Combined Right Nos.: 01-162F, 01-163F, 01-164F, and 01-165F.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This right is subject to a certain agreement between the right holder and the Rudy Irrigation Canal Company, said instrument being recorded in Jefferson County, Idaho.

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 point of diversion pursuant to Section 42-1425, Idaho Code.

Water is delivered through the Great Western and Porter Canals.

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



Idaho Department of Water Resources

SRBA Recommendation:

1-162F
1-163F
1-164F
1-165F
(Irrigation)

Legend

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



Bingham County
IDWR Basin 1



T01S



R36E

0 0.7 1.4 Miles

Prepared by K. Moore
On Wednesday, December 13, 2006
1987/88 Aerial Photography

11/13/2006

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IRRIGATION	04/01 10/31	0.804 CFS
PLACE OF USE: IRRIGATION in BINGHAM County		
T01S R36E S09 NENE 9.80	T01S R36E S09 SENE 3.40	
T01S R36E S09 SESE 19.00	T01S R36E S10 NENE 3.30	
T01S R36E S10 SWNE 25.00	T01S R36E S10 SENE 36.00	
T01S R36E S10 NENW 3.10	T01S R36E S10 NWNW 12.00	
T01S R36E S10 SWNW 37.00	T01S R36E S10 SENW 39.00	
T01S R36E S10 NESW 36.00	T01S R36E S10 NWSW 35.00	
T01S R36E S10 EWSW 38.00	T01S R36E S10 SESW 31.00	
T01S R36E S10 NESE 40.00	T01S R36E S10 NWSE 34.00	
T01S R36E S10 SWSE 40.00	T01S R36E S10 SESE 40.00	
T01S R36E S11 SWNW 40.00	T01S R36E S11 SENW 39.00	
T01S R36E S11 NESW 28.00	T01S R36E S11 NWSW 40.00	
T01S R36E S11 SWSW 40.00	T01S R36E S11 SESW 14.00	
T01S R36E S11 NWSE 0.60	T01S R36E S14 NWNW 11.00	
T01S R36E S15 NENE 39.00	T01S R36E S15 NWNE 35.00	
T01S R36E S15 SWNE 16.00	T01S R36E S15 SENE 22.00	
T01S R36E S15 NENW 39.00	T01S R36E S15 NWNW 30.00	
T01S R36E S15 SWNW 8.00	T01S R36E S15 SENW 6.30	
T01S R36E S15 NESE 20.00	T01S R36E S15 NWSE 20.00	
T01S R36E S16 NENE 16.00	T01S R36E S16 SENE 1.30	

946.8 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 946.8 acres in a single irrigation season. Combined Right Nos.: 01-162F, 01-163F, 01-164F, and 01-165F.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This right is subject to a certain agreement between the right holder and the Rudy Irrigation Canal Company, said instrument being recorded in Jefferson County, Idaho.

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.

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Water is delivered through the Great Western and Porter Canals.

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

11/13/2006

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:

Water right number: 1-164F

BRENT STOLWORTHY FAMILY LTD PARTNERSHIP
3250 N 87 ST
MESA AZ 85207

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:

12 12 06

SIGNATURE:

Brent Stolorthy

Please print your name:

BRENT STOLWORTHY

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

KMC
12/13



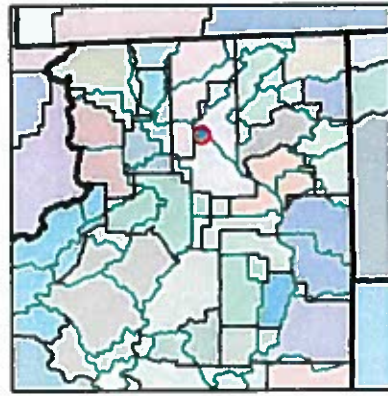
Idaho Department of Water Resources

SRBA Recommendation:

1-162F
1-163F
1-164F
1-165F
(Irrigation)

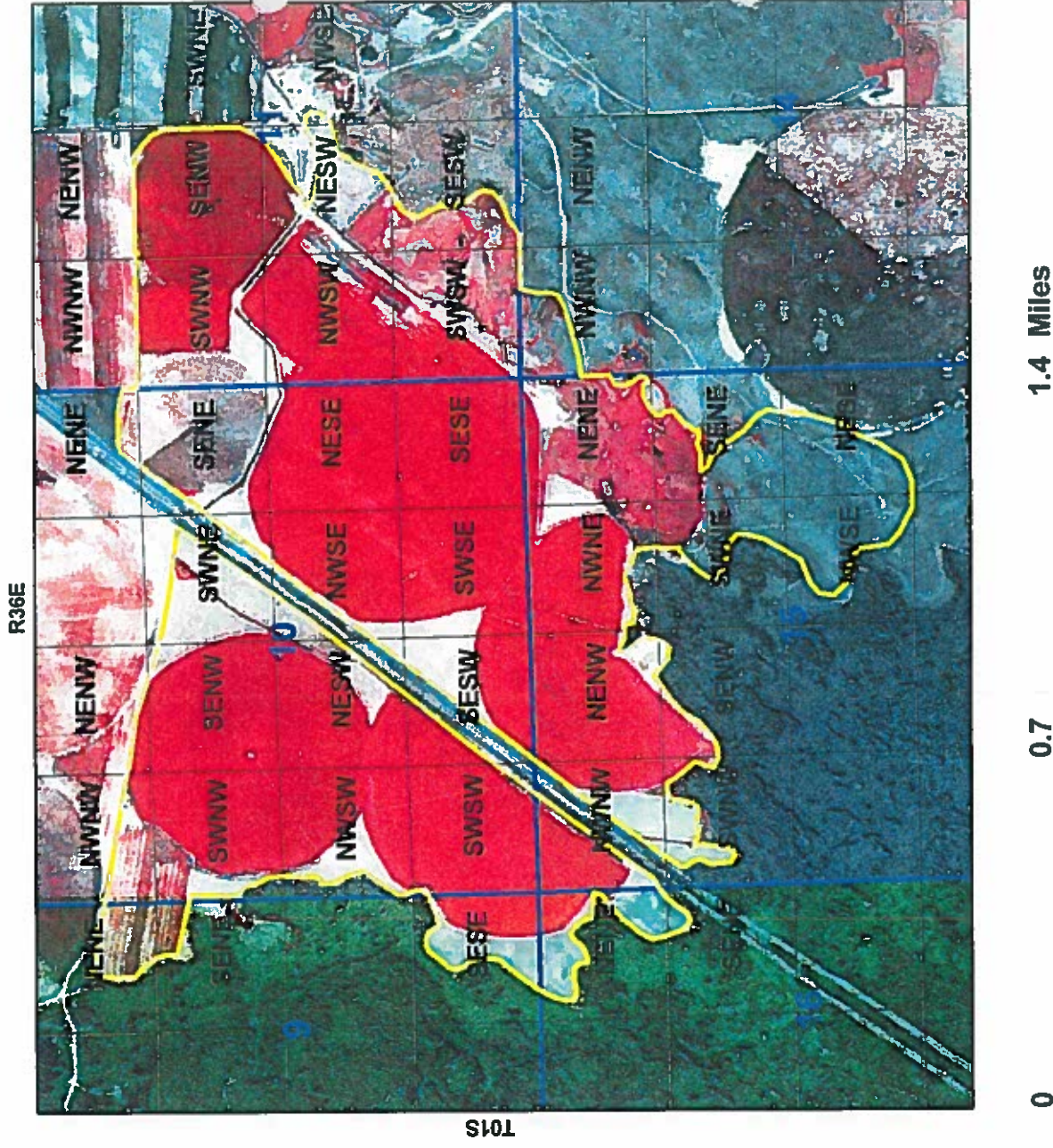
Legend

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



Bingham County
IDWR Basin 1

Prepared by C. Moore
On Monday, November 13, 2006
1987/88 Aerial Photography



Owner: Brent Stolworthy Family Ltd Partnership

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 1-164F

WATER RIGHT NUMBER: 1-164F

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SCOTTISH AMERICAN MORTGAGE CO C/O EDWARD LOW TWIN FALLS, ID 83301

Priority Date: 06/01/1900

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SNAKE RIVER	COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	0.804 CFS	
	<u>Total Diversion:</u>	0.804 CFS	

Location of Point(s) of Diversion

SNAKE RIVER	L1 (NE1/4NE1/4)	Sec. 35, Twp 04N, Rge 37E, B.M.
JEFFERSON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	36E	2										X							
01S	36E	3									X	X	X	X			X	X	
01S	36E	10	X	X			X								X	X	X	X	
01S	36E	11					X	X	X	X	X	X	X	X					
01S	36E	15	X	X															

Conditions of Approval:

1. TRANS. 646 RT. IS LESS 5% LOSS TO RIVER.
RT. LIABLE FOR STOCK ASSESSMENTS IN RUDY IRRIGATION CANAL CO.
P/D GREAT WESTERN CANAL.
P/U INCOMPLETE.

Notes

Claims A01-162F, -163F, -164F + -165F

1/ Place of use verification exam done on
2-13-2004 with claimants son, SHAWN.

2/ Exam done by Harold W. Jones of Water
Rights Contracting Services

3/ Map in file A01-0062F

New address &
phone #.
Brent Stedworthy
P.O. Box 1567
Idaho Falls, ID 83402
Phone # 521-9931

Son is Shawn Stedworthy &
he is local @ 357-7837

PROFILE

SCANNED

NOV 22 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

April 4, 2002

KARL J. DREHER
DIRECTOR

BRENT STOLWORTHY
BRENT STOLWORTHY FAMILY LTD. PARTNERSHIP
PO BOX 1567
IDAHO FALLS, ID 83703

RE: Snake River Basin Adjudication (SRBA) *F F F F F*
Notices of Claim to a Water Right #1-162, 1-163, 1-164, 1-165,
35-2759, 35-8799, 35-8800, 35-9053 and
Water Rights #35-13067 and 35-10300

Dear Mr. Stolworthy:

Thank you for your note regarding the address change for Brent Stolworthy Family Ltd. Partnership and Gerald Stolworthy Family Ltd. Partnership.

The address for Brent Stolworthy Family Ltd. Partnership was updated in 2001 to the address shown above. I was unsuccessful at finding any reference to Gerald Stolworthy. If he has purchased property and water right(s) he will need to submit an ownership change form. I have enclosed that form for his possible use.

Please call me at 208/327-7862 if you have any questions.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:

Form 42-248/42-1409(6)

PROFILED

SCANNED

NOV 22 2004

Please Change my Mailaddress
to P.O. Box 1567 Idaho Falls, Idaho
83403

IP 608
ready
sk. This would be for
Brent Stolorthy Family Ltd Partnership
+ Gerald Stolorthy Family Ltd Partnership
↑ to Records 4-4-02

RECEIVED
APR - 3 2002
Department of Water Resources

Brent Stolorthy
General Partner

1-162	35-2759
1-163	35-8799
1-164	35-8800
1-165	35-9053
	35-13067 P.O.
	35-10300 P.O.

PROFILE
SCANNED
NOV 22 2004

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: A01-00164F
Date Received: 1/24/1989
Receipt No: 6005707
Received By: ESV

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BRENT STOLWORTHY FAMILY LIMITED PARTNER. 208-529-3891
Address: C/O BRENT STOLWORTHY
3669 S. HOLMES
IDAHO FALLS, ID 83404

2. Date of Priority: JUN 01, 1900

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:
GREAT WESTERN CANAL, CARRYING AGREEMENT W/ NEW SWEDEN IRR. CO.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.804		

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

8. Total consumptive use is 2485.0 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
01S	36E	9	NE	NE		IRR	13.0
			SE	NE		IRR	2.0

A01-00164F

Page 1

Date: 01/25/89

A0100164F



MICROFILMED

OCT 19 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	36E	9	SE	SE		IRR	12.0
						Section Acres	27.0
		10	NE	NE		IRR	4.0
			SW	NE		IRR	36.0
			SE	NE		IRR	37.0
			NE	NW		IRR	3.0
			NW	NW		IRR	11.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	37.0
			SW	SW		IRR	38.0
			SE	SW		IRR	36.0
			NE	SE		IRR	40.0
			NW	SE		IRR	34.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	476.0
		11	SW	NW		IRR	40.0
			SE	NW		IRR	38.0
			NE	SW		IRR	22.0
			NW	SW		IRR	40.0
			SW	SW		IRR	28.0
			SE	SW		IRR	8.0
						Section Acres	176.0
		14	NW	NW		IRR	3.0
						Section Acres	3.0
		15	NE	NE		IRR	37.0
			NW	NE		IRR	38.0
			SW	NE		IRR	18.0
			SE	NE		IRR	26.0
			NE	NW		IRR	40.0
			NW	NW		IRR	33.0
			SW	NW		IRR	10.0
			SE	NW		IRR	6.0
			NE	SE		IRR	20.0
			NW	SE		IRR	20.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	36E	15	SW	SE		IRR	20.0
			SE	SE		IRR	30.0
						Section Acres	298.0
		16	NE	NE		IRR	13.0
			SE	NE		IRR	1.0
						Section Acres	14.0
						Total Acres	994.0

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:

01-0163F/0162F/0165F.

14. Remarks:

TRANS. 646 - RT. IS LESS 5% LOSS TO RIVER.

RT. LIABLE FOR STOCK ASSESSMENTS IN RUDY IRRIGATION CANAL CO.

P/D GREAT WESTERN CANAL.

P/U AS IS CURRENTLY DELIVERED.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/16/1910

REXBURG IRRIGATION CO.

Decree Plaintiff

vs

TETON IRRIGATION CANAL CO. ET

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: (

For Organizations:

I do solemnly swear or affirm that I am Managing Partner of Brent Stolorow Family Limited Part., that I have signed the foregoing document in the space below as Managing Partner of Brent Stolorow Family Limited Part. and that the statements contained in the foregoing document are true and correct.

Brent Stolorow
Signature of Authorized Agent

Managing, Brent Stolorow, Ltd. Part.
Title and Organization

Feb. 8, 1989
Date

State of Idaho)
County of Booneville) SS.

Subscribed and sworn (or affirmed) before me this 8 day
of February 19 89

[Signature]
Notary Public

Seal

Residing at Idaho Falls, ID
My Commission Expires 22 Aug 1994

T
1
S

R
36
E

AOI -

~~00162F~~

-00163F

-00164F

-00165F

1029
794

PERMANENTLY
IRRIGATED
PASTURE

CRISTED
WHEAT
(CROSS)

A35-10340

POTATO CELL
WELL
OFFICE
2 House
Stock - 8000
1948
Shops

MICROFILMED

OCT 19 1992