

07/14/2005

**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: 1-193A

WEARYRICK DITCH CO
42 S 700 W
BLACKFOOT ID 83221
Telephone Number: (208)684-4747

RECEIVED
AUG 15 2005
Department of Water Resources
Eastern Region

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: AUG 12, 05 SIGNATURE: Alan Stander

Please print your name: ALAN STANDER

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

PROFILED

SCANNED
AUG 18 2005

sent
8/16

GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: M. Holliday
Date: December 2005

T2S R34E

T3S R34E

36

35

34

33

1

2

3

4

5

10

9

8

WEARYRICK DITCH CO. Service Area Boundary

Claim Nos.: 1-52B, 1-193A, 1-247,
1-10046, 1-10048, 1-10049, and 1-10050

- Boundary
- Township/Range
- Sections
- QQ



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by M. Holliday
Date: July 2005

T2S R34E

T3S R34E

Wearyrick Ditch Co.

Service Area Boundary

Claim Nos.: 1-52B, 1-193A, 1-247,
1-10046, 1-10048, 1-10049, and 1-10050

Boundary

Township/Range

Sections

QQ

N



36

35

1

2

3

4

5

10

9

8

DEPARTMENT OF WATER RESOURCES
WATER RIGHTS NUMBER INDEX

DATE: 02/14/91
PAGE: 1

WATER RIGHT
NUMBER

NAME

CFS

01-00193

SPLIT INTO 01-0193A & B BY TRANS. 3779.

01-00193A WEARYRICK DITCH CO.

34.77

01-00193B WEARYRICK DITCH CO.

3.23

Alan Stander

684-4584

W. Alan Stander

684 4747

Roy Peterson

684-3142 CM

MICROFILMED

FEB 26 1991

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 01-193A

Date Received:
Receipt Nos:
Received By:

AMENDED
NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Name of Claimant WEARYRICK DITCH CO
42 S 700 W
BLACKFOOT, ID 83221
(208)684-4747

Priority Date: 05/03/1886
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>Volume</u>
IRRIGATION	04/01	10/31	34.77 CFS	
Recharge for Irrigation	04/01	10/31	34.77 CFS	
Total Diversion			34.77 CFS	

Location of Point(s) of Diversion:

SNAKE RIVER SESESE Sec. 32 Township 02S Range 35E BINGHAM County

All Qualified Wells of the stockholders/electors as described in Remarks below.

Place(s) of use: Within the area served by this irrigation entity

Remarks: Diversion of this right for the purpose of recharge for irrigation is authorized for a maximum acreage equivalent to the authorized place of use for this right. This right includes an accomplished change in place of use pursuant to Section 42-1425, Idaho Code. § I.C. 42-1425 and/or I.C. 42-228. This right includes an accomplished change in point of diversion pursuant to Sections 42-1425 and/or 42-228, Idaho Code.

Qualified Wells are those owned by stockholders/electors within the authorized place of use and which are recovering ground water resulting from recharge for irrigation and/or water resulting from irrigation under this entity's irrigation works for use on lands within this irrigation entity's authorized place of use.

- 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
1. C18 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.

- 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
2. 135 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.

3. 129 Place of use is within the area served by Wearyrick Ditch Company.

4. F01 Water is delivered through Wearyrick Canal.

5. K06 This right is limited to the irrigation of 1404.5 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 1491 acres in a single irrigation season. Combined Right Nos.: 1-52B, 1-193A, 1-247, 1-10046, 1-10048, 1-10049, and 1-10050.
6. E56

Describe any other water rights used at the same place and for the same purposes as describe above: Those water rights recommended as of the date of this amended claim.

Basis of Claim: Decreed

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 XX wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: Previously submitted and on file with IDWR

For Individuals/Organizations:

I do solemnly swear or affirm under penalty of perjury that I am the attorney for the above individual or organization, that I have signed the foregoing document in the space below as attorney for the individual or organization and that the statements contained in the forgoing document are true and correct.

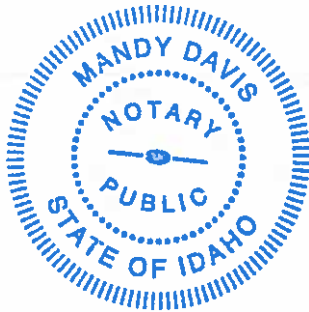
DATED this 17th day of August, 2010.


Jerry R. Rigby, Attorney for Claimant

STATE OF IDAHO,)
ss.
County of Madison.)

On this 17th day of August, 2010, before me, the undersigned, a Notary Public in and for said State, personally appeared Jerry R. Rigby, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



A handwritten signature in blue ink, appearing to read "Mandy Davis", written over a horizontal line.

Notary Public for Idaho

Residing at: St. Anthony

My Commission Expires: 6/24/2011

11/15/2005

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

RIGHT NUMBER: 1-193A

NAME AND ADDRESS: WEARYRICK DITCH CO
42 S 700 W
BLACKFOOT ID 83221

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 34.770 CFS

PRIORITY DATE: 05/03/1886

POINT OF DIVERSION:

T02S R35E S32 SESESE Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

34.770 CFS

PLACE OF USE:

1491 ACRES TOTAL

Place of use is within the area served by Wearyrick Ditch Company.

The rights listed below are limited to the irrigation of a combined total of 1491 acres in a single irrigation season. Combined Right Nos.: 1-52B, 1-193A, 1-247, 1-10046, 1-10048, 1-10049, and 1-10050.

This right is limited to the irrigation of 1404.5 acres within the place of use described above in a single irrigation season.

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 Wearyrick Canal.

Water Right 1-193A

SCANNED

NOV 17 2006

1

07/13/2005

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

RIGHT NUMBER: 1-193A

NAME AND ADDRESS: WEARYRICK DITCH CO
42 S 700 W
BLACKFOOT ID 83221

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 34.770 CFS

PRIORITY DATE: 05/03/1886

POINT OF DIVERSION:

T02S R35E S32 SESESE Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	34.770 CFS

PLACE OF USE:

1106 ACRES TOTAL

Place of use is within the area served by Wearyrick Ditch 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.

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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Water Right 1-193A

SCANNED

1

NOV 17 2006

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 1-193A
Date Received: 7/13/2005
Receipt No: E006375
Received By: MWH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

WEARYRICK DITCH CO Phone: (208)684-4747
42 S 700 W
BLACKFOOT ID USA 83221

2. Date of Priority: 05/03/1886

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	Type
02S	35E	32	SE SE 1	BINGHAM	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	34.77	

7. Total Quantity Appropriated is:
34.77 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	
03S	34E	1	NE	NE	1	IRRIGATION	
			NW	NE	2	IRRIGATION	
			SW	NE		IRRIGATION	
			SE	NE		IRRIGATION	
			NE	NW	3	IRRIGATION	
			NW	NW	4	IRRIGATION	

SCANNED
NOV 17 2006

03S	34E	2	SW	NE		IRRIGATION
			SE	NE		IRRIGATION
			SW	NW		IRRIGATION
			NE	SE		IRRIGATION
03S	34E	4	NE	NE	1	IRRIGATION
			NW	NE	2	IRRIGATION
			SW	NE		IRRIGATION
			SE	NE		IRRIGATION
			NE	SW		IRRIGATION
			NW	SW		IRRIGATION
			SW	SW		IRRIGATION
			SE	SW		IRRIGATION
03S	34E	8	NE	NE		IRRIGATION
			NW	NE		IRRIGATION
			SW	NE		IRRIGATION
			SE	NE		IRRIGATION
03S	34E	9	NE	NW		IRRIGATION
			NW	NW		IRRIGATION
			SW	NW		IRRIGATION
			SE	NW		IRRIGATION
			NE	SW		IRRIGATION
			NW	SW		IRRIGATION
			SW	SW		IRRIGATION
			SE	SW		IRRIGATION

11. Place of use in counties: BINGHAM

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

P/D INCOMPLETE - WD01 RECORDS AND USGS MAP.
P/U INCOMPLETE AC. IRR. = 1484.5.

01-193 SPLIT INTO 1-193A AND 1-193B BY TRANSFER 3779.

15. Basis of Claim: Decreed

SCANNED
NOV 17 2006

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 _____ of

Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of

Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct. _____
Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this

of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

SCANNED
NOV 17 2006