

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 01-193B

Date Received:
Receipt Nos:
Received By:

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

Name of Claimant WATSON CANAL CO
167 S 900 W
BLACKFOOT, ID 83221
(208)684-3318

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	3.23 CFS	
Recharge for Irrigation	04/01	10/31	3.23 CFS	
Total Diversion			3.23 CFS	

Location of Point(s) of Diversion:

SNAKE RIVER NENW Lt 8 Sec. 05 Township 03S 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 Watson Slough Ditch & Irrigation Companies.

4. K06 This right is limited to the irrigation of 80 acres within the place of use described above in a single irrigation season.

5. F01 Water is delivered through Watson Canal.

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)

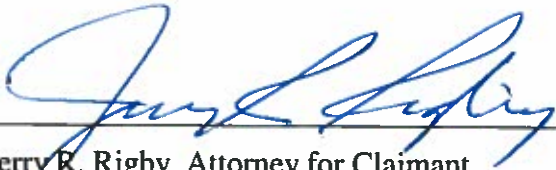
(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not XX wish to receive and pay a small annual fee for monthly copies of the docket sheet.

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 foregoing 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.



Mandy Davis
Notary Public for Idaho
Residing at: St. Anthony
My Commission Expires: 6/24/2011

Form 42, 246/12-1-01 (6/9 July, 2000)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
1-10475	1-141				
1-10477	1-146B				
1-00260	1-193B				

2. The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) WATSON SLOUGH IRRIGATION COMPANY, LIMITED
WATSON SLOUGH DITCH COMPANY, LIMITED
4. New Owner/Claimant(s) WATSON CANAL COMPANY
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 167 S. 900 W.
- City, State and ZIP Code BLACKFOOT, ID 83221
- New Telephone Number 208) 356-3633
5. Date you acquired the property January 24, 2006

SCANNED

NOV 17 2006

Watson Canal Company

Service Area Boundary

Claim Nos.: 1-141, 1-146B, 1-193B,
1-260, 1-10475, and 1-10477

- Boundary
- Township/Range
- Sections
- QQ



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

T3S R34E

4

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14

Watson Slough Ditch & Irrigation Cos.

Service Area Boundary

Claim Nos.: 1-141, 1-146B, 1-193B,
1-260, 1-10475, and 1-10477

- Boundary
- Township/Range
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GIS Place of Use Illustration
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T3S R34E

4

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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

Bill Adams

684 4747

Roy Hanson

684-3142 LM

MICROFILMED

FEB 26 1991

Page 1 of 1STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

SEP 27 1990

Transfer No. 3779

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

APPROVED

Name of applicant Wearyrick Ditch Co., c/o Willard Adams Phone 684-4747
 Post Office address 42 South 700 West, Blackfoot, ID 83221

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes We wish to transfer this water to the headworks of the Watson Slough Irrigation Co. which can better deliver water to Mr. Hyrum Lewis' property.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number 01-00193 Priority 5-03-1886 Amount (cfs/ac-ft) 2.04-3.23 Nature of Use Irrig. Period of Use 4-1 to 11-1
2. Total amount of water being transferred 2.04-3.23 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Snake River tributary to Columbia River
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
8		NE	NW	5	3S	35E	Bingham	Watson Slough Ditch

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3S	34E	1								40	40								80

Total acres 80

PART 1**6. General Information:**a. Description of diversion system Headworks of Watson Slough Ditch

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? N.A. Yes No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer:

This is a diversion point change only. Lands of Hyrum Lewis will be served by Watson Slough rather than Wearyrick Ditch Co.

d. Remarks:

Adjudication claim for both companies will need to be amended upon approval of this transfer. Land list "B" taken from current adjudication claim.

Wearyrick ditch is allowing 161.2 mehrs (3.23 cfs) owned in share by Hyrum Lewis to be moved to Watson Slough

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCESThis is to certify that I have examined Application for Transfer of Water Rights No. 01-0193And said application is hereby APPROVED, subject to the following limitations and conditions:

See attached sheet for conditions of approval.

RECEIVED

FEB 26 1991

Witness my hand this

7th day ofFebruary, 19 91

J. Glen Saxton
Chief, Water Allocation Bureau

CONDITIONS OF APPROVAL

Transfer of Water Right No. 01-0193

1. Use of water under this license is subject to control by the water master of State Water District No. 01, Snake River and tributaries.
2. A measuring device of a type approved by this Department shall be maintained as part of the diverting works.
3. This right when combined with all other rights shall provide no more than 3.5 afa per acre for the lands above.
4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

Dated this 7th day of February, 1991.

J. M. Saylor
Chief, Water Allocation Bureau

RECEIVED
FEB 26 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 01-0193 Decreed to Wearyrick Ditch Co.
in case of Rexburg Irrig. Co. vs. Teton Irrig. Canal
dated 12-16-1910 in county of
- b. License No. Issued by the Idaho Department of Water Resources.
- c. Claim No. on file with the Idaho Department of Water Resources.
- d. Transfer No. which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other

3. Source of water SNAKE RIVER tributary to COLUMBIA RIVER4. Date or priority MAY 3, 1886

5. Water is used for the following purpose:

amount 38.00 cfs for IRRIGATION purposes from to Not Listed
(cfs/ac-ft)
amount for purposes from to
(cfs/ac-ft)
amount for purposes from to
(cfs/ac-ft)

6. Total amount of water under right 38.00 cubic feet per second and/or acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SE	32	2S	35E	Bingham	

8. Lands irrigated or place of use: See attached list "A"

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres 1484.59. Describe any other water rights used for the same purpose as described above See attached list "B"

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
 NO
 If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

3.23

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 2.04 for IRRIGATION purposes from 4-1 to 11-1
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion:

[illegible]

3. Lands irrigated or place of use:

[illegible]

Total acres 80

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. amount 37.96 34.77 for IRRIGATION purposes from 4-1 to 11-1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

SEE LIST " c "

[illegible]

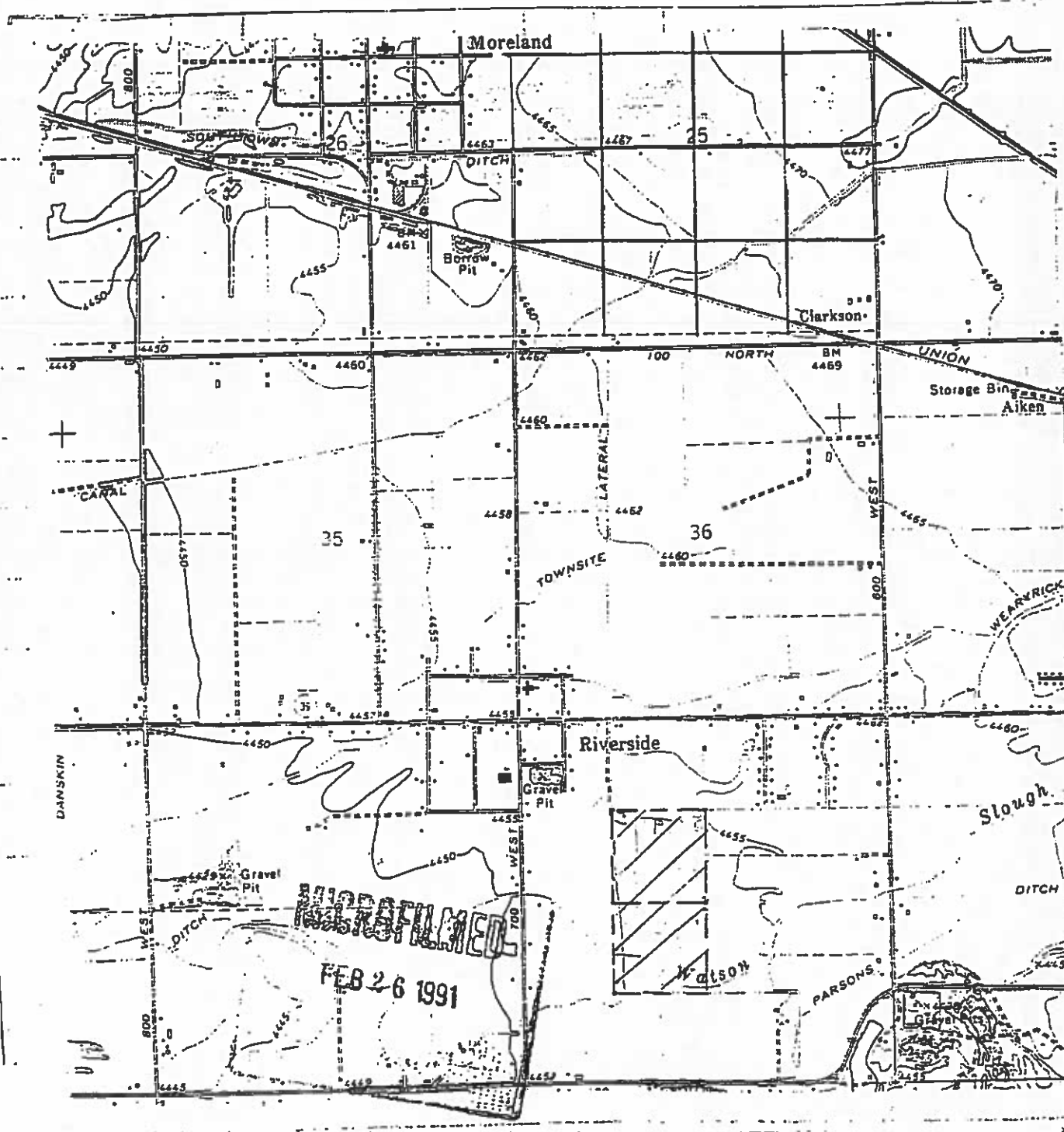
3. Lands irrigated or place of use:

[illegible]

Total acres 1404.5

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Willard L. Adams, Sec.

(Signature of Applicant)

Subscribed and sworn to before me this

Title -
26th

day of September, 19 90.

Thomas R. Antel

(Notary Public)

My commission expires

3-24-92

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____

Date 11-24-89

Protest filed by _____

Prelim. check by KCWFee \$50.44Received by HUT B011198Date 11-27-89Published in Morning News

Copies of protest forwarded by _____

Pub. dates Dec. 6, 13-90

Hearing held by _____

Date _____

Watermaster recommendation requested on _____

Recommended for

☐

approval for

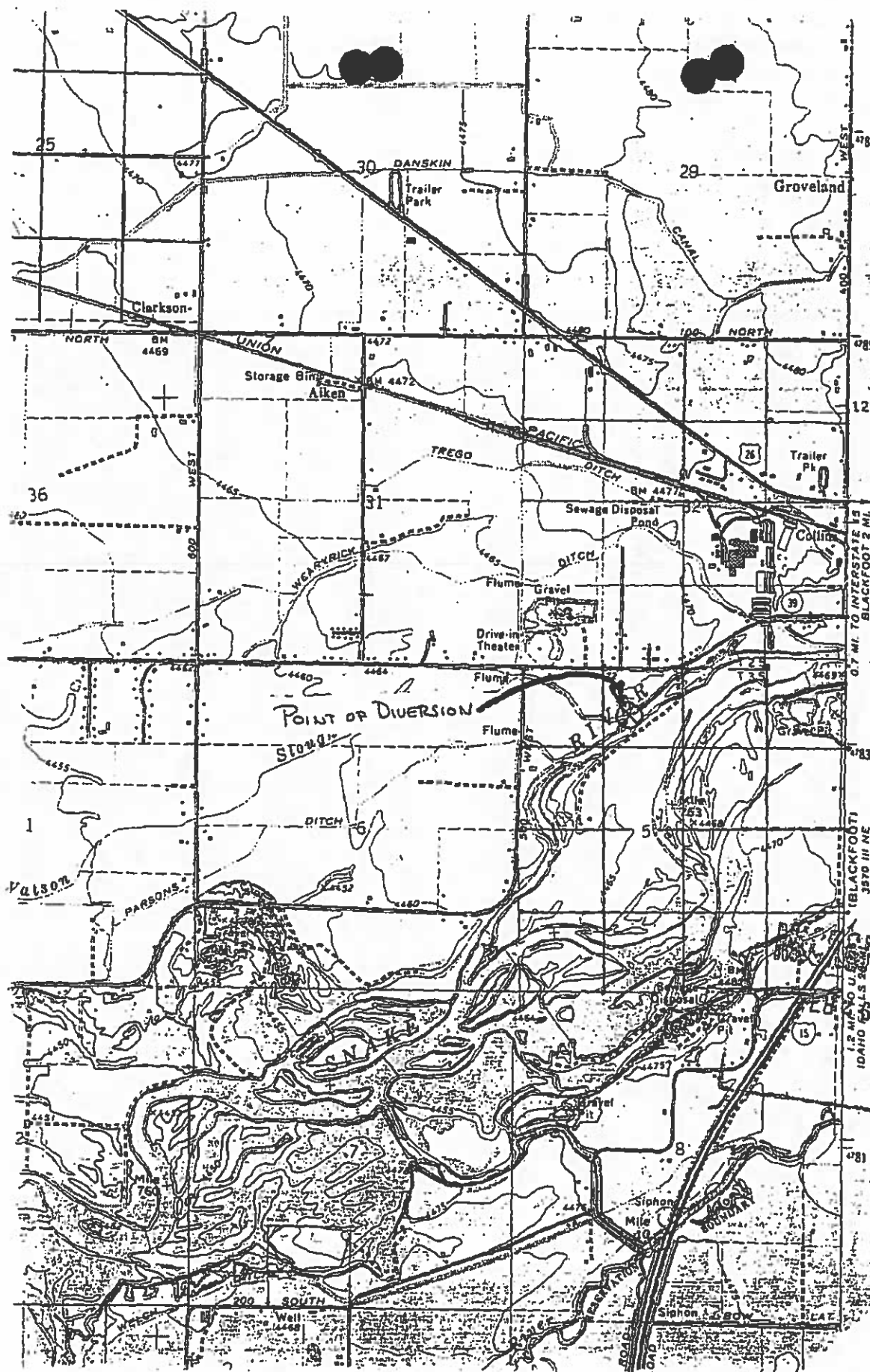
denial

rec'd. _____

by _____

Copy of transfer sent to lien holder _____

RECEIVED
FEB 26 1991



T2S
T3S

R3SE

RECEIVED
FILMED
1991

12/01/2005

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

RIGHT NUMBER: 1-193B

NAME AND ADDRESS: WATSON SLOUGH DITCH AND IRRIGATION COMPANIES
167 S 900 W
BLACKFOOT ID 83221

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 3.230 CFS

PRIORITY DATE: 05/03/1886

POINT OF DIVERSION:
T03S R35E S5 NENW Lot 8 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	3.230 CFS

PLACE OF USE:

2190 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 Watson Slough Ditch & Irrigation Companies.

This right is limited to the irrigation of 80 acres within the place of use described above in a single irrigation season.

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 Watson Canal.

SCANNED
NOV 17 2006

07/13/2005

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

RIGHT NUMBER: 1-193B

NAME AND ADDRESS: WATSON SLOUGH DITCH AND IRRIGATION COMPANIES
167 S 900 W
BLACKFOOT ID 83221

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 3.230 CFS

PRIORITY DATE: 05/03/1886

POINT OF DIVERSION:

T03S R35E S5 NENW Lot 8 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	3.230 CFS

PLACE OF USE:

2098 ACRES TOTAL

This right is limited to the irrigation of 80 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.

Place of use is within the area served by Watson Slough Ditch & Irrigation Companies.

The rights listed below are limited to the irrigation of a combined total of 2098 acres in a single irrigation season. Combined Right Nos.: 1-146B, 1-141, 1-193B, 1-260, 1-10475, and 1-10477.

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 Watson Canal.

Water Right 1-193B

SCANNED
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 1-193B
Date Received: 7/13/2005
Receipt No:
Received By: MWH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

WATSON SLOUGH DITCH AND IRRIGATION COMPANIES Phone: (208)684-3318
167 S 900 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
03S	35E	5	NE NW 8	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	3.23	

7. Total Quantity Appropriated is:
3.23 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	SE NW	IRRIGATION	40
			NE SW	IRRIGATION	40
				Section Acres	80
				Total Acres	80

SCANNED

NOV 17 2006 1

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:

This right when combined with all other rights shall provide no more than 3.5 afa per acre for irrigation of the lands above.

A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

Use of water under this water right will be regulated by the watermaster of State Water District No. 01.

POINT OF DIVERSION IS WATSON SLOUGH DITCH

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

15. Basis of Claim: Decreed

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.

SCANNED
NOV 17 2006

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Pres Watson Slough of
Title
Watson Slough Ditch Co., that I have signed the foregoing
Organization
document in the space below as Pres, of
Title
Watson Slough Ditch Co. and that the statements contained in the
Organization
foregoing document are true and correct. Maur Morgan
Signature of Authorized Agent
Pres. Watson Slough Ditch Co.
Title and Organization
7/19/05
Date

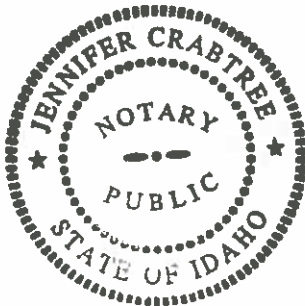
State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 19th
of July 2005

Jennifer Crabtree

Notary Public

Residing at Idaho Falls ID
My commission Expires 9/23/09



SCANNED
NOV 17 2006