

06/20/2006

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

RIGHT NUMBER: 1-195G

NAME AND ADDRESS: WEST LABELLE IRRIGATION CO LTD
575 N 4000 E
RIGBY ID 83442

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

QUANTITY: 109.325 CFS

PRIORITY DATE: 06/01/1885

POINT OF DIVERSION:

T04N R39E S10 SWNWSE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	109.325 CFS

PLACE OF USE:

1618
~~1398~~ ACRES TOTAL

Place of use is within the area served by West Labelle 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 West Labelle & Long Island Canal.



West Labelle Irrigation Co Ltd

SRBA Recommendations: 1-195G, 1-239, 1-331

Service Area Boundary
GIS Place of Use Illustration

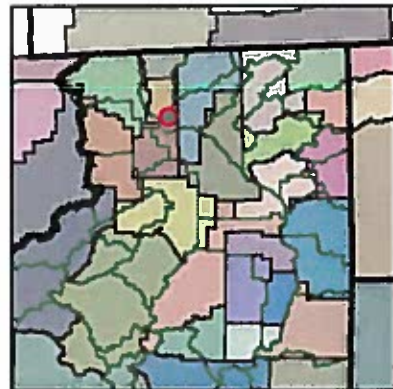
Legend

Service Area

Townships

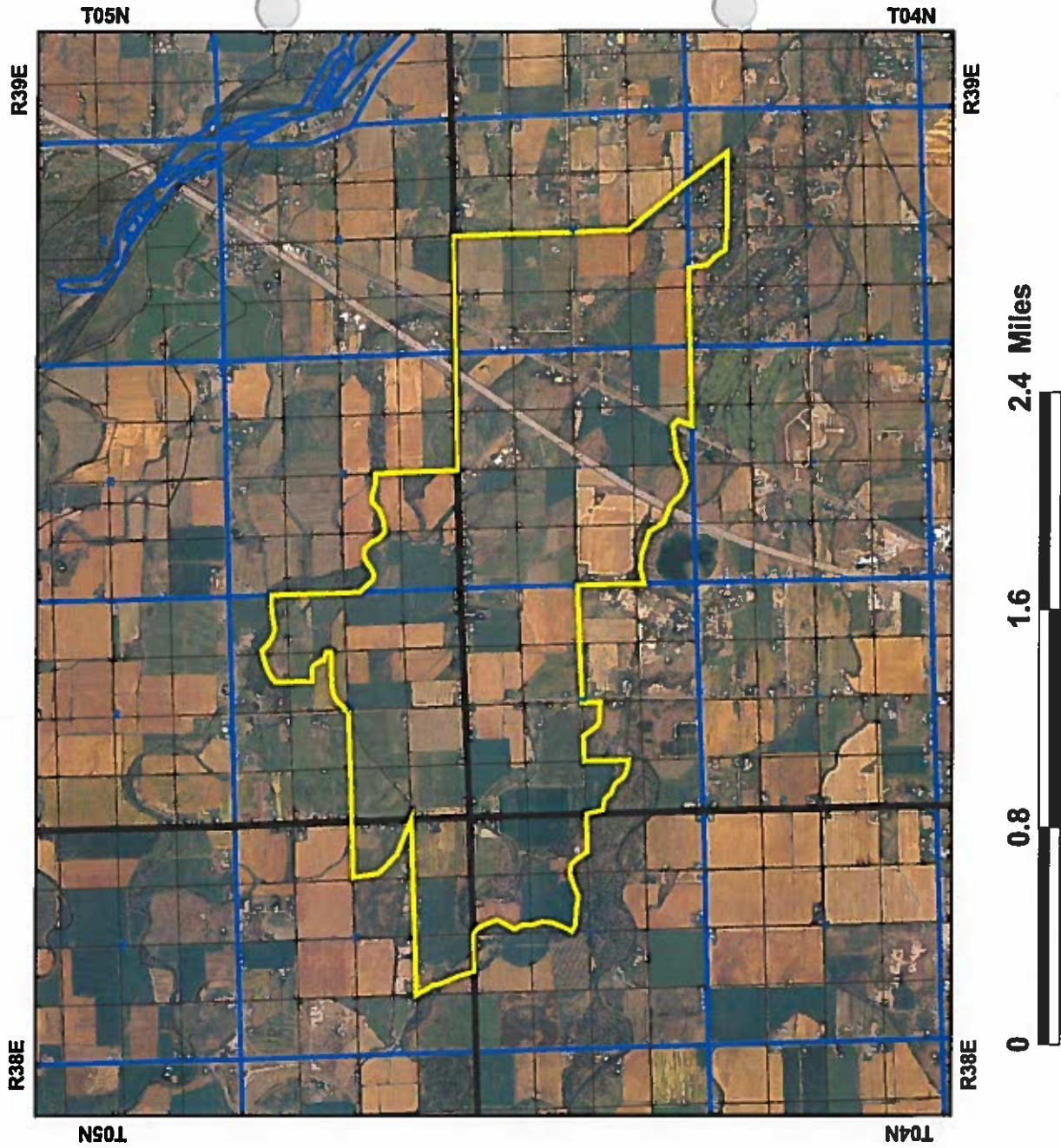
PLS Sections

Quarter Quarters



Jefferson County
IDWR Basin 1

Prepared by M. Holliday
On Tuesday, December 12, 2006
2004 Aerial Photography



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:

Water right number: 1-195G

WEST LABELLE IRRIGATION CO LTD
575 N 4000 E
RIGBY ID 83442
Telephone Number: (208) 745-7944

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:

X I AGREE with this proposed recommendation: no changes need to be made.

DATE: 11/24/06

SIGNATURE: Douglas Scott

Please print your name: Douglas Scott

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

1/10
17/15

West Labelle Irrigation Co
575 N 4000 E
Rigby, ID 83442

RECEIVED

OCT 05 2006

Department of Water Resources
Eastern Region

Idaho Department of Water Resources
322 E. Front St.
P.O. Box 83720
Boise, ID 83720-0098

To Whom It May Concern:

The Board of Directors of the West Labelle Irrigation Co has deemed that the service area boundary of the West Labelle Irrigation Co is illustrated accurately, without modifications, and in its entirety on the map(s) created by Danielle Favreau on September 21, 2006. Additionally, the previously identified map(s) accurately illustrate the location of land serviced by the company as of 1987. We understand that in the process of finalizing the SRBA recommendations, these maps may be adjusted.

Monty G Rutledge Sec.
Signature

10/3/06
Date

MONTY G RUTLEDGE
Printed Name

Sec.
Title

W LABELLE

109.325

W LABELLE

109.9

T650

WARD

0.575

120 ac

QUINTON

3.7

320 ac

1-195

W LABELLE

120 CFS

6/1/1885

T56

WHITE/QUINTON

10.1

170 ac

WHITE

6.4

SUNNYDELL/WHITE

1.6

1537

WHITE

4.8

CONVEYANCE LOSS

2.4

T657

BERT WOODS

1.0

56 ac

EMIL JOHNSON

0.8

KEN WOODS

0.6

ANDRUS

2.0

T1015

LDS CHURCH

1.0

T1016

HAYS

0.7

T16937

HAYS/MASON

0.7

MEMORANDUM

TO: Adjudication claim file 01-00195G
FROM: Tony Olenichak, Water District #1
DATE: October 28, 2004
SUBJECT: Water delivery and transfers for decreed right 01-00195

Water District #1 delivery records indicate the West Labelle Irrigation Company currently owns 109.325 cfs of water right 01-00195G. The original 120 cfs water right was initially split when 10.1 cfs was transferred to the White Ditch in TR #56, dated 10/6/1920. The 10.1 cfs documented in TR #56 was later split and moved incrementally by TR #293 (3.7 cfs), TR #537 (1.6 cfs), and TR #657 (4.8 cfs). TR #1015, TR #1016, and TR #69937 later split the 4.8 cfs described in TR #657.

After TR #56 moved 10.1 cfs of water right 01-00195G, an additional 0.575 cfs was moved from the West Labelle Canal to the White Ditch as evidenced by the attached request to Clyde Baldwin, Watermaster, dated 1/15/1925, and the Quit Claim Deed, moving 0.575 cfs from the West Labelle Canal to the White Ditch, leaving a balance of 109.325 cfs at the heading of the West Labelle Canal. This 0.575 cfs was later moved from the White Ditch to the Sunnyside Canal in TR #650, dated May 26, 1943.

SCANNED

OCT 29 2004

PROFILED

Idaho Falls, Idaho

Jan'y 25th 1925.

Mr. Clyde Baldwin,
Water Master, Dist. #36.,
Idaho Falls, Ida.,

Dear Sir:

Please change the point of diversion of 28-3/4 inches of water decreed to our canal from our heading to the heading of the George M. White ditch. This is water belonging to Siebert Rudman and the change is made to facilitate his convenience, the same land being irrigated as here before.

This change is intended to be permanent as we have completed all necessary arrangements with Mr. Rudman.

Thanking you we remain, Rudman paying all expenses.

The West LaBelle Irrg. Co.

by

(Signed) Wm. Allred
" Royal Ellis
" Caten W. Pierce
" G. L. Boulder
" J. L. Yeaman

C
O
P
Y

SCANNED

OCT 29 2004

PROFILED

QUIT CLAIM DEED

THIS INDENTURE made the 8th day of April in the year of our Lord, one thousand nine hundred and forty three, between West Labelle Irrigating Company of the County of Jefferson and State of Idaho, the party of the first part, and Abram Ward of the County of Jefferson and State of Idaho, party of the second part.

WITNESSETH: That the party of the first part, for and in consideration of the sum of One dollar and other valuable considerations DOLLARS lawful money of the United States of America, to it in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, does by these presents demise, release and forever quit claim unto the said party of the second part, and to his heirs and assigns;

28-3/4 minas inches of the waters of Snake River of June 1, 1885 priority decreed to West Labelle Irrigating Co. by decree of Dec. 16, 1910, in the case of Rexburg Irrigation Co. vs. Teton Irrigation Canal Co. et al., in the District Court of the 6th Judicial District of the State of Idaho in and for the County of Fremont, said water to be used on Lot 6 of Section 6, T 4N., R. 39 E.B.M. This represents 28-3/4 minas inches of water whose point of diversion was changed from the West Labelle Canal to the White Ditch on Jan. 25, 1925 at the request of Siebert Rudman, by order of West Labelle Irrig. Co. signed by Wm. Allred, Royal Ellis, Caten W. Pierce, G. L. Boulder and J. L. Yeaman.

Together with all and singular the tenements, hereditaments, and appurtenances thereto belonging or in any wise appretaining, and the revision and revisions, remainder and remainders, rents, issues, and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereto incident, unto the said party of the second part and to his heirs and assigns forever.

IN WITNESS WHEREOF, the said party of the first part has hereunto set its hand and seal the day and year first above written.

West Labelle Irrigating Company (SEAL)

By (Signed) J. L. Yeaman, President (Seal)
(Signed) John Ellis, Secretary (Seal)

STATE OF IDAHO

County of Jefferson

ss.

I do hereby Certify: On this 8th day of April in the year 1943, before me, the undersigned Notary Public, in and for the said County and State, personally appeared J. L. Yeaman, President, and John Ellis, Secretary, of the West Labelle Irrigating Company, known to me to be the persons whose names are subscribed to the within and foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Rigby, Idaho, the day and year first above written.

(Signed) George M. Larsen

My commission expires Dec. 12, 1943.

Notary Public. OCT 29 2004

SCANNED

PROFILED

SCANNED

AUG 22 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: A01-00195G
Date Received: 11/30/1988
Receipt No: E004799
Received By: KCW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WEST LABELLE IRRIGATION CO. LTD. 208-745-7944
Address: 575 NORTH 4000 EAST
RIGBY, ID 83442

2. Date of Priority: JUN 01, 1885

3. Source: 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	NW	SE		JEFFERSON

5. Description of diverting works:
HEADGATE OF WEST LABELLE CANAL FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	109.900		

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

8. Total consumptive use is 4687.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	38E	1	NE	NE	1	IRR	38.0
			NW	NE	2	IRR	20.0
			SW	NE		IRR	25.0

A01-00195G

Page 1

Date: 11/30/88



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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	38E	1	SE	NE		IRR	35.0
						Section Acres	118.0
	39E	4	NE	NW	3	IRR	38.0
			NW	NW	4	IRR	25.0
			SW	NW		IRR	30.0
			SE	NW		IRR	39.0
			NE	SW		IRR	40.0
			NW	SW		IRR	25.0
			SW	SW		IRR	39.0
			SE	SW		IRR	39.0
						Section Acres	275.0
		5	NE	NE	1	IRR	30.0
			NW	NE	2	IRR	39.0
			SW	NE		IRR	30.0
			SE	NE		IRR	30.0
			NE	NW	3	IRR	39.0
			NW	NW	4	IRR	38.0
			SW	NW		IRR	39.0
			SE	NW		IRR	40.0
			NE	SW		IRR	33.0
			NW	SW		IRR	37.0
			SW	SW		IRR	5.0
			SE	SW		IRR	25.0
			NE	SE		IRR	35.0
			NW	SE		IRR	35.0
			SW	SE		IRR	30.0
			SE	SE		IRR	38.0
						Section Acres	523.0
		6	NE	NE	1	IRR	37.0
			NW	NE	2	IRR	37.0
			SW	NE		IRR	39.0
			SE	NE		IRR	39.0
			NE	NW	3	IRR	37.0
			NW	NW	4	IRR	35.0
			SW	NW	5	IRR	35.0
			SE	NW		IRR	39.0
			NW	SW	6	IRR	18.0
						Section Acres	316.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	39E	9	NE	NE		IRR	6.0
			NW	NE		IRR	35.0
			NE	NW		IRR	15.0
						Section Acres	56.0
05N	38E	36	SE	SW		IRR	30.0
			NE	SE		IRR	28.0
			SW	SE		IRR	38.0
			SE	SE		IRR	38.0
						Section Acres	134.0
	39E	31	SE	NE		IRR	40.0
			NE	SW		IRR	39.0
			NW	SW	3	IRR	35.0
			SW	SW	4	IRR	34.0
			SE	SW		IRR	38.0
			NE	SE		IRR	38.0
			NW	SE		IRR	39.0
			SW	SE		IRR	38.0
			SE	SE		IRR	39.0
						Section Acres	340.0
		32	NE	SW		IRR	15.0
			NW	SW		IRR	20.0
			SW	SW		IRR	39.0
			SE	SW		IRR	39.0
						Section Acres	113.0
						Total Acres	1875.0

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:
01-0239/0331

14. Remarks:

RESEARCH OF WATER RESOURCES FILES INDICATES THAT THE ORIGINAL WATER RIGHT 01-0195 WAS REDUCED ONLY BY TRAN. 56 THAT TRANSFERRED 10.1 CFS (505 INCHES) INTO THE WHITE DITCH. T56 WAS FILED BY GEORGE WHITE & JOHN T. QUINTON. SUBSEQUENT TRANSFERRES APPEAR TO TAKE WATER FROM THE WHITE DITCH WATER RIGHT (T203, T557, T650 & T657); HOWEVER, FROM WATER RESOURCES FILES IT APPEARS THAT T650

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OCT 19 1992

MICROFILMED
OCT 19 1992

COPY

QUITCLAIM DEED FOR WATER RIGHT

657

This indenture made the 26th day of February, 1921, by and between the West Labelle Irrigating Company, a Corporation, organized and existing under and by virtue of the laws of the State of Idaho, the party of the first part, and George M. White of the County of Jefferson, State of Idaho, party of the second part, witnesseth:

That, whereas, in the Snake River water suit, so called, decided by decree of Judge J. H. Stevens under date of December 16th, 1910, in a case then pending in the District Court of the Sixth Judicial District of the State of Idaho, in and for the County Fremont, entitled Rexburg Irrigation Canal Company, etal, plaintiffs, VS. Teton Irrigation Canal Company, etal., defendants, the first party was granted a decree for 6000 inches of water with a priority of June 1st, 1885, to be diverted from the South Fork of Snake River, which said decree appears of record in the files of said case in said County; and,

10.1

Whereas, 505 inches of said water so decreed to the party of the first part was and is the property of one John T. Quinton and the said George M. White, said water being that water transferred to John T. Quinton and George M. White from the West Labelle Irrigating Company on or about the 15th day of October, 1920.

Now, therefore, in consideration of the sum of \$1.00 to the first party paid by the second party and for other good and valuable consideration and to clear the records so that the said George M. White may have title in his own name 320 inches of said water which he is rightfully entitled, the said first party by these presents grant, quitclaim, alien and convey unto said party of the second part and to his heirs and assigns all of the right, title and interest of the first party in and to the said 320 inches of the waters of the South Fork of the Snake River, and the right to use the same, together with all and singular the reversion and reversions, remainder and remainders, rents issues and profits to said water right belonging.

To have and to hold all and singular the said amount of water last herein mentioned and the right to use the same, together with the privileges thereunto incident unto the said party of the second part and to his heirs and assigns forever.

In witness whereof the said party of the first part has executed this instrument by its President and impressed its seal hereto, attested by its Secretary, the day and year herein written.

Corporate SEAL.

West Labelle Irrigating Company
By Wm. Allred, President.
Attest: J. W. Bruce, Secretary.

WITNESS: John S. Connell.

MICROFILMED
NOV 6 5 1960

QUIT CLAIM DEED

THIS INDENTURE made the 8th day of April in the year of our Lord, one thousand nine hundred and forty three, between West Labelle Irrigating Company of the County of Jefferson and State of Idaho, the party of the first part, and Abram Ward of the County of Jefferson and State of Idaho, party of the second part.

WITNESSETH: That the party of the first part, for and in consideration of the sum of One dollar and other valuable considerations DOLLARS lawful money of the United States of America, to it in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, does by these presents demise, release and forever quit claim unto the said party of the second part, and to his heirs and assigns;

28-3/4 minns inches of the waters of Snake River of June 1, 1885 priority decreed to West Labelle Irrigating Co. by decree of Dec. 16, 1910, in the case of Rexburg Irrigation Co. vs. Teton Irrigation Canal Co. et al., in the District Court of the 6th Judicial District of the State of Idaho in and for the County of Fremont; said water to be used on Lot 6 of Section 6, T 4N., R. 39 E.B.M. This represents 28-3/4 minns inches of water whose point of diversion was changed from the West Labelle Canal to the White Ditch on Jan. 25, 1925 at the request of Siebert Rudman, by order of West Labelle Irrig. Co. signed by Wm. Allred, Royal Ellis, Caten W. Pierce, G. L. Boulder and J. L. Yeaman. 0.575

Together with all and singular the tenements, hereditaments, and appurtenances thereto belonging or in any wise appretaining, and the revision and revisions, remainder and remainders, rents, issues, and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereto incident, unto the said party of the second part and to his heirs and assigns forever.

IN WITNESS WHEREOF, the said party of the first part has hereunto set its hand and seal the day and year first above written.

West Labelle Irrigating Company (SEAL)

By (Signed) J. L. Yeaman, President (Seal)
(Signed) John Ellis, Secretary (Seal)

STATE OF IDAHO }
County of Jefferson } ss.

I do hereby Certify: On this 8th day of April in the year 1943, before us, the undersigned Notary Public, in and for the said County and State, personally appeared J. L. Yeaman, President, and John Ellis, Secretary, of the West Labelle Irrigating Company, known to me to be the persons whose names are subscribed to the within and foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Rigby, Idaho, the day and year first above written.

(Signed) George M. Larson

My commission expires Dec. 12, 1943.

MICROFILMED
APR 10 1996
Notary Public