

12/11/2006

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

RIGHT NUMBER: 1-310D

NAME AND ADDRESS: BEAR ISLAND WATER ASSN INC
C/O GORDON EGAN
32 N 3167 E
IDAHO FALLS ID 83402

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1.080 CFS

PRIORITY DATE: 04/01/1939

POINT OF DIVERSION:

T04N R37E S35 NESE Lot 7 Within JEFFERSON County
T04N R37E S35 NESE Lot 7 Within JEFFERSON County
T04N R37E S35 NENESE Lot 7 Within JEFFERSON County
T04N R37E S35 NENESE Lot 7 Within JEFFERSON County
T04N R37E S35 NENESE Lot 7 Within JEFFERSON County
T04N R37E S35 SENESE Lot 7 Within JEFFERSON County
T04N R37E S35 SENESE Lot 7 Within JEFFERSON County
T04N R37E S35 SENESE Lot 7 Within JEFFERSON County
T04N R37E S35 SENESE Lot 7 Within JEFFERSON County
T04N R37E S35 SESE Lot 8 Within JEFFERSON County
T04N R37E S35 SESE Lot 8 Within JEFFERSON County
T04N R37E S35 NWSESE Lot 8 Within JEFFERSON County
T04N R37E S35 NWSESE Lot 8 Within JEFFERSON County
T04N R37E S35 NWSESE Lot 8 Within JEFFERSON County
T04N R37E S35 NWSESE Lot 8 Within JEFFERSON County
T04N R37E S35 SWESESE Lot 8 Within JEFFERSON County
T04N R37E S36 SWNW Lot 4 Within JEFFERSON County
T04N R37E S36 SWNW Lot 4 Within JEFFERSON County
T04N R37E S36 NWSWNW Lot 4 Within JEFFERSON County
T04N R37E S36 SWSWNW Lot 4 Within JEFFERSON County
T04N R37E S36 NWNWSW Lot 4 Within JEFFERSON County
T04N R37E S36 NWNWSW Lot 4 Within JEFFERSON County
T04N R37E S36 NWNWSW Lot 4 Within JEFFERSON County
T04N R37E S36 NWNWSW Lot 4 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	1.080 CFS

PLACE OF USE:

IRRIGATION in JEFFERSON County

T04N R37E S35 Lot 7 NESE	7.60	T04N R37E S35 Lot 8 SWSE	3.30
T04N R37E S35 Lot 8 SESE	4.30	T04N R37E S36 Lot 4 SWNW	5.50
T04N R37E S36 NWSW	0.20	T04N R37E S36 Lot 4 NWSW	1.80

22.7 ACRES TOTAL

Right Nos. 1-194D and 1-310D are limited to the irrigation of a combined total of 22.7 acres in a single irrigation season.

12/11/2006

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

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.

The delivery of water to this right may be subject to procedures described in the United States Bureau of Reclamation "space holder" contracts and the Burley Irrigation Dist. v. Eagle, Supplemental Decree (Idaho 5th Jud. Dist., July 10, 1968) and Aberdeen-Springfield Canal Co. v. Eagle, Supplemental Decree (Idaho 7th Jud. Dist., March 12, 1969) together with the natural-flow and storage deliveries as calculated by the Idaho Department of Water Resources.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

Notes

Spoke to Gordon Egan about NOE's that were submitted.

Explained that POD's could not be added for lots 1, 2, & 3 in division 1 and that POD for canal water would remain the headgate for the Great Western Canal.

AG (12/6/06)

Met with Gordon Egan to amend claim to add acreage in SWSE Lot 8.

AG (12/10/06)

11/20/2006

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: 1-310D

BEAR ISLAND WATER ASSN INC

C/O GORDON EGAN

32 N 3167 E

IDAHO FALLS ID 83402

Telephone Number: (208)524-7068

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

? if the undeveloped lots may have a point of
Diversum when A Horse is Built.

2. Describe the changes you wish to make in the proposed recommendation:

Add 3 more Point of Diversum.

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:

Please print your name:

Gordon Egan

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

100
17/11/14



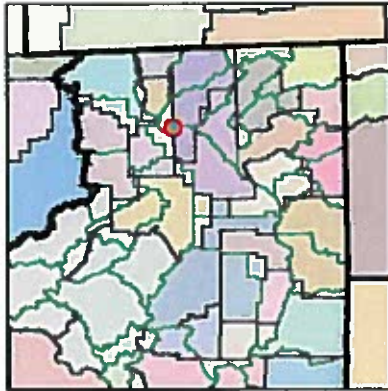
Idaho Department of Water Resources

SRBA Recommendation:

1-194D
1-310D

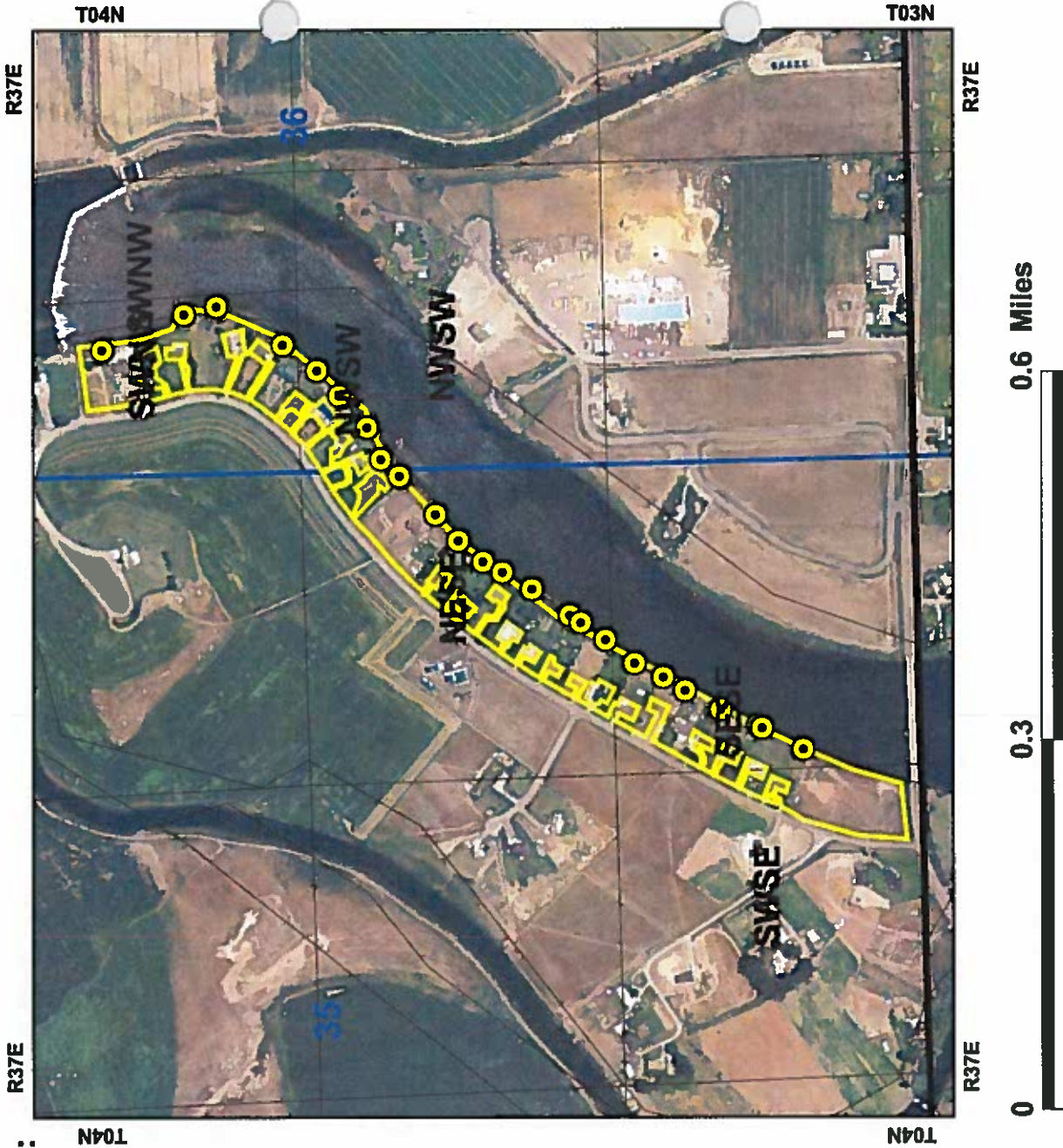
Legend

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



Jefferson County
IDWR Basin 1

Prepared by A. Golart
On Monday, December 11, 2006
2004 Aerial Photography



Claim no. A01-194D
A01-310D
Bear Island Water Assoc.

Claimant Contact Log

Date 7-9-04 Remarks Page 1 Agent initials RLJ

These two claims are specific for Bear Island Estates, Division 1. There are a total of 35 lots (see county list attached). Some owners have several lots.

Lots 1, 2 & 3A are listed as owned by William Bott. There is no house or diversion pump on site.

Lots 4 & 5 are owned by Donald Maiers (correct spelling) & has a 2hp pump. (see photo #1) GPS data - ²⁶⁵⁵⁴⁶⁴1382352, GPS Tag A0012294, GPS File # - MAIERS

Lot 6 is owned by Darryl Siemer (Photo #2 for pump). GPS data - 2655992, GPS Tag # A0012295, GPS File # - SIEMER 1382406

Lot 7 is owned by Brian Taubenheim. He has a 2hp pump (see photo #3). GPS data - 2655995, GPS File # - TAUBEN 1382410, GPS Tag # A0012296

Lot 8 is owned by Bruce Black. He has a 2hp pump (see photo #5). GPS data 2656016, GPS File # - BLACK 1382460, GPS Tag # A0012293

Lot 9 is owned by William Charles. He has a 1 1/2 hp pump (see photo #4). GPS data - 2656041, GPS File # - CHARLS 1382507, GPS Tag # - A0012292

Lot 10 is owned by James Marinus. He has a 2hp pump. (see photo #6). GPS data - 2656058 (this data is the same for 1382538

the Brent Schuch pump as they sit side by side). GPS File # - MARINUS, GPS Tag # A0012291

PROFILED

SCANNED
NOV 10 2004

Claim no. AOI-1940
AOI-310D
Dear Island Water Assoc.

Claimant Contact Log

Date 7-9-04 Remarks Page 2 Agent initials JEJ

Lot #11 is owned by Brent Schwab. He has a 1 1/2 Hp pump.
(See photo #7). GPS data - 2656058 (same as Lot 10)
1382538 (James Marinus)
GPS File # - MARINS, GPSTAG # A0012297.

Lot #12 is owned by Clyde Taylor. He has a 2000w 2hp pump.
(See photo #8). GPS data - 2656076, GPS File # - TAYLOR
1382573
GPS Tag # A0012300

Lot #13 is owned by Michael Green. He has a Sears 2hp pump.
GPS data - 2656107 GPS File # - GREEN Photo #9
1382611

Lot #14 is owned by William Smith. Photo #10.
GPS data 2656130 GPS File # - SMITH1
1382643

Lot #15 is owned by Leland Gardner. Photo #11. 1hp pump
GPS data - 2656140 GPS File # GARD01
1382658

Lot 16 is owned by Gordon Egan. Photo #12
GPS data - 2656174 GPS File # EGAN01
1382707

Lot 17 is owned by Ted Chu. Photo #13. 2 Hp pump
GPS data - 2656196 GPS File # CHU
1382746

PROFILED

SCANNED

NOV 10 2004

Claim no. A01-1940
A01-310D

Claimant Contact Log

Date 7-19-04 Remarks Page 3 Agent initials AWJ

Lot 18 is owned by Victor Pearson. Photo # 14.
GPS data - 2656210 GPS File # PEARO1
1382172

Lots 19+20 are owned by Eugene Yockey. 5 hp pump in covered
box. GPS data - 2656238 GPS File # - YOCKEY
1382804 Photo # 15

Lot 21 owned by Henry Mende. 2 hp pump. Photo # 16
GPS data - 2656272 GPS File # - MENDE
1382837

Lot 22 is owned by William Percin. Photo 17.
GPS data - 2656320 GPS File # - PERCIN
1382879

Lot 23 is owned by Judy Garner. Photo 18.
GPS data - 2656322 GPS File # - GARNER
1382881

Lot 24 is owned by Michael Higgins. Photo # 19.
GPS data - 2656344 GPS File # - HIGINS
1382904

Lot 25 is owned by Harry Woodruff. Photo # 20.
2 Hpr Jacuzzi pump in a shed. GPS data - 2656386
1382923
GPS File - WOODR01

PROFILED

SCANNED
NOV 10 2004

Claim no. A01-194D
A01-310D

Claimant Contact Log

Date 7-20-04 Remarks Page 4 Agent initials HW

Lot 26 is owned by Todd Lewis. Photo #21. Pump is being replaced. GPS data - 2656428 1382959 GPS File # - LEWIS

Lot 27 is owned by Ralph Ingram. He has a 1 1/2 hp pump in his basement with intake line to the River. Photo #22. GPS data - 2656460 1382989 GPS File # - INGRAM

Lot 28 is owned by Gary Jensen. There is an old pump house but no pump in place. Log Home on site. 16 Photo.

Lot 29 is owned by Janet Richardson. Has a 3hp pump in wood pump box. Name is on pump. Photo #23. GPS data - 2656494 1383034 GPS File # - RICHARD

Lots 30 + 31A (1/2 Lot) is owned by Ronnie McDrow. He has a 1hp GR Pump. Photo #24. GPS data - 2656545 1383120 GPS File - McDROW

Lots 31B + 32 is owned by Paul Black. Pump is in a small metal shed. Photo #25. GPS data - 2656534 1383162 File # - BLACK3

Lot 33 owned by James Liljenquist - House is there but no pump in place.

PROFILED

SCANNED

NOV 10 2004

Claim no. A01-1940
A01-3100

Claimant Contact Log

Date 7-20-04 Remarks Page 5 Agent initials HWJ

Lot 34 owned by Lynd & Brighton - House is there but no pump in River

Lot 35 is owned by the Ad. Cormick Family Trust. Photo #26
GPS data - 2656487 GPS R.L. # - MCORMIK
1383270

Exam done by Water Rights
Contracting Services (Hank & Jones)

~~1.48 cfs = 0.0317 cfs * 19.7 acres = 0.76 cfs.~~
~~6.7 cfs and~~
all

Recommend as transferred 1.48 cfs.

PROFILED

SCANNED

NOV 10 2004

<u>Basin</u>	<u>Sequence</u>	<u>Suffix</u>	<u>Priority</u>	<u>Date</u>	<u>Owner(s)</u>	<u>Claimed Rate</u>	<u>(REC (cfs)</u>
1	310	A	4/1/1939		HORNER, SUSAN (Curre	0.29	0.17
1	310	D	4/1/1939		BEAR ISLAND WATER /	1.08	1.08
1	310	F	4/1/1939		BLACK, FARRELL K (Cu	0.07	0.07
1	310	K	4/1/1939		RICE, KATHIE L (Curren	0.19	0.19
1	310	L	4/1/1939		PERCIN, MARY (Current	0.03	disallow
1	10395		4/4/1939		THOMPSON, CHERYL A	0.22	0.14
1	10518		4/1/1939		ZIEGLER, DANIEL (Curr	0.2	0.2
1	10519		4/1/1939		BROWN, LLOYD C (Curi	2.93	2.11
TOTAL			6.0cfs		Decreed	5.01	3.96

RECEIVED

JAN 14 1980

Transfer No. 2-13

-2343

Department of Water Resources
Eastern District Office STATE OF IDAHO

Water Right No. 01-0310

DEPARTMENT OF WATER RESOURCES

APPROVED

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Name of applicant Bear Island Estates Division #1 Phone 524-0085 (home)
523-2627 (work)
 Post office address % Bruce Peterson, 15269 Bear Island Drive, Idaho Falls, Idaho 83401

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by: (01-0310)
 - a. Decree to Rebecca Holden Civil Case No. 6117
 (Name)
 in case of Aberdeen Springfield Canal Co. vs Henry Eagle
 dated 3-12-1969 in Seventh Judicial Dist. county of Fremont
 (Name of court)
 - b. License No. _____ issued by the Idaho Department of Water Resources
 - c. Claim No. _____ on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant 35 lot owners collectively referred to as Bear Island Estates Division #1 have acquired a portion of the right through the purchase of real property.
3. Source of water Snake River tributary to Columbia River
4. Date of priority 4-01-1939
5. Water is used for the following purposes:
 amount 1.81 cfs for Irrigation purposes from * to _____
 amount _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (month/day - both dates inclusive)
6. Total amount of water under right: a. 1.81 cubic feet per second
 &/or
 b. _____ acre feet per annum
7. Location of original point of diversion is * % of NW % of Section 35
 Township 4N Range 37E, B.M., in Jefferson County
 Additional points of diversion, if any NE 1/4, Sec. 36, T. 4N, R. 37E, B.M. Historically, the old point of diversion (Bear Island Pump Station) was actually located in the SW 1/4 NW 1/4,
8. Lands irrigated or place of use: Sec. 36, T. 4N, R. 37E.

TWP.	RANGE	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	
3N	37E	2		L.7 X															*
4N	37E	35	L.6 X		L.6 X	L.6 X									L.7 X	L.7 X	L.8 X	L.8 X	*
		36					L.4 X	L.4 X			L.4 X								*
			NOTE: The acreage for each 40 acre tract was not stated in the deed. The remainder of the decreed right after Transfer 01-0310 is appurtenant to 49.72 acres																

Total number of acres to be irrigated 49.72

9. Describe any other water rights used for the same purposes as described above See also Transfer

01-0310.

* Not stated in decree

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. 1.08 cubic feet per second &/or
b. acre feet per annum
2. Point of diversion * $\frac{1}{4}$ NW $\frac{1}{4}$, Section 35 Township 4N
Range 37E, B.M., Jefferson County
Additional points NE $\frac{1}{4}$, Sec. 36, T. 4N, R. 37E. See remarks under Item A-7.

3. Place of use:

TWP	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4N	37E	35													10.19	4.09	5.08		19.36
		36							7.74				2.50						10.24
																			29.60

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion
 - a. Amount of water to be diverted (2 points) 1.08 c.f.s. &/or acre feet
 - b. Point(s) of diversion SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 35 Township 4N
Range 37E, B.M., Jefferson County
Additional points 10 points - SE $\frac{1}{4}$ SE $\frac{1}{4}$ (Lots 3 thru 12), 11 points - NE $\frac{1}{4}$ SE $\frac{1}{4}$ (Lots 13 thru 23), Sec. 35, 4 points - NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 36 (Lots 24 thru 27), 8 points - SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 36 (Lots 28 thru 35), T. 4N, R. 37E.
 - c. Description of diverting works Each individual lot owner will divert their share of the right through his/her private pump and sprinkler system.
 - d. Describe the reasons for applying for a change in the point(s) of diversion This portion of Bear Island has been subdivided into homesites. The old gravity flood system of ditches will no longer serve the needs of the lot owners. This transfer will make it possible to efficiently and effectively irrigate each of the lots mentioned above.
2. Change in place of use
 - a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4N	37E	35													9.06		3.54	4.78	17.38
		36							7.36				2.46						9.82

Total number of acres to be irrigated 27.20

4. Remarks 2.40 acres of land presently occupied by Bear Island Drive has been
physically dried up, by this transfer and the water at one time appurtanent to lands
now occupied by the road has been transferred to Lots 1 thru 35 of Bear Island
Estates Division #1.

I hereby assert that no one will be injured by such change and 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.

James E. Peterson
(Signature of applicant)

Subscribed and sworn to before me this 23rd day of August, 1979.

Arthur Wray
(Notary public)

My commission expires 6-15-81

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 01-0310

and said application is hereby approved, subject to the following limitations and conditions:

(1) A lockable device, subject to the approval of the Department, shall be installed
on the diverting works in a manner that will provide the watermaster suitable control
of the diversion. (2) Use of water under this
Right is subject to control by the watermaster of State Water District No. 01, Snake
River. (3) The issuance of this transfer in no way grants any right-of-way or
easement across the land of another. (4) A water user association shall be formed to
keep records of water diverted under this water right.

Witness my hand this 4th day of January, 19 80.

Norman C. Young
NORMAN C. YOUNG
Administrator, Resources Admin. Div.

FOR DEPARTMENT USE ONLY

Received by JD Date 4/22/79 Protest filed by _____
Prelim. check by ARK Fee \$5.00 if 13676
Receipted by JD Date 10/22/79
Published in Rigby Star Copies of protest forwarded by _____
Pub. dates 9/5 & 9/12/79 Hearing held by _____ Date _____
Watermaster recommendation requested on 9/1/79 Recommended for approval denial
rec'd. 11/1/79 by DKT

Sections 13, 14, 15, 9, 16, 17 and 20, Township 3 North, Range 38 E.B.M., Bonneville County, Idaho.

N. REBECCA HOLDEN

1 0310 Trans #2187

That Rebecca Holden shall have the right to divert and use 6.0 cubic feet of water per second at the following point of diversion and upon the following described lands:

Point of Diversion

Northwest Quarter of Section 35 and the Northeast Quarter of Section 36, Township 4 North, Range 37 E.B.M.

Lands to Which Appurtenant

Lots 6, 7 and 8, in Section 35, and Lot 4 in Section 36, Township 4 North, Range 37 E.B.M. Jefferson County, Idaho and Lot 7 of Section 2, Township 3 North, Range 37 E.B.M. in Bonneville County, Idaho.

O. WILLIAM S. HOLDEN

1 0311

That William S. Holden shall have the right to divert and use 8.0 cubic feet of water per second at the following point of diversion and upon the following described lands:

Point of Diversion

Southwest Quarter of the Southeast Quarter of Section 24 and in the Southwest Quarter of the Northwest Quarter of Section 25, all in Township 1 North Range 44 E.B.M.

Lands to Which Appurtenant

SW $\frac{1}{4}$ SE $\frac{1}{4}$ less Road and Tract 2, Section 24, Township 1 N. North Range 44 E.B.M.

NW $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$ lying east and south of Palisades Creek, Section 25, Township 1 North, Range 44 E.B.M.

SW $\frac{1}{4}$ NW $\frac{1}{4}$ east of county road less Tracts 3, 5, and 6 Section 25, Township 1 North, Range 44 E.B.M.

SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 25, Township 1 North, Range 44 E.B.M.

NE $\frac{1}{4}$ SE $\frac{1}{4}$ Less 6.75 acres, SE $\frac{1}{4}$ NE $\frac{1}{4}$ lying SE of County road Less Tract 1, Section 26, Township 1 North, Range 44 E.B.M., all in Bonneville County, Idaho.

P. IDAHO IRRIGATION DISTRICT

1 0312

MAY 13 1996

SLAND ESTATES DIVISION # 1

OWNERSHIP	DEED REFERENCE
	INSTR NO
ASSESSED TOGETHER AS 003A	181429-182510-182511-264242-266997-271056-
	161585-161587-264243-271056
	161585-161587-264243-271056
	192505-201223-227537-263227-319049-
	16158555-161586-192505-219819-245334-249826-319049-
	192505-197779-197780-26115
	190616-194933-194939-195805-309647-326119wd-
	191600-253077-264921-273463-277949-303821-317877-
	189393-273249-294682-305925
	185317-249323-250204-250205-258073-267280-287604
	187228-187229-237108-255235-267892-275675-280965-
	312012-313165-314433-314532-
	191438-197072-264730-305160-
	182252-183028-321891-321892-329594wd-329296pa-
	186824-189255-193959-
	173751-175698-176661
	179088-179089-219699-244678-
	174247-183058-215662-245845
	176677-1766678-260890-266468-274132-
	182252-182253-196332-199852-
	190270-192051-202406-216093-259320-
	181430-190858-196338-199490-201048-257769-259863-
	269779-271159
	180234-180235-180236-256334-274257-
	203250-203284-204275-292437-
	181702-225013-245878-270852-271791-286906
	163575-220972-241443-270356-
	172457-174222-229392-247267-261128-261129
	164917-271933-295915-321832-
	185600-185301-195098-284780-284780-320234--
	186785-194639-195389-223085-237669-263326(PE)-312226-
	177638-177639-185309-227981-253313-264351-
	188225-189449-227981-253313-264351-
	183194-183195-188225-189449-235799-235953-236873-
	237208-263790-263791-267913-277065-278048-298035
	167469-193636-231999-235799-236873-237208-259928-
	267913-277065-298035
	194609-237908-262972-277167-292461-292462-
	160085-248802-260000-263178-272996-322290-328474qd-
ICK, THOMAS B. (1st Trustee)McCORMICK, LOIS C. (ste)	166602-254572-273606-309663-

SCANNED

NOV 10 2004

PROFILED



Lots 4 & 5

PROFILED

SCANNED

NOV 10 2004



Lot 6

PROFILED

SCANNED

NOV 10 2004



Lot 7

SCANNED
NOV 10 2004



Lot 9

PROFILED

SCANNED

NOV 10 2004



Lot 8

PROFESSIONAL
SCANNED
NOV 10 2004



Lot 10

PROTECTED
SCANNED

NOV 10 2004



Lot 11

PROFILED

SCANNED

NOV 10 2004



Lot 12

PROFILED

SCANNED

NOV 10 2004



Lot 13

PROFILED

SCANNED

NOV 10 2004



Lot 14

PROFILED

SCANNED

NOV 10 2004



Lot 15

PROFILED

SCANNED

NOV 10 2004



Lot 16

PROFILED

SCANNED

NOV 10 2004



Lot 17

PROFILED

SCANNED

NOV 10 2004



Lot 18

PROFILED
SCANNED

NOV 10 2004



Lots 19 + 20

PROFILED

SCANNED

NOV 10 2004

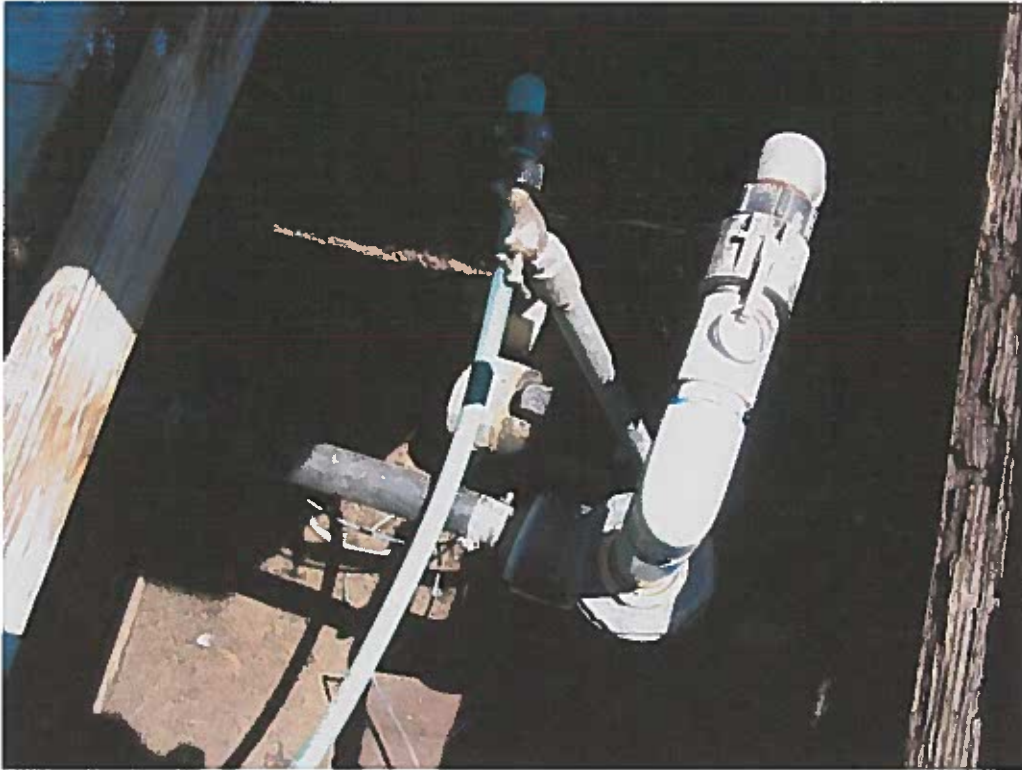


Lot 21

PROFILED

SCANNED

NOV 10 2004

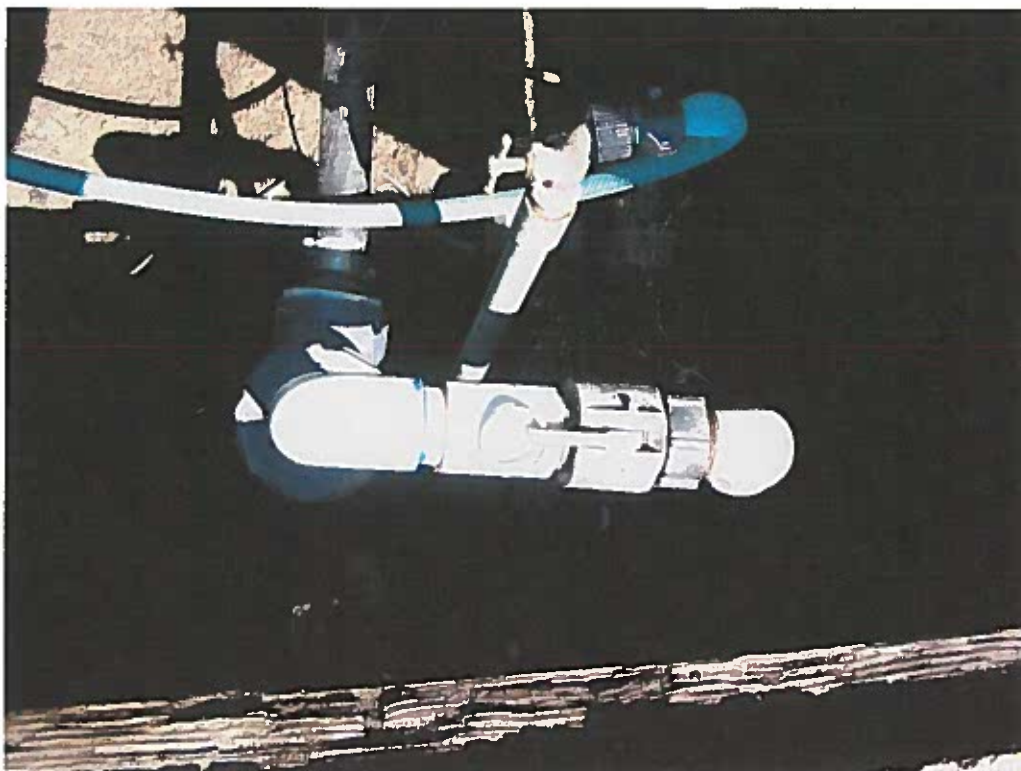


Lot 22

PROFILED

SCANNED

NOV 10 2004



Lot 23

PROFILED

SCANNED

NOV 10 2004



Lot 24

PROFILED
SCANNED
NOV 10 2004



Lot 25

PROFILED

SCANNED

NOV 10 2004

20



Lot 26

PROFILED
SCANNED

NOV 10 2004



Lot 27 - intake line

PROFILED
SCANNED

NOV 10 2004



Lot 29

PROFILED
SCANNED

NOV 10 2004

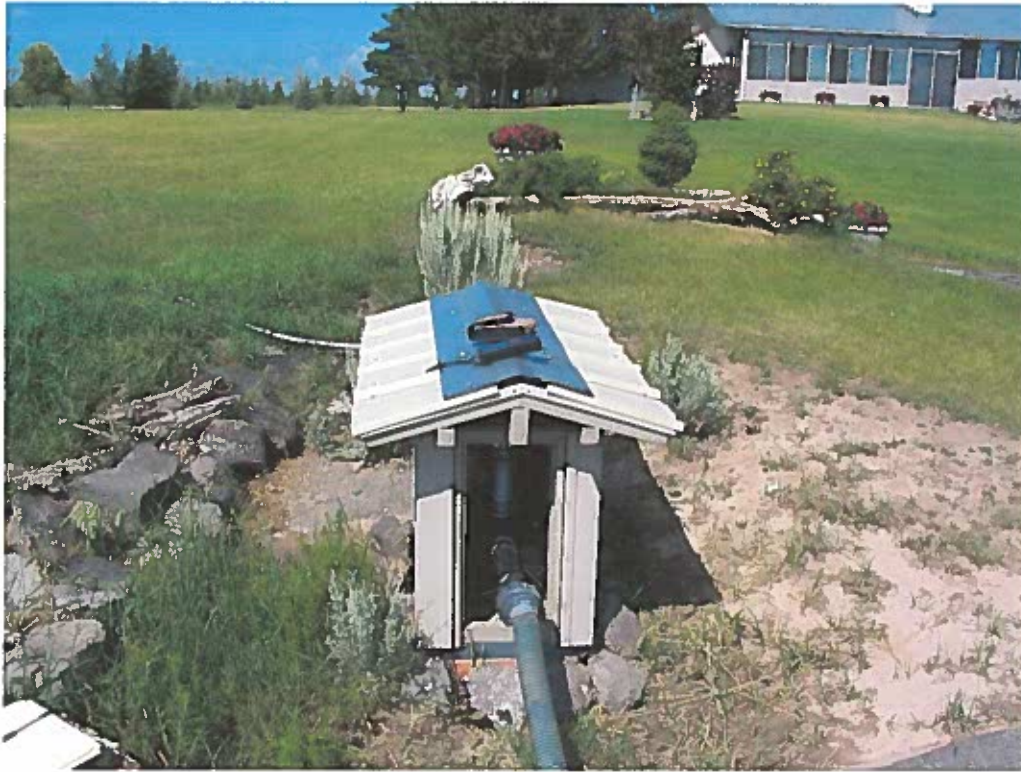


Lot 30 & 31A

PROFILED

SCANNED

NOV 10 2004



Lot 31B+32

PROFILED
SCANNED
NOV 10 2004



Lot 35

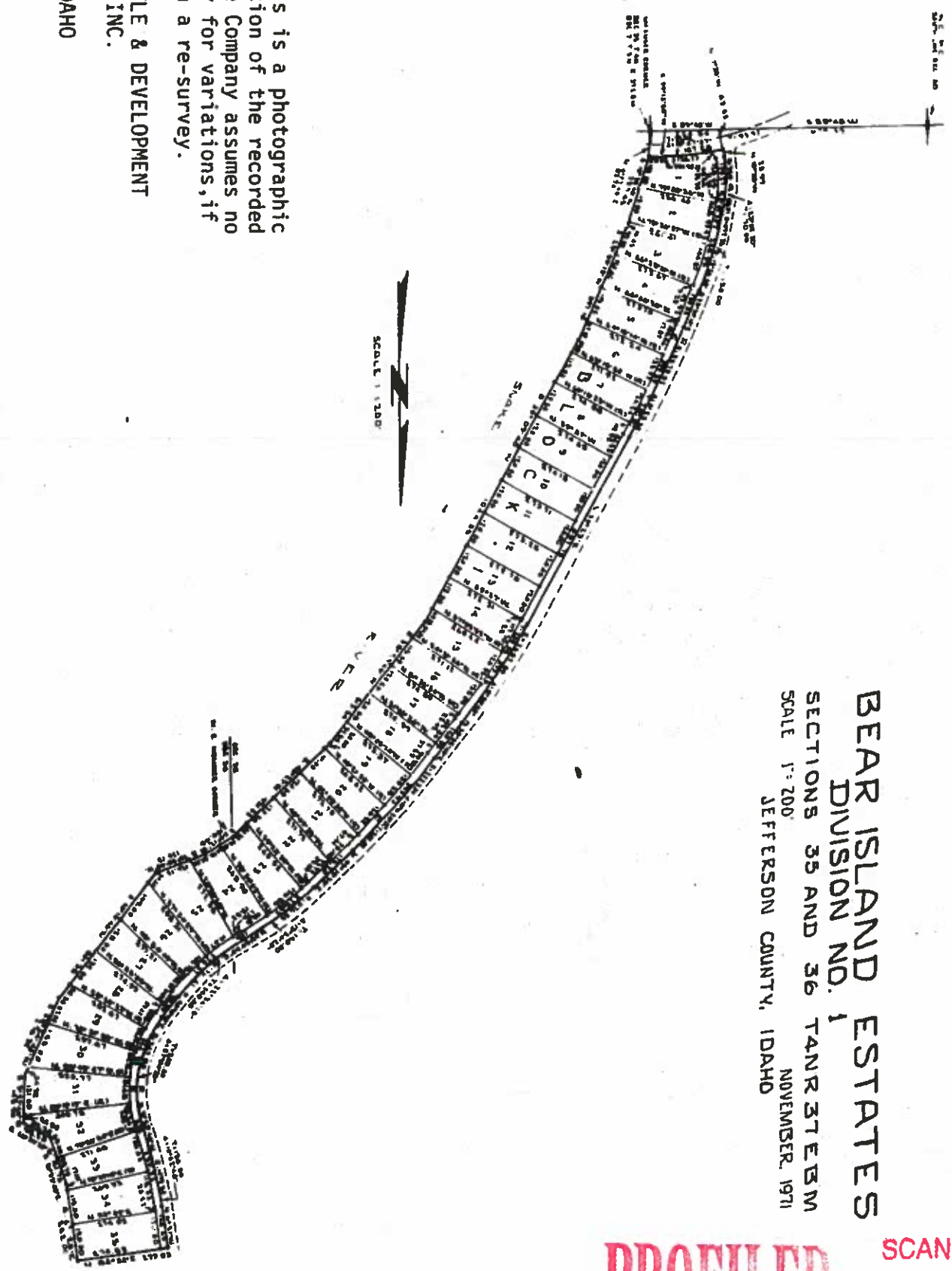
PROFILED
SCANNED
NOV 10 2004

0246

BEAR ISLAND ESTATES
DIVISION NO. 1
SECTIONS 35 AND 36 T4NR37E3M
SCALE 1"=200'
JEFFERSON COUNTY, IDAHO
NOVEMBER, 1971

PROFILED

SCANNED
NOV 10 2004



While this is a photographic reproduction of the recorded plat, the Company assumes no liability for variations, if any, with a re-survey.

RIGBY TITLE & DEVELOPMENT
COMPANY, INC.
RIGBY, IDAHO

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 1-310D
Date Received: 9/7/1988
Receipt No: E002103
Received By: AG

Amended

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BEAR ISLAND WATER ASSN INC Phone: (208)524-7068
C/O GORDON EGAN
32 N 3167 E
IDAHO FALLS ID USA 83402

2. Date of Priority: 04/01/1939

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
04N	37E	36	SW SW NW 4	JEFFERSON	
04N	37E	36	SW NW NW 4	JEFFERSON	
04N	37E	36	NW SW NW 4	JEFFERSON	
04N	37E	35	SE NE SE 7	JEFFERSON	
04N	37E	35	SE SW SE 8	JEFFERSON	
04N	37E	35	SW SE SE 8	JEFFERSON	
04N	37E	35	SW NE SE 7	JEFFERSON	
04N	37E	35	NW SE SE 8	JEFFERSON	
04N	37E	36	NW NW SW 4	JEFFERSON	
04N	37E	35	NE NE SE 7	JEFFERSON	
04N	37E	36	SE SW NW 4	JEFFERSON	

5. Description of diverting works:

PUMPS AND SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	1.08	

7. Total Quantity Appropriated is:
1.08 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	
04N	37E	35	NE	SE	7	IRRIGATION	7
			SE	SE	8	IRRIGATION	2.9
			SW	SE	8	IRRIGATION	7.2
			Section Acres			17.1	
04N	37E	36	SW	NW	4	IRRIGATION	6.1
			NW	SW	4	IRRIGATION	1.5
			Section Acres			7.6	
			Total Acres			24.7	

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:

14. Remarks:

TRANS. #2343.

P/D PUMPS AND SPRINKLERS ON EACH INDIVIDUAL LOT P/D IN LOTS 1-12 (SESE) AND LOTS 13-23 (NESE) SEC 35, AND LOTS 24-27 (NWSW) AND LOTS 28-35 (SWNW) SEC 36, T04N, R37E.

P/U AKA BEAR ISLAND ESTATES DIVISION NO. 1.

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.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Sec - Treasurer of
Title
Bear Island water ass., that I have signed the foregoing
Organization
document in the space below as Sec - Treasurer of
Title
Bear Island water ass., and that the statements contained in the
Organization
foregoing document are true and correct. [Signature]
Signature of Authorized Agent
Bear Island water
Title and Organization
12-11-06
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 11 Day
of December 2006 Kathy Jackson
Notary Public

Residing at Idaho Falls
My commission Expires 3/31/2011



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: A01-00310D
Date Received: 9/07/1988
Receipt No: E002103
Received By: Kaw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BEAR ISLAND WATER ASSOCIATION 208-524-6376
Address: 14989 BEAR ISLAND DRIVE
IDAHO FALLS, ID 83402
2. Date of Priority: APR 01, 1939
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	SE	7	JEFFERSON
			SW	NE	SE	7	JEFFERSON
			SE	NE	SE	7	JEFFERSON
			SE	SW	SE	8	JEFFERSON
			NW	SE	SE	8	JEFFERSON
			SW	SE	SE	8	JEFFERSON
		36	SW	NW	NW	4	JEFFERSON
			NW	SW	NW	4	JEFFERSON
			SW	SW	NW	4	JEFFERSON
			SE	SW	NW	4	JEFFERSON
			NW	NW	SW	4	JEFFERSON

5. Description of diverting works:
PUMPS AND SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.080		

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

A.F.A.

8. Total consumptive use is 49.2 Acre Feet Per Annum.

A01-00310D

Page

1

Date: 09/07/88

MICROFILMED
OCT 19 1992

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres	
04N	37E	35	NE	SE	7	IRR	7.0	
			SW	SE	8	IRR	2.2	
			SE	SE	8	IRR	2.9	
			Section Acres			12.1		
		36	SW	NW	4	IRR	6.1	
			NW	SW	4	IRR	1.5	
			Section Acres			7.6		
			Total Acres			19.7		

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:
A01-00194D

14. Remarks:
TRANS. #2343.
P/D PUMPS AND SPRINKLERS ON EACH INDIVIDUAL LOT
P/D IN LOTS 1-12 (SESE) AND LOTS 13-23 (NESE) SEC 35, AND
LOTS 24-27 (NWSW) AND LOTS 28-35 (SWNW) SEC 36, T04N, R37E.
P/U AKA BEAR ISLAND ESTATES DIVISION NO. 1.

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

ABERDEEN SPRINGFIELD CANAL CO.
Decree Plaintiff

vs

HENRY EAGLE
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 ☒ 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 PRESIDENT of _____
Title

BEAR ISLAND WATER ASSN., that I have signed the foregoing
Organization

document in the space below as PRESIDENT of _____
Title

BEAR ISLAND WATER ASSN. and that the statements contained in the
Organization

foregoing document are true and correct.

Lillian Smith
Signature of Authorized Agent

PRESIDENT, BEAR ISLAND WATER ASSN.
Title and Organization

9/7/88

Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 7th day

of Sept 19 88

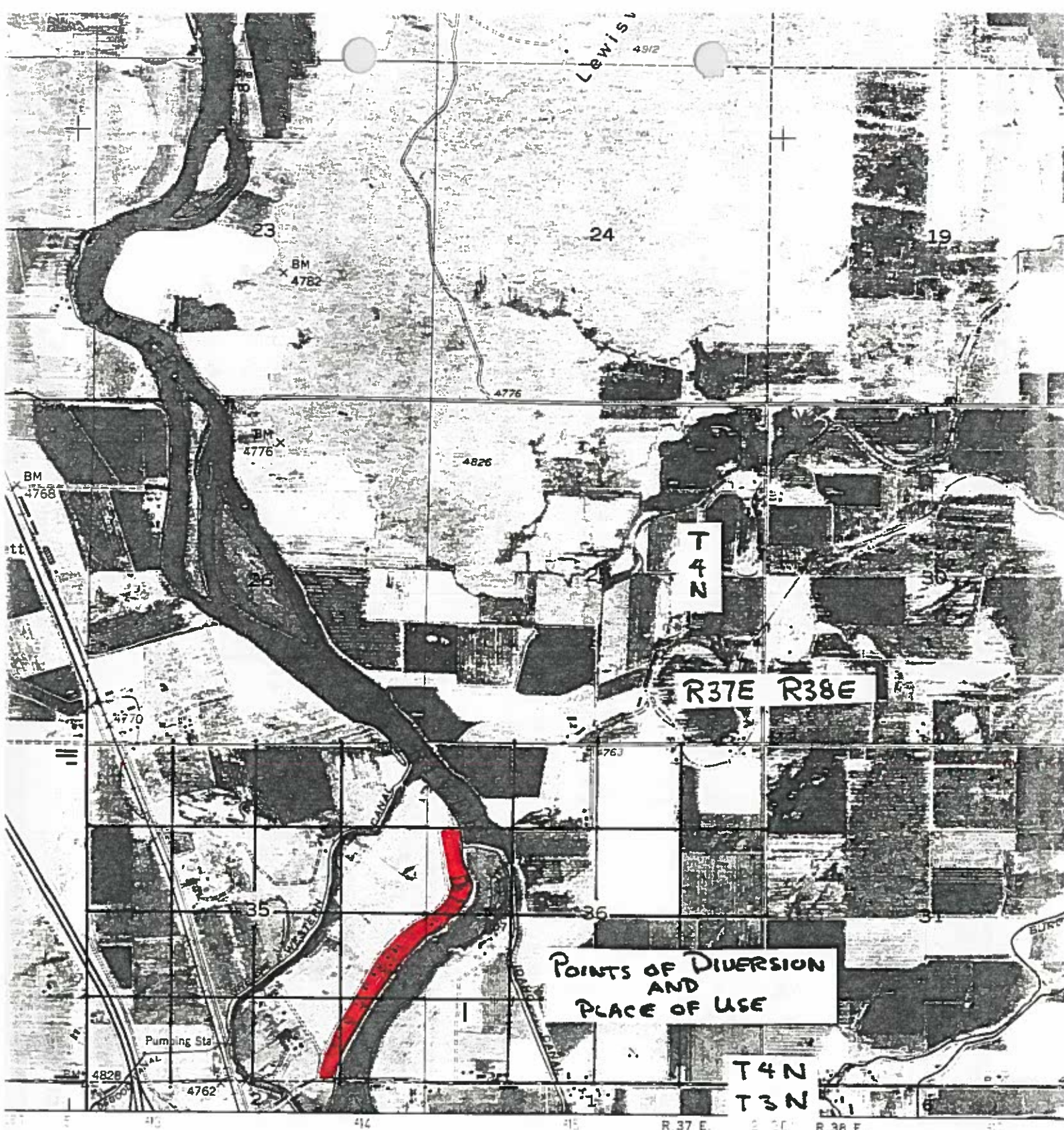
Calvin Wray
Notary Public

Seal

Residing at Idaho Falls

My Commission Expires 5/29/1991





SCALE 1:24,000



MICROFILMED
OCT 19 1992

A01-00310D

OWNERSHIP						DEED REFERENCE	
TAX CODE AREA	TOWNSHIP	RANGE	SECTION	SUBDIVISION	BLOCK	PARCEL OR LOT	
							INSTR NO
57	4N	37	35/36	240	1	1	181429-182510-182511-264242-266997-271056-
					2	2	161585-161587-264243-271056
					(LOTS 2 & 3 ASSESSED TOGETHER AS 003A		161585-161587-264243-271056
					003A	WILLIAM D. & WAVA J. BOTT	161585-161587-264243-271056
					4	MAIRS, DONALD T. & BRENDA J.	192505-201223-227537-263227-319049-
					5	MAIRS, DONALD T. & BRENDA J.	16158555-161586-192505-219819-245334-249826-319049-
					6	DARRYL D. SIEMER & SHELLY J. SAILER	192505-197779-197780-26115
					7	TAUBENHEIM, BRIAN & JENNIFER	190616-194933-194939-195805-309647-326119wd-
					8	BLACK, BRUCE & SHIRLEY	191600-253077-264921-273463-277949-303821-317877-
					9	WILLIAM CHARLES & JULIE ANN FREEMAN	189393-273249-294682-305925
					10	JAMES C. MARINUS, JR.	185317-249323-250204-250205-258073-267280-287604
					11	SCHWAB, BRENT D. & JESSICA D.	187228-187229-237108-255235-267892-276675-280965-
					12	CLYDE R. & CAROL G. TAYLOR	312012-313165-314433-314532-
					13	GREEN, MICHAEL J. & PAULA M.	191438-197072-264730-305160-
					14	WILLIAM G. SMITH	182252-183028-321891-321892-329594wd-329296pa-
					15	LELAND A. & DONNA M. GARDNER	186824-189255-193959-
					16	GORDON & LANA EGAN	173751-175698-176661
					17	TED CHU	179086-179089-219699-244678-
					18	VICTOR C. & CHRISTINE A. PEARSON	174247-183058-215662-245845
					19	EUGENE & JUDITH YOCKEY	176677-1766678-260890-266468-274132-
					20	EUGENE & JUDITH YOCKEY	182252-182253-196332-199852-
							190270-192051-202406-216093-259320-
							181430-190858-196338-199490-201048-257769-259863-
					21	HENRY C. & CAROLYN D. MENDE	269779-271159
					22	WILLIAM A. & MARY LOU PERCIN	180234-180235-180236-256334-274257-
					23	JUDY ANN GARNER	203250-203284-204275-292437-
				✓	24	MICHAEL R. & LINDA HIGGINS	181702-225013-245878-270852-271791-286906
				✓	25	HARRY E. & LINDA WOODRUFF	163575-220972-241443-270356-
					26	TODD F. & KAREN S. LEWIS	172457-174222-229392-247267-261128-261129
					27	RALPH K. INGRAM	164917-271933-295915-321832-
					28	JENSEN, GARY P.	185600-185301-195098-284780-284780-320234--
					29	JANET E. RICHARDSON	186785-194639-195389-223085-237669-263326(PE)-312226-
					30	RONNIE D. & SHARON V. MODROW	177638-177639-185309-227981-253313-264351-
					31A	RONNIE D. & SHARON V. MODROW	188225-189449-227981-253313-264351-
							183194-183195-188225-189449-235799-235953-236873-
							237208-263790-263791-267913-277065-278048-298035
					31B	PAUL G. & SHIRLEY BLACK	167469-193636-231999-235799-236873-237208-259928-
							267913-277065-298035
					32	PAUL G. & SHIRLEY BLACK	194609-237908-262972-277167-292461-292462-
					33	JAMES R. & CAROL A LILJENQUIST	160085-248802-260000-263178-272996-322290-328474qd-
					34	BRIGHTON, LYNDA L.	
						MCCORMICK FAMILY TRUST, THE % MCCORMICK, THOMAS B. (1st Trustee)MCCORMICK, LOIS C. (2nd Trustee)	166602-254572-273606-309663-
					35		