

01/14/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 1-310K

NAME AND ADDRESS: KATHIE L RICE
1801 W 145 N
IDAHO FALLS ID 83402

RICHARD E RICE
1801 W 145 N
IDAHO FALLS ID 83402

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.190 CFS

PRIORITY DATE: 04/01/1939

POINT OF
DIVERSION:

T03N R37E S2 NWNE Lot 12 Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	0.190 CFS
PLACE OF USE:	<u>IRRIGATION in BONNEVILLE County</u>		
	T03N R37E S02 NWNE	0.30	T03N R37E S02 Lot 7 NWNE 1.70
	T03N R37E S02 Lot 12 NWNE	3.00	

5 ACRES TOTAL

Place of use does not include federal public lands.

The rights listed below are limited to the irrigation of a combined total of 5.0 acres in a single irrigation season. Combined Right Nos.: 1-194F and 1-310K.

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

11/20/2006

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

RIGHT NUMBER: 1-310K
NAME AND ADDRESS: KATHIE L RICE
1801 W 145 N
IDAHO FALLS ID 83402

RICHARD E RICE
1801 W 145 N
IDAHO FALLS ID 83402

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER
QUANTITY: 0.190 CFS
PRIORITY DATE: 04/01/1939
POINT OF DIVERSION: T03N R37E S2 NWNE Lot 12 Within BONNEVILLE County
PURPOSE AND PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	0.190 CFS
PLACE OF USE:	<u>IRRIGATION in BONNEVILLE County</u>		
	T03N R37E S02 NWNE 0.30	T03N R37E S02 Lot 7 NWNE	1.70
	T03N R37E S02 Lot 12 NWNE 3.00		
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EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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: 1-310K

KATHIE L RICE
1801 W 145 N
IDAHO FALLS ID 83402
Telephone Number: (208)524-6468

RICHARD E RICE
1801 W 145 N
IDAHO FALLS ID 83402
Telephone Number: (208)524-6468

SCANNED

MAY 03 2007

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:

12/2/06

SIGNATURE:

Richard E. Rice

Please print your name:

Richard E. Rice

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

KMD
2/17



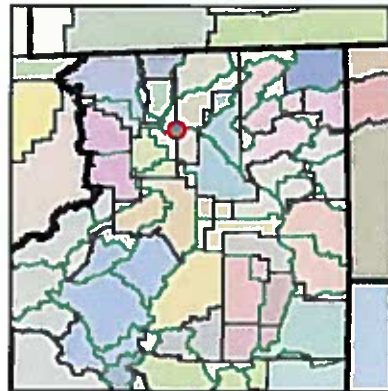
Idaho Department of Water Resources

SRBA Recommendation:

1-310K
(Irrigation)

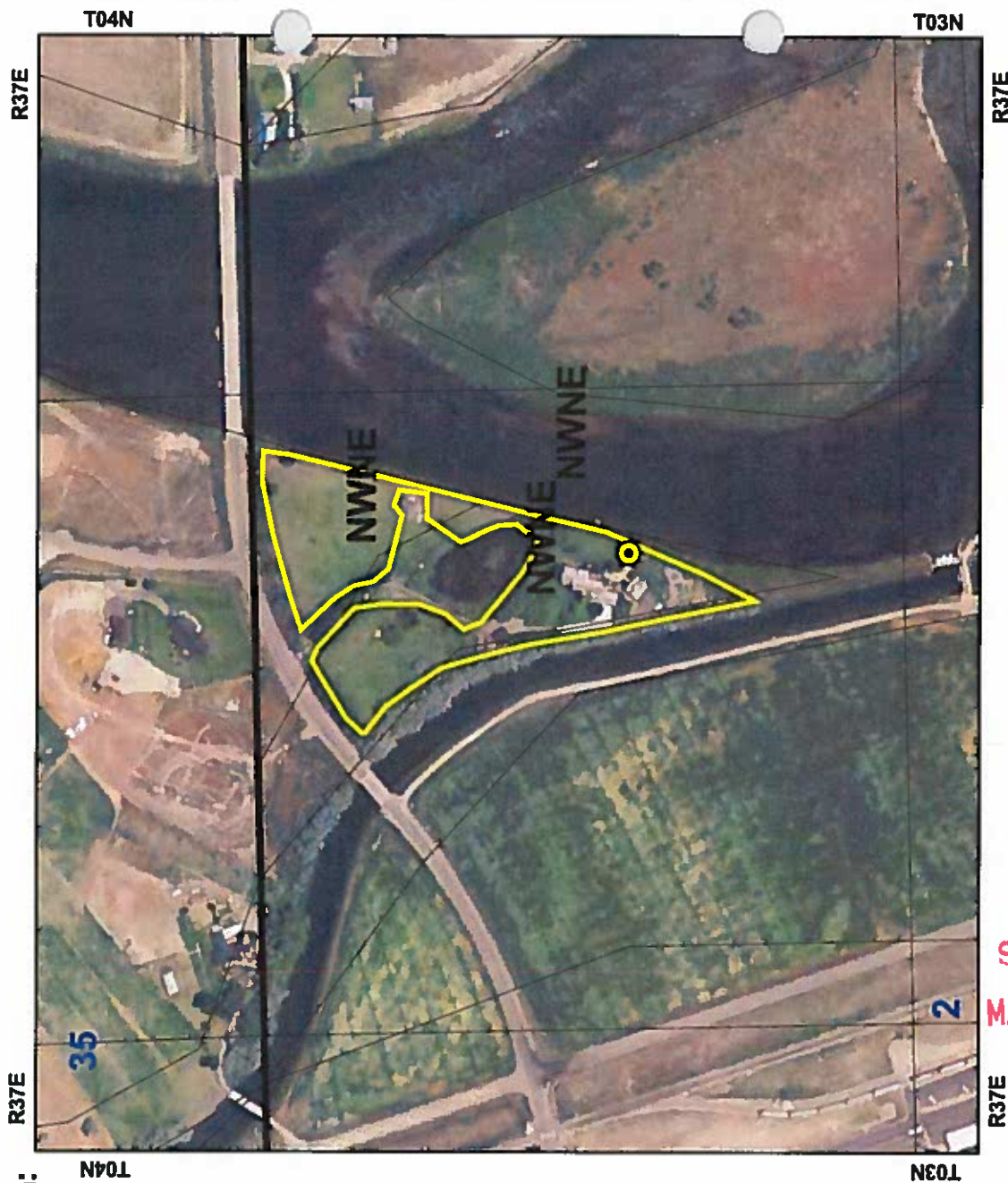
Legend

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



Bonneville, Jefferson Counties
IDWR Basin 1

Prepared by A. Golar
On Monday, November 13, 2006
2004 Aerial Photography



SCANNED
MAY 03 2007

0 0.1 0.2 Miles

<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 (Cur	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 (Curre	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

Transfer No. 2963Water Right No. 01-0194CSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAMENDED**APPLICATION FOR TRANSFER OF WATER RIGHT** AMENDED

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

APPROVEDName of applicant Janice or J. Antonio Marquez Phone _____Post Office address P.O. Box 2735, Idaho Falls, ID 83401

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. 01-0194C Decreed to Thomas Weir (Name)
in case of Rexburg Irrigation Co. vs Teton Irrigation Canal Co.
dated in 12/16/1910 in 6th 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 Applicant has purchased ground to which a portion of this right is appurtenant.

3. Source of water Snake River tributary to Columbia River4. Date of priority 6-01-1896

5. Water is used for the following purposes:

Under watermaster control
amount 0.38 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. 0.38 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 35
Township 4N Range 37E, B.M., in Jefferson County
Additional points of diversion, if any _____

8. Lands irrigated or 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 $\frac{1}{4}$	
3N	37E	2		X															
4N	37E	35	X		X	X										X			

*Amount of acres left after Transfer
#2344

Total number of acres to be irrigated *15.0

9. Describe any other water rights used for the same purpose as described above 01-0310E

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No
If yes, describe in item D. REMARKS.

$\phi.19 cfs$
5.3 acres
 $= \phi. \phi 3580 cfs + 5.001$
acre

$= \phi.179 cfs$

Claimant owns
entire transfer
POH, recommend
as transfer
Claimed ($\phi.19 cfs$)

1. Right evidenced by: Transfer #2678/010310E

a. Decree No. _____ Decree _____ (Name) _____
 in case of _____ vs _____
 dated in _____ in _____ county of _____
 (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 Applicant has purchased a lot to which a portion of the right is appurtenant.
This lot was not included in Transfer #2343.

3. Source of water SNAKE RIVER tributary to COLUMBIA RIVER

4. Date of priority 4/1/1939

5. Water is used for the following purposes:

Under watermaster control
 amount 0.66 cfs for Irrigation purposes from _____ to _____
 amount 0.59 cfs for JJ 8/21/84 purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (month/day — both dates inclusive)

6. Total amount of water under right a. 0.66 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. Historically the old point of diversion (Bear Island Pump Station) was in the SW 1/4 NW 1/4 Sec. 36, T. 4N, R. 37E.

8. Lands irrigated or place of use:

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		L7 X															
4N	37E	35	L6 X		L6 X	L6 X									L7 X	L7 X	L8 X	L8 X	
		36						L4 X	L4 X			L4 X							

*acreage left after Transfer #2678

Total number of acres to be irrigated *18.12-

2764 JJ 8/21/84

16.12

9. Describe any other water rights used for the same purpose as described above 01-0194

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D, REMARKS

DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, fill in part B). 01-0194C

1. Amount of water: a. 0.13 cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 35 Township 4N
Range 37E, B.M., Jefferson County
Additional points _____

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 $\frac{1}{4}$	
3N	37E	2		5.3															5.3

Total number of acres to be irrigated 5.3

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

1. General Information 01-0194C - 0.13 cfs
01-0310E - 0.19 cfs
a. Amount of water to be diverted 0.32 c.f.s. &/or _____ acre feet
b. Description of diverting works Pump in river to sprinkler line
c. Describe the reasons for the proposed changes Ditches from old point of
diversion can no longer serve ground in question satisfactorily

2. Change in point of diversion

Point of diversion NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 2 Township 3N
Range 37E, B.M., Bonneville County
Additional points _____

3. Change in place of use NO CHANGE

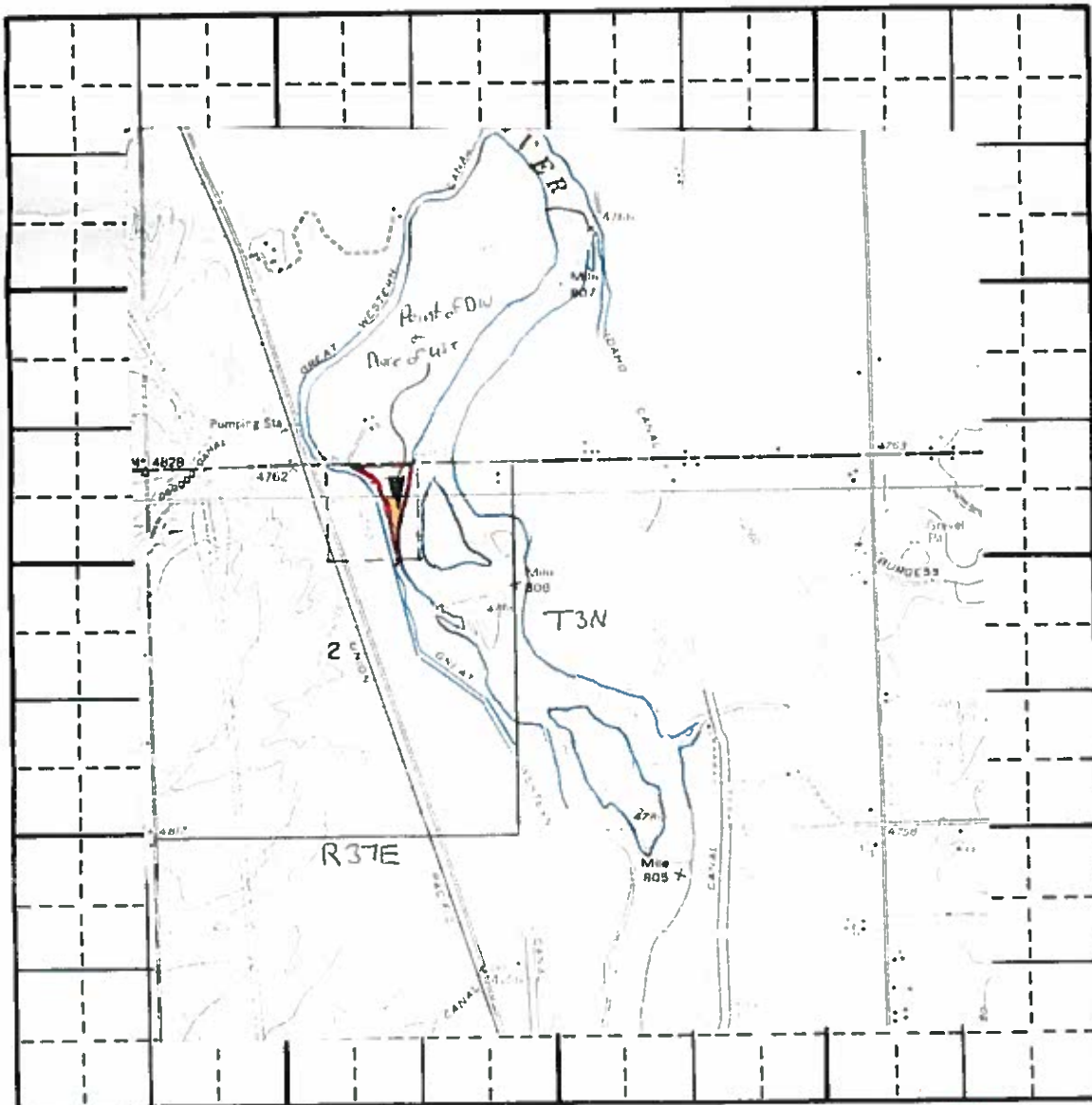
- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No X If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer

c. Describe the place of use to which the right will be transferred

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3N	37E	2		5.3															5.3

Total number of acres to be irrigated 5.3

4. Describe any other water rights used for the same purpose as described above. None
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



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

RECORDED

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

Decree
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

SCANNED

AUG 22 2001

CHANGE IN ADDRESS

This form is solely for purposes of notifying IDWR of a change in address of an adjudication claim.

[] Water Right Number (s): _____

[] Old Mailing Address: Richard Rice

1076 S 35th W

IF, ID

[] New Mailing Address: Richard Rice

1801 W 145th N

IF, ID 83402

New Telephone Number: () ~~526-4276~~

[] Signature of Claimant: 524-6468 Home

Date: _____

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____

Further Action Needed

Further Action Taken

Date: _____

Final Review and Data

Date: _____

*See Newall Bros
+
phone #*

*Changes
made!*

*Please
attach
copy of
this C/A
to these
claims*

*01-00194F
01-00310K*

-7-

MICROFILMED

OCT 19 1992

AUG 22 2011

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: A01-00310K
Date Received: 9/05/1989
Receipt No: E010122
Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RICHARD E. RICE 208-526-1992
Address: 1076 S. 35TH W.
IDAHO FALLS, ID 83402
OR
Name: KATHIE L. RICE 208-526-1992
Address: 1076 S. 35TH W.
IDAHO FALLS, ID 83402

A0100310K



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	Lot	County
03N	37E	2	NW	NE			BONNEVILLE

5. Description of diverting works:
PUMP IN RIVER TO SPRINKLER SYSTEM FOR IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.190		

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

8. Total consumptive use is 12.5 Acre Feet Per Annum.

9. Non-irrigation uses:
S/12 BEEF

COPY

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	37E	2	NW NE		IRR	5.0
Section Acres						5.0
Total Acres						5.0

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:
01-0194C.

14. Remarks:
TRANS. 2963
AC. IRR. = 5.3.

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

ABERDEEN SPRINGFIELD CANAL CO.
Decree Plaintiff

HENRY EAGLE
vs 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 Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Richard E Rice Date: 9/5/89

Date: _____

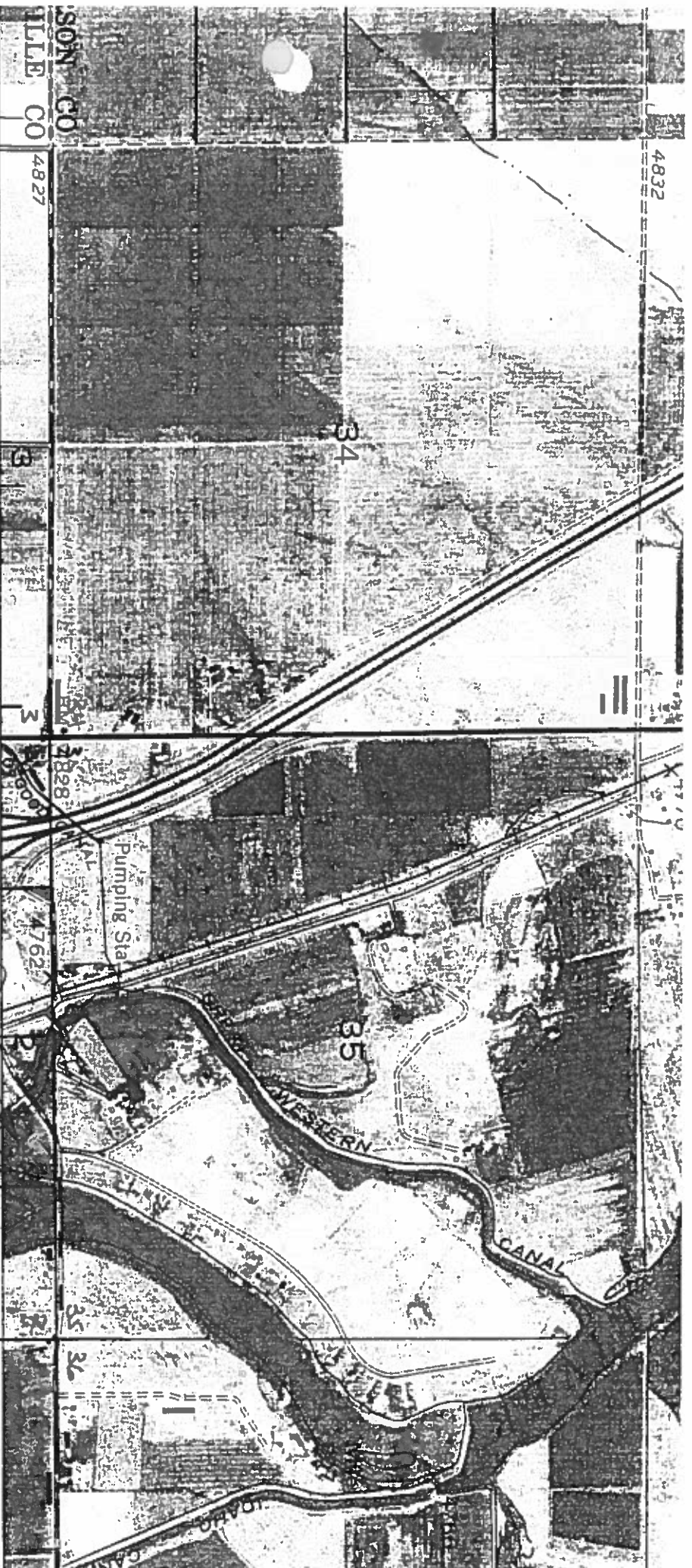
State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 5 day
of SEP 19 89

[Signature]
Notary Public

Seal

Residing at IDAHO FALLS
My Commission Expires 9-12-94



4832

SON CO
LLE CO

4827

520 000 FEET

5'

413

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Pumping Sta

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CANAL

zone 12

n 1983 move
ers east

MICROFILMED
OCT 19 1992

NORTH

T3D
R37E
A01-00194F
A01-00310K

SCALE 24 000



THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY
FOR SALE BY U. S. GEOLOGICAL SURVEY, MENLO P,