

05/08/2006

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

RIGHT NUMBER: 1-316

NAME AND ADDRESS: LIBERTY PARK IRRIGATION CO INC
C/O ORA LEE BENNETT
5293 S 4300 W
REXBURG ID 83440

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 20.000 CFS

PRIORITY DATE: 04/01/1939

POINT OF DIVERSION:

T04N R40E S6 SWSW Lot 7 Within MADISON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

20.000 CFS

PLACE OF USE:

4047 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 Liberty Park Irrigation Company.

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 Liberty Park Canal.



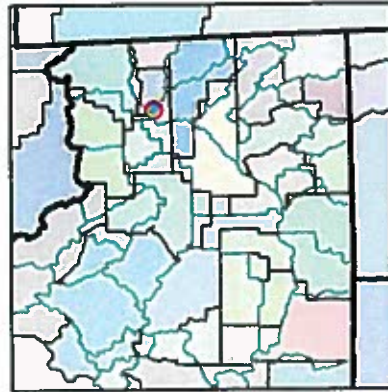
Liberty Park Irrigation Co Inc

SRBA Recommendations: 1-104, 1-105, 1-106, 1-107, 1-108, 1-253, 1-316

Service Area Boundary
GIS Place of Use Illustration

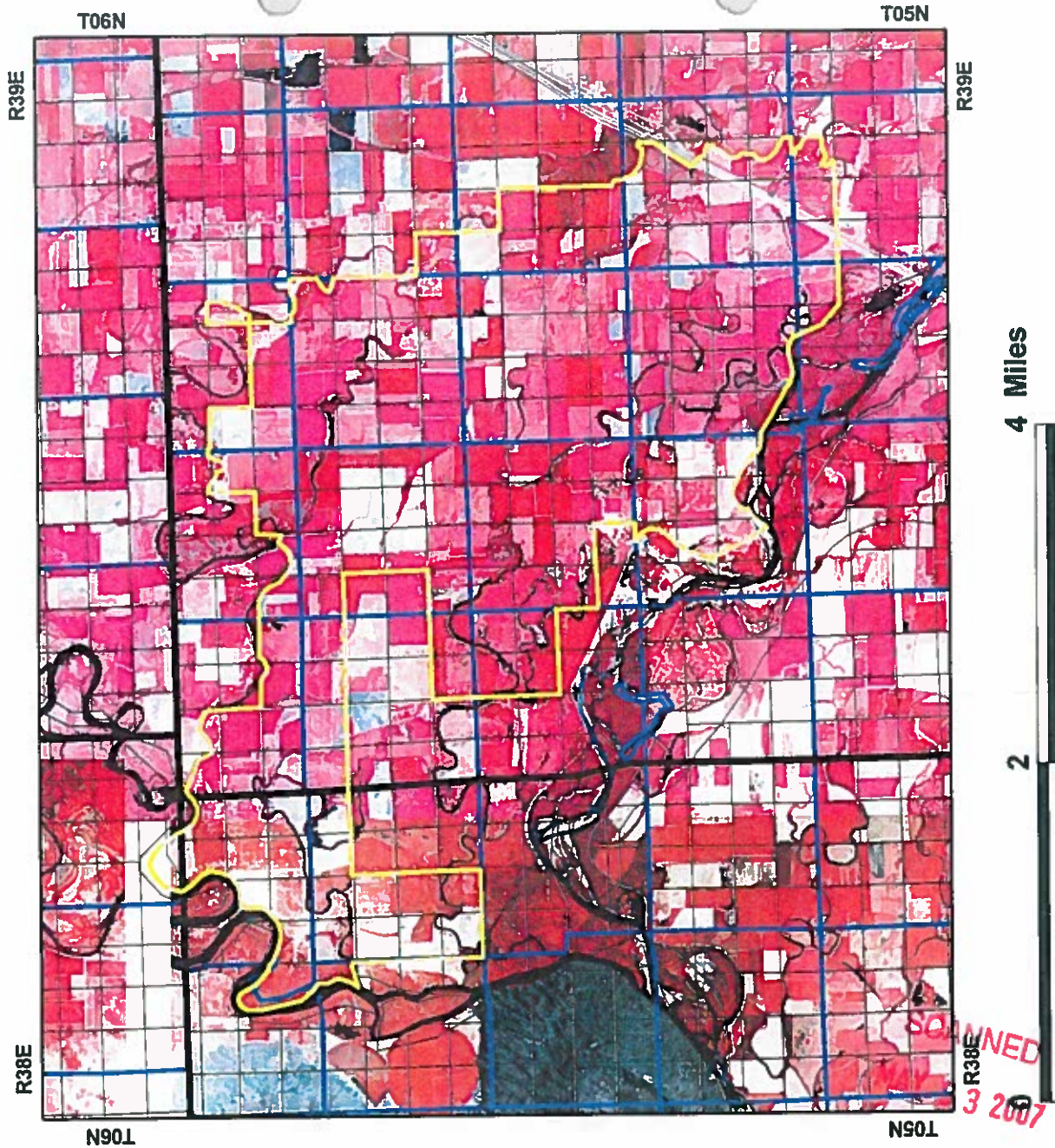
Legend

- Service Area
- Townships
- PLS Sections
- Quarter Quarters



Jefferson, Madison Counties
IDWR Basin 1

Prepared by C. Moore
On Monday, November 20, 2006
1987/88 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: November 30, 2006

Water right number: 1-316

LIBERTY PARK IRRIGATION CO INC
C/O ORA LEE BENNETT
5293 S 4300 W
REXBURG ID 83440
Telephone Number: (208)356-5791

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: Nov 29 - 2006 SIGNATURE: Larry L. Hansen

Please print your name: LARRY L. HANSEN

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

SCANNED
MAY 03 2007

PROFILED

KMT
12/04

Lands located in Section 7, 12 and 13, Township 2 South
Range 36, E.B.M. Bingham County, Idaho.

R. MARVIN M JACKSON

1 0314

That Marvin M. Jackson shall have the right to divert and use 5.0
cubic feet of water per second at the following point of diversion
and upon the following described lands:

Point of Diversion

Northeast Quarter of the Northeast Quarter of Section 34,
Township 5 North, Range 37 E.B.M.

Lands to Which Appurtenant

N $\frac{1}{2}$ N $\frac{1}{2}$ Section 34, Township 5 North, Range 37 E.B.M. Jefferson
County, Idaho.

S. LA BELLE IRRIGATION CO.

1 0315

That La Belle Irrigation Co. shall have the right to divert and
use 30.0 cubic feet of water per second at the following point of
diversion and upon the following described lands:

Point of Diversion

Southeast Quarter of the Southeast Quarter of Section 13,
Township 4 North, Range 39 E.B.M.

Lands to Which Appurtenant

Sections 2, 3, 4, 10, 11 and 12, Township 4 North Range 39 E.B.M.
Sections 33 and 34, Township 5 North, Range 39 E.B.M.
All in Jefferson County, Idaho.

T. LIBERTY PARK IRRIGATION CO.

1 0316

That Liberty Park Irrigation Co. shall have the right to divert
and use 20.0 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 Southwest Quarter of Section 6,
Township 4 North, Range 40 E.B.M.

Lands to Which Appurtenant

RECORDED
MAY 13 1996

Sections 1, 4, 5, 6, 7, 8, 9, 10, 12, 14, 15, 16, 17, 18
20, 21, 22, 23, 26, 27 and 28, Township 5 North, Range 39 E.B.M.
Madison County, Idaho.

U. LONG ISLAND IRRIGATION CO.

That Long Island Irrigation Co. shall have the right to divert
and use 35.0 cubic feet of water per second at the following point
of diversion and upon the following described lands:

Point of Diversion

Northeast Quarter of the Southwest Quarter of Section 10,
Township 4 North, Range 39 E.B.M.

Lands to Which Appurtenant

Sections 31, 32 and 33, Township 5 North, Range 39 E.B.M.

Sections 31, 32, 33, 34, 35 and 36, Township 5 North, Range 38 E.B.M.

Sections 2, 3, 4, 5 and 6, Township 4 North, Range 38 E.B.M.

Sections 35 and 36 Township 5 North, Range 37 E.B.M.

Sections 26, 27, 28, 29 and 30, Township 5 North, Range 38 E.B.M.

Section 2 Township 4 North, Range 37 E.B.M.

Sections 12, 13, 14, 23, 24, 25 and 26, Township 5 North
Range 37 E.B.M.

Section 18, 19, 20, 21, 22 and 23, Township 5 North Range 38 E.B.M.

All in Jefferson County, Idaho;

V. ROBERT D. MACKAY

1 0318 ✓

That Robert D. Mackay shall have the right to divert and use
4.0 cubic feet of water per second at the following point of
diversion and upon the following described lands:

Point of Diversion

Southwest Quarter of Section 23; Township 4 North, Range 40 E.B.M.

Lands to Which Appurtenant

Lot 3, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 36, and Lot 4, Section 35
all in Township 4 North, Range 37 E.B.M. Jefferson County, Idaho

W. JOHN L. NELSON, ADRIAN NELSON, ERVEN
SCOTT, VELMA ANDERSON and LAURA ANDERSON

1 0319
MAY 13 1996

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: A01-00316
Date Received: 8/25/1988
Receipt No: E001834
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: LIBERTY PARK IRRIGATION CO. INC. 208-356-5791
Address: 5293 SOUTH 4300 WEST
REXBURG, ID 83440

2. Date of Priority: APR 1, 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	40E	6	NE	SW	SW	7	MADISON

5. Description of diverting works:
HEADGATE TO DIVERSION CANAL FOR LIBERTY PARK CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	20.000		
STOCKWATER	11/01	04/01	20.000		

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

8. Total consumptive use is 13567.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05N	38E	1	SE	SW		IRR	13.0
			NE	SE		IRR	5.0
			SW	SE		IRR	40.0

A01-00316

Page 1

Date: 01/03/91

A0100316



COPY

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OCT 19 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	38E	1	SE	SE		IRR	27.0
						Section Acres	85.0
	39E	4	NW	SW		IRR	39.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	20.0
			SW	SE		IRR	39.0
						Section Acres	178.0
						Total Acres	263.0

11. Place of use in counties: MADISON

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

13. Other Water Rights Used:
01-0104/0105/0106/0107/0108/0253

14. Remarks:
P/U SAME AS A01-00104/00105/00106/00107/00108/00253 AC.IRR.=5427
P/D SAME AS REID CANAL, TEXAL SLOUGH, AND LIBERTY PARK CANAL.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

ABERDEEN SPRINGFIELD ETAL
Decree Plaintiff

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 Secretary of
Liberty Park Irrigation Co. Inc. that I have signed the foregoing
Organization document in the space below as Secretary of
Liberty Park Irrigation Co. Inc. and that the statements contained in the
Organization foregoing document are true and correct.

Richard Thompson
Signature of Authorized Agent

Secretary, Liberty Park Irrigation Co. Inc.
Title and Organization

1/3/91
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 3 day
of Jan 1991

Dave Culy
Notary Public

Seal

Residing at Heise, Id
My Commission Expires 2/26/96

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: A01-00316
Date Received: 8/25/1988
Receipt No: E001834
Received By: KCA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LIBERTY PARK IRRIGATION CO. INC. 208-356-5791
Address: 5293 SOUTH 4300 WEST
REXBURG, ID 83440

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
04N	40E	6	NE	SW	SW	7	MADISON

5. Description of diverting works:
HEADGATE TO DIVERSION CANAL FOR LIBERTY PARK CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	20.000		

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

8. Total consumptive use is 13567.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	38E	1	SE	SW		IRR	13.0
			NE	SE		IRR	5.0
			SW	SE		IRR	40.0

A01-00316

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Date: 08/25/88

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	38E	1	SE	SE		IRR	27.0
						Section Acres	85.0
	39E	4	NW	SW		IRR	39.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	20.0
			SW	SE		IRR	39.0
						Section Acres	178.0
						Total Acres	263.0

11. Place of use in counties: MADISON

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

13. Other Water Rights Used:
01-0104/0105/0106/0107/0108/0253

14. Remarks:
P/U SAME AS A01-00104/00105/00106/00107/00108/00253 AC.IRR.=5427
P/D SAME AS REID CANAL, TEXAL SLOUGH, AND LIBERTY PARK CANAL.

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

ABERDEEN SPRINGFIELD ETAL
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 Secretary of _____ Title

Liberty Park Irrigation Co. Inc. that I have signed the foregoing Organization

document in the space below as Secretary of _____ Title

Liberty Park Irrigation Co. Inc. and that the statements contained in the Organization
foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

Secretary Liberty Park Irrigation Co. Inc.
Title and Organization

8/25/88

Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 25th day

of Aug 19 88

[Signature]
Notary Public

Seal

Residing at Idaho Falls

My Commission Expires 5/29/1991

1. Name: LIBERTY PARK IRRIGATION CO. INC.
Address: 5293 SOUTH 4300 WEST
REXBURG, ID 83440

208-356-5791

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	38E	1	SE	SW		IRR	13.0
			NE	SE		IRR	5.0
			SW	SE		IRR	40.0

Page

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Date: 08/25/88

P/u NOT CODED

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OCT 19 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	38E	1	SE	SE		IRR	27.0
			Section Acres				85.0
		12	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			NE	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			Section Acres				360.0
	39E	4	NW	SW		IRR	39.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	20.0
			SW	SE		IRR	39.0
			Section Acres				178.0
		5	SW	SW		IRR	30.0
			SE	SW		IRR	10.0
			NE	SE		IRR	30.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
			Section Acres				150.0
		6	SW	NW	4	IRR	22.0
			SE	NW	3	IRR	15.0
			NE	SW		IRR	40.0
			NW	SW	5	IRR	40.0
			SW	SW	6	IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
			Section Acres				357.0
		7	NE	NE		IRR	40.0

P/u NOT CODED

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OCT 19 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	39E	7	NW	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW	1	IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
			Section Acres				240.0
		8	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SE	NW		IRR	20.0
			NE	SW		IRR	20.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
			Section Acres				520.0
		9	NE	NE		IRR	30.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	38.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
			Section Acres				628.0
		15	NW	NW		IRR	40.0

P/u NOT CODED

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OCT 19 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	39E	15	SW	NW		IRR	40.0
			SE	NW		IRR	30.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			SW	SE		IRR	5.0

Section Acres 275.0

16	NE	NE	IRR	40.0
	NW	NE	IRR	40.0
	SW	NE	IRR	40.0
	SE	NE	IRR	40.0
	NE	NW	IRR	40.0
	NW	NW	IRR	40.0
	SW	NW	IRR	40.0
	SE	NW	IRR	40.0
	NE	SW	IRR	40.0
	NW	SW	IRR	40.0
	SW	SW	IRR	40.0
	SE	SW	IRR	40.0
	NE	SE	IRR	40.0
	NW	SE	IRR	40.0
	SW	SE	IRR	40.0
	SE	SE	IRR	40.0

Section Acres 640.0

17	NE	NE	IRR	40.0
	NW	NE	IRR	40.0
	SW	NE	IRR	40.0
	SE	NE	IRR	40.0
	NE	NW	IRR	40.0
	NW	NW	IRR	40.0
	SW	NW	IRR	40.0
	SE	NW	IRR	40.0
	NE	SW	IRR	40.0
	NW	SW	IRR	40.0
	NE	SE	IRR	40.0
	NW	SE	IRR	40.0
	SW	SE	IRR	40.0
	SE	SE	IRR	35.0

Section Acres 555.0

P/u NOT CODED MICROFILMED OCT 19 1992

10. Place of Use: Continued

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
05N	39E	18	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
						Section Acres	160.0
		20	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	10.0
			NE	NW		IRR	10.0
			SE	NW	3	IRR	12.0
						Section Acres	152.0
		21	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW	1	IRR	10.0
			SE	SW		IRR	30.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	38.0
			SE	SE		IRR	40.0
						Section Acres	598.0
		22	NW	NE		IRR	30.0
			SW	NE		IRR	12.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	37.0
			SW	SW		IRR	40.0

P/a NOT CODED

MICROFILMED
OCT 19 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	39E	22	SE	SW		IRR	21.0
			NW	SE		IRR	22.0
			SW	SE		IRR	29.0
			Section Acres				391.0
		27	NW	NE		IRR	26.0
			NE	NW		IRR	27.0
			NW	NW		IRR	30.0
			Section Acres				83.0
		28	NE	NE		IRR	40.0
			NW	NE	6	IRR	15.0
			Section Acres				55.0
			Total Acres				5427.0

Plu NOT CODED



MICROFILMED
OCT 19 1992

