

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 01-4061

Date Received:
Receipt Nos:
Received By:

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

Name of Claimant THE UNITED CANAL CO
74 N 600 W
BLACKFOOT, ID 83221
(208)684-3809

Priority Date: 06/06/1965
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	9.59 CFS	
Recharge for Irrigation	04/01	10/31	9.59 CFS	
Total Diversion			9.59 CFS	

Location of Point(s) of Diversion:

SNAKE RIVER NENE Lt 1 Sec. 27 Township 02S 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.

1. C18 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 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.
- 2.135
3. This right does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
4. Point of diversion is the heading of the Danskin Canal.
- 5.129 Place of use is within the area served by Trego Ditch Company.
- 6.R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
- 7.E56 Use of the rights listed below is limited to the irrigation of a combined total of 1171 acres in a single irrigation season. Combined Right Nos.: 01-00002A, 01-00148, 01-00266, and 01-04061.

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)

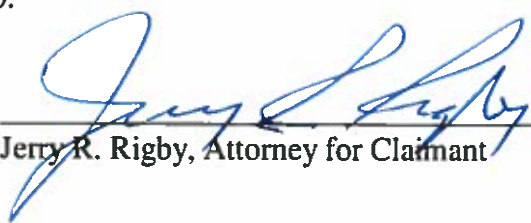
(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not XX wish to receive and pay a small annual fee for monthly copies of the docket sheet.

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 forgoing document are true and correct.

DATED this 17th day of August, 2010.

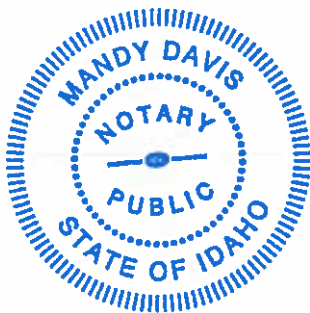


Jerry R. Rigby, Attorney for Claimant

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.



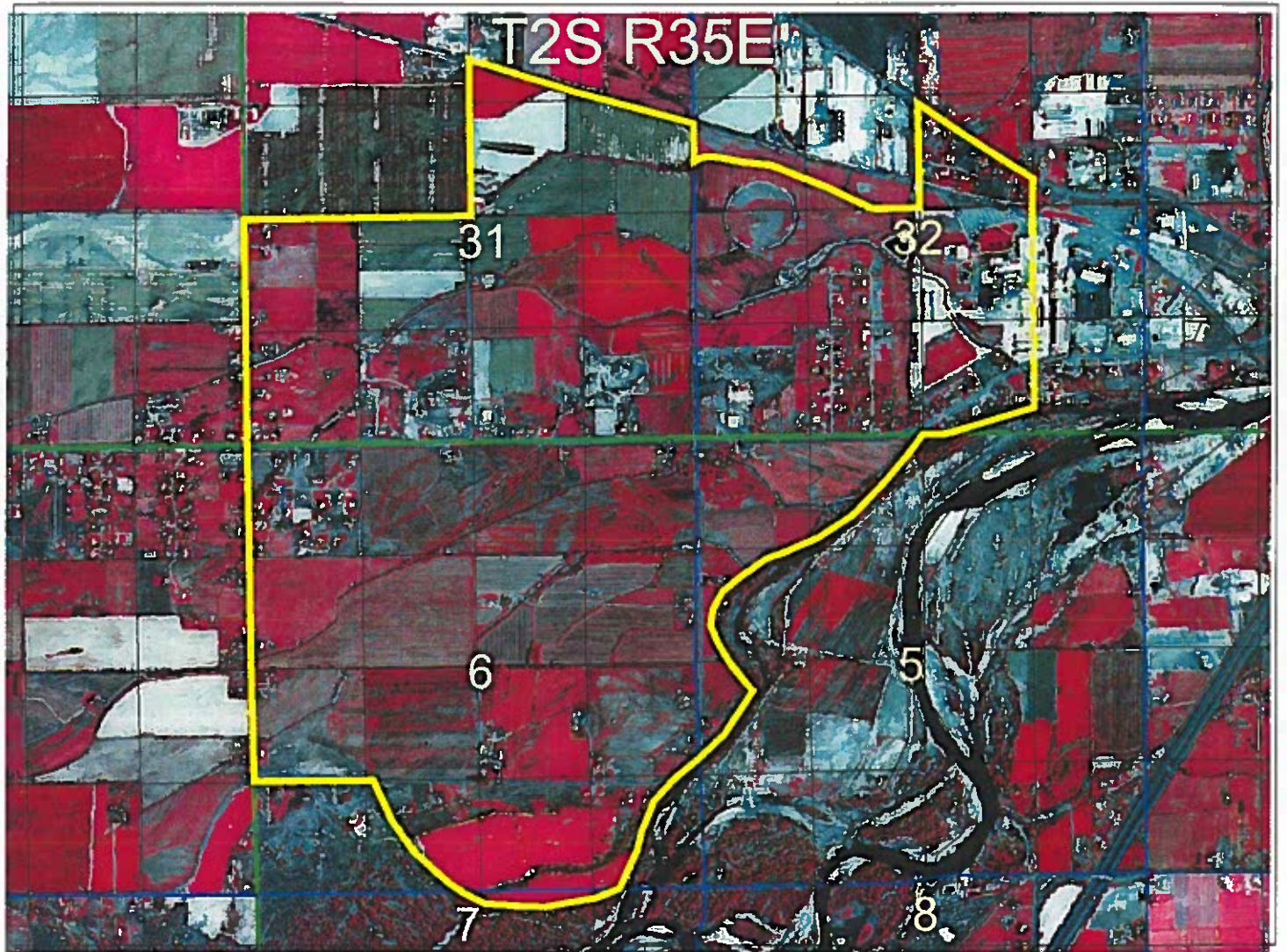
Mandy Arno
Notary Public for Idaho
Residing at: St. Anthony
My Commission Expires: 6/24/2011

Idaho Department of Water Resources

TREGO DITCH CO

Service Area Boundary

Claim No.: 1-2A, 1-148, 1-266, 1-4061



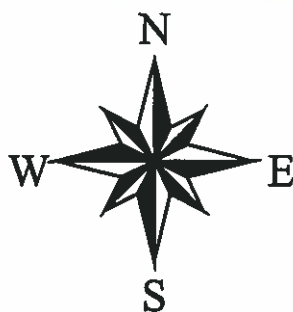
SCANNED

JUN 09 2005

PROFILED

0 1320 2640 3960 5280 6600 7920 9240 10560 Feet

-  Trego boundary.shp
-  Township/Range
-  Sections
-  QQ



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

06/01/2006

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

RIGHT NUMBER: 1-4061

NAME AND ADDRESS: THE UNITED CANAL CO
74 N 600 W
BLACKFOOT ID 83221

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 9.590 CFS

PRIORITY DATE: 06/06/1965

POINT OF

DIVERSION: T02S R35E S27 NENE Lot 1 Within BINGHAM County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

9.590 CFS

PLACE OF USE:

1171 ACRES TOTAL

Place of use is within the area served by Trego Ditch 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.

of Use of the rights listed below is limited to the irrigation of a combined total
1171 acres in a single irrigation season. Combined Right Nos.: 01-00002A,
01-00148, 01-00266, and 01-04061.

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 - Beneficial Use

This right does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

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

Point of diversion is the heading of the Danskin Canal.

10/20/2005

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

RIGHT NUMBER: 1-4061

NAME AND ADDRESS: TREGO DITCH CO
PO BOX 1445
BLACKFOOT ID 83221

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 9.590 CFS

PRIORITY DATE: 06/06/1965

POINT OF DIVERSION:

T02S R35E S27 NENE Lot 1 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	9.590 CFS

PLACE OF USE:

1171 ACRES TOTAL

Place of use is within the area served by Trego Ditch Company.

Use of the rights listed below is limited to the irrigation of a combined total of 1171 acres in a single irrigation season. Combined Right Nos.: 01-00002A, 01-00148, 01-00266, and 01-04061.

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 - Beneficial Use

This right does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

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

Point of diversion is the heading of the Danskin Canal.

05/27/2005

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

RIGHT NUMBER: 1-4061

NAME AND ADDRESS: TREGO DITCH CO
PO BOX 1445
BLACKFOOT ID 83221

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 9.590 CFS
4,071.000 AFY

Use of the rights listed below is limited to a total combined diversion rate of 97 cfs and to a total combined annual diversion volume of 4892 AF. Combined Right Nos.: 01-00002A, 01-00148, 01-00266, and 01-04061.

PRIORITY DATE: 06/06/1965

POINT OF DIVERSION:

T02S R35E S27 NENE Lot 1 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	9.590 CFS 4,071.00 AFY

PLACE OF USE:

1223 ACRES TOTAL

Place of use is within the area served by Trego Ditch Company.

Use of the rights listed below is limited to the irrigation of a combined total of 1223 acres in a single irrigation season. Combined Right Nos.: 01-00002A, 01-00148, 01-00266, and 01-04061.

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: Beneficial Use

This right does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

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

Point of diversion is the heading of the Danskin Canal.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION
June 1, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

THE UNITED CANAL CO
74 N 600 W
BLACKFOOT ID 83221

RE: Notice of Change of Water Right Ownership (NCO) for 01-2A, 01-148, 01-266, 01-4061 and Notice of Completed Administrative Proceeding (NCAP)

Dear Sir/Madam:

On March 17, 2006, the Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosure

cc: Trego Ditch Co.

SCANNED

JUN 09 2006

PROFILED

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

)

Water Rights: 01-2A, 01-148, 01-
266, 01-4061

Case No. 39576

)

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party TREGO DITCH CO – THE UNITED CANAL CO
- ☐ I.C. § 42-222 transfer
 - ☐ point of diversion ☐ place of use
 - ☐ period of use ☐ nature of use
 - ☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: June 1, 2006

Ernest Carlson

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on June 9, 2006, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
TREGO DITCH CO
PO BOX 1445
BLACKFOOT ID 83221

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
THE UNITED CANAL CO
74 N 600 W
BLACKFOOT ID 83221

4. One copy to:

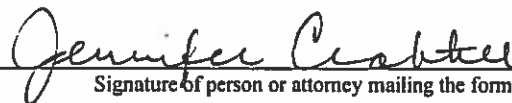
Each party in the subcase, or attorney of record
N/A

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

RECEIVED

AUG 19 2005

Department of Water Resources
Eastern Region

07/14/2005

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: January 1, 2001

Water right number: 1-4061

TREGO DITCH CO

PO BOX 1445

BLACKFOOT ID 83221

Telephone Number: (208)785-7027

C.O. Keith Esplin
580 W. 75 S

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

We disagree with the volume limit on water use. The total acres is wrong. No list of recharge as beneficial use.

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

Use of historical volumes. List recharge as a beneficial use. Correct acreage

3. Give a brief explanation as to why you disagree with these portions:

The volume limit would only give us about 5 weeks of water. The canal does a lot of recharge.

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

DATE:

Aug 10, 05

SIGNATURE:

Keith Esplin

Please print your name:

Keith Esplin

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

SCANNED

AUG 25 2005

PROFILED

MD
8/19

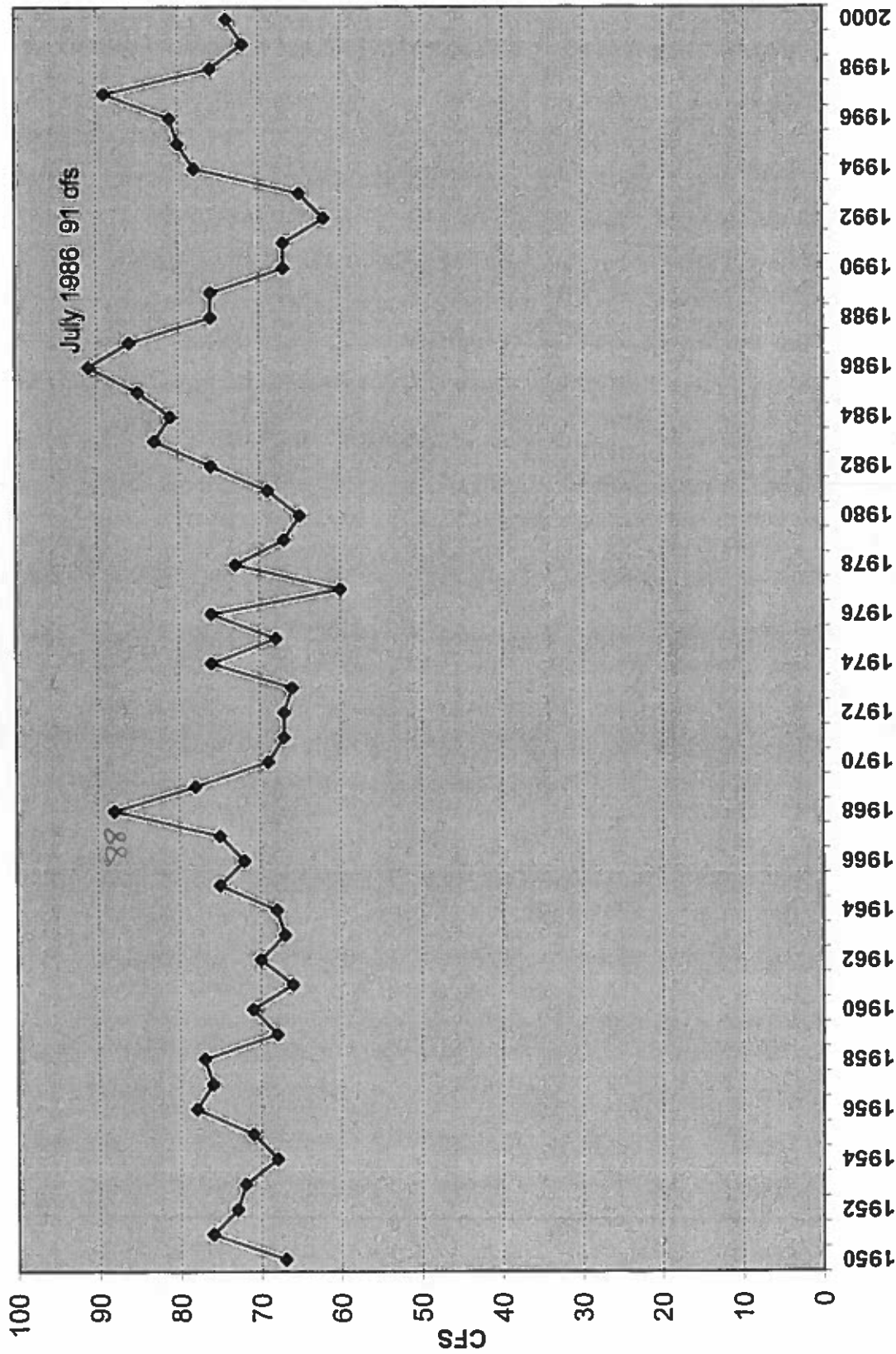
13062050 HISTORIC DIVERSION TREGO CANAL (4000-AG-FF)

(CFS)

W-YR	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	ANN
1950	24	7	0	0	0	0	2	42	57	67	63	45	308
1951	24	7	0	0	0	0	2	52	72	76	59	47	339
1952	24	7	0	0	0	0	2	57	64	73	67	42	335
1953	24	7	0	0	0	0	2	54	49	72	62	49	317
1954	24	7	0	0	0	0	2	57	55	68	62	49	324
1955	24	7	0	0	0	0	2	44	71	70	68	49	334
1956	24	7	0	0	0	0	2	62	74	78	68	59	374
1957	24	7	0	0	0	0	2	3	76	76	68	55	312
1958	24	7	0	0	0	0	2	55	77	70	60	44	339
1959	24	7	0	0	0	0	2	50	66	68	63	64	344
1960	24	7	0	0	0	0	2	57	71	68	62	47	337
1961	28	8	0	0	0	0	7	52	66	57	39	34	290
1962	28	8	0	0	0	0	7	59	67	70	62	54	354
1963	28	8	0	0	0	0	7	34	42	67	57	47	290
1964	28	8	0	0	0	0	7	21	67	65	68	52	317
1965	28	8	0	0	0	0	7	42	71	62	75	45	338
1966	28	8	0	0	0	0	7	59	67	67	72	59	366
1967	28	8	0	0	0	0	7	24	67	75	73	60	343
1968	28	8	0	0	0	0	7	65	64	88	57	52	369
1969	28	8	0	0	0	0	7	35	72	78	72	54	383
1970	28	8	0	0	0	0	7	34	69	68	67	47	328
1971	28	8	0	0	0	0	0	47	62	67	59	44	314
1972	28	8	0	0	0	0	15	60	60	67	52	50	341
1973	29	8	0	0	0	0	0	50	66	63	62	39	318
1974	21	8	0	0	0	0	8	49	76	70	65	50	348
1975	31	8	0	0	0	0	0	26	67	68	68	57	326
1976	33	3	0	0	0	0	0	37	27	76	57	57	291
1977	28	7	0	0	0	0	18	50	60	57	42	30	293
1978	23	8	0	0	0	0	0	59	66	73	67	42	337
1979	49	10	0	0	0	0	0	55	67	59	47	47	334
1980	21	2	0	0	0	0	7	44	62	65	55	35	291
1981	24	0	0	0	0	0	0	42	69	68	59	52	315
1982	10	10	0	0	0	0	0	63	69	76	65	52	364
1983	16	0	0	0	0	0	7	46	76	67	83	69	363
1984	33	0	0	0	0	0	0	52	77	81	67	74	384
1985	54	2	0	0	0	0	2	85	76	65	67	50	399
1986	39	0	0	0	0	0	3	75	89	91	88	62	447
1987	36	10	0	0	0	0	24	75	86	78	76	50	435
1988	36	0	0	0	0	0	25	76	76	67	46	10	335
1989	33	0	0	0	0	0	0	65	76	68	60	64	366
1990	34	2	0	0	0	0	37	63	57	67	63	60	384
1991	26	3	0	0	0	0	8	37	60	67	65	45	313
1992	34	0	0	0	0	0	29	62	60	39	47	27	298
1993	16	0	0	0	0	0	0	21	60	65	63	62	289
1994	42	0	0	0	0	0	25	78	66	60	33	15	319
1995	0	0	0	0	0	0	24	44	49	80	65	57	318
1996	36	0	0	0	0	0	13	73	79	81	59	64	405
1997	23	0	0	0	0	0	30	89	60	70	55	52	380
1998	10	0	0	0	0	0	15	63	59	76	72	55	351
1999	34	0	0	0	0	0	24	62	67	72	63	64	386
2000	39	0	0	0	0	0	35	68	74	63	57	30	367
AVERAGE:													
1950-2000	28	5	0	0	0	0	9	53	66	70	62	49	342

MAXIMUM MONTHLY DIVERSION 1950-2000

13062050 TREGO CANAL



87.41 decreased

— Eastern AJ

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5388
WATER RIGHT NO(S) . 01-00002A/01-00148/01-00266/01-04061

This is to certify that: TREGO DITCH COMPANY
C/O WILBUR GREGORY
533 W 37 S
BLACKFOOT ID 83221

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 01-00002A : IRRIGATION Priority: 06/01/1890	04/01 to 10/31	65.41 CFS	5208.0 AF
Right No. 01-00148 : IRRIGATION Priority: 06/01/1902	04/01 to 10/31	4.00 CFS	640.0 AF
Right No. 01-00266 : IRRIGATION Priority: 01/22/1916	04/01 to 10/31	18.00 CFS	5208.0 AF
Right No. 01-04061 : IRRIGATION Priority: 06/06/1965	04/01 to 10/31	9.59 ~~9.89~~ CFS	4178.4 AF
TOTAL:		* ~~97.30~~ CFS	* 5208.0 AF

SOURCE
SNAKE RIVER

TRIBUTARY OF
COLUMBIA RIVER

LOCATION OF POINT(S) OF DIVERSION: Lot 1 (NENE), Sec. 27, Township 02S, Range 35E
BINGHAM County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02S 35E 31	NWNE 7	SWNE 40	SENE 37	
	Lot 2 (SNNW) 30	SENN 30	NESW 40	
	Lot 3 (NNSW) 40	Lot 4 (SWSW) 40	SESW 40	
	NESE 40	NWSE 40	SWSE 40	
	SESE 40			464
32	SNNW 17	SENN 4	NESW 40	
	NNSW 40	SWSW 20	SESW 40	

PROFILED

TRANSFER NO. 5388
WATER RIGHT NO(S). 01-00002A/01-00148/01-00266/01-04061

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>		<u>ACRES</u>		<u>ACRES</u>		<u>ACRES</u>	<u>TOTAL</u>
			NWSE	15	Lot 2 (SWSE)	35			211
03S	35E	5	Lot 8 (NENW)	18	Lot 9 (NWNW)	40	SWNW	10	
			NWSW	5					73
		6	Lot 1 (NENE)	40	Lot 2 (NWNE)	40	SWNE	40	
			SENE	40	Lot 3 (NENW)	40	Lot 4 (NWNW)	40	
			Lot 5 (SWNW)	40	SENE	40	NESW	40	
			Lot 6 (NWSW)	33	Lot 7 (SESW)	28	NESE	38	
			NWSE	40	SWSE	40	SESE	15	554
Total number of acres irrigated:									* 1302 **

CONDITIONS OF APPROVAL AND REMARKS

1. Approval of Transfer 5388 does not confirm claimed Right 01-04061.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
4. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- ** 8. Right 01-00148 is limited to the irrigation of 160.0 acres in the place of use described above in a single irrigation season.
- * 9. Rights 01-00002A, 01-00148, 01-00266, and 01-04061 when combined shall not exceed a total diversion rate of 97.30 cfs, a total annual maximum diversion volume of 5208.0 af at the field headgate, and the irrigation of 1302.0 acres.
10. Approval of Transfer 5388 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

Dated this 24th day of November, 1999


Chief, Water Allocation Bureau

SCANNED

NOV 22 2004

FILED

MEMORANDUM

TO: Files 01-00002A, 01-00148, 01-00266 & 01-04061

FROM: Pam Skaggs^{CS}/State Office

SUBJECT: Transfer 5388

DATE: November 23, 1999

Transfer 5388 changes the point of diversion and clarifies the specific place of use under Rights 01-00002A, 01-00148, 01-00266 and 01-04061. The applicant and Danskin Ditch Company have agreed to consolidate their rights in the Danskin ditch to be more efficient and help prevent flooding.

The three decreed rights had non-specific places of use within the same area as 1302 acres identified under the transfer and statutory claim 01-04061. Right 01-00148 is limited specifically to 160 total acres within the 1302-acre permissible place of use.

Season of use and diversion volume were adjusted to current standards. Recommended conditions include non-confirmation of claim 01-04061, watermaster control, measuring device & lockable controlling works, irrigation overlap, permissible place of use under Right 01-00148, combined right limits, right-of-way and standard transfer conditions.

PROFILED
SCANNED

NOV 22 2004

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 01-04061

STAGE: STATUTORY CLAIM

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 11/01	9.89 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
SNAKE RIVER	COLUMBIA RIVER

Priority: 06/06/1965

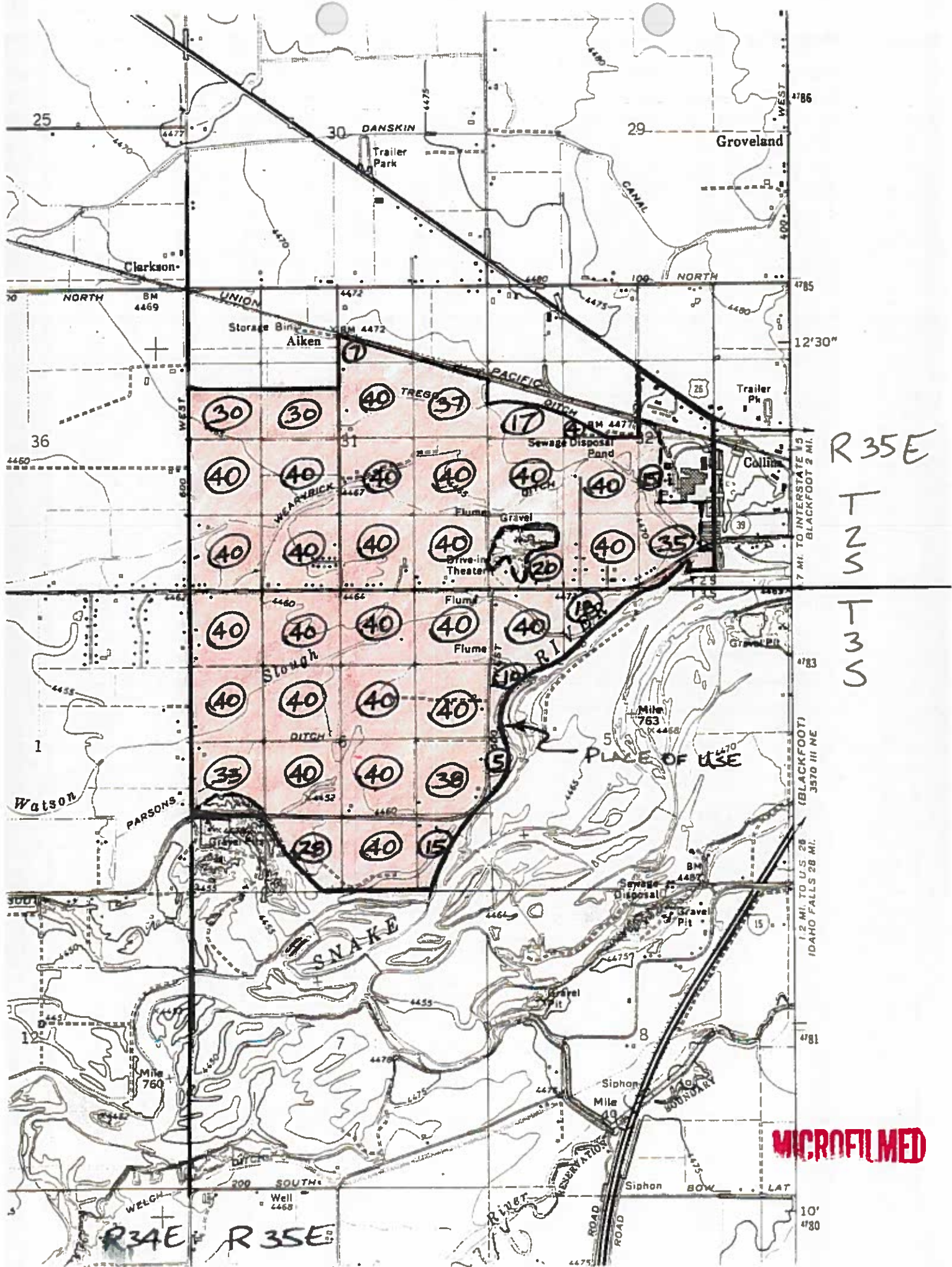
LOCATION OF POINT(S) OF DIVERSION: Lot 3 (SENW), Sec. 27, Township 02S, Range 35E
BINGHAM County

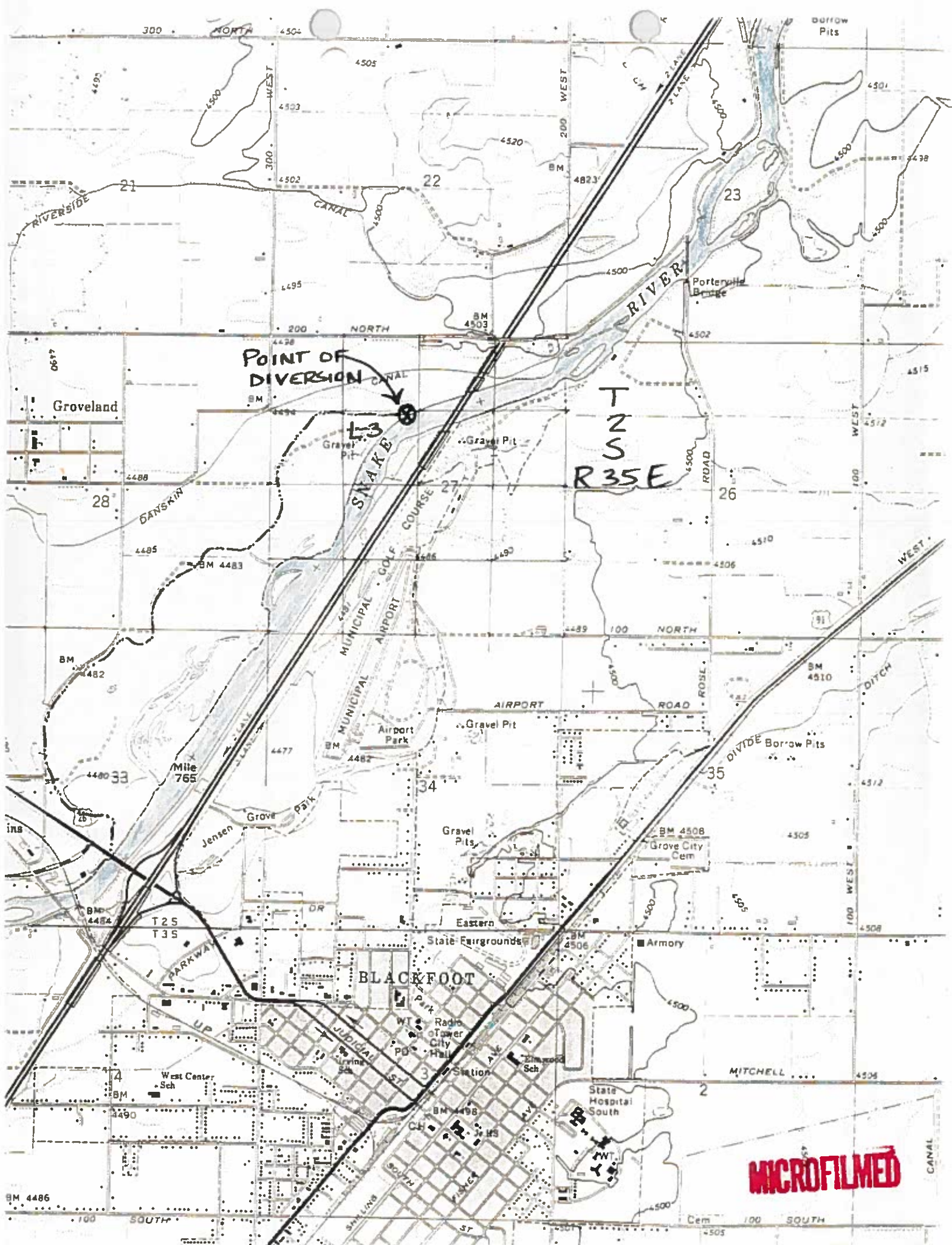
PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02S	35E	31	NWNE 7	SWNE 40	SENE 37	
			Lot 2 (SNNW) 30	SENW 30	NESW 40	
			Lot 3 (NWSW) 40	Lot 4 (SWSW) 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			464
		32	SNNW 17	SENW 4	NESW 40	
			NWSW 40	SWSW 20	SESW 40	
			NWSE 15	Lot 2 (SWSE) 35		211
03S	35E	5	Lot 8 (NENW) 18	Lot 9 (NWNW) 40	SNNW 10	
			NWSW 5			73
		6	Lot 1 (NENE) 40	Lot 2 (NWNW) 40	SWNE 40	
			SENE 40	Lot 3 (NENW) 40	Lot 4 (NWNW) 40	
			Lot 5 (SNNW) 40	SENW 40	NESW 40	
			Lot 6 (NWSW) 33	Lot 7 (SESW) 28	NESE 38	
			NWSE 40	SWSE 40	SESE 15	554
				Total number of acres irrigated:		1302

CONDITIONS/REMARKS:

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DEC 08 1999





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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESNumber changed to
01-4061

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Trego Ditch Company
(Name of Claimant)

53 North 550 West, Blackfoot, Idaho 83221
(Mailing Address)

Telephone No. 785-3489
(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) June 6, 1965

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Snake River tributary to Columbia

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive) (Mo., Day)	
Quantity <u>9.89 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>4/1</u>	To <u>11/1</u>
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____

- (4) _____ TOTAL QUANTITY USED.

- (5) A) Point of diversion: (Location of point where water is diverted from its source)
SE 1/4 NW 1/4, Sec. 27 Twp. 2S Rge. 35E B.M., County of Bingham
Additional points of diversion: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
Headgates and partial diversion dam.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
2S	35E	31		7	40	37			30	30	40	40	40	40	40	40	40	40	464
		32							1-2			1-3	1-4						
									17	4	40	40	20	40		15	35		211
																L-2			
3S	35E	6	40	40	40	40	40	40	40	40	40	33		28	38	40	40	15	554
			L-1	L-2			L-3	L-4	L-5		L-6		L-7						
		5					18	40	10		5								73
							L-9	L-9											

No. of acres 1302

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization:

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(8) Remarks Maps depicting location of point of diversion and place of use
are attached.

A blank sheet of graph paper featuring a uniform grid of squares. The grid consists of solid black lines forming the outer border and dashed black lines forming the internal divisions between squares. The pattern covers the entire page area.

State of Idaho)
County of Coeur d'Alene) ss.

ATTEST: Karen Iregu
Secretary

Sworn to before me this 2nd day of June

Thygo Ditch Co.
by Harry Thygo (Plaintiff)

Landon R Rowe
Notary Public
Residing at 141635 W. Shadepot Rd,
Rt 2 Box 102

My commission expires life

Received by MD Date 6-5-86 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by HWT Date 6-10-86 claimant by: _____
\$100.00 fee received by 100.00 Date 6-5-86 # 39674
Published in Black Post News
Dates 6-24 to 7-3-86

AUG 24 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: A01-04061
Date Received: 1/19/1989 4-12-89
Receipt No: E006810
Received By: RRT

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: TREGO DITCH CO.
Address: 53 NO. 550 W.
BLACKFOOT, ID

83221-0000

2. Date of Priority: JUN 06, 1965

3. Source: SNAKE RIVER

Trib. to: COLUMBIA

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02S	35E	27	SE	NW		3	BINGHAM

5. Description of diverting works:
HEADGATES AND PARTIAL DIVERSION DAM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	9.890		

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

A.F.A.

8. Total consumptive use is 3255.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

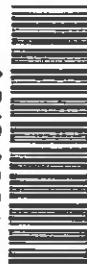
Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	35E	31	NW	NE		IRR	7.0
			SW	NE		IRR	40.0
			SE	NE		IRR	37.0
			SW	NW	2	IRR	30.0

A01-04061

Page 1

Date: 01/19/89

A0104061



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OCT 20 1992

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres	
02S	35E	31	SE		NW		IRR	30.0	
			NE		SW		IRR	40.0	
			NW		SW	3	IRR	40.0	
			SW		SW	4	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							464.0
		32	SW		NW		IRR	17.0	
			SE		NW		IRR	4.0	
			NE		SW		IRR	40.0	
			NW		SW		IRR	40.0	
			SW		SW		IRR	20.0	
SE			SW		IRR	40.0			
NW			SE		IRR	15.0			
SW			SE	2	IRR	35.0			
Section Acres							211.0		
03S	35E	5	NE		NW	8	IRR	18.0	
			NW		NW	9	IRR	40.0	
			SW		NW		IRR	10.0	
			NW		SW		IRR	5.0	
Section Acres							73.0		
6	NE		NE	1	IRR	40.0			
	NW		NE	2	IRR	40.0			
	SW		NE		IRR	40.0			
	SE		NE		IRR	40.0			
	NE		NW	3	IRR	40.0			
	NW		NW	4	IRR	40.0			
	SW		NW	5	IRR	40.0			
	SE		NW		IRR	40.0			
	NE		SW		IRR	40.0			
	NW		SW	6	IRR	33.0			
	SE		SW	7	IRR	28.0			
	NE		SE		IRR	38.0			
	NW		SE		IRR	40.0			
	SW		SE		IRR	40.0			
	SE		SE		IRR	15.0			
	Section Acres							554.0	

10. Place of Use: Continued

Total Acres 1302.0

11. Place of use in counties: BINGHAM

12. Do you own the property listed above as place of use? ~~YES~~ NO

13. Other Water Rights Used: A01-0002A, A01-00148, A01-00266.

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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

Trego Ditch Co., that I have signed the foregoing
Organization
document in the space below as President of
Title

Trego Ditch Co. and that the statements contained in the
Organization
foregoing document are true and correct.

Mary Trego
Signature of Authorized Agent

President Trego Ditch Co.
Title and Organization

4-12-89
Date

State of Idaho

County of Bonneville) ss.

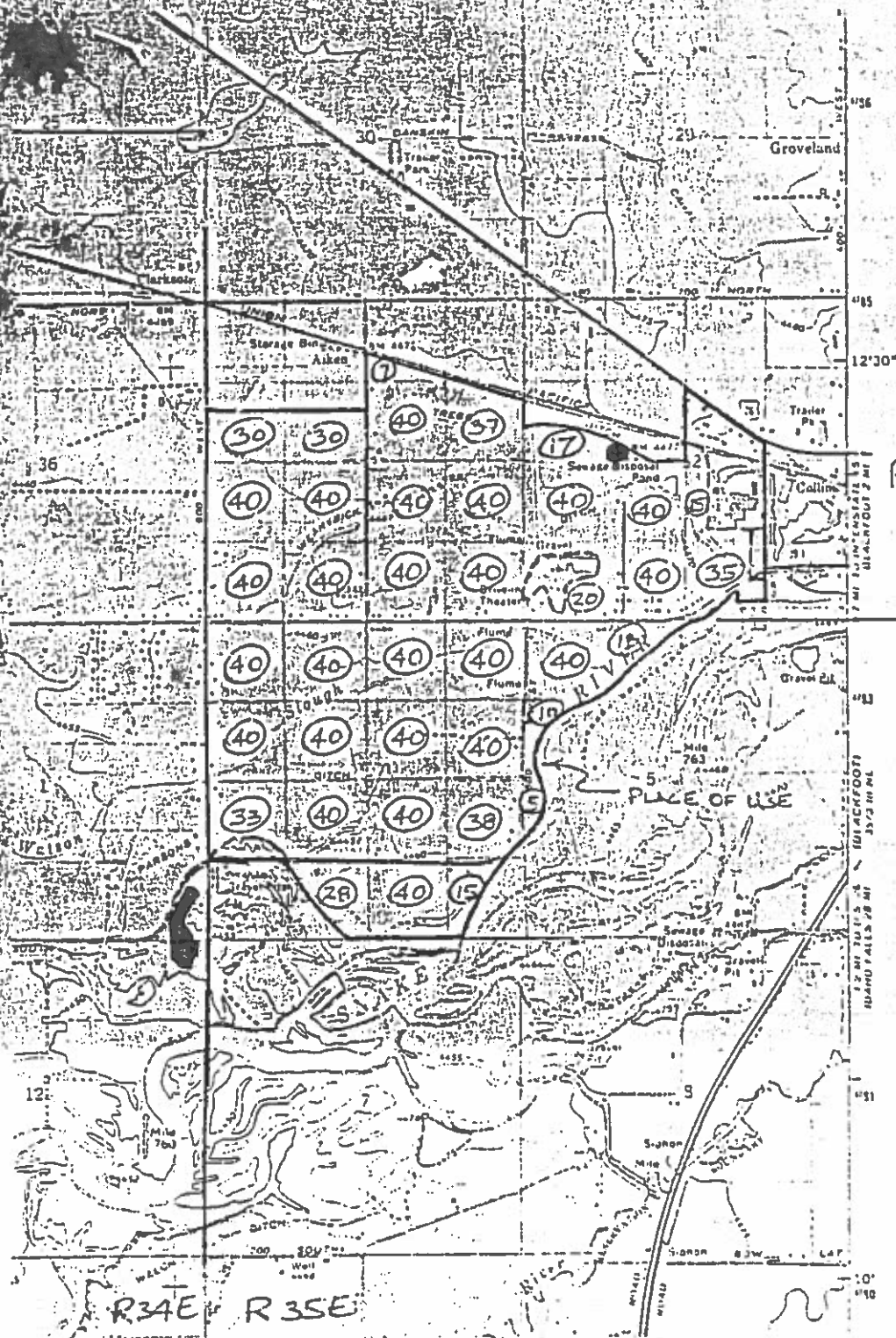
Subscribed and sworn (or affirmed) before me this 12th day

of April 19 89

Helen Harrington
Notary Public

Seal

Residing at Helen Harrington, Notary Public
Residing at Boise, Idaho
My Commission Expires December 1, 1994
My Commission Expires

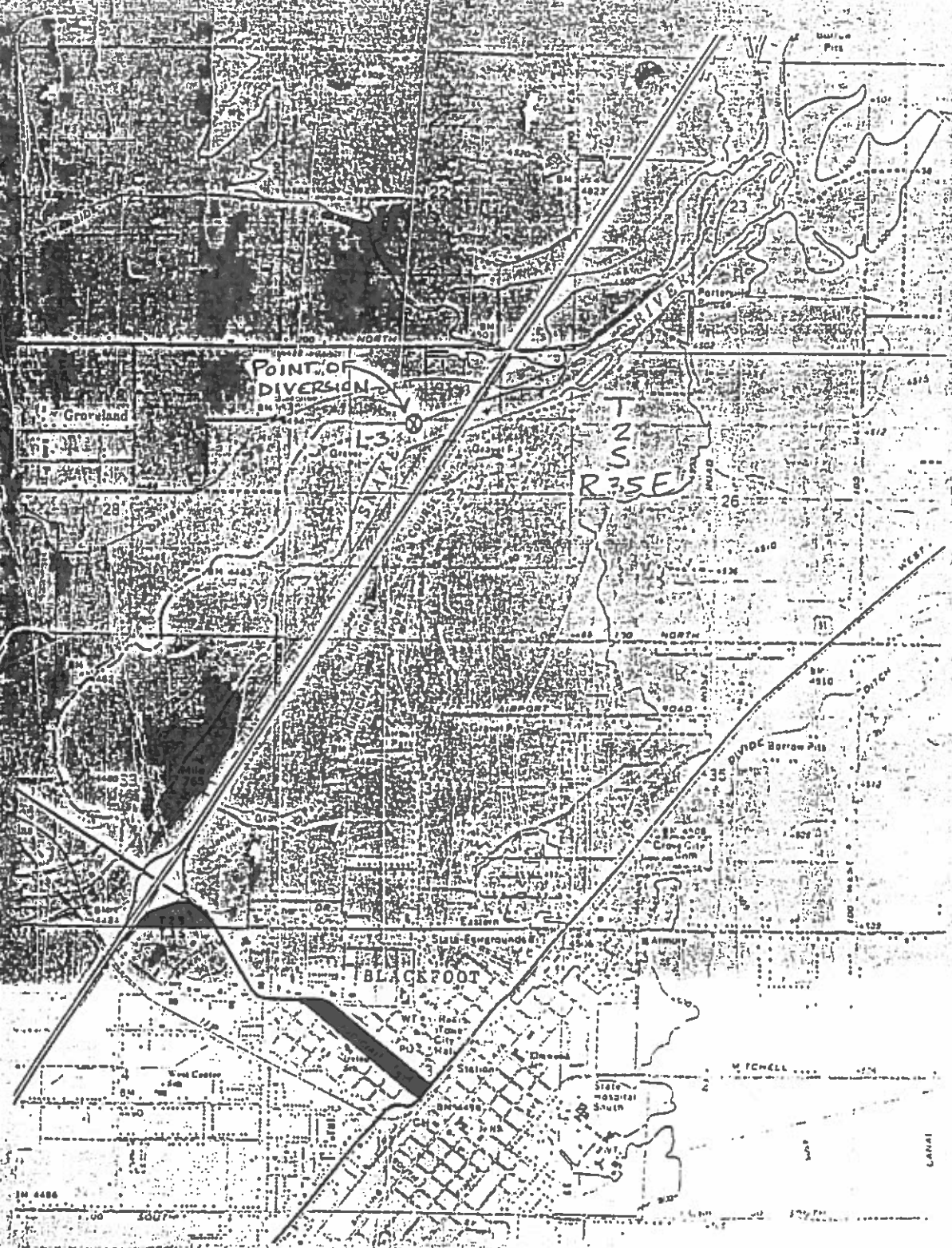


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OCT 20 1992



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