

11/29/2006

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

RIGHT NUMBER: 1-10030

NAME AND ADDRESS: KYM FERGUSON
15533 E RIRIE HWY
RIRIE ID 83443

ANNE FERGUSON
15533 E RIRIE HWY
RIRIE ID 83443

MIKE FERGUSON
15533 E RIRIE HWY
RIRIE ID 83443

CONNIE FERGUSON
15533 E RIRIE HWY
RIRIE ID 83443

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 6.190 CFS

PRIORITY DATE: 04/30/1900

POINT OF DIVERSION:
T04N R40E S36 SWNWSE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	6.190 CFS
PLACE OF USE:	<u>IRRIGATION in JEFFERSON County</u>		
	T04N R40E S26 NESW 40.00	T04N R40E S26 NWSW	37.00
	T04N R40E S26 Lot 1 NESE 11.00	T04N R40E S26 Lot 2 NWSE	26.00
	T04N R40E S26 SWSE 40.00	T04N R40E S26 Lot 1 SESE	25.00
	T04N R40E S35 NWNE 34.00		
	213 ACRES TOTAL		

This right is limited to the irrigation of 131 acres within the place of use described above in a single irrigation season.

Use of the rights listed below is limited to the irrigation of a combined total of 213 acres in a single irrigation season. Combined Right Nos.: 1-50B, 1-10030, and 1-10468.

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

Use of this right is combined with water from Palisades Reservoir.

Water is delivered through Mattson-Craig Canal.

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

This right is a split from former right 1-125A.

Warranty Deed

For Value Received

William Brian Kremer and Ruth Kremer, husband and wife

the grantors, do hereby grant, bargain, sell and convey unto

Kym Ferguson and Anne Ferguson husband and wife

and Mike Ferguson and Connie Ferguson husband and wife

whose current address is 74 North 4850 East Rigby, Idaho 83442

the grantee, the following described premises, in Jefferson County Idaho, to wit:

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they and the owner s in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated:

X William Brian Kremer
William Brian Kremer

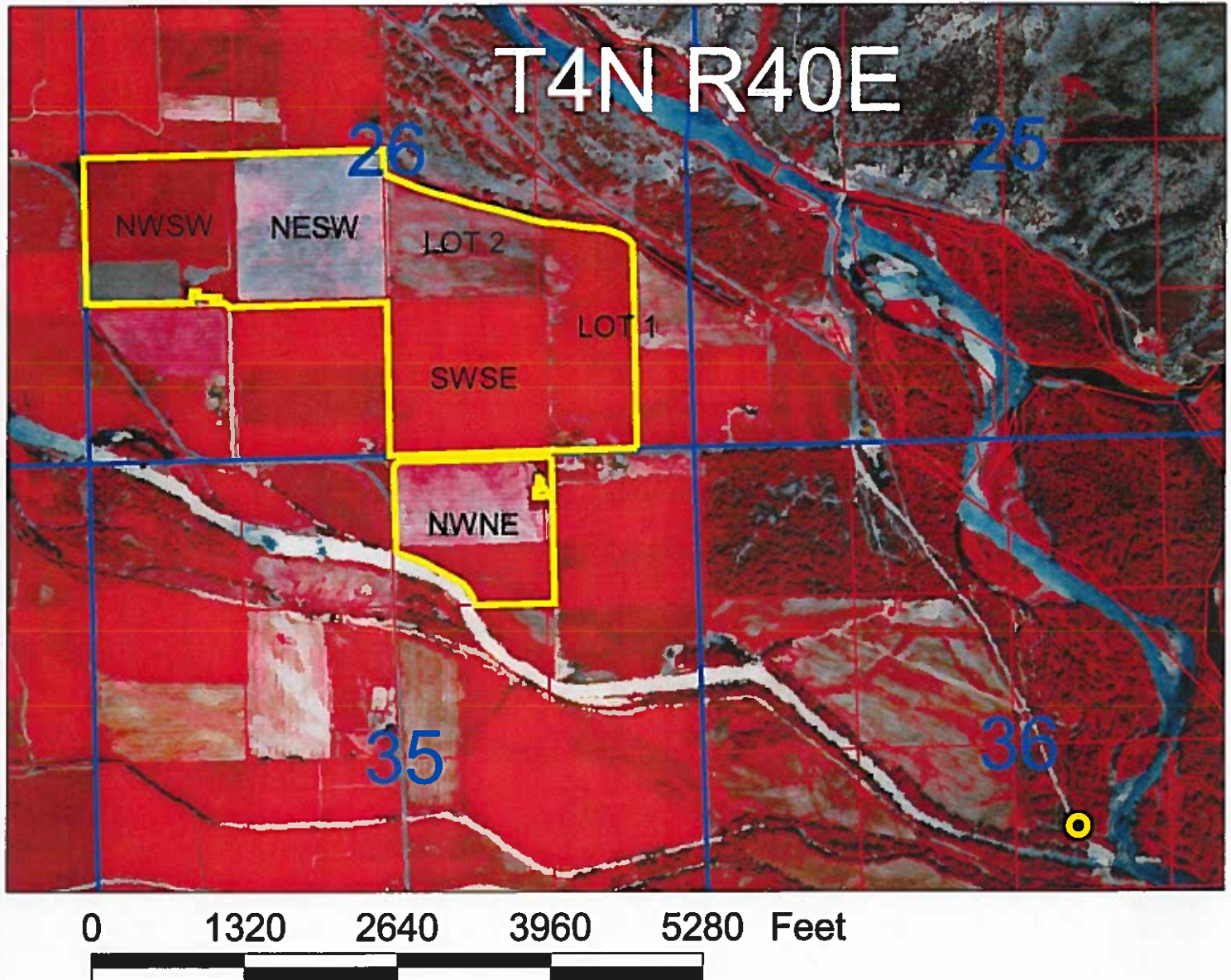
X Ruth Kremer
Ruth Kremer



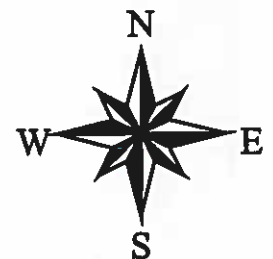


Department of Water Resources

Claim No.: 1-50B, 1-10030, and 1-10468



-  Place of Use
-  Point of diversion
-  Sections
-  QQ



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

0.025 CFS/AC

1-125 A

15.32 CFS
MATTSON, BC + CG
XFR 809

1-125

MATTSON, BC + CG
4/30/1900
20 CFS
SNAKE RIVER

P.O.U.
B.G. MATTSON
4N 40E 35 NW 1/4
160 AC

C.G. MATTSON
4N 40E 25 SW 1/4
26 SE 1/4
36 NW 1/4
35 NE 1/4
640 AC

* XFR 809

- 0.58 CFS ABANDONED TO COMPENSATE FOR TRANSMISSION LOSSES
- WATER MOVED OFF OF SENW + E 1/2 SWNW OF SECTION 36

1-125 B

2.05 CFS
W.G. BURKE
P/D GREAT WESTERN HEAD
PO4: 2N 37E 7 NE 1/4
E 1/2 NW 1/4
LOTS 1+2
XFR 809

1-125 C

2.05 CFS
C.W. BURKE
P/D GREAT WESTERN HEAD
PO4: 2N 37E 5 LOTS 3+4
S 1/2 NW 1/4
6 LOT 1
SENE
XFR 1025

XFR 1025 LEFT
P/D UNCHANGED

1-125 D

PARREL W BURKE
0.80 CFS
127.7 AC
W/WIN 2N 37E 5
XFR 1025

1-125 E

C.W. BURKE
0.20 CFS
3N 37E 33 SW 1/4

1-125 F

A. N. 150M
1.05 CFS
2N 37E 16 N 1/2 NE 1/4

SCANNED

AUG 24 2001

Mr. Kremer

Enclosed is a copy of the Computer Coded adjudication
Claim that you filed for your Jefferson County property.

Please review the Claim to make sure you agree
with the information. If there are no problems you
may keep the copy for your records. If you find an
error, cross out the incorrect entry, initial the correction,
sign the form (Norton) and return it to this office.
Thanks. Eric Kern

MICROFILMED
OCT 20 1992

SCANNED
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: A01-10030
Date Received: 2/03/1989
Receipt No: E004253
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: W. B. KREMER 208-538-7879
Address: 4966 E. 100 N.
RIGBY, ID 83442

2. Date of Priority: APR 30, 1900

3. Source: SOUTH FORK, SNAKE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	40E	36	SW	NW	SE		JEFFERSON

5. Description of diverting works:
CRAIG-MATTSON CANAL. CONCRETE HEADING WITH METAL SCREW GATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	6.190		

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

8. Total consumptive use is 397.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	40E	26	SW	NE	2	IRR	5.0
			NE	SE	1	IRR	14.0
			NW	SE	2	IRR	40.0

A01-10030

Page 1

Date: 02/03/89

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	40E	26	SW	SE		IRR	40.0
			SE	SE	1	IRR	20.0
						Section Acres	119.0
		35	NW	NE		IRR	35.0
						Section Acres	35.0
						Total Acres	154.0

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:
01-00050B & 01-00255

14. Remarks:

THIS FILING IS FOR A PORTION OF A01-00125A AS REFLECTED BY
TRANSFER 809.

15. Basis of Claim: DECREED
Water Right Number: 010125
Case Number:
Court :
Decree date: 12/16/1910

REXBURG IRR. CO.
Decree Plaintiff

vs

TETON IRRIGATION CANAL CO. ET
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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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 A01-10030Date Received E 008253 11-21-88Receipt Number E 004253

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

A0110030



Please type or print clearly

1. Name of Claimant (s) W.B. Kremer Phone (208) 538-
Mailing Address 4966 E 100 N Zip 83442

2. Date of Priority (Only one (1) per claim) April 30 1900

3. Source of water supply (a) Snake River, South Fork
which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 4N Range 40E Section 36,
SW 1/4 of NW 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of Jefferson

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

Craig-Mattson Canal Concrete Heading with
metal screw gate

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(acre feet)

For _____ purposes from _____ to _____ amount _____ or _____

8. Total consumptive use claimed is 397.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.)

in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
4N	40E	26															40	40	
																	~~Lot 2~~	~~45~~	
																	~~46 1/2 and Lot I~~	~~34~~	
4N	40E	35																40	
~~4N~~	~~40E~~	~~36~~																~~40~~	
		26			5											14	40	20 79	
					L-2											L-1	L-2	L-1	

Total number of acres irrigated 199 ~~159~~ 154

11. In which county (ies) are lands listed above as place of use located? Jefferson

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

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

Water Right Numbers 01-00050B+ 01-00255 or None ()

14. Remarks:

This Filing is for a portion of A01-00125A
as reflected by original trans 809

Last Name _____ Ident No. _____

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SEP 20 1992
 Copies: White - Cite, Yellow - Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree ☒

If applicable provide IDWR Water Right Number 01-0125A

Court _____ Case Number _____ Decree Date 12-16-1910

Plaintiff vs Defendant Rexburg Irry. Co vs Teton Irrigation Canal

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

Signature of Claimant (s) x W.B. Kremer Date x 11-21-88

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)

County of Bonnielle) SS.

Subscribed and sworn (or affirmed) before me this 21th day of Nov 19 88

SEAL

Notary Public Betty J Thompson

Residing at Idaho Falls

My Commission Expires 6-94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

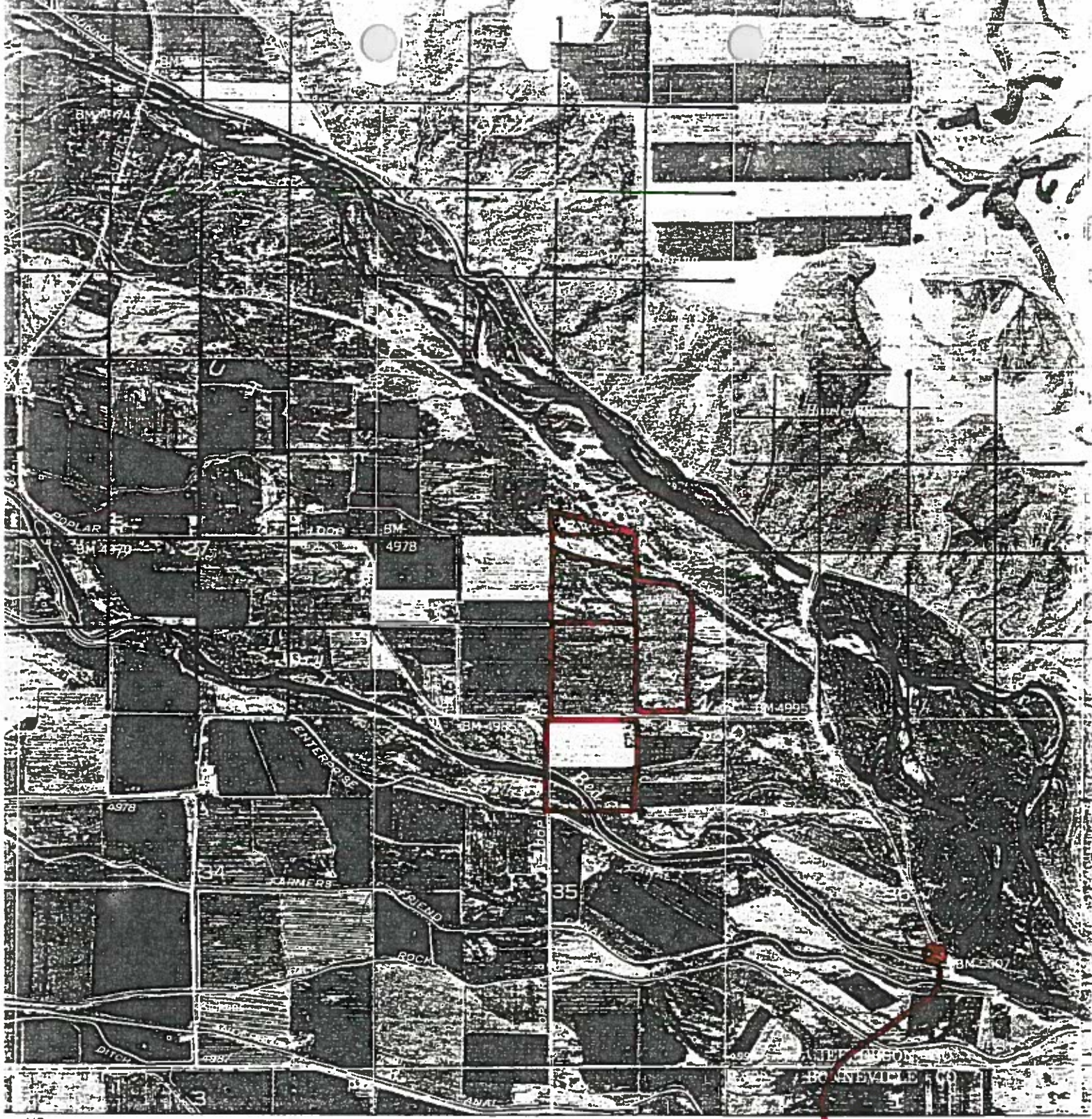
Address _____

Date _____

Last Name _____ Ident. Number _____

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Copies White-State, Yellow-Claimant

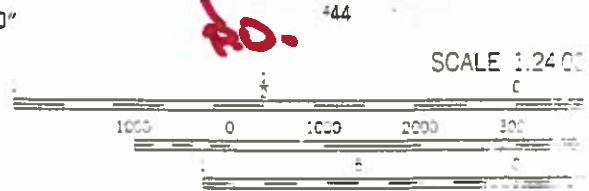


by the Geological Survey
 tion with the Soil Conservation Service
 on prepared from 1:78 000-scale
 rains taken August 5, 1976
 id 10,000-foot grid ticks: Idaho coordinate
 zone (transverse Mercator)
 Universal Transverse Mercator grid ticks,
 927 North American datum
 r transformed by scanning techniques
 roduce double or mismatched images;
 1 of image positions for map point.

A 01-10030

NORTH

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OCT 20 1992



COALID PRINTS MAY BE PU
 IDAHO DEPARTMENT OF LANDS, STATE
 THIS MAP COMPLIES WITH NATIONAL
 FOR SALE BY U.S. GEOLOGICAL SURVEY