

01/18/2012

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

RIGHT NUMBER: 1-10240

NAME AND ADDRESS: A & B IRRIGATION DISTRICT
PO BOX 675
RUPERT ID 83350-0675

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1.180 CFS

PRIORITY DATE: 07/11/1968

POINT OF
DIVERSION:

T10S R21E S24 SESWSW Lot 2 Within JEROME County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

1.180 CFS

PLACE OF USE:

82610.1 ACRES TOTAL

Place of use is within the boundary of A & B Irrigation District pursuant to Section 43-323, 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.

This right is limited to the irrigation of 59.2 acres within the place of use described above in a single irrigation season.

Place of use does not include federal public lands unless authorized in writing by the United States Bureau of Land Management or Bureau of Reclamation.

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 1-10240 V1

Quantity	3/15/2005 11:14:55 AM	mholliday	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (Yes) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - Water District 1 records show a maximum monthly average diversion rate of 268 cfs in July of 1981.
Summary	3/15/2005 11:40:35 AM	mholliday	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (Yes) 4. Is any portion of the claim be recommended? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POD	1/5/2006 9:54:39 AM	mholliday	Updated shape
POD	1/5/2006 9:55:02 AM	mholliday	Updated PLS
POU	4/5/2005 11:56:51 AM	mholliday	(No) 1. Is the basis of this claim a Decree or License? (No) 2b. Is the POU required? (Yes) 14. Is a POU remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 1-10240 V1

Priority Date	3/15/2005 11:08:43 AM	mholliday	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date claimed after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - ASCS aerial photos taken in July 1968 show that the claimed pou was irrigated at that time. Also, in the affidavit of Timothy and Lori Eilers, they say that they began irrigating a substantial portion of the claimed acres in May of 1968.
Use	3/15/2005 11:11:48 AM	mholliday	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (No) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Aerial photos and affidavit in file.

SubCase:

SubCase Number: 1-10240
 Class: 1
 SF5 Filed Date:
 Special Master Recom Signed Date:
 Attorney Assigned:
 Adjudication Agent: mholliday
 Basis of Claim: Beneficial Use
 Date Filed: 10/5/2006 Objection Status: Active
 Date Filed: 12/8/2006 Objection Status: Active
 Date Filed: 7/25/2007 Objection Status: Active
 Date Filed: 10/5/2006 Objection Status: Active
 Date Filed: 10/6/2006 Objection Status: Active
 Date Filed: 10/4/2006 Objection Status: Active
 Date Filed: 10/4/2006 Objection Status: Active
 Date Filed: 10/6/2006 Objection Status: Active
 Date Filed: 10/3/2006 Objection Status: Active
 Date Filed: 10/4/2006 Objection Status: Active
 Date Filed: 10/5/2006 Objection Status: Active
 Date Filed: 10/5/2006 Objection Status: Active
 Date Filed: 12/7/2006 Objection Status: Active

Water Supply Bank:

09/28/2007

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

RIGHT NUMBER: 1-10240

NAME AND ADDRESS: A & B IRRIGATION DISTRICT
PO BOX 675
RUPERT ID 83350-0675

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1.180 CFS

PRIORITY DATE: 07/11/1968

POINT OF
DIVERSION:

T10S R21E S24 SESWSW Lot 2 Within JEROME County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

1.180 CFS

PLACE OF USE:

82610.1 ACRES TOTAL

Place of use is within the boundary of A & B Irrigation District pursuant to Section 43-323, 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.

This right is limited to the irrigation of 59.2 acres within the place of use described above in a single irrigation season.

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

10/14/2005

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

RIGHT NUMBER: 1-10240

NAME AND ADDRESS: A & B IRRIGATION DISTRICT
PO BOX 675
RUPERT ID 83350-0675

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1.180 CFS

PRIORITY DATE: 07/11/1968

POINT OF
DIVERSION:

T10S R21E S25 NENWNW Within JEROME County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	1.180 CFS

PLACE OF USE:

82610.1 ACRES TOTAL

Place of use is within the boundary of A & B Irrigation District pursuant to Section 43-323, 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.

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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

04/15/2005

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

RIGHT NUMBER: 1-10240

NAME AND ADDRESS: A & B IRRIGATION DISTRICT
PO BOX 675
RUPERT ID 83350-0675

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1.180 CFS

Use of the rights listed below is limited to a total combined diversion rate of 268 cfs. Combined Right Nos.: 1-14, 1-10225, 1-10239, 1-10240, and 1-10241.

PRIORITY DATE: 05/01/1968

POINT OF DIVERSION:
T10S R21E S25 NENWNW Within JEROME County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	1.180 CFS

PLACE OF USE:

81395.7 ACRES TOTAL

Place of use is within the boundary of A & B Irrigation District pursuant to Section 43-323, 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.

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

A & B IRRIGATION DISTRICT

07S25E

08S25E

07S24E

08S24E

09S24E

07S23E

08S23E

09S23E

07S22E

08S22E

09S22E

08S21E

09S21E

10S22E

Service Area Boundary

Water Right No.:

01-14
01-10225
01-10237
01-10238
01-10239
01-10240
01-10241



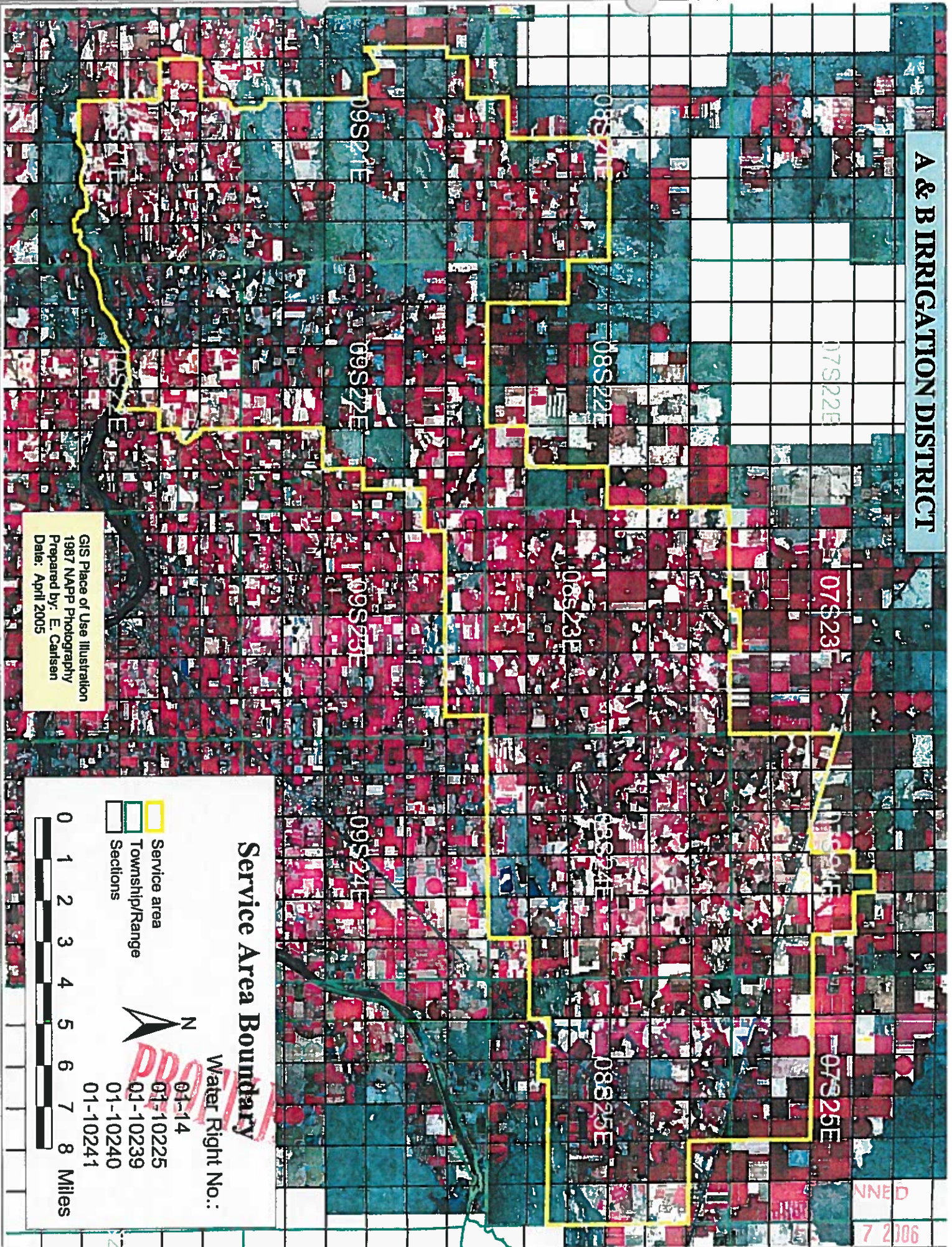
SCANNED

OCT 18 2006

Service Area
Township/Range
Sections

GIS Place of Use Illustration
1987 NAPP Photography
Prepared by: E. Carlsen
Date: December 2005

A & B IRRIGATION DISTRICT



GIS Place of Use Illustration
 1987 NAPP Photography
 Prepared by: E. Carlsen
 Date: April 2005

Service Area Boundary

Water Right No.:

- Service area
- Township/Range
- Sections



0 1 2 3 4 5 6 7 8 Miles

MEMO TO FILE

RE: Verification of Claims of A & B Irrigation District of Rupert, Idaho

R. V. Worstell 3/24/93

Claim No.'s		Source
A01-00014 -	Original Area -	Snake River
A01-10225 -	Expansion Acres -	"
A01-10237 to 10240		
A01-10241 Inclusive	"	"
A36-02080Z0 to Z4	Original Area	Ground Water
A36-15127Z0 & Z1	Expansion Acres	"
A36-15192 to		
A36-15196 Inclusive		

In 1989 I was made responsible for correlating the records and maps of the A & B Irrigation District which showed places of use as farm units to correspond to the Idaho Department of Water Resources record system that details the places of use by 40 acre tracts, Sections, and Township and Range.

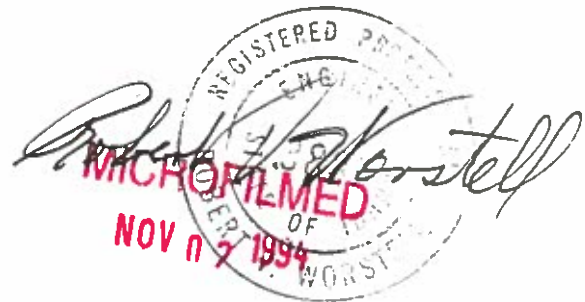
This required contact with Virgil Temple, Manager of the A & B Irrigation District, and Diana Warburton, Office Manager of the District, to interpret some of the records they supplied and to explain changes that have occurred over time. These changes included some changes in points of diversion as well as places of use.

The places of use also correspond to aerial photos of the irrigation areas taken in 1976 and infrared aerial photos taken in 1987.

I have some knowledge of the historical operation of the A & B Irrigation District through intermittent (during 1967 to 1970) contacts with the people of the District through my employment with the Agricultural Research Service of the U.S. Department of Agriculture at Kimberly, ID.

PROFILED

SCANNED
FEB 17 2006



R PROOF

CVR

MAPS

PHOTOS

MISC

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: A01-10240

Date Received: 6/24/1991

Receipt No: S013471

Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: A & B IRRIGATION DISTRICT 208-436-3152
Address: P.O. BOX 675
RUPERT ID 83350

2. Date of Priority: APR 1, 1968

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
10S	21E	24	SE	SW	SW		JEROME

5. Description of diverting works:
UNIT A PUMPING PLANT, SIX RELIFT PUMPS - A&B IRRIGATION DIST.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.180		237.00

7. Total Quantity Appropriated is:
1.180 C.F.S. (and/or) 237.00 A.F.A.

8. Total consumptive use is 178.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
10S	22E	4	NE	SW	90	IRR	0.1
			NE	SE	95	IRR	7.6
			NW	SE	90	IRR	7.2
			SW	SE	90	IRR	2.7
			SE	SE	90	IRR	4.4

A01-10240

PROFILE

SCANNED

Page

1

FEB 17 2006

MICROFILMED

Date:

03/19/92

MAR 20 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	22E	4	SE	SE	95	IRR	0.3
Section Acres							22.3
		8	NE	NE	97	IRR	1.2
			SE	NE	97	IRR	1.5
Section Acres							2.7
		9	NW	NE	97	IRR	0.5
			NW	NE	98	IRR	5.2
			SW	NE	95	IRR	15.0
			SW	NE	97	IRR	0.6
			NW	NW	97	IRR	1.1
			SW	NW	97	IRR	4.9
			SE	NW	95	IRR	6.5
			SE	NW	97	IRR	0.4
Section Acres							34.2
Total Acres							59.2

11. Place of use in counties: MINIDOKA

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

13. Other Water Rights Used:
A01-00014

14. Remarks:

THIS CLAIM IS FOR 59.2 EXPANDED ACRES SERVED BY THE "A" PART (SURFACE WATER PORTION) OF THE A & B IRRIGATION DISTRICT WITH A PRIORITY DATE OF 4/1/1968.
OTHER RIGHTS USED ON THE A PORTION OF THE DISTRICT:
STORAGE RIGHTS 01-02064F, 01-02068F
NATURAL FLOW RIGHTS 01-00014, 01-02060A, 01-10224
A01-10225 DEFINES THE 933.9 EXPANDED ACRES CLAIMED ON THE "A" PORTION OF DISTRICT WITH A 1984 PRIORITY DATE, AND CLAIMS A01-10237, -10238, -10239, -10240, & -10241 ARE CLAIMS FOR EXPANSIONS WITH EARLIER PRIORITY DATES.

15. Basis of Claim: BENEFICIAL USE

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

_____ A&B IRRIGATION DISTRICT _____, that I have signed the foregoing Organization document in the space below as _____ PRESIDENT _____ of Title

_____ A&B IRRIGATION DISTRICT _____ and that the statements contained in the Organization foregoing document are true and correct.

Larry Moore
Signature of Authorized Agent

PRESIDENT-A&B IRRIGATION DISTRICT
Title and Organization

MAY 21, 1992
Date

State of Idaho)
County of _____ MINIDOKA) SS.

Subscribed and sworn (or affirmed) before me this 21st day
of MAY 19 92

Diana Warburton
Notary Public

Seal

Residing at _____ RUPERT, ID _____

My Commission Expires _____ 3-21-96 _____

17. Notice of Appearance:

Notice is hereby given that I, ROGER D. LING will be
Print Name
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

Roger D. Ling

Address P.O. BOX 396 RUPERT, ID 83350

Date MAY 21, 1992

April 22, 1991
Rt. 1, Box 1418
Heyburn, Idaho 83336

Virgil D. Temple, Manager
A&B Irrigation District
P.O. Box 675
Rupert, Idaho 83350

Dear Mr. Temple:

RE: Proof of priority date on spread acres

Enclosed please find a check in the amount of \$50.00 and a certified photo copy of a aerial photo from Bureau of Land Management files dated 6-23-68. The enclosed photo shows irrigated crops on the water spread acres for Farm Unit C, Tract C, Sections 8 & 9, T10 S., R 22 E, Boise, Meridian, Idaho, and Tract B, Section 9, T 10 S, R 22 E, Boise, Meridian, Idaho.

Water was diverted on 33.9 water spread acres in May of 1968. We therefore, are claiming May 1968 as the priority date for our water spread acres.

Very truly,

Timothy C Eilers
Lori Eilers
Landowners

cc
Enc

*Submitted as part of
Proof of Priority of
A01-10240*

SCANNED
FEB 17 2006

MICROFILMED
MAR 20 1993

CERTIFIED

to be a true copy of a document
(aerial photo dated 7-23-68) on
file in the Burley District Office,
Bureau of Land Management.

Norothy Bonner

T. Silva

*Submitted to
Part of Proof
of Priority
A01-16240*

C-819 10a2

(ST) B-9 10a2

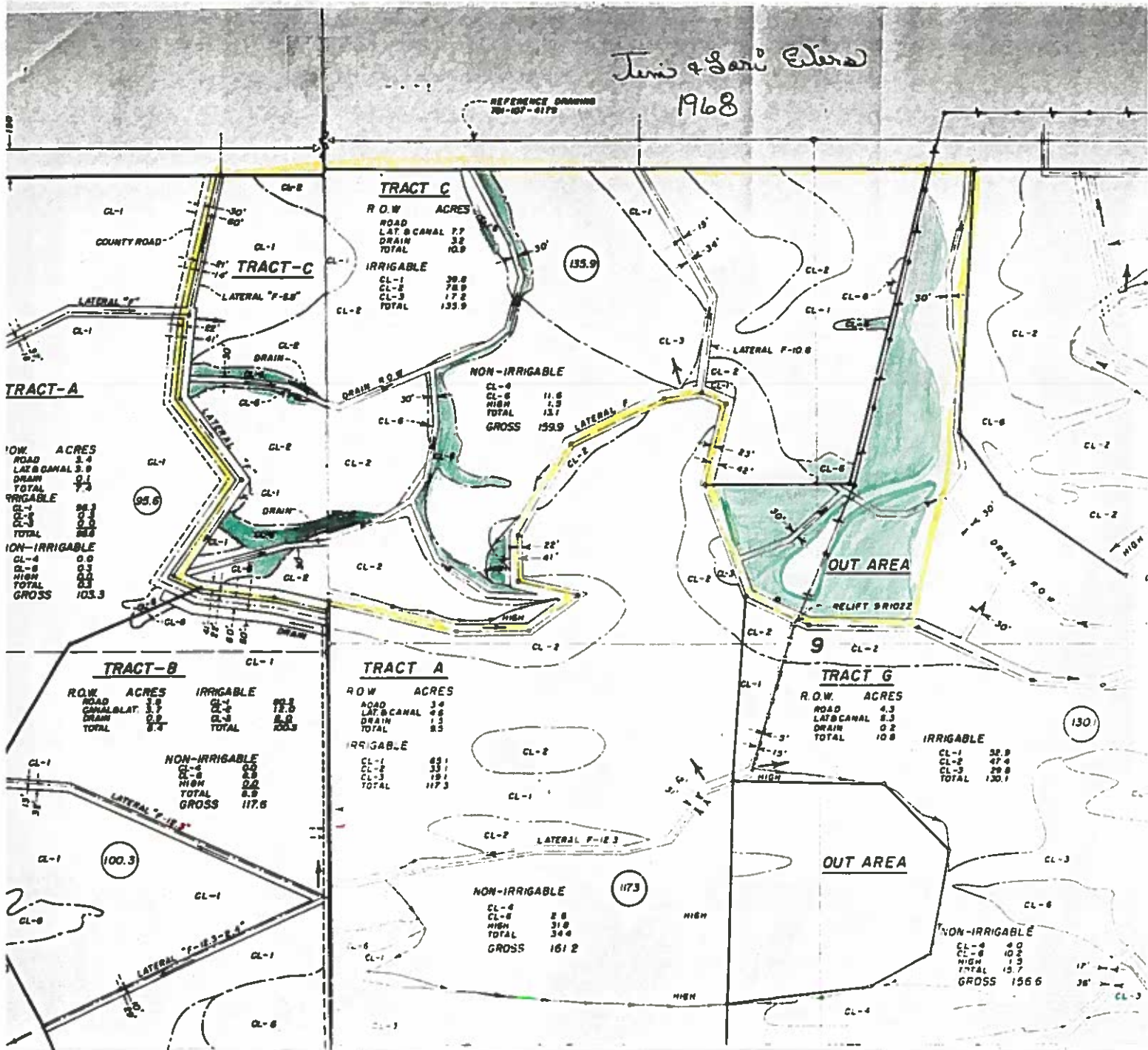
7-23-68



SCANNED
FEB 17 2006

MICROFILMED
MAR 20 1993

Submitted as part
of proof of priority
of A01-10240



C-8/9 1022

(ST) B-9 1022

SCANNED
FEB 17 2006

MICROFILMED
MAR 20 1993

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: A01-10240
Date Received: 4/11/1990
Receipt No: _____
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: A & B IRRIGATION DISTRICT 208-436-3152
Address: P.O. BOX 675
RUPERT, ID 83350

2. Date of Priority: APR 1, 1968

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
10S	21E	24	SE	SW	SW		JEROME

5. Description of diverting works:
UNIT A PUMPING PLANT, SIX RELIFT PUMPS - A&B IRRIGATION DIST.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.180		237.00

7. Total Quantity Appropriated is:
1.180 C.F.S. (and/or) 237.00 A.F.A.

8. Total consumptive use is 178.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
10S	22E	4	NE	SW	90	IRR	0.1
			NE	SE	95	IRR	7.6
			NW	SE	90	IRR	7.2
			SW	SE	90	IRR	2.7
			SE	SE	90	IRR	4.4

MICROFILMED

NOV 02 1994

A01-10240 Page 1

SCANNED

Date: 06/19/91

PROFILED

FEB 17 2006

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	22E	4	SE	SE	95	IRR	0.3
Section Acres							22.3
		8	NE	NE	97	IRR	1.2
			SE	NE	97	IRR	1.5
Section Acres							2.7
		9	NW	NE	97	IRR	0.5
			NW	NE	98	IRR	5.2
			SW	NE	95	IRR	15.0
			SW	NE	97	IRR	0.6
			NW	NW	97	IRR	1.1
			SW	NW	97	IRR	4.9
			SE	NW	95	IRR	6.5
			SE	NW	97	IRR	0.4
Section Acres							34.2
Total Acres							59.2

11. Place of use in counties: MINIDOKA

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

13. Other Water Rights Used:
A01-00014

14. Remarks:

THIS CLAIM IS FOR 59.2 EXPANDED ACRES SERVED BY THE "A" PART (SURFACE WATER PORTION) OF THE A & B IRRIGATION DISTRICT WITH A PRIORITY DATE OF 4/1/1968.
OTHER RIGHTS USED ON THE A PORTION OF THE DISTRICT:
STORAGE RIGHTS 01-02064F, 01-02068F
NATURAL FLOW RIGHTS 01-00014, 01-02060A, 01-10224
A01-10225 DEFINES THE 933.9 EXPANDED ACRES CLAIMED ON THE "A" PORTION OF DISTRICT WITH A 1984 PRIORITY DATE, AND CLAIMS A01-10237, -10238, -10239, -10240, & -10241 ARE CLAIMS FOR EXPANSIONS WITH EARLIER PRIORITY DATES.

15. Basis of Claim: BENEFICIAL USE

MICROFILMED
NOV 02 1994

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): Virgil D Temple Date: 6/20/91
Manager - A&B Irrigation Date: _____

State of Idaho)
County of Minidoka) SS.

Subscribed and sworn (or affirmed) before me this 20th day
of June 19 91
Robert V. Horstell
Notary Public

Seal

Residing at Twin Falls, Idaho
My Commission Expires January 16, 1995

MICROFILMED
NOV 02 1994