

10/31/2006

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

RIGHT NUMBER: 1-10463
NAME AND ADDRESS: JUSTIN SKAAR
421 N 3200 E
LEWISVILLE ID 83431

DUWAYNE SKAAR
421 N 3200 E
LEWISVILLE ID 83431

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER
QUANTITY: 6.000 CFS
PRIORITY DATE: 05/18/1900
POINT OF DIVERSION:

T05N R38E S20 SWNENW Lot 3 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	6.000 CFS

PLACE OF USE: IRRIGATION Within JEFFERSON County

T05N R37E S26 Lot 3 NESW	4.80	T05N R37E S26 Lot 5 NESW	14.00
T05N R37E S26 Lot 4 SESW	2.90	T05N R37E S26 Lot 8 SESW	5.20
T05N R37E S26 NESE	39.00	T05N R37E S26 Lot 3 NWSE	40.00
T05N R37E S26 Lot 4 SWSE	40.00	T05N R37E S26 SESE	37.00
T05N R37E S35 NENE	36.00	T05N R37E S35 NWNE	40.00
T05N R37E S35 SWNE	37.00	T05N R37E S35 SENE	35.00
T05N R37E S35 Lot 1 NENW	26.00	T05N R37E S35 SENW	18.00

374.9 ACRES TOTAL

Use of the rights listed below is limited to the irrigation of a combined total of 591.9 acres in a single irrigation season. Combined Right Nos.: 25-234, 25-235, 25-236, 1-10463, and 1-10465.

Use of the rights listed below is limited to the irrigation of a combined total of 374.9 acres in a single irrigation season. Combined Right Nos.: 25-234, 25-235, 25-236, and 1-10463.

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 Bear Trap Canal.

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

This right is former right 25-261.

Use of this right is combined with water from Long Island Irrigation Co.

11/13/2006

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: 1-10463

JUSTIN SKAAR
421 N 3200 E
LEWISVILLE ID 83431
Telephone Number: (208)754-4534

DUWAYNE SKAAR
421 N 3200 E
LEWISVILLE ID 83431
Telephone Number: (208)754-4534

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:

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

DATE: 11-22-06 SIGNATURE: Justin Skaar
Please print your name: JUSTIN SKAAR

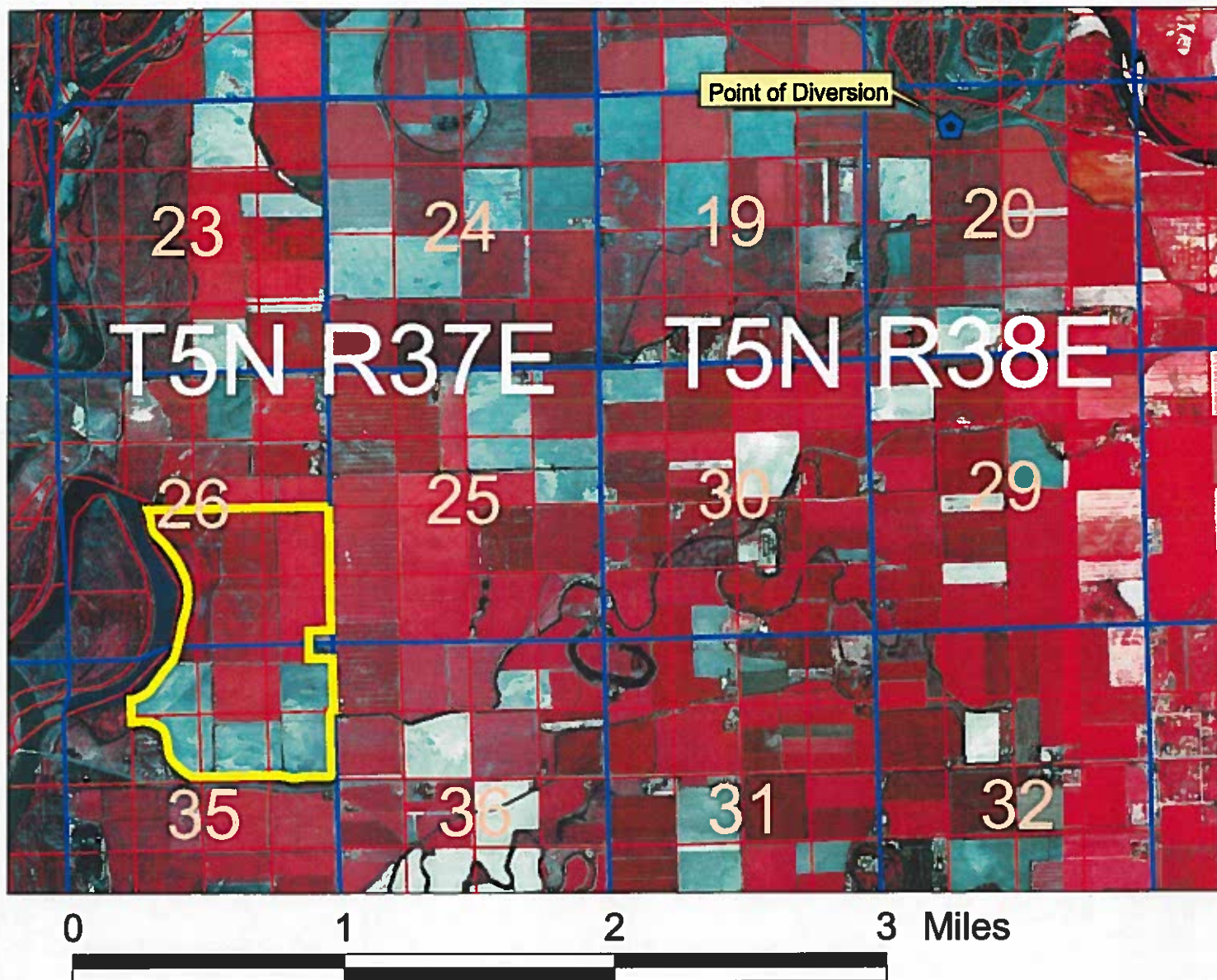
IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

KMT
11/20



Department of Water Resources

Claim No.: 01-10463



-  Place of Use
-  Point of Diversion
-  Sections
-  QQ

PROFILED



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by M. Holliday
Date: November 2004

LOUIS SKAAR & SONS, INC.

Livestock and Farming

421 NORTH 3200 EAST
LEWISVILLE, IDAHO 83431
(208) 754-4534 • FAX (208) 754-4561

RECEIVED

OCT 19 2004

DEPARTMENT OF
WATER RESOURCES

MH

October 14, 2004

RECEIVED

OCT 25 2004

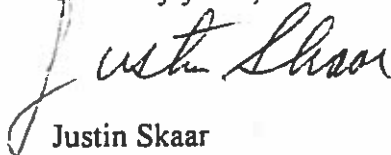
Department of Water Resources
Eastern Region

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

Dear IDWR,

We would like to inform you that Kent Skaar, has been bought out of the partnership as of May 1997, and therefore he has no ownership to these water rights and we would like to have his name removed. If you have any questions please feel free to contact me at the office 754-4534.

Sincerely yours,



Justin Skaar
Skaar Bros. Partnership

SCANNED

OCT 21 2004

333849

Instrument # 333849

RIGBY, JEFFERSON, IDAHO
 2004-08-08 10:48:00 No. of Pages: 2
 Recorded for : FIRST AMERICAN TITLE
 CHRISTINE SOULTER Fee: 6.00
 Ex-Officio Recorder Deputy
 Index to: QUIT CLAIM DEED

QUITCLAIM DEED

THIS INDENTURE, made this 24th day of August, 2004, between KENT SKAAR and SARAH SKAAR, his wife, of 413 North 3200 East, Lewisville, Jefferson County, Idaho, the Grantor, and SKAAR BROTHERS FARMS, a partnership consisting of DuWAYNE SKAAR and JUSTIN SKAAR, of 421 North 3200 East, Lewisville, Jefferson County, Idaho, the Grantee,

WITNESSETH, that the Grantor, for and in consideration of the sum of Ten Dollars, lawful money of the United States of America, and other good and valuable considerations, to Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever QUITCLAIM, unto the said Grantee, and to Grantee heirs and assigns, forever, all the following described real estate, situated in Jefferson County, Idaho, to-wit:

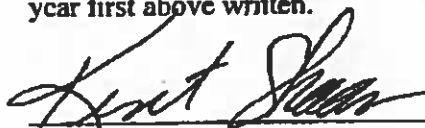
SEE ATTACHED EXHIBIT A

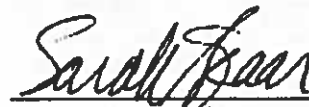
Together with all water rights appurtenant thereto.

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents, issues and profits thereof;

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances, unto the said Grantee, and to Grantee heirs and assigns forever.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal the day and year first above written.


 KENT SKAAR


 SARAH SKAAR

STATE OF IDAHO)
)ss
 County of)

RECEIVED BY
 ASSESSOR

For PLATTING

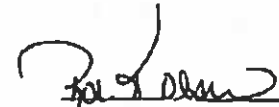
Date 9/8/04 Time 10:00

On this 30 day of August, 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared KENT SKAAR and SARAH SKAAR, known to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that they/she/he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year in this certificate first above written.

(seal)

ROBIN K. OLSEN
 Notary Public
 State of Idaho


 Notary Public for Idaho

Residing at: MOSCOW, IDAHOCommission Expires: MY COMMISSION EXPIRES

January 16, 2009

NOTARY PUBLIC IN IDAHO

NW1/4 NE1/4; Section 12
Township 4 North Range 37 E.B.M.

E1/2 SE1/4 SW1/4
W1/2 SE1/4 South of Drybed
Less Tax 3 Section 1
Township 4 North Range 37 E.B.M.

Lots 3,4,5,8, E1/2 SE1/4;
Section 26 Township 5 North Range 37 E.B.M.

Lot 1; NE1/4;
SE1/4 NW1/4 North and East of Spring Creek;
Section 35 Township 5 North Range 37 E.B.M.

N1/2 NE1/4 SW1/4; N1/2 N1/2 SE1/4; Less Tax 8.
Section 11, Township 4 North Range 37 E.B.M.

S1/2 NW1/4 Less 60 x 26 2/3 rods in the Northeast Corner
& less 312 feet x 150 feet in the Southwest corner;
Section 11 Township 4 North Range 38 E.B.M.

Township 5 North, Range 38 East of the Boise Meridian,
Jefferson County, Idaho.

Section 19: The East Half of the Northwest Quarter
(R1/2NW1/4); the Northwest Quarter of the
Northeast Quarter (NW1/4NE1/4); and Lots 1
and 2.
EXCEPTING THEREFROM: Beginning at a point
that is South 1338 feet from the Northwest
Corner of Lot 1, Section 19, Township 5
North, Range 38, East of the Boise Meridian,
and running thence East 195 feet, thence
South 220 feet, thence West 195 feet,
thence North 220 feet to the point of
beginning.

TOGETHER WITH all ditch and water rights appurtenant
thereto, however evidenced, and more particularly,
but not limited to, 150 shares of the capital stock
of the Deer Park Canal Company, 100 miners inches in
the Bear Trap Slough with date of priority as of
June 1, 1892, and 238.10 shares of the capital stock
of the Long Island Canal and Irrigating Co.

Township 5 North, Range 38 East of the Boise Meridian,
Jefferson County, Idaho.

Section 18: Beginning at the SW Corner of said Section 18
and running thence North 1054 feet, said
point being on the North Bank of an existing
irrigation ditch; thence Easterly following
the North bank of said existing irrigation
ditch to the point of intersection with the
East line of Lot 4; thence South along the
East line of Lot 4 a distance of 1100 feet,
more or less, to the South line of said
Section 18; thence West along the South line
of said Section 18 a distance of 2500 feet,
more or less, to the point of beginning.

SUBJECT TO patent reservations, easements and rights-of-way
for highways, roads, ditches, canals, pole, power and
transmission lines as they exist and all existing zoning
ordinances and applicable building codes, laws and regulations.

TOGETHER WITH 63.3 inches of Independent Slough water
appurtenant to the above described real estate.



Stage: DECREED

JEFFERSON County

SE

Audit:	03/29/91	FRICTSCHL	03/29/95	POST-STD
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25-261

GIBSON, WESLEY

6.00 CFS

MAY 18, 1900

SPRING CREEK

Loc: 5N37E 26 LOTS 3+4 and N $\frac{1}{2}$ NE $\frac{1}{4}$ of sec 35.

26 E $\frac{1}{2}$ SE $\frac{1}{4}$ and S $\frac{1}{2}$ NE $\frac{1}{4}$, SENW, + LOT 1 of sec 35.

containing 400 acres

TRANSFER 3213 CHANGED P/D FROM SPRING CREEK
TO HEAD OF BEAR TRAP CANAL. APPROVED 1/20/86.

THERE APPEARS TO BE SOME EVIDENCE IN THE
MICROFILM RELATED TO THE TRANSFER THAT INDICATES
THAT SKAAR IS ENTITLED TO THE ENTIRE 6 CFS
OF 25-261, EVEN THOUGH THERE APPEARS TO HAVE
BEEN A SPLIT SOMETIME PREVIOUS TO THE APPROVAL
OF THE TRANSFER. AND THE DEED MENTIONS ONLY
5 CFS.

25-13970 + 25-13971 ALSO CLAIM A PORTION OF
THIS DECREE.

25-234/235/236/261B

8/14/2003

Johnson → Green Bros →
Oxbow Farms → Deer Park Farms
→ Spear

A0006133

GPS PT 022

P/D E 0657611

N 0295452

P/D FOR 25-234, 235, 236

POU IS SAME FOR 25-234, 235, 236 + 261B

Transfer No. 3213Water Right No. 25-0261STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED

APPLICATION FOR TRANSFER OF WATER RIGHT

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

AMENDED

APPROVED

Name of applicant KENT or DU WAYNE or JUSTIN SKAAR Phone 754-4534
Post Office address Route 1 Box 46, Roberts, ID 83444

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 25-0261 Decreed to Wesley Gibson
(Name)
In case of Rexburg Irrig. Co., et. al. vs Teton Irrig. Canal Co., et. al.
dated in Dec. 16, 1910 in 6th District Court 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. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired _____

3. Source of water Spring Creek tributary to Snake River4. Date of priority May 18, 1900

5. Water is used for the following purposes:

amount 6.00 cfs for Irrigation purposes from * Not listed in decree to _____

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 6.00 cubic feet per second
&/or
b. _____ acre feet per annum7. Location of original point of diversion is * Not listed in decree of Section _____
Township _____ Range _____ B.M., in _____ County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5N	37E	26													X	L-3 X	L-4 X	X	
		35	X	X	X	X	L-1 X			X									

Total number of acres to be irrigated 4009. Describe any other water rights used for the same purpose as described above 25-0247;25-0234; 25-0235; 25-0236

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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.

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second &/or this water _____
b. _____ acre feet per annum

2. Point of diversion _____ % Section _____ Township _____
Range _____ B.M. _____ County _____
Additional points _____

3. 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	
																			ACRES
																			COMPL.

Total number of acres to be irrigated _____

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

1. General Information

a. Amount of water to be diverted 6.00 c.f.s. &/or _____ acre feet

b. Description of diverting works Headworks of Bear Trap Canal on Snake River.

c. Describe the reasons for the proposed changes This water has been diverted from the Snake River through Bear Trap Canal rather than Spring Creek for many years. This application seeks to make the records comply with actual practice.

2. Change in point of diversion

Point of diversion NE 1/4 NW 1/4, Section 20, Township 5N

Range 38E, B.M., Jefferson County

Additional points _____

3. Change in place of use NO CHANGE

a. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed change.

b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer

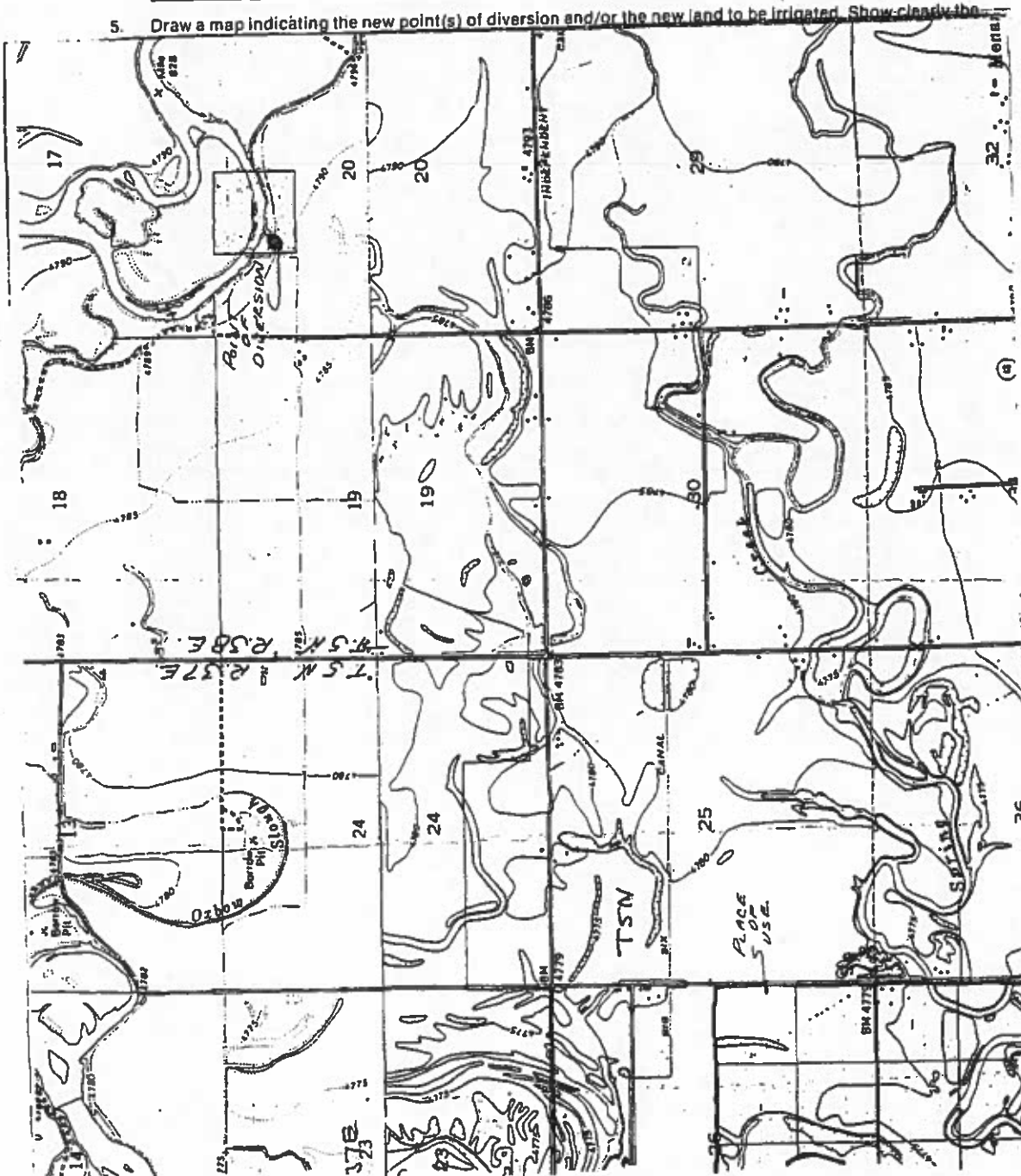
c. Describe the land or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5N	37E	26													40	42.85	41.25	40	164.1
																L-3	L-4		
		35	40	40	38.788	32.79				19.04									209.23
						L-1													

Total number of acres to be irrigated 373.43

4. Describe any other water rights used for the same purpose as described above. 25-0247;
25-0234; 25-0235; 25-0236

5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the



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D. REMARKS

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willfull misrepresentations made in this application may result in voiding its approval.

Gent Sharr partner
 (Signature of Applicant)

Subscribed and sworn to before me this 8th day of AUGUST, 19 85



Donald Mackay JR
 (Notary Public)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 25-0261 and said application is hereby APPROVED, subject to the following limitations and conditions:

1. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
2. Use of water under this right is subject to control by the watermaster of State Water District No. 01, Snake River.

Witness my hand this 20th day of January, 19 86

J. Glen Saxton
 Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by CW Date 10-17-85 Protest filed by _____
 Prelim. check by HWS Fee \$50.00 \$20.00 #25513
 Receipted by CW Date 9-5-85 #35486
 Published in Jefferson Star Copies of protest forwarded by _____
 Pub. dates 9/19 + 9/29/85 9/1 + 9/85 Hearing held by _____ Date _____
 Watermaster recommendation requested on 9-12-85 Recommended for approval denial
01 rec'd. by RC Jim

LAW OFFICES
HOLDEN, KIDWELL, HAHN & CRAPO

IDAHO FIRST NATIONAL BANK BUILDING
P.O. BOX 129

IDAHO FALLS, IDAHO 83402

TELEPHONE 523-0820
AREA CODE 200

WILLIAM S. HOLDEN
R. VERN KIDWELL, P.A.
FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
CHARLES A. HOMER
GARY L. MEIKLE
CURT R. THOMSEN
RANDALL K. BARTON
MICHAEL D. CRAPO
JAMES D. HOLMAN
GAYLE A. SORENSON
DONALD L. HARRIS
GREGOR S. CHYISUK
RANDALL B. REED
G. LANCE NALDER

ARTHUR W. HOLDEN (1877-1967)
ROBERT B. HOLDEN (1911-1971)
TERRY L. CRAPO (1939-1982)

RECEIVED

OCT 17 1985

Department of Water Resources
Idaho Falls Office

October 14, 1985

Mr. Harold W. Jones
Senior Resource Agent
Department of Water Resources
150 Shoup Avenue, Suite 15
Idaho Falls, Idaho 83402

RE: Application for Transfer of Right No. 25-0261

Dear Mr. Jones:

We are writing this letter to state our thinking with respect to an apparent discrepancy between the amount of water under the above right shown in the "Trustee's Deed" to the applicants, and the amount proposed in this application for transfer. Because of information in the "blue book" (Decreed Water Rights, District No. 01, Snake River, Idaho, Corrected to April 1, 1975, also sometimes colloquially referred to as the "decree book"), and the language in the deed records for the land, we think it would be best to complete this transfer for the entire right of 6.0 cubic feet per second to avoid possible confusion in the future.

Right No. 25-0261 is the new number for a right originally decreed to Wesley Gibson by the Rexburg Decree of 1910. The total right was for 6.0 cfs (300 inches) of the waters of Spring Creek with a priority of May 10, 1900. The decree shows the place of use as consisting of some 7 quarter quarter sections, and three lots within Sections 26 and 35 of Township 5 North, Range 37 E.B.M. The decree actually states "containing 400 acres." Copies of pages 11 and 66, the pertinent pages of the "Rexburg Decree" are enclosed for quick reference.

MICROFILMED

Mr. Harold Jones
October 14, 1985
Page 2

Before proceeding to the main issue, we hasten to point out, as you are already aware, that the decree's statement that this description contains 400 acres is in error. The three lots contain 42.85, 41.25, and 32.79 acres. The 7 quarter quarter sections each appear to be full 40 acre subdivisions, so the total acreage would be 396.89 acres, not 400 as the decree states. Apparently you have determined there is some 373.43 acres actually in the farm.

The deed to this farm, a copy of which is attached to the application, lists, among the water rights appurtenant thereto, and to be conveyed therewith, a right in Spring Creek for 250 . miner's inches (5.0 cfs) with a priority of May 18, 1900.. Since the records indicate only one right in Spring Creek with a priority of May 18, 1900, i.e. the one decreed to Wesley Gibson for 6.0 cfs, and since the place of use described in the decree for the Wesley Gibson right is essentially identical to the farm described in the application, we presume this 5.0 cfs must be a part of the Wesley Gibson right.

In reviewing the blue book, at page 41, we find an indication that the right has at some time been split. At least that record indicates 1.0 cfs still in Wesley Gibson, and 5.0 cfs, which used to be in Wesley Gibson, in Oxbow Farms. Unfortunately, we have all searched the records for a transfer or some other helpful information on this apparent split in vain. The previous version of the blue book, which purports to be "corrected to April 1, 1961" shows the right all in piece. Copies of page 41 of the "blue book" and page 30 of the April 1, 1961 version are attached for easy reference.

We have not attempted to do a search of the previous deeds to the property. We are, however, aware that during the 60's twin brothers named Calvin and Cecil Green acquired and consolidated a number of farms, including the one described in this application, in the Menan area. At some point in time, a practice of treating the various water rights for each of the farms, more as a set of water rights for the entire single operation commenced. The Green brothers sold this entire operation to some people named Phipps and Noyes in about 1973, who began calling the farms "Oxbow Farms." Phipps later

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Mr. Harold Jones
October 14, 1985
Page 3

acquired Noyes' interest and then sold to the Northern Trust Company in 1976. In 1984 and 1985, the Northern Trust Company divided the operation up into smaller farms again, and sold this particular farm to the Skaars in 1985. We have seen many of the documents reflecting these transactions and all references with respect to this particular right consistently show it as being for 5.0 cubic feet per second or 250 inches.

If it was ever intended that 5.0 cfs or 1.0 cfs be transferred away from this farm, that is not clear from anything we have been able to find. Although it is very puzzling, it appears from the "blue book" that the 1.0 cfs was to be left as is, and from the deeds that the 5.0 cfs also goes with this farm. Why it was ever split is a mystery; it could even have been a mistake. In the absence of any evidence to the contrary, we feel the entire 6.0 cfs should be treated together; it seems from all available records that it is all still appurtenant to the same farm.

The major reason for the transfer is, of course, that the water is no longer diverted from Spring Creek. It is now diverted from Snake River and carried to this property through the Bear Trap Canal. This right, on Snake River, would, of course, be a high water right. There seems to be general agreement in the community that when high water is available in Snake River, some is delivered through the Bear Trap Canal to this particular farm. No records of the amounts of such deliveries are available, but apparently no one is concerned whether the amount is 5.0 cfs or 6.0 cfs.

We have therefore applied to have the point of diversion for the entire 6.0 cfs changed to the heading on Snake River for the Bear Trap Canal.

Yours very truly,



Kent W. Foster

KWF:cl
#6381.00
Enclosures

RECEIVED

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 25-261

WATER RIGHT NUMBER: 25-261

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KENT SKAAR RT 1 BOX 46 ROBERTS, ID 83444
Current Owner	DUWAYNE SKAAR 421 N 3200 E LEWISVILLE, ID 83431 (208)754-4534
Current Owner	JUSTIN SKAAR 454 N 3700 E RIGBY, ID 83442 (208)745-8415
Original Owner	WESLEY GIBSON MENAN, ID 83434

Priority Date: 05/18/1900

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING CREEK	SNAKE RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	6.000 CFS	
	<u>Total Diversion:</u>	6.000 CFS	

Location of Point(s) of Diversion

SPRING CREEK	NE1/4NW1/4	Sec. 20, Twp 05N, Rge 38E, B.M.
JEFFERSON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	37E	26													43.0	41.0	40.0		124.0
															L 3	L 4			
05N	37E	35	40.0	40.0	39.0	39.0	33.0			19.0									210.0

Total Acres: 334

Conditions of Approval:

- 005 Use of water under this right is subject to control by the watermaster of State Water District No. &DISTRICT.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 25-261

2. 01E A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.

Remarks:

1. General AC. IRR. = 373.43.

Comments:Dates and Other Information:

Licensed Date:
Decreed Date: 12/16/1910
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 01
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant: Teton Irrigation Canal Co, et al
Decree Plaintiff: Rexburg Irrigation Co
Civil Case Number:
Judicial District: Sixth District
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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Barrow or Canal

Date

Debit
Amount in
Sec.-ft.

Accumulated
Total

SPRING CREEK NEAR MENAN

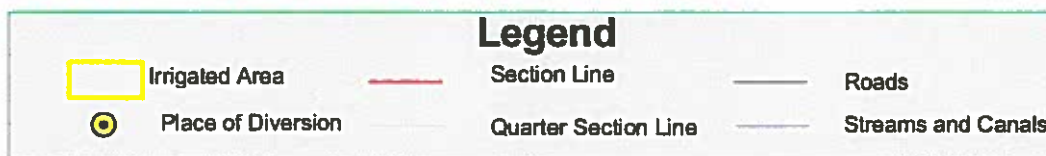
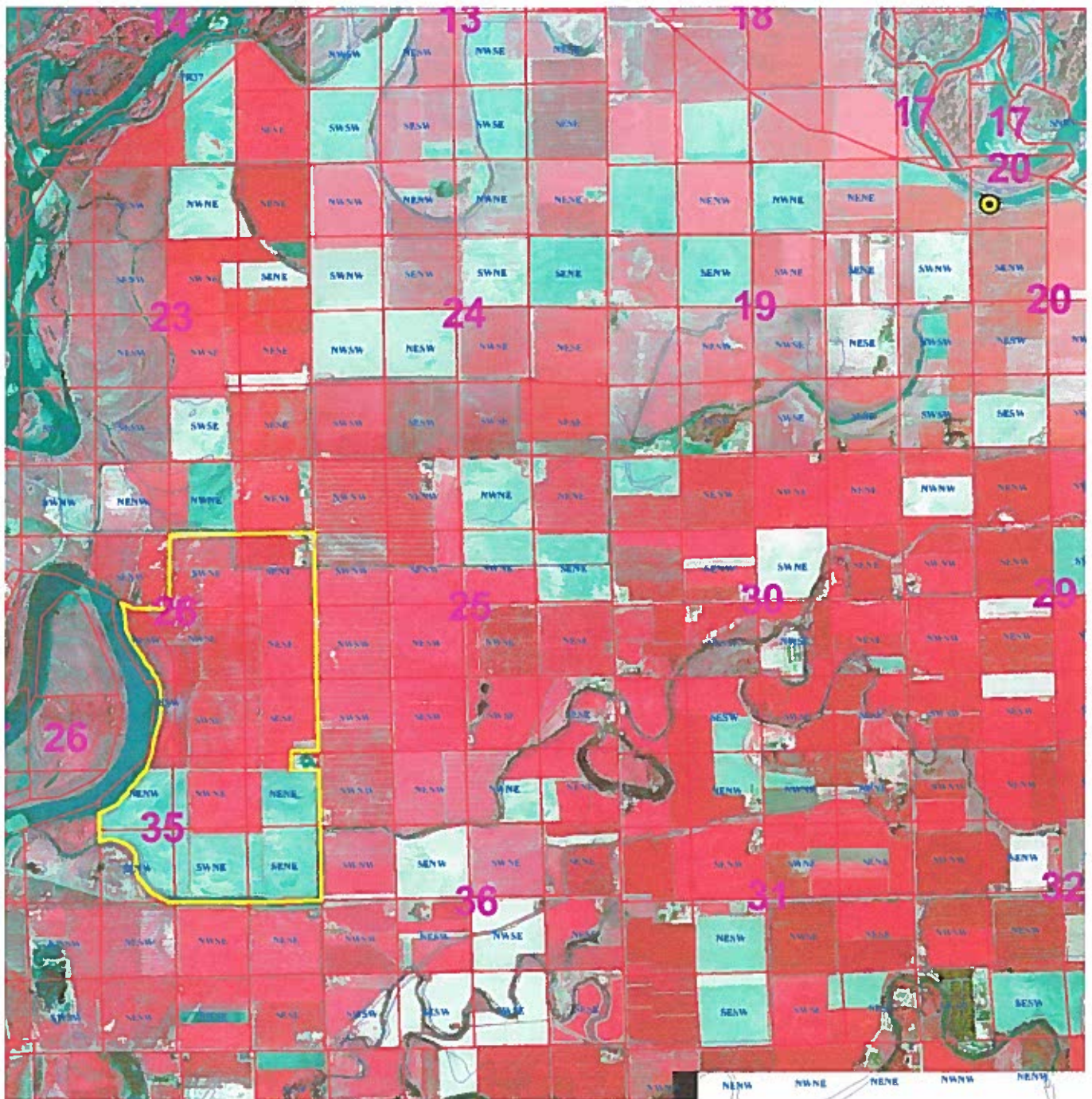
H. S. Liston (Bal. after CPD 215)	June 1, 1884	2.4	2.4
W. S. Bilton	June 1, 1890	6.0	
H. C. Yearsley	June 1, 1890	4.3	
Wm. Eames	June 1, 1890	4.3	13.0
Anderson Canal Co.	Nov. 13, 1898	12.0	30.0
Z. Ballantyne	Nov. 14, 1899	2.4	32.4
Wesley Gibson	May 13, 1900	1.0	
Oxbow Farms (Wesley Gibson)	May 13, 1900	5.0	35.4
Jos. S. Howard	June 1, 1904	4.3	43.2
Della C. Moore (Wm Yearsley)	July 5, 1907	0.3	44.0
(CPD 244)			
Genevieve Hadley (Permit 7059)	Sept. 4, 1974	0.15	44.18
(Pump,			44.74
William Mercer (Permit 25-7076)	Oct. 24, 1975	.56	

BEAR TRAP SLOUGH

H. A. Munns & R. D. Munns (1.8), & Oxbow Farms (1.2) (CPD 215)	June 1, 1884	3.0	3.0
Boyd Taylor (Part of Wilford Jones Supp.)	June 1, 1892	1.0	
Boyd Taylor (Wilford Jones Supp)	June 1, 1892	1.0	
K. H. Jones (Supp)	June 1, 1892	2.3	
Oxbow Farms (Wesley Gibson)	June 1, 1892	3.0	
Oxbow Farms (Robert T. Gibson)	June 1, 1892	2.98	
Wayne Poole (R. Gibson)	June 1, 1892	13.02	31.8
William Luxton	Oct. 1, 1901	1.68	
Oxbow Farms (Wm Luxton)	Oct. 1, 1901	1.12	34.6
Oxbow Farms (C. J. Bvther)	Oct. 11, 1901	2.8	

Water Right Claim Number 25-00261B
Township , 5N37E

12/19/2000



2000 0 2000 4000 6000 Feet



SPATIAL DYNAMICS



NOVEMBER 19, 1992

KENT SKAAR
421 N 3200 E
ROBERTS ID 83444

RE: RENUMBERED NOTICE

Dear Mr. Skaar:

The Department has changed the identification number for Notice of Claim #A25-00261. The new number is #A25-00261B. We have also modified receipt #E003462 to reflect the new number.

A copy of the receipt and the Notice of Claim is enclosed for your records.

Respectfully submitted,

Ernest Carlsen
Water Rights Supervisor, Adjudications

EC:sc

Enclosure

MICROFILMED
DEC 09 1992

TRUSTEE'S DEED

RECEIVED

JUN 26 1985

Department of Water Resources
Eastern District Office

The Grantor, THE NORTHERN TRUST COMPANY, an Illinois corporation, of Chicago, Illinois, as trustee under instrument dated October 6, 1976

and known as Trust Number 2-45934, for and in consideration of \$10.00 and other good and valuable consideration, and pursuant to the power and authority given it as such trustee, conveys and quitclaims to KENT SKARR of _____, Idaho,

all interest in the following real estate situated in the

County of Jefferson, State of Idaho:

Township 5 North, Range 37 East of the Boise Meridian, Jefferson County, Idaho

Section 26: Lots 3, 4, 5 and 8.

E 1/2 SE 1/4.

Section 35: Lot 1.

That portion of the SE 1/4 NW 1/4 lying North of Spring Creek. NE 1/4.

EXCEPTING THEREFROM: A strip of land 40 feet wide lying on the North side of the center line of said highway as surveyed and shown on plat of Roberts-Rigby-Ririe Highway Survey on file in the Office of the Department of Public Works of the State of Idaho and lying over and across the SE 1/4 NW 1/4, SW 1/4 NE 1/4, and SE 1/4 NE 1/4 of said Section 35, described as follows: Beginning at Station 137-99.1 of said Highway Survey, which Station is approximately 1928 feet East from the West 1/4 Corner of Section 35; thence North 0°14' West 40 feet; thence North 89°46' East 2160 feet to the River Bank; thence Southeasterly 50 feet along river bank; thence South 89°45' West 2180 feet along center line of section to point of beginning.

TOGETHER WITH any and all water and ditch rights thereunto belonging or in any way appertaining, including that represented by 400 miner's inches (8.0 cfs)

MICROFILMED

DEC 09 1992

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 1-10463
Date Received: 8/25/2004
Receipt No:
Received By: MWH

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

1. Name of Claimant(s)

JUSTIN SKAAR Phone: (208)754-4534
421 N 3200 E
LEWISVILLE ID USA 83431

DUWAYNE SKAAR Phone: (208)754-4534
421 N 3200 E
LEWISVILLE ID USA 83431

KENT SKAAR Phone: (208)754-4534
421 N 3200 E
LEWISVILLE ID USA 83431

2. Date of Priority: 05/18/1900

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	Type
05N	38E	20	NE NW	JEFFERSON	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	6	

7. Total Quantity Appropriated is:
6 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	37E	26	SW	NE	IRRIGATION	20
			SE	NE	IRRIGATION	20
			NE	SW	IRRIGATION	15
			SE	SW	IRRIGATION	5
			NE	SE	IRRIGATION	38
			NW	SE	IRRIGATION	43
			SW	SE	IRRIGATION	41

			SE	SE	IRRIGATION	40
					Section Acres	222
05N	37E	35	NE	NE	IRRIGATION	38
			NW	NE	IRRIGATION	38
			SW	NE	IRRIGATION	39
			SE	NE	IRRIGATION	39
			NE	NW	IRRIGATION	33
			SE	NW	IRRIGATION	19
					Section Acres	206
					Total Acres	428

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:

14. Remarks:

AC. IRR. = 373.43.

THIS WAS ORIGINALLY FILED AS CLAIM NO. 25-261B.

15. Basis of Claim: Decreed

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)
) SS.
 County of _____)

Subscribed and sworn (or affirmed) before me this

of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

SCANNED

JUL 2 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.

RENUMBERED To: 01-10463
CIVIL CASE NUMBER: 39576

Renumbered: A25-00261-B
Ident. Number: ~~A25-00261~~ 11/18/92
Date Received: 10/24/1988 SC
Receipt No: E003462
Received By: Sm

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name:	KENT SKAAR	208-754-4534
Address:	421 N 3200 E	
	ROBERTS, ID	83444
AND/OR		
Name:	JUSTIN SKAAR	208-754-4534
Address:	421 N 3200 E	
	ROBERTS, ID	83444
AND/OR		
Name:	DUWAYNE SKAAR	208-754-4534
Address:	421 N 3200 E	
	ROBERTS, ID	83444



2. Date of Priority: MAY 18, 1900

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
05N	38E	20	NE	NW			JEFFERSON

5. Description of diverting works:
HEADGATE OF BEAR TRAP SLOUGH CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	6.000		

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

8. Total consumptive use is 934.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A25-00261 Page 1 Date: 10/24/88

MICROFILMED
MICROFILMED NOV 10 1992
DEC 09 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	37E	26	SW	NE		IRR	20.0
			SE	NE		IRR	20.0
			NE	SW		IRR	15.0
			SE	SW		IRR	5.0
			NE	SE		IRR	38.0
			NW	SE	3	IRR	43.0
			SW	SE	4	IRR	41.0
			SE	SE		IRR	40.0
Section Acres							222.0
		35	NE	NE		IRR	38.0
			NW	NE		IRR	38.0
			SW	NE		IRR	39.0
			SE	NE		IRR	39.0
			NE	NW		IRR	33.0
			SE	NW		IRR	19.0
Section Acres							206.0
Total Acres							428.0

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:
A01-00354/LONG ISLAND CANAL CO. SHARES

14. Remarks:
AC. IRR. = 373.43.

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

REXBURG IRR. ET AL
Decree Plaintiff

vs

TETON IRR. ET AL
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): Kent Skar Date: 10-24-88

Date: _____

State of Idaho)
County of Bonerville) SS.

Subscribed and sworn (or affirmed) before me this 24th day
of Oct 19 88

Betty J. Thompson
Notary Public

Seal

Residing at Idaho Falls
My Commission Expires 6-94