

11/27/2006

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

RIGHT NUMBER: 1-10468

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: 7.950 CFS

PRIORITY DATE: 01/22/1916

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	7.950 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		

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

Water is delivered through Mattson-Craig Canal.

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

This right is a split from former right 1-255.

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 Grantee, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners 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

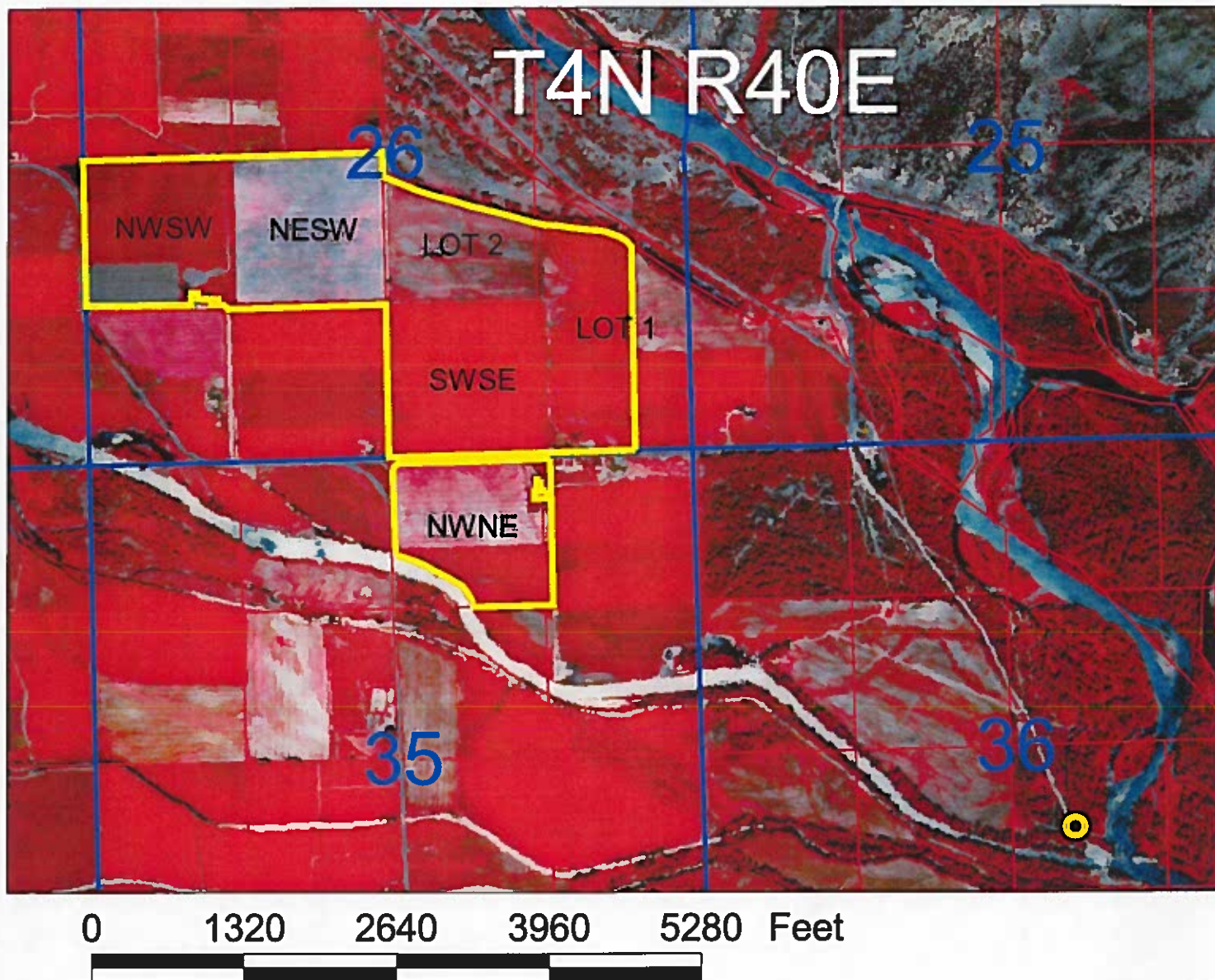
Ruth Kremer



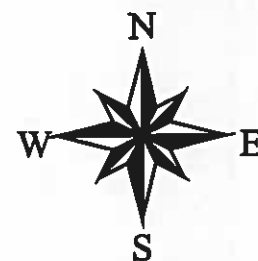


Department of Water Resources

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

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 1-255

WATER RIGHT NUMBER: 1-255

Owner Type Name and Address
 Current Owner W J KREMER
 , ZZ

Priority Date: 01/22/1916

Basis: Decreed

Status: Active

Source Tributary
 SNAKE RIVER

Beneficial Use From To Diversion Rate Annual Volume
 IRRIGATION / to / 14.000 CFS
 Total Diversion: 14.000 CFS

0.0332541 / AC

Location of Point(s) of Diversion

SNAKE RIVER

NW1/4SE1/4

Sec. 36, Twp 04N, Rge 40E, 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	
04N 40E 25											X L1						
04N 40E 26			X L2						X	X		X	X L1	X L2	X	X L1	
04N 40E 35	X	X															
04N 40E 36						X											

421 acres

Conditions of Approval:

claimant owns 239 ac of decreed pon

Remarks:

1. General

MATTSON AND CRAIG DITCH.
P/D SOURCE WD01.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 1-255

Comments:Dates and Other Information:

Licensed Date:
Decreed Date: 6/25/1929
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: Clark & Edwards Canal & Irrigation Co, et al
Decree Plaintiff: Woodville Canal Co
Civil Case Number: 661
Judicial District: District Court Eastern Division
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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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 1-10468
Date Received: 2/16/2005
Receipt No: E004253
Received By: MWH

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

1. Name of Claimant(s)

W B KREMER Phone: (208)525-6054
163 N LLOYD CIRCLE
IDAHO FALLS ID USA 83402

2. Date of Priority: 01/22/1916

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

4. Point of Diversion:

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

5. Description of diverting works:

HEADWORKS OF CRAIG-MATTSON CANAL -- CONCRETE HEADING WITH GATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	14	

7. Total Quantity Appropriated is:

14 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
04N	40E	26	SW	NE	2	IRRIGATION	5
			NE	SW		IRRIGATION	40
			NW	SW		IRRIGATION	40
			NE	SE	1	IRRIGATION	14

NW	SE	2	IRRIGATION	40
SW	SE		IRRIGATION	40
SE	SE	1	IRRIGATION	20

Section Acres 199

04N 40E 35 NW NE IRRIGATION 35

Section Acres 35

Total Acres 234

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:

RENUMBERED FROM 1-255 BECAUSE CLAIMANT OWNS ONLY A PORTION OF WR 1-255.
OTHER RTS. ARE A01-00050B AND A01-10030

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)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this

of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

AUG 22 2001

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

RENUMBERED TO: 1-10468

Ident. Number: ~~A01-00255~~

Date Received: 11/21/1988

Receipt No: E004253

Received By: HCS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: W. B. KREMER
Address: 4966 E. 100 N.
RIGBY, ID

208-538-7879

83442

2. Date of Priority: JAN 22, 1916

3. Source: SNAKE RIVER, SOUTH FORK 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:
HEADWORKS OF CRAIG-MATTSON CANAL-CONCRETE HEADING WITH GATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	14.000		

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

8. Total consumptive use is 585.0 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	SW		IRR	40.0
			NW	SW		IRR	40.0

A01-00255

Page 1

Date: 11/21/88



MICROFILMED

OCT 19 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	40E	26	NE	1	IRR	14.0
			NW	2	IRR	40.0
			SW		IRR	40.0
			SE	1	IRR	20.0
					Section Acres	199.0
		35	NW	NE	IRR	35.0
					Section Acres	35.0
					Total Acres	234.0

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:
A01-00050B, A01-10030

14. Remarks:
OTHER RTS. ARE A01-00050B AND A01-10030

15. Basis of Claim: DECREED
Water Right Number: 010255
Case Number:
Court :
Decree date: 6/25/1929

WOODVILLE CANAL

Decree Plaintiff

vs

CLARK AND EDWARDS CANAL.

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): x W.B. Kremer Date: x 11-21-88

Date: _____

State of Idaho)
County of Bonneville) SS.

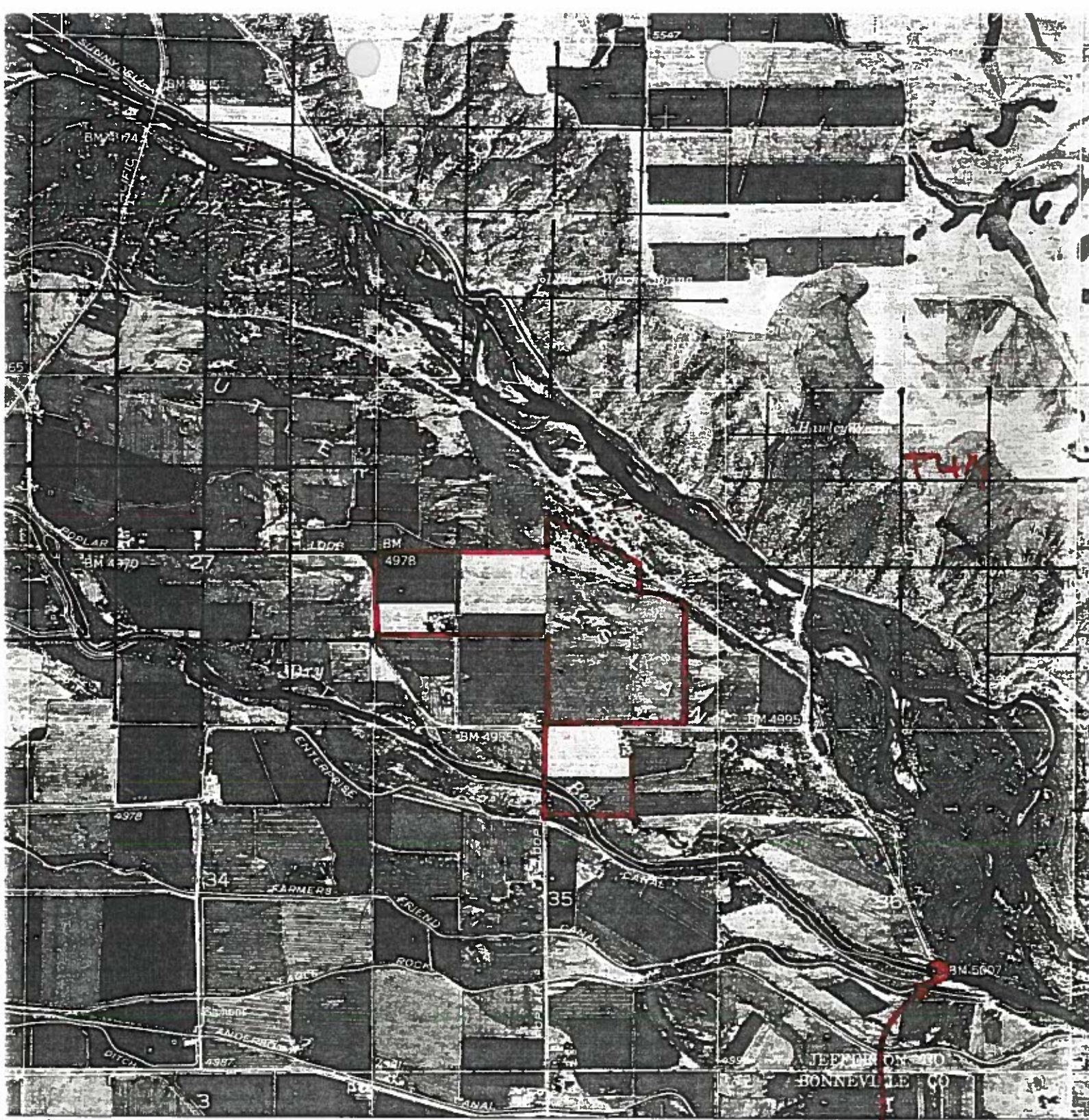
Subscribed and sworn (or affirmed) before me this 21th day
of Nov 19 88

Betty J. Thompson
Notary Public

Seal

Residing at Idaho Falls

My Commission Expires 6-94



by the Geological Survey
 ation with the Soil Conservation Service
 graph prepared from 1:78 000-scale
 graphs taken August 5, 1976
 and 10,000-foot grid ticks: Idaho coordinate
 at zone (transverse Mercator)
 Universal Transverse Mercator grid ticks,
 1927 North American datum
 ry transformed by scanning techniques
 produce double or mismatched images;
 on of image positions for map point.

A01-00255

R40E
 MICROFILMED
 OCT 19 1992

P.O. SCALE 1:24 000



OZALID PRINTS MAY BE PUR
 IDAHO DEPARTMENT OF LANDS, STATEHO
 THIS MAP COMPLIES WITH NATIONAL MAP
 FOR SALE BY U. S. GEOLOGICAL SURVEY, A