

01/06/2011

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

RIGHT NUMBER: 22-354

NAME AND ADDRESS: WOODMANSEE JOHNSON CANAL CO
C/O O RUSSELL WILDING
3560 E 3000 N
SUGAR CITY ID 83448

SOURCE: MOODY CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.800 CFS

PRIORITY DATE: 06/01/1901

POINT OF
DIVERSION:

T06N R40E S11 NESE Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	06/21 10/31	0.400 CFS
	04/01 06/20	0.800 CFS

PLACE OF USE:

1982.2 ACRES TOTAL

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.

Place of use is within the area served by Woodmansee Johnson Canal Company.

The rights listed below are limited to the irrigation of a combined total of 1294 acres in a single irrigation season. Combined Right Nos.: 22-354, 22-421, 22-476, 22-591, 22-592, and 22-593.

The rights listed below are limited to the irrigation of a combined total of 1841.7 acres in a single irrigation season. Combined Right Nos.: 22-354, 22-421, 22-476, 22-591, 22-592, 22-593, and 22-594.

This right is limited to the irrigation of 80 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 1434.5 acres in a single irrigation season. Combined Right Nos.: 22-205, 22-235, 22-344, 22-354, 22-421, 22-422, 22-476, 22-477, 22-591, 22-592, 22-593, 22-11259, and 22-11260.

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

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

Water is delivered through Woodmansee Johnson Canal.

12/04/2006

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: 22-354

WOODMANSEE JOHNSON CANAL CO
C/O O RUSSELL WILDING
3560 E 3000 N
SUGAR CITY ID 83448
Telephone Number: (208)356-6184

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:

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

DATE: 12-08-06

SIGNATURE:

O. Russell Wilding

Please print your name:

O. RUSSELL WILDING

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

SCANNED

AUG 07 2007

WOODMANSEE-JOHNSON CANAL COMPANY
SNAKE RIVER BASIN ADJUDICATION WATER RIGHT CLAIMS

CLAIM NO.	PRIORITY DATE	CFS	SOURCE	REMARKS
22-594	03/15/1881	6.40	MOODY CREEK	Amended to add M.K. Jeppesen's
22-593	03/15/1883	3.20	MOODY CREEK	
22-592	03/15/1885	12.80	MOODY CREEK	
22-421	06/01/1886	1.00	MOODY CREEK	
22-591	03/15/1889	3.20	MOODY CREEK	
22-476	06/01/1894	4.00	MOODY CREEK	
22-354	06/01/1901	3.20	MOODY CREEK	
Subtotal		33.80		
22-205	06/01/1891	3.2	TETON RIVER	Note 1, 160 AC
22-477	06/01/1894	0.20	TETON RIVER	Note 1
22-344	04/01/1896	0.40	TETON RIVER	Note 1, 160 AC
22-422	06/01/1886	0.50	TETON RIVER	Note 1, 160 AC
22-235	07/15/1896	0.50	TETON RIVER	Note 1, 160 AC
22-11259	10/01/1889	21.40	TETON RIVER	Note 1
22-11260	04/01/1898	33.60	TETON RIVER	Note 1
Subtotal		59.8		
Total Diversion		93.6		

NOTES:

1. Transfer # 70682, 02/13/2004, adds a POD (T6N, R403 S15 SWSW), for Teton River Claims; Limits acres to 1434.5, Q to 59.80 cfs. Certain rights are referenced as limited to the irrigation of 160 acres. It is unclear from the transfer whether the referenced rights are restricted to the same 160.0 acres. However, all SRBA recommendations, in consideration of source, will be made with respect to a permissible place of use.
2. According to Tony Olenichak, Hydrologist, WD01, the Moody Creek water rights have never been administered by WD01 because Moody Creek breaks in the lower reaches mid-summer and is not tributary to Teton River. Users of Moody Creek rights above the point where the stream breaks invoke the 'Futile Call Doctrine', distribute the available water accordingly and enjoy use of the available waters unregulated.
3. Claims filed by Woodmansee-Johnson Canal Co. reference the removal of the CFS/season of use restrictions, placed on the rights by the 1910 Rexburg Irrigation Co. vs Teton Irrigation Co. Decree, which state "to be reduced to (half as defined by award) after June 20th each year". This action is confirmed by Tony Olenichak, WD01.
4. 22-11259 combines decreed rights; 22-01, 02, 03 (omitted on claim), 04, 05, 06 and 596.
22-11260 combines decreed rights; 22-206, 236, 345, and 595.
5. According to a document submitted by Russell Wilding (see 22-594), W-JCC, 2.0 cfs of Moody Creek water is being delivered to K.M. Jeppesen at SENW Sec. 21, T5N, R41E. By GIS this serves some 537 +/- acres which is included in the claimed POU of 22-594, but no other W-JCC claims.

6. POU irrigated acres total some 2017 +/- acres, which includes the K.M. Jeppesen acres off Moody Creek. POU Boundary acres totals some 2389 +/- acres.
7. Peak diversion, from the record of 'Monthly Diversions' shows a Peak in June 1965 as 66 cfs. However, the record of daily diversion (table attached, from Water district 36 annual report) shows a peak diversion on June 26, 1965, of 61 cfs. But, obviously includes storage water since total Q of decreed rights only accounts for 59.8 cfs (of Teton River water). Diversion accounting (pg 34 of annual report) indicates the recorded peak is ONLY that of Teton River. No accounting for the Moody Creek deliveries.
8. All claims were recommended with the entire (large) POU for simplicity, per E. Carlsen, 11/15/05. Since Moody Creek serves both Jeppesen and the lower part of the main service area in the lower valley, but Teton River only serves the (all) lower main service area, it was decided that the entire Large POU would be recommended to all rights to avoid the confusion of detailing where individual rights/source would be served. Further, that the canal company would administer the rights as they always have.

Water Right No(s). 22-354, -421, -476, -591, -592, -593 + -594

See Attached photos

GPS data - 2684950
1408925

GPS File# - WOOD 4

GPS DATA:

Tag # A0015911 Location: on wood plank downstream from headgate

Diversion Data:

Source: Moody Creek Trib to: Teton River

MOTOR

Make: NA Model: _____ Hp: _____
SN: _____

PUMP

Make: NA Model: _____ Disch: _____
SN: _____

NOTES:

2 Headgates to canal system

Field Exam Date: 7-6-2005 Agent: H. Jones

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AUG 07 2007

Water Right No(s). 22-354, -421, -476, -591, -592, -593 & -594

See Attached photos

GPS DATA:

Tag # A 0015909 Location: on power pole
GPS data - 269095
1397249 GPS File - WOOD 2

Diversion Data:

Source: Moody Creek Trib to: Teton River

MOTOR

Make: GE Model: _____ Hp: 200
SN: DSJ423124

PUMP

Make: Johnston Model: _____ Disch: _____
SN: DM 14372

NOTES:

Two pumps on system to common mainline. This system provides
water to Morris Irrigation across adjacent to this P.O.D.
* Second Motor - GE 150HP SN-BLJ212150, Johnston
Pump - No SN.
This system also provides for Irrigation private rights out of Moody Creek.

Field Exam Date: 7-6-2005 Agent: R. W. Jones

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0044 ✓

son, William
J. W. McKay
and Samuel Weeks, Jr.
22 0353
Johnson, W. R.

160 inches. June 1, 1898.
96 inches. June 1, 1896.

Palisade Creek.
Trail Creek.

(See Woodmansee-
Johnston Ditch.)

Johnston, James.

0410 22 0354 ✓

Johnston, James W.

40 inches. June 1, 1901.

Moody Creek. (To be
reduced to 20 inches
after June 20th of
each year.)

(See Woodmansee-
Johnston Ditch.)

Johnston, Hugh St C

0410 22 0355 ✓

Jones, Benjamin

20 inches. June 1, 1889.

Trail Creek.

0410 22 0356 ✓

Jones, Benjamin

140 inches. June 1, 1893.

Trail Creek.

0410 21 0066 ✓

Jones, Edward L.

140 inches. June 1, 1898.

Canyon Creek.

0410 21 0067 ✓

Jones, Edward L.

50 inches. June 1, 1898.

Little Spring.

0410 21 0068 ✓

Jones, Edward L.

250 inches. June 1, 1900.

Thompson Spring.

0410 21 0069 ✓

Jones, John F.

200 inches. May 1, 1886.

Fall Creek. Trans 533

0410 13-0067 ✓ T. #2304

Jones, John F.

150 inches. May 1, 1888.

Indian Creek.

0410 22 0357 ✓

Jones, Joshua

100 inches. Oct. 28, 1897.

Trail Creek.

0410 35-0050 ✓

Jones, T. L.

200 inches. Apr. 22, 1895.

Boone Creek.

Jordon, F. W.

The Farmers' Friend
Canal Company.

Jordan, James H.

The Farmers' Friend
Canal Company.

Jordan, Robert L.

The Farmers' Friend
Canal Company.

Judd, Sanford W.

The Farmers' Friend
Canal Company.

EXCEPT FROM
REYBURG IRRIGATION
VS
Tipton Irrigation 16-DEC-1910

K.

0410 22 0358 ✓

Kay, James.

140 inches. June 1, 1895.

Trail Creek.

0410 25-0227 ✓

Keefer, J. H.

160 inches. May 28, 1884.

Willow Creek.

Keeler, D. F.

Watson Slough Irrigati
Company.

Kjelin, Carl

The Sunny Dell Irrig-
ation Canal Company.

0410 22 0359 ✓

Kimball, Archie R.

160 inches. June 1, 1895.

Trail Creek.

0410 22 0360 ✓

Kimball, R. C.

Box Creek.

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AUG 07 2007

**NEW PROPERTY OWNER
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP**

Please print or type

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR: _____

See print out for #'s OK

☐ Name and address of Former
Owner/Claimant(s)(Seller): Woodmansee-Johnson Rexburg Mill Ditch, Inc.

☐ New owner/Claimant
(Purchaser): Woodmansee-Johnson Canal Company

☐ New Mailing Address: c/o O. Russell Wilding
3560 E. 3000 N.
Sugar City, ID 83448

☐ New Telephone Number: (208) 356-6184

☐ Does the change in ownership result in a splitting of the water right owned /claimed? yes ☒ No
If yes, then describe the portion of the water right that is now owned/claimed by the new owner.

☐ Attach proof of
ownership, describe
proof attached: _____
(proof of ownership must describe either the property conveyed or include
the claim number. Proof of ownership is not required if this form is
signed by the former owner/claimant.)

☐ Signature of New BY: O. Russell Wilding Pres. Date 19 Aug 97
Owner/Claimant(s) BY: Janett H. Burns Sec. Date 19 Aug 97
Woodmansee-Johnson Rexburg Mill Ditch, Inc.
☐ Signature of Former BY: O. Russell Wilding Pres. Date 19 Aug 97
Owner/Claimant(s): BY: Janett H. Burns / Sec. Date 19 Aug 97

(Signature of former claimant(s) is not
required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

pj:water.for

SCANNED

AUG 07 2007

SD-0601-2 Last Name: WOODMANSEE-JOHNSON

STATE

S E L	First Name	O W N	Water Right No.	Priority Date	Source	Total Diversion	Use Code Desc
-	-----	-	-----	-----	-----	-----	-----
-	WOODMANSEE-JOHNSON						
-		C	A22-00205✓	06/01/1891	TETON RIVER	3.200	01 IRR
-		C	A22-00235✓	07/15/1896	TETON RIVER	0.500	01 IRR
-		C	A22-00344✓	04/01/1896	TETON RIVER	0.400	01 IRR
-		C	A22-00422✓	06/01/1886	TETON RIVER	0.500	01 IRR
-		C	A22-00477✓	06/01/1894	TETON RIVER	0.200	01 IRR
-		C	A22-00354✓	06/01/1901	MOODY CREEK	0.800	01 IRR
-		C	A22-00421✓	06/01/1886	MOODY CREEK	1.000	01 IRR
-		C	A22-00476✓	06/01/1894	MOODY CREEK	4.000	01 IRR
-		C	A22-00591✓	03/15/1889	MOODY CREEK	3.200	01 IRR
-		C	A22-00592✓	03/15/1885	MOODY CREEK	12.800	01 IRR
-		C	A22-00593✓	03/15/1883	MOODY CREEK	3.200	01 IRR
-		C	A22-00594✓	03/15/1881	MOODY CREEK	6.400	01 IRR
-		C	A22-11259✓	10/01/1889	TETON RIVER	21.400	01 IRR
-		C	A22-11260✓	04/01/1898	TETON RIVER	33.600	01 IRR

(Enter=Continue)

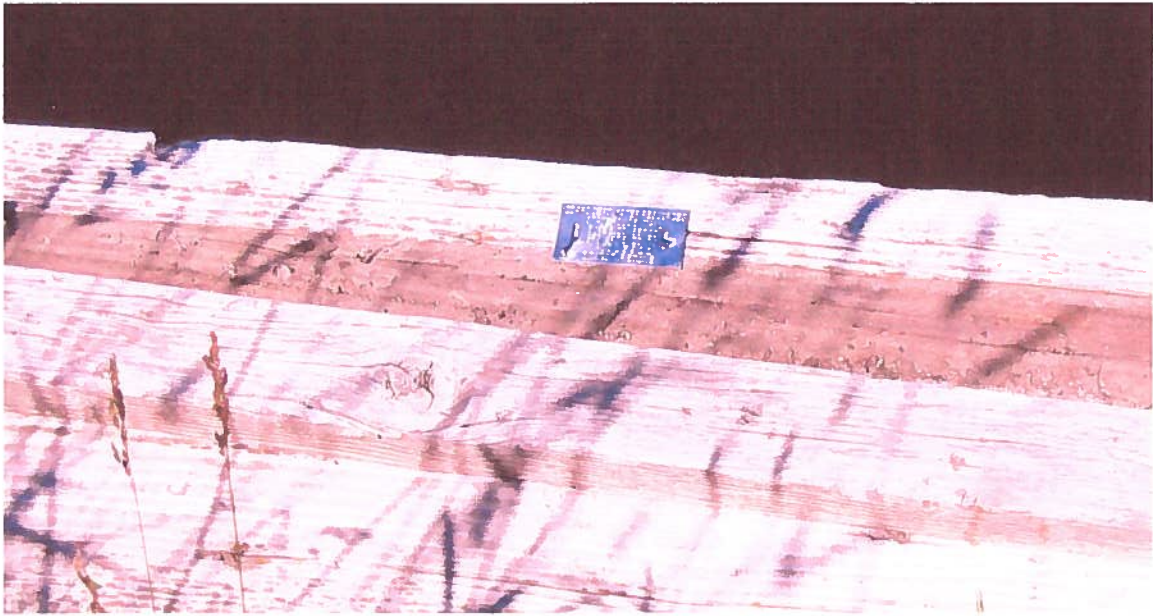
(GOLD7=This Query)

(Menu _____)



Woodhouse-Johnson Canal, WOOD 4 P.O.D

Moody Creek - Looking East



P.O.D WOOD 4 GPS Tag

SCANNED

AUG 07 2007

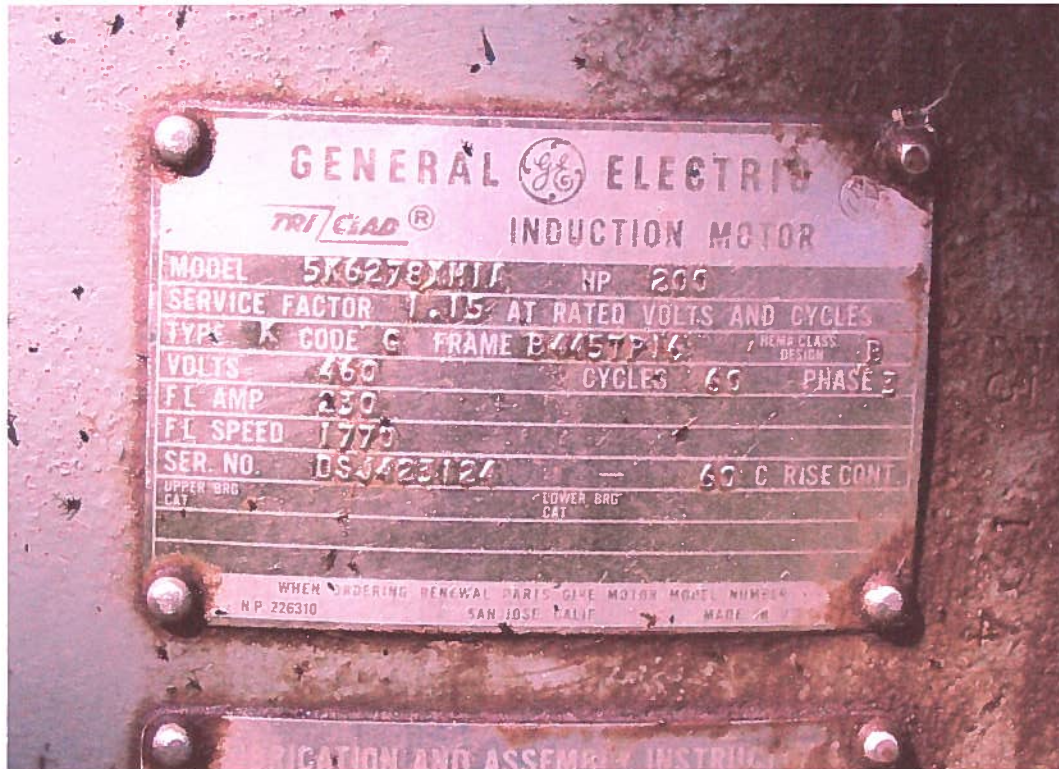


GPS
Tag

Woodhouse-Johnson Canal, P.O.D - WOOD 2

Looking South

SCANNED
AUG 07 2007



WOOD 2 P.O.D, 200 Hp pump

SCANNED

AUG 07 2007



WOOD 2 P.O.D , pump intake, Moody Creek

WOODZ

05N41E21



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 22-354

Date Received:
Receipt Nos:
Received By:

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

Name of Claimant WOODMANSEE JOHNSON CANAL CO
C/O O RUSSELL WILDING
3560 E 3000 N
SUGAR CITY, ID 83448
(208)356-6184

Priority Date: 06/01/1901
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
MOODY CREEK	TETON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.8 CFS	
Recharge for Irrigation	04/01	10/31	0.8 CFS	
Total Diversion			0.8 CFS	

Location of Point(s) of Diversion:

MOODY CREEK SENESE Sec. 11 Township 06N Range 40E MADISON 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. 135 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. 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.
3. 129 Place of use is within the area served by Woodmansee Johnson Canal Company.
4. F01 Water is delivered through Woodmansee Johnson Canal.
5. This water right is subject to the delivery provision contained in Rexburg Irrigation Co. et al v. Teton Irrigation Canal Co. et al, (D. Id. Dec. 16, 1910) ("Rexburg Decree"). "To be reduced to 20 inches after June 20 of each year".
6. E56 The rights listed below are limited to the irrigation of a combined total of 1480 acres in a single irrigation season. Combined Right Nos.: 22-205, 22-235, 22-344, 22-354, 22-421, 22-422, 22-476, 22-477, 22-591, 22-592, 22-593, 22-11259, 22-11260. The rights listed below are limited to the irrigation of a combined total of 1244 acres in a single irrigation season. Combined Right Nos.: 22-421, 22-354, 22-476, 22-591, 22-592, 22-593. The rights listed below are limited to the irrigation of a combined total of 2017 acres in a

single irrigation season. Combined Right Nos.:22-205, 22-235, 22-344, 22-354, 22-421, 22-422, 22-476, 22-477, 22-591, 22-592, 22-593, 22-594, 22-11259, 22-11260.

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

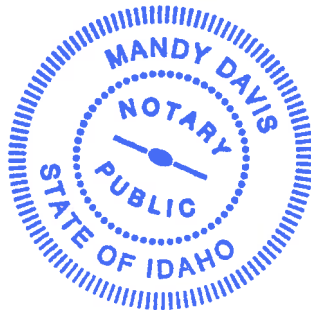
STATE OF IDAHO,)

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 Davis

Notary Public for Idaho

Residing at: St. Anthony

My Commission Expires: 6/24/2011

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: A22-00354
Date Received: 8/24/1988
Receipt No: E001724
Received By: DM

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WOODMANSEE-JOHNSON
Address: REXBURG MILL DITCH INC.
C/O DELL PALMER, PRESIDENT
657 HILL ROAD, RT 4
REXBURG, ID

208-356-6086

83440

2. Date of Priority: JUN 01, 1901

3. Source: MOODY CREEK

Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	41E	21	NW	SE	NW		MADISON
06N	40E	11	NE	SE	SE		MADISON

5. Description of diverting works:
PUMP AND PIPELINE TO P/U.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.800		

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

A.F.A.

8. Total consumptive use is 3230.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A22-00354

Page 1

Date: 01/18/89

SCANNED MICROFILMED

AUG 07 2007 NOV 04 1992

A2200354



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	40E	10	SW	SE		IRR	35.0
			SE	SE		IRR	40.0
						Section Acres	75.0
		11	NE	NE		IRR	10.0
			NW	NE		IRR	12.0
			SW	NE		IRR	10.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		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	352.0
		14	NE	NE		IRR	5.0
			NW	NE		IRR	35.0
			SW	NE		IRR	26.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	8.0
			NW	SE		IRR	15.0
						Section Acres	329.0
		15	NE	NE		IRR	24.0
			SE	NE		IRR	25.0
			NE	SW		IRR	3.0
			SW	SW		IRR	16.0
			SE	SW		IRR	16.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	36.0
						Section Acres	240.0
		16	NE	SE		IRR	15.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	40E	16	NW	SE		IRR	5.0
			SW	SE		IRR	3.0
			SE	SE		IRR	28.0
			Section Acres				51.0
		20	SE	NE		IRR	18.0
			NE	SE		IRR	9.0
			SW	SE		IRR	12.0
			SE	SE		IRR	3.0
			Section Acres				42.0
		21	NE	NE		IRR	6.0
			NW	NE		IRR	24.0
			NE	NW		IRR	4.0
			NW	NW		IRR	10.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NW	SW		IRR	2.0
			Section Acres				126.0
		22	NE	NE		IRR	10.0
			NW	NE		IRR	25.0
			NE	NW		IRR	5.0
			NW	NW		IRR	3.0
			Section Acres				43.0
		29	NE	NE		IRR	6.0
			NW	NE		IRR	30.0
			Section Acres				36.0
			Total Acres				1294.0

11. Place of use in counties: MADISON

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

13. Other Water Rights Used:
SEE LIST IN REMARKS.

14. Remarks:
LIST OF OTHER RIGHTS:

A22-00354

Page 3

Date: 01/18/89

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MICROFILMED
NOV 04 1994
AUG 07 2007

14. Remarks: Continued

1. RIGHTS THAT SHARE BOTH P/D AND P/U WITH THIS CLAIM:

A22-00421
A22-00476
A22-00591
A22-00592
A22-00593
A22-00594

2. RIGHT THAT SHARE P/U WITH THIS RIGHT:

A22-00205
A22-00235
A22-00344
A22-00422
A22-00477
A22-11259
A22-11260

P/D IN NW1/4 SE1/4 NW1/4 SEC 21, T5N, R41E IS USED UNTIL JUNE 20.
AFTER JUNE 20, P/D IS CHANGED TO NE1/4 SE1/4 SE1/4 OF SEC 11,
T6N, R40E. ALL RIGHTS IN MOODY CREEK REDUCED 1/2 AFTER JUNE 20.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

REXBURG IRRIGATION CO.

Decree Plaintiff

vs

TETON IRRIGATION CANAL CO.

Decree Defendant

MICROFILMED

SCANNED NOV 04 1992

AUG 07 2007

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 _____ of
_____, that I have signed the foregoing
_____, that I have signed the foregoing
document in the space below as _____ of
_____ and that the statements contained in the
_____ foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

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

122-00354

Date Received

24 Aug 1988

Receipt Number

2001724

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly Woodmanse-Johnson Rexburg Mill Ditch, Inc (an Idaho corp)

1. Name of Claimant (s) c/o Dell Palmer, pres Phone 208) 356-6086

Mailing Address 657 Hill Road Rt 4 Rexburg, Idaho Zip 83440

2. Date of Priority (Only one (1) per claim) June 1, 1901

3. Source of water supply (a) Moody Creek

which is tributary to (b) Teton River--Snake River (Henry's Fork)

4. a. Location of existing point of diversion is: Township 5N Range 41E Section 21,
NW 1/4 of SE 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of Madison

Additional points of diversion if any: NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec 11 T6N R40E--Madison Co.

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.

pump and pipeline
NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec 21 is the point of diversion until June 20.

T5N R41E

After June 20 the point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec 11 T6N R40E

SCANNED
MICROFILMED

AUG 07 2007
NOV 04 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 4-1 to 11-1 amount 0.8 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.8 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 3230 acre feet per annum.

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

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) 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	

Total number of acres irrigated _____

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

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

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

Authorized by Board of Directors of WoodmanseeJohnson canal co.

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

list of Woodmansee-Johnson canal rights in Moody Creek : _____ or None ()

14. Remarks: Mar 15, 1881 6.4cfs/ Mar 15, 1883 3.2cfs/ Mar 15, 1885 12.8cfs/

June 1, 1886 1.0cfs/ Mar 15, 1889 3.2cfs/ June 1, 1894 4.0cfs/

June 1, 1901 0.8cfs/ *All rights in Moody Creek reduced one half

after June 20.

MICROFILMED

NOV 04 1992

SCANNED

Last Name Woodmansee

Ident No. A22-00354

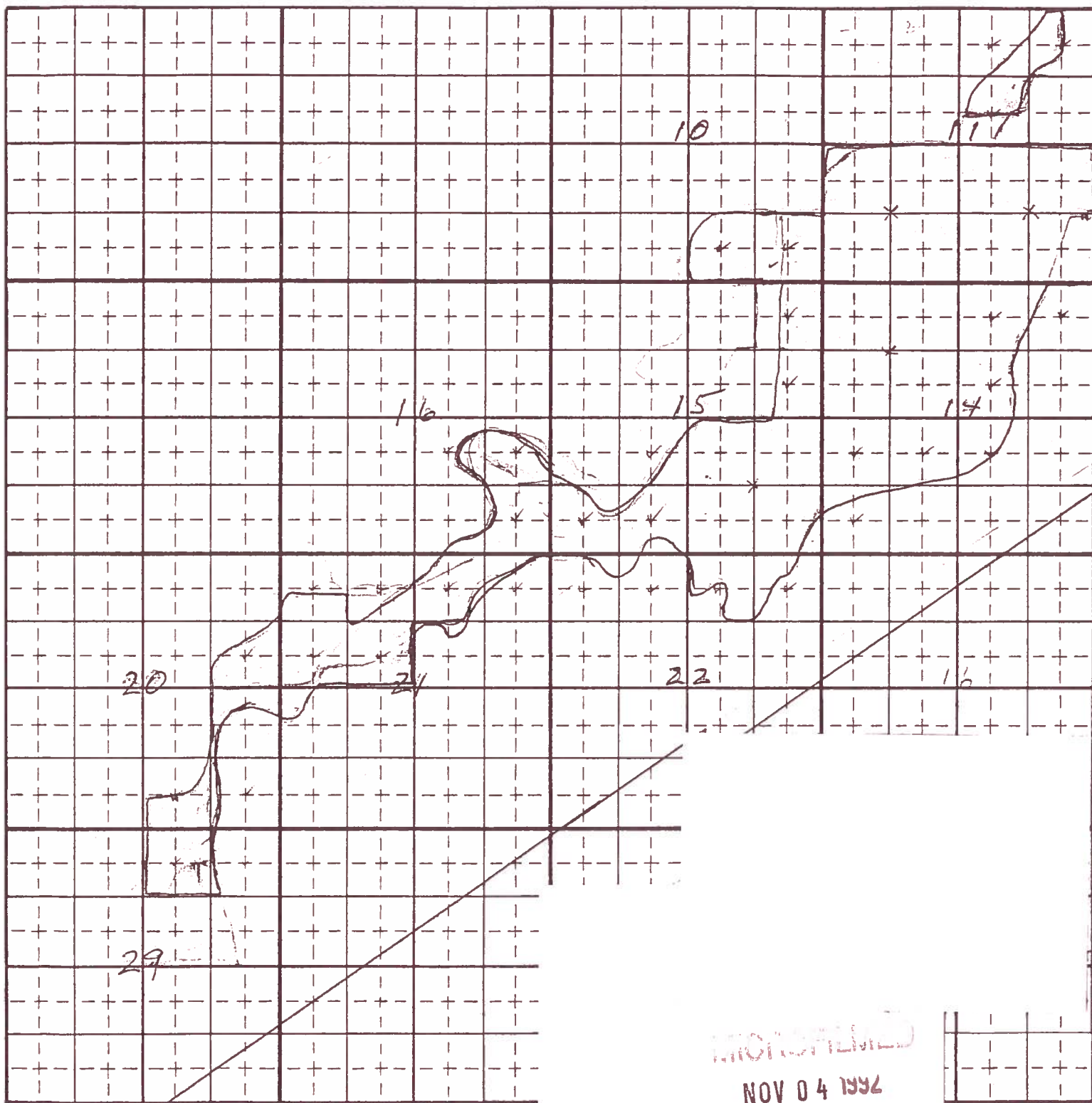
AUG 07 2007 Copies: White -State, Yellow-Claimant

ALG 07 JUN 72

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

T6N R40E



RECORDED

NOV 04 1992

SCANNED

Last Name

Woodward

Ident No.

A22-00354

Copies: White-State, Yellow-Claimant

AUG 07 2007

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

If applicable provide IDWR Water Right Number 22-0354

Court 6th Judicial District Case Number _____ Decree Date _____

Plaintiff vs Defendant Rexburg Irrigation Co VS Teton Irrigation Canal Co.

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 X 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) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am vice pres

Title

of Woodmansee-Johnson Rexburg Mill Ditch, Inc., that I have signed the foregoing

Organization

document in the space below as vice pres of Woodmansee Johnson

Title

Organization

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

Rexburg Mill Ditch Inc.

Signature of Authorized Agent O. Russell Wilding

Title and Organization vice pres Woodmansee-Johnson Date 24 Aug 1988
Rexburg Mill Ditch Inc.

State of Idaho/or _____)

County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 24 day of August, 19 88

SEAL

Notary Public Ernest Carlson

Residing at Idaho Falls, ID

My Commission Expires 14 June 1994

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 _____

EXPIRATION

SCANNED

NOV 04 1992

Last Name Woodmansee Ident. Number A22-00354

AUG 07 2007

Copies White-State, Yellow-Claimant

Minor Tributaries to Her , Fork Below Warm River (contin . ,
Listed in Downstream Order

	<u>Party or Canal</u>	<u>Date</u>	<u>Decreed Amount in Sec.-ft.</u>	<u>Accumulated Total</u>
	<u>Misc. Rights Below Mouth of Warm River (continued)</u>			
	<u>Iona Huntsman (Springs)</u> (License 21-2115)	Mar. 19, 1960	0.47 ✓	
2131	<u>D.H.&V.F.Larsen (Sec 36-9N-43E)</u> (Warm Springs) 21-2131	Sept 6, 1963	2.57 X	
7013	<u>Murray Baum (Spring Creek)</u> (Permit 21-7013)	Jan. 14, 1971	0.5 X	
7053	<u>Edward D. Howell (Strong Creek)</u> (Permit 21-7053)	Aug. 19, 1974	5.0 X	
7054	<u>David D. Woodruff (Unnamed Spgs)</u> (Permit 21-7054)	Aug. 26, 1974	1.6 X	
7055	<u>Henry's Fork Ranch-Robert Lee</u> (Permit 21-7055)	Sept. 20, 1974 ✓	2.7 X	<u>22.44</u>

Some Black Springs rights transferred to Farmers Own Canal

MOODY CREEK *

0265	<u>Martin Garn</u>	Mar. 15, 1879	9.6 ✓	9.6
	<u>Charles H. Woodmansee</u>	22-0574 Mar. 15, 1881	6.4 ✓	16.0
		22-0581 Mar. 15, 1883	3.2 ✓	19.2
		22-0592 Mar. 15, 1885	12.8 ✓	32.0
0421	<u>Martin L. Nave</u>	June 1, 1886	1.0 ✓	33.0
0591	<u>Charles H. Woodmansee</u>	Mar. 15, 1889	3.2 ✓	36.2
0170	<u>Jesse E. Bigler</u>	May 1, 1893	6.4 ✓	42.6
0476	<u>Alfred Ricks</u>	June 1, 1894	4.0 ✓	46.6
0354	<u>James W. Johnston</u>	June 1, 1901	0.8 —	<u>47.4*</u>

*All rights reduced one-half after June 20.

AJ0749NP
No. A22-00354

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 09/05/97
PAGE: 1

OWNER NAME & ADDRESS
C WOODMANSEE-JOHNSON CANAL COMPANY
C/O O RUSSELL WILDING
3560 E 3000 N
SUGAR CITY ID 83448
(208) 356-6184

PRIORITY DATE 06/01/1901 IRRIGATION

USE PERIOD FROM 04-01 TO 11-01

DIVERSION RATE 0.80 CFS

TOTAL DIVERSION: 0.80 CFS

CONSUMPTIVE USE: 3230.00 AFA

Water Source: MOODY CREEK

Tributary to: TETON RIVER

Stage: DECREED

Point(s) of Diversion:
T05N R41E S21
T06N R40E S11

MUSENW
NESESE

MADISON County
MADISON County

Place of use Legal Description for: IRRIGATION

T	R	S	NE			NW			SW			SE			SUM
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	
06N	40E	10	10	12	10						40	40	40	40	75.0
06N	40E	11	05	35	26						40	40	08	15	352.0
06N	40E	14				25	40	40	40	40	40	40	16	40	329.0
06N	40E	15									03	40	16	40	240.0
06N	40E	16												15	51.0
06N	40E	20				18								09	42.0
06N	40E	21	06	24			04	10	40	40		02		12	126.0
06N	40E	22	10	25			05	03							43.0
06N	40E	29	06	30											36.0
TOTAL ACRES															1294.0

POU County: MADISON

Non-Irrigation Uses: NONE

Other Rights: SEE LIST IN REMARKS.

Remarks: GEN LIST OF OTHER RIGHTS:

1. RIGHTS THAT SHARE BOTH P/D AND P/U WITH THIS CLAIM:

A22-00421
A22-00476
A22-00591
A22-00592
A22-00593
A22-00594

2. RIGHT THAT SHARE P/U WITH THIS RIGHT:

A22-00205
A22-00235
A22-00344
A22-00422
A22-00477

Remarks:

A22-11259
A22-11260
P/D IN NW1/4, SE1/4, NW1/4, SEC 21, T5N, R41E IS USED UNTIL JUNE 20.
AFTER JUNE 20, P/D IS CHANGED TO NE1/4, SE1/4, SE1/4, OF SEC 11,
T6N, R40E. ALL RIGHTS IN MOODY CREEK REDUCED 1/2 AFTER JUNE 20.
LIST OF OTHER RIGHTS:
1. RIGHTS THAT SHARE BOTH P/D AND P/U WITH THIS CLAIM:
A22-00235
A22-00344
A22-00422
A22-00477
A22-11259
A22-11260
2. RIGHT THAT SHARE P/U WITH THIS RIGHT:
A22-00354
A22-00421
A22-00476
A22-00591
A22-00592
A22-00593
A22-00594
CHANGED ADDRESS PER REQUEST/JH/9-4-97

Dates: Exam Made Date: Verified Date: Objection Filed Date:
Misc: Water District Number: 01 Field Inspection Flag:
Presumption Flag: