

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

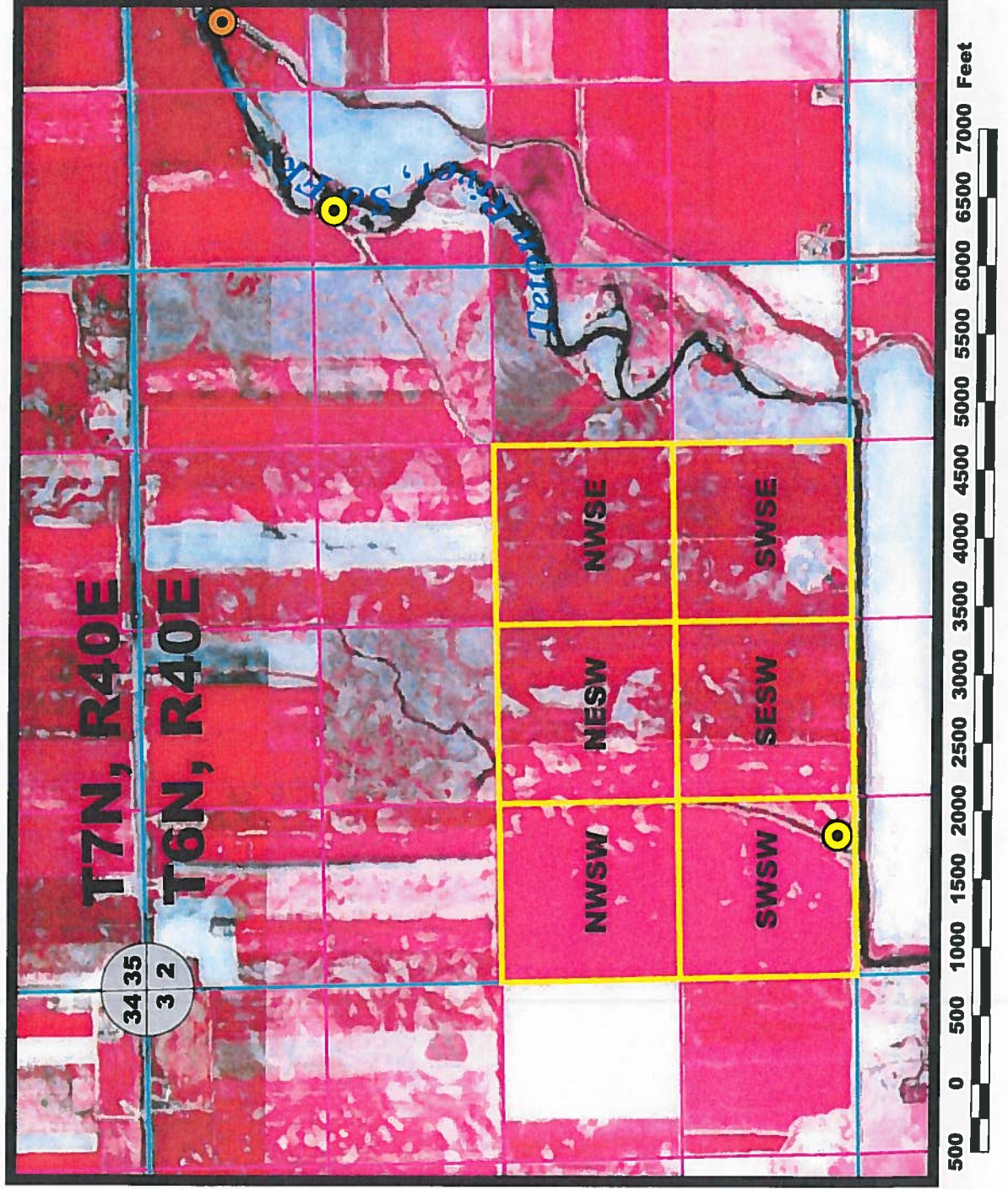
Water can be delivered through McCormick-Rowe Ditch.



State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):
22-424A,
22-425A,
22-490,
22-491A

Point(s) of Diversion:
T6N, R40E
Sec. 1 NWSWNW
Sec. 2 SESWSW

Place of Use: (parts of)
T6N, R40E
Sec. 2 SWSW, W2SE

Delivered by McCormick-Rowe Ditch

LEGEND

- Point of Diversion
- SESE
- Place of Use
- Section
- Quarter-Quarter



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: August 2005

Contacts Data Entry Form

Claim Number: 22-00491-A

Owner Type	Full Name	Address	City	State	Zip
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Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Name connector: and _____, or _____, and/or _____.

Representing Attorney: _____ Phone No.: _____

Accompanied By: _____ Phone No.: _____

Relationship to Claimant: _____ Date of Field Exam: _____

Discussion of right origin and split history. Questions and problems.OWNERSHIP- Parcel 5401- 278279DIRK PARKENSENP.O. Box 326St ANTHONY 834452404.802.711.444.152.897.04

Reviewer: _____ Date: _____

Place Of Use Data Entry Form

Claim Number: 22-00491 A

Claimed Place-Of Use			QQ	Q	County	Lot Num	Acres	Purpose of Use
Twp	Rge	Sec						
6N	40E	2	NE	SW	MADISON		40	IRR
			NW	SW			40	
			SW	SW			40	
			SE	SW			40	
			NW	SE			40	
			SW	SE			40	
Total acres							240	

Recommended Place of Use			QQ	Q	County	Lot Num	Acres	Purpose of Use
Twp	Rge	Sec						
6N	40E	2	NE	SW	MADISON		40	IRR
			NW	SW			40	
			SW	SW			40	
			SE	SW			40	
			NW	SE			40	
			SW	SE			40	
Total acres							240	

Pending or approved Transfers: _____

Overlapping rights: _____

Document how the POU was verified: _____

POU VERIFIED BY INSPECTION ON 1-19-05.

Reviewer: SBM Date: 1-19-05



MAY 30 1999

Transfer No. 2405

Water Right No. 22-0425 (Part) B
22-0491 (Part) A

Department of Water Resources
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

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

APPROVED

Name of applicant O. Russell Wilding Phone 356-6184

Post office address Rt. #1, Sugar City, ID 83448

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree to (Name)
in case of vs
dated in county of

Transfer (22-0491) (Name of court)
b. license No. 2095(22-0425) issued by the Idaho Department of Water Resources

c. Claim No. on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant

Transfer #2095 identifies O. Russell Wilding as the current right holder for decreed rights Nos. 22-0491 & 22-0425.

3. Source of water Teton River tributary to Henry's Fork

4. Date of priority (22-0491) 6/1/1879 (22-0425) 5/1/1885

5. Water is used for the following purposes:

2-0491A amount 2.708 for irrigation purposes from 4/1 to 11/1
2-0425B amount 1.44 for irrigation purposes from 4/1 to 11/1
amount for purposes from to
(month/day - both dates inclusive)

6. Total amount of water under right: a. 4.148 cubic feet per second
&/or
b. acre feet per annum

7. Location of original point of diversion is SW ¼ of SW ¼ of Section 2
Township 6N Range 40E, B.M., in Madison 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	
6N	40E	2									40	40	40	40		40	40		240

Total number of acres to be irrigated 240

9. Describe any other water rights used for the same purposes as described above High water rights
in McCormick, Rowe Ditch & Teton Island Feeder Canal.

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

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. 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	

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

1. Change in point of diversion 2.708 (22-0491) A
+ 1.44 (22-0425) B
- a. Amount of water to be diverted 4.148 c.f.s. &/or _____ acre feet
- b. Point(s) of diversion 22-0491 SW ¼ NW ¼, Section 1 Township 6N
Range 40E, B.M., Madison County
Additional points 22-0425 SE¼NW¼, Sec. 36, T. 7N, R. 40E, B.M. (see remarks)
- c. Description of diverting works Headworks for the Teton Island Feeder & McCormick Rowe Ditch.
- d. Describe the reasons for applying for a change in the point(s) of diversion _____
Allows for a combination of surface and sprinkler irrigation on place of
use, to minimize pumping costs.

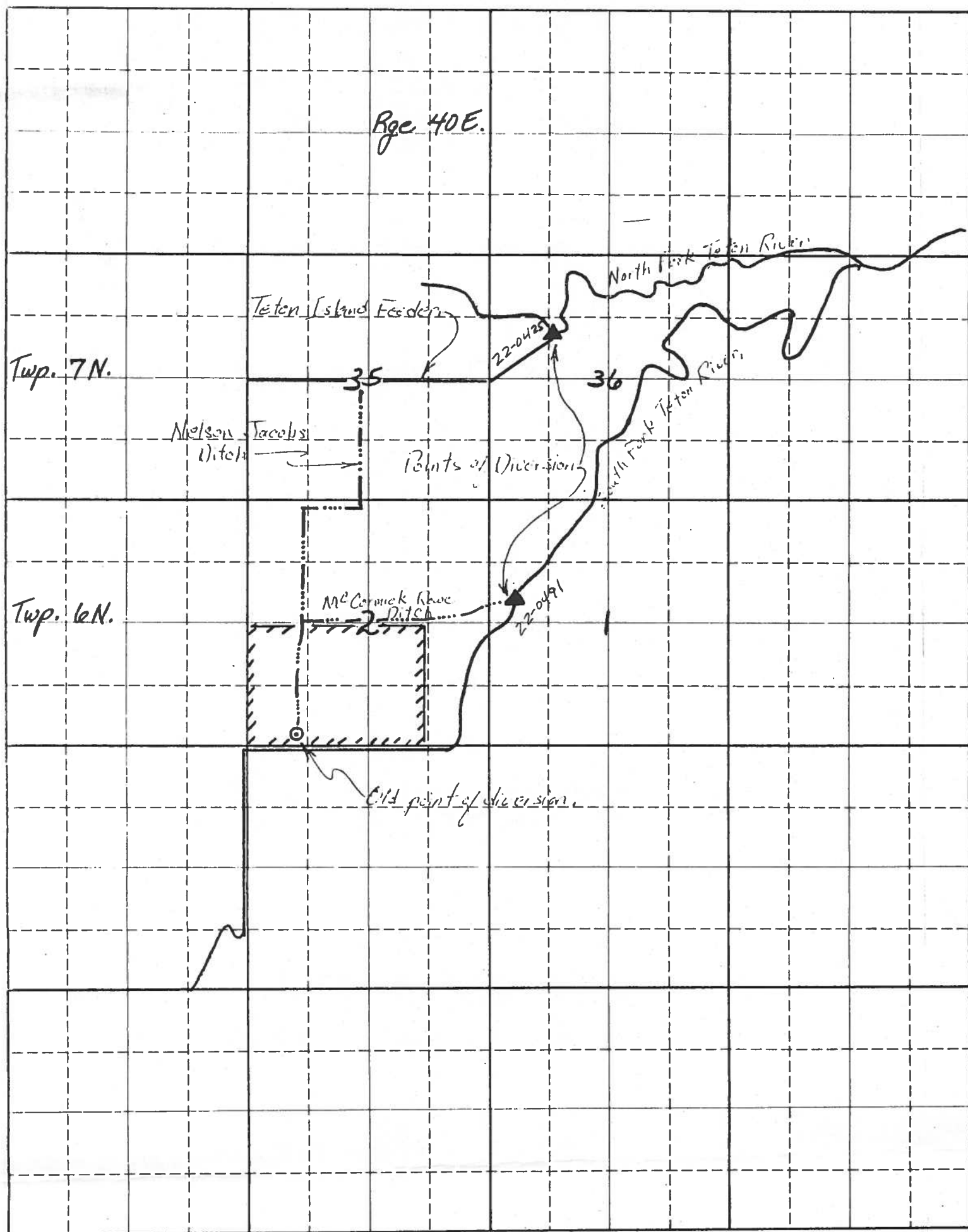
2. Change in place of use NO CHANGE

- a. Describe the lands 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	

Total number of acres to be irrigated _____

3. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

4. Remarks Right #22-0425 is diverted into Teton Island Feeder and rediverted into the Nelson Jacobs Ditch for conveyance to the place of use. Right #22-0491 is diverted through the McCormick Rowe Ditch for conveyance to the place of use.

I hereby assert that no one will be injured by such change and 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.

X O. Russell Wilding
(Signature of applicant)

Subscribed and sworn to before me this 27 day of February, 19 80.

Robert A. Dabell
(Notary public)

My commission expires 1-25-81

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 22-0425 (Part B) and said application is hereby approved, subject to the following limitations and conditions:

(1) A measuring device of a type approved by this 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 # 01, Snake River.

Witness my hand this 27th day of May, 19 80.

Norman C. Young
NORMAN C. YOUNG
Administrator, Resources Admin. Div.

FOR DEPARTMENT USE ONLY

Received by kw Date 3/29/80

Protest filed by _____

Prelim. check by _____ Fee \$35.00

Receipted by kw Date 3/3/80 #13829

Published in Standard Journal

Copies of protest forwarded by _____

Pub. dates 3/13 & 3/20/80

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for _____ approval _____ denial _____

rec'd. 7-30-80

by _____

Log for claim 22-00491A

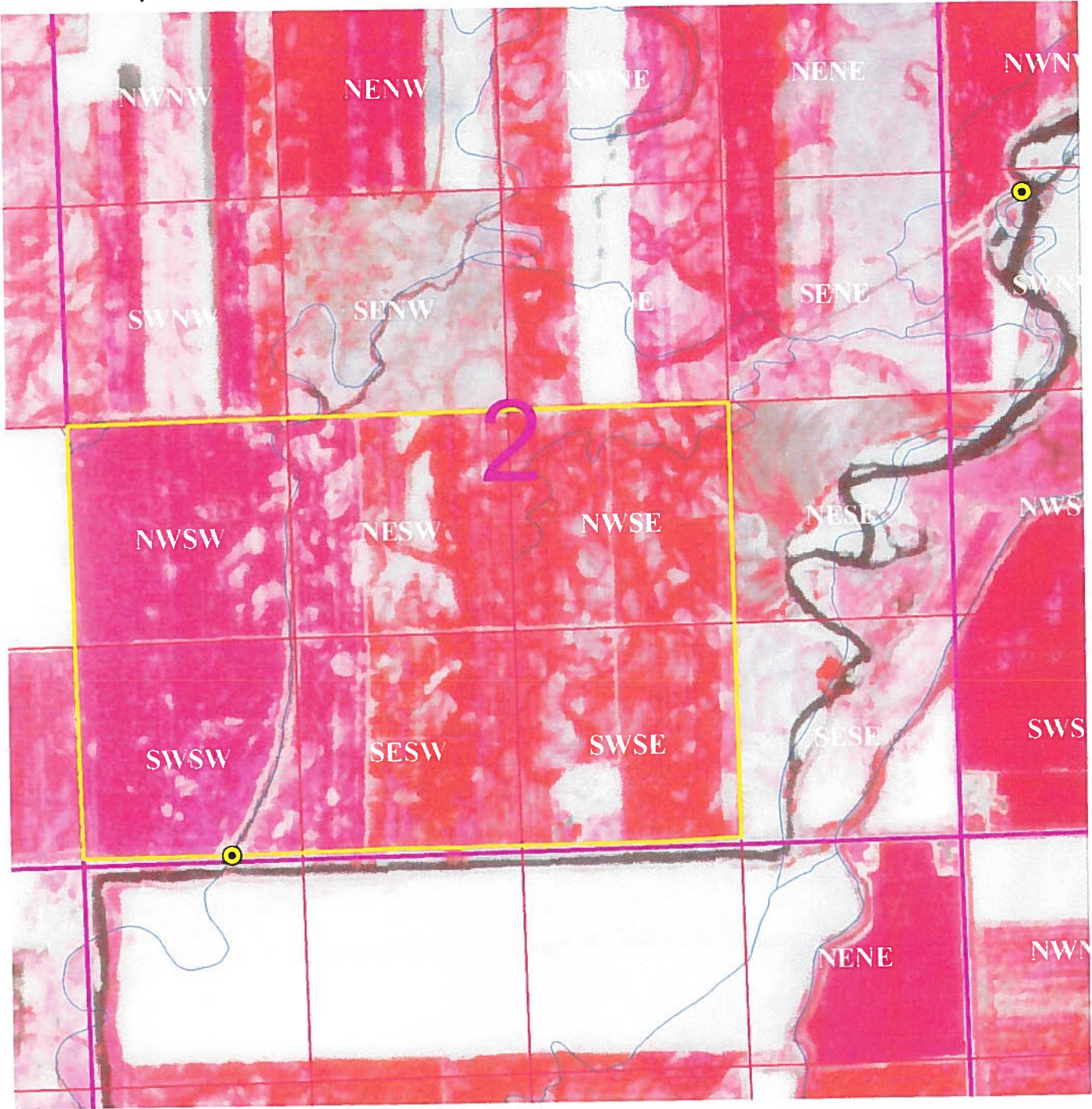
Spatial Dynamics BTD

6/21/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06n40e	2	NESW	40	40	
06n40e	2	NWSW	40	40	
06n40e	2	SWSW	40	38	
06n40e	2	SESW	40	38	
06n40e	2	NWSE	40	40	
06n40e	2	SWSE	40	38	
Totals:			240	234	

Water Right Claim Number 22-00491A
Township , 6N40E

06/21/2001



Legend

	Irrigated Area		Section Line		Roads
	Place of Diversion		Quarter Section Line		Streams and Canals



Water Right Claim Number 22-00491A
Township , 6N40E

06/21/2001



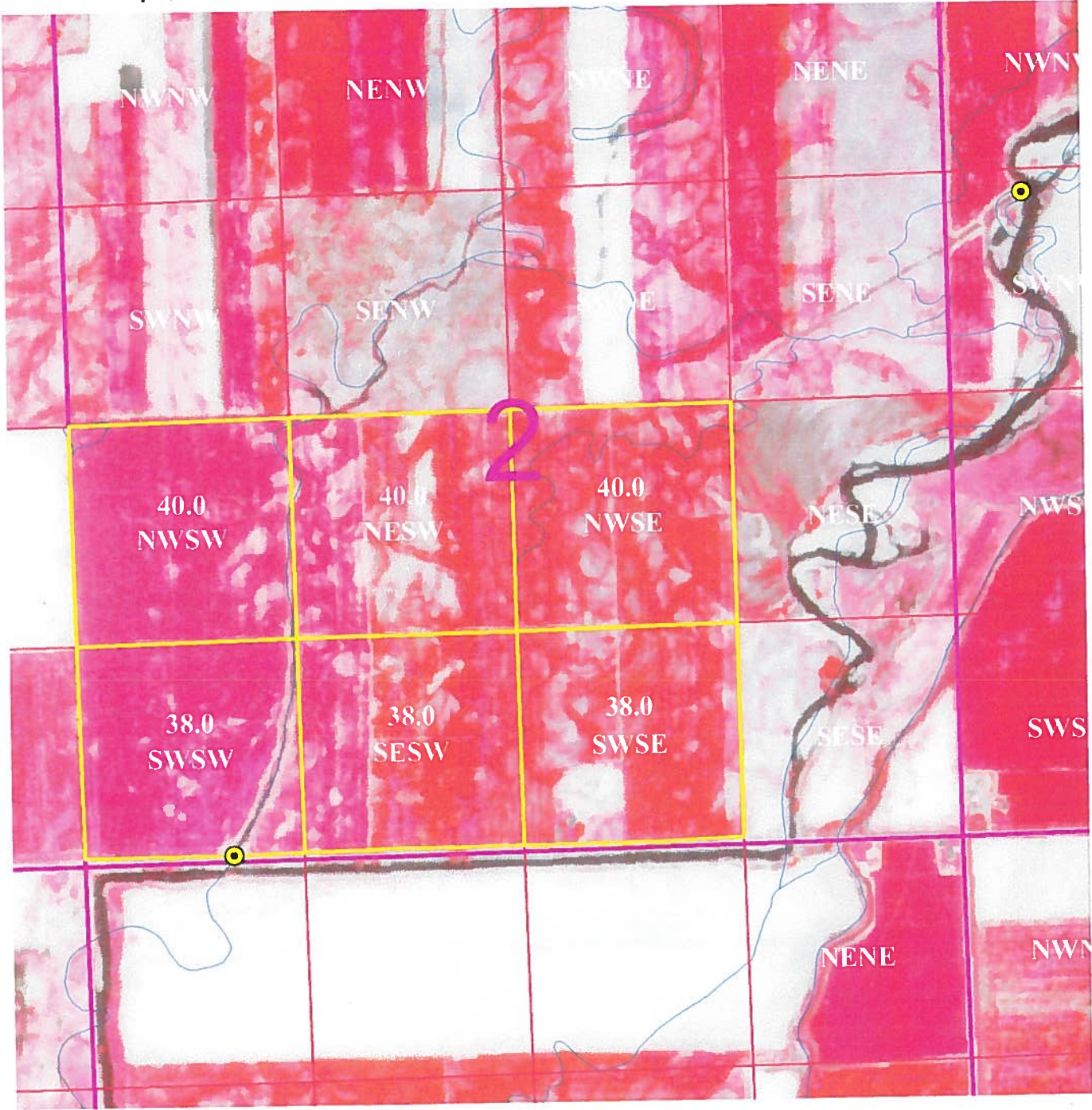
Legend

 Irrigated Area	 Section Line	 Roads
 Place of Diversion	 Quarter Section Line	 Streams and Canals



Water Right Claim Number 22-00491A
Township , 6N40E

06/21/2001



Legend

 Irrigated Area	 Section Line	 Roads
 Place of Diversion	 Quarter Section Line	 Streams and Canals



WATER RIGHT
NUMBER

NAME

CFS

22-00491

RT. SPLIT INTO 22-0491A & 22-0491B BY TRANS. #581.

22-00491A GODFREY , GLEN R

2.71

22-00491B MC LEAN , WINFIELD

1.69

DEC 09 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4028

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Glen R. Godfrey Phone 458-4170
Post Office address P.O. Box 21 Newdale, ID

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes This will enable me to change from gravity to pump irrigation when my 1898 water rights are cut.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
A22-00424	April 1, 1898	2.89 cfs	Irrigation	4-15 to 10-15
A22-00425B	May 1, 1885	1.44 cfs	" "	" " to " "
A22-00491A	June 1, 1879	2.708 cfs	" "	" " to " "
A22-00490	April 1, 1898	8.60 cfs	" "	" " to " "

2. Total amount of water being transferred 15.638 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Teton River, South Fork tributary to Henry's Fork
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	2	6N	40E	Madison	New Pump
		SW	NW	1	6N	40E	" "	McCormick-Rocke Ditch

5. Lands irrigated or place of use:

Twp.	Rge.	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	
6N	40E	2									40	40	40	40		40	40		240

Total acres 240

PART 1**6. General Information:**

a. Description of diversion system McCormick-Rowe ditch and a pump
in the river to flood irrigation.

N.A. b. 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 changes.

J.A. c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

d. Remarks:

The P.D. in the SUNW, Sect 4 (McCormick-Rowe Ditch) will be
used until my 1898 priority water is cut + gravity irrigation then
not feasible. At that time I will shift to the pump P.D. in Sect. 2

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 22-00424A/00425A/00490/
00491A
And said application is hereby APPROVED, subject to the following limitations and conditions:
SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL.

Witness my hand this

7th day of

December, 19 92

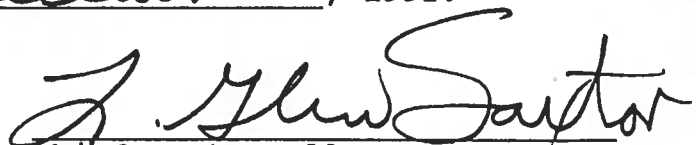
J. M. Saylor

DEC 09 1992

CONDITIONS OF APPROVAL
Transfer of Water Rights
Nos. 22-00424A/00425A/00490/00491A

1. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
2. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
4. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
5. A measuring device and lockable headgate of a type approved by this department shall be permanently maintained as a part of the diverting works at both points of diversion.
6. Water Right Nos. 22-00424A and 22-00490 can only be diverted through the McCormick-Rowe Ditch (SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 1, T6N, R40E).
7. Water Right Nos. 22-00425A and 22-00491A can be diverted either through the McCormick-Rowe Ditch (when delivered with Rights 22-00424A and 22-00490) or in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 2, T6N, R40E, after the April 1, 1898 water rights have been cut.
8. The combined annual volume of water under Right Nos. 22-00424A/00425A/00490/00491A shall not exceed 840.0 acre feet.

Dated this 7th day of December, 1992.


Chief, Water Alloc. Bureau

DEC 09 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A22-00491A on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Teton River, South Fork tributary to Henry's Fork

4. Date or priority June 1, 1879

5. Water is used for the following purpose:

amount 2.708 cfs for Irrigation purposes from 4-1 to 11-1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 2.708 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	SW	NW	1	6N	40E	Madison	McCormick - Rowe ditch

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals.
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
6N	40E	2									40	40	40	40		40	40		240

Total acres 240

9. Describe any other water rights used for the same purpose as described above A22-00490,

A22-00491 + A22-00492

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 3538 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Teton River, South Fork tributary to Henry's Fork

4. Date or priority April 1, 1898 (A22-00424) and May 1, 1885 (A22-00425B)

5. Water is used for the following purpose:

22- amount 2.89 cfs for Irrigation purposes from 4-1 to 11-1
(cfs/ac-ft)
3424 amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
22- amount 1.44 cfs for Irrigation purposes from 4-1 to 11-1
(cfs/ac-ft)
3425B amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 4.33 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	SW	NW	1	6N	40E	Madison	McGermick-Ross Ditch

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals.
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
6N	40E	2									40	40	40	40		40	40		240

Total acres 240

9. Describe any other water rights used for the same purpose as described above A22-00490,

A22-00491A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A22-00490 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Teton River, South Fork tributary to Henry's Fork

4. Date or priority April 1, 1898

5. Water is used for the following purpose:

amount 8.60 cfs for Irrigation purposes from 4-1 to 11-1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 8.60 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	SW	NW	1	6N	40E	Madison	McCormick-Rouse Ditch

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
6N	40E	2									40	40	40	40		40	40		240

Total acres 240

9. Describe any other water rights used for the same purpose as described above A22-00491 A,

A22-00424 + A22-00425 B

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to _____
				to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

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 willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 9th day of July, 19 92.

(Signature of Applicant)

Susan Lott
(Notary Public)

My commission expires March 1994**FOR DEPARTMENT USE ONLY**

Transfer contains _____ pages and _____ attachments

Received by KCW Date 9 July 92 Protest filed by _____Prelim. check by _____ Fee 50.00Receipted by KCW Date 9 July 1992 # EOI 7600Published in Standard-Journal Copies of protest forwarded by _____Pub. dates 7-16 & 23-92 Hearing held by _____ Date _____Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denialby RA

Copy of transfer sent to lien holder _____

DEC 09 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 19, 1999

DIRK & ROBYN PARKINSON
PO BOX 326
ST ANTHONY ID 83445

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE OF CLAIM TO A WATER RIGHT A22-00424A,
A22-00425A, A22-00490, A22-00491A, A22-04029

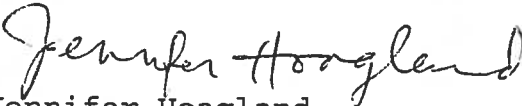
Dear Mr. & Mrs. Parkinson:

The request for Change of Water Right Ownership concerning the above-referenced Notice of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Please keep this report for your records.

Respectfully yours,


Jennifer Hoagland
Technical Records Specialist

Enclosure

Merrill & Merrill

P.O. Box 991
Pocatello, Idaho 83201-0991
(208) 232-2286
Fax: (208) 232-2499

FAX COVER SHEET

FAX NUMBER TRANSMITTED TO: 525-7177

Number of pages in addition to this cover sheet:

To: Tony Olenichek

Of: Dept. Water Resources

From: Garry Longmore

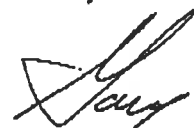
Client/Matter:

Date: 4/29/99

COMMENTS:

Dirk Parkinson ① Notice of change ② Contract
③ Legal Descriptors.

Please contact my office
if you have any questions



THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL, AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

IF YOU DO NOT RECEIVE ALL PAGES, PLEASE TELEPHONE US IMMEDIATELY AT (208) 232-2286.

04/29/99 11:02 FAX 2 652 7342
04/29/99 10:44 FAX 322499
04/89/1999 12:56 2865257177

PARKINSON SD F
Merrill & Merrill
IDWR EASTERN

DELOG
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4-30-99

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0002
PAGE 08

Form 12-318(12-1692(5) February 1, 1997

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s):
- Adjudication Claim No(s): A22-00424A, A22-00425A, A22-00491A,
A22-00490, A22-04029
2. The following REQUIRED information must be submitted with this form:
A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant: Glen and Louise Bradbury
310 Park Street, Nampa Idaho 83436
4. New Owner/Claimant(s): Pirk and Karyn Parkinson
New Mailing Address: P.O. Box 326
City, State and ZIP Code: St. Anthony Idaho 83445
New Telephone Number: 208 652-7340
5. Date you acquired the property: April 26, 1999

If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s): [Signature] Date 4-29-99

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
Date _____

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

REAL ESTATE CONTRACT OF SALE

THIS AGREEMENT, made and entered into this 2nd day of April, 1979, by and between Glen and Louise Godfrey, husband and wife ("SELLERS") and Dirk and Robyn Parkinson, husband and wife ("BUYERS").

RECITALS

- A. SELLERS own real property which is more particularly described in exhibit A attached hereto and incorporated by reference. The real property also includes all improvements, water rights, and appurtenances thereto, including but not limited to those water rights set forth in paragraph three (3) of this agreement, except for those water rights expressly excluded from this contract and reserved to SELLERS under the terms of this contract of sale.
- B. SELLER's personal property which shall be sold pursuant to this agreement is more particularly listed below and shall collectively be referred to in this Agreement as the "Equipment."
- Eight (8) Wheel Lincs
Four (4) Hand-lines
Two (2) 75 Horsepower Pumps
- C. The SELLERS desire to sell to BUYERS, and BUYERS agree to purchase from SELLERS, all the described real property and equipment, subject to the terms and conditions hereof.

NOW THEREFORE, for good and valuable consideration including payments of money, promises, and agreements, recited herein which are contractual and not mere recitals the parties do hereby agree as follows:

AGREEMENT

1. SALE OF REAL AND PERSONAL PROPERTY.

SELLERS shall sell and BUYERS shall purchase the subject real property and equipment. Except for the water rights expressly reserved to SELLERS under the terms of this contract of sale, all structures, irrigation fixtures, water and water rights including but not limited to storage and decreed water rights, and ditches and ditch rights, appurtenant thereto that are now on or used in connection with the premises shall be included in this sale.

2. SURVEY.

BUYERS surveyed their home place excepted from this purchase which exception is set forth in Exhibit A. The parties desire to use the surveyed legal description for this exception.

3. WATER RIGHTS.

SELLERS agrees to sell the following water rights to BUYER and represents that the real property has such appurtenant water rights:

- i. 107 acre feet of the total 110 acre feet storage water in the Fremont/Madison Irrigation District. SELLERS hereby expressly retain and reserve three (3) acre feet of storage water in the Fremont/Madison Irrigation District, appurtenant to the above described real property.
- ii. Adjudicated claims based on decreed and beneficial use as follows:
A22-00424A, A22-00425A, A22-00491A, A22-00490, and A22-04029.

BUYER expressly reserves and retains the stockwater and domestic beneficial use adjudicated claim water right A22-11249.

4. PRICE.

BUYERS shall pay SELLERS for said property a purchase price of five hundred eighty four thousand dollars (\$584,000) in lawful money of the United States of America, payable as follows:

a.. Seventy-five thousand dollars (\$75,000) as earnest money, receipt of which is hereby acknowledged, paid by BUYERS to SELLERS.

b. Five hundred nine thousand Dollars (\$509,000) payable against principal and to be paid by upon closing by BUYERS to SELLERS.

5. POSSESSION.

BUYERS is granted possession of the real property and equipment of the premises upon closing.

6. APPORTIONMENTS.

All taxes and assessments upon the property shall be prorated between the parties as of the day of closing. SELLERS shall pay all taxes and assessments levied upon the property for the time prior to and including said date, and BUYERS shall pay all such taxes and assessments levied upon the property for the term after said date before the same become delinquent.

7. CLOSING.

First American Title Company is herein designated both as closing agent for BUYERS and SELLERS. Closing shall be on or before May 1, 1999.

8. COSTS OF CLOSING/ESCROW AGENT/ATTORNEY'S FEES.

The cost of Title Insurance shall be paid by SELLERS and any surveys shall be paid by BUYERS. BUYERS and SELLERS shall pay all other closing costs equally, except attorney's fees, including cost of any document preparation done by closing agent, any and all costs of closing as the same may be charged by closing agent. SELLERS and BUYERS will pay their respective attorney's fees.

9. DEED AND BILL OF SALE.

SELLERS shall execute a good and sufficient warranty deed for the real property, free and clear of all liens and encumbrances. SELLERS shall purchase at closing, from the sales proceeds paid at closing a standard owner's title insurance policy for the amount of the purchase price, subject to the usual printed exceptions, easements, and reservations of record and accruing taxes. At closing, Sellers shall also deliver to Buyer a bill of sale to the personal property

10. ENVIRONMENTAL REPRESENTATION.

To SELLERS' best information and belief, SELLERS represent with respect to the premises and the water sources located on or under the premises, that there has been no spill, discharge, cleanup or contamination of or by any hazardous or toxic waste or substance, and that during the course of their ownership of the real property, the sellers have complied with all federal and state environmental laws and regulations.

The terms "hazardous waste," "hazardous substance," "disposal," "release," and "threatened release," as used in this Contract of Sale shall have the same meanings as set forth in the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 as

amended, 42 U.S.C., Section 9601, et seq. ("CERCLA"), the Superfund Amendments and Reauthorization Act of 1987, Pub. L. No 99-499 ("SARA"), the Hazardous Materials Transportation Act, 49 U.S.C. Section 1801, et seq., the Resource Conservation and Recovery Act, 49 U.S.C., Section 6001, et seq., or other applicable State or Federal laws, rules or regulations.

11. LEGAL REPRESENTATION.

The Law Offices of Merrill and Merrill Chartered have served as attorney for BUYERS for this transaction.

12. BINDING EFFECT.

This agreement is not only binding upon the parties hereto, but upon their respective successors, heirs, administrators and assigns. The terms "SELLERS" and "BUYERS" shall be construed, as used herein, to include the actual parties hereto.

13. INTEGRATION OF AGREEMENT.

BUYERS and SELLERS acknowledge that the terms of this contract may vary from terms contained in any preliminary agreements, conversations, or dealing had or held prior to the execution of this contract and may vary from any negotiations between BUYERS, or any of BUYERS'S agents prior to the execution of this contract. BUYERS and SELLERS agree that the terms, covenants, and conditions of this contract do supersede all prior negotiations, agreements, statements, and terms; that there are no other agreements not contained in this contract; that this contract shall be and is the final expression of the agreement of the parties and shall control. BUYERS and SELLERS do further agree that no modification of this contract shall be valid unless the same is in writing and executed by both BUYERS and SELLERS.

14. MISCELLANEOUS.

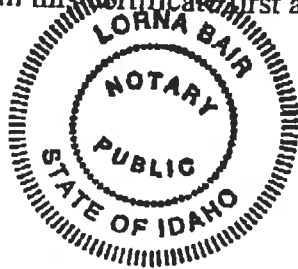
BUYERS and SELLERS agree to execute any other documents necessary to properly perfect SELLERS' interest in and to the property described in this contract.

15. SURVIVAL OF TERMS.

The terms and provisions of this Contract of Sale shall survive the closing and the execution and delivery of instruments of transfer and conveyance. The terms of this Contract of Sale shall not be merged out by the execution and delivery of the instruments of transfer and conveyance.

GODFREY Husband and Wife, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they 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.



Notary Public for Idaho

Residing at: St. Anthony
Commission Expires: 2-16-2001

STATE OF IDAHO,

)ss.

County of Madison

On this 26th day of April, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared DIRK PARKINSON AND ROBYN PARKINSON, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they 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.



Notary Public for Idaho

Residing at: 2. D. Anthony
Commission Expires: 2-16-2001

16. WAIVER.

A waiver of any default or breach of any term of this Contract of Sale shall not be deemed to be a waiver of any simultaneous or subsequent breach of the same or any other term of this Contract. All waivers must be in writing and must be signed by SELLERS. No failure or delay of SELLERS to exercise any right to remedy hereunder shall operate as a waiver.

17. SEVERANCE AND VALIDITY.

If any provision of this contract or any provision of any related document shall be determined by any court of competent jurisdiction to be invalid, void, or otherwise unenforceable, the remaining provisions shall remain in full force and effect and shall not be affected, impaired or invalidated thereby. It is agreed that such remaining provisions shall be construed in a manner most closely approximating the intention of the parties with respect to the invalid, void, or unenforceable provision or part thereof.

IN WITNESS WHEREOF BUYERS and SELLERS have executed this contract this 26th day of April, 1999.

SELLERS

Glenn R. Godfrey
GLENN R. GODFREY
SR

Louise Godfrey
LOUISE GODFREY

BUYERS

Dirk Parkinson
DIRK PARKINSON

Robyn Parkinson
ROBYN PARKINSON

STATE OF IDAHO,)
)ss.
County of Madison.)

On this 26th day of April, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared GLENN R. GODFREY AND LOUISE

Exhibit A

W 1/2 SE1/4, SW1/4 of Section 2, Township 6 North, Range 40 East, Boise Meridian
Madison County, Idaho.

LESS THE FOLLOWING: Beginning at a point that is N.89°53'04"W. along the Section line 2019.82 feet from the Southeast Corner of Section 2, Township 6 North, Range 40 East of the Boise Meridian; running thence N. 89°53'04"W. along said Section line 411.20 feet; thence N.00°27'31"W. 358.24 feet; thence S.89°53'04"E 406.55 feet; thence S.01°12'08"E. 358.32 feet to the point of beginning.

ALSO LESS THE FOLLOWING : That portion of property deeded to Madison County for the use of a public road further described in warranty deed recorded April 22, 1987, Instrument No. 220677.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4028

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

RECEIVED

DEC 14 1992

Name of applicant Glen R. Godfrey Phone 458-4170
 Post Office address P.O. Box 21 Newdale, ID

DEC 14 1992
 Department of Water Resources
 Eastern District Office

Department of Water Resources
Eastern District Office

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes This will enable me to change from gravity to pump irrigation when my 1898 water rights are cut.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|--|---------------|-----------------------|------------------|---------------|
| A22-00424 | April 1, 1898 | 2.89 cfs | Irrigation | 4-15 to 10-15 |
| A22-00425B | May 1, 1885 | 1.44 cfs | " " | " " to " " |
| A22-00491A | June 1, 1879 | 2.708 cfs | " " | " " to " " |
| A22-00490 | April 1, 1898 | 8.60 cfs | " " | " " to " " |
| 2. Total amount of water being transferred <u>15.638</u> cubic feet per second and/or _____ acre-feet per annum. | | | | |
| 3. Source of water <u>Teton River, South Fork</u> tributary to <u>Henry's Fork</u> | | | | |
| 4. Point(s) of Diversion: | | | | |

[illegible]

5. Lands irrigated or place of use:

[illegible]

Total acres 240

PART 1**6. General Information:**

a. Description of diversion system McCormick-Rowe ditch and a pump
in the river to flood irrigation.

N.A. b. 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 changes.

J.A. c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

d. Remarks:

The P.D. in the SUNW, Sect 1 (McCormick-Rowe Ditch) will be
used until my 1898 priority water is cut + gravity irrigation then
not feasible. At that time I will shift to the pump P.D. in Sect. 2

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 22-00424A/00425A/00490/
00491A

And said application is hereby APPROVED, subject to the following limitations and conditions:

SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL.

Witness my hand this 7th day of December, 19 92

L. Glen Saylor

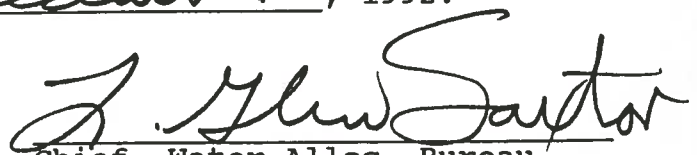
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CONDITIONS OF APPROVAL
Transfer of Water Rights
Nos. 22-00424A/00425A/00490/00491A

- 107
1. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
 2. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
 3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
 4. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
 5. A measuring device and lockable headgate of a type approved by this department shall be permanently maintained as a part of the diverting works at both points of diversion.
 6. Water Right Nos. 22-00424A and 22-00490 can only be diverted through the McCormick-Rowe Ditch (SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 1, T6N, R40E).
 7. Water Right Nos. 22-00425A and 22-00491A can be diverted either through the McCormick-Rowe Ditch (when delivered with Rights 22-00424A and 22-00490) or in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 2, T6N, R40E, after the April 1, 1898 water rights have been cut.
 8. The combined annual volume of water under Right Nos. 22-00424A/00425A/00490/00491A shall not exceed 840.0 acre feet.

Dated this 7th day of December, 1992.


Chief, Water Alloc. Bureau

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2*(Attach one copy for each right)***A. DESCRIPTION OF RIGHT AS RECORDED****1. Right evidenced by:**

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A22-00491A on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:☐ Tax Notice☐ Warranty Deed☐ Other _____3. Source of water Teton River, South Fork tributary to Henry's Fork4. Date or priority June 1, 1879**5. Water is used for the following purpose:**

amount 2.708 cfs for Irrigation purposes from 4-1 to 11-1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 2.708 cubic feet per second and/or _____ acre-feet per annum.**7. Point(s) of Diversion:**

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	SW	NW	1	6N	40E	Madison	McCormick - Rowe ditch

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals.
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
6N	40E	2									40	40	40	40		40	40		240

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Total acres 240**9. Describe any other water rights used for the same purpose as described above**A22-00490,A22-00424 + A22-00425B

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 3538 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Teton River, South Fork tributary to Henry's Fork

4. Date or priority April 1, 1898 (A22-00424) and May 1, 1885 (A22-00425B)

5. Water is used for the following purpose:

22- amount 2.89 cfs for Irrigation purposes from 4-1 to 11-1
1424 (cfs/ac-ft) amount _____ for _____ purposes from _____ to _____
22- amount 1.44 cfs for Irrigation purposes from 4-1 to 11-1
1425B (cfs/ac-ft) amount _____ for _____ purposes from _____ to _____

6. Total amount of water under right 4.33 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	SW	NW	1	6N	40E	Madison	McCormick-Ross Ditch

8. Lands irrigated or place of use:

Twp.	Rge.	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	
6N	40E	2									40	40	40	40		40	40		240

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Total acres 240

9. Describe any other water rights used for the same purpose as described above A22-00490,

A22-00491A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A22-00490 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Teton River, South Fork tributary to Henrys Fork

4. Date or priority April 1, 1898

5. Water is used for the following purpose:

amount 8.60 cfs for Irrigation purposes from 4-1 to 11-1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 8.60 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	SW	NW	1	6N	40E	Madison	McCormick-Roux Ditch

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals.
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
6N	40E	2									40	40	40	40		40	40		240

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Total acres 240

9. Describe any other water rights used for the same purpose as described above A22-00491A,

A22-00424 + A22-00425B

PART 3**B. CHANGES IN NATURE OF USE**

1	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
				to _____
				to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

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 willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 9th day of July, 19 92.

(Signature of Applicant)

Susan Lott
(Notary Public)

My commission expires March 1994

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by Kaw Date 9 July 92 Protest filed by _____Prelim. check by _____ Fee \$50.00Receipted by Kaw Date 9 July 1992 # EOI 7600Published in Standard-Journal Copies of protest forwarded by _____Pub. dates 7-16 & 23-92 Hearing held by _____ Date _____Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial_____ rec'd. _____ by FR

Copy of transfer sent to lien holder _____

POOR ORIGINAL

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Page 2
Application for Transfer
Glen Godfrey

CONCLUSIONS

- 1) The proposed change will neither result in an expansion of the existing rights nor cause injury to other rights.
- 2) The change is expected to increase the efficiency of water delivered to Mr. Godfrey's pumps after the 1898 priority rights are cut.
- 3) There should be no charge against Mr. Godfrey's water rights for potential losses in the river between the heading for the McCormick-Rowe Ditch and his pumps.
- 4) Water should not be delivered to both points of diversion simultaneously.

RECOMMENDATION/CONDITIONS

The transfer should be granted with the following conditions:

- 1) Water rights 22-00424 and 22-00490 can only be diverted through the McCormick-Rowe Ditch (T6N R40E SEC 1 SWNW).
- 2) Water rights 22-00425B and 22-00491A can be diverted either through the McCormick-Rowe Ditch when delivered with rights 22-00424 and 22-00490 or in T6N R40E SEC 2 SWSW after the April 1, 1898, water rights have been cut.
- 3) Delivery of these rights is subject to regulation by the Watermaster for Water District 01.
- 4) A lockable headgate and measuring device of a type approved by this Department shall be maintained as a part of the diverting works at both points of diversion.
- 5) Approval of this transfer does not preclude the opportunity for review of the validity of the water rights in the ongoing Snake River Basin Adjudication.

ADJUDICATION FOLLOWUP

A determination will need to be made regarding the need for 15.638 cfs to irrigate 240 acres. Eric Verner did give Mr. Godfrey an excessive flow work sheet which he will need to complete in support of his April 1, 1898 water rights.

MICROFILMED

APR 08 1994

INTERDEPARTMENT MEMO

DATE: AUG 13, 1992

FROM: ERNEST CARLSEN

RE: APPLICATION FOR TRANSFER 22-00424/00425B/00491A/00490
GLEN R. GODFREY

PURPOSE

Mr. Godfrey wants to construct an intake from the Teton River to his existing pumps. Then by adding the pumps as a point a point of diversion to his earlier water rights he could pump almost directly from the river. This would eliminate the transmission loss sustained in the McCormick-Rowe Ditch.

FINDINGS

- 1) On August 10, 1992, Tony Olenichak and Eric Verner, met with the applicant to perform an on site investigation. Using a pygmy meter Tony and Eric measured the flow of water at the head of the McCormick-Rowe Ditch and at the end of it, where water can either be diverted to Mr. Godfrey's two pumps or discharged into the Teton River. Their measurements reflect a transmission loss of 61% between these two points.
- 2) Mr. Godfrey indicated the existing pump site is the additional point of diversion. With some excavation work he hopes the flow of water at the end of the McCormick-Rowe Ditch can be reversed allowing water from the Teton River water to reach the pumps. The added point of diversion is approximately 1.5 miles downstream from the heading for the McCormick-Rowe Ditch.
- 3) Mr. Godfrey stated he wants to continue diverting water through the McCormick-Rowe Ditch when 1898 priority water rights are being delivered on the Teton River. When these rights are being delivered he has ample water to flood irrigate the 240 acres listed as the POU.
- 4) After the 1898 priority water rights are cut, Mr. Godfrey proposes to cease using the McCormick-Rowe Ditch and then start pumping his remaining rights at the added point of diversion.
- 5) On the day of the inspection Mr. Godfrey was operating one of two pumps. A totalizing meter installed in the mainline indicated he was pumping between 800 to 1000 gpm.
- 6) Mr. Godfrey does not want the new point of diversion added to his 1898 water rights.
- 7) Mr. Godfrey is the only user of the McCormick-Rowe Ditch.

MICROFILMED

APR 08 1994

0/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME GODFREY, GLEN R. CLAIM IDENT. NO. A22-00491A
DATE RECEIVED 8-24-88 CK # 340 AMOUNT \$ 335⁰⁰

	YES	NO
Is the name and address complete with zip code?	☒	☐
Is a priority date entered?	☒	☐
Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued? A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.		
(a) Is a source entered?	☒	☐
(b) Is a tributary to entered? (if required) N/A	☒	☐
Is the legal description of the p.d. sufficient?	☒	☐
Is there a description of the diverting works?	☒	☐
Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.	☒	☐
Is the period of use included?	☒	☐
Is a quantity claimed for each use?	☒	☐
Is a total quantity claimed entered?	☒	☐
If required is a consumptive use entered? N/A	☒	☒
Is the consumptive use correct? N/A	☒	☒
Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. N/A	☒	☐
Is (are) the place(s) of use entered?	☒	☐
Is (are) the county(ies) entered?	☒	☐
Is the ownership of p.u. checked?	☒	☐
Are other water rights listed or "none" indicated?	☒	☐
If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A	☒	☐
Is the basis of the claim checked?	☒	☐
Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)	☒	☐
Is the claim signed, sealed, and dated by a notary?	☒	☐
Is this claim filed on time, or was an extension granted?	☒	☐
Is the fee enclosed correct? Exempt	☒	☐
Is this claim based on an existing water right, has the identification number been entered? N/A	☒	☐
Could this claim be receipted and data entered?	☒	☐

EC001690

Claim checked by: ARM

Comments: ASSUME CONSUMPTIVE USE OF 400 A. MICROFILMED
OCT 28 1992

Claim No. 22-491A

Document Checklist

☐ Copy License/Decree

hexbrau Texas
decree could not be found.

☒ Copy Transfer

2405

☐ Copy Licensing Field Exam

☐ Check if Ownership/Address Change is Required

☐ Generate, mail and file "Evidence of Priority" letter

☒ Generate Arcview Map

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: **A22-00491A**
Date Received: 8/24/1988
Receipt No: E001690
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: LOUISE GODFREY 208-458-4170
Address: PO BOX 21
NEWDALE ID 83436
OR
Name: GLEN R GODFREY 208-458-4170
Address: PO BOX 21
NEWDALE ID 83436

2. Date of Priority: JUN 1, 1879

3. Source: TETON RIVER, SOUTH FORK Trib. to: HENRYS FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	40E	1	SW	NW			MADISON
		2	SW	SW			MADISON

5. Description of diverting works:
HEADWORKS FOR MC CORMICK ROWE DITCH, 36" CULVERT & CONCRETE WEIR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	2.708		

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

8. Total consumptive use is 600.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	40E	2	NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0

Section Acres 240.0

Total Acres 240.0

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:

22-00425A, 22-00424A, 22-00490

14. Remarks:

TRANS. 2405.

*** CONDITIONS OF TRANSFER APPROVAL ***

FAILURE TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.

APPROVAL OF THIS TRANSFER DOESNOT PRECLUDE THE OPPORTUNITY FOR REVEIW OF THE VALIDITY OF THE WATER RIGHT(S) IN THE ONGOING SNAKE RIVER BASIN ADJUDICATION.

USE OF WATER UNDER THIS WATER RIGHT WILL BE REGULATED BY THE WATERMASTER OF STATE WATER DISTRICT NO. 01.

A MEASURING DEVICE AND LOCKABLE HEADGATE OF A TYPE APPROVED BY THIS DEPARTMENT SHALL BE PERMANENTLY MAINTAINED AS A PART OF THE DIVERTING WORKS AT BOTH POINTS OF DIVERSION.

WATER RIGHTS NOS. 22-00424A AND 22-00490 CAN ONLY BE DIVERTED THROUGH THE MCCORMICK-ROWE DITHC (SW1/4NW1/4, SEC. 1 T6N R40E).

WATER RIGHT NOS. 22-00425A AND 22-00491A CAN BE DIVERTED EITHER THROUGH THE MCCORMICK-ROWE DITCH (WHEN DELIVERED WITH RIGHTS 22-00424A AND 22-00490) OR IN THE SW1/4SW1/4 SEC. 2 T6N R40E, AFTER THE APRIL 1, 1898 WTER RIGHTS HAVE BEEN CUT.

THE COMBINED ANNUAL VOLUME OF WATER UNDER RIGHT NOS. 22-00424A, 22-00425A, 22-00490 AND 22-00491A SHALL NOT EXCEED 840 ACRE FEET.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/16/1910

REXBURG IRR. CO., ET AL
Decree Plaintiff

TETON IRR. CANAL CO., ET AL
vs Decree Defendant

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: A22-00491A

Date Received: 8/24/1988

Receipt No: E001690

Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: GLEN R. GODFREY 208-458-4170
Address: P.O. BOX 21
NEWDALE ID 83436
OR
Name: LOUISE GODFREY 208-458-4170
Address: P.O. BOX 21
NEWDALE ID 83436

A2200491A



2. Date of Priority: JUN 1, 1879

3. Source: TETON RIVER, SOUTH FORK Trib. to: HENRYS FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	40E	1	NW	SW	NW		MADISON

5. Description of diverting works:

HEADWORKS FOR MC CORMICK ROWE DITCH, 36" CULVERT & CONCRETE WEIR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.708		

7. Total Quantity Appropriated is:

2.708 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 600.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06N	40E	2	NE	SW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	40E	2	NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0

Section Acres 240.0

Total Acres 240.0

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:
22-00425B/00424/00490.

14. Remarks:
TRANS. 2405.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/16/1910

REXBURG IRR. CO., ET AL
Decree Plaintiff

TETON IRR. CANAL CO., ET AL
vs 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): Alan Locking Date: 30 June 92
Date: _____

State of Idaho)
County of Bonerville) SS.

Subscribed and sworn (or affirmed) before me this 30th day
of June 19 92 Betty J. Thompson
Notary Public

Seal

Residing at BETTY J. THOMPSON, NOTARY PUBLIC
RESIDING AT IDAHO FALLS, IDAHO
My Commission Expires 6-30-94

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: A22-00491A
Date Received: 8/24/1988
Receipt No: E001690
Received By: EmC

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: GLEN R. GODFREY 208-458-4170
Address: P.O. BOX 21
NEWDALE, ID 83436
OR
Name: LOUISE GODFREY 208-458-4170
Address: P.O. BOX 21
NEWDALE, ID 83436
OR
Name: SIDDOWAY IRRIGATION AND MFG. CO.
Address:

2. Date of Priority: JUN 01, 1879

3. Source: TETON RIVER, SOUTH FORK Trib. to: HENRYS FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	40E	1	NW	SW	NW		MADISON

5. Description of diverting works:
HEADWORKS FOR MC CORMICK ROWE DITCH, 36" CULVERT & CONCRETE WEIR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.708		

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

8. Total consumptive use is 600.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A22-00491A

Page 1

Date: 01/24/89

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10. Place of Use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
06N	40E	2	NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
						Section Acres	240.0
						Total Acres	240.0

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:
22-00425B/00424/00490.

14. Remarks:
TRANS. 2405.
P/D SIDDOWAY CANAL WDO1 RECORDS.
P/U LANDS OF STOCKHOLDERS.
TRANS. 1709 DENIED. TRANS. 2088 EXPIRED.

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

REXBURG IRR. CO., ET AL
Decree Plaintiff

vs

TETON IRR. CANAL CO., ET AL
Decree Defendant

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OCT 28 1992

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: 1

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): Allen R. Goodfellow Date: 24 Jan 89
_____ Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 24 day

of January 19 89

Ernest Carlson
Notary Public

Seal

Residing at Idaho Falls ID

My Commission Expires 14 June 1994

DATE: 05/07/99
PAGE: 1

WATER RIGHTS NOS. 22-00424A AND 22-00490 CAN ONLY BE DIVERTED THROUGH THE MCCORMICK-ROME DITCH (SM/4NW1/4, SEC. 1 T6N R4OE). WATER RIGHTS NOS. 22-00425A AND 22-00491A CAN BE DIVERTED EITHER THROUGH THE MCCORMICK-ROME DITCH (WHEN DELIVERED WITH RIGHTS 22-00424A AND 22-00490) OR IN THE SM/4SW1/4, SEC. 2 T6N R4OE, AFTER THE APRIL 1, 1898 WTER RIGHTS HAVE BEEN CUT. THE COMBINED ANNUAL VOLUME OF WATER UNDER RIGHT NOS.

AJ0749NP
No. A22-00491A

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

DATE: 05/07/99
PAGE: 2

Remarks:

22-00424A, 22-00425A, 22-00490 AND 22-00491A SHALL NOT EXCEED
840 ACRE FEET.

CHANGE OF OWNERSHIP 7 MAY 1999.

Dates:

Exam Made Date:

Verified Date:

Objection Filed Date:

Misc:

Water District Number: 01

Field Inspection Flag:
Presumption Flag:

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: 39356

Ident. Number

A22-00491A

Date Received

24 Aug 1988

Receipt Number

E001690

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Glen R. Godfrey Phone (208) 458-4170Mailing Address Box 21 Newdale, Idaho Zip 834362. Date of Priority (Only one (1) per claim) 1 June 18793. Source of water supply (a) Teton River
which is tributary to (b) Snake River (Henry's Fork)4. a. Location of existing point of diversion is: Township 6N Range 40E Section one (1)
SW 1/4 of NW 1/4 of NW 1/4, Govt. Lot, B.M., County of MadisonAdditional points of diversion if any: none

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. 36 inch culvert type headgate;
flat bottom v sides concrete measuring weir. McCormick Row ditch.

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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 2.71 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.71 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 400 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	
6N	40E	2									40			40		40	40		160

Total number of acres irrigated 160

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

13. Describe any other water rights used at the same place and for the same purposes as described above.
1 April 1898---8.6 cfs same point of diversion as in item #4 or None ()

14. Remarks: thru McCormick Rowe Ditch

Transfer #602.

Last Name Glen Godfrey Ident No. A22-00491A

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Copies: White-State, Yellow-Chairman
OCT 28 1992

Scale: 2 inches equals 1 mile

T 6N R 40E

A 15x15 grid with a coordinate system. The horizontal axis is labeled 1 to 15 from left to right. The vertical axis is labeled 1 to 15 from bottom to top. A point is marked at (10, 10) with the label "point of divergence" and an arrow pointing to it. A small orange square is drawn around the point (10, 10). The grid is divided into four quadrants by the 10th vertical line and the 10th horizontal line. The top-right quadrant is shaded gray.

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Copies: White-State, Yellow-Claimant
OCT 28 1992

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number 22-0491
Court Sixth Judicial Dist. Case Number _____ Decree Date 1 June 1879
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) Glen R Godfrey Date 23 Aug 88

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Fremont) SS.

Subscribed and sworn (or affirmed) before me this 23rd day of August 19 88

SEAL

Notary Public Susan Lott

Residing at Newdale, Idaho

My Commission Expires March 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 _____

Last Name Glen Godfrey Ident. Number A22-00491A

MICROFILMED
Copies White-State, Yellow-Claimant
OCT 28 1992