

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

RIGHT NUMBER: 22-594

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: 6.400 CFS

The amount of water diverted under the rights listed below at the point of diversion in T5N, R41E, Sec. 21 SENW may not exceed 8.00 cfs. Right Nos.: 22-594, 22-4195, 22-13479, 22-13987, and 22-13988.

The amount of water diverted under this water right at the point of diversion in T5N, R41E, Sec. 21 SENW may not exceed 2.00 cfs.

PRIORITY DATE: 03/15/1881

POINT OF  
DIVERSION:

T05N R41E S21 SENW Within MADISON County  
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            | 04/01 06/20          | 6.400 CFS       |
|                       | 06/21 10/31          | 3.200 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 720 acres in a single irrigation season. Combined Right Nos.: 22-591, 22-592, 22-593, and 22-594.

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.

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.

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

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

Water is delivered through Woodmansee Johnson Canal and Jeppesen Pump.

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

April 3, 1982

It was moved by Barry Parkinson that we approve the rental of 300 inches of water to Merle Terpesen at a point of diversion described in the agreement for the 1982 season for \$500.00, seconded by Dell Barney; motion carried.

Brent Barrus was asked to make changes in the agreement and have Dell Palmer approve it.

Ralph Huskinson reported that <sup>the</sup> headgate by his place had washed out.

Mr. Huskinson asked about his shares of water in the W. J. R. M. Ditch Co. He said they have been paying on 41 shares of water stock since 1946 and we only show record of them owning 32 shares.

It was moved by Dell Barney that we appoint Dell Palmer as chairman to research the amount of shares of common stock in the W. J. R. M. Ditch Co. and provide a history of the stock and the legal procedure of distributing all of the common stock to stockholders on the canal. Dell will appoint his own committee, seconded by Brent Barrus; motion carried.

The matter of electing officers was taken up by the chairman.

It was moved by Ralph Huskinson that we suspend the rules of election and

April 24, 1982

Idaho Water Resource Board  
Ron Carlson  
Idaho Falls, Idaho 83401

Gentlemen:

The Woodmansee-Johnson-Rexburg-Mill Ditch Co. who is the sole owner of water rights numbered 22-0594 and 220592, with priority dates of 3-15-1881 and 3-15-1889, wishes to change the point of diversion to a new point of diversion and place of use to the SE¼ NW¼ of Sec. 21 TNP 5 Rge 41 E.. This land is owned and operated by Merle Jeppesen. This water is from the Moody Creek.

Sincerely,

W.J.R.M.D Co.

*Dell Palmer*  
Dell Palmer President

AFFIDAVIT OF ROBERT HUSKINSON

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

Robert Huskinson, being first duly sworn, deposes and says:

1. That I am a citizen of the United States, at all times relevant to this statement, I have been a resident of Madison County, Idaho, and that my address is 35 Mill Hollow Road, Rexburg, Idaho 83440.

2. That I am a farmer in Madison County and have been a farmer for most of my adult life. I own property and divert water from Moody Creek below the farms owned by Merle Jeppesen. I am therefore very familiar with not only the workings of my farms, but also many of our neighbors as well as several other farms in the Madison County area located East and North of Rexburg, Idaho.

3. I also recall that as early as the 1980-1981 time period, water owned by Woodmansee Johnson Canal Company was diverted from the Moody Creek through the Jeppesen pumps onto the same lands owned by the Jeppesens adjacent to the Moody Creek in sufficient quantity to grow crops upon the lands owned by the Jeppesens.

4. I understand that the acres being claimed by Jeppesens as being watered with their license as well as Woodmansee Johnson Canal Company water is 530 acres more or less. Although I don't have knowledge as to the exact number of acres being watered by Jeppesens, 530 acres is consistent with my recollection of acres being watered.

5. I have reviewed the 2003 amended claim filed by Woodmansee Johnson Canal Company and agree that an additional point of diversion (for the entire crop season) occurred

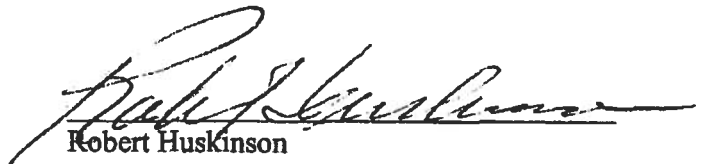
**MICROFILMED**

**SEP 03 2003**

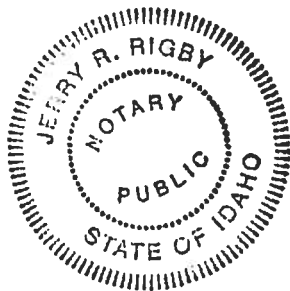
when the Jeppesen's began pumping Woodmansee Johnson Canal Company water through Jeppesen's pumps as described above and has continued to occur to the present time.

6. The second point of diversion at the Jeppesen's pumps on Moody Creek have caused no injury to my water rights.

DATED This 3 day of April, 2003

  
Robert Huskinson

SUBSCRIBED AND SWORN to before me this 3rd day of April, 2003.



  
Notary Public for Idaho  
Residing at Rexburg, Idaho  
My Commission Expires: 11-09-05

AFFIDAVIT OF LAWRENCE JENSEN

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

Lawrence Jensen, being first duly sworn, deposes and says:

1. That I am a citizen of the United States, at all times relevant to this statement, I have been a resident of Madison County, Idaho, and that my address is 5274 S. 2000 W., Rexburg, Idaho 83440.

2. That I am a farmer in Madison County and have been a farmer for most of my adult life. I own property below the farms owned by Merle Jeppesen. I am therefore very familiar with not only the workings of my farms, but also many of our neighbors as well as several other farms in the Madison County area located East and North of Rexburg, Idaho.

3. I understand that the acres being claimed by Jeppesens as being watered with their license as well as Woodmansee Johnson Canal Company water is 530 acres more or less. Although I don't have knowledge as to the exact number of acres being watered by Jeppesens, 530 acres is consistent with my recollection of acres being watered.

4. I have reviewed the 2003 amended claim filed by Woodmansee Johnson Canal Company and agree that an additional point of diversion (for the entire crop season) occurred when the Jeppesen's began pumping Woodmansee Johnson Canal Company water through Jeppesen's pumps as described above and has continued to occur to the present time.

5. The second point of diversion at the Jeppesen's pumps on Moody Creek have caused no injury to my water rights.

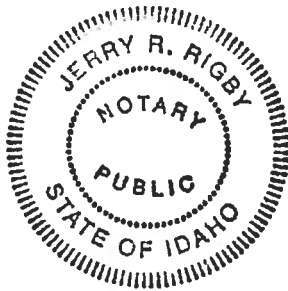
MICROFILMED

SEP 03 2003

DATED This 7th day of April, 2003

Lawrence Jensen  
Lawrence Jensen

SUBSCRIBED AND SWORN to before me this 7th day of April, 2003.



Jerry R. Rigby  
Notary Public for Idaho  
Residing at Rexburg, Idaho  
My Commission Expires: 11-09-05

AFFIDAVIT OF BART WEBSTER

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

Bart Webster, being first duly sworn, deposes and says:

1. That I am a citizen of the United States, at all times relevant to this statement, I have been a resident of Madison County, Idaho, and that my address is 445 Mill Hollow Road, Rexburg, Idaho 83440.

2. That I am a farmer in Madison County and have been so for most of my adult life. Furthermore, even as a child I worked on our Madison County Farm located East of Rexburg, Idaho, with my Father, Frank Webster. I am therefore very familiar with not only the workings of our family farm, but also many of our neighbors as well as several other farms in the Madison County area located East and North of Rexburg, Idaho.

3. From my childhood, I have been familiar with Merle Jeppesen and several of his farms located in and around Madison County, Idaho. I remember as a young man in the sixties, traveling to his farm located adjacent to the Moody Creek where a diesel engine pumped water out of the Moody Creek onto his lands.

4. I also recall that as early as the 1980-1981 time period, water owned by Woodmansee Johnson Canal Company was diverted from the Moody Creek through the Jeppesen pumps onto the same lands owned by the Jeppesens adjacent to the Moody Creek in sufficient quantity to grow crops upon the lands owned by the Jeppesens.

5. I understand that the acres being claimed by Jeppesens as being watered with their license as well as Woodmansee Johnson Canal Company water is 530 acres more or less.

MICROFILMED  
SEP 03 2003

Although I don't have knowledge as to the exact number of acres being watered by Jeppesens, 530 acres is consistent with my recollection of acres being watered.

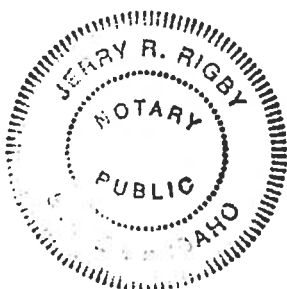
6. I have reviewed the 2003 amended claim filed by Woodmansee Johnson Canal Company and agree that an additional point of diversion (for the entire crop season) occurred when the Jeppesen's began pumping Woodmansee Johnson Canal Company water through Jeppesen's pumps as described above and has continued to occur to the present time.

DATED This 7 day of April, 2003

Bart Webster

Bart Webster

SUBSCRIBED AND SWORN to before me this 29 day of April, 2003.



Jerry R. Rigby

Notary Public for Idaho  
Residing at Rexburg, Idaho  
My Commission Expires: 11-09-05

AFFIDAVIT OF ROSS PARKINSON

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

Ross Parkinson, being first duly sworn, deposes and says:

1. That I am a citizen of the United States, at all times relevant to this statement, I have been a resident of Madison County, Idaho, and that my address is 124 E. 2<sup>nd</sup> N., Rexburg, Idaho 83440.

2. That I am a farmer in Madison County and have been a farmer for most of my adult life.

3. I understand that the acres being claimed by Jeppesens as being watered with their license as well as Woodmansee Johnson Canal Company water is 530 acres more or less. Although I don't have knowledge as to the exact number of acres being watered by Jeppesens, 530 acres is consistent with my recollection of acres being watered.

4. I have reviewed the 2003 amended claim filed by Woodmansee Johnson Canal Company and agree that an additional point of diversion (for the entire crop season) occurred when the Jeppesen's began pumping Woodmansee Johnson Canal Company water through Jeppesen's pumps as described above and has continued to occur to the present time.

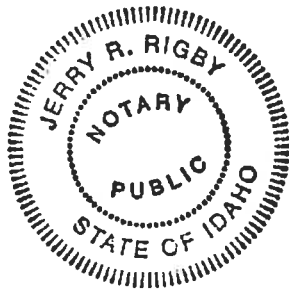
5. Although I have previously express concern with the additional point of diversion claimed by Woodmansee Johnson Canal Company to Jeppesen's pumps, I expressly withdraw any objection I have had.

MICROFILMED  
SEP 03 2003

DATED This 3<sup>rd</sup> day of April, 2003

Ross Parkinson  
Ross Parkinson

SUBSCRIBED AND SWORN to before me this 3<sup>rd</sup> day of April, 2003.



Jerry R. Rigby  
Notary Public for Idaho  
Residing at Rexburg, Idaho  
My Commission Expires: 11-08-03

MICROFILMED

SEP 03 2003

AFFIDAVIT OF BYRON WEBSTER

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

Byron Webster, being first duly sworn, deposes and says:

1. That I am a citizen of the United States, at all times relevant to this statement, I have been a resident of Madison County, Idaho, and that my address is 5390 S. 3600 E., Rexburg, Idaho 83440.

2. That I am a farmer as well as a teacher at Brigham Young University-Idaho in Madison County and have been a farmer for most of my adult life. Furthermore, even as a child I worked on our Madison County Farm located East of Rexburg, Idaho, with my Father, Frank Webster. I am therefore very familiar with not only the workings of our family farm, but also many of our neighbors as well as several other farms in the Madison County area located East and North of Rexburg, Idaho.

3. From my childhood, I have been familiar with Merle Jeppesen and several of his farms located in and around Madison County, Idaho. I remember as a young man in the sixties, traveling to his farm located adjacent to the Moody Creek where a diesel engine pumped water out of the Moody Creek onto his lands.

4. I also recall that as early as the 1980-1981 time period, water owned by Woodmansee Johnson Canal Company was diverted from the Moody Creek through the Jeppesen pumps onto the same lands owned by the Jeppesens adjacent to the Moody Creek in sufficient quantity to grow crops upon the lands owned by the Jeppesens.

5. I understand that the acres being claimed by Jeppesens as being watered with

MICROFILMED

SEP 03 2003

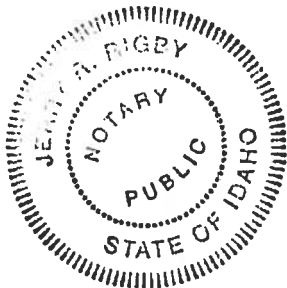
their license as well as Woodmansee Johnson Canal Company water is 530 acres more or less. Although I don't have knowledge as to the exact number of acres being watered by Jeppesens, 530 acres is consistent with my recollection of acres being watered.

6. I have reviewed the 2003 amended claim filed by Woodmansee Johnson Canal Company and agree that an additional point of diversion (for the entire crop season) occurred when the Jeppesen's began pumping Woodmansee Johnson Canal Company water through Jeppesen's pumps as described above and has continued to occur to the present time.

DATED This 11<sup>th</sup> day of April, 2003

  
Byron Webster

SUBSCRIBED AND SWORN to before me this 11<sup>th</sup> day of April, 2003.



  
Notary Public for Idaho  
Residing at Rexburg, Idaho  
My Commission Expires: 11-09-05

MICROFILMED

SEP 03 2003

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: 22-594

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: 2-08-06

SIGNATURE:

Please print your name:

O. Russell Wilding  
O. RUSSELL WILDING

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

SCANNED

JUN 20 2007

***Woodmansee-Johnson Canal Company***

**3560 E. 3000 N.  
Sugar City, ID 83448  
(208) 356-6184**

Ron Carlson  
Water District 1  
900 North Skyline Dr.  
Idaho Falls, ID 83401

VIA FAX: 525-7177

**RE: K. Merle Jeppesen**

Dear Mr. Carlson,

This is to advise you that the Woodmansee-Johnson Canal Company is presently delivering 2 c.f.s. of its Moody Creek water right to K. Merle Jeppesen at his point of delivery in the SE1/4NW1/4 of Section 21, Twp. 5 N., Rge. 41 E.B.M. The delivery is consistent with our amended claim in the adjudication which withdrew the restrictions place in the original claim made in the 80s and which have never been enforced. Should you need anything further, please do not hesitate to contact us.

Sincerely Yours,

Russell Wilding  
Woodmansee-Johnson Canal Co.

**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 \_\_\_\_\_, B.M.

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 H.T.*

☐ 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.)

Woodmansee-Johnson Canal Company

☐ Signature of New BY: O. Russell Wilding Pres. Date 19 Aug 97  
Owner/Claimant(s) BY: Janet H. Barnes 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: Janet H. Barnes / 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

JUN 20 2007

~~087~~ 22 0593 ✓  
Woodmansee,  
Charles H.

160 inches. Mch 15, 1883.

Moody Creek. To be reduced to 80 inches after June 20th of each year.

~~087~~ 22 0594 ✓  
Woodmansee,  
Charles H.

320 inches. Mch <sup>15th</sup> ~~1881~~ 1881.

Moody Creek. To be reduced to 160 inches after June 20th of each year.

Woodmansee,  
Charles H.

(See Woodmansee-Johnston ditch.)

Woodmansee,  
Charles H. and  
James W. Webster

(See James W. Webster and Charles H. Woodmansee.)

~~087~~ 22 0595 Trans. #2122

Woodmansee-Johnston Ditch

1,380 inches. Apr. 1, 1898.

Teton River.

~~087~~ 22 0596 Trans. #2122

Woodmansee-Johnston ditch

620 inches. Oct. 1, 1889.

Teton River.

~~087~~ 22 0597 ✓  
Wood, Frank

120 inches. June 1, 1902.

Badger Creek.

~~087~~ 22 0598 ✓  
Woods, William S.

200 inches. June 1, 1888.

Twin Creeks

~~087~~ 1 196 ✓  
Woodville Canal Company, The

4,275 inches. Apr. 30, 1893.

Snake River. T/67.

Wooley, Samuel

The Farmers' Frie Canal Company.

Woolf, John

The Farmers' Frie Canal Company.

Woolfley, Rudolph

Enterprise Canal Company.

~~087~~ 1 197 ✓  
Wright, G. G.

3,750 inches. Nov. 18, 1898.

Snake River. (For power purposes.)  
Lowder Canal Com

Wright Robert

Wylie William

The Sunny Dell  
tion Canal Comp

~~088~~ 22 0599 ✓  
Wyoming & Darby  
Bench Canal Com-  
pany, Limited

1,380 inches June 1, 1897

Darby Creek

EXCERT From  
REV bany Trelgton  
vs  
Teton Irra. 16 DEC 1910

SCANNED  
JUN 20 2007

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 22-594

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: 03/15/1881  
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     | 6.4 CFS               |               |
| Recharge for Irrigation | 04/01       | 10/31     | 6.4 CFS               |               |
| Total Diversion         |             |           | 6.4 CFS               |               |

Location of Point(s) of Diversion:

|             |        |         |              |           |                |
|-------------|--------|---------|--------------|-----------|----------------|
| MOODY CREEK | NESENW | Sec. 21 | Township 05N | Range 41E | MADISON County |
| MOODY CREEK | NESESE | 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. 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. 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. 2.0 cfs of this right is delivered at the point of diversion in T5N, R41E, Sec. 21 NESENW, known as the Jeppesen Pump.
4. Place of use is within the area served by Woodmansee Johnson Canal Company.
5. Water is delivered through Woodmansee Johnson canal.
6. 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".
7. The rights listed below are limited to the irrigation of a combined total of 1781 acres in a single irrigation season. Combined Right Nos.: 22-354, 22-421, 22-476, 22-591, 22-592,

22-593, 22-594. 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)

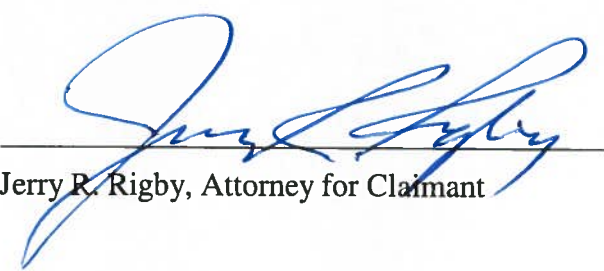
(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do \_\_\_\_\_ do not XX wish to receive and pay a small annual fee for monthly copies of the docket sheet.

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 foregoing document are true and correct.

DATED this 17<sup>th</sup> day of August, 2010.

  
Jerry R. Rigby, Attorney for Claimant

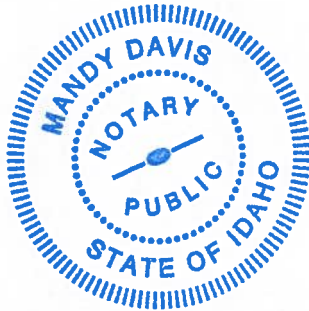
STATE OF IDAHO, )

ss.

County of Madison. )

On this 17<sup>th</sup> 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.



A handwritten signature in blue ink, appearing to read "Mandy Davis", written over a horizontal line.

Notary Public for Idaho

Residing at: St. Anthony

My Commission Expires: 6/24/2011

12/20/2006

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

RIGHT NUMBER: 22-594

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: 6.400 CFS

PRIORITY DATE: 03/15/1881

POINT OF  
DIVERSION: T05N R41E S21 NESENW Within MADISON County  
T06N R40E S11 NESESE Within MADISON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 04/01 10/31          | 6.400 CFS       |

PLACE OF USE:

2017 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 1781 acres in a single irrigation season. Combined Right Nos.: 22-354, 22-421, 22-476, 22-591, 22-592, 22-593, 22-594.

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.

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.

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".

2.0 cfs of this right is delivered at the point of diversion in T5N, R41E, Sec. 21 NESENW, known as the Jeppesen Pump.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered through Woodmansee Johnson canal.



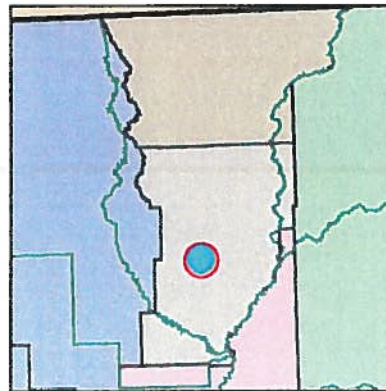
# Woodmansee Johnson Canal Co

SRBA Recommendations: 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

Service Area Boundary  
GIS Place of Use Illustration

## Legend

- Service Area
- Townships
- PLS Sections
- Quarter Quarters



Madison County  
IDWR Basin 22

Prepared by T. Galbraith  
On Monday, December 4, 2006  
1987/88 Aerial Photography



8 Miles

4

0



SCANNED  
JUN 20 2007

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number A22-00594

Date Received August 24, 1988

Receipt Number E 001724

AMENDED

NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

Please type or print clearly Woodmansee-Johnson Canal Company (an Idaho Corporation)

1. Name of Claimant (s) c/o Russell Wilding Phone (208) 356-6184

Mailing Address 3560 East 3000 North, Sugar City, Idaho Zip 83448

2. Date of Priority (Only one (1) per claim) March 15, 1881

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: NE1/4 of SE1/4 of SE1/4 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 pipelineSCANNED  
JUN 20 2007RECEIVED  
SEP 19 2005Department of Water Resources  
Eastern Region

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 \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) \_\_\_\_\_ (cfs) and/or (b) \_\_\_\_\_ (acre feet)

8. Total consumptive use claimed is \_\_\_\_\_ 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:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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 |        |
|     |     |     |                                          |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |                                          |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     | See attached land list for place of use. |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |                                          |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |                                          |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |                                          |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |                                          |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |                                          |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |

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.

Shareholder

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:

March 15, 1881 6.4cfs/ March 15, 1883 3.2cfs/ March 15, 1885 12.8cfs/  
June 1, 1886 1.0cfs/ March 15, 1889 3.2cfs/ June 1, 1894 4.0cfs/  
June 1, 1901 0.8cfs/ \*All rights in Moody Creek reduced by half after June 20.

Last Name Woodmansee Ident No. 22-00594

SCANNED  
JUN 20 2007

Description and location of place of use: **WOODMANSEE-JOHNSON CANAL COMPANY** (an Idaho Corp.)

SCANNED  
JUN 20 2007

15. Basis of Claim (check one) Beneficial Use \_\_\_\_\_ Posted Notice \_\_\_\_\_ License \_\_\_\_\_ Permit \_\_\_\_\_  
Decree X  
If applicable provide IDWR Water Right Number 22-00594  
Court \_\_\_\_\_ Case Number \_\_\_\_\_ Decree Date \_\_\_\_\_  
Plaintiff vs 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 X  
wish to receive and pay a small annual fee for monthly copies of the docket sheet.  
Number of attachments 1

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 February 7, 2003

\_\_\_\_\_ Date \_\_\_\_\_

For Organizations: I do solemnly swear or affirm that I am President

of Woodmansee-Johnson Canal Company Title \_\_\_\_\_  
Organization \_\_\_\_\_, that I have signed the foregoing  
document in the space below as President of Woodmansee-Johnson Canal Company  
Title \_\_\_\_\_ Organization \_\_\_\_\_  
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent O. Russell Wilding

Title and Organization President, Woodmansee-Johnson Canal Co. Date February 7, 2003

State of Idaho/or \_\_\_\_\_ )  
County of Madison ) SS.

Subscribed and sworn (or affirmed) before me this 7th day of February 2003



Notary Public for the State of Idaho

Residing at Rexburg, Idaho

My Commission Expires 11-09-2005

Please Print Name

17. Notice of Appearance.  
Notice is hereby given that, Jerry R. Rigby 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 Jerry R. Rigby

Address 25 North 2nd East, Rexburg, Idaho 83440

Date February 7, 2003

Last Name Woodmansee-Johnson Ident. Number 22-00594

SCANNED  
JUN 20 2007

**Scale: 2 inches equals 1 mile**

A hand-drawn map on a grid showing a survey line with various points and distances. The map includes a diagonal line labeled "Merle J. P. S. W." and a shaded area labeled "Point of diversion". Distances are marked along the line, including 10, 11, 16, 15, 14, 20, 21, 22, and 16. The map is oriented with T5N R41E at the bottom.

T5N R41E

SCANNED

JUN 28 2007  
Yellow-Claimant

**Copies: White-State, Yellow-Claimant**

Last Name Woodhouse Ident No. \_\_\_\_\_

**CONCLUSION**

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: A22-00594  
Date Received: 8/24/1988  
Receipt No: E001724  
Received By: JPW

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: WOODMANSEE-JOHNSON 208-356-6086  
Address: REXBURG MILL DITCH INC.  
C/O DELL PALMER, PRESIDENT  
657 HILL ROAD, RT 4  
REXBURG, ID 83440

2. Date of Priority: MAR 15, 1881

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 | 6.400  |      |        |

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

8. Total consumptive use is 3770.0 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

A22-00594

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Date: 01/18/89

SCANNED MICROFILMED  
JUN 20 2007 OCT 28 1992

A2200594



10. Place of Use:

| Township      | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |  |
|---------------|-------|---------|--------|-----|-----|-----|-------|--|
| 05N           | 41E   | 16      | SE     | SW  |     | IRR | 30.0  |  |
| Section Acres |       |         |        |     |     |     | 30.0  |  |
|               |       | 20      | NE     | NE  |     | IRR | 40.0  |  |
|               |       |         | NW     | NE  |     | IRR | 40.0  |  |
|               |       |         | SW     | NE  |     | IRR | 40.0  |  |
|               |       |         | SE     | NE  |     | IRR | 40.0  |  |
|               |       |         | SW     | NW  |     | IRR | 40.0  |  |
|               |       |         | SE     | NW  |     | IRR | 40.0  |  |
|               |       |         | NE     | SW  |     | IRR | 40.0  |  |
|               |       |         | NW     | SW  |     | IRR | 40.0  |  |
|               |       |         | NE     | SE  |     | IRR | 40.0  |  |
|               |       |         | NW     | SE  |     | IRR | 40.0  |  |
| Section Acres |       |         |        |     |     |     | 400.0 |  |
|               |       | 21      | NW     | NW  |     | IRR | 40.0  |  |
|               |       |         | SW     | NW  |     | IRR | 40.0  |  |
| Section Acres |       |         |        |     |     |     | 80.0  |  |
| 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  |  |

10. Place of Use: Continued

| Township | Range | Section | 1/4 of        | 1/4           | Lot           | Use   | Acres |
|----------|-------|---------|---------------|---------------|---------------|-------|-------|
| 06N      | 40E   | 14      | 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          |       |       |
|          | 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          |       |       |

A22-00594

Page

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Date: 01/18/89

SCANNED  
JUN 20 2007

MICROFILMED  
OCT 28 1992

10. Place of Use: Continued

| Township | Range | Section | 1/4 of        | 1/4 | Lot | Use | Acres  |
|----------|-------|---------|---------------|-----|-----|-----|--------|
| 06N      | 40E   | 22      | 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   |     |     |     | 1804.0 |

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:

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

A22-00354  
A22-00421  
A22-00476  
A22-00591  
A22-00592  
A22-00593

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. NO MORE THAN 270 ACRES ARE IRRIGATED ANNUALLY IN SECTIONS 16, 20 AND 21, T5N, R41E. RIGHT OF USE CEASES AFTER JUNE 20. PLACE OF USE IS ROTATED EACH YEAR.

15. Basis of Claim: DECREEED

Case Number:  
Court :  
Decree date:

REXBURG IRRIGATION CO.  
Decree Plaintiff

vs

TETON IRRIGATION CANAL CO.  
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): \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_ 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 \_\_\_\_\_

| OWNER<br>CODE | NAME & ADDRESS                                                                                                      | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|---------------|---------------------------------------------------------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C             | WOODMANSEE-JOHNSON CANAL COMPANY<br>C/O O RUSSELL WILDING<br>3560 E 3000 N<br>SUGAR CITY ID 83448<br>(208) 356-6184 | 03/15/1881       | IRRIGATION | 04-01 11-01           | 6.40 CFS          |                     |
|               |                                                                                                                     |                  |            | TOTAL DIVERSION:      | 6.40 CFS          |                     |
|               |                                                                                                                     |                  |            | CONSUMPTIVE USE:      |                   | 3770.00 AFA         |

Water Source: MOODY CREEK

Tributary to: TETON RIVER

Stage: DECREED

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

Place of use Legal Description for: IRRIGATION

| T           | R   | S  | NE |    |    | NW |    |    | SW |    |    | SE |    |    | SUM    |
|-------------|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|             |     |    | NE | NE | SE | NE | NE | SW | NE | NE | SE | NE | SE | SE |        |
| 05N         | 41E | 16 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 30.0   |
| 05N         | 41E | 20 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 400.0  |
| 05N         | 41E | 21 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 80.0   |
| 06N         | 40E | 10 | 10 | 12 | 10 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 75.0   |
| 06N         | 40E | 11 | 05 | 35 | 26 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 352.0  |
| 06N         | 40E | 14 | 24 | 25 | 25 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 329.0  |
| 06N         | 40E | 15 | 24 | 25 | 25 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 240.0  |
| 06N         | 40E | 16 | 24 | 25 | 25 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 51.0   |
| 06N         | 40E | 20 | 24 | 25 | 25 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 42.0   |
| 06N         | 40E | 21 | 24 | 25 | 25 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 126.0  |
| 06N         | 40E | 22 | 24 | 25 | 25 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 43.0   |
| 06N         | 40E | 29 | 24 | 25 | 25 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 36.0   |
| TOTAL ACRES |     |    |    |    |    |    |    |    |    |    |    |    |    |    | 1804.0 |

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:

A22-00354  
A22-00421  
A22-00476  
A22-00591  
A22-00592  
A22-00593

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

A22-00205  
A22-00235

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Remarks:

A22-00344  
A22-00422  
A22-00477  
A22-11259  
A22-11260

P/D IN NW1/4 SEC 21, T5N, R41E IS USED UNTIL JUNE 20.  
AFTER JUNE 20, P/D IS CHANGED TO NE1/4 SEC 1/4 OF SEC 11,  
T6N, R40E. ALL RIGHTS IN MOODY CREEK REDUCED 1/2 AFTER JUNE 20.  
NO MORE THAN 270 ACRES ARE IRRIGATED ANNUALLY IN SECTIONS 16, 20  
AND 21, T5N, R41E. RIGHT OF USE CEASES AFTER JUNE 20. PLACE OF  
USE IS ROTATED EACH YEAR.

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:

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JUN 20 2007

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 A22-00594Date Received 24 Aug 1988Receipt Number E001724

NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

Please type or print clearly Woodmansee-Johnson Rexburg Mill Ditch, Inc (Idaho corporation)

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

Mailing Address 637 Hill Road Rt 4 Rexburg, Idaho Zip 83440

2. Date of Priority (Only one (1) per claim) Mar 15, 1881

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 (until June 20)

Additional points of diversion if any: NE 1/4 of SE 1/4 of SE 1/4 of Sec 11 T6N R40E Madison Co

(after June 20)

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 1/4 of SE 1/4 of NW 1/4 of Sec 21 T5N R41E is point of diversion until June 20.

After June 20 the point of diversion is NE 1/4 of SE 1/4 of SE 1/4 of Sec 11 T6N R40E

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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 6.4 or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 6.4 (cfs) and/or (b) \_\_\_\_\_ (acre feet)

8. Total consumptive use claimed is 3770. 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 12.8c

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.

See land list for limitations on use.

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Last Name Woodmansee

Ident No. A 22-00594 20 2007

Copies: White-State, Yellow-Claimant

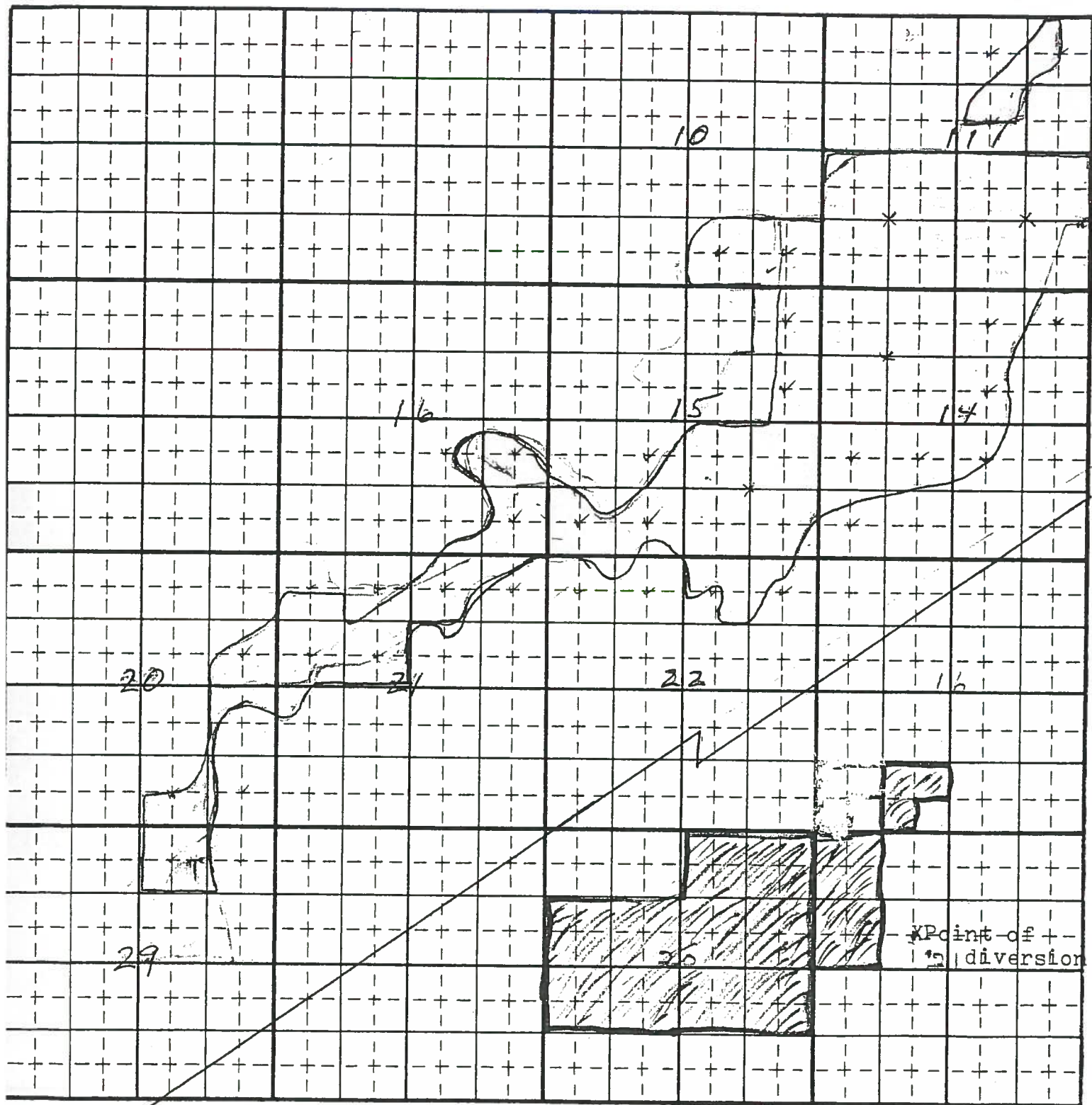
Description and location of place of use: Woodmansee-Johnson Rexburg Mill Ditch

[illegible]

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



T5N R41E SCANNED MICROFILMED

JUN 20 2007 OCT 28 1992

Last Name Woodmansee Ident No. A22-00594

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use \_\_\_\_\_ Posted Notice \_\_\_\_\_ License \_\_\_\_\_ Permit \_\_\_\_\_  
Decree ☒

If applicable provide IDWR Water Right Number 22-0594

Court 6th Judicial Dist. 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 ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 1

**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 88  
Rexburg mill Ditch, Inc.

State of Idaho/or \_\_\_\_\_ )  
County of Bonneville ) SS.

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

SEAL

Notary Public Ernest Carlson \_\_\_\_\_

Residing at Idaho Falls \_\_\_\_\_

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 \_\_\_\_\_

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Last Name Woodmansee Ident. Number A22-00594

Copies White-State, Yellow-Claimant

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

|      | Party or Canal                                                       | Date             | Decreed<br>Amount in<br>Sec.-ft. | Accumulated<br>Total |
|------|----------------------------------------------------------------------|------------------|----------------------------------|----------------------|
|      | <u>Misc. Rights Below Mouth of Warm River (continued)</u>            |                  |                                  |                      |
|      | <u>Iona Huntsman (Springs)</u><br>(License 21-2115)                  | Mar. 19, 1960    | 0.47 ✓                           |                      |
| 2131 | <u>D.H.&amp;V.F.Larsen (Sec 36-9N-43E)</u><br>(Warm Springs) 21-2131 | Sept 6, 1963     | 2.57 X                           |                      |
| 7013 | <u>Murray Baum (Spring Creek)</u><br>(Permit 21-7013)                | Jan. 14, 1971    | 0.5 X                            |                      |
| 7053 | <u>Edward D. Howell (Strong Creek)</u><br>(Permit 21-7053)           | Aug. 19, 1974    | 5.0 X                            |                      |
| 7054 | <u>David D. Woodruff (Unnamed Spgs)</u><br>(Permit 21-7054)          | Aug. 26, 1974    | 1.6 X                            |                      |
| 7055 | <u>Henrys Fork Ranch-Robert Lee</u><br>(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         |
|      |                              | 22.0593 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.