

10/26/2005

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

RIGHT NUMBER: 22-4020

NAME AND ADDRESS: EARL WILCOX
9169 S 400 W
REXBURG ID 83440

SOURCE: UNNAMED SLOUGH
SOUTH FORK SNAKE RIVER

TRIBUTARY:
TRIBUTARY: SNAKE RIVER

Point of injection into and point of redirection from unnamed slough.

QUANTITY: 1.400 CFS

PRIORITY DATE: 05/01/1951

POINT OF DIVERSION:

T04N R39E S1 SWSWNE Lot 7 Within MADISON County
T04N R39E S1 SWSWNE Lot 7 Injection Within MADISON County
T04N R39E S1 SENENW Lot 6 Rediversion 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	1.400 CFS

PLACE OF USE:

<u>IRRIGATION Within MADISON County</u>			
T04N R39E S01 Lot 7 SWNE	28.0	T04N R39E S01 Lot 6 NENW	39.0
T04N R39E S01 Lot 5 NWNW	2.5	T04N R39E S01 SENW	0.5

70 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 70 acres in a single irrigation season. Combined Right Nos.: 22-4020 and 22-7311.

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.

Use of water under this water right will be regulated by the watermaster of State Water District No. 01.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Right No. 22-7311 is also diverted through point of redirection described above.

RECEIVED
JUL 26 2007
DEPARTMENT OF
WATER RESOURCES

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

In Re SRBA)

Case No. 39576)

A. Subcase 22-04020
(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior, Bureau of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 fax
United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Earl Wilcox
Address: 9169 S 400 W; Rexburg, Idaho 83440

Name: ;
Address: ;

Name: ;
Address: ;

Name: ;
Address: ;

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be:
2. ☐ **Source**
Should be:
3. ☐ **Quantity**
Should be:
4. ☐ **Priority Date**
Should be:
5. ☐ **Point(s) of Diversion**
Should be:
6. ☐ **Instream Flow Description**
Should be:
7. ☐ **Purpose(s) of Use**
Should be:
8. ☐ **Period of Year**
Should be:
9. ☒ **Place of Use**
Should be: See attached.

11. I object because:

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The United States of America, through the Bureau of Land Management, is the owner of the land upon which a portion of the use is claimed. The claimant's use of Federal land is unauthorized. Claimant's water right should not include federal public land. POUs also describe mixed ownership, therefore the claim should be clarified to make it clear only private land is intended.

F.

VERIFICATION (Must be Completed)

State of Idaho)

) ss.

County of ADA)

Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

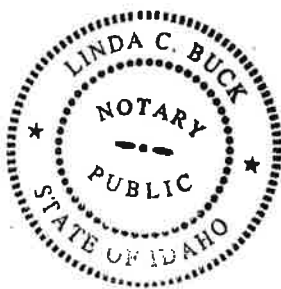
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

Larry A. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: July 24, 2007

Linda C. Buck
Linda C. Buck



Notary Public for State of Idaho

Residing at: Mountain Home, ID.

My Commission Expires: 12-21-2011

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.**
You must also send a copy to all the parties listed below in the Certificate of Mailing.

G.

CERTIFICATE OF MAILING

I certify that on July 24th, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Earl Wilcox
Address: 9169 S 400 W; Rexburg, Idaho 83440

Name:
Address: ;

Name:
Address: ;

Name:
Address: ;

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724


Signature of Objector or attorney mailing on Objector's behalf

12/20/2006

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

RIGHT NUMBER: 22-4020
NAME AND ADDRESS: EARL WILCOX
9169 S 400 W
REXBURG ID 83440

Mixed POU:
-Places of Use described below contains both private and public land.
-Please clarify such that only private land is intended.
-See attached map for more details.

SOURCE: SNAKE RIVER
Point of injection into and point of redirection from unnamed slough.

QUANTITY: 1.400 CFS

PRIORITY DATE: 05/01/1951

POINT OF DIVERSION:
T04N R39E S1 SWSWNE Lot 7 Within MADISON County
T04N R39E S1 SWSWNE Lot 7 Injection Within MADISON County
T04N R39E S1 SENENW Lot 6 Rediversion 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	1.400 CFS

PLACE OF USE: IRRIGATION in MADISON County

Mixed

T04N R39E S01 Lot 7 SWNE	28.00	T04N R39E S01 Lot 6 NENW	39.00
T04N R39E S01 Lot 5 NWNW	2.50	T04N R39E S01 SENW	0.50
70 ACRES TOTAL			

The rights listed below are limited to the irrigation of a combined total of 70 acres in a single irrigation season. Combined Right Nos.: 22-4020 and 22-7311.

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.

Use of water under this water right will be regulated by the watermaster of State Water District No. 01.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Right No. 22-7311 is also diverted through point of redirection described above.

22-04020 & 22-07311; Wilcox

Mixed POU:

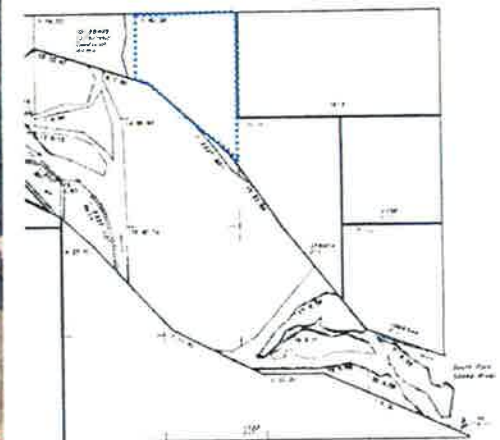
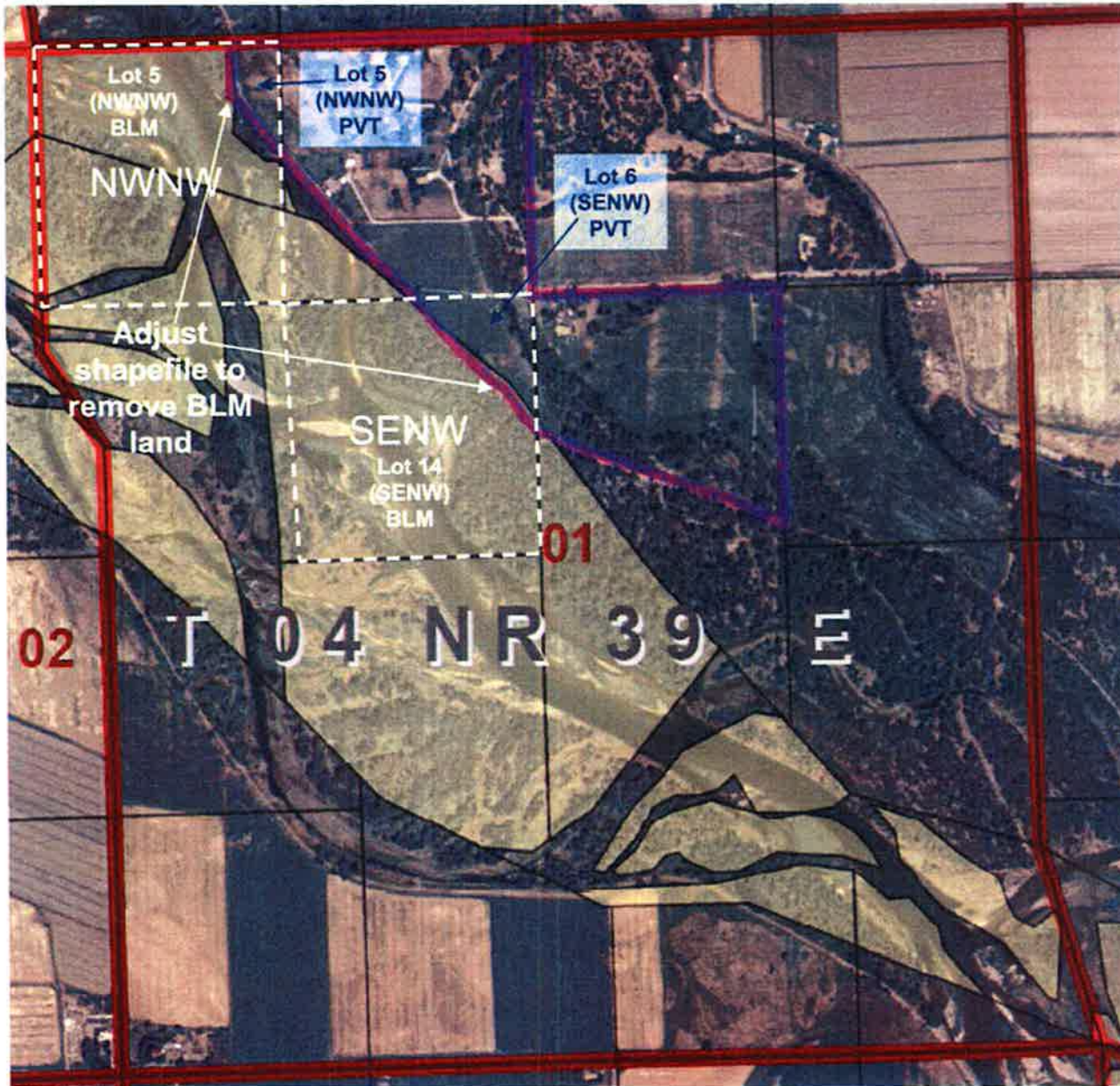
-The recommended Place of Use T04N R39E S01 SENW contains both private and public land.

-Please adjust shapefile and clarify such that only private land is intended by describing the Place of Use as T04N R39E S01 Lot 6 (SENE) PVT.

-The recommended Place of Use T04N R39E S01 Lot 5 (NWNW) contains both private and public land.

-Please adjust shapefile and insert the following language under Place of Use:

"Place of Use does not include federal public land."



[illegible]

1 3565 Offer of Disturbed Lands to Preference
Right Claimants pursuant to Act of Cong.
5/31/1962
Sec 12: portion 1st 2

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS.

CURRENT TO	CURRENT TO
JUN 22 1975	
USE PLATE:	

German: *Meer*

T. 44
R. 36E

SCALE in Chords

WARNING STATEMENT
This plot is the Bureau's Record of Title, and should be used only as a general guide of the preliminary survey. The Bureau does not advise any changes which may have been ordered by the Bureau of Survey or any other agency of the Department of the Interior.

THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE THE HISTORICAL INDEX FOR THE DATE OF THE ORIGINAL WITHDRAWAL ORDER

FEAR 101-01

22.

As to water rights assigned to Lewis Bowen in about 1950 I have been witness that he did irrigate with that water. He raised good crops under the irrigation.

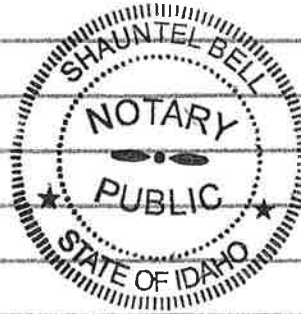
I am his cousin and had some adjacent ground. We farmed together a little bit.

Dec F. Bowen

State of Idaho) ss.
County of Madison)

On this 23rd day of March 2005, before me Shauntel Bell, a notary public, personally appeared Dec F. Bowen, personally known to me to be the person whose name is subscribed to the above instrument, and acknowledged to me that he executed the same.

Shauntel Bell
my commission expires: 6-21-10



SCANNED

AUG 21 2007

Claim no. A22-04020

A22-7311

Claimant Contact Log

Date 10-13-05 Remarks Agent initials

On 10-12-05 I visited with Earl Wilcox.
I gave him claim A22-7311 to consider signing and
paying the "SS fee. He is giving the claim to his
son, Blaine Wilcox, to review (Blaine's phone - 356-0527)

This system is really one of Snake River Diversion,
(See photo of headgate) + slough water (see photo
of diesel engine + pump - "C")

One might be able to make the argument that the
Snake River water diverted into the slough is (A22-4020)
the May 1, 1951 water + License A22-7311 is
strictly slough water with a 12-26-1979 priority.

GPS data - #224020 on map - 2676206
1391890

GPS File 224020

GPS data - #227311 on map - 2675962
1392179

GPS File - 227311

Slough dumps back into River (Snake) near Lenoist
Canal measuring house.

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AUG 21 2007

Log for claim 22-04020

Spatial Dynamics LTD

6/29/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
04n39e	1	SEnw	5	0.5	GCDB does not match qq's.
04n39e	1	SWNE	30	28	
04n39e	1	NENw	30	34	
04n39e	1	NWNw	5	1.7	
Totals:			70	64.2	

Blaine Wilcox - 356-0527
Son - handling claims

 SPATIAL
DYNAMICS

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AUG 21 2007

[Close](#)

IDAHO DEPARTMENT OF WATER RESOURCES
Water Permit Report

07/27/2004

WATER RIGHT NO. 22-7311

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EARL WILCOX 9169 S 400 W REXBURG, ID 83440 (208)356-6460

Priority Date: 12/26/1979

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED SLOUGH	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	11/01	1.5 CFS	
Total Diversion			1.5 CFS	

Location of Point(s) of Diversion:

UNNAMED SLOUGH	SENW	Sec. 01	Township 04N	Range 39E	MADISON County
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Place(s) of use:

Place of Use Legal Description: IRRIGATION MADISON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04N	39E	1		SWNE	30									
				NENW	30		NWNW	5		SENW	5			
				NWSE	5									

Total Acres: 75

Conditions of Approval:

1.	001	A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.
2.	005	Use of water under this right is subject to control by the watermaster of State Water District No. 01 .
3.	011	Prior to diversion of water under this right, the right holder must obtain adequate supplemental water for the irrigation season when the natural flow is not available.
4.	016	See remarks for additional conditions of approval.

Dates:

Proof Due Date: 02/01/1985

Proof Made Date: 12/17/1984

Approved Date: 02/22/1980

Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Field Exam Date: 5/19/2004

Date Sent to State Off: 5/25/2004

Date Received at State Off: 5/28/2004

Field Exam Remark:

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 01

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Claim No. 22-4020

Document Checklist

☐ Copy License/Decree

☐ Copy Transfer

☐ Copy Licensing Field Exam

☐ Check if Ownership/Address Change is Required

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

☒ Generate Arcview Map

Slough
Dumper in
New
Lined
canal
Measuring
House

1st P.O.D is from
River into Slough

Can run 6-8 Lines

Photo of 4 cyl
Cummins Diesel
with 6" pump
227311

CPS File ~~227311~~

CPS of Pump in Slough
2675962
1392179

runs
back into
River

7/1/04 not in WMIS

7/26/04 356-6460 4:30 Mrs. Wilcox will talk to group,
Earl doesn't do irrigating, will call. Ownership
has been split.

(Blaine Wilcox)

125 nozzles 8 hrs 3x week 5/32" nozzles

Wednesday PM - Lloyds store in Arden -

Then @ Thornton - in front of store right
go south - 1/2 mile along canal, head
almost T - right over canal - cattle guard -

7/29/04 Madison Courthouse - Parcels on NW end

04N39E012404	Douglas Munns	2231 W 8200 S
04N39E012490	Madison Anesthesia	2250 W 8200 S
04N39E012450	Gary Cook	2250 W 8200 S
04N39E012442	" "	" "
2417	Jeffery Finn	831 W Poleline Rd
2724	Dennis Helton	2081 W 8200 S
2500	" "	" "
2407	Kim Stager	2183 W 8200 S
2420	Eric Miller	2202 W 8200 S
2430	Michael Glass	2292 W 8200 S
2478	" "	" "
2480	" "	" "
2470	Dale Thompson	PO Box 609

Rexburg ID
83440

Bac
7/29/04
AUG 21 2007

Contacts Data Entry Form

Claim Number: A22-04020

Owner Type	Full Name	Address	City	State	Zip
------------	-----------	---------	------	-------	-----

Current Owner: Earl Wilcox 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.

1) claim name and address are correct for area labeled "A" on layout.

2) N end of west leg (area "B" on layout) has been sold. Parcel numbers, names and addresses are on "Document Checklist" sheet.

Wilcox states new owners will need their own POD if they file A ownership but he acknowledges their split of WRs.

BAC 2/29/04

3) See copy of overlapping permit

4) Photos

- 1) pump looking SE
- 2) Engine SN plate
- 3) POD looking SSE from west side
- 4) Headgate @ SE end of POD
- 5) Looking N from location 4. Shows for pasture usage under tree canopy

BAC 7/31/04

Reviewer: _____ Date: _____

SCANNED

AUG 21 2007

Priority Date Data Entry Form

Claim Number: A22-04020Water Right Priority Date: 5/1/1951Water Right Basis: Statutory claimClaimed Priority Date: 5/1/1951Claimed Basis: statutory claim

Recommended Priority Date: _____

Recommended Basis: _____

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

No evidence presented but Earl Wilcox is sure he gave Ron Carlson an affidavit from former owner Louis (Lewie's?) Bowen. I suggest looking in statutory claim file. Earl's son Blaine accepted an evidence of priority pamphlet and agreed to try and get an affidavit from a neighbor. Wilcox purchased this place about 1979 so he can't verify priority himself.

Bac 7/29/04

Note overlapping permit 22-7311. I explained that the permit gives them the water at an inferior priority.

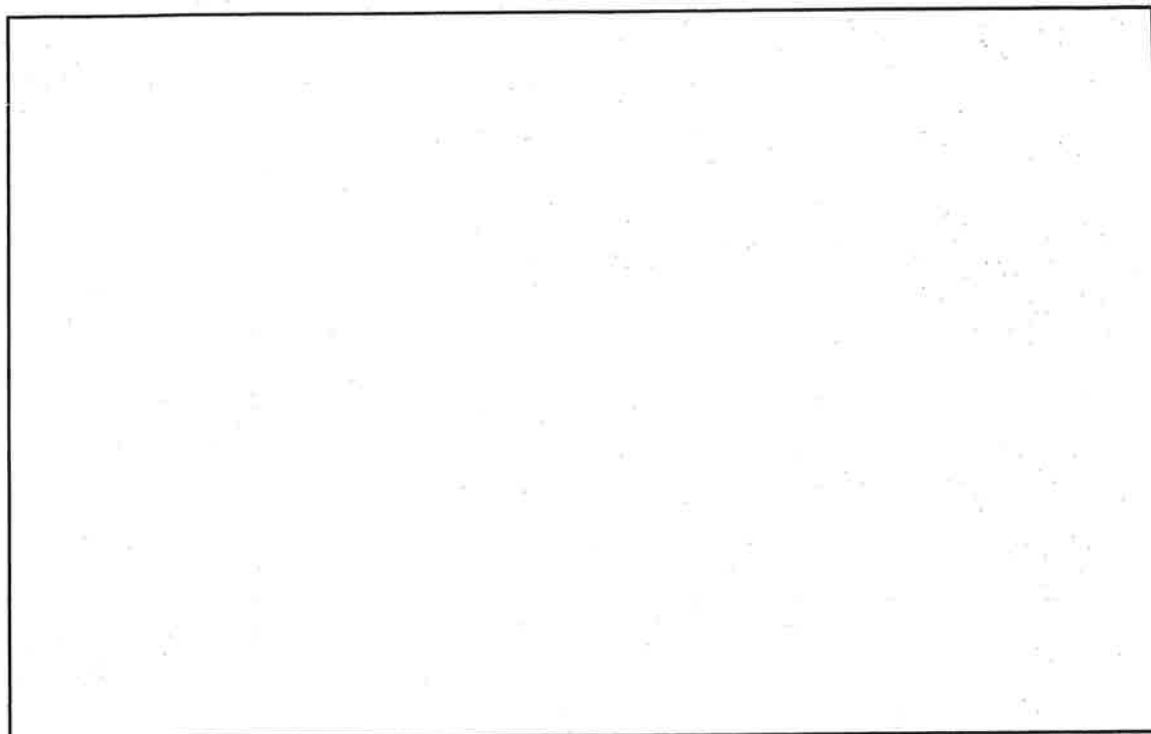
Reviewer: _____

Date: _____

SCANNED

AUG 21 2007

Water Right No(s). A22 - 04020



GPS DATA:

Tag # _____ Location: Waypoint 2 2675962E
1392188N IDTM

Diversion Data:

Source: Unnamed slough Trib to: Snake River

MOTOR

Make: Commings Diesel Model: _____ Hp: 80
SN: _____ (see photo of tag)

PUMP

Make: Cornell Model: 4RB FL Disch: 6"
SN: 24478

NOTES:

Waypoint 4 is a headgate from Snake River. No water
was flowing into slough. Water was flowing through
culvert @ pump. Owners state slough supplies water
w/o supplement from Snake. Headgate was locked w/
W001 tag attached.

Field Exam Date: 7/28/04 Agent: Bac

SCANNED

AUG 21 2007

Place Of Use Data Entry Form

Claim Number: _____

Claimed Place Of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total acres _____

Pending or approved Transfers: _____

Overlapping rights: Permit 22-7311Document how the POU was verified:

Please see sketch on layout. System covers parts "A" and "B" but part "B" has been sold & needs to be split off. I gave some copies of A ownership to Blaine Wilcox to give to new owners.

Bac 7/31/04

Reviewer: _____ Date: _____

SCANNED

AUG 21 2007

Season of Use and Quantity Data Entry Form

Claim Number: _____

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

$$70 \text{ acres} \times 0.02 = 1.4 \text{ cfs.}$$

$$120 \text{ nozzles} \times 6.19 \text{ GPM} (11/64 @ 50 \text{ psi}) \approx 743 \text{ gpm} \approx 1.65 \text{ cfs}$$

$$(80 \text{ hp} \times 70\% \text{ efficiency} \times 3960) / (3 \text{ ft lift} + 5 \text{ ft friction} + 50 \times 2.31)$$

$$\approx 1796 \text{ GPM} \approx 4.0 \text{ cfs.}$$

Capacity is adequate for 0.02 / acre. 0.02 / acre
is reasonable for sprinkler irr. BAC 7/31/04

Reviewer: _____

Date: _____

SCANNED

AUG 21 2007

))))))))

4/N 39E

)
)
)
)

Department of Water Resources
Eastern Region

being first duly sworn,

deposes and says: 1. That he acquired Lots 5, 6 and 7 of Section 1,
Twp. 4 North, Range 39 E.B.M., in Madison County, Idaho, in about the
year 1938, and sold the same on May 12, 1972.

2. In May, 1951, he installed a six inch centrifugal water pump, powered by an international gasoline motor, in an unnamed stream, a tributary to the South Fork of the Snake River, in said Lot 7, of said Section 1, Twp. and Rge. aforesaid, diverting said water from said stream and applying the same to a beneficial use, for the growing of crops.

3. In approximately the month of May, 1952, he installed an eight inch parma water lift pump, powered by a tractor and connecting belt, and diverted the water from said stream, and applied the same to a beneficial use for production of crops, and said point of diversion was in Lot 6, Section 1, Township 4 North, Rge. 39, E.B.M.

4. That he diverted, at said times and places mentioned above, at least 30 miners inches of the flow of said unnamed stream, and applied the same to approximately eight acres in Lot 7 and approximately 22 acres in Lot 6 of said Section 1, Twp. and Rge. aforesaid.

5. That he diverted said water and applied the same to a beneficial use, in the manner and to the extent aforementioned, continuously and uninterruptedly in each year thereafter until the date he sold the premises as aforementioned.

Louis W. Lovell
(signature)

Subscribed and sworn to before me this 20th day of August, 19 75.

Lawrence W. Leggett
(notary public)

Residing at Rexburg, Idaho

My commission expires Life

A15 2 1 2007

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Earl Wilcox

(Name of Claimant)

Rt. #3, Box 190, Rexburg, Idaho 83440

(Mailing Address)

Telephone No. 356-6460

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) May 1, 1951

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Unnamed Slough tributary to Snake River *

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>1.5</u>	Use <u>Irrigation</u>	Period of Use From <u>April 1</u>	To <u>Nov. 1</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

- (4) TOTAL QUANTITY USED.

(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

SE 1/4 NW 1/4, Sec. 1 Twp. 4N Rge. 39E. B.M., County of Madison

Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. 6 inch centrifugal pump powered by tractor PTO.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
4N	39E	1			30		30	5		5						5			75

No. of acres 75

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization:

MICROFILMED

SCANNED

AUG 21 2007

- (8) Remarks Because of a headgate installed by the Corps of Engineers, water flows through the slough on which the point of diversion is located during periods of high water. During the remainder of the year subwater arises in the slough but does not reach the river.

2

11

12

Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Bingham) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 26th day of December, 1977. (Claimant)

Notary Public
Residing at First National Bank

My commission expires 2/14/82

FOR DEPARTMENT USE ONLY

Received by JD Date 12/26/79 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by JD Date 12/26/79 claimant by: _____
\$20.00 fee received by JD #14167 Date 12/26/79
Published in Standard Journal
Dates 1/10 & 1/17/80

SCANNED

AUG 21 2007

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho **APPROVED**

1. Name of applicant Earl Wilson Phone 356-6160
Post office address Pt. 43, Box 190, Rexburg, Idaho 83440
2. Source of water supply Unopened slush which is a tributary of Snake River
3. Location of point of diversion is SE 1/4 of NW 1/4 of Section 1 Township 4N
Range 39E B.M. Madison County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 1.5 for Irrigation purposes from April 1 to Nov 1 (both dates inclusive)
(feet or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(feet or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(feet or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(feet or acre-feet per annum)

5. Total quantity to be appropriated:

a. 1.5 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Pump and pipeline

b. Height of storage dam _____ feet, active reservoir capacity _____ ac. ft.; total reservoir capacity _____ ac. ft., materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation: _____ % of _____ % of Section _____ Township _____

SCANNED

10. Remarks

through

high

does

9. a. Who

b. Who

c. If the

app.

4. Water will be used for the following purposes

Amount (for both dates inclusive)	Amount (for both dates inclusive)	Amount (for both dates inclusive)	Amount (for both dates inclusive)
for	for	for	for
for	for	for	for
for	for	for	for
for	for	for	for

5. Total quantity to be approximated

a. _____ cubic feet per second and b. _____ acre-feet per annum.

6. Proposed diverting works:

a. _____

b. _____

7. Time required for the completion of the works and application of the water to the proposed beneficial use is _____ years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation: _____

b. If water is for irrigation: _____

9. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

10. Period of year when water will be diverted to storage _____ to _____ inclusive.

11. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet.

12. Amount of power to be generated: _____ horsepower, under _____ feet of head.

13. List number of each kind of livestock to be watered _____

14. Name of municipality to be served _____ or number of families to be supplied with domestic water _____

15. If water is to be used for other purposes describe: _____

TWO BANDS	SEC.	N.B.								I.M.								SEX
		NEL	NAL	SML	SEL	NEL	NAL	SML	SEL	NEL	NAL	SML	SEL	NEL	NAL	SML	SEL	SEX
4M	39E	1				30				30				5				5
75																		75
TOTALS																		

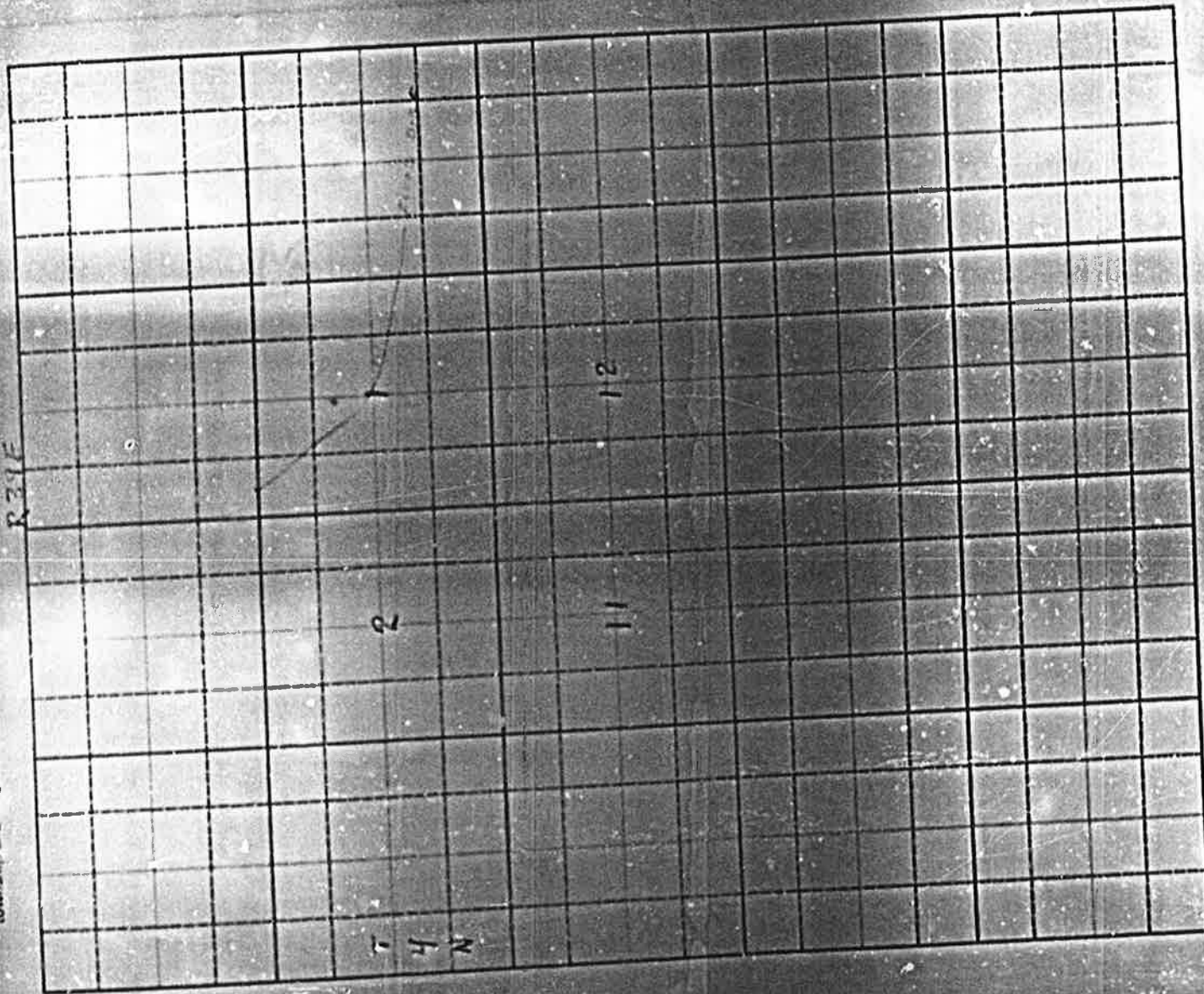
c. Describe any other water rights used for the same purposes as described above. Water has been used this land since at least 1951 by Lew Bowen. Claim supporting this earlier priority

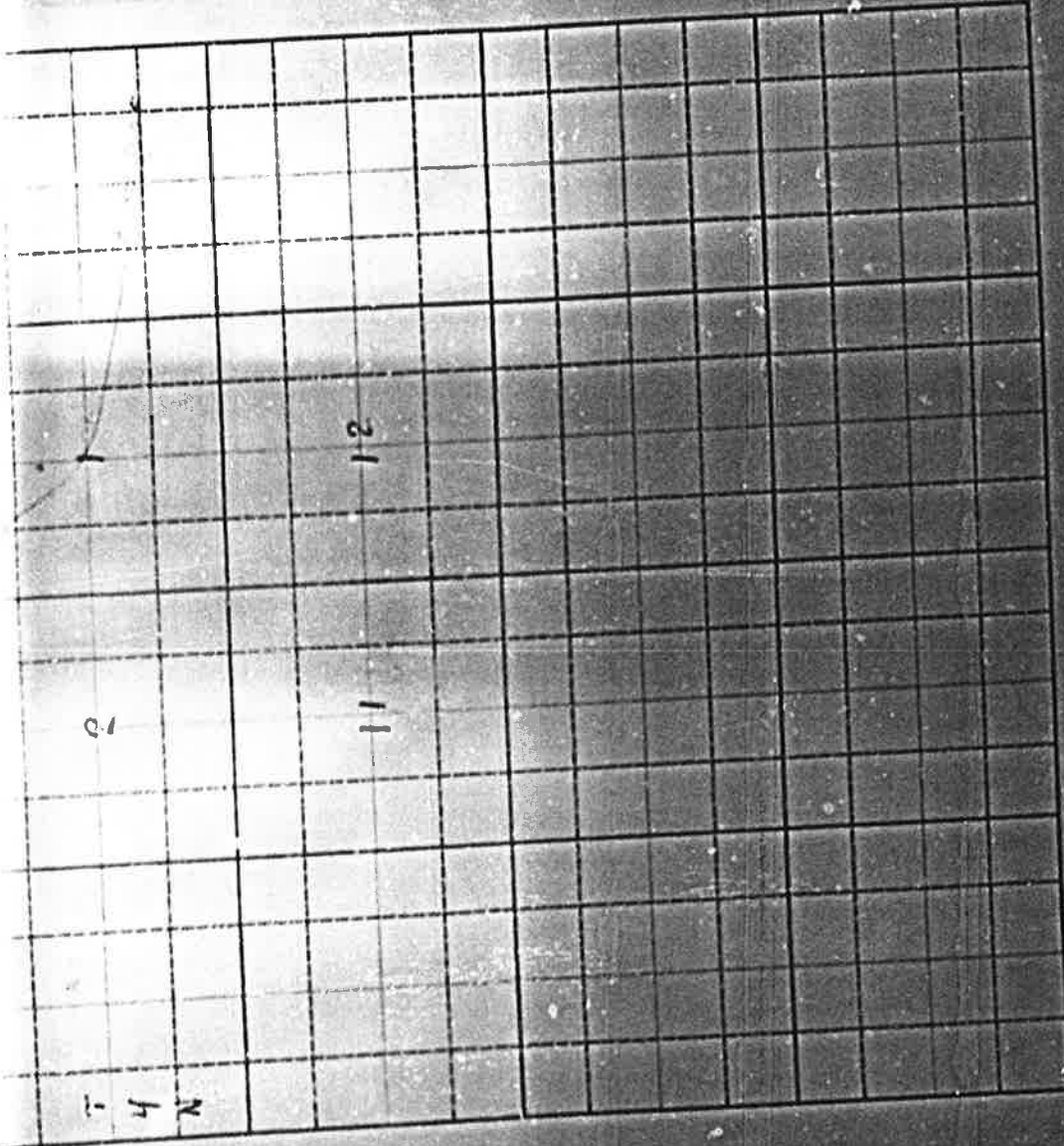
9. a. Who owns the property at the point of diversion? Applicant
b. Who owns the land to be irrigated or place of use? Applicant
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks: * Because of a headgate installed by the Corps of Engineers, water flows through the slough on which the point of diversion is located during periods of high water. During the remainder of the year subwater arises in the slough but does not reach the river.

~~does not reach the river.~~

11. Map of proposed project. Show clearly the proposed point of diversion, place of use, section number, township and range number.





Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Ed. H. Harte
(Applicant)

Proposed Priority 1/24/79
Received by [Signature] Date 1/24/79 Time 10:30

Preliminary check by [Signature] Fee \$ 154.61 # 4500

Received by [Signature] Date 1/24/79

Publication prepared by [Signature] Date 1/3/80

Published in Standard Journal

Publication dates 1/10 & 1/17/80

Publication approved [Signature] Date 2/5/80

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____

Recommended for approval _____

denial by [Signature] _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State

of Idaho No. 22-7311 and said application is hereby approved _____

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____ 19 85

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. Other: (1) Use of water under this permit is subject to control by the water-

master of State Water District # 01, Snake River. (2) A measuring device of a

type approved by the Department shall be permanently installed and maintained

(3) The permit holder must obtain adequate

Publication approved _____ Date _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by DC

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 22-7311, and said application is hereby approved.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before February 1, 1985.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. Other: (1) Use of water under this permit is subject to control by the water-
master of State Water District # 01, Snake River. (2) A measuring device of a
type approved by the Department shall be permanently installed and maintained
as part of the diverting works. (3) The permit holder must obtain adequate
supplemental water for the irrigation season that natural flow is not available.
(4) The applicant is entitled to use water from the proposed source when it is
not tributary to the Snake River. When water from the slough is tributary
the applicant must replace water diverted with purchased storage water.

Witness my hand this 22nd day of February, 1980.

J. Glen Saxton
Chief, Operations Bureau

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**The REXBURG STANDARD and
The REXBURG JOURNAL**
REXBURG, IDAHO

Affidavit of Publication

STATE OF IDAHO }
County of Madison }

I, **Bruce Potter**,
being first duly sworn, depose and say,
that I am the printer of THE REXBURG
Journal, a newspaper printed and
published weekly at Rexburg, Madison
County, Idaho; and I do solemnly swear
that the

NOTICE OF APPLICATION

a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not in
any supplement issue thereof for two
consecutive issues, the first publication hav-

ing been made on January 10, 1980
and the last publication having been made
on January 17, 1980
Further, that said newspaper is one of
general circulation in said county, that it
is a legal newspaper, conforming to legal
specifications under the Idaho Statutes, that
it has at least two hundred bona fide sub-
scribers living within the county, of which
none, and that it has been continuously and
uninterruptedly published in said county dur-
ing a period of seventy-eight consecutive weeks
prior to the first publication of this said not-
ice.

Subscribed to and sworn to before me

this January 18, 1980

Jeri Hansen
(SEAL)

Notary Public.

My commission expires Life

RECEIVED

FEB 4 1980

Department of State Resources
Eastern District Office

**NOTICE OF APPLICATION
FOR WATER RIGHT**

Notice is hereby given that the following
applications have been submitted for record to
reappropriate the public waters of the State of
Idaho:

Application No. **25-7311**

Applicant: **WILSON TAYLOR, ROUTE 2, BOX
190, REXBURG, ID 83440**

Source: **UNNAMED SLOUGH, tributary to
SNAKE RIVER**

Date Filed: **12-28-1979**

Amount: **1.50 CFS**

Location: **Idaho**

Duration: **Perpetual**

Beneficiary: **Idaho**

Comments: **See 017 QAR R 306, 017 QAR R 306,
MADISON CO.**

Use: **AGRICULTURE (1.50 CFS) from 04-01 to
12-01**

Points of Use: **SHORE NEAR SNAKE RIVER
JUNCTION 017 QAR R 306 FOR 1.50 CFS**

Duration: **Perpetual**

Comments: **PLANT ALLOCATIONS**

If located, the amount will be subject to all
prior water rights. Projects require the granting
of any permit must be filed with the Director of
the Idaho Department of Water Resources,
1815 Lincoln Road, Idaho Falls, Idaho 83401
and before JANUARY 28, 1980.

C. STEPHEN ALLRED
Director

PUBL. Jan. 10 and 17, 1980

WATERMASTER COMMENTS

I have reviewed application for permit No. 22-7311 and have

✓ (1) no objections to the approval of this permit.

— (2) the following objections to the approval of this permit:

It does not appear that the water
divorled from this slough is
normally tributary to the river
during the irrigation season.

1/31/80

DATE



RONALD D. CARLSON - WATERMASTER

WATER DISTRICT # 01

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

22-7311

INITIAL REVIEW BY: gc

APPLICATION NUMBER: Wiley

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☐ Yes ☒ No In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT:

Withdrawal Diversion Number 22-7311-1

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☒ Other VOI 1/20

Copies sent by: _____

Date: _____

PROCESSING:

- ☒ Yes ☐ No Platted by: gc Map No. X-44
☐ Yes ☒ No Other rights on same place of use. _____
☒ Yes ☐ No In form for advertising.
Final date for protests: 1/28/80
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 7-1/80
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☐ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☒ Yes ☐ No Measuring device required.
☐ Yes ☒ No Access port required.



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Storehouse
Boise, Idaho 83720
(208) 334-4440

February 22, 1980

Earl Wilcox
Rt. # 3 Box 190
Rexburg, Idaho 83440

Dear Mr. Wilcox,

RE: Permit No. 22-7311

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note the special condition requiring you to install and maintain a measuring device at your point of diversion prior to submitting proof of beneficial use of water. We have enclosed a letter describing the different types of measuring devices accepted by this office.

Sincerely,

David R. Tuthill, Jr.

DAVID R. TUTHILL, JR.
Supervisor, Water Allocations Section

DRT:mr

Enclosure

☒ Fee.

☐ Yes ☒ No

☐ Yes ☒ No

☐ Yes ☒ No

☐ Yes ☒ No

☐ Yes ☒ No

☐ Yes ☒ No

☐ Yes ☒ No

☐ Yes ☒ No

Field check required.

Critical groundwater area.

Request dam safety information. Sent by: _____

In form to receipt.

Date: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

Ed. St. River Number will have to be assigned.

SEND COPIES TO:

☐ Idaho State Health Department.

Copies sent by: _____

Date: _____

☐ Idaho Fish and Game Department.

☐ Idaho Department of Lands.

☐ U.S. Bureau of Land Management.

☐ U.S. Forest Service.

☐ Other *VOI 180*

PROCESSING:

☒ Yes ☐ No

☐ Yes ☒ No

☒ Yes ☐ No

☐ Yes ☒ No

Platted by: *gc*

Map No. *X-44*

Other rights on same place of use.

In form for advertising.

Final date for protests: *1/28/80*

Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

☒ Affidavit of publication received. Date: *7/1/80*

☒ Application published correctly. If not, record action taken.

☒ Fee amount, receipt date & number, recorded on application.

☒ Publication dates and paper, recorded on application.

☐ Protests, dates, withdrawal, etc., recorded on application.

☒ Recommendation & initial, recorded on application.

☒ Yes ☐ No Measuring device required.

☐ Yes ☒ No Access port required.

☒ Yes ☐ No Will water be delivered by watermaster? If yes, what district? *01*

12/16/79 Date of price by recommended.

Special conditions of approval on cover letter.

The applicant must pay to me \$200 for the purpose of water which it is not treating to the satisfaction of the watermaster. The applicant is to replace water diverted with purchased storage water.

By: *Paul Carson*

Date: *7/9/80*

STATE OFFICE REVIEW:

05 (01, Snake River), 01, 11, 16 (type above condition)

☐ See attached sheet for more information.

By: _____

Date: _____

Department of Water Resources

22-2311

WILCOX, EARL

ROUTE 3, BOX 190, REXBURG, ID 83440

Source: UNNAMED SLOUGH tributary to SNAKE RIVER

Date Filed: 12/26/1979

Amount: 1.50 CFS

Diversion Point: SENW Sec 01 T 04N R 39E MADISON Co.

Use: IRRIGATION

Place of Use: SAME NEWN NW/4 SENW N/4 Sec 01 T 04N R 39E from 04/01 to 11/01

Diversion Means: PUMP AND PIPELINE. FOR 73 ACRES

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING

DEVICE REQUIREMENT FOR PERMIT NO. 22-7311

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows:

"The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 15 day of June 1981.

A. Glen Saxton

GLEN SAXTON
Chief, Operations Bureau



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Secretary

A. KENNETH DUNA

Deputy

Mailing address
Statehouse
Boise, Idaho 83720
(208) 334-4440

October 26, 1981

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition is less restrictive and provides you the option to install an access port or have your system measured and certified by a professional engineer. Instructions for access port installation are also enclosed.

If you have questions regarding this matter, please contact the regional office nearest to you.

Sincerely,

David R. Tattell

DAVID R. TATHILL JR., P. E.
Supervisor, Water Allocations Section

DEK:ig

Enclosures

NORTHERN REGION OFFICE
Route #5, Box 203, Government Way
Coeur d'Alene, Idaho 83814
Telephone 667-6484

SOUTHERN REGION OFFICE
1041 Blue Lake Boulevard North
Twin Falls, Idaho 83301
Telephone 734-3578

EASTERN REGION OFFICE
150 Shoup Avenue
Idaho Falls, Idaho 83401
Telephone 325-7161

WESTERN REGION OFFICE
92 South Cole Road
Boise, Idaho 83709
Telephone 334-2190

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138455

WILCOX, EARL
RT-3 BOX 190
REXPURG, ID 83440

PROOF DUE NOTICE

NOVEMBER 30, 1984

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 22-7311 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE FEBRUARY 01, 1985. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU OR A PREVIOUS OWNER OF THIS PERMIT HAVE NOT RECEIVED A PRIOR EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME IF THE DELAY IS FOR REASONABLE CAUSE AS PROVIDED IN SECTION 42-204, IDAHO CODE. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE POSTCARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE OR EFFECT.

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

PLACE
3 CENT
STAMP
HERE



RECEIVED

IDAHO DEPARTMENT OF WATER RESOURCES

STATEHOUSE

DEC 26 1964

BOISE, IDAHO 83720

Department of Water Resources

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has consented to the extent shown below of Per. No. 22-7311.

Name(s) of Permit Holder: EARL WILCOX

Post Office Address: RT 3 Box 190

REXBURG, ID 83440 (Per. No. 356-6460)

Source of Water: Reclaimed Sloughs

Number of households (number and type of cons.) 70

DEC 17 1984

Permittee's Signature: [Signature]

Permittee's Address: [Signature]

Permittee's Phone: 12-17-84

Permittee's Date: 12-17-84

Permittee's Signature: [Signature]

Permittee's Address: [Signature]

Permittee's Phone: 12-17-84

Permittee's Date: 12-17-84

Permittee's Signature: [Signature]

Permittee's Address: [Signature]

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Permittee's Address: [Signature]

Permittee's Phone: 12-17-84

Permittee's Date: 12-17-84

Permittee's Signature: [Signature]

Permittee's Address: [Signature]

Permittee's Phone: 12-17-84

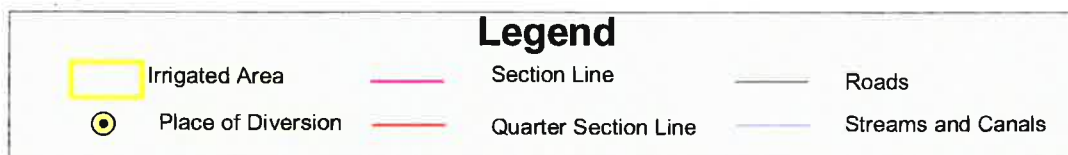
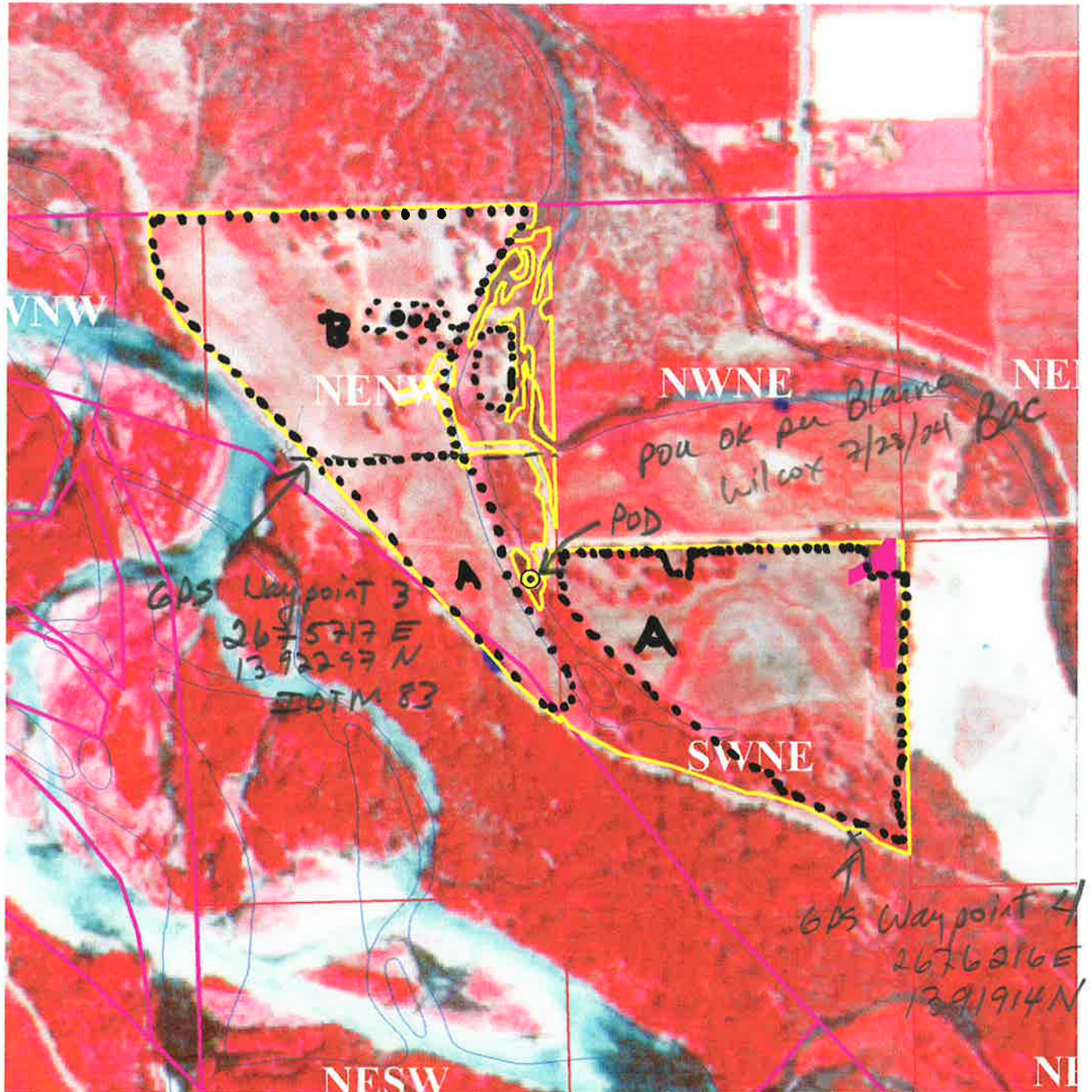
Permittee's Date: 12-17-84

Permittee's Signature: [Signature]

Permittee's Address: [Signature]

Water Right Claim Number 22-04020
Townships , 5N38E, 4N39E

06/29/2001



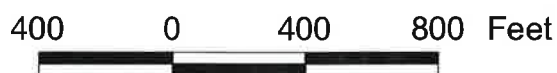
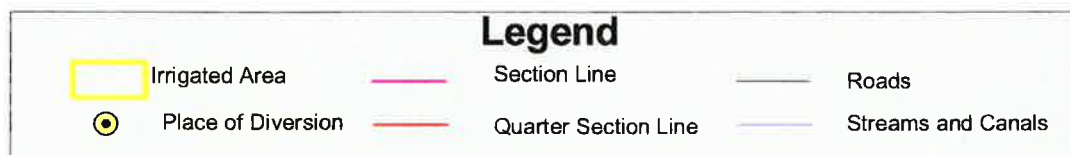
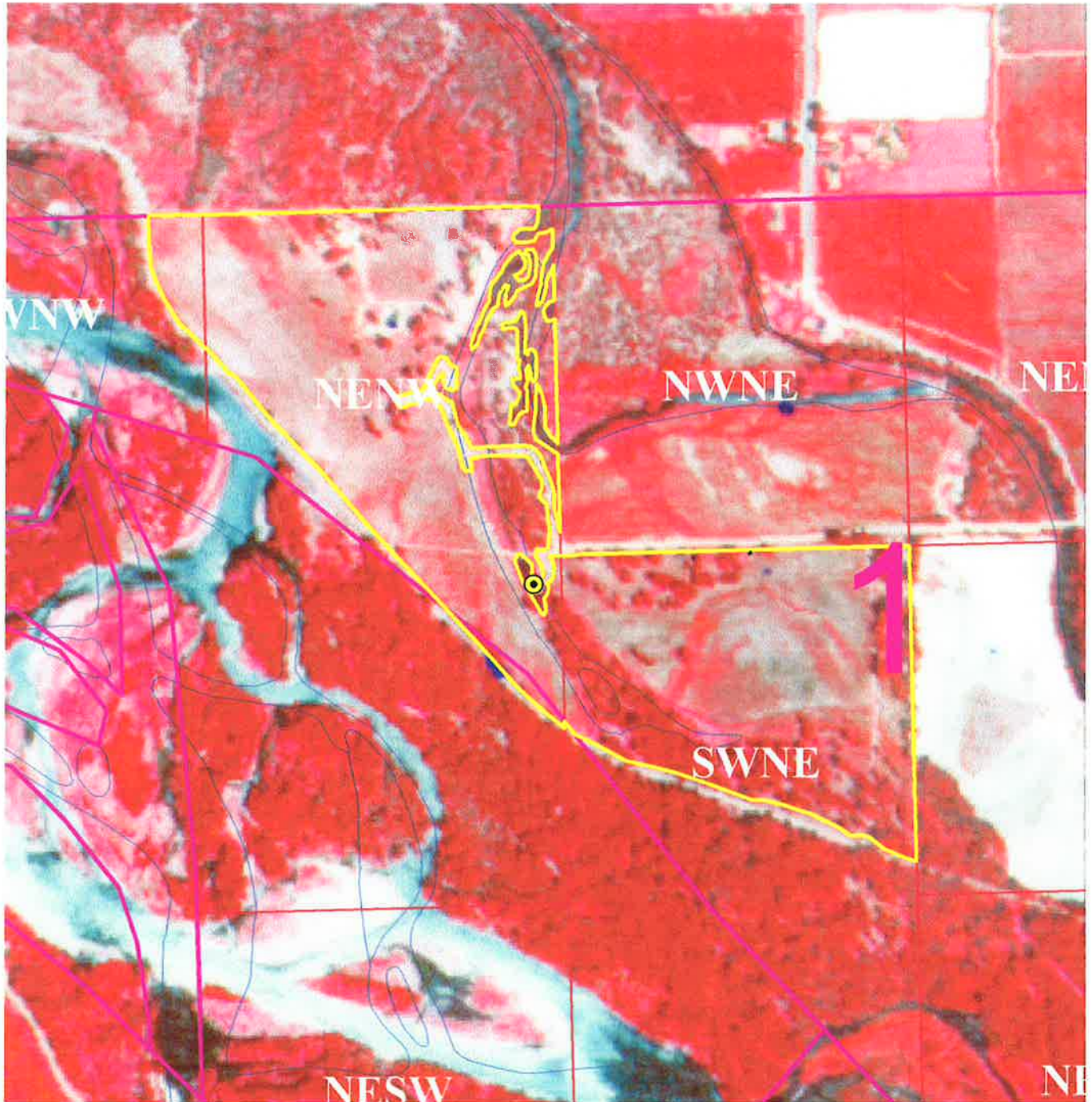
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SPATIAL
DYNAMICS
SCANNED

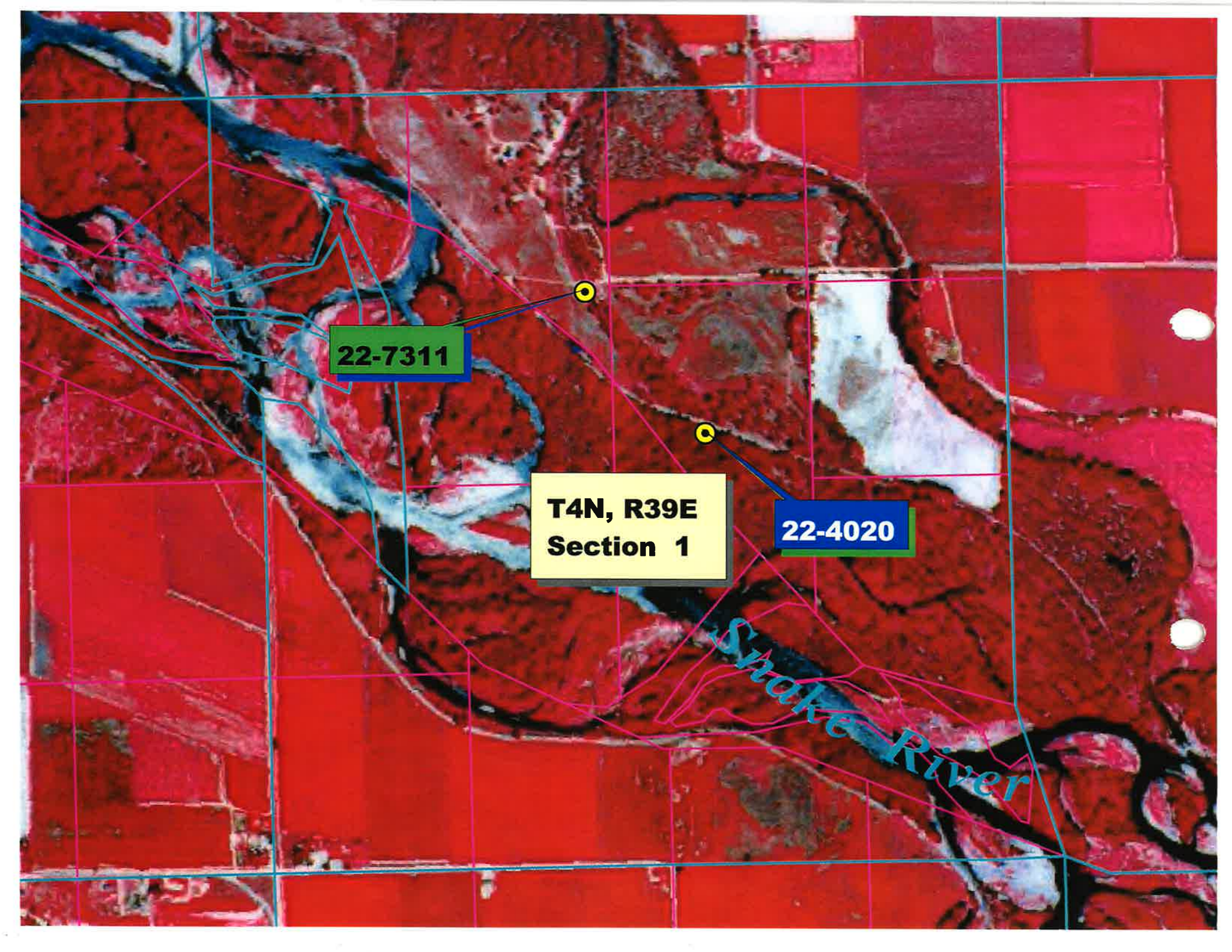
AUG 21 2007

Water Right Claim Number 22-04020
Townships , 5N38E, 4N39E

06/29/2001



SPATIAL
DYNAMICS
AUG 21 2007

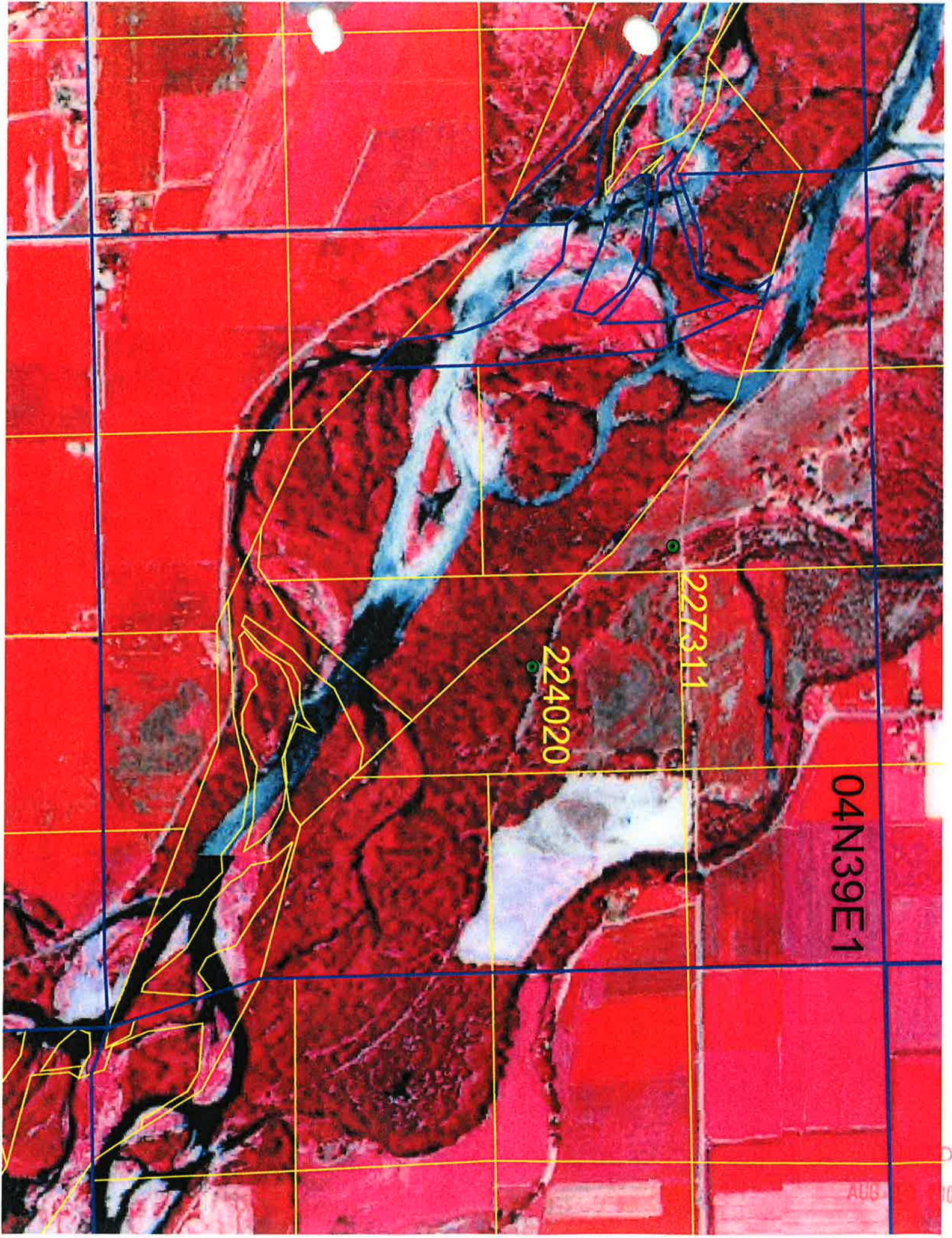
An aerial photograph of a river area, likely the Snake River, with a grid of survey lines. The river is shown in a light blue/white color, winding through a reddish-brown landscape. A grid of blue lines is overlaid on the image. Two yellow circles with black outlines are placed on the grid. A green label '22-7311' points to the upper yellow circle. A yellow label 'T4N, R39E Section 1' is in the center. A blue label '22-4020' points to the lower yellow circle. The text 'Snake River' is written in blue along the river's path.

22-7311

**T4N, R39E
Section 1**

22-4020

Snake River



04N39E1

227311

224020

AUG

107



4 cyl ^{fumms} Diesel motor to 6" pump From Slough, can run

4-8 1/4 mile lines. GPS data 2675962 - GPS File 227311
1392179

AUG 21 2007

SCANNED

GPSTAG A0015964

224000 on map

Headgate at end of ditch from Snake River



GPSTAG

Photo looking North



A22-04020 7/25/04

Pump at P20. Engine is 80 hp Cummins per tag,
photo of tag failed. Pump is Correll

Model 4KBF6 Serial 24478. Discharge

is 6"

bac

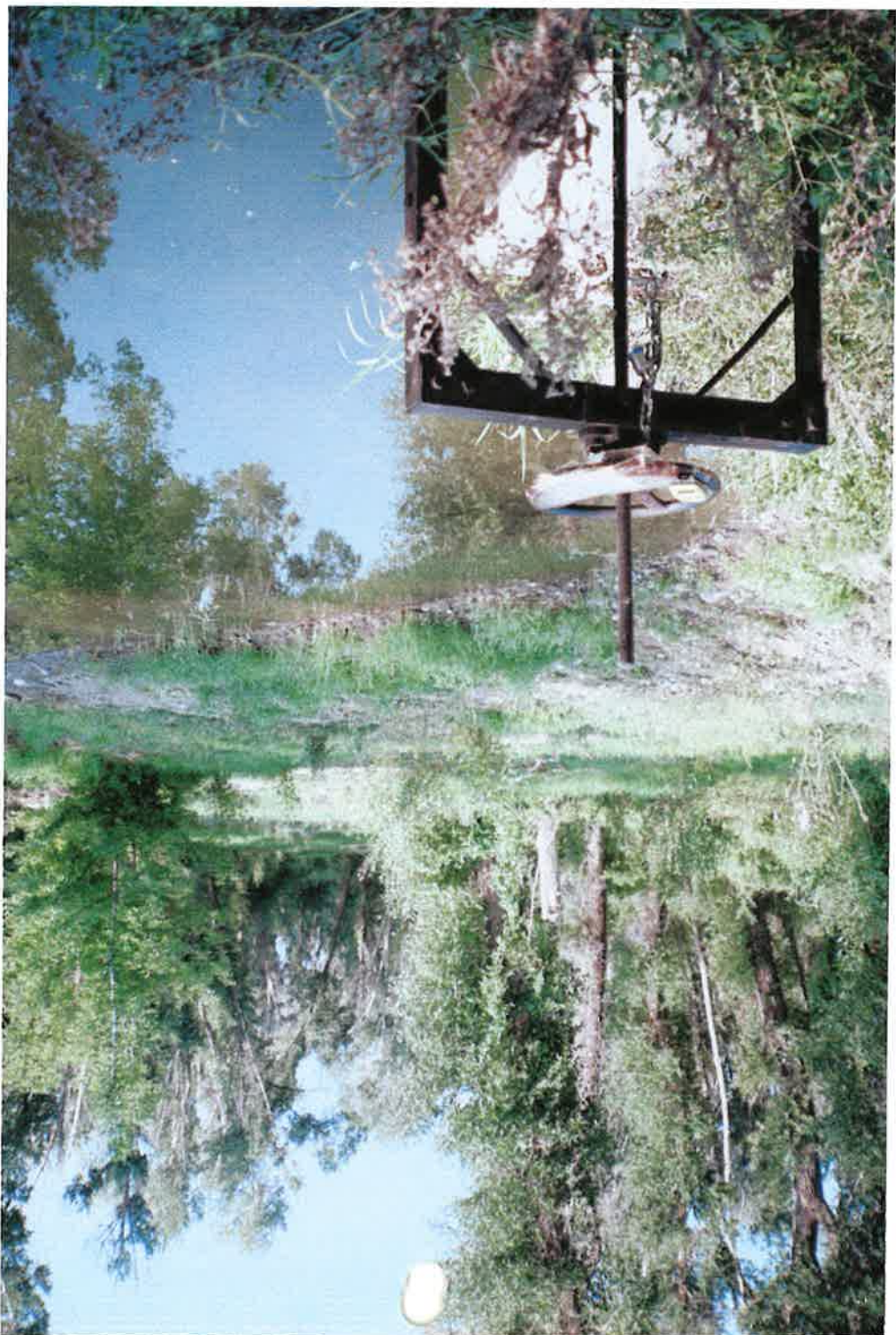
SCANNED

AUG 21 2007



A22-4020 7/28/04

Poa looking South-southwest from waypoint 3.
Bar



CBS Waypoint 4

A22-04020 7/28/04 Headgate in
Snake River dike. This is not a POD; no
water was flowing through gate yet
water was flowing through culvert past
pump @ POD, indicating Slough gains
water per claimed source. Doc.

SCANNED

AUG 2 1 2007

AUG 21 2007

SCANNED

CBAC

At 22-04020 7/25/04 you
looking N from waypoint 4,
showing migration / pasture use
under tree canopy.





my commission expires: 6-21-10
Shauntel Bell

On this 23rd day of March 2005, before me Shauntel Bell, a notary public, personally appeared Dec F. Bowen, personally known to me to be the person whose name is subscribed to the above instrument, and acknowledged to me that he executed the same.

State of Idaho)
County of Madison) ss.

Dec F. Bowen

As to what rights assigned to Lewis Bowen in about 1950 I have been with him that he did irrigate with that water. He raised good crops under the irrigation. I am his cousin and that some adjacent ground. He farmed together a little bit.

22-4020

Final W/ cor

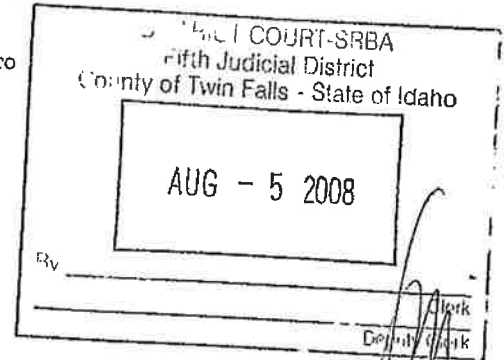
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 22-04020



NAME AND ADDRESS: EARL WILCOX
9169 S 400 W
REXBURG, ID 83440

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM UNNAMED
SLOUGH.

QUANTITY: 1.37 CFS

PRIORITY DATE: 05/01/1951

POINT OF DIVERSION: T04N R39E S01 LOT 7 (SWSWNE) (Injection) Within Madison County
LOT 7 (SWSWNE)
LOT 6 (SEENW) (Rediversion)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.37 CFS

PLACE OF USE: Irrigation Within Madison County
T04N R39E S01 LOT 7 (SWNE) 28.0 LOT 6 (NENW) 34.0
LOT 5 (NWNW) 2.5 LOT 6 (SENW) 4.4
68.9 Acres Total

PLACE OF USE DOES NOT INCLUDE FEDERAL PUBLIC LANDS.
THE RIGHTS LISTED BELOW ARE LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 68.9 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 22-4020 AND 22-7311.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

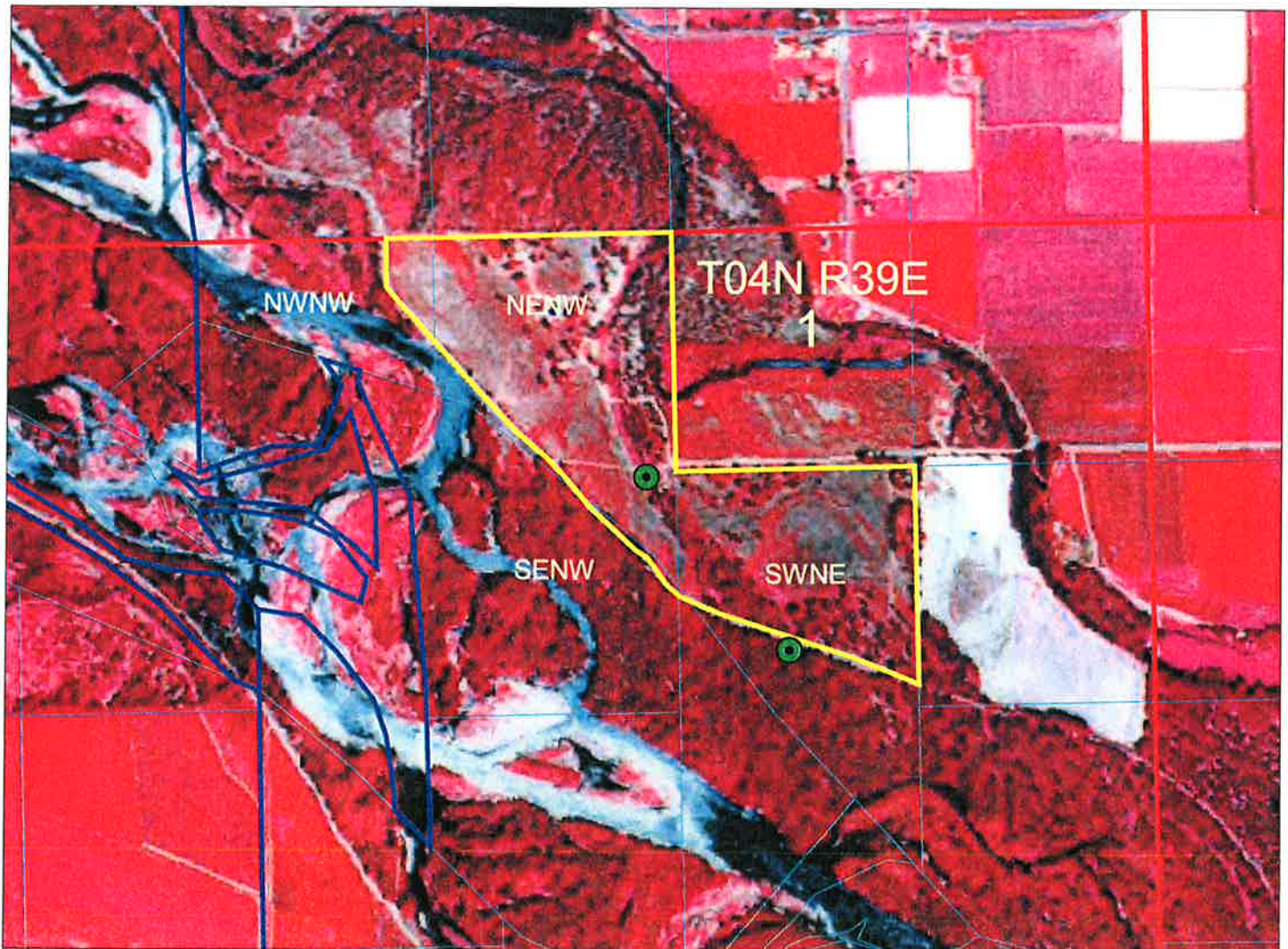
John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

Department of Water Resources

Eastern Region



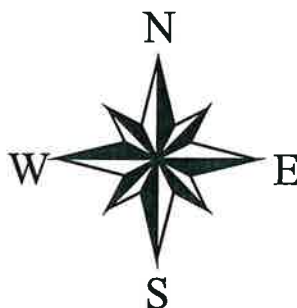
Claim No.: 22-4020 and 22-7311



0 660 1320 1980 2640 Feet

A horizontal scale bar with markings at 0, 660, 1320, 1980, and 2640 feet.

- Point of Diversion
- Place of Use
- Township/Range
- Sections
- QQ



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: Kristin Moore
Date Prepared: October 2005

AUG 21 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: A22-04020
Date Received: 8/19/1988
Receipt No: 600/492
Received By: SN

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EARL WILCOX
Address: 9169 S. 400 W.
REXBURG, ID

208-356-6460

83440

2. Date of Priority: MAY 01, 1951

3. Source: UNNAMED SLOUGH

Trib. to: SNAKE RIVER, SOUTH FC

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	39E	1	NE	SE	NW		MADISON

5. Description of diverting works:
PUMP POWERED BY TRACTOR PTO.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.500		

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

A.F.A.

8. Total consumptive use is 187.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04N	39E	1	SW	NE	7	IRR	30.0
			NE	NW		IRR	30.0
			NW	NW	6	IRR	5.0

A22-04020

Page 1

Date: 08/19/88

A2204020



SCANNED

AUG 21 2007

MICROFILMED

OCT 29 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	39E	1	SE NW	6	IRR	5.0
Section Acres						70.0
Total Acres						70.0

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:
PERMIT 22-07308 7311

14. Remarks: 7311
PERMIT 22-7308 FILED FOR SAME USE.

15. Basis of Claim: STATUTORY CLAIM

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 Y 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): *Earl Wilson* Date: 8-19-88
_____ Date: _____

State of Idaho)
County of Bonneville) SS.

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

Dana Green
Notary Public

Seal

Residing at *Rigby*
My Commission Expires 4-22-1994

