

06/26/2006

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

RIGHT NUMBER: 22-7082

NAME AND ADDRESS: R & B INC
C/O RALPH HUSKINSON PRES
44 S 2ND E #1
REXBURG ID 83440

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 7.560 CFS
1,631.000 AFY

PRIORITY DATE: 11/11/1973

POINT OF DIVERSION:

T06N R40E S24 NESENW Within MADISON County
T06N R40E S24 SWSWSW Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	7.560 CFS 1,631.00 AFY

PLACE OF USE: IRRIGATION Within MADISON County

T06N R40E S24	NESW	35.00	T06N R40E S24	NWSW	40.00
T06N R40E S24	SWSW	40.00	T06N R40E S24	SESW	40.00
T06N R40E S25	NENW	40.00	T06N R40E S25	NWNW	40.00
T06N R40E S25	SWNW	39.00	T06N R40E S25	SENW	36.00
T06N R40E S26	NESE	40.00	T06N R40E S26	NWSE	40.00
T06N R40E S26	SWSE	35.00	T06N R40E S26	SESE	40.00

465 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

The following rights are also diverted through points of diversion described above: 22-7047A and 22-11019.

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

The following rights are also diverted through points of diversion described above: 22-7047A and 22-11019.

Department of Water Resources

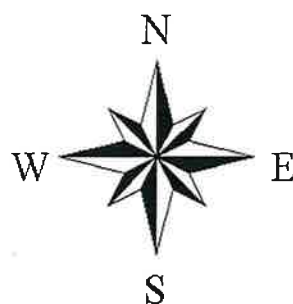
Eastern Region



Claim No.: 22-7082



0 1320 2640 3960 5280 Feet



- Point of Diversion
- 22-7082
- Township/Range
- Sections
- QQ

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

11/01/2005

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: 22-7082

R & B INC
C/O RALPH HUSKINSON PRES
44 S 2ND E #1
REXBURG ID 83440
Telephone Number: (208)356-5626

COMPLETED

KmJ 11/04

PO RANDY HUSKINSON
Box 670
REXBURG, ID
208-356-3498

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: 10/10/06

SIGNATURE:

Randy Huskinson

Please print your name:

RANDY HUSKINSON

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

KmJ
11/04

Water Right

22-7047

POD SENW S24 LN40E
4.31 cfs 270 ac.
POU LN40E S13 SESE
S24 NE $\frac{1}{4}$ NW $\frac{1}{4}$

22-7083

POD SWSE S18 LN41E
2.89 cfs 181 ac.
POU LN41E S18 N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$

22-7082

POD SWSW S24 LN40E
7.56 cfs 466 ac.

11-1-05

(2) Trans. 5465
(March 2003)

A 4.15 cfs orig. POU, POD
260 ac. STAND ALONE
w/ enlargement 22-11019

B 0.16 cfs moved to
new POU, POD
10 ac.

(1) Trans. 3176
(Aug 1985)

Added POD
SWSW S24 LN40E (same as 22-7082)

Trans. 5465
(March 2003)

A 2.06 cfs original POU, POD
129 ac.

STAND ALONE Pt.

B 0.83 cfs moved to
new POU, POD
52 ac.

overlapping Rts.
w/ enlargement
22-13441

Trans 3175 Added POD
(Aug 1985)

SENW S24 LN40E (same as 22-7047)

STAND ALONE RIGHT

22-7047 was connected to 22-7082 in 1985 through Transfer Nos. 3175 and 3176. The transfers simply added the POD of one right to the other and vice versa. Because claimant has not submitted another application for transfer to remove the added wells, they are still connected in our records, even though portions of 22-7047 have been sold and disconnected from previous system. Recommending according to Trans. 3175 and 3176 for rights 22-7082 and 22-7047A, since this was the system in 1987 anyway.

Transfer 5465 split 22-7047 and 22-7083 into parts A + B. Also changed POU and POD. Recommend according to transfer for Part B of both rights. 22-7047B needs an enlargement of 14 ac (22-13441)

Claim No. 22-7082

Document Checklist

☒ Copy License/Decree

☒ Copy Transfer

3175

☒ Copy Licensing Field Exam

☒ Check if Ownership/Address Change is Required

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

☒ Generate Arcview Map

Per Court House 10/29/04 Section 24 Lands R+B Farms
Section 25 lands R+B Farms c/o Randy Huskinson 06N40E25 2401
Section 26 lands R+B Farms c/o Ralph Huskinson 06N40E26 7201

PO Box 670, Rimbey, S3440 → correct address-

REFERENCE IS MADE ON THE CLAIM (#13) TO WR'S
22-7047 AND 22-11019 - NEITHER OF WHICH
ARE CLAIMED AS APPURTENANT TO POLL OF THIS
CLAIMS - THEY ARE CLAIMED BY HUSKINSONS BUT
APPARENTLY UNCONNECTED.

22-7047 IS SPLIT BY SRBA AS: A AND B
A TO RANDY HUSKINSON → BOB HUSKINSON
B TO FLYING H CORP (BOB HUSKINSON)

22-11019 IS RECOMMENDED TO BOB HUSKINSON

Claim no. A22-7082

Claimant Contact Log

Date	Remarks	Agent initials
11/17/04 8:32	356-5626 - Gem State Mortgage - msg left on machine	BAC
18 May 05	356-5626 - Gem State Mortgage - they don't loan on farms - whatever I got the Gem State Mortgage info is a bad reference - BAC	
18 May 05	Rexburg phone book: Randy Harrison 356-3498 356-9349	
18 May 05	356-3498 msg on machine 356-9349 - Decker - Randy's cell is 709-3499 try later tonight -	
	709-3499 Randy - answered claim, sold farm - 1 PM to 2 PM Thursday - 2297 E 1000 N home shop - straight S of sugar bs. across highway, muddy; past cemetery, shop sign - right or left - 2200 left 1/4 mile, right right into yard. or up middle, highway to 2000 & turn south.	BAC

Contacts Data Entry Form

Claim Number: A22-7082

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

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

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

Representing Attorney: _____ Phone No.: _____

Accompanied By: _____ Phone No.: _____

Relationship to Claimant: _____ Date of Field Exam: _____

Discussion of right origin and split history. Questions and problems.

Transfers T3175 & T3176 tied this WIR to 22-7047.
Claim & transfers represent 1987 condition. Land
under 22-7047 has since been sold & connecting
main line has been capped. Owner will RLE
another transfer to remove North POD
from 22-7082 & South POD from 22-7047.

Owner will send D ownership, Ralph Huskinson
is deceased.

BAC 20 May 05

Reviewer: _____ Date: _____

Priority Date Data Entry Form

Claim Number: A22-7082

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: _____ Recommended Basis: _____

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

Nov 11 1973 per copy of license. BAC 20 May 05

Reviewer: _____

Date: _____

Water Right No(s). A22-7082



GPS DATA:

Tag # A0013639 Location: motor panel

Diversion Data:

Source: GW Trib to: _____

MOTOR (Mark)

Make: GE Model: Painted over Hp: 450 (legible on tag)
SN: Painted over

PUMP

Make: Vertiline Model: 16 KHL3 Disch: 3000 GPM
SN: ~~3838790687~~ 038276

NOTES: Booster: Westinghouse 150 hp, 3838790687
Vertiline 16 KHL, SN D39347

Field Exam Date: 19 May 05 Agent: BAC

Point of Diversion and Source Data Entry Form

Claim Number: A12-7082Water Right Point(s) of diversion and Source.

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary to: _____

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary to: _____

Claimed Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____

Recommended Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____

Other rights from this POD? _____

Transfers Pending or approved: _____

Document how the POD and Source were verified:

GPS Waypoint 13, 2685108 E 1405379 N IDTM 83
60N 40 E 2H SW SW SW. BAC 20 May 05.

Reviewer: _____ Date: _____

Place Of Use Data Entry Form

Claim Number: A22-7082Claimed 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: _____

Document how the POU was verified:

Field inspection & layout confirm claims, which
 agrees w/ license. I rode around the farm w/
 claimant and saw rivers to water corners
 w/ handlines as sketched. BAC 20 May 05

Reviewer: _____ Date: _____

Season of Use and Quantity Data Entry Form

Claim Number:

A22-7082

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:

Licence copy shows 7.56 cfs, 1631 afa,
April 1 - Nov 1

Bac 20 May 05

Mc Grometer flow meter is installed at site,
SN 04-03531-12. Current reading
491154 acre ft x 0.001.

Reviewer: _____

Date: _____

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 22-7082 Priority Nov. 11, 1973 Amount 7.56 cfs

THIS IS TO CERTIFY, that K. W. HUSKINSON & SONS, INC.
of Sugar City, Idaho, has complied with the terms and conditions of Permit
No. 22-7082 issued pursuant to Application for Permit dated October 23, 1973
and has submitted proof to the Department of Water Resources on January 20, 1975 (late proof)
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 8.02 cfs of water from a ground water source
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>Nov. 1</u>	at <u>7.56</u> cfs and	<u>1,631 acre feet or</u>
	from _____ to _____	at _____ cfs and	<u>3.5 af per acre</u>
	from _____ to _____	at _____ cfs and	
(both dates inclusive)			

Subject, however, to the condition that no more than 7.56 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1,631 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 24,
Twp. 6 N, Rge. 40 E, B. M. in the County of Madison

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6 N	40 E	24									35	40	40	40					155
		25					40	40	40	36									156
		26													40	40	35	40	155

Total number of acres irrigated 466

A measuring device of a type approved by this Department shall be permanently
maintained as part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 13 day of
September, 19 76.

MICROFILMED

Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant RANDY HUSKINSON Phone 356-3498
Post Office address Route 1, Sugar City, ID 83448

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
- a. Decree No. Decreed to (Name)
in case of vs
dated in in county of (Name of court)
 - b. License No. 22-7082 issued by the Idaho Department of Water Resources
 - c. Claim No. on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired

3. Source of water groundwater tributary to
4. Date of priority 11-11-1973
5. Water is used for the following purposes:
amount 7.56cfs for Irrigation purposes from 4-1 to 11-1
amount for purposes from to
amount for purposes from to (month/day — both dates inclusive)

6. Total amount of water under right: a. 7.56 cubic feet per second &/or
b. acre feet per annum
7. Location of original point of diversion is SW ¼ of SW ¼ of Section 24
Township 6N Range 40E, B.M., in Madison County
Additional points of diversion, if any

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6N	40E	24									35	40	40	40					155
		25					40	40	40	36									156
		26													40	40	35	40	155

Total number of acres to be irrigated 466

9. Describe any other water rights used for the same purpose as described above None
10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No. If yes, describe in item D, REMARKS.

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

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

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

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

1. General Information

- a. Amount of water to be diverted 7.56 c.f.s. &/or _____ acre feet
- b. Description of diverting works Wells with pump to sprinkler systems.
- c. Describe the reasons for the proposed changes Applicant wishes to add a point of diversion to the system to insure a reliable water supply.

2. Change in point of diversion

Point of diversion SW ¼ SW ¼, Section 24 Township 6N
Range 40E, B.M., Madison County
Additional points SE¼NW¼, Sec. 24, T. 6N, R. 40E.

3. Change in place of use

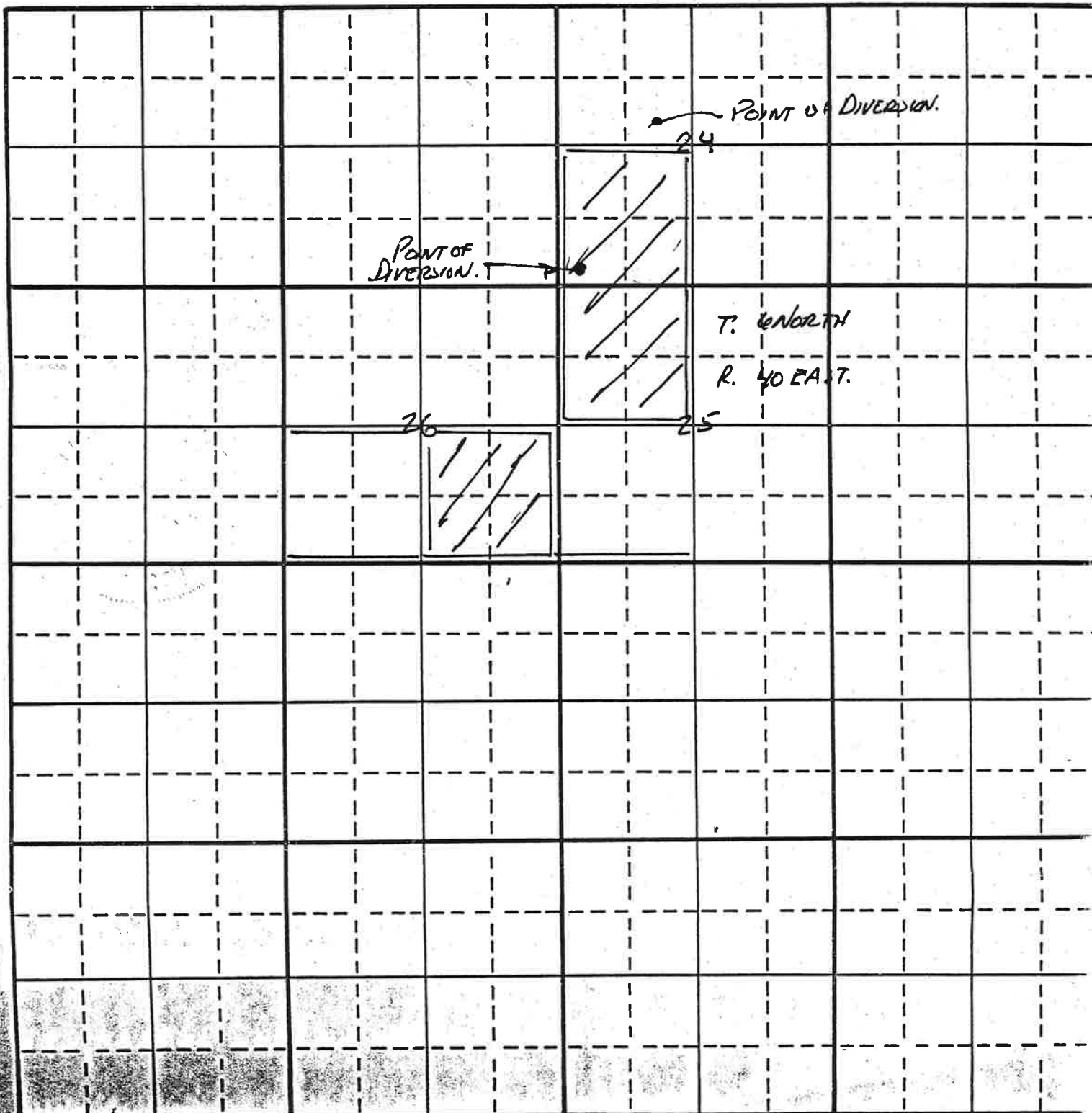
- a. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed change.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer

NO CHANGE

TWP.	RANGE	SEC.	NE				NW				SW				SE				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6N	40E	24									35	40	40	40					155
		25					40	40	40	36									156
		26													40	40	35	40	155

Total number of acres to be irrigated 466

4. Describe any other water rights used for the same purpose as described above. None
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



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

D. REMARKS

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willfull misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 19 day of June, 19 85

Randy Lushinski
(Signature of Applicant)

[Signature]
(Notary Public)

My commission expires [Signature]

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 22-7082
and said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this 27th day of August, 19 85

A. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by _____	Date _____	Protest filed by _____
Prelim. check by <u>En</u>	Fee <u>50.00 #33330</u>	_____
Receipted by <u>ct</u>	Date <u>6-17-85</u>	_____
Published in <u>Standard Journal</u>	Copies of protest forwarded by _____	
Pub. dates <u>7-4 & 7-11-85</u>	Hearing held by _____ Date _____	
Watermaster recommendation requested on _____	Recommended for <u>approval</u> denial	
_____ rec'd. _____	by <u>RDC Jim</u>	

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: A22-07082
Date Received: 8/18/1988
Receipt No: E602234
Received By: SM

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: R & B, INC.
Address: C/O RALPH HUSKINSON, PRES.
44 S. 200 E.
REXBURG, ID

208-356-5626

83440

2. Date of Priority: NOV 11, 1973

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	40E	24	NE	SE	NW		MADISON
			SW	SW	SW		MADISON

5. Description of diverting works:
TWO WELLS TO MAINLINE TO CENTER PIVOTS & HANDLINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	7.560		

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

8. Total consumptive use is 667.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	40E	24	NE	SW		IRR	35.0

A22-07082

Page 1

Date: 08/18/88

MICROFILMED

OCT 29 1992

A2207082



RECEIVED

AUG 24 1988

Department of Water Resources
Eastern District Office

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	40E	24	NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			Section Acres				155.0
		25	NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	36.0
			Section Acres				156.0
		26	NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	35.0
			SE	SE		IRR	40.0
			Section Acres				155.0
			Total Acres				466.0

11. Place of use in counties: MADISON

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

13. Other Water Rights Used:
22-07047, 22-11019

14. Remarks:
TRANS. 3175.

15. Basis of Claim: LICENSE

NOT FILMED
OCT 29 1992

16. Signature(s)

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

Number of attachments: One

For Organizations:

I do solemnly swear or affirm that I am Pres - Ralph Lusk of
R & B Farms, that I have signed the foregoing
Organization document in the space below as Pres - of
R & B Farms and that the statements contained in the
Organization foregoing document are true and correct.

Ralph Lusk
Signature of Authorized Agent
Pres -
Title and Organization
8-18-88
Date

State of Idaho)
County of Thomson) SS.

Subscribed and sworn (or affirmed) before me this 18th day
of August 19 88

Portia Jenkins
Notary Public

Seal

Residing at Ashton
My Commission Expires 9/4/91

UNCLASSIFIED
OCT 29 1982

35	40
40	40

36	40
40	40
40	40
35	40

POB

POB

T6N

A22-07082

770470
E-470