

01/30/2006

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

RIGHT NUMBER:	22-7092																																																			
NAME AND ADDRESS:	JOLENE SUTTON 1295 E 10000 S REXBURG ID 83440 GARTH SUTTON 1295 E 10000 S REXBURG ID 83440																																																			
SOURCE:	GROUND WATER	TRIBUTARY:																																																		
QUANTITY:	5.840 CFS 1,750.000 AFY Right Nos. 22-7092 and 22-13289 are limited to a total combined diversion rate of 5.84 cfs and to a total combined annual diversion volume of 2047.5 AF.																																																			
PRIORITY DATE:	06/03/1974																																																			
POINT OF DIVERSION:	T05N R41E S31 SESW Within MADISON County																																																			
PURPOSE AND PERIOD OF USE:	<table><tr><td><u>PURPOSE OF USE</u></td><td><u>PERIOD OF USE</u></td><td><u>QUANTITY</u></td></tr><tr><td>IRRIGATION</td><td>5/01 10/31</td><td>5.840 CFS 1,750.00 AFY</td></tr></table> The use of water for irrigation under this right may begin as early as April 1, provided other elements of the right are not exceeded. The use of water before May 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.			<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>	IRRIGATION	5/01 10/31	5.840 CFS 1,750.00 AFY																																											
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PLACE OF USE:	<u>IRRIGATION Within MADISON County</u> <table><tr><td>T04N R41E S05 Lot 1 NENE</td><td>11.00</td><td>T04N R41E S05</td><td>SENE</td><td>22.00</td></tr><tr><td>T04N R41E S06 Lot 2 NWNE</td><td>39.00</td><td>T04N R41E S06</td><td>SWNE</td><td>35.00</td></tr><tr><td>T04N R41E S06 Lot 3 NENW</td><td>39.00</td><td>T04N R41E S06 Lot 4 NWNW</td><td></td><td>39.00</td></tr><tr><td>T04N R41E S06 Lot 5 SWNW</td><td>30.00</td><td>T04N R41E S06</td><td>SENW</td><td>40.00</td></tr><tr><td>T05N R41E S31 Lot 4 SWSW</td><td>39.00</td><td>T05N R41E S31</td><td>SESW</td><td>39.00</td></tr><tr><td>T05N R41E S31</td><td>NESE</td><td>39.00</td><td>T05N R41E S31</td><td>NWSE</td><td>39.00</td></tr><tr><td>T05N R41E S31</td><td>SWSE</td><td>39.00</td><td>T05N R41E S31</td><td>SESE</td><td>39.00</td></tr><tr><td>T05N R41E S32</td><td>NESW</td><td>40.00</td><td>T05N R41E S32</td><td>NWSW</td><td>22.00</td></tr><tr><td>T05N R41E S32</td><td>SWSW</td><td>22.00</td><td>T05N R41E S32</td><td>SESE</td><td>12.00</td></tr></table> 585 ACRES TOTAL This right is limited to the irrigation of 500 acres within the place of use described above in a single irrigation season. Right Nos. 22-7092 and 22-13289 are limited to the irrigation of a combined total of 585 acres in a single irrigation season.			T04N R41E S05 Lot 1 NENE	11.00	T04N R41E S05	SENE	22.00	T04N R41E S06 Lot 2 NWNE	39.00	T04N R41E S06	SWNE	35.00	T04N R41E S06 Lot 3 NENW	39.00	T04N R41E S06 Lot 4 NWNW		39.00	T04N R41E S06 Lot 5 SWNW	30.00	T04N R41E S06	SENW	40.00	T05N R41E S31 Lot 4 SWSW	39.00	T05N R41E S31	SESW	39.00	T05N R41E S31	NESE	39.00	T05N R41E S31	NWSE	39.00	T05N R41E S31	SWSE	39.00	T05N R41E S31	SESE	39.00	T05N R41E S32	NESW	40.00	T05N R41E S32	NWSW	22.00	T05N R41E S32	SWSW	22.00	T05N R41E S32	SESE	12.00
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OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:																																																				

01/30/2006

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

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

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

Right No. 22-13289 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

IDAHO DEPARTMENT OF WATER RESOURCES

22-7092, 22-13289

T4N, R41E



PLACE OF USE/POINT OF DIVERSION
NAPP PHOTO 1987
DAVE CARLSON

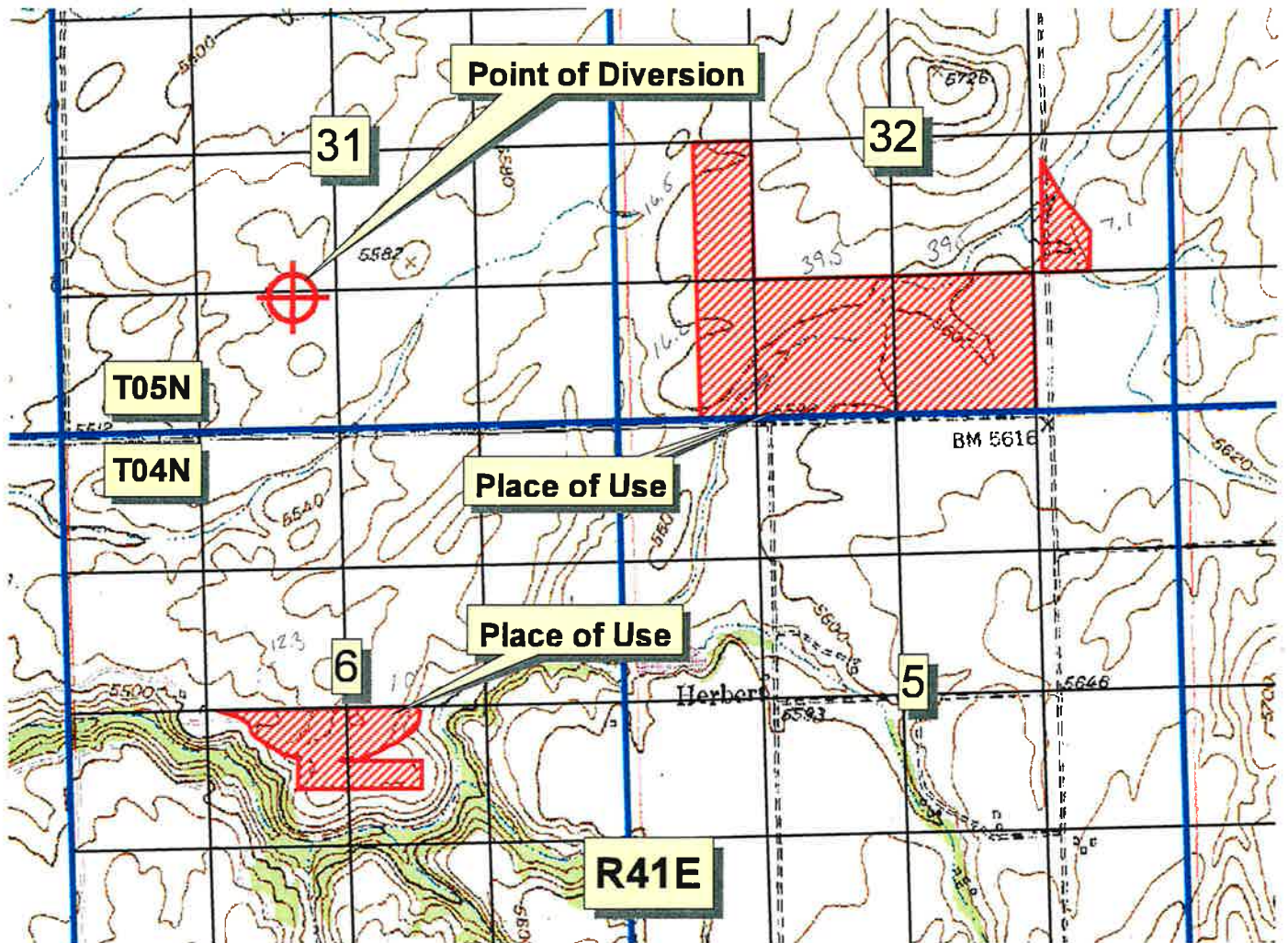
IDAHO DEPARTMENT OF WATER RESOURCES

22-7092, 22-13289

T4N, R41E



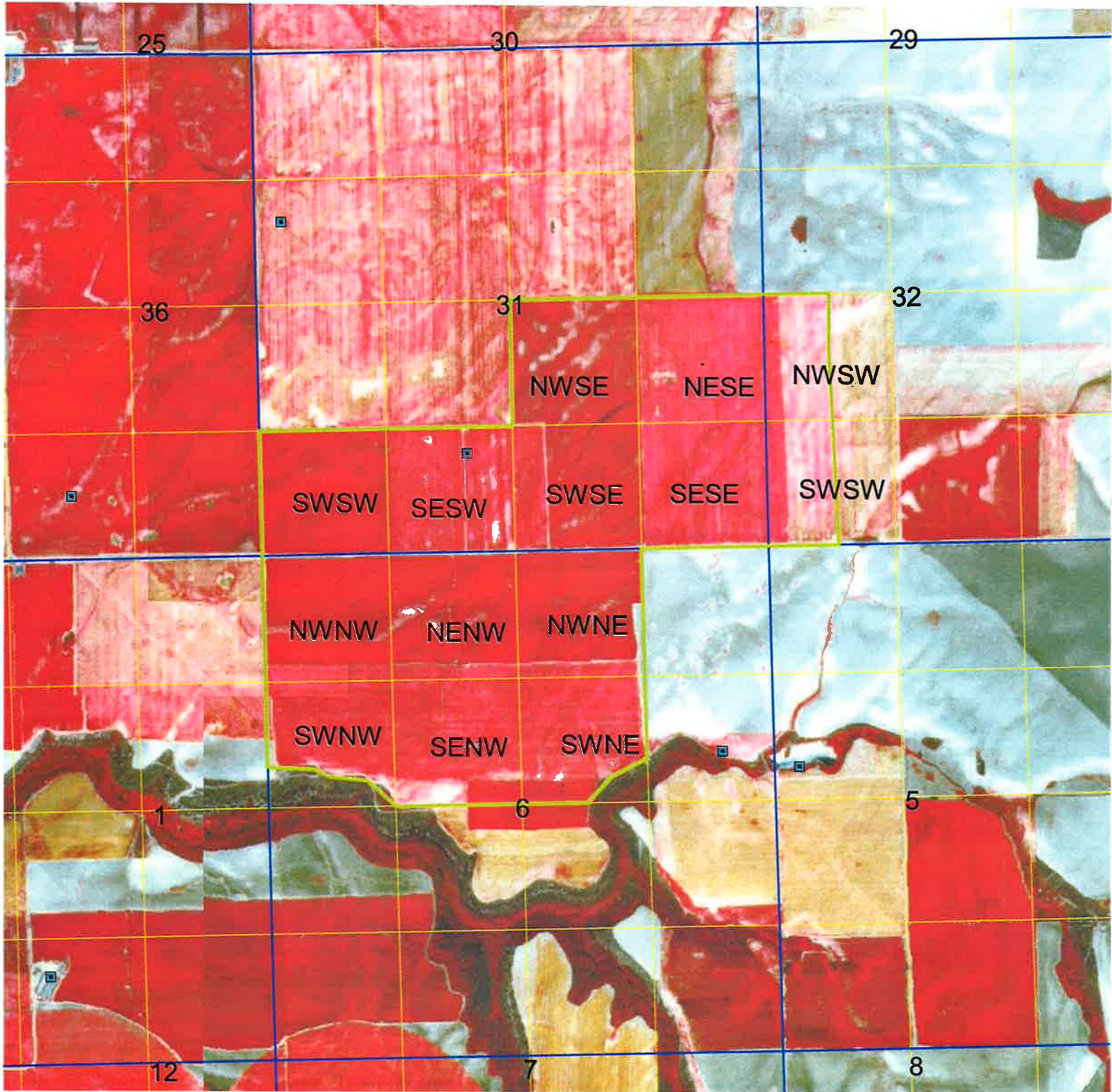
PLACE OF USE/POINT OF DIVERSION
NAPP PHOTO 1987
DAVE CARLSON



-  Sections
-  GCDB05N41E GCDB
-  GCDB04N41E GCDB
-  Suttoneast.shp

22-7472

22-7092
4N 41E
5N 41E



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07092

Priority: June 3, 1974

Maximum Diversion Rate: 5.84 CFS
Maximum Diversion Volume:¹ 1750.0 AF

This is to certify, that WESLEY GROVER
1980 N. 2500 E.
HAMER, ID 83425

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated April 19, 1974; and
has submitted Proof of Beneficial Use on May 4, 1979. An examination indicates
that the works have a diversion capacity of 5.840 cfs of water from a **GROUNDEWATER**
source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	05/01 to 10/31	5.84 CFS	1750.0 AF

LOCATION OF POINT(S) OF DIVERSION: SESW , Sec. 31, Township 05N, Range 41E
MADISON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04N	41E	6	NWNE 39	SWNE 35	NEWN 39	
			NWNW 39	SWNW 30	SENW 40	222
05N	41E	31	SWSW 39	SESW 39	NESE 39	
			NWSE 39	SWSE 39	SESE 39	234
		32	NWSW 22	SWSW 22		44

Total number of acres irrigated: 500

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

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FEB 12 1990

PAGE 2

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 22-07092

CONDITIONS/REMARKS:

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 15TH
day of JANUARY, 1990.

Acting for R. Keith Higginson, Director

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FEB 12 1990

DEPARTMENT OF WATER ADMINISTRATION FIELD REPORT

App. 8/24/79
8:30 A.M.
at well.

- Name of permit holder Thomas Seader 662-5243
Post office address Ramer, Id. 83425 662-5244 Phone _____
Person to contact Garth Sutton Phone _____
- Rexburg -
2. Source of water supply: Groundwater ☒ Surface water ☐ _____
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 9.60 c.f.s. for irrigation
AF/Annum (nature of use)

Period of Use: from 5/01 to 10/31
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: 6

4. Total amount to be appropriated:

Max Rate of Diversion 9.60 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 5N N/S, Range 41E E/W, B.M., Section 31, Subdivision SE 1/4, SW 1/4, Madison -
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____ County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____ County

Other Points of Diversions: _____

Description of diverting works: well - pump, sprinklers

Measuring device required: yes ☐ no ☐

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	40E	1						40	40										80
		2	10			10													20
4N	41	6					40	40	40	40									160
5N	41	31									40	40	40	40	40	40	40	40	
		32																	
		32									25	24							

TOTAL ACREAGE

FEB 12 1980

300

Permit No. 22-7092 Amended
Examination for 6/4

R 41E - -

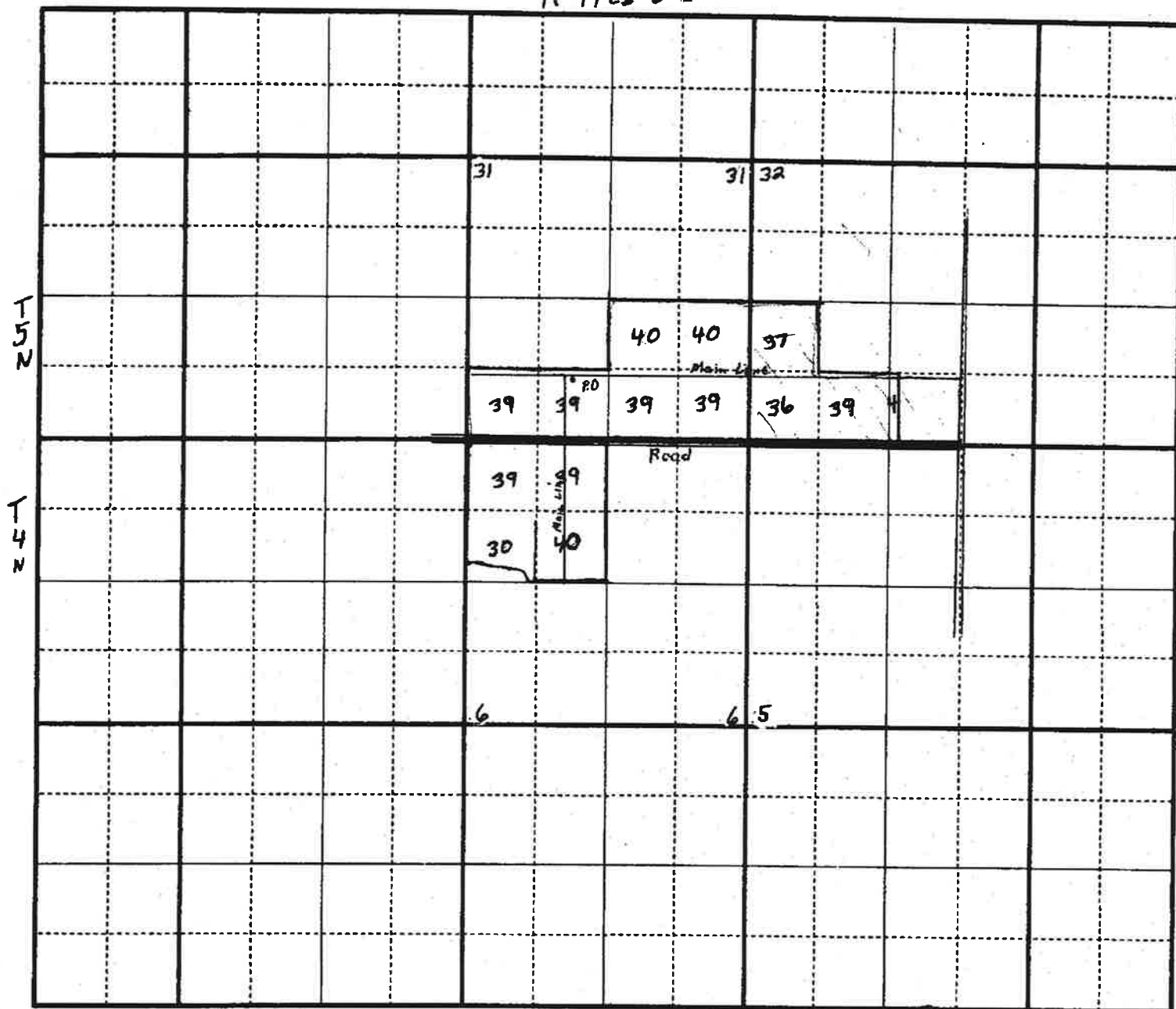
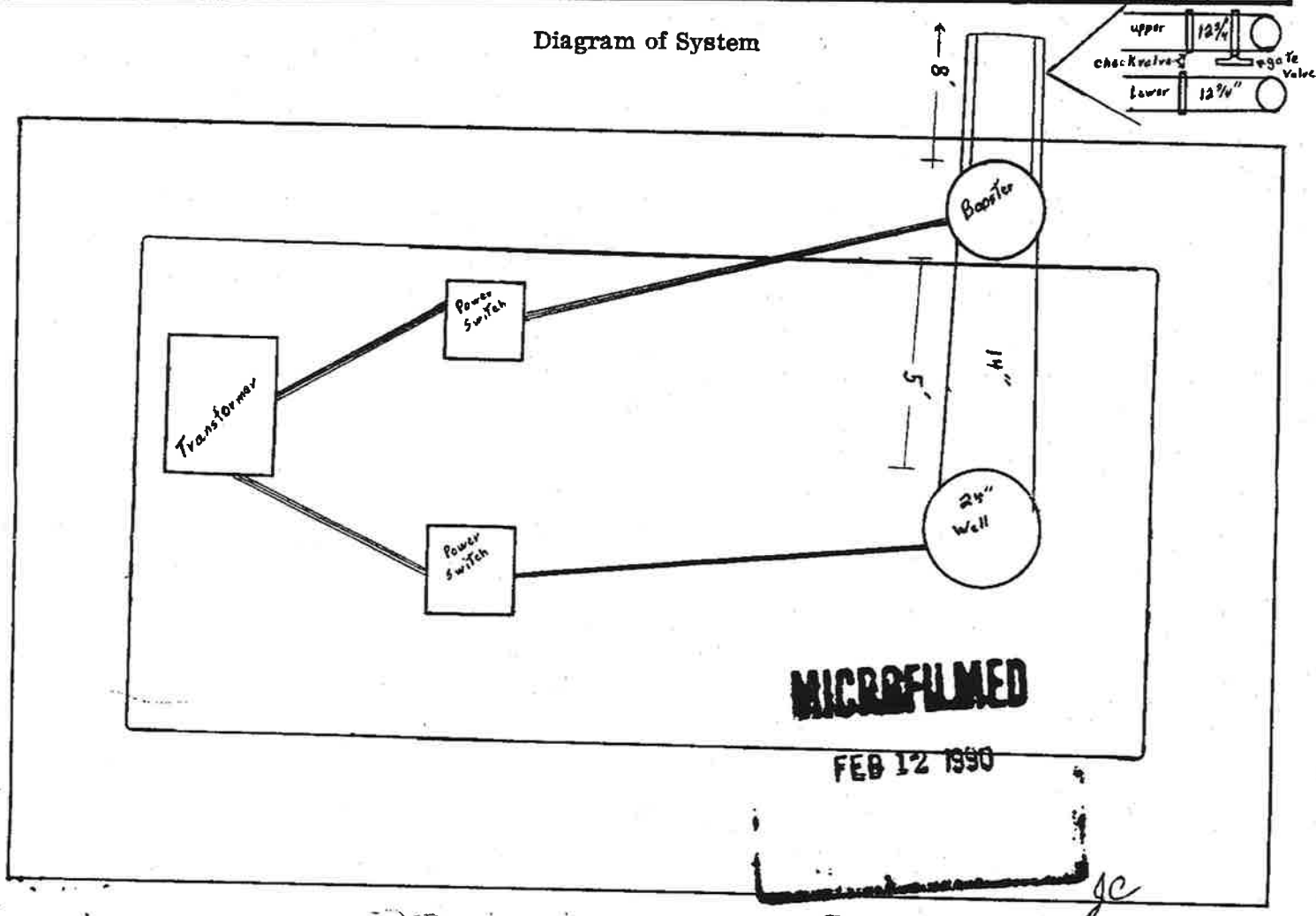
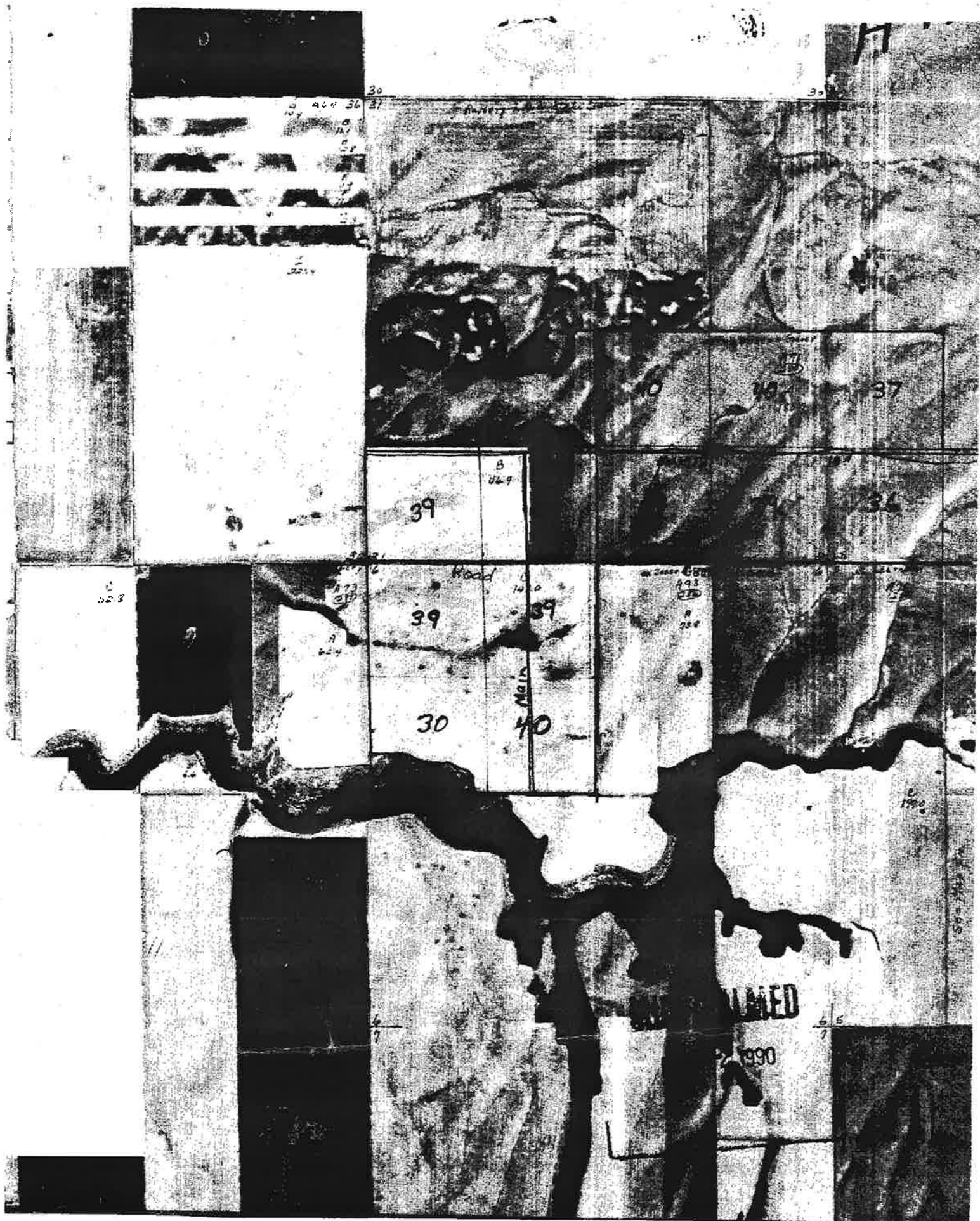


Diagram of System



22-7092



DATE OF EXAM 8/27/79

ACREAGE
Found _____
Recommended 500 Ac.

Irrigation Requirement 3.5 Ac Ft/Ac

USE

Irrigation Q = 5.84 c.f.s. V = 1750 AF/Ann. from April 1 to Nov. 1
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

Name source: N/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no X

Name source exchanged with: N/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection: N/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange: N/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 5.84 cfs. Method of measurement Annubar

Total Q recommended 5.84 cfs Meter No. 091429 Type 12" Annubar Condition Good

Total V recommended 1750 AF/Ann.

Recommended Amendments:

P.D. Does not irrigate with this system any land in sec. 1 + 2 T4N R40E
Place of Use Annual place of use for sec 32 T5N R41E 37 AC NW SW, 26 AC SW SW, 39 AC SW SW, 4 AC SW SE
Other _____
None _____

MEASUREMENT CALCULATION:

$$\left(\frac{\text{inside dia. of pipe}}{12} \right)^2 \cdot C \cdot \sqrt{\text{inches of water}} = \text{G.P.M.}$$
$$(12.5)^2 (3.85) \sqrt{19} = (156.25)(3.85) \sqrt{19} = 2622.15 \text{ gpm}$$
$$\text{Volume} = 500 \text{ Ac} \times 3.5 \text{ AF/ac/yr.} = 1750.0 \text{ AF}$$
$$5.84 \text{ cfs} \times 1.9835 \text{ AF/cfs/ly} \times 183 = 2119.8$$

SYSTEM DESCRIPTION:

Groundwater is diverted from a 1140' deep well approx 700' to water, with 24" casing, by a 600 hp. General Electric Tri Clad induction pump motor Ser# DLW416023 and a speed break pump Ser# 230822 rated 3000 gpm. Via a 14" pipe to a 200 hp. General Electric Tri Clad Induction Booster Ser# HKJ821188 with a Byron Jackson pump, Ser# 7415075 rated 3000 gpm. 2 1/4 miles of mainline with 15-1/4 mile wheel line and 1 1/4-1/4 mile land line.

REMARKS:

System shown and demonstrated by Wesley Brown and was run
No collecting g.w. rights
FEB 12 1990

Examiner's Signature John Dale Carlson Date 10/17/79

Checked by Anthony R. Kozlowski Date 2-29-80

Approved by [Signature] Date 6/29/82

Jim
7-1-82

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
04n41e	6	NENW	39	39	
04n41e	6	NWNW	39	39	
04n41e	6	SWNW	30	29	
04n41e	6	SENW	40	40	
05n41e	31	SWSW	39	38	
05n41e	31	SESW	39	39	
05n41e	31	NESE	39	39	
05n41e	31	NWSE	39	39	
05n41e	31	SWSE	39	39	
05n41e	31	SESE	39	39	
Totals:			382	380	

COMBINED "A" & "B"

Increased Acres to full

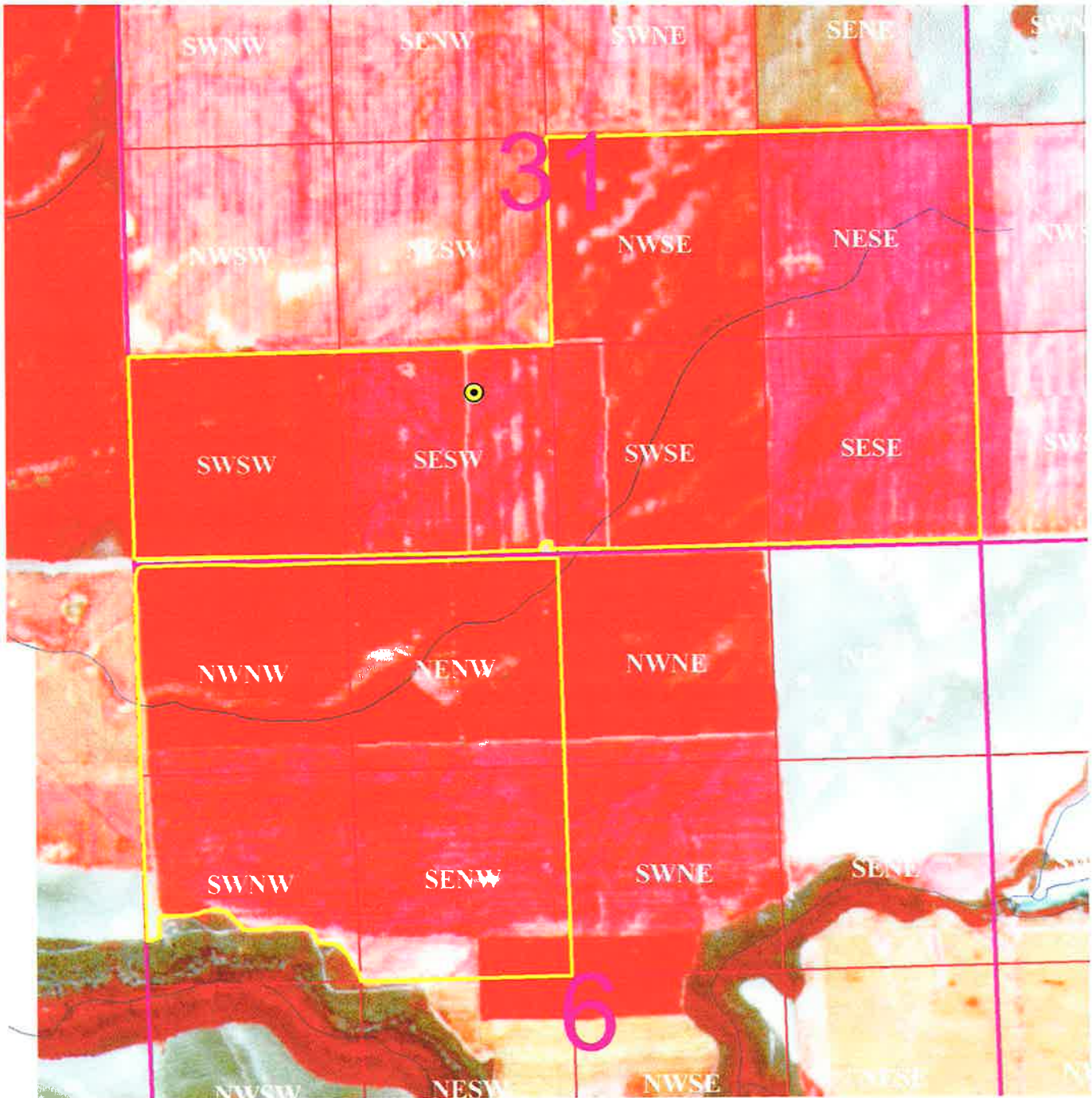
License 500 AC

ENLARGEMENT CLAIM FOR 85 AC
MOVE 22-13289

22-7472 for 140 ACES MOVE

Water Right Claim Number 22-07092A
Townships , 5N41E, 5N40E, 4N41E, 4N40E

07/05/2001



Irrigated Area

Place of Diversion

Section Line

Quarter Section Line

Roads

Streams and Canals

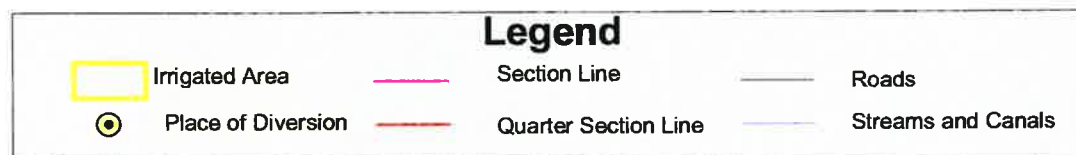
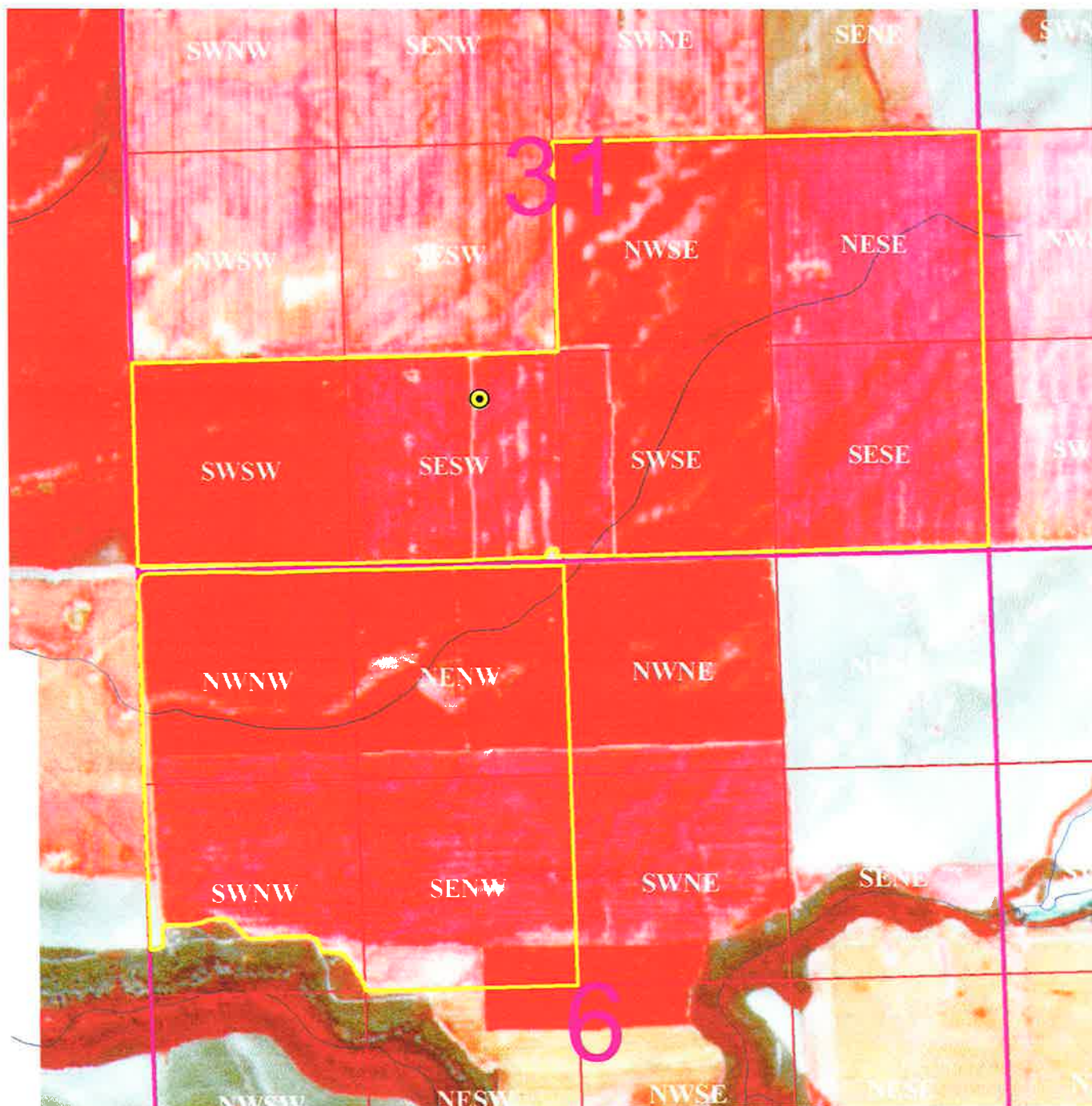
Legend



SPATIAL
DYNAMICS

Water Right Claim Number 22-07092A
Townships , 5N41E, 5N40E, 4N41E, 4N40E

07/05/2001



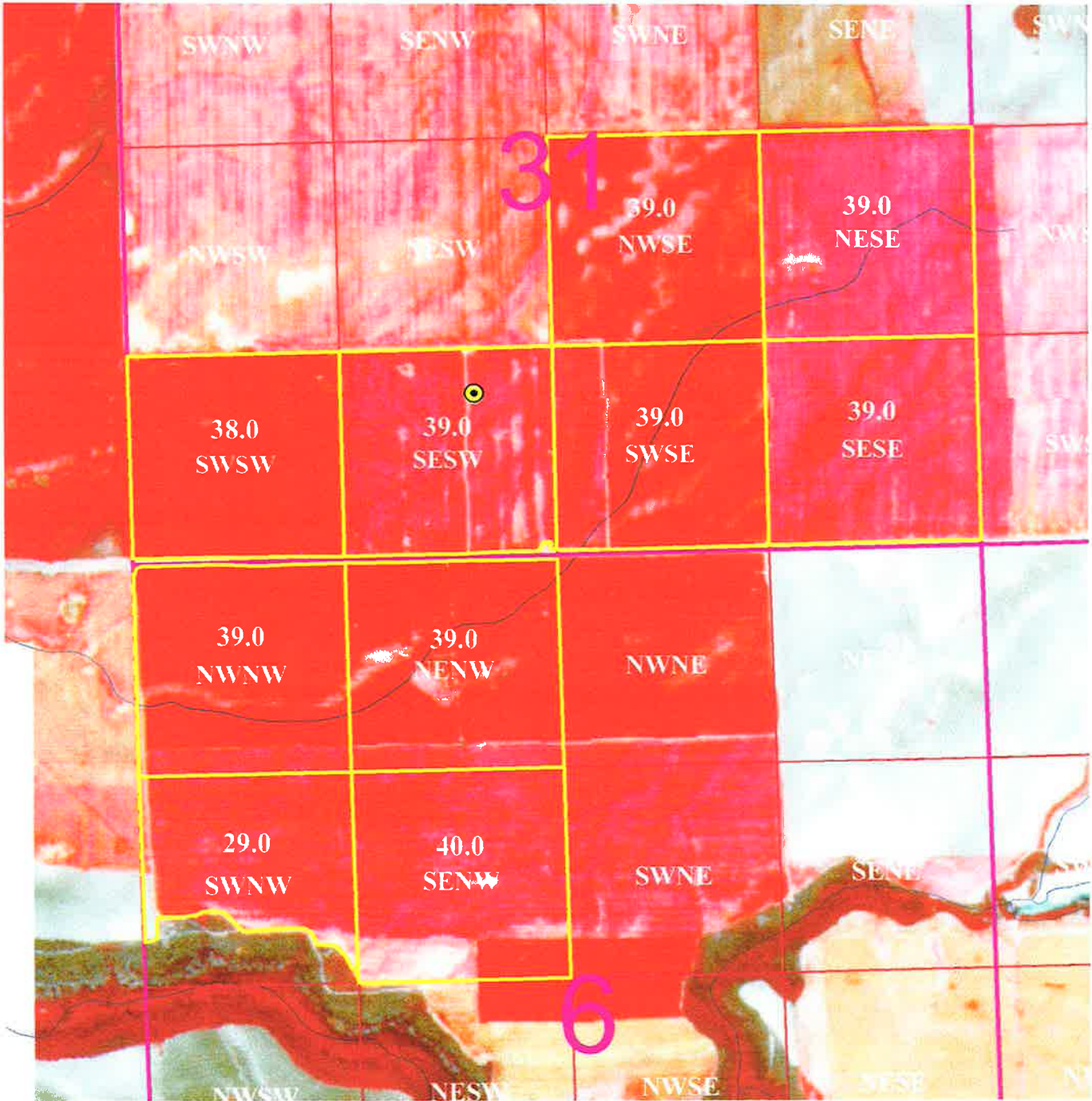
700 0 700 1400 Feet



SPATIAL
DYNAMICS

Water Right Claim Number 22-07092A
Townships , 5N41E, 5N40E, 4N41E, 4N40E

07/05/2001



Legend

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



SPATIAL
DYNAMICS



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

JULY 25, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

GARTH SUTTON
1295 E 10000 S
REXBURG ID 83440

RE: CHANGE IN OWNERSHIP FOR A22-07092A

Dear Mr. Sutton:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed is a typed Notice with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your records.

Garth, I have also enclosed a proof report for water right number A22-10897. You may want to review whether this right should be changed too. **Call if you need another Change in Ownership form.**

Respectfully submitted,


Jo Thompson
Adjudication Secretary

Enclosure: Notice of Claim

cc: Clinton Miller/copy of letter

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NOV 06 1996

~ Celebrating Our Centennial Year of Service to Idaho 1895-1995 ~



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

RECEIVED

JUL 24 1995

Department of Water Resources
Eastern District OfficeDATE OF CLOSING: 2-26-95

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

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

☐ Water Right Number(s)
Assigned by IDWR:

A22-07092A ^{OK} ~~XX~~ - No. 2-

☒ Name and Address of Former
Owner/Claimant(s)(Seller):

Wesley Grover
Hamer, Idaho

☒ New Owner/Claimant
(Purchaser):

Garth & Jolee Sutton

☐ New Mailing Address:

1295 E. 10,000 S.
Rexburg Idaho 83448

☒ New Telephone Number:

(208) 356-6630

☐ 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:

☒ Grant Deed

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

☒ Signature of New
Owner/Claimant(s)

Garth Sutton

Date 7-19-95

Date _____

☐ Signature of Former
Owner/Claimant(s):

Date _____

Date _____

(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:

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NOV 6 1995

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

RECEIVED COPY

GRANT DEED

JUL 24 1995

Department of Water Resources
Eastern District Office

THIS INDENTURE is made this 26th day of February, 1995, between Anne Marie Dannenberg, not individually, but as personal representative of the Estate of Wesley M. Grover, and Anne Marie Dannenberg, Mary Colleen Kelsey, and Jana L. Grover, the Grantor, and Garth Sutton and Jolene Sutton, whose mailing address is 1295 East 10000 South, Rexburg, Idaho, 83440, the "Grantee".

WITNESSETH, that the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, and by these presents does grant and confirm unto the Grantee, and to Grantee's heirs and assigns forever, all of the following described property in the County of Madison, State of Idaho, to-wit:

Tract 1:

The West Half of the Northwest Quarter ($W\frac{1}{2}NW\frac{1}{4}$) of Section 1, Township 4 North, Range 40 East Boise Meridian, Madison County, Idaho.

Tract 2:

The East 30 rods of the East Half of the Northeast Quarter ($E\frac{1}{2}NE\frac{1}{4}$) of Section 2, Township 4 North, Range 40 East Boise Meridian, Madison County, Idaho. NE NE 15 AC
SE NE 15 AC

Tract 3:

The Northwest Quarter ($NW\frac{1}{4}$) of Section 6, Township 4 North, Range 41, East of the Boise Meridian, Madison County, Idaho. 160

Tract 4:

The Southwest Quarter of the Southwest Quarter ($SW\frac{1}{4}SW\frac{1}{4}$); the Southeast Quarter of the Southwest Quarter ($SE\frac{1}{4}SW\frac{1}{4}$); and the Southeast Quarter ($SE\frac{1}{4}$) of Section 31, Township 5 North, Range 41 East Boise Meridian, Madison County, Idaho. 40
40
160

EXCEPTING THEREFROM the following described property:

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NOV 6 1995

400

Commencing at the Northwest Corner of the Southeast Quarter of Section 31, Township 5 North, Range 41, E.B.M. Madison County, Idaho, and running thence East 361 feet; thence South 361 feet; thence West 361 feet; thence North 361 feet to the point of beginning.

*Sold to
Garth Sutton
earlier - 1990*

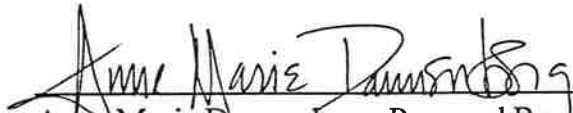
SUBJECT to all existing easements or claims of easements, patent reservations, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, encroachments, overlaps, boundary line disputes and other matters which would be disclosed by an accurate survey or inspection of the premises.

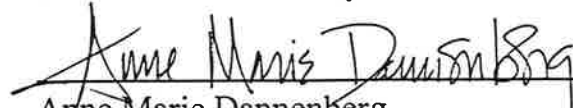
TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, and rents, issues and profits therefrom; and all estate, right, title and interest in and to said property, as well in law as in equity, of the Grantor.

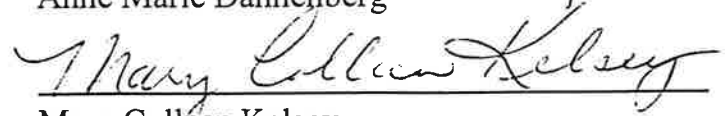
TO HAVE AND TO HOLD, the premises and the appurtenances unto the Grantee, and to Grantee's heirs and assigns forever.

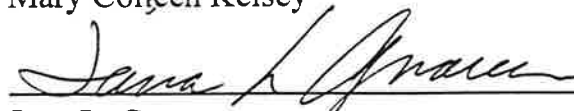
In construing this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.


Anne Marie Dannenberg, Personal Representative
of the Estate of Wesley M. Grover


Anne Marie Dannenberg


Mary Colleen Kelsey


Jana L. Grover

MICROFILMED
NOV 06 1996

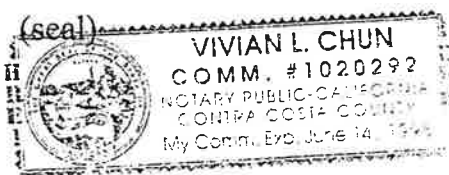
STATE OF CALIFORNIA)

County of Contra Costa)ss.

On the 15th day of February, 1995, before me, the undersigned, a notary public in and for said State, personally appeared Anne Marie Dannenberg, known or identified to me to be the person whose name is subscribed to the within instrument as Personal Representative of the Estate of Wesley M. Grover and acknowledged to me that she executed the same as such Personal Representative.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

[Signature]



Notary Public for California
Residing at: 163 Hillside Blvd; Kensington CA 94708
My Commission Expires: June 14, 1998

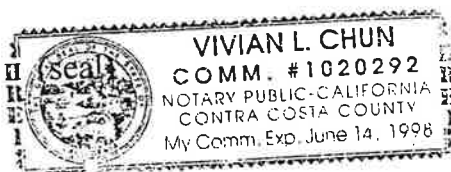
STATE OF CALIFORNIA)

County of California)ss.

On the 15th day of February, 1995, before me, the undersigned, a notary public, in and for said State, personally appeared Anne Marie Dannenberg, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she 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.

[Signature]



Notary Public for California
Residing at: 163 Hillside Blvd; Kensington CA 94708
My Commission Expires: June 14, 1998

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STATE OF IDAHO)
)ss.
County of Boaterai)

On the 23rd day of February, 1995, before me, the undersigned, a notary public, in and for said State, personally appeared Mary Colleen Kelsey, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she 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.

(seal)

Susan M. Smith
Notary Public for Idaho
Residing at: Rathdrum, Idaho
My Commission Expires: 10/16/98

STATE OF CALIFORNIA)
)ss.
County of San Mateo)

On the 21st day of February, 1995, before me, the undersigned, a notary public, in and for said State, personally appeared Jana L. Grover, ~~known or~~ identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she 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.

(seal)

Mary E. Cygan
Notary Public for California
Residing at: #1 Hillcrest Blvd. Millbrae, Ca. 94030
My Commission Expires: 12-20-96

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4 - GRANT DEED

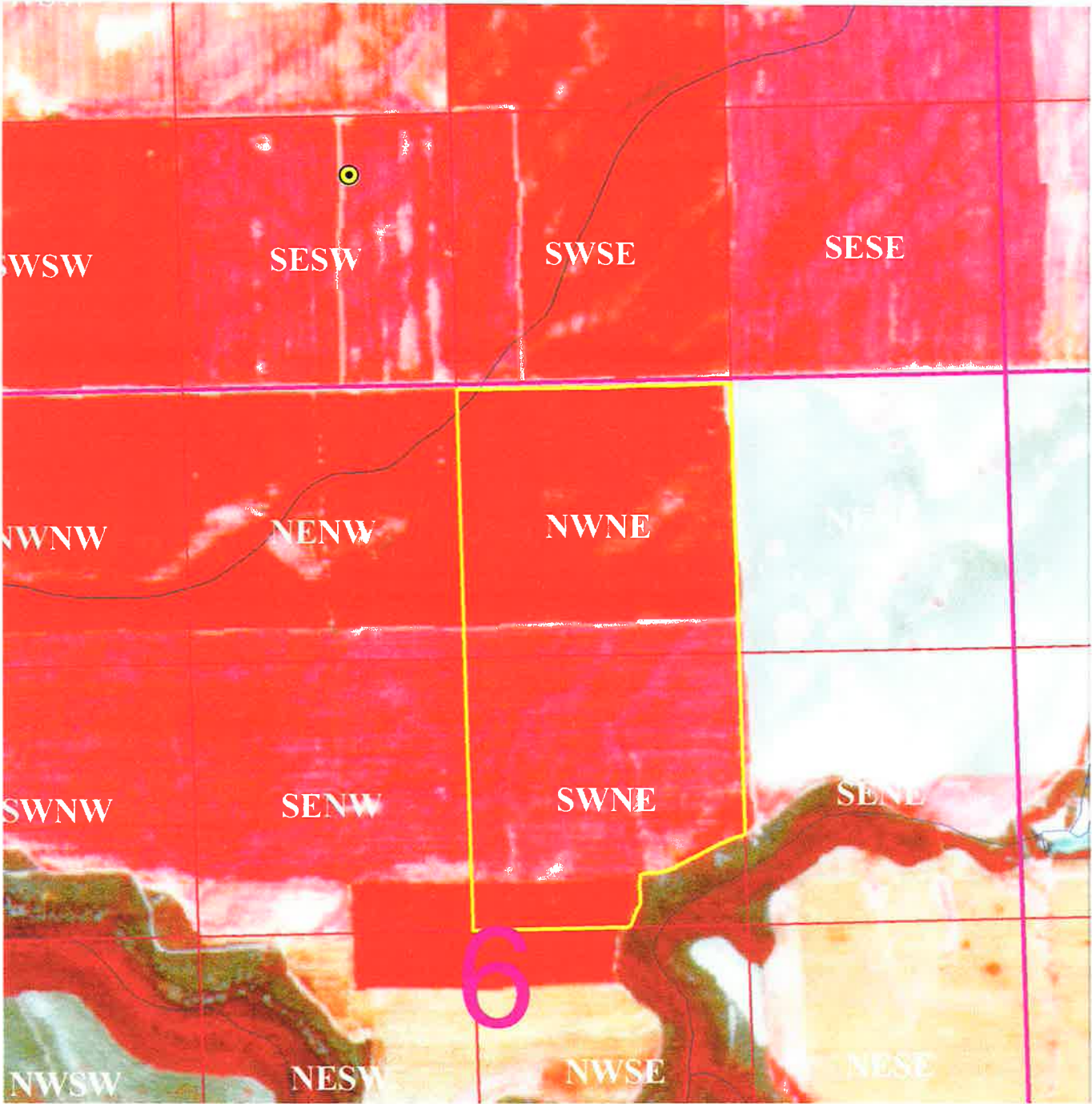


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TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
04n41e	6	NWNE	39	39	
04n41e	6	SWNE	35	36	
Totals:			74	75	

382
74

456
44



Irrigated Area

Place of Diversion

Section Line

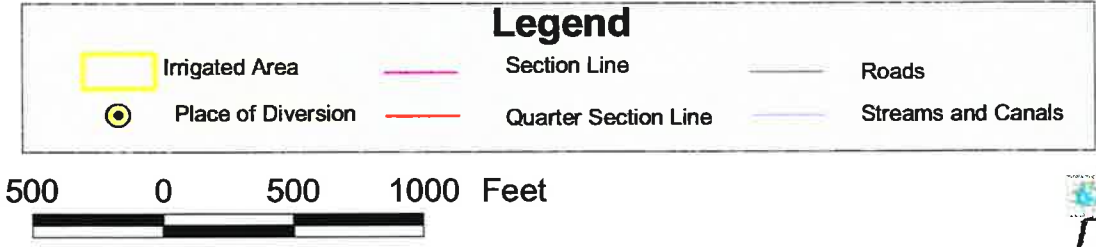
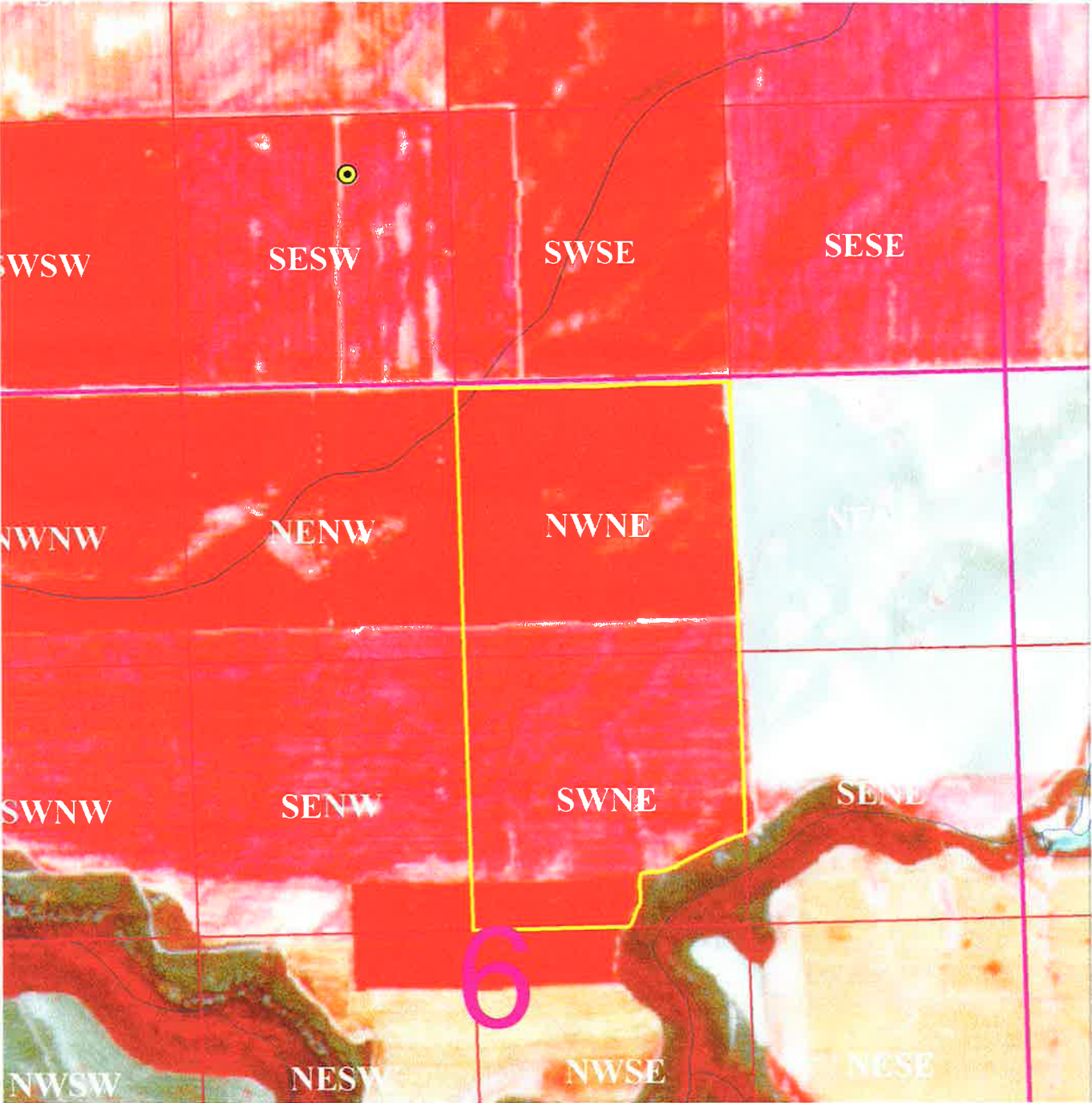
Quarter Section Line

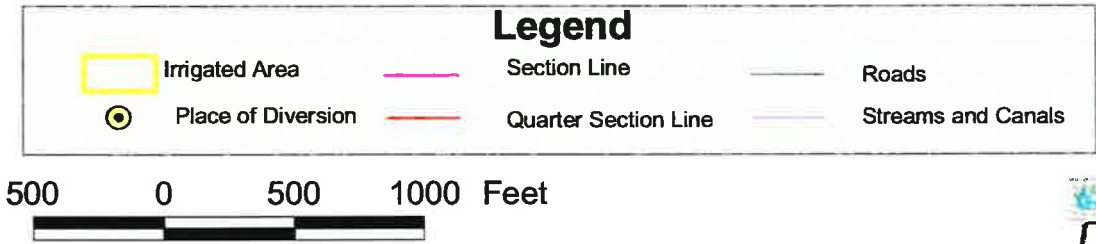
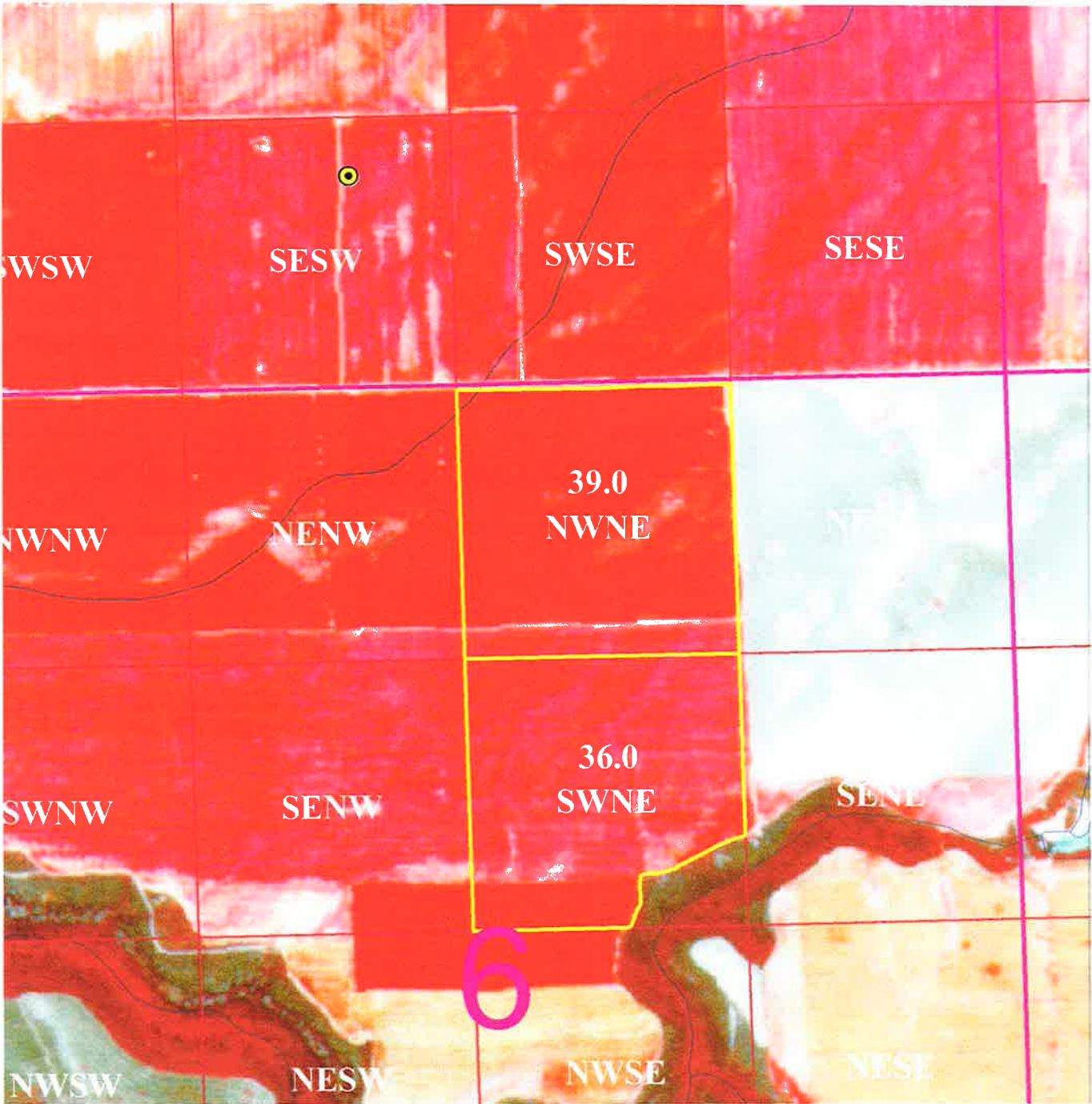
Roads

Streams and Canals

N







44

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 22-7092
Date Received: 4/13/2004
Receipt No:
Received By: *DC* **EG29711**

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

1. Name of Claimant(s)

JOLENE SUTTON Phone: (208)356-6630

1295 E 10000 S
REXBURG ID USA 83440

GARTH SUTTON Phone: (208)356-6630

1295 E 10000 S
REXBURG ID USA 83440

2. Date of Priority: 06/03/1974

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	41E	31	SE SW	MADISON	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	5/01	10/31	5.84	1750

7. Total Quantity Appropriated is:
5.84 C.F.S. and/or 1750 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
----------	-------	---------	----------------	-----	-------

04N	41E	6	SE	NW	IRRIGATION	40
			SW	NE	IRRIGATION	35
			NW	NE	IRRIGATION	39
			NE	NW	IRRIGATION	39
			NW	NW	IRRIGATION	39
			SW	NW	IRRIGATION	30
					Section Acres	222
05N	41E	31	SW	SW	IRRIGATION	39
			SE	SW	IRRIGATION	39
			NE	SE	IRRIGATION	39
			NW	SE	IRRIGATION	39
			SW	SE	IRRIGATION	39
			SE	SE	IRRIGATION	39
					Section Acres	234
05N	41E	32	NW	SW	IRRIGATION	22
			SW	SW	IRRIGATION	22
					Section Acres	44
					Total Acres	500

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:

14. Remarks:

15. Basis of Claim: License

16. Signature(s)

Garth Sutton

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): South Litten Date: 4-12-04

_____ Date:

State of Idaho)
County of Bonneville) SS.

13 of April 2004 Subscribed and sworn (or affirmed) before me this

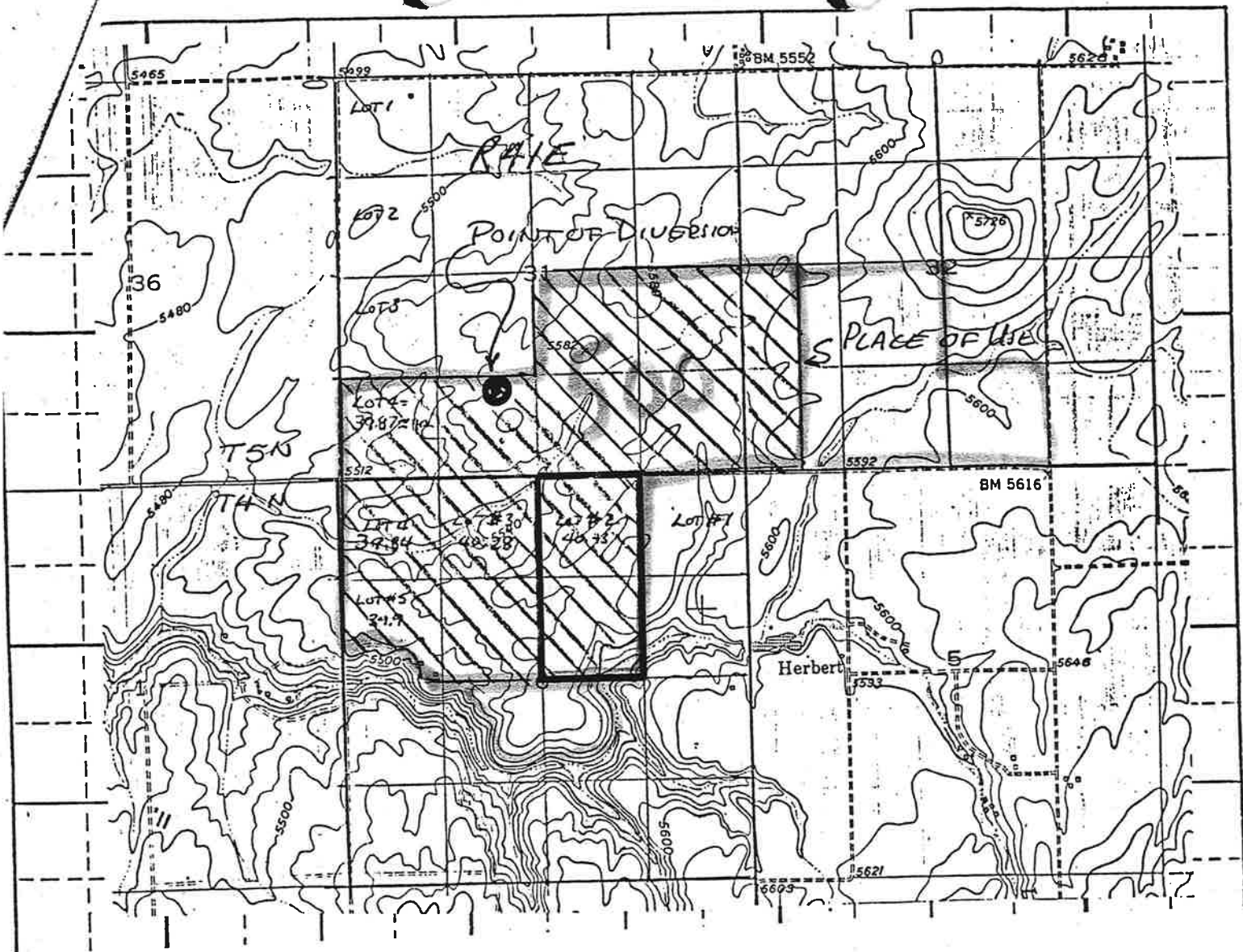
Dave Carlson

Notary Public

Residing at Rugby, Id

My commission Expires 2/26/2008





MICROFILMED

OCT 29 1992