

02/09/2006

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

RIGHT NUMBER: 22-7256

NAME AND ADDRESS: K L B INC
DBA BROWN CO
PO BOX 579
REXBURG ID 83440

SOURCE: GROUND WATER

TRIBUTARY:

Point of injection into Teton River. Point of redirection from Teton River.

QUANTITY: 13.400 CFS
3,292.100 AFY

The rights listed below are limited to a total combined diversion rate of 13.40 cfs and to a total combined annual diversion volume of 8715.1 AF.
Combined Right Nos.: 22-7196, 22-7256, 22-13329.

5714.5 AF.

PRIORITY DATE: 08/31/1977

POINT OF DIVERSION:

T06N R40E S16 NESWSE Injection Within MADISON County

T06N R40E S16 NESWSE Within MADISON County

T07N R44E S29 SENWNE Rediversion Within TETON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USEPERIOD OF USEQUANTITY

IRRIGATION

04/01 11/01

13.400 CFS
3,292.10 AFY

PLACE OF USE:

IRRIGATION Within TETON County

T07N R43E S10	SESE	11.00	T07N R43E S11	NWSW	2.50
T07N R43E S11	SWSW	38.00	T07N R43E S11	SESW	10.00
T07N R43E S13	NWNW	1.60	T07N R43E S13	SWNW	14.00
T07N R43E S13	SWNW	18.00	T07N R43E S13	NESW	4.80
T07N R43E S13	NWSW	40.00	T07N R43E S13	SWSW	35.00
T07N R43E S13	SESW	5.70	T07N R43E S14	SWNE	12.00
T07N R43E S14	SWNE	11.00	T07N R43E S14	SENE	21.00
T07N R43E S14	SENE	12.00	T07N R43E S14	NENW	6.70
T07N R43E S14	NWNW	40.00	T07N R43E S14	SWNW	36.00
T07N R43E S14	SENW	9.60	T07N R43E S14	SENW	20.00
T07N R43E S14	NESW	39.00	T07N R43E S14	NWSW	36.00
T07N R43E S14	SWSW	40.00	T07N R43E S14	SESW	40.00
T07N R43E S14	NESE	40.00	T07N R43E S14	NWSE	37.00
T07N R43E S14	SWSE	40.00	T07N R43E S14	SESE	39.00
T07N R43E S15	NENE	14.00	T07N R43E S15	SENE	13.00
T07N R43E S15	NESE	13.00	T07N R43E S15	SESE	13.00
T07N R43E S22	NENE	13.00	T07N R43E S22	SENE	13.00
T07N R43E S22	NESE	13.00	T07N R43E S22	SESE	13.00
T07N R43E S23	NENE	40.00	T07N R43E S23	NWNE	39.00
T07N R43E S23	SWNE	33.00	T07N R43E S23	SENE	30.00

SCANNED
JUN 29 2006

PROFILED

02/09/2006

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

T07N R43E S23	NENW	40.00	T07N R43E S23	NWNW	40.00
T07N R43E S23	SWNW	40.00	T07N R43E S23	SENW	40.00
T07N R43E S23	NESW	40.00	T07N R43E S23	NWSW	40.00
T07N R43E S23	SWSW	40.00	T07N R43E S23	SESW	40.00
T07N R43E S23	NESE	40.00	T07N R43E S23	NWSE	40.00
T07N R43E S23	SWSE	40.00	T07N R43E S23	SESE	40.00
T07N R43E S24	SWNE	8.70	T07N R43E S24	SENE	24.00
T07N R43E S24	NENW	21.00	T07N R43E S24	NWNW	38.00
T07N R43E S24	SWNW	39.00	T07N R43E S24	SENW	37.00
T07N R43E S24	NESW	40.00	T07N R43E S24	NWSW	32.00
T07N R43E S24	SWSW	35.00	T07N R43E S24	SESW	40.00
T07N R43E S24	NESE	28.00	T07N R43E S24	NWSE	35.00
T07N R43E S24	SWSE	40.00	T07N R43E S24	SESE	27.00
T07N R43E S25	NENE	30.00	T07N R43E S25	NWNE	40.00
T07N R43E S25	SWNE	40.00	T07N R43E S25	SENE	29.00
T07N R43E S25	NENW	40.00	T07N R43E S25	NWNW	38.00
T07N R43E S25	SWNW	40.00	T07N R43E S25	SENW	40.00
T07N R43E S25	NESE	35.00	T07N R43E S25	NWSE	40.00
T07N R43E S25	SWSE	39.00	T07N R43E S25	SESE	38.00
T07N R43E S36	NENE	33.00	T07N R43E S36	NWNE	40.00
T07N R44E S19 Lot 2	SWNW	9.40	T07N R44E S19	NESW	14.00
T07N R44E S19 Lot 3	NWSW	37.00	T07N R44E S19 Lot 4	SWSW	38.00
T07N R44E S19	SESW	40.00	T07N R44E S19	NESE	16.00
T07N R44E S19	NWSE	11.00	T07N R44E S19	SWSE	40.00
T07N R44E S19	SESE	40.00	T07N R44E S20	SWNW	10.00
T07N R44E S20	SENW	9.10	T07N R44E S20	NESW	27.00
T07N R44E S20	NWSW	30.00	T07N R44E S20	SWSW	34.00
T07N R44E S20	SESW	37.00	T07N R44E S20	NWSE	0.50
T07N R44E S20	SWSE	4.70	T07N R44E S29	SWNE	13.00
T07N R44E S29	SENE	0.30	T07N R44E S29	NENW	38.00
T07N R44E S29	NWNW	38.00	T07N R44E S29	SWNW	37.00
T07N R44E S29	SENW	40.00	T07N R44E S29	NESW	15.00
T07N R44E S29	NWSW	13.00	T07N R44E S29	NESE	1.70
T07N R44E S29	NWSE	15.00			

2962.3 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 2962.3 acres in a single irrigation season. Combined Right Nos.: 22-7196, 22-7256, 22-13329.

This right authorizes the irrigation of 1119.0 total acres.

02/09/2006

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

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

This right is subject to regulation by the watermaster of Water District 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. 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. 22-13329 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

11/28/2005

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: 22-7256

K L B INC
DBA BROWN CO
PO BOX 579

REXBURG ID 83440

Telephone Number: (208)359-2605

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source): *We disagree only with the total combined annual diversion volume of 83761.6 AF in regards to the ~~aff~~ of right # 22-13329. P.S. Descriptions not complete on affect Section 14*

2. Describe the changes you wish to make in the proposed recommendation: *Change the total according to the result of the review of right # 22-13329.*

3. Give a brief explanation as to why you disagree with these portions:

see notice of error reply for right # 22-13329

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE: *1-13-2006*

SIGNATURE: *John M. Brown*

Please print your name: *John M. Brown*

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

Connect to ACS data

2/9/06

ASH

SCANNED
JUN 29 1

PROF!

7/28/05 according to Ben Brown the east exchange well cannot be used because of interference with neighboring ordinary wells.

On 8/2/05 the east well was not being used. I did get the following info on the west well:

GPSTag HOP/13860

KLB exchange wells located near Super City on the Teton River.

Motor General Electric Tri-Load Model SK6278XH14 200HP SER.# 15MT1013107

Pump Flo-way Ser# 54602-1 Page

Flowmeter - Super Discharge 5540gpm
 Eastwell: Motor General Electric Model SK6277XH14 150hp Ser.# 2NT1102125
 Pump Ventline made by Linna Pump Ser# V77-71904
 Discharge 6500gpm





KLB Inc. (Brown's) exchange well
near Sugar City on Teton River

GPS TAG AO ϕ ~~H287~~ 13860 on Eloc. Panel (back)

C ϕ 3 ROD BY GPS is NESWSE Sec. 16
T.6N., R.40E.

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water 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:

DO
7/14/05
According to Browns They can only run 6 of the 7 pumps at the river at any given time. All 7 pumps work but the system is set up to rotate so 1 pump is off at all times.

Reviewer: _____ Date: _____

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: _____

Document how the POU was verified:

DO
7/15/04 It appears that an enlargement claim is needed. Browns do irrigate ground now that is not shown on the maps.

They use 6 boosters to help their system.
I did not find a flow meter on the system.

Reviewer: _____ Date: _____

KLB, INC.
EXCH. WELL
22-7256

T6N, R40E

17 16
22 21

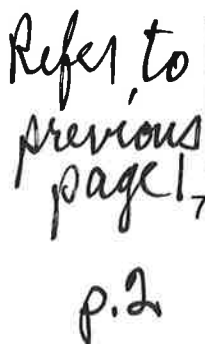
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21 22

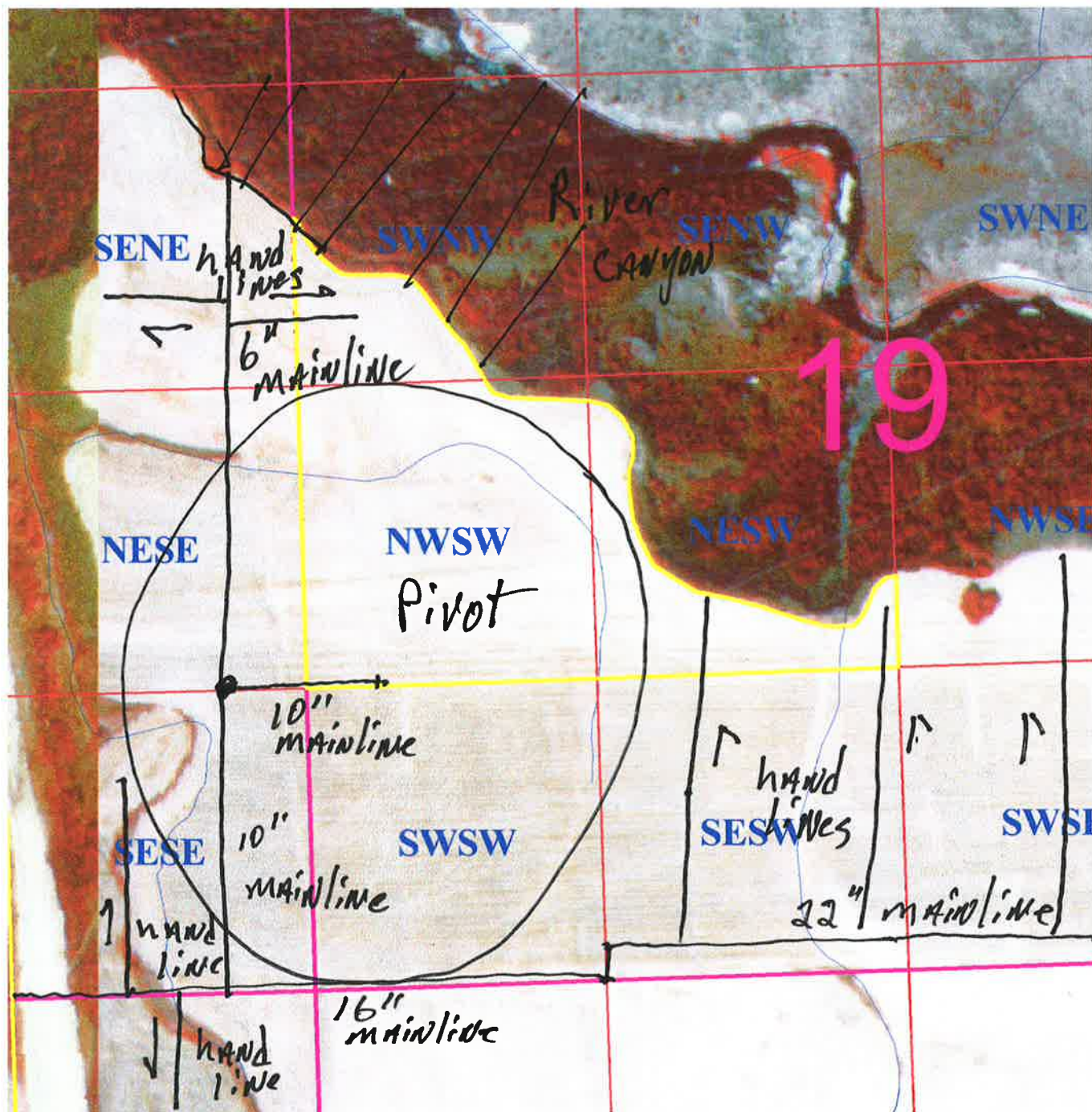
Teton River, S.O. Fl.

07/10/2001

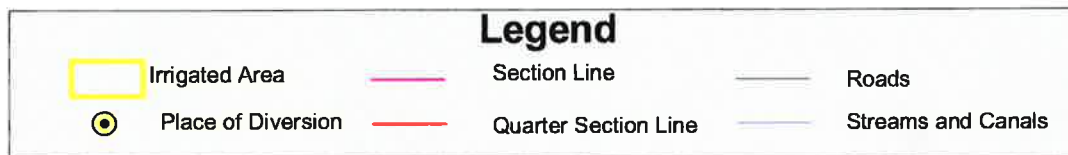


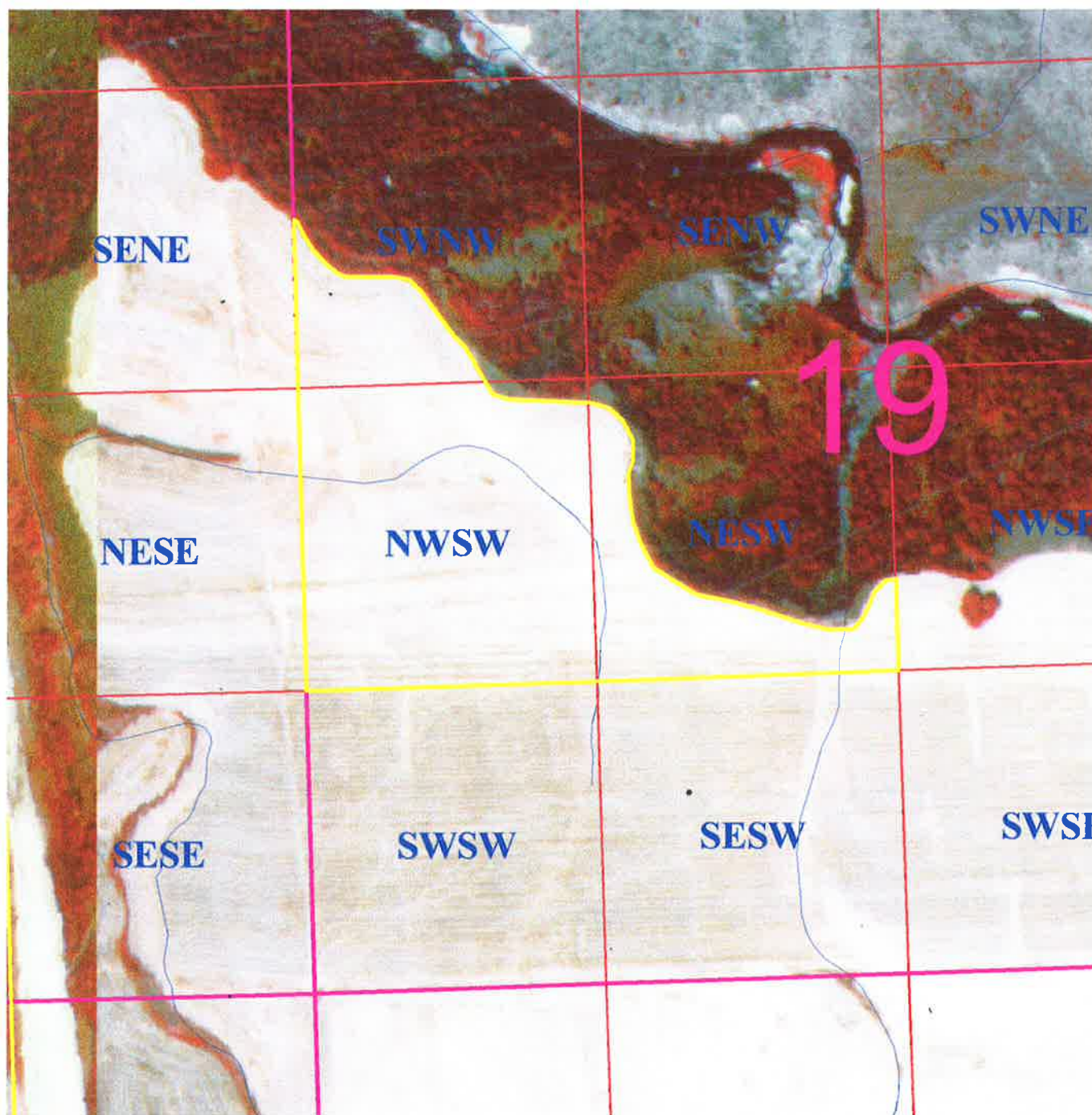
07/10/2001



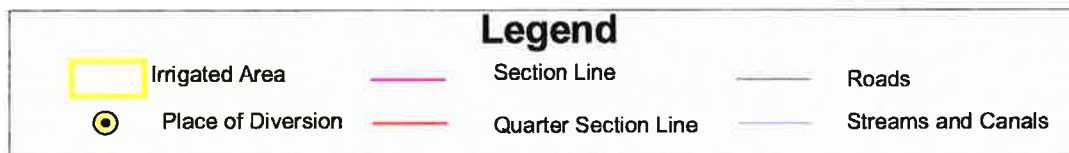


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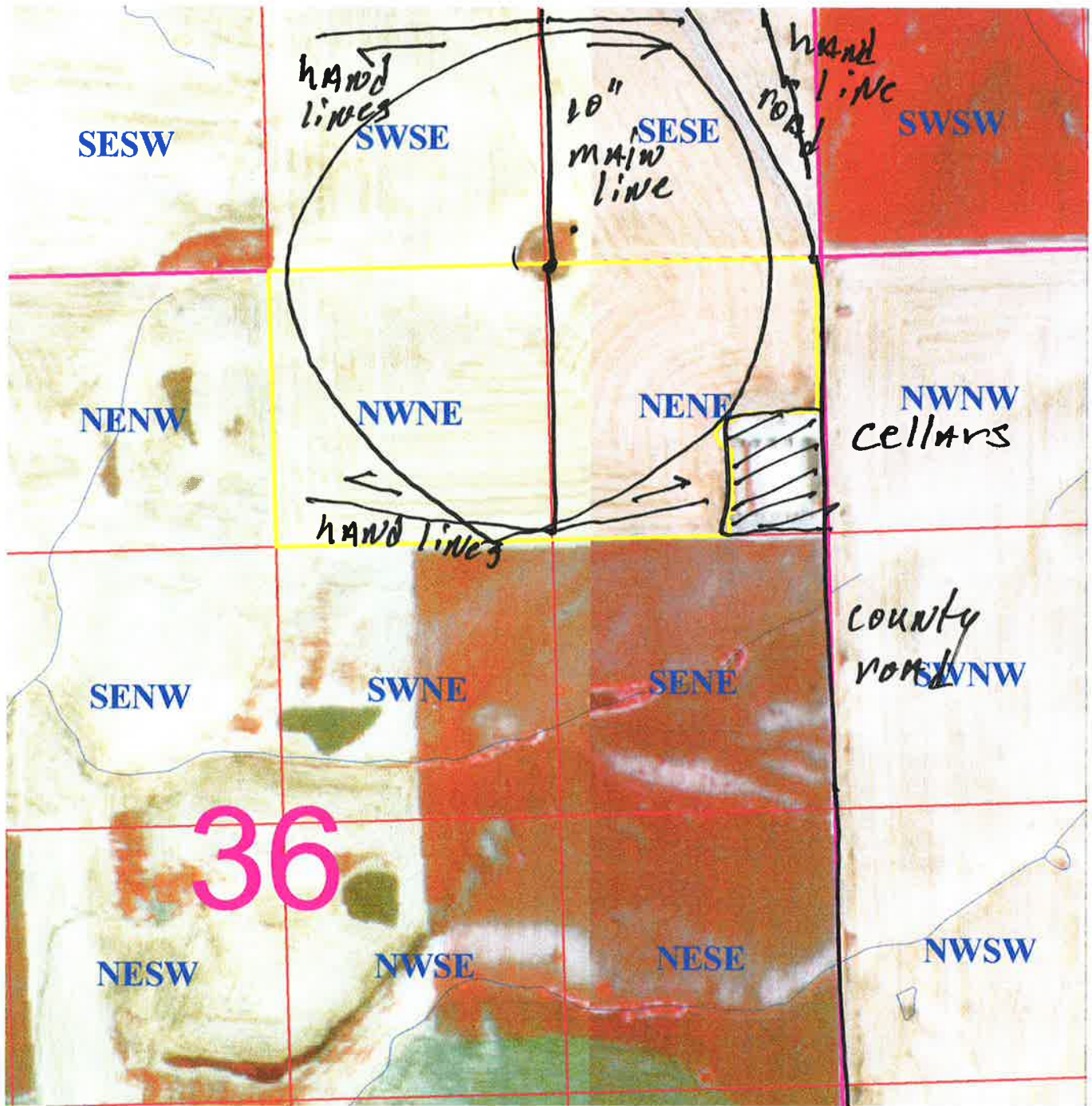


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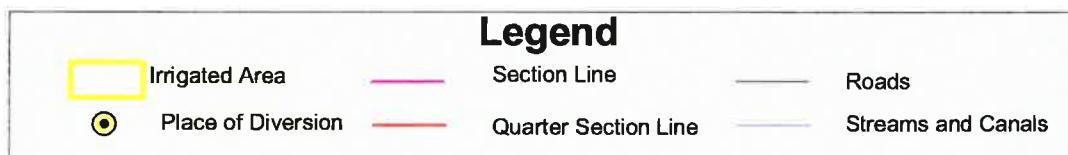


Water Right Claim Number 22-07256
Townships , 7N44E, 7N43E

07/10/2001



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500 0 500 1000 Feet

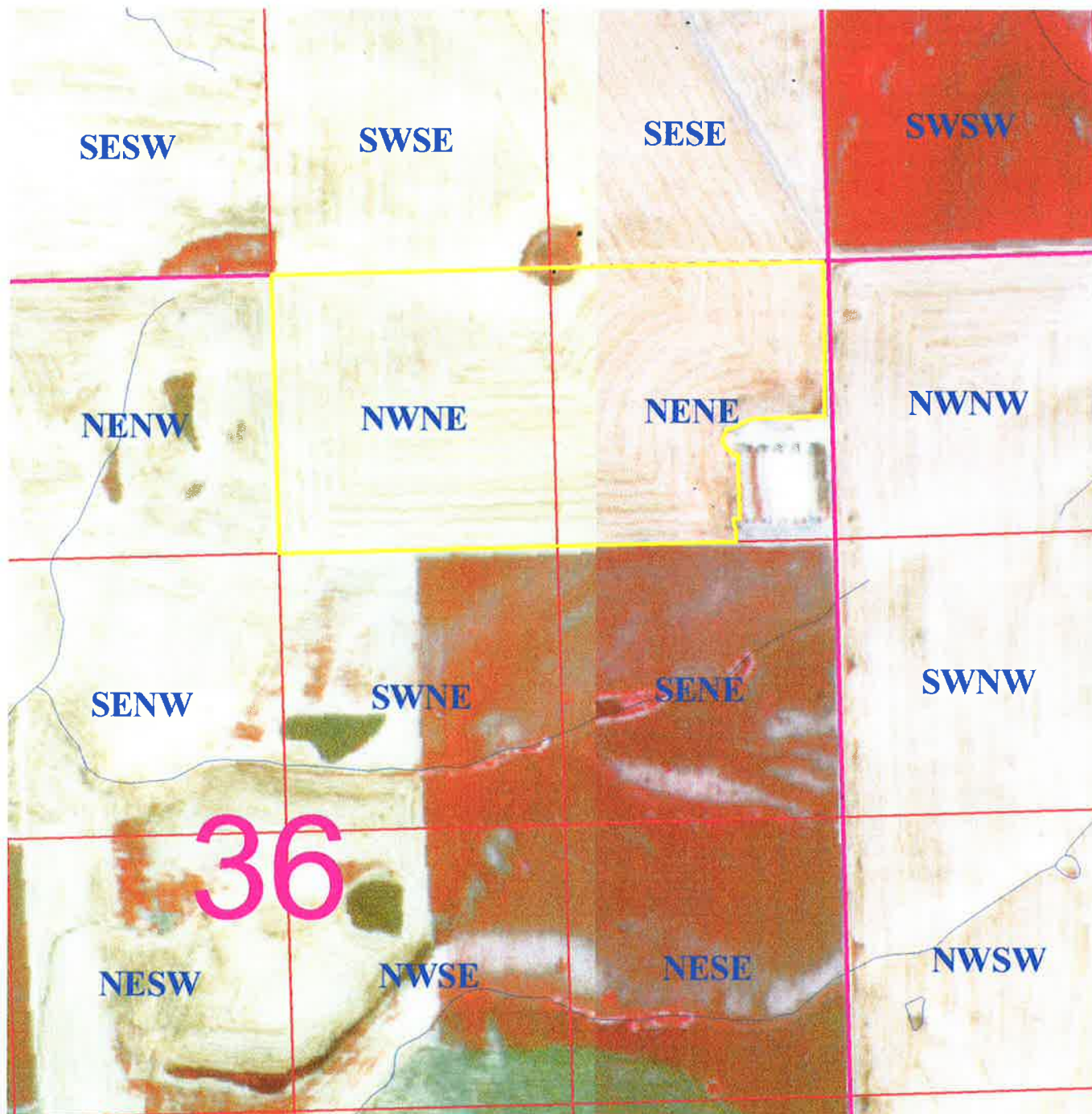


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DYNAMICS

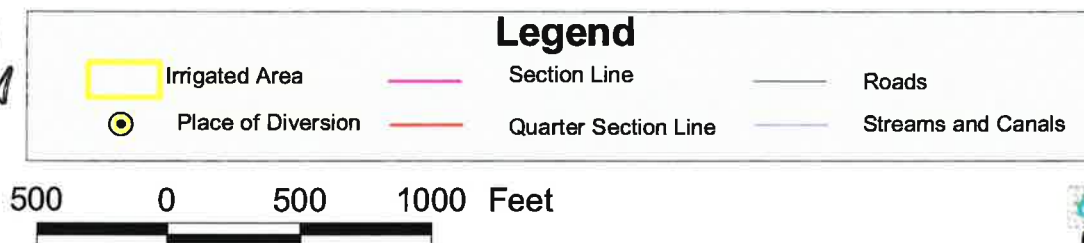
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Water Right Claim Number 22-07256
Townships , 7N44E, 7N43E

07/10/2001



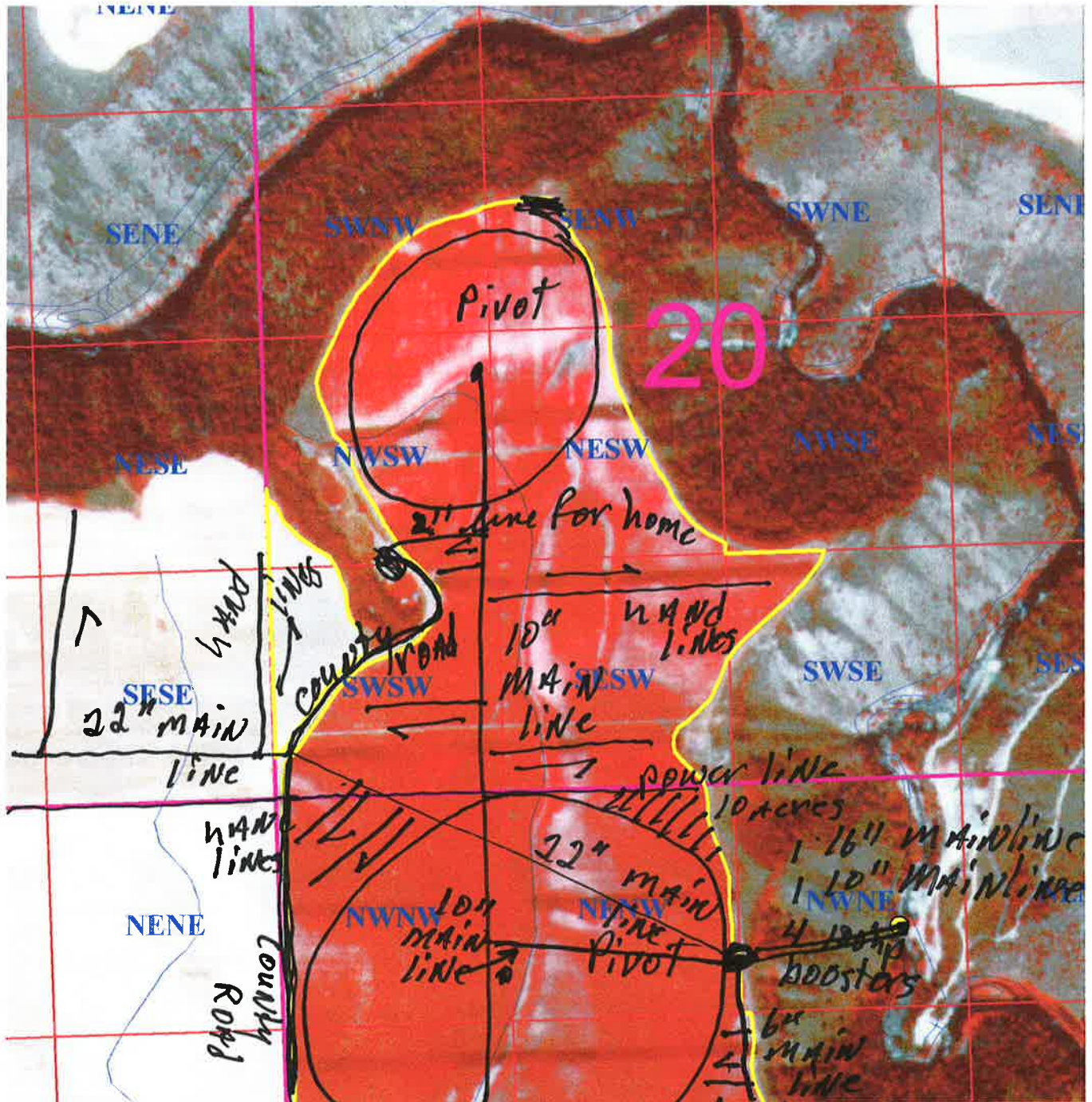
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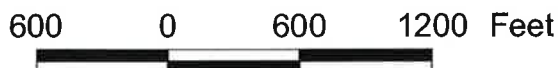
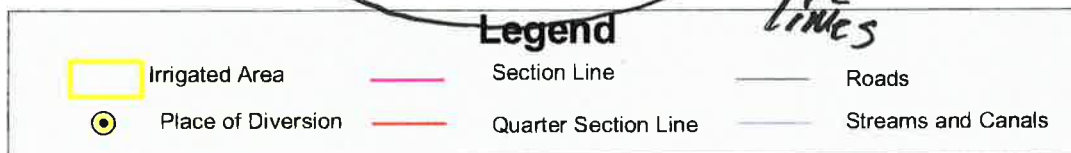
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Water Right Claim Number 22-07256
Townships , 7N44E, 7N43E

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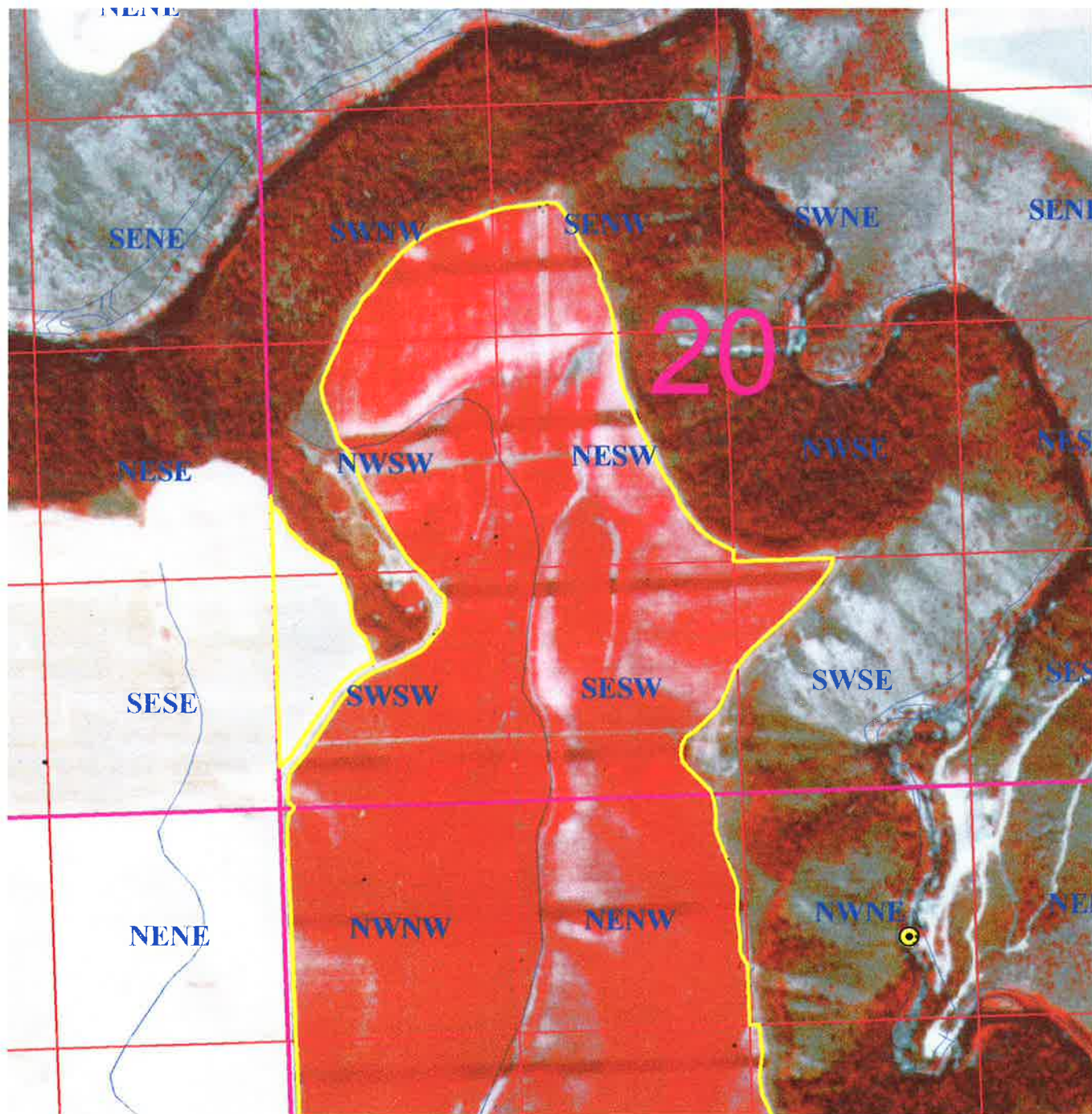


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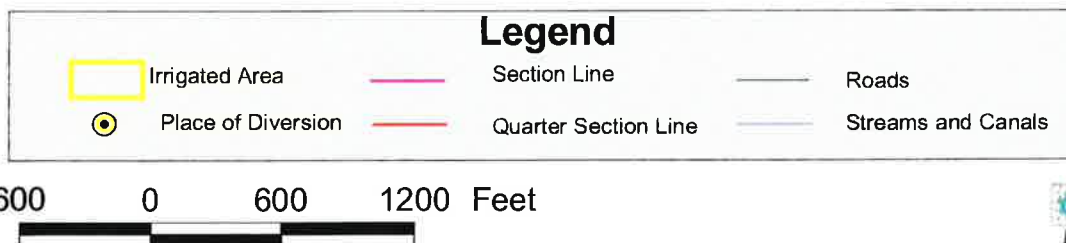


Water Right Claim Number 22-07256
Townships , 7N44E, 7N43E

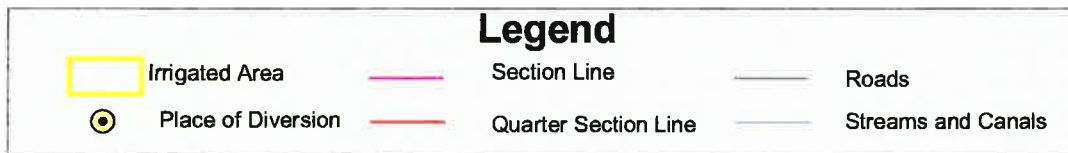
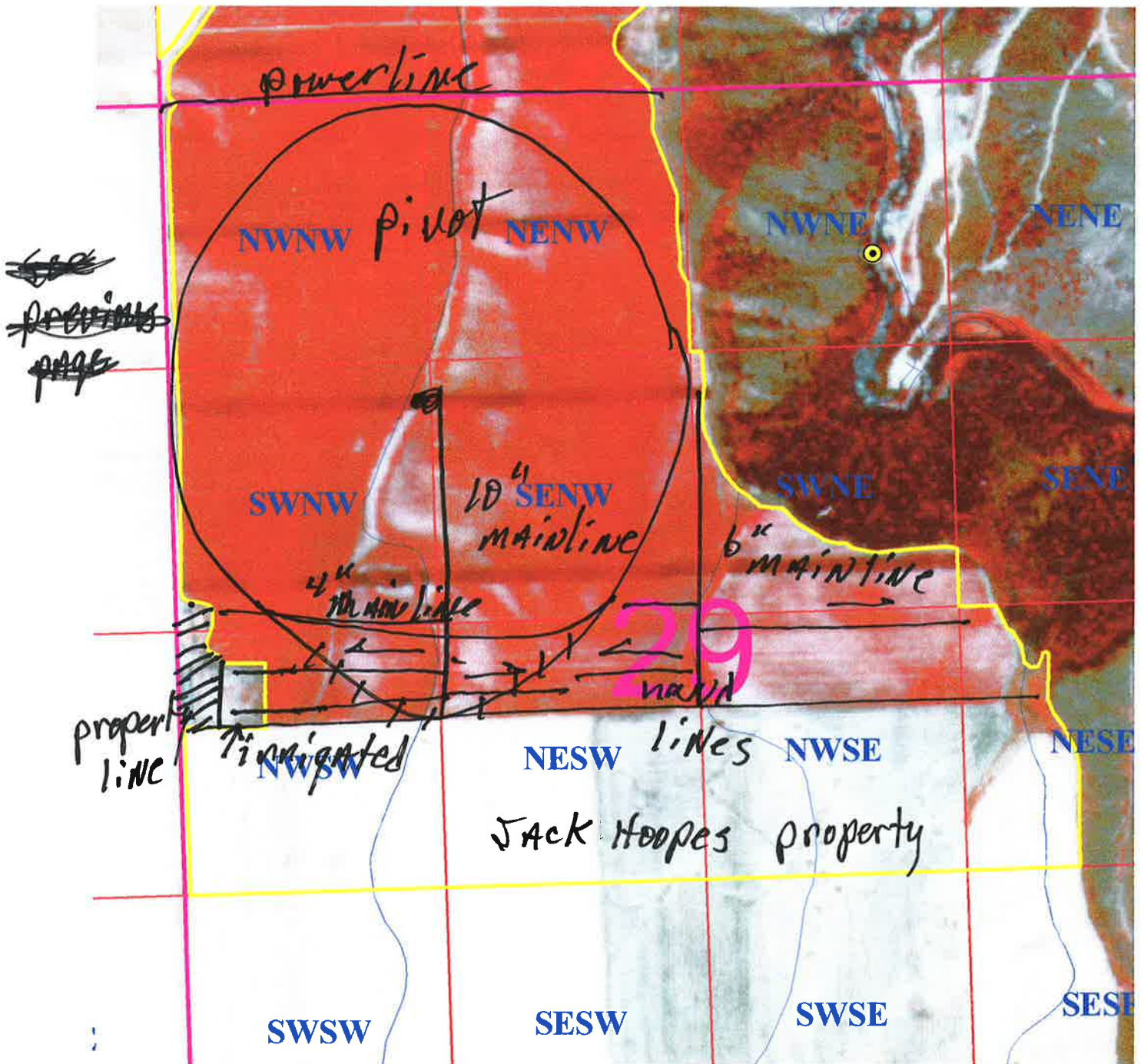
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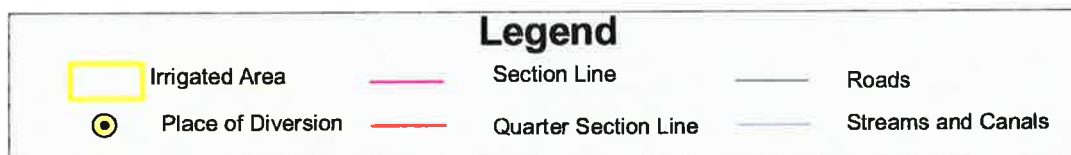
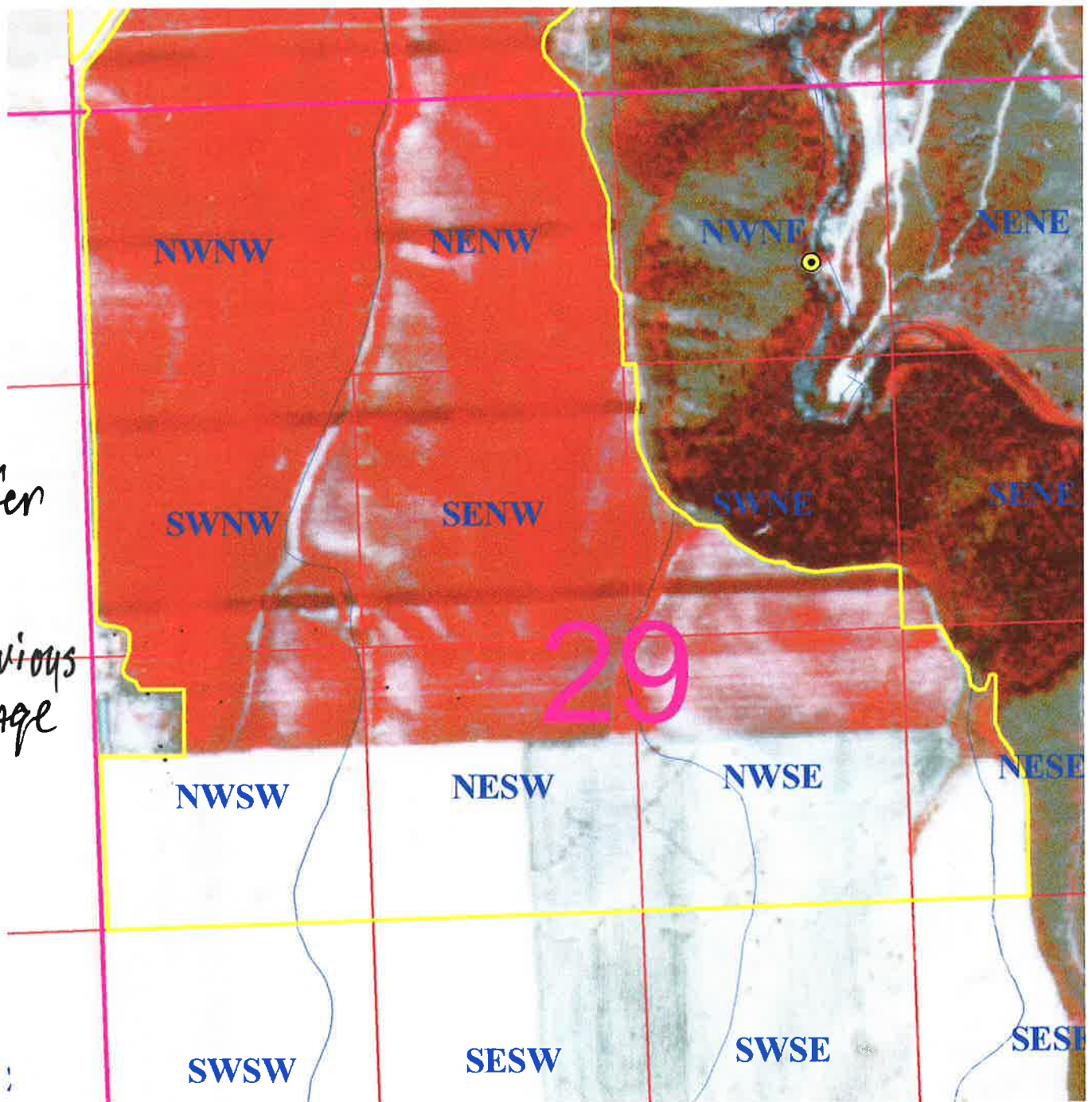
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Water Right Claim Number 22-07256
Townships , 7N44E, 7N43E

07/10/2001

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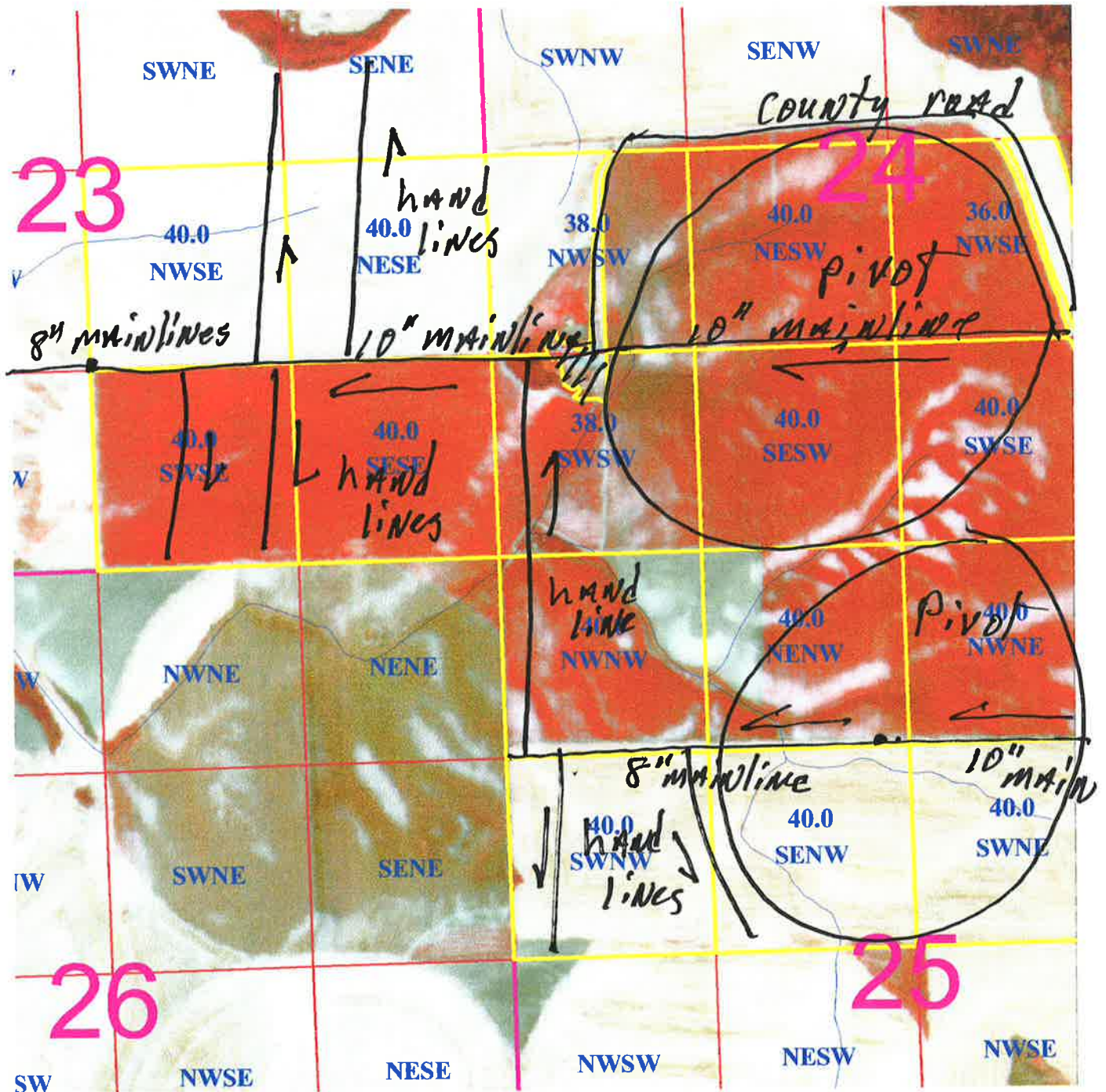
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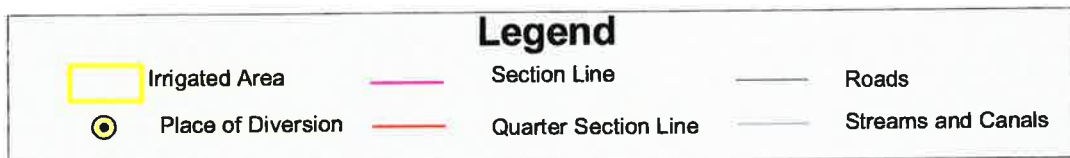
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Water Right Claim Number 22-07256
Townships , 7N44E, 7N43E

07/10/2001



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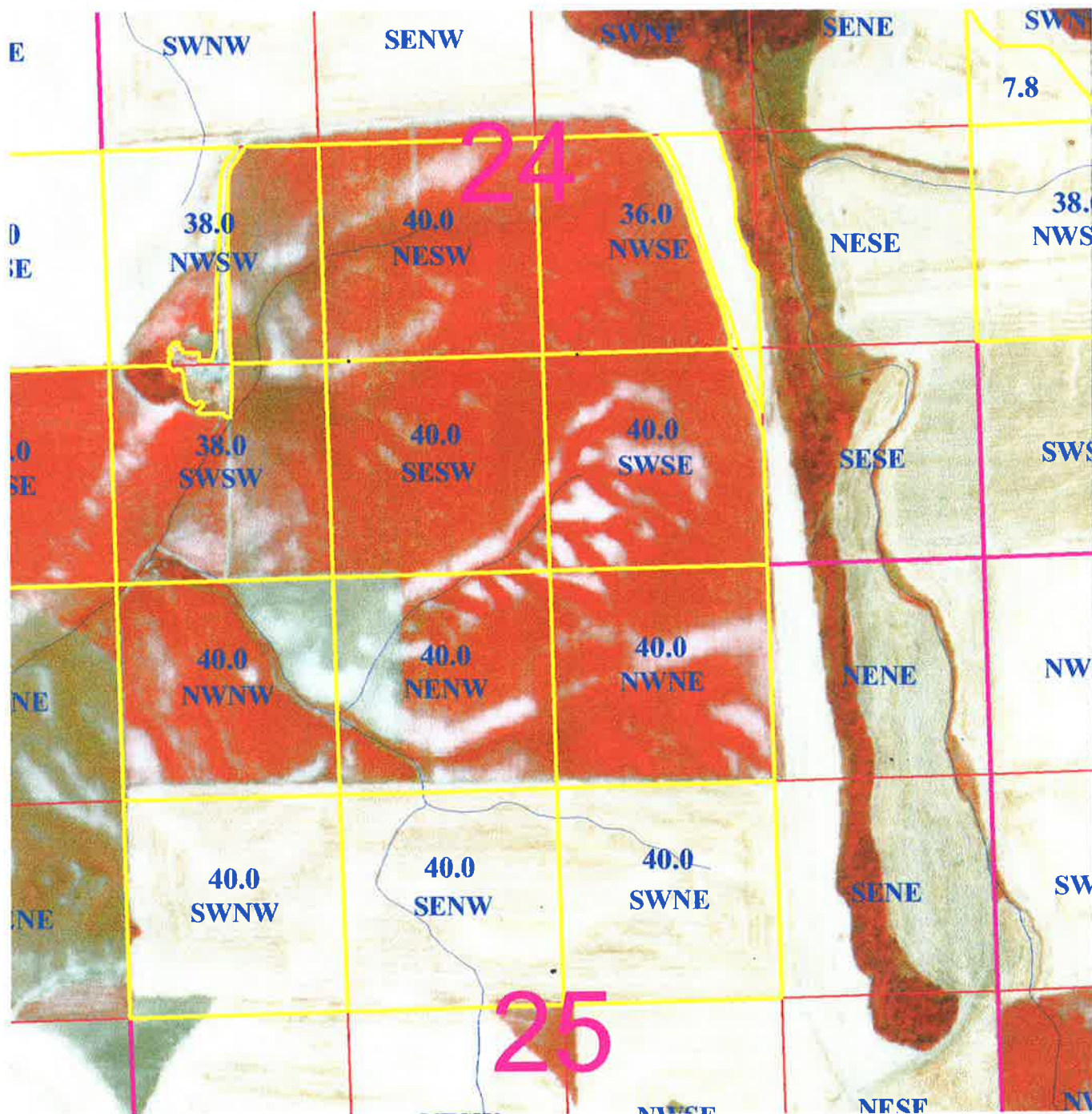


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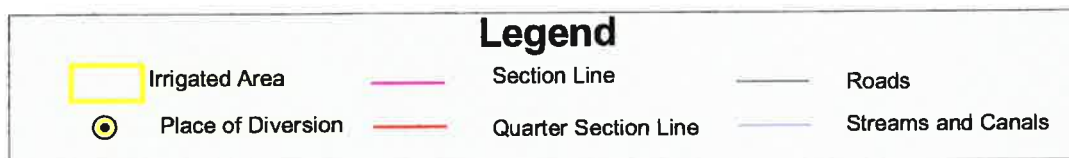
Water Right Claim Number 22-07256

Townships , 7N44E, 7N43E

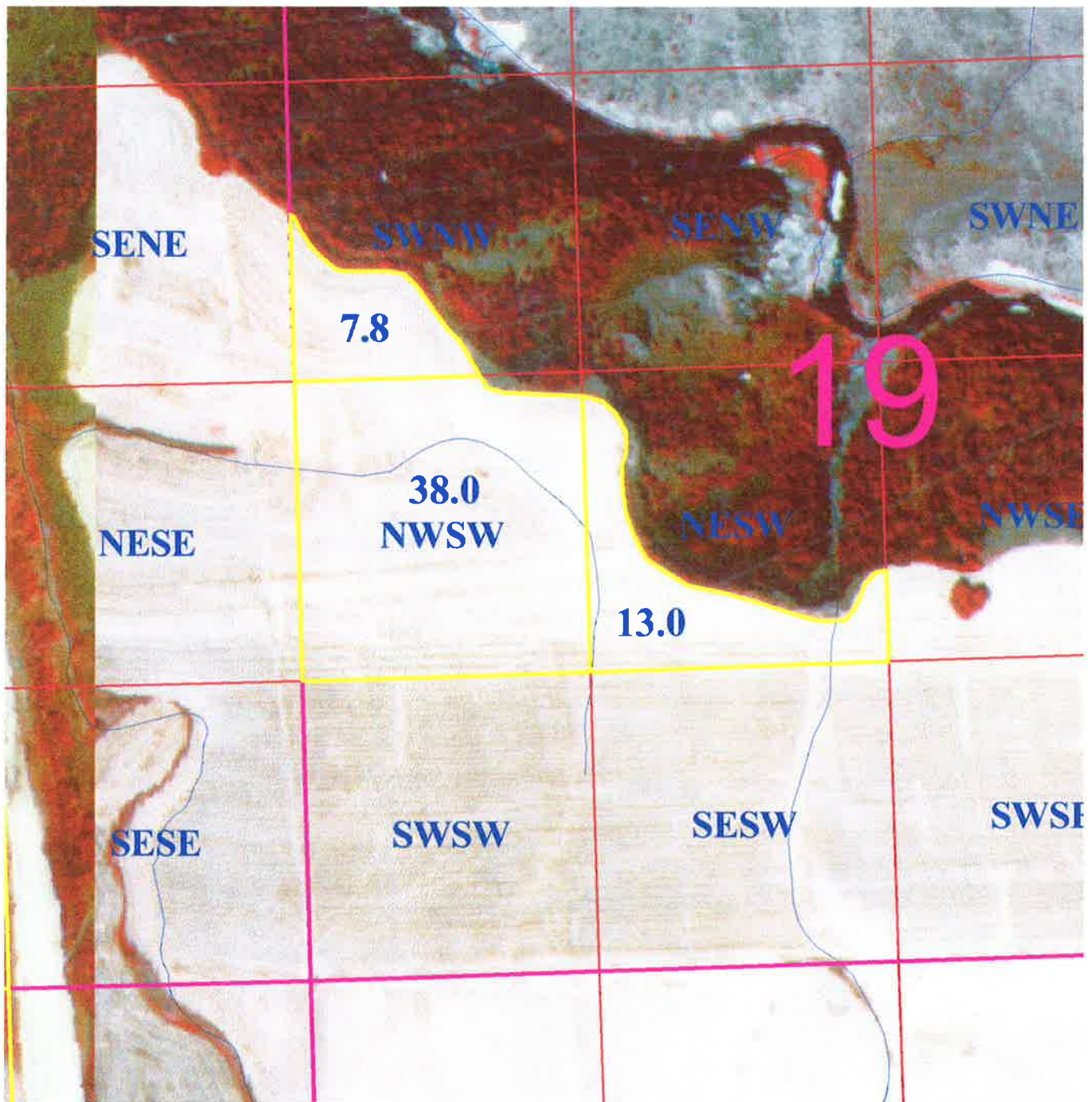
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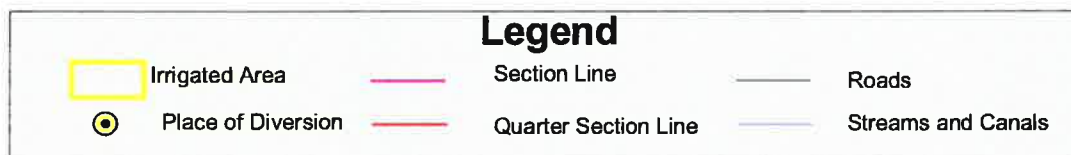
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SPATIAL
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State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 22-7256 Priority August 31, 1977 Amount 13.4 cfs

THIS IS TO CERTIFY, that Ray M. Brown &/or John M. Brown
of Tetonia, Idaho, has complied with the terms and conditions of Permit
No. 22-7256 issued pursuant to Application for Permit dated August 31, 1977,
and has submitted proof to the Department of Water Resources on October 30, 1979,
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 13.4 cfs of water from a groundwater 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>November 1</u>	at <u>13.4</u> cfs and	<u>3292.1</u> acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 13.4 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
3292.1 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 16,

Twp 6N, Rge 40E * in the County of Madison
Point of rediversion from Teton River located within NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, Twp 7N,
Description and location of place of use: Rge 40E, Teton County

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 $\frac{1}{4}$	

Use of water under this license is subject to control by the watermaster of State
Water District No. 01, Snake River.
This right when combined with Right No. 22-7196 shall exceed neither 13.40 cfs nor
3292.1 AFA.

Measuring devices of a type approved by this Department shall be installed and main-
tained at the point of diversion and point of rediversion from the Teton River.
*Location of point of diversion and point of injection

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, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 10TH day of
JANUARY, 19 86.

Acting for the

Director

MICROFILMED

22-7256

[illegible]

Total number of acres irrigated 1119

2.9410

AMERICAN

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: A22-07256
Date Received: 8/01/1988
Receipt No: E000981
Received By: Kaw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KLB INC.
Address: DBA BROWN CO.
P.O. BOX 69
TETONIA, ID

208-456-2629

83452

2. Date of Priority: AUG 31, 1977

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	40E	16		NW	SE		MADISON
07N	44E	29	SE	NW	NE	R	TETON

5. Description of diverting works:

WELL WITH OPEN DISCHARGE INTO TETON R. & REDIVERSION TO SPRINKLER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	13.400		

7. Total Quantity Appropriated is:

13.400 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

2238.0 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
07N	43E	23	NE	SE		IRR	40.0

A22-07256

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Date: 08/01/88

A2207256



MICROFILMED

OCT 29 1992

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07N	43E	23	NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
			Section Acres					160.0
		24	NE		SW		IRR	39.0
			NW		SW		IRR	37.0
			SW		SW		IRR	36.0
			SE		SW		IRR	40.0
			NW		SE		IRR	35.0
			SW		SE		IRR	39.0
			Section Acres					226.0
		25	NW		NE		IRR	39.0
			SW		NE		IRR	39.0
			NE		NW		IRR	39.0
			NW		NW		IRR	39.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			Section Acres					236.0
		36	NE		NE		IRR	38.0
			NW		NE		IRR	40.0
			Section Acres					78.0
44E		19	SW		NW		IRR	8.0
			NE		SW		IRR	12.0
			NW		SW		IRR	38.0
			Section Acres					58.0
		20	SW		NW		IRR	9.0
			SE		NW		IRR	9.0
			NE		SW		IRR	25.0
			NW		SW		IRR	29.0
			SW		SW		IRR	33.0
			SE		SW		IRR	38.0
			SW		SE		IRR	6.0
			Section Acres					149.0
		29	SW		NE		IRR	17.0

10. Place of Use: Continued

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
07N	44E	29	NE	NW		IRR	38.0
			NW	NW		IRR	39.0
			SW	NW		IRR	38.0
			SE	NW		IRR	40.0
			NE	SW		IRR	13.0
			NW	SW		IRR	13.0
			NE	SE		IRR	1.0
			NW	SE		IRR	13.0
						Section Acres	212.0
						Total Acres	1119.0

11. Place of use in counties: TETON

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

13. Other Water Rights Used:
A22-07196

14. Remarks:

PT. OF INJECTION INTO TETON R.: NWSE, S16, T6N, R40E.
PT. OF REDIVERSION FROM TETON R.: SENWNE S29, T7N, R44E,
TETON CO. THIS RT. WHEN COMBINED WITH RT. 22-7196 SHALL
EXCEED NEITHER 13.4 CFS NOR 3292.1 AFA. MEASURING DEVICES
OF A TYPE APPROVED BY THIS DEPT. SHALL BE INSTALLED AND
MAINTAINED AT THE P/D & PT. OF REDIVERSION FROM TETON R.
USE OF WATER UNDER THIS LICENSE IS SUBJECT TO CONTROL BY THE
WATERMASTER OF STATE WATER DISTRICT NO. 01, SNAKE RIVER

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Organizations:

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

John M Brown
Signature of Authorized Agent

Treasurer KLB INC.
Title and Organization

8-1-88
Date

State of Idaho)
County of Donnerville) SS.

Subscribed and sworn (or affirmed) before me this 1st day

of August 19 88

Orlean Wray
Notary Public

Seal

Residing at Idaho Falls
My Commission Expires 5/29/1991

A22-07256

OCT 29 1952

WICHITA

