

10/11/2011

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

RIGHT NUMBER: 22-12655

NAME AND ADDRESS: WILFORD IRRIGATION & MFG CO
C/O BRANT KERBS PRES
240 N 2500 E
ST ANTHONY ID 83445

SOURCE: TETON RIVER

TRIBUTARY: HENRYS FORK

QUANTITY: 158.620 CFS

PRIORITY DATE: 04/01/1898

POINT OF DIVERSION:

T07N R41E S28 NWNE Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
SUBIRRIGATION	11/01 03/31	64.160 CFS
IRRIGATION	04/01 10/31	158.620 CFS

Sub-irrigation is authorized between 11/1 and 3/31 consistent with the practices described in the Rexburg Irr. Co. v. Teton Irr. Co. Decree (including paragraph 31).

PLACE OF USE:

2463

~~2616.2~~ ACRES TOTAL

2463

The rights listed below are limited to the irrigation of a combined total of ~~2616.2~~ acres in a single irrigation season. Combined Right Nos.: 22-673, 22-12654, 22-12655, and 22-13165.

Place of use is within the area served by Wilford Irrigation & Manufacturing Company.

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

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 - Decreed

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

Water is delivered through Wilford Canal.

This right is a combination of old Right Nos. 22-274, 22-580, 22-13163.



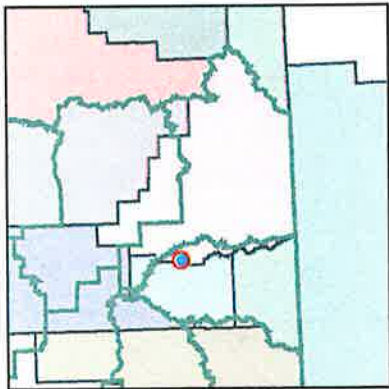
Idaho Department of Water Resources

SRBA Recommendation:

*Wilford Irrigation and Manufacturing Co
Service Area Boundary*
Acres = 2740.7
(Irrigation)

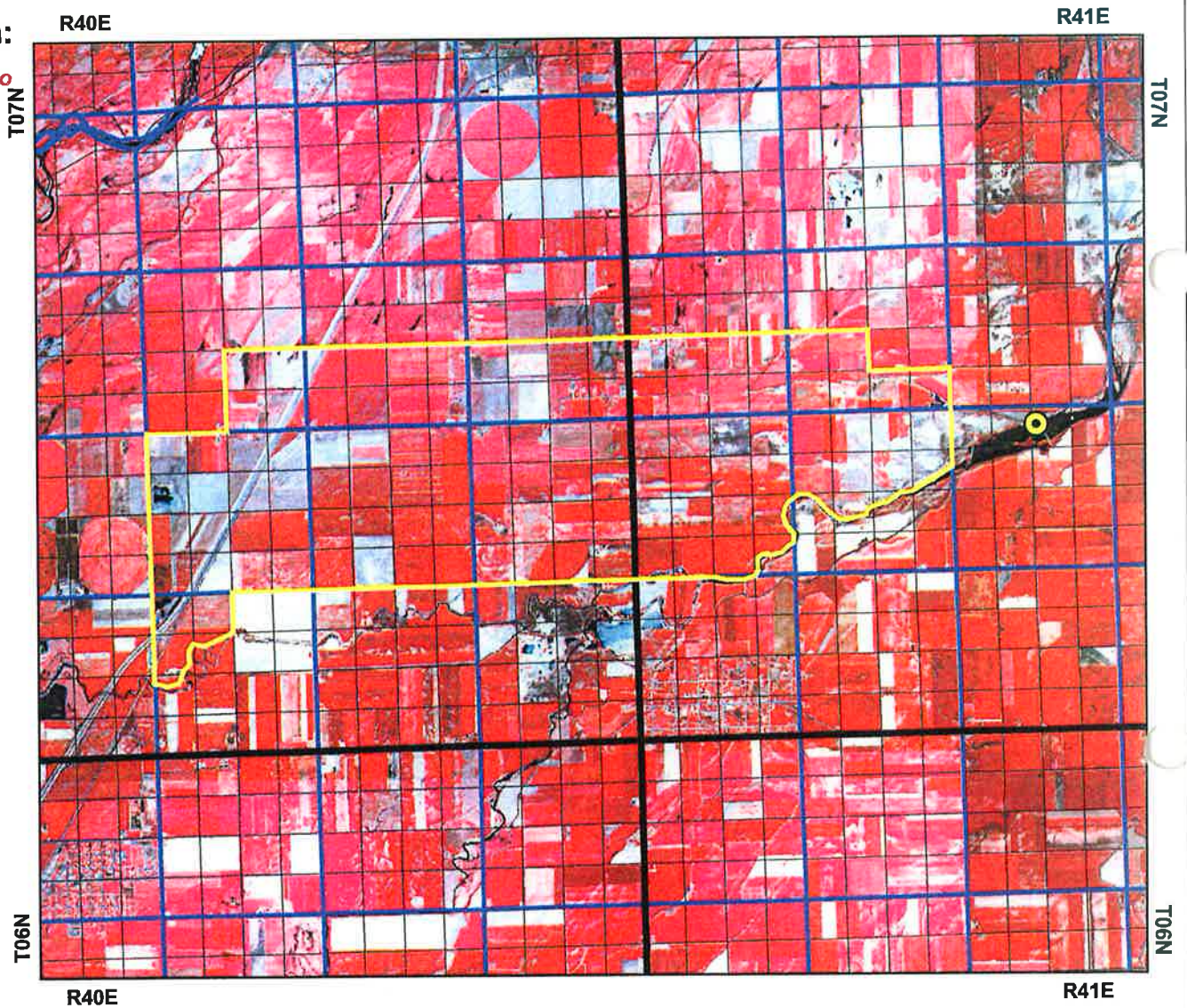
Legend

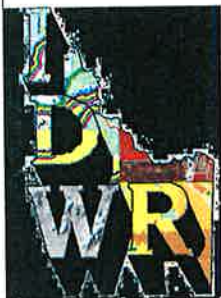
- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Fremont, Madison Counties
IDWR Basin 22

Prepared by T. Galbraith
On Friday, October 27, 2006
1987/88 Aerial Photography





Idaho Department of Water Resources

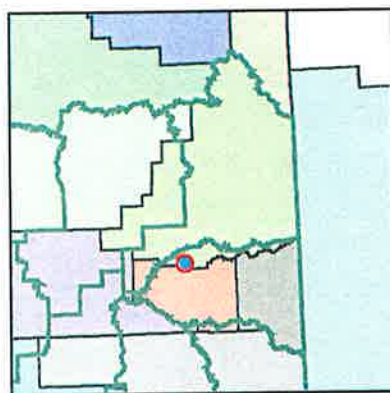
SRBA Recommendation:

*Wilford Canal And Manufacturing Comp.
Service Area Boundary
Irrigated Acres = 2616.2*

(Irrigation)

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



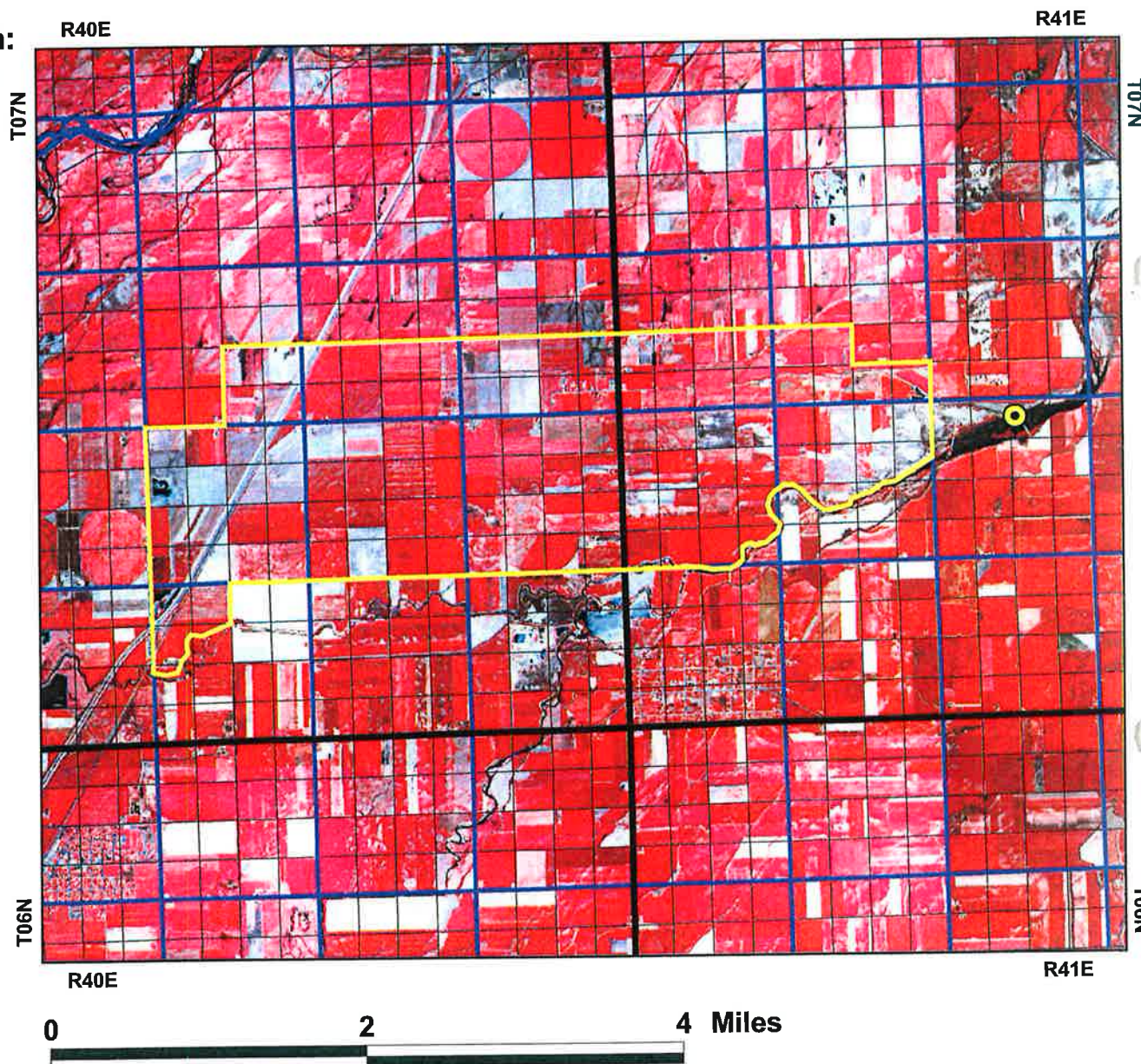
Fremont, Madison Counties
IDWR Basin 22



APR 28 2007

SCANNED

Prepared by T. Galbraith
On Tuesday, September 12, 2006
1987/88 Aerial Photography



TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
	~~Good Luck Canal Co.~~	~~26.0 cfs~~		~~22-0274~~
~~2046~~	~~Parkinson, Bob~~	~~10.01~~		~~22-0274 A~~
	~~Good Luck Canal Co.~~	~~15.99~~		~~22-0274 B~~
~~2117~~	~~Bott, DeMarr~~	~~10.01~~		~~22-0274 A~~
~~2249~~	~~Good Luck Canal Co.~~	~~15.99~~		~~22-0274 B~~
2388	Good Luck Canal Co.	26.0		22-0274

MICROFILMED
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✓ 1898

09/12/2006

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 22-12655

WILFORD IRRIGATION & MFG CO
C/O BRANT KERBS PRES
240 N 2500 E
ST ANTHONY ID 83445
Telephone Number: (208) 458-4151

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:

10/27/06

SIGNATURE:

Brant Kerbs

Please print your name:

Brant Kerbs

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

SCANNED

AUG 28 2007

KMS
10/27

05/19/2005

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: 22-12655

WILFORD IRRIGATION & MFG CO
4483 E 2000 N
SUGAR CITY ID 83448

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Same note as 1884 Why are we not given the full 158 CFS

2. Describe the changes you wish to make in the proposed recommendation:

Connect cfs to 158⁰² PK

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: 8/16/05 SIGNATURE: *Brant Kirk*

Please print your name: _____

IDWR Regional Office,

Connect Address per 22-13165 ^{8/30/05} *Done* *PAR*

8/30/05
cfs connected to 158⁰² cfs

SCANNED

AUG 28 2007

Contacts Data Entry Form

Claim Number: _____

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.

THIS CLAIM ATTEMPTS TO COMBINE 22-518 AND 22-275 - SEE #14
REMARKS. CLAIMED BASIS IS BONDING w/ 4/01/1939. NEITHER 518
NOR 275 HAVE 1939 PRIORITIES - FURTHER, THIS CLAIMS 158¹⁶ cts
FOR FINE, 0.24 AS STOCKHOLM AND 157.92 AS RICHARDS - THIS CLAIM
HAS SOME SERIOUS PROBLEMS
SUSPECT THIS IS AN ENLARGING CLAIM - EVIDENCE REQUIRED
1ST REQUEST SENT 6/04 - NO REPLY NOT ENLARG. CLAIM.

ATTEMPTING TO CORRECT CLAIM - ITS COMBINING DECEASED RTS NOW - OK
CLAIM COMBINES: 22-274, 22-580, 22-693B (22-13/63)

22-274 - 26⁰ cts22-580 - 132¹⁶ cts22-13/63 - 0¹⁶ cts (22-693 SPLIT BY TX 69049)

158.62 cts

STOCKHOLM AND RICHARDS WILL NOT BE RECOMMENDED - NOT
PART OF THE DECEASED

Reviewer: _____ Date: _____

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JUN 17 2005

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
2N	41E	28		NW/NE	FREMONT	TETON RIVER	HENRYS Fork

Other rights from this POD? _____

Transfers Pending or approved: _____

Document how the POD and Source were verified:

DELIVERY THROUGH WILFORD CANAL SYSTEM.

Reviewer: _____ Date: _____

PROFILED

SCANNED
JUN 17 2005

Place Of Use Data Entry Form

Claim Number: _____

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

Total acres _____

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

Total acres _____

Pending or approved Transfers: _____

Overlapping rights: _____

Document how the POU was verified: _____

LARGE POU - 500 MAP

274 - 328 ac

500 - 10 ac

13163 - 23 ac

NO ACRES Limits

Reviewer: _____ Date: _____

SCANNED

JUN 17 2005

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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
IRR			158 ¹⁶	
Stock			0 ²⁴	
RSCAG			157 ⁹²	

Overall Diversion Rate 158¹⁶

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIG	4/1	10/31	158 ⁶²	

Overall Diversion Rate _____

Overall Diversion Volume _____

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

By comparing Qs from 274,580 and 13/63. Q = 158⁶² cfs
 Obvious error - or adding!

Recommend 158⁶² BUT Check for Error.

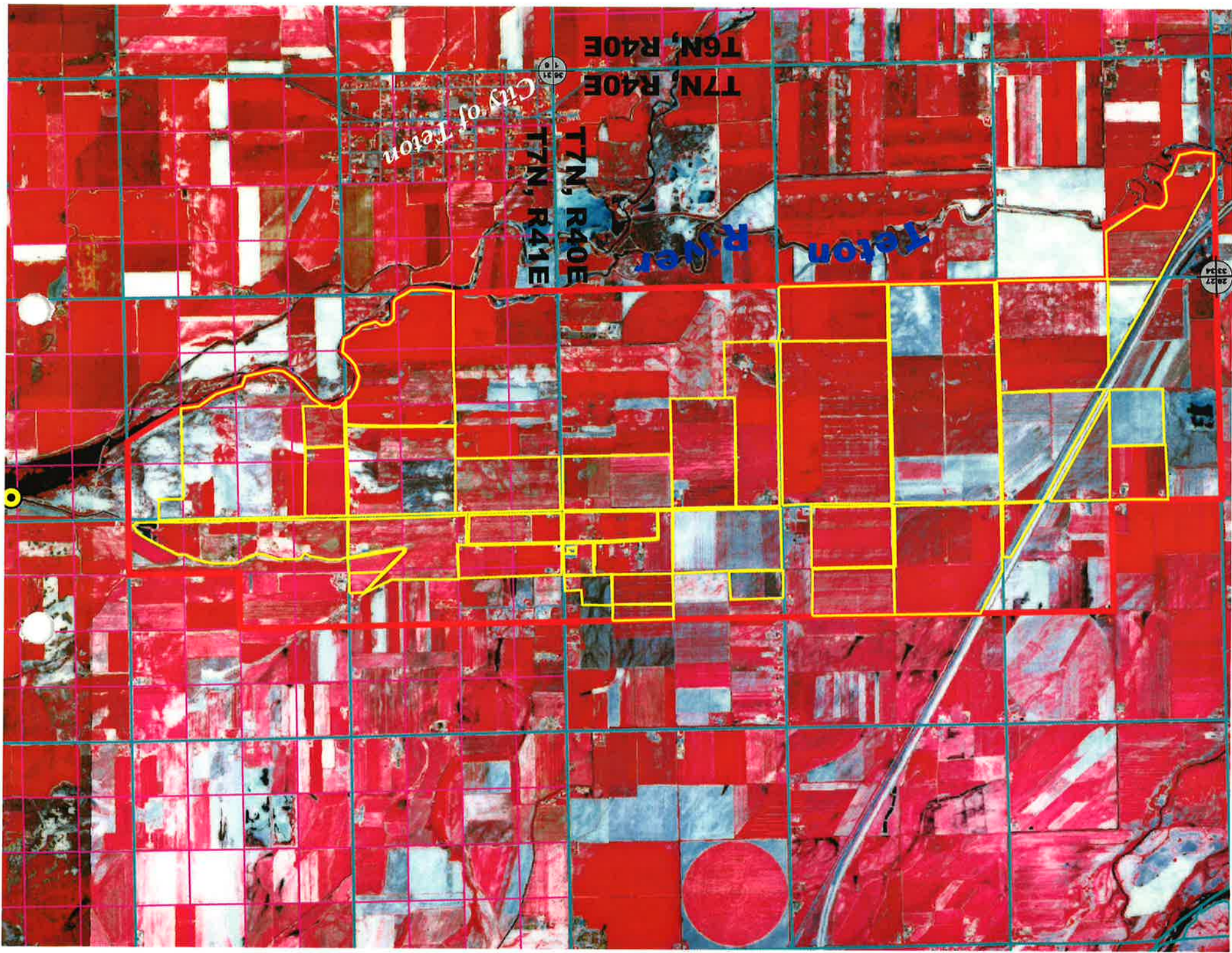
Reviewer: _____

Date: _____

PROFILED

SCANNED

JUN 17 2005



22-12655

Contract No. 3-07-14-LA433

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
MINIDOKA IRRIGATION PROJECT - IDAHO

Posted
Page 2258
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LEASE OF LAND FOR AGRICULTURAL OR GRAZING PURPOSES

THIS LEASE, made this 1ST day of MARCH, 2003, in pursuance of the act of June 17, 1902 (32 Stat., 388), and acts amendatory thereof or supplementary thereto, between the UNITED STATES OF AMERICA, hereinafter styled the United States, represented by the officer executing this lease, and **David Schwendiman**, 15000 East Highway 33, Newdale, Idaho 83436, hereinafter styled the Lessee,

2. WITNESSETH, that in consideration of the rents and covenants herein specified, it is hereby mutually agreed by the parties hereto as follows:

3. Description of land leased - Subject to the conditions hereinafter set forth, the United States does hereby lease to the Lessee, for **agricultural** purposes, the following-described premises in the State of Idaho, to wit:

Township 7 North, Range 42 East, Boise Meridian

Section 22 * Parcel No. TD-13 T-13 (93.0 acres - irrigated)

west of a line which is parallel
and 1,361 feet west of the east
section line

Section 21 Parcel No. TD-13 T-2 (60.0 acres - irrigated)
east of TD-9 T-2

* Parcel under Cooperative Agreement No. 2-07-10-LO504, dated December 4, 1981
(see attached map - 153.0 acres irrigated agricultural)

TETON DIVISION

containing 153.0 acres (**irrigated**), more or less, with privileges and appurtenances, subject, however, to the exceptions and reservations set out in the next succeeding article.

4. Exceptions and reservations - There are excepted and reserved from the lease of the premises described in article 3, the following:

- (a) All lands to which other rights have lawfully attached before the date of this lease.
- (b) The right to remove from said lands any or all timber, both standing and down.

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SCANNED

MAY 01 2006

Received Time Apr. 28. 3:58PM

(c) The right to take from said lands material for the construction of irrigation works, and to construct, operate, and maintain such works thereon.

(d) The right to prospect and carry on developments for oil, gas, coal, and other minerals, on said lands, under the act of October 2, 1917 (40 Stat. 297), the act of February 25, 1920 (41 Stat. 437), and the act of October 21, 1976 (90 Stat. 2757).

(e) A right-of-way along all section lines, or other practicable routes when locations on section lines are not feasible, freely to give ingress to, passage over, and egress from all of said lands.

(f) A right-of-way for any facilities constructed by or for the United States and the right of the United States to grant easements, licenses, or rights-of-way affecting the leased premises.

(g) The United States reserves the right of its officers, agents, and employees at all times to have unrestricted access and ingress to, passage over, and egress from all of said lands, to make investigations of all kinds, dig test pits and drill test holes, and to survey for and construct reclamation and irrigation works and other structures incident to Federal Reclamation Projects, or for any purpose whatsoever. Reclamation will make every reasonable effort to keep damage to a minimum.

(h) The Lessee will comply with County, State, and Federal health, sanitation, and pollution standards and/or regulations.

(i) There is reserved to the United States and the District, their successors and assigns, the prior right to use any of the right-of-way wherein described to construct, operate, and maintain all structures and facilities, including, but not limited to canals, wasteways, laterals, ditches, roadways, electrical transmission lines, communication structures generally, substations, switchyards, powerplants, fish screens, fish ladders and other appurtenant irrigation and power structures and facilities, without any payment made by the United States, or their successors for such rights.

5. Term of lease -- The lease of the premises described shall be for the period from March 1, 2003, to February 28, 2004, inclusive, unless sooner terminated as hereinafter provided.

6. Extension of lease term -- The Lessee has an option to extend the term of the lease as defined in the preceding article, for successive additional periods of one year each, but in no event beyond February 28, 2008, if such Lessee shall at the time of the exercise of the option have paid all previous rentals due and if such option is exercised in the following manner by the observance of the following conditions:

(a) Such option must be first exercised not later than 30 days prior to the termination of the lease as defined in article 5, and if extended, not later than 30 days prior to the termination of each extension thereof.

(b) Such option must be exercised by payment in advance to the United States at least 30 days prior to the termination of the lease of the rental for the period for which the term is by exercise of such option to be extended, accompanied by a notice that the lessee desire to exercise such option. Such notice and such payment must be actually received by the United States at least 30 days prior to such lease termination.

7. Rental charges -- The Lessee shall pay to the United States rental charges for the premises described as follows: The sum of \$7,719.95 (lease amount for 2003 season plus \$200.00 administrative fee) on the date hereof for the period ending February 28, 2004, and the sum of \$7,519.95 on account of each extension of this lease.

8. Repairs – The Lessee shall, at his own cost and expense, keep in a state of good repair such fences and ditches as may be located on the leased premises.

9. All grain stubble will be left standing in the field over the winter – no burning of stubble is allowed.

10. Miscellaneous conditions – In the use of the leased premises the Lessee shall faithfully observe the following conditions, and each of them:

(a) Any activity deemed to be illegal on Federal lands will be cause for immediate termination of the use authorization.

(b) The Lessee shall conduct his grazing and agricultural operations in such a manner as not to interfere in any manner with the utilization or management of adjacent lands owned or operated by persons other than the lessee and agrees to construct, without cost to the United States, such fences and cattle guards as may be necessary to insure compliance with this condition. No fence, with or without gates, shall be constructed upon or across the right-of-way of any canal or lateral operated or controlled by the United States. Fences constructed by the Lessee may be removed by him at any time during the term of the lease. All fences remaining on the leased premises for a period of 30 days after expiration or termination of the Lessee's lease rights will, at the option of the Contracting Officer, become the property of the United States.

(c) No waste shall be committed.

(d) The Lessee shall release and relinquish any and all claims which he at any time may have or claim to have against the United States, its officers, agents and employees on account of injury to or loss of animals pastured or loss of or damage to growing crops pursuant to the lease which may be caused or claimed in whole or in part by the existence or condition of reservoirs or other irrigation and flood control works or by any cause whatsoever.

(e) All straw and manure produced by operations on the leased premises shall be distributed on the premises. The Lessee hereby agrees to make such distribution and agrees also to remove or to permit the removal of the same from the leased premises.

(f) The Lessee shall guard against excessive use and waste of water which might result in erosion or other damage to the leased premises or to adjacent lands and shall keep the leased premises reasonably free from all noxious weeds.

(g) The Lessee shall keep all lands leased for agricultural purposes under crop during each growing season in order that the cultivated land will be subjected to a minimum amount of wind erosion. Sound crop rotation practices applicable within the area in which the lease premises are located shall be followed to prevent depletion of the soil. Such crop rotation practices shall in any event require the growing of legume, grass, or grain crops on the cultivated land at least 2 out of every 5 years. **Subsequent to the harvesting of crops in the last year of the lease term, or the last year for which the lease term is extended, the Lessee, if requested by the officer of the United States executing this lease, or his duly appointed representative, shall, without cost to the United States, furnish the seed and plant the entire cultivated portion of the leased premises to a permanent vegetative cover.** Reclamation would work with NRCS to develop seed mixes and application rates. Subsequent action would be in accordance with the general practices in planting said seed mix, and to the satisfaction of the aforementioned officer of the United States.

(h) The Lessee shall not plow, disk, or otherwise cultivate or disturb any lands leased for grazing purposes without first obtaining the written approval of such action from the Contracting Officer.

(i) Hunting and fishing by the public will not be restricted by the Lessee.

(j) The parties agree that the delivery of irrigation water pursuant to this contract is subject to the acreage and ownership limitation and pricing provisions of Reclamation law, as amended and supplemented, including but not limited to the Reclamation Reform Act of 1982 (Public Law 97-293).

(k) The contractor further agrees to abide by final rules and regulations promulgated by the Secretary of the Interior covering the enforcement and administration of said limitations and provisions of Reclamation law as amended and supplemented by the reclamation Reform Act of 1982, including the payment of full costs as provided therein.

(l) Annually, following the irrigation season, a crop census will be requested. The Lessee agrees to complete and return the crop reporting information to Reclamation.

11. Water Rights – The United States does not have a water supply for the agricultural lands covered under this lease. When irrigation occurs, the Lessee is required to have a legal right to irrigate these lands.

(a) The Lessee agrees to release the United States from any responsibility or obligation for providing now, or after termination of this lease, a water supply of any kind, pressure or particular water quality. Further, the Lessee agrees to release the United States from any future liability or obligation due to injury, damage or loss of Lessee's water rights, whether leased or owned, from the future termination of this lease. The Lessee will not receive any vested right, title, or interest in the lands or water rights owned by the United States. Nor shall the United States receive any vested right, title, or interest in the Lessee's water right.

(b) Should the Lessee sell, convey, transfer, or assign the water right, the places of use on lands of the United States, shall not be conveyed with such water right. Any deed or other instrument reflecting the conveyance, sale, transfer, or assignment of such water right shall state that these places of use are not included in such conveyance. Should the lease and the Lessee fail to take any action to transfer this portion of the water right to other places of use, the parties would consider that portion of the water right abandoned.

12. Pest Control

(a) The Lessee shall not permit the use of any pesticides on Federal lands without prior written approval by Reclamation. The Lessee shall submit to Reclamation for approval an Integrated Pest Management Plan (IPMP) thirty (30) days in advance of pesticide application.

(b) All pesticides used shall be in accordance with the current registration, label direction, or other directives regulating their use (State Department of Agriculture, Department of Ecology, OSHA, etc.) and with applicable Reclamation policy and directives and standards. Applicators will meet applicable State training or licensing requirements. Records maintenance shall be in accordance with State requirements and such records shall be furnished to Reclamation not later than five (5) working days after any application of a pesticide.

(c) Any equipment, tools, and machines used for pesticide application shall be in good repair and suitable for such use. Equipment shall be calibrated prior to the spraying season and as deemed necessary by Reclamation.

(d) Mixing, disposal, and cleaning shall be done where pesticide residues cannot enter storm drains, sewers, or other non-target areas.

(e) The Lessee shall initiate any necessary measures for containment and cleanup of pesticide spills. Spills shall be reported to the Contracting Officer with full details of the actions taken. Reporting may be within a reasonable time period. A reasonable time period means within

twenty-four (24) hours of the spill if it is an emergency, or by the first working day if it is a non-emergency. An emergency is any situation that requires immediate action to reduce or avoid endangering public health and safety or the environment.

(f) Aerial application of pesticides is prohibited without prior written consent by Reclamation's designated representative.

(g) The Lessee agrees to include the provisions contained in paragraphs (a) through (f) of this Article in any subcontract or third-party contract it may enter into pursuant to this contract.

13. Hazardous Materials

(a) The Lessee may not allow contamination or pollution of Federal lands, waters or facilities and for which the Lessee has the responsibility for care, operation, and maintenance by its employees or agents and shall take reasonable precautions to prevent such contamination or pollution by third parties. Substances causing contamination or pollution shall include but are not limited to hazardous materials, thermal pollution, refuse, garbage, sewage effluent, industrial waste, petroleum products, mine tailings, mineral salts, misused pesticides, pesticide containers, or any other pollutants.

(b) The Lessee shall comply with all applicable Federal, State, and local laws and regulations, and Reclamation policies and directives and standards, existing or hereafter enacted or promulgated, concerning any hazardous material that will be used, produced, transported, stored, or disposed of on or in Federal lands, waters, or facilities.

(c) "Hazardous material" means any substance, pollutant, or contaminant listed as hazardous under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. § 9601, *et seq.*, and the regulations promulgated pursuant to that Act.

(d) Upon discovery of any event which may or does result in contamination or pollution of Federal lands, waters or facilities, the Lessee shall initiate any necessary emergency measures to protect health, safety and the environment and shall report such discovery with full details of the actions taken to the Contracting Officer. Reporting may be within a reasonable time period. A reasonable time period means within twenty-four (24) hours of the time of discovery if it is an emergency or by the first working day if it is a non-emergency. An emergency is any situation that requires immediate action to reduce or avoid endangering public health and safety or the environment.

(e) Violation of any of the provisions of the Article, as determined by the Contracting Officer, may constitute grounds for termination of this contract. Such violations require immediate corrective action by the Lessee and shall make the Lessee liable for the cost of full and complete remediation and/or restoration of any Federal resources or facilities that are adversely affected as a result of the violation.

(f) The Lessee agrees to include the provisions contained in paragraphs (a) through (e) of this Article in any subcontract or third-party contract it may enter into pursuant to this contract.

(g) Reclamation agrees to provide information necessary for the Lessee using reasonable diligence, to comply with the provisions of this Article.

14. Transfer of Lease – Neither this lease nor any interest therein shall be transferred by the Lessee without the written consent of the United States made by the officer executing this lease on behalf of the Government and until payment has been made to the United States to cover the expense of approving such transfer.

15. Termination of Lease – This lease will terminate and all rights of the Lessee hereunder will cease, and the Lessee will quietly deliver to the United States possession of the premises in like condition as when taken, reasonable wear and damage by the elements excepted:

- (a) At the expiration of the term as provided by Articles 5 and 6; or
- (b) Without notice, upon default in payment to the United States of any installment of rental charges as provided by Article 7; or
- (c) On March 1st, of any year, upon written notice to the Lessee, served 30 days in advance thereof; or
- (d) After failure of the Lessee to observe any of the conditions of this lease, and on the tenth day following service of written notice on the Lessee of termination because of failure to observe such condition.

The notices provided by this article will be served by certified mail addressed to the respective post office addresses given in Article 16 (Notices), and the mailing of any such notice properly enclosed, addressed, stamped, and certified, will be considered service. If the termination under Article 15 (c) or Article 15 (d) should be effective at a date prior to the date of the termination of the then current lease or extension, for which prepayment of rental will be been made, an appropriate refund or part of the rental for such then current lease or extension will be made.

If this lease is terminated under Article 15 (d), the United States reserves the right to bar the Lessee from the authorization to use acquired or withdrawn public land on the Minidoka Project for a period of time, as determined by the Area Manager.

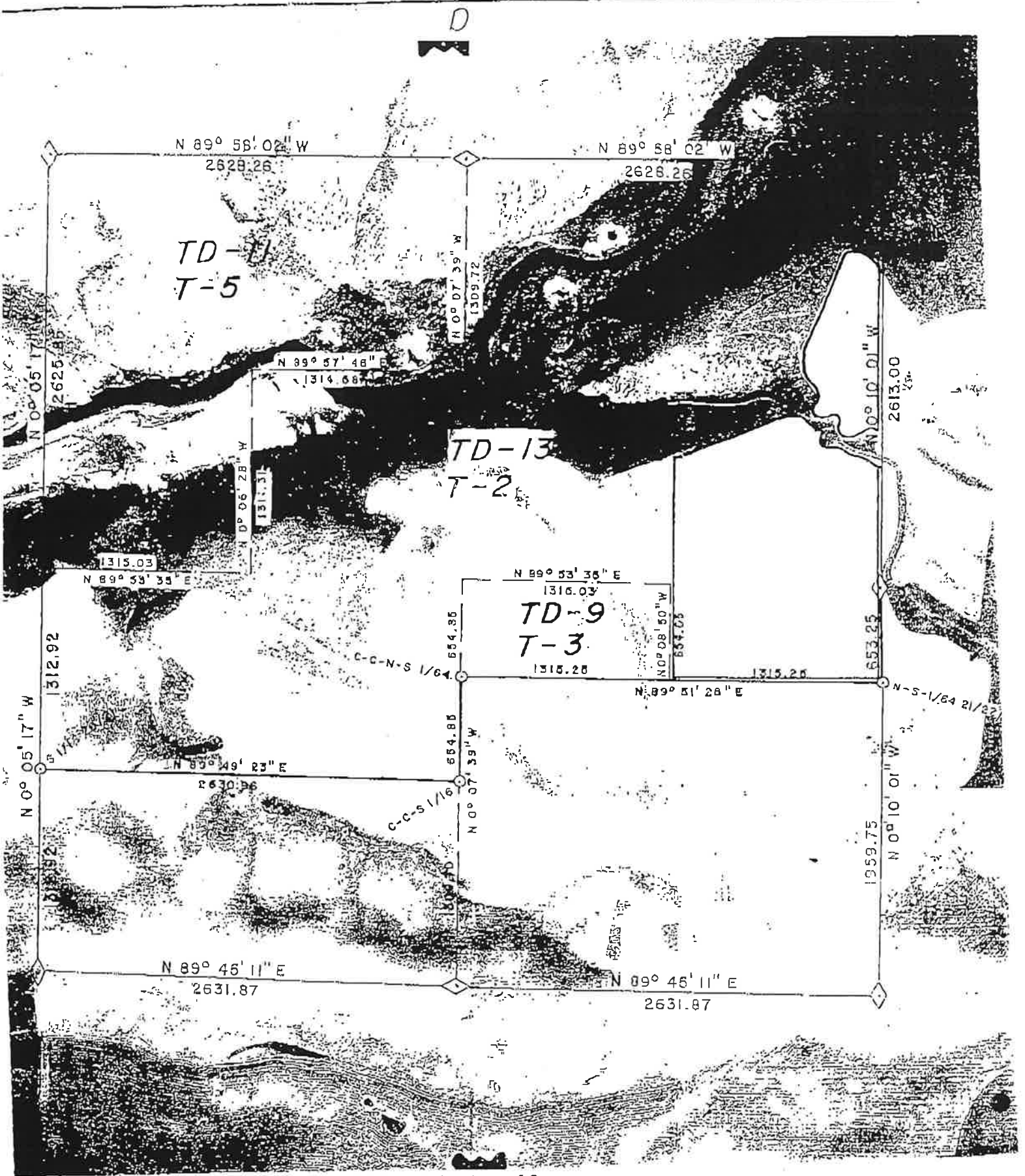
16. Notices

- (a) All notices required or desired to be given under this Agreement shall be in writing and may be delivered by personal delivery or by deposit in the United States Mail, postage prepaid, as certified mail, return receipt requested and addressed as follows:

Area Manager
Snake River Area Office – East
Bureau of Reclamation
1359 Hansen Avenue
Burley, Idaho 83318
(208) 678-0461

- (b) Any notice delivered by personal delivery shall be deemed received by the addressee upon actual delivery. Any notice delivered by certified mail shall be deemed received by the addressee on the third business day after deposit. The addresses to which notices are to be delivered may be changed by giving notice of such change in accordance with this paragraph. This paragraph shall apply where notice is required under this lease, and no specific requirements are set forth. Where this lease provides for a specific notice in a different manner, the more specific requirements shall prevail.

- (c) The parties hereby designate the Area Manager and David Schwendiman, as their authorized representatives for this lease. These individuals shall have the authority to take any action allowed or required under this lease, on behalf of their employer. The parties may change their designated representatives at any time by giving notice of such change in accordance with Article 15 (a) above.



SEC. 21-7-42

Received Time Apr. 28. - 3:58PM

Eastern

RECEIVED

SEP 24 2001

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

Department of Water Resources
Eastern Region

TRANSFER OF WATER RIGHT

TRANSFER NO. 69049

This is to certify that: STEWART DITCH
C/O REED ASHCRAFT
RT 1 BOX 1061
ST ANTHONY ID 83445
(208)458-4420

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
22-12646	AJC/Decreed	04/01/1898	8.00 cfs		400.0	400.0	TETON RIVER
22-12648	AJC/Decreed	05/01/1883	4.00 cfs		400.0	400.0	TETON RIVER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
22-12646	YES	YES	NO	NO	NO	NO
22-12648	YES	YES	NO	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
22-12646	22-13163	0.46 cfs	80.5 af	23.0	23.0	22-13162	7.54 cfs	479.5 af	137.0	377.0
22-12648	22-13165	0.23 cfs	80.5 af	23.0	23.0	22-13164	3.77 cfs	479.5 af	137.0	377.0
TOTALS		0.69 cfs	80.5 af	23.0	23.0		11.31 cfs	479.5 af	137.0	377.0

Detailed Water Right Description(s) attached

Dated this 18th day of September, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 22-13162
As Modified by Transfer No. 69049

In accordance with the approval of Transfer No. 69049, Water Right No. 22-13162 is now described as follows.

Right Holder: STEWART DITCH
C/O REED ASHCRAFT
RT 1 BOX 1061
ST ANTHONY ID 83445

Priority Date: 04/01/1898

Source: TETON RIVER Tributary: HENRYS FORK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to	10/31	7.54 CFS	479.5 AF
			7.54 CFS	479.5 AF

LOCATION OF POINT(S) OF DIVERSION:
TETON RIVER NESESE Sec. 30 Twp 07N Rge 41E FREMONT County

<u>PLACE OF USE:</u>			<u>IRRIGATION</u>																	
<u>Twp</u>	<u>Rge</u>	<u>Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>					
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>	
07N	40E	25									40.0	17.0	38.0	39.0	40.0	40.0	40.0	40.0	294.0	
07N	40E	36	7.0	14.0			22.0												43.0	
07N	41E	30															40.0		40.0	

Total Acres: 377

CONDITIONS OF APPROVAL

1. Right 22-13162 is limited to the irrigation of 137.0 acres within the place of use described above in a single irrigation season.
2. Rights 22-13162 and 22-13164 when combined shall not exceed a total annual maximum diversion volume of 479.5 af at the field headgate, and the irrigation of 137.0 acres.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 18th day of September, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 22-13163
As Modified by Transfer No. 69049

In accordance with the approval of Transfer No. 69049, Water Right No. 22-13163 is now described as follows.

Right Holder: STEWART DITCH
C/O REED ASHCRAFT
RT 1 BOX 1061
ST ANTHONY ID 83445

Priority Date: 04/01/1898

Source: TETON RIVER Tributary: HENRYS FORK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.46 CFS	80.5 AF
			0.46 CFS	80.5 AF

LOCATION OF POINT(S) OF DIVERSION:
TETON RIVER NWNWNE Sec. 28 Twp 07N Rge 41E FREMONT County

PLACE OF USE: IRRIGATION																			
Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07N	40E	25										23.0							23.0

Total Acres: 23

CONDITIONS OF APPROVAL

1. Rights 22-13163 and 22-13165 when combined shall not exceed a total annual maximum diversion volume of 80.5 af at the field headgate, and the irrigation of 23.0 acres.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 01, Snake River.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
4. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. Approval of Transfer 69049 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

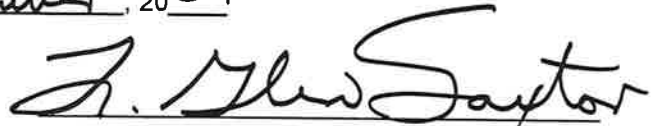
WATER RIGHT NO. 22-13163
As Modified by Transfer No. 69049

CONDITIONS OF APPROVAL

7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 18th day of September, 2001



Chief, Water Allocation Bureau

WATER RIGHT NO. 22-13164
As Modified by Transfer No. 69049

In accordance with the approval of Transfer No. 69049, Water Right No. 22-13164 is now described as follows.

Right Holder: STEWART DITCH
C/O REED ASHCRAFT
RT 1 BOX 1061
ST ANTHONY ID 83445

Priority Date: 05/01/1883

Source: TETON RIVER Tributary: HENRYS FORK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to	10/31	3.77 CFS	479.5 AF
			3.77 CFS	479.5 AF

LOCATION OF POINT(S) OF DIVERSION:
TETON RIVER NESESE Sec. 30 Twp 07N Rge 41E FREMONT County

<u>PLACE OF USE:</u>			<u>IRRIGATION</u>																<u>Totals</u>
<u>Twp</u>	<u>Rge</u>	<u>Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
07N	40E	25									40.0	17.0	38.0	39.0	40.0	40.0	40.0	40.0	294.0
07N	40E	36	7.0	14.0			22.0												43.0
07N	41E	30															40.0		40.0

Total Acres: 377

CONDITIONS OF APPROVAL

1. Right 22-13164 is limited to the irrigation of 137.0 acres within the place of use described above in a single irrigation season.
2. Rights 22-13162 and 22-13164 when combined shall not exceed a total annual maximum diversion volume of 479.5 af at the field headgate, and the irrigation of 137.0 acres.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 18th day of September, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 22-13165
As Modified by Transfer No. 69049

In accordance with the approval of Transfer No. 69049, Water Right No. 22-13165 is now described as follows.

Right Holder: STEWART DITCH
C/O REED ASHCRAFT
RT 1 BOX 1061
ST ANTHONY ID 83445

Priority Date: 05/01/1883

Source: TETON RIVER Tributary: HENRYS FORK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to	10/31	0.23 CFS	80.5 AF
			0.23 CFS	80.5 AF

LOCATION OF POINT(S) OF DIVERSION:
TETON RIVER NWNWNE Sec. 28 Twp 07N Rge 41E FREMONT County

<u>PLACE OF USE:</u>			IRRIGATION																<u>Totals</u>
<u>Twp</u>	<u>Rge</u>	<u>Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
07N	40E	25											23.0						23.0

Total Acres: 23

CONDITIONS OF APPROVAL

1. Rights 22-13163 and 22-13165 when combined shall not exceed a total annual maximum diversion volume of 80.5 af at the field headgate, and the irrigation of 23.0 acres.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 01, Snake River.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
4. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. Approval of Transfer 69049 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

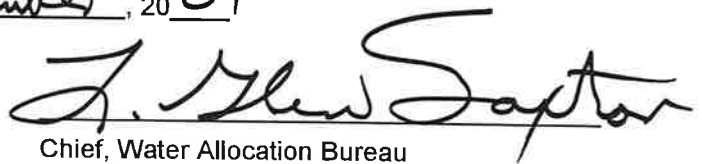
WATER RIGHT NO. 22-13165
As Modified by Transfer No. 69049

CONDITIONS OF APPROVAL

7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 18th day of September, 2001


Chief, Water Allocation Bureau

50 7/11/01

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 69049

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant STEWART DITCH 1/2 REED ASHCRAFT Phone (208) 458-4420
Post Office address Box 1061, St. Anthony ID 83445

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other

RECEIVED
MAR 09 2001
Department of Water Resources
Eastern Region
RECEIVED
FEB 27 2001
Department of Water Resources
Eastern Region

2. Describe the reason for the proposed changes TWO WATER USERS WITHIN STEWART DITCH (DICK HILL AND
MELINDY BARNEY) WISH TO MOVE THEIR SHARES FROM THE STEWART TO THE WILFORD CANAL
THIS WILL ALLOW MUCH EASIER ACCESS TO THEIR WATER. DICK HILL HAS 18 SHARES @ 1 SHARE
PER ACRE AND MELINDY BARNEY HAS 5 SHARES AT 1 SHARE PER ACRE.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>22-13163</u> <u>A22-12646 (B)</u>	<u>4-1-1898</u>	<u>0.46 cfs</u>	<u>IRRIGATION</u>	<u>4-1</u> to <u>11-1</u>
<u>A22-12648 (B)</u>	<u>5-1-1883</u>	<u>0.23 cfs</u>	<u>IRRIGATION</u>	<u>4-1</u> to <u>11-1</u>
<u>22-13165</u>				to
				to

2. Total amount of water being transferred 0.69 cfs cubic feet per second and/or _____ acre-feet per annum.
3. Source of water TETON RIVER tributary to HANLEY'S FORK SNAKE RIVER
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	NW	NW	NE	28	7N	41E	FREMONT	HEADWORKS OF WILFORD CANAL

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7N	40E	25										23							23

Total Acres 23

6. General Information:

- a. Description of diversion system HEADGATE TO WILFORD CANAL TO NITCH SYSTEM TO PUMP
AND MAINLINE FOR SPRINKLER IRRIGATION.
- b. 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 changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
NONE -
- d. Remarks:
According to Stewart Ditch these rts are no longer there + belong
to Wilford Canal. Ref 4-3-01

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20 _____.

For the Director

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. A22-12646

STAGE: DECREED

BENEFICIAL USE		PERIOD OF USE	DIVERSION RATE
IRRIGATION		04/01 to 11/01	8.00 CFS
SOURCE		TRIBUTARY OF	
TETON RIVER		HENRYS FORK SNAKE RIVER	

Priority: 04/01/1898

LOCATION OF POINT(S) OF DIVERSION: NESESE , Sec. 30, Township 07N, Range 41E
FREMONT County

PLACE OF USE:

IRRIGATION

				NE				NW				SW				SE				SUM
				NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
07N	40E	25	:									40	40	38	39	40	40	40	40	317.0
07N	40E	36	:	07	14			22												43.0
07N	41E	30	:															40		40.0
TOTAL ACRES																				400.0

CONDITIONS/REMARKS:

1. P/D PUMP ON TETON RIVER.
22-00693

Describe any other water rights used for the same purpose as described above:

To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? NO If yes, describe:

Claim No. A22-12646

Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☒ Other Notarized Document

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

A22-12646

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.46 cfs for IRRIGATION purposes from 4-1 to 11-1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	NE	SE	SE	30	7N	41E	FREMONT	HEADWORKS OF STEWART DITCH

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7N	40E	25										23							23

Total Acres 23

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 7.54 cfs for IRRIGATION purposes from 4-1 to 11-1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	NE	SE	SE	30	7N	41E	FREMONT	HEADWORKS OF STEWART DITCH

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7N	40E	25									40	17	38	39	40	40	40	40	294
		36	7	14			22												43
	41E	30														40			40

Total Acres 377

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. A22-12648

STAGE: DECREED

BENEFICIAL USE		PERIOD OF USE	DIVERSION RATE
IRRIGATION		04/01 to 11/01	4.00 CFS

SOURCE	TRIBUTARY OF
TETON RIVER	HENRYS FORK SNAKE RIVER

Priority: 05/01/1883

LOCATION OF POINT(S) OF DIVERSION: NESESE , Sec. 30, Township 07N, Range 41E
FREMONT County

PLACE OF USE:

IRRIGATION															
NE				NW				SW				SE			
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T	R	S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac

07N	40E	25	:					:	40	40	38	39	:	40	40
07N	40E	36	:	07	14			:					:		
07N	41E	30	:					:					:	40	
														TOTAL ACRES	400.0

CONDITIONS/REMARKS:

- 1. P/D PUMP ON TETON RIVER.
22-00692

Describe any other water rights used for the same purpose as described above:

To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? NO If yes, describe:

Claim No. **A22-12648**

Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☒ Other Notarized Document

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

If yes, describe

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

A22-12648

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.23 cfs for Irrigation purposes from 4-1 to 11-1
(cfs/ac-ft)
amount for purposes from to
(cfs/ac-ft)
amount for purposes from to
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	NE	SE	SE	30	7N	41E	FREMONT	HEADWORKS OF STEWART DITCH

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7N	40E	25										23							23

Total Acres 23

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 3.77 for Irrigation purposes from 4-1 to 11-1
(cfs/ac-ft)
amount for purposes from to
(cfs/ac-ft)
amount for purposes from to
(cfs/ac-ft)

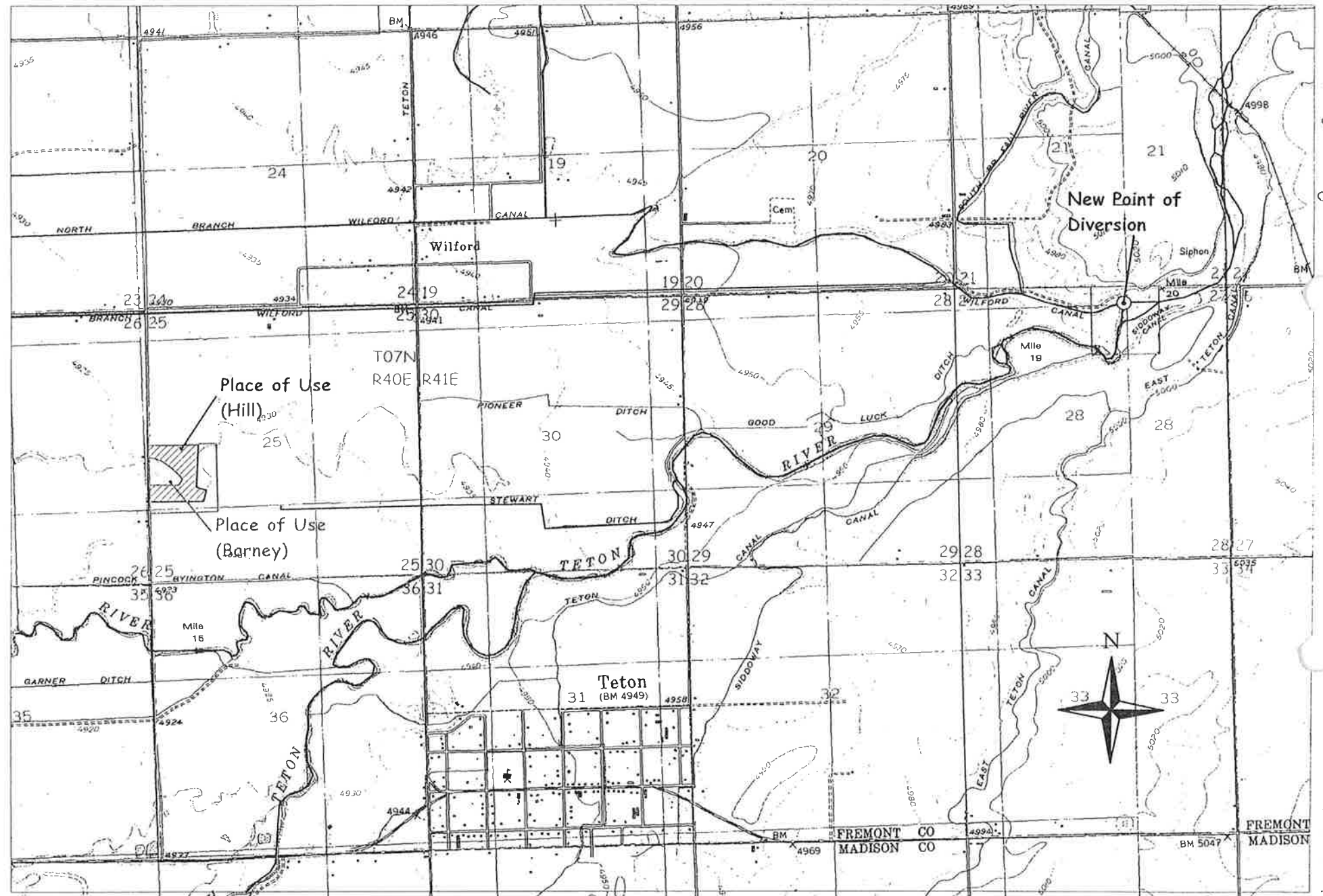
2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	NE	SE	SE	30	7N	41E	FREMONT	HEADWORKS OF STEWART DITCH

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7N	40E	25									40	17	38	39	40	40	40	40	294
		36	7	14			22												43
		30														40			40

Total Acres 377



Transfer -- A22-12646, A22-12648
Stewart Ditch (Hill/Barney)

0.5 0 0.5 1 1.5 Miles

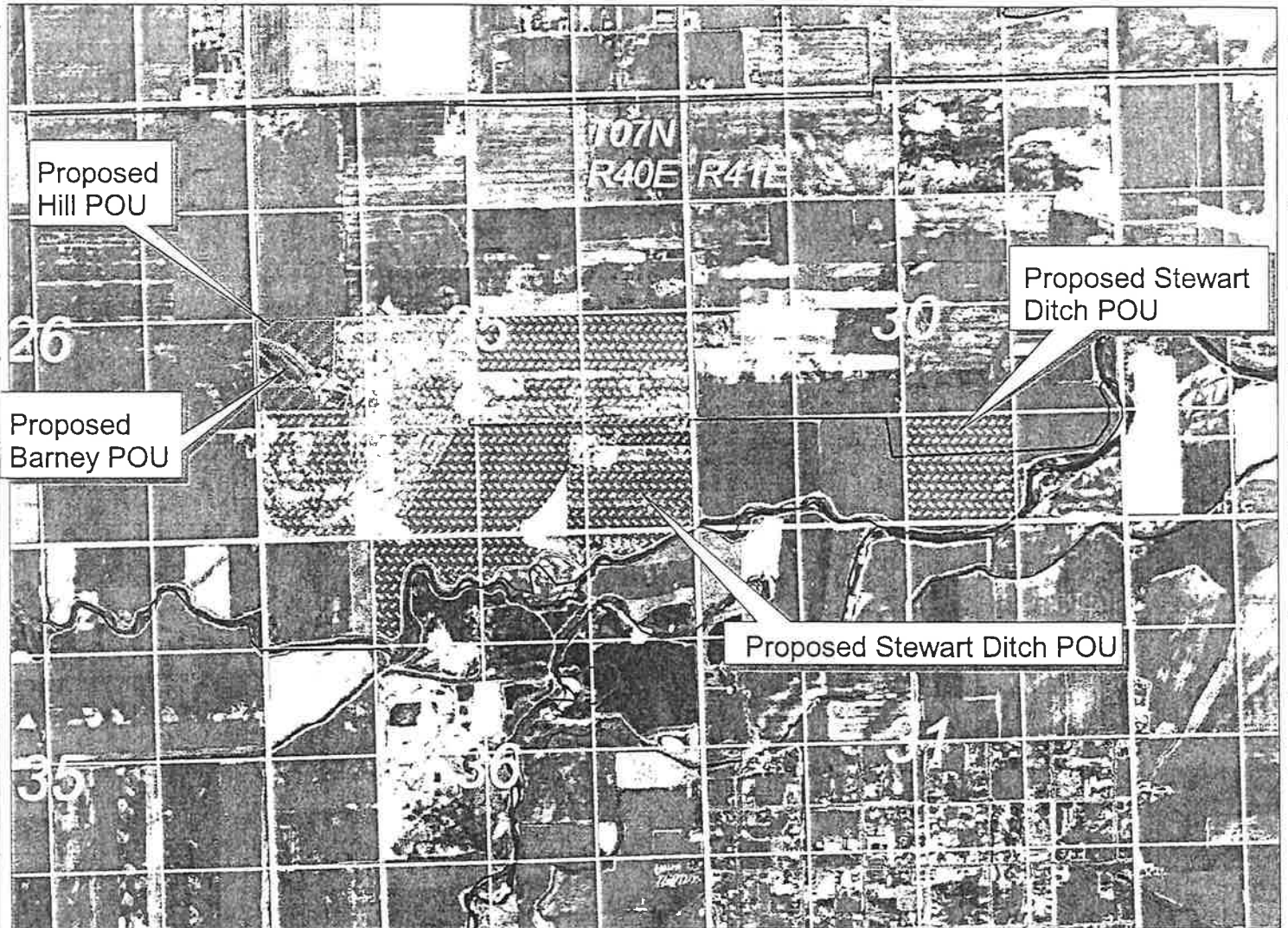
Page 9 of 11

T-90419

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for the rights described in part 1. Clearly depict the land by section, township and range number.



0.5 0 0.5 1 1.5 2 Miles

- Proposed Stewart Ditch POU
- Proposed Barney POU from Wilford Ditch
- Proposed Hill POU from Wilford Ditch

1:24000



Transfer -- Stewart Ditch Proposed Places of Use

PART 3

B. CHANGES IN NATURE OF USE

1.

<u>New Nature of Use</u>	<u>Amount(cfs/af-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
_____	_____	_____	_____ to _____
_____	_____	_____	_____ to _____
2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

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 willful misrepresentations made in this application may result in voiding its approval.

[Signature]

(Signature of Applicant)

Subscribed and sworn to before me this _____ day of _____, 20____.

(Notary Public)

My commission expires _____

FOR DEPARTMENT USE ONLY

Transfer contains 11 pages and 2 attachments

Received by DEM Date 3-9-01 Protest filed by _____

Prelim. Check by KCW 3/29/2001 Fee \$250

Received by DEM 6026528 Date 3-9-01

Published in Herald Chronicle Copies of protest forwarded by _____

Pub. Dates May 2 & 9 - 2001 Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____

DEPARTMENT OF THE INTERIOR
UNITED STATES GEOLOGICAL SURVEY

No. 59094

IN THE DISTRICT COURT OF THE SIXTH (NOW NINTH) JUDICIAL
DISTRICT OF IDAHO IN AND FOR THE COUNTY OF FREMONT

RExburg Irrigation Company et al,
Plaintiffs,

vs

Teton Irrigation Canal Company, et al,
Defendants.

It appearing to me from the affidavit of T. F. Roueche and L. C. Rice and from the facts and circumstances which occurred at the trial of the above entitled cause, and record and testimony submitted that purely thru mistake and inadvertence, the lands hereinafter described were not decreed any water and that all parties interested in the waters of Teton River and its tributaries are willing that this order be made as hereinafter set out and that the waters herein allowed, on the land herein described should have been allowed in the original decree and would have been allowed, except for a clerical error and the clerical mistake in the drawing of the decree.

NOW THEREFORE, it is ordered, adjudged and decreed that the said decree is corrected in said clerical error in the following particulars: There is decreed to the following described land in Fremont County, Idaho to-wit: The South West quarter of Sec. 25, Twp. 7 North, Range 40 East, Boise Meridian, and to T. F. Roueche, who is now the owner of the said lands, 200 miner's inches of water, dating from May 1st, 1883, and 400 miner's inches of water dating from April 1st, 1898, to be taken thru the Pioneer Ditch from the Teton River.

Dated Dec. 17, 1913

22-00693

22-00692

T. M. Stevens, Judge.

Filed for record at the request of T. F. Roueche, Feb. 6th. 1915
at 4 P. M.

Sam A. Trude

Recorder

WD #11

Transfer No. 2046

Application No. 22-0275/22-0274

RECEIVED
MAY 4 1977

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

APPROVED

Department of Water Resources
Eastern District Office

To Change the Point of Diversion and/or the Place of Use

Name of applicant Bob Parkinson Phone 624-7285

Post office address Rt. #1, Box 135-8, St. Anthony, ID.

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree to Good Luck Canal Co. (Name)
in case of Rexburg Irrigation Co. vs Teton Irrigation Canal Co.
dated 12-16-10 in Sixth Judicial Court county of Fremont
(Name of court)
- b. License No. issued by the Idaho Department of Water Resources
- c. Claim No. on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant

3. Source of water Teton River tributary to Henrys Fork of Snake

4. Date of priority 6-01-1884 - 22-0275; 4-01-1898 - 22-0274

5. Water is used for the following purposes:

- (22-0275) amount 10.0 for Irrigation purposes from Apr. 1 to Nov. 1
- (22-0274) amount 26.0 for Irrigation purposes from " to "
- amount for purposes from to
(month/day both dates inclusive)

6. Total amount of water under right: a. 36.0 cubic feet per second
b. &/or
acre feet per annum

7. Location of original point of diversion is NW 1/4 of NW 1/4 of Section 28
Township 7N Range 41E, B.M., in Fremont County

Additional points of diversion, if any

8. Lands 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	
7N	41E	29		X	X			X	X	X	X	X				X*			
		30	X	X	X	X	X	X			X			X	X	X		X	

Irrigation but not mentioned in original land list Total number of acres to be irrigated 480

*See remarks

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

1. Amount of water: a. 13.86 cubic feet per second 3.85 - 6-1-84
&/or 10.01 - 4-1-98
b. _____ acre feet per annum
2. Point of diversion NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 28 Township 7N
Range 41E, B.M., Fremont County
Additional points _____

3. 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 $\frac{1}{4}$	
7N	41E	29		X	X			X	X		X	X	X	X			X		113
		30													X	X		X	68
																			181

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

1. Change in point of diversion

- a. Amount of water to be diverted 13.86 c.f.s. &/or _____ acre feet
- b. Point(s) of diversion NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 23 Township 7N
Range 42E, B.M., Fremont County
Additional points _____

- c. Description of diverting works 3 - 400 HP turbine pumps, pipeline and sprinkler system
- d. Describe the reasons for applying for a change in the point(s) of diversion Applicant has a contract with the right owners to rent this water for irrigation of the following described land

2. Change in place of use

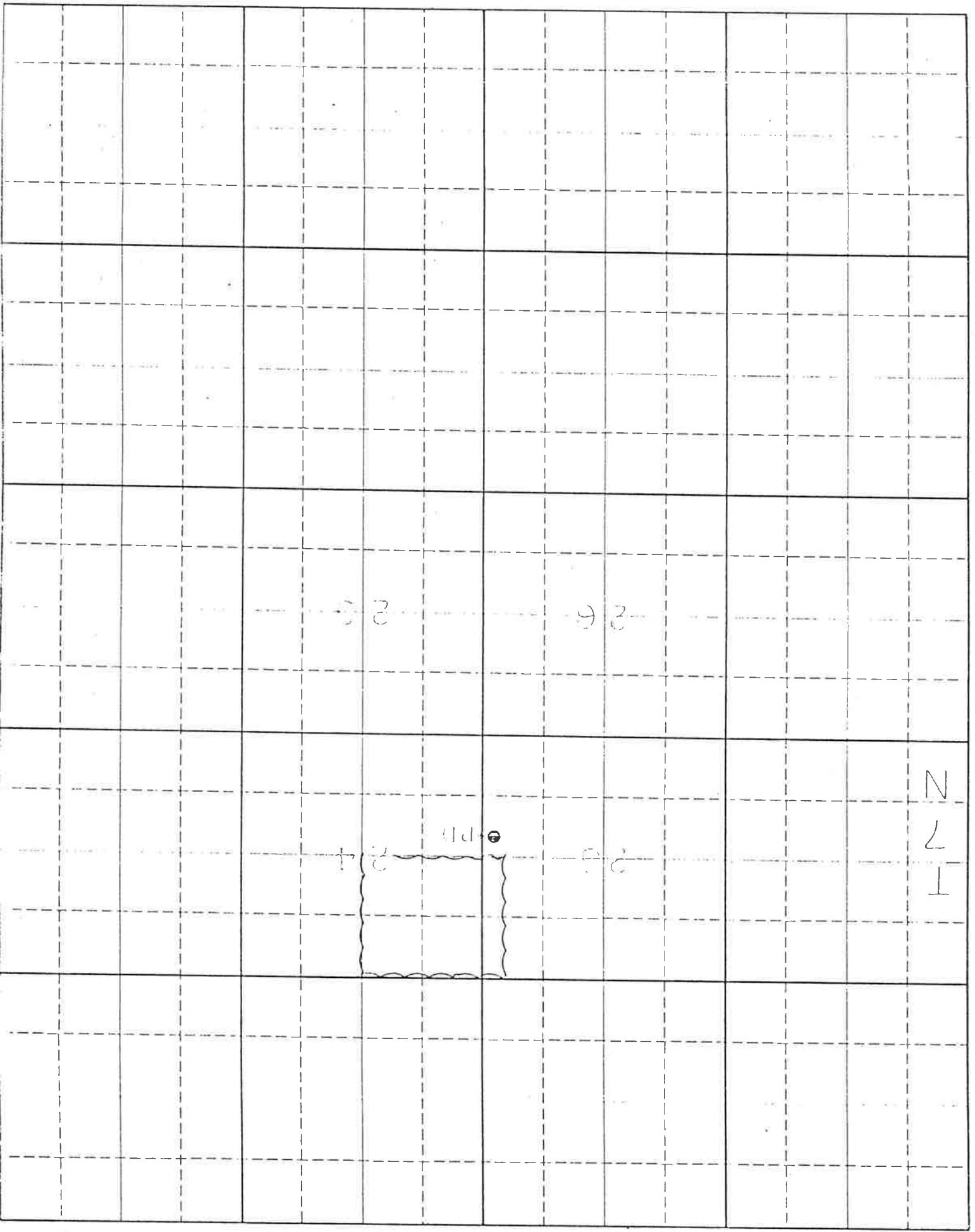
- a. Describe the lands or place of use to which the right will be transferred:

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 $\frac{1}{4}$	
7N	42E	24					X	X	X	X									160
		23	X			X													21
																			181

Total number of acres to be irrigated _____

b. 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.

N 7 R 2 E



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

3. Remarks Acreages are not given for all land owners named under Goodluck Canal Co. i
decree. It appears from the land descriptions and acreages given that the total is
about 480 acres.

I hereby assert that no one will be injured by such change and 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.

Beto Pacheco
(Signature of applicant)

Subscribed and sworn to before me this 23rd day of January, 19 76.

Kenneth Dunn
(Notary public)

My commission expires 2/14/78

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No.22-0275/22-0274
and said application is hereby APPROVED.

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

PURSUANT TO ORDER DATED THE 29TH OF APRIL, 1977

2. Denial of said application is for the following reasons:

Witness my hand this 29 day of APRIL, 19 77

A. Kenneth Dunn
A. KENNETH DUNN
Administrator, Operations Division

FOR DEPARTMENT USE ONLY

Received by me Date 1-25-77
Prelim. check by KTC Fee \$30.00
Receipted by me Date 1-25-77 #4511
Published in Grand County Recorder
Pub. dates Feb 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 1977
Watermaster recommendation requested on 1-25-77
me rec'd. 5-14-77

Protest filed by Don L. Patten & H. H. Patten
Agents for Good Luck Canal Co.
St. George, Utah
Copies of protest forwarded by 20 2-2-77
Hearing held by _____ Date _____
Recommended for approval denial
by Juni Johnson

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 22-12655
Date Received: 3/8/1989
Receipt No: M002928
Received By:

AMENDED

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

WILFORD IRRIGATION & MFG CO Phone: (208)356-3502
4483 E 2000 N
SUGAR CITY ID USA 83448

2. Date of Priority: 04/01/1898

3. Source: TETON RIVER Trib. to: HENRYS FORK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07N	41E	28	NW NW NE	FREMONT	

5. Description of diverting works:

CONCRETE DAM WITH 10' CURVED SPILLWAY AND GATE ACROSS TETON R.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	~~158.16~~ 158.62	
STOCKWATER	1/01	12/31	0.24	
GROUND WATER RECHARGE	11/01	3/31	157.92	

7. Total Quantity Appropriated is:
158.16 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
07N	40E	22	SE SE	IRRIGATION	10
				Section Acres	10
07N	40E	23	SE SE	IRRIGATION	20
			NE SW	IRRIGATION	34
			NW SW	IRRIGATION	40
			SW SW	IRRIGATION	38
			SE SW	IRRIGATION	38
			NE SE	IRRIGATION	20
			NW SE	IRRIGATION	40

SCANNED

JUN 17 2005

22-12655

PROFILED

04/20/2005

			SW	SE	IRRIGATION	40
					Section Acres	270
07N	40E	24	NE	SW	IRRIGATION	5
			NW	SW	IRRIGATION	5
			SW	SW	IRRIGATION	40
			SE	SW	IRRIGATION	40
			NE	SE	IRRIGATION	23
			NW	SE	IRRIGATION	15
			SW	SE	IRRIGATION	38
			SE	SE	IRRIGATION	35
					Section Acres	201
07N	40E	25	NE	NE	IRRIGATION	40
			NW	NE	IRRIGATION	40
			NE	NW	IRRIGATION	40
			NW	NW	IRRIGATION	39
			SW	NW	IRRIGATION	39
			SE	NW	IRRIGATION	40
					Section Acres	238
07N	40E	26	NE	NE	IRRIGATION	40
			NW	NE	IRRIGATION	40
			SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
			NE	NW	IRRIGATION	40
			NW	NW	IRRIGATION	40
			SW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	40
			NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	40
			SE	SW	IRRIGATION	40
			NE	SE	IRRIGATION	40
			NW	SE	IRRIGATION	40
			SW	SE	IRRIGATION	40
			SE	SE	IRRIGATION	40
					Section Acres	640
07N	40E	27	NE	NE	IRRIGATION	40
			NW	NE	IRRIGATION	30
			SW	NE	IRRIGATION	32
			SE	NE	IRRIGATION	40
			NE	NW	IRRIGATION	40
			SE	NW	IRRIGATION	40
			NE	SW	IRRIGATION	10
			SE	SW	IRRIGATION	20
			SW	SE	IRRIGATION	40
			SE	SE	IRRIGATION	40
					Section Acres	332
07N	41E	19	NE	SW	IRRIGATION	10

PROFILED

SCANNED

JUN 17 2005

			NW	SW	IRRIGATION	12
			SW	SW	IRRIGATION	33
			SE	SW	IRRIGATION	40
			NE	SE	IRRIGATION	5
			NW	SE	IRRIGATION	9
			SW	SE	IRRIGATION	40
			SE	SE	IRRIGATION	40
					Section Acres	189
07N	41E	20	SE	SW	IRRIGATION	40
			SE	SE	IRRIGATION	20
					Section Acres	60
07N	41E	29	NW	NW	IRRIGATION	40
			SW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	39
			NE	SW	IRRIGATION	20
			NW	SW	IRRIGATION	10
			NW	SE	IRRIGATION	10
			NW	NE	IRRIGATION	40
			SW	NE	IRRIGATION	40
			NE	NW	IRRIGATION	40
					Section Acres	279
07N	41E	30	NE	NE	IRRIGATION	40
			NW	NE	IRRIGATION	40
			SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
			NE	NW	IRRIGATION	40
			NW	NW	IRRIGATION	40
			NE	SE	IRRIGATION	39
			NW	SE	IRRIGATION	40
			SW	SE	IRRIGATION	40
			SE	SE	IRRIGATION	20
					Section Acres	379
					Total Acres	2598

11. Place of use in counties: FREMONT

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used: 22-12654, 22-00673, 22-13165

14. Remarks:

22-12655

PROFILED

04/20/2005

SCANNED
JUN 17 2005

3

THIS CLAIM COMBINES DECREED WATER RIGHTS 22-00274, 22-00580, 22-00693B (22-13163 BY TX69049), WHICH HAVE THE SAME PRIORITY DATES, AND AFTER THE TETON DAM FAILURE WATERS ORIGINALLY DIVERTED THROUGH THE GOOD LUCK CANAL WERE THEN ADDED TO THE WILFORD CANAL SYSTEM, AND ARE THEREFORE COMBINED FOR THE FILING.

15. Basis of Claim: Decreed

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: _____

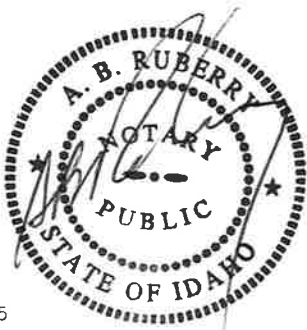
For Organizations:

I do solemnly swear or affirm that I am Brant Kerbs, President of
Title
Wilford Canal Co, that I have signed the foregoing
Organization
document in the space below as President of
Title
Wilford Canal Co. and that the statements contained in the
Organization
foregoing document are true and correct. Brant Kerbs
Signature of Authorized Agent
President Wilford Canal Co.
Title and Organization
4/20/05
Date

State of Idaho)
County of BONNEVILLE) SS.

Subscribed and sworn (or affirmed) before me this 20th
of April 2005 Aileen B. Ruberry
Notary Public

Residing at Boone Park Boise
My commission Expires 9/23/09



PROFIT

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

RECEIVED

NOV 15 1993

Ident. Number: A22-12655
Date Received: 3/ 8/1989
Receipt No: M002928
Received By:

Department of Water Resources
Eastern District Office

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

1. Name: WILFORD IRRIGATION & MFG. CO. 208-458-4397
Address: RT. 1 BOX 34
ST. ANTHONY ID 83445
2. Date of Priority: APR 1, 1939
3. Source: TETON RIVER Trib. to: HENRY'S FORK OF THE SNAKE
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 07N | 41E | 28 | NW | NW | NE | | FREMONT |
5. Description of diverting works:
CONCRETE DAM WITH 10' CURVED SPILLWAY AND GATE ACROSS TETON R.
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S | (or) | A.F.A. |
|----------------------|-------|-------|---------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 158.160 | | |
| STOCKWATER | 01/01 | 12/31 | 0.240 | | |
| GROUNDWATER RECHARGE | 11/01 | 03/31 | 157.920 | | |
7. Total Quantity Appropriated is:
50.000 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 5196.0 Acre Feet Per Annum.
9. Non-irrigation uses:
STOCK WATER AND RECHARGE
10. Place of Use:
- | Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 07N | 40E | 22 | SE | SE | | IRR | 10.0 |

A22-12655
PROVIDED

SCANNED
Page 1
JUN 17 2005

Date: 11/08/93
MICROFILMED
APR 11 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	10.0
		23	NE	SW	IRR	34.0
			NW	SW	IRR	40.0
			SW	SW	IRR	38.0
			SE	SW	IRR	38.0
			NE	SE	IRR	20.0
			NW	SE	IRR	40.0
			SW	SE	IRR	40.0
			SE	SE	IRR	20.0
					Section Acres	270.0
		24	NE	SW	IRR	5.0
			NW	SW	IRR	25.0
			SW	SW	IRR	40.0
			SE	SW	IRR	40.0
			NE	SE	IRR	23.0
			NW	SE	IRR	15.0
			SW	SE	IRR	38.0
			SE	SE	IRR	35.0
					Section Acres	221.0
		25	NE	NE	IRR	40.0
			NW	NE	IRR	40.0
			NE	NW	IRR	40.0
			NW	NW	IRR	39.0
			SW	NW	IRR	39.0
			SE	NW	IRR	40.0
					Section Acres	238.0
		26	NE	NE	IRR	40.0
			NW	NE	IRR	40.0
			SW	NE	IRR	40.0
			SE	NE	IRR	40.0
			NE	NW	IRR	40.0
			NW	NW	IRR	40.0
			SW	NW	IRR	40.0
			SE	NW	IRR	40.0
			NE	SW	IRR	40.0
			NW	SW	IRR	40.0
			SW	SW	IRR	40.0
			SE	SW	IRR	40.0
			NE	SE	IRR	40.0
			NW	SE	IRR	40.0

A22-12655

Page SCANNED2

Date: 11/08/93

MICROFILM

APR 11 1994

JUN 17 2005

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	40E	26	SW	SE		IRR	40.0
			SE	SE		IRR	40.0
			Section Acres				640.0
		27	NE	NE		IRR	40.0
			NW	NE		IRR	30.0
			SW	NE		IRR	32.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	10.0
			SE	SW		IRR	20.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
			Section Acres				332.0
41E		19	NE	SW		IRR	10.0
			NW	SW		IRR	12.0
			SW	SW		IRR	33.0
			SE	SW		IRR	40.0
			NE	SE		IRR	5.0
			NW	SE		IRR	9.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
			Section Acres				189.0
		20	SE	SW		IRR	40.0
			SE	SE		IRR	20.0
			Section Acres				60.0
		29	NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	39.0
			NE	SW		IRR	20.0
			NW	SW		IRR	10.0
			NW	SE		IRR	10.0
			Section Acres				279.0
		30	NE	NE		IRR	40.0
			NW	NE		IRR	40.0

SCANNED

MICROFILMED

A22-12655

JUN 17 2005

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PROFILED

Date: 11/08/93 APR 11 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	41E	30	SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			NE	SE		IRR	39.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	20.0

Section Acres 379.0

Total Acres 2618.0

11. Place of use in counties: FREMONT

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
WILFORD CANAL AND GOOD LUCK CANAL, A22-12654 & A2200673

14. Remarks:
THIS CLAIM COMBINES DECREED WATER RIGHTS 22-00518 AND 22-00275, WHICH HAVE THE SAME PRIORITY DATES, AND AFTER THE TETON DAM FAILURE WATERS ORIGINALLY DIVERTED THROUGH THE GOOD LUCK CANAL WERE THEN ADDED TO THE WILFORD CANAL SYSTEM, AND ARE THEREFORE COMBINED FOR THE FILING.

15. Basis of Claim: BENEFICIAL USE

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: _____

SCANNED

JUN 17 2005

MICROFILMED

A22-12655

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Date: 11/08/93 APR 11 1994

PROFILED

For Organizations:

I do solemnly swear or affirm that I am President of

Title

Wilford Int. + Mfg. Co., that I have signed the foregoing

Organization

document in the space below as President of

Title

Wilford Int. + Mfg. Co. and that the statements contained in the

Organization

foregoing document are true and correct.

Glenn D. Davis
Signature of Authorized Agent

Wilford Int. + Mfg. Co.
Title and Organization

11-12-93

Date

State of Idaho)

County of Madison)

) SS.

Subscribed and sworn (or affirmed) before me this 12th day

of November 19 93

Deanna L. Richman
Notary Public

Seal

Residing at Sugar City, Idaho

My Commission Expires 1-31-99

SCANNED

JUN 17 2005

A22-12655

Page

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Date: 11/08/93

PROFILED

MICROFILMED

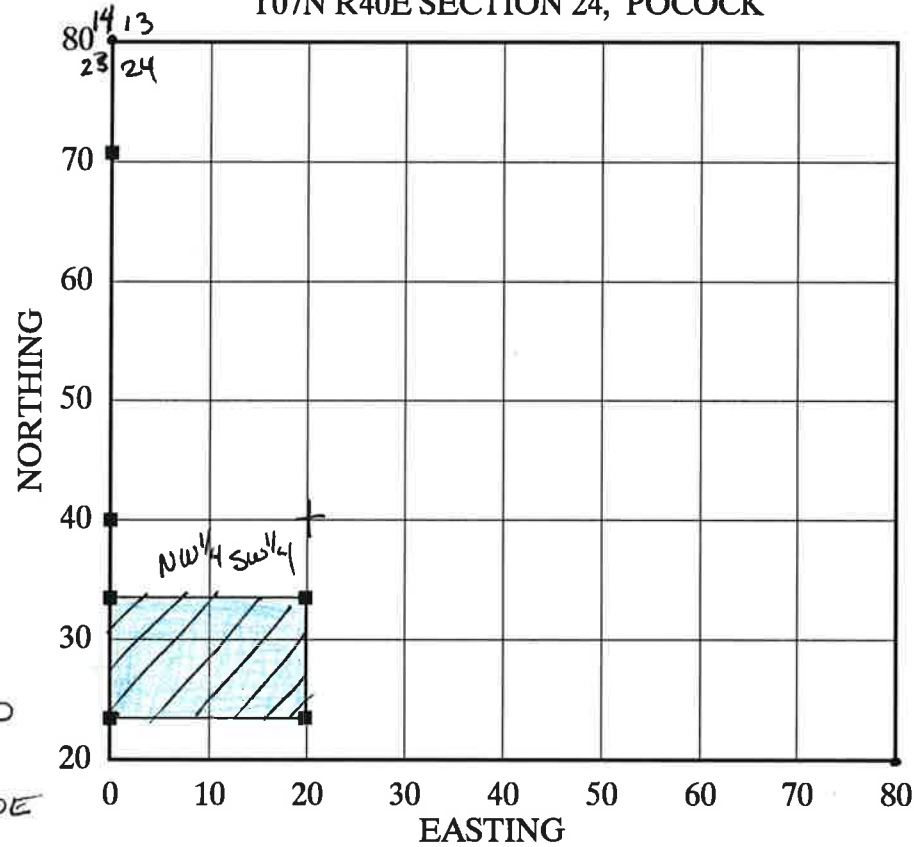
APR 11 1994

— AMENDED — (ACRES PD. BY FARMERS FRIEND.)

A22-00673 A22-12654, A22-12655

PROPERTY BOUNDARY FROM SURVEY

T07N R40E SECTION 24, POCKOCK



AMENDED
ACRES —
ADDED 20 10
NW SW
SEC 24 7N 40E
SEC 24

Distances in chains
ESV, 11/4/93

PROFILED

SCANNED
JUN 17 2005

MICROFILMED
APR 11 1994

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: A22-12655
Date Received: 3/08/1989
Receipt No: M002928
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WILFORD IRRIGATION & MFG. CO. 208-458-4397
Address: RT. 1 BOX 34
ST. ANTHONY, ID 83445
2. Date of Priority: APR 01, 1939
3. Source: TETON RIVER Trib. to: HENRY'S FORK OF THE SNAKE
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 07N | 41E | 28 | NW | NW | NE | | FREMONT |
5. Description of diverting works:
CONCRETE DAM WITH 10' CURVED SPILLWAY AND GATE ACROSS TETON R.
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S | (or) | A.F.A |
|----------------------|-------|-------|---------|------|-------|
| IRRIGATION | 04/01 | 11/01 | 158.160 | | |
| STOCKWATER | 01/01 | 12/31 | 0.240 | | |
| GROUNDWATER RECHARGE | 11/01 | 03/31 | 157.920 | | |
7. Total Quantity Appropriated is:
50.000 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 5196.0 Acre Feet Per Annum.
9. Non-irrigation uses:
STOCK WATER AND RECHARGE
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	40E	22	SE	SE		IRR	10.0
Section Acres							10.0

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10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07N	40E	23	NE		SW		IRR	34.0
			NW		SW		IRR	40.0
			SW		SW		IRR	38.0
			SE		SW		IRR	38.0
			NE		SE		IRR	20.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	20.0
Section Acres								270.0
		24	NE		SW		IRR	5.0
			NW		SW		IRR	5.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	23.0
			NW		SE		IRR	15.0
			SW		SE		IRR	38.0
			SE		SE		IRR	35.0
Section Acres								201.0
		25	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	39.0
			SW		NW		IRR	39.0
			SE		NW		IRR	40.0
Section Acres								238.0
		26	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0

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10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07N	40E	26	NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
			Section Acres					640.0
		27	NE		NE		IRR	40.0
			NW		NE		IRR	30.0
			SW		NE		IRR	32.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	10.0
			SE		SW		IRR	20.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
			Section Acres					332.0
41E		19	NE		SW		IRR	10.0
			NW		SW		IRR	12.0
			SW		SW		IRR	33.0
			SE		SW		IRR	40.0
			NE		SE		IRR	5.0
			NW		SE		IRR	9.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
			Section Acres					189.0
		20	SE		SW		IRR	40.0
			SE		SE		IRR	20.0
			Section Acres					60.0
		29	NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	39.0
			NE		SW		IRR	20.0
			NW		SW		IRR	10.0
			NW		SE		IRR	10.0
			Section Acres					279.0

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10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07N	41E	30	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			NE		SE		IRR	39.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	20.0
Section Acres								379.0
Total Acres								2598.0

11. Place of use in counties: FREMONT

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:

WILFORD CANAL AND GOOD LUCK CANAL, A22-12654 & A2200673

14. Remarks:

THIS CLAIM COMBINES DECREED WATER RIGHTS 22-00518 AND 22-00275, WHICH HAVE THE SAME PRIORITY DATES, AND AFTER THE TETON DAM FAILURE WATERS ORIGINALLY DIVERTED THROUGH THE GOOD LUCK CANAL WERE THEN ADDED TO THE WILFORD CANAL SYSTEM, AND ARE THEREFORE COMBINED FOR THE FILING.

15. Basis of Claim: BENEFICIAL USE

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16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4-1 to 11-1 amount 158.16 or _____
For Stockwater purposes from 1-1 to 12-31 amount .24 or _____
For Recharge purposes from 11-1 to 3-31 amount 157.92 or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 158.16 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 6495 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 1000 Cattle Sheep Horses

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
			See Attached List																

Total number of acres irrigated 2598

11. In which county (ies) are lands listed above as place of use located? Fremont

12. Do you own the property listed above as place of use? Yes _____ No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
1884 1939 H22-12654 H22-00673 or None ()

14. Remarks: This claim is a combination of Priority
Dates and Claims Number 22-00580 + 22-00274

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Last Name _____

Ident No. _____

Copies: White -State, Yellow-Claimant

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14. Remarks:

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

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15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree ☒

If applicable provide IDWR Water Right Number 22-00580 - 22-00274

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Chairman of Board

of Wilford Irrigation and Mfg. Co that I have signed the foregoing

document in the space below as Chairman of Board of Wilford Irr. and Mfg. Co

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent J. T. Beech

Title and Organization Wilford Irr. and Mfg. Co Date 3-8-89

State of Idaho/or _____)
County of Tremont) SS.

Subscribed and sworn (or affirmed) before me this 8th day of March 19 89

SEAL

Notary Public Anthony S. O'Leary

Residing at Idaho Falls

My Commission Expires 9/12/1994

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

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Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

