

09/21/2005

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

RIGHT NUMBER: 22-13139

NAME AND ADDRESS: BREJ INC
PO BOX 51
SUGAR CITY ID 83448

SOURCE: TETON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.220 CFS

The rights listed below are limited to a total combined diversion rate of 0.90 cfs. Combined Right Nos.: 22-13137, 22-13139, 22-13141.

PRIORITY DATE: 05/01/1889

POINT OF DIVERSION:

T07N R40E S36 NWSNW Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.220 CFS

PLACE OF USE: IRRIGATION Within MADISON County

T06N R40E S10	NWNE	26.0	T06N R40E S10	SWNE	19.0
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45 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 45.0 acres in a single irrigation season. Combined Right Nos.: 22-13137, 22-13139, 22-13141.

This right is limited to the irrigation of 11.0 acres within the place of use described above in a single irrigation season.

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.

This right is subject to regulation by the watermaster of Water District 01.

EXPLANATORY MATERIAL: BASIS OF CLAIM -

This right is a split from former right 22-416B.

Water is delivered through Teton Island Canal.

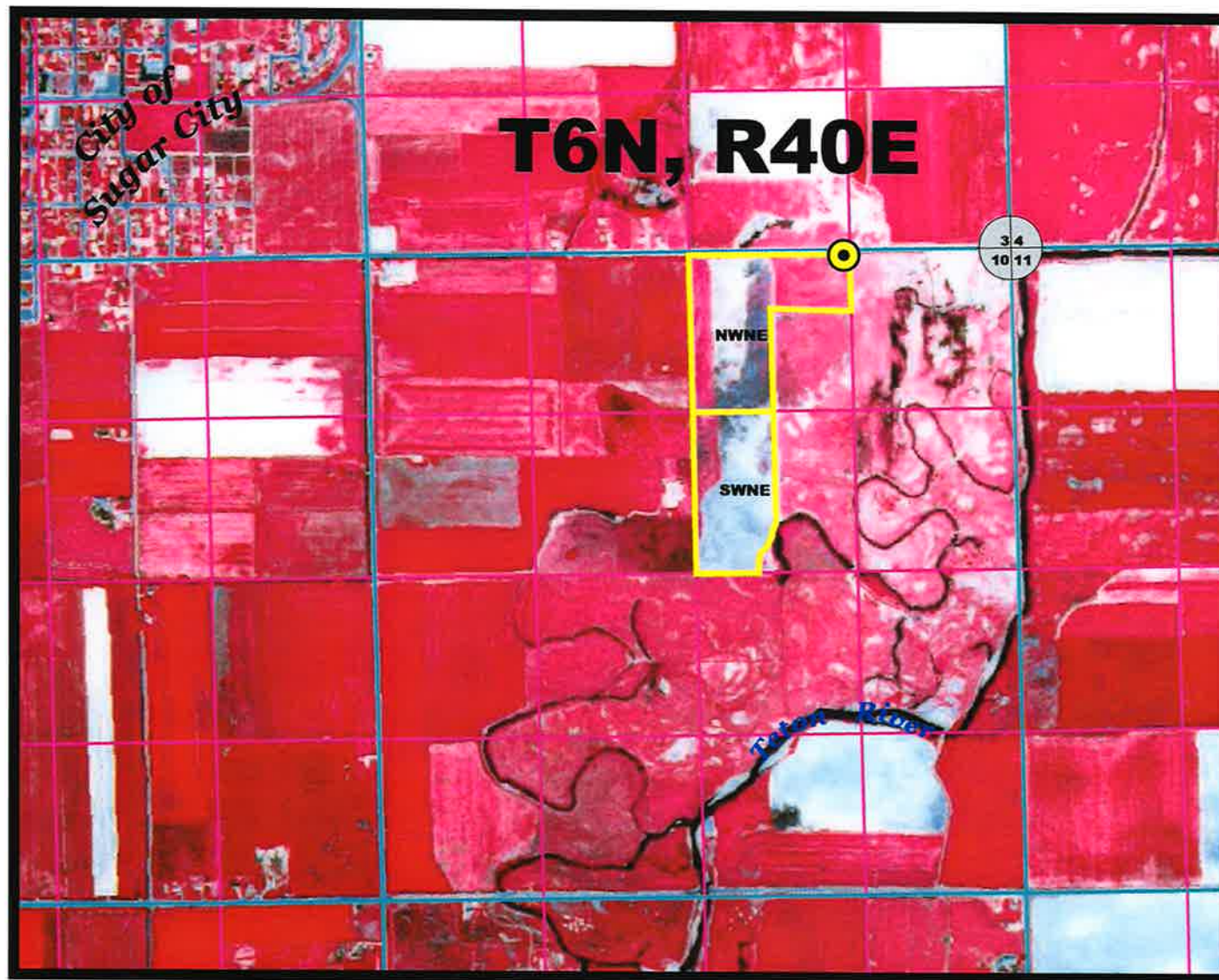
Right No. 22-13137 is also diverted through point of diversion described above.



State of Idaho

Department of Water Resources

Eastern Region



500 0 500 1000 1500 2000 2500 3000 3500 4000 4500 5000 5500 6000 6500 7000 7500 8000 Feet

Water Right(s):

22-13137,
22-13139,
22-13141

Point(s) of Diversion:

T7N, R40E Sec. 36 NESWNW
T6N, R40E Sec. 10 NENWNE

Place of Use: (parts of)

T6N, R40E Sec. 10 W2NE

Delivered by Teton Island Canal.

LEGEND



Point of Diversion



Place of Use



Section



Quarter-Quarter



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: September 2005

Water Right No(s). 22-13139

P.O.D. TETON ISLAND FEEDER
GPS-
Photo.

See attached photo
of Teton Island Canal

GPS DATA:

Tag # A0000286 Location: on Support post

Diversion Data:

Source: TETON R. Trib to: HENRY'S FL

MOTOR

Make: _____ Model: _____ Hp: _____
SN: _____

PUMP

Make: _____ Model: _____ Disch: _____
SN: _____

NOTES:

I called Brent Barrus of BRET Inc (Phone # 356-4346)
& he confirmed that place of use map done by Steve McCormack
was correct. Name, address & phone confirmed on claim also.

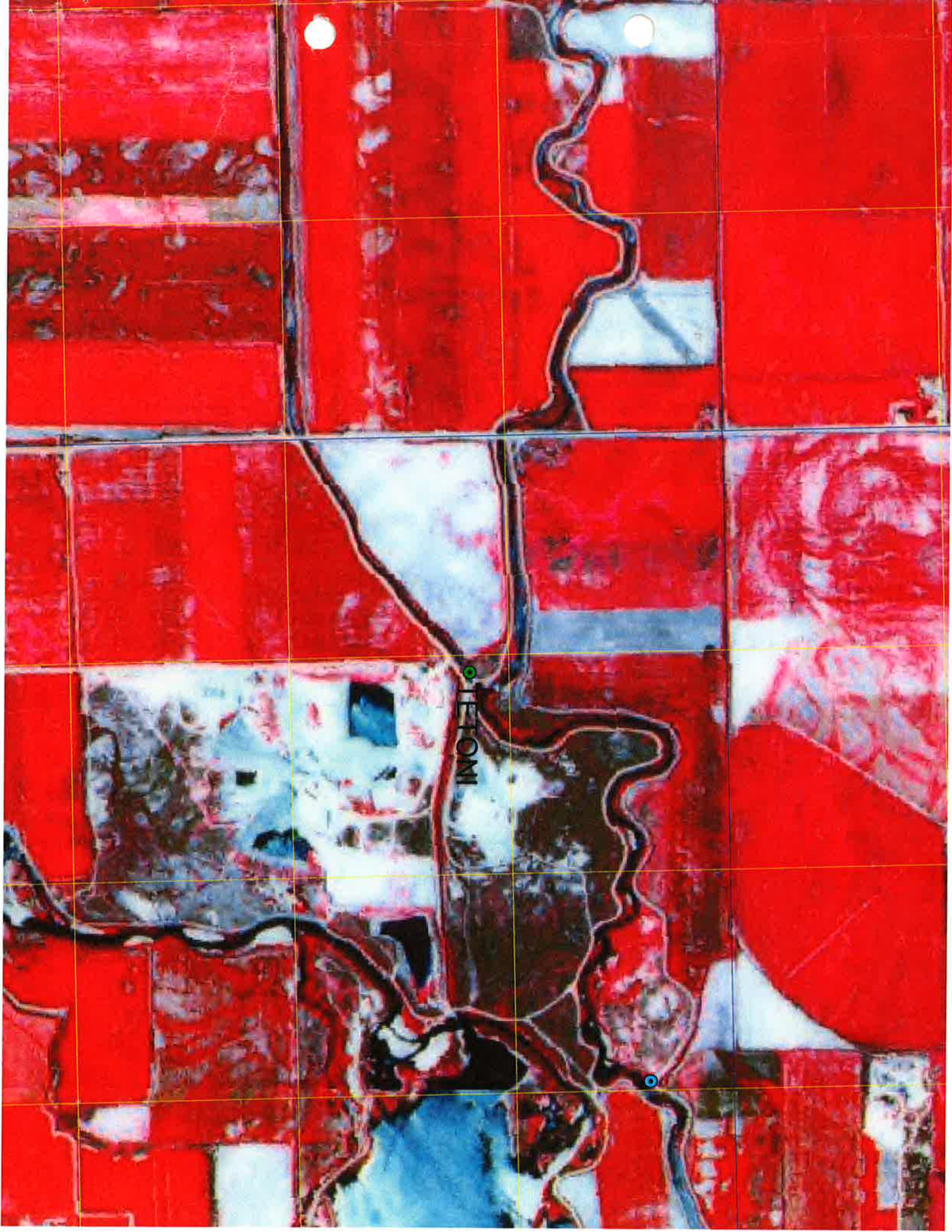
Field Exam Date: 7-13-2005 Agent: Hufens



GPS
TAG

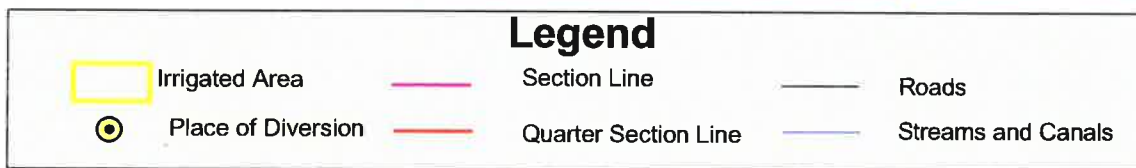
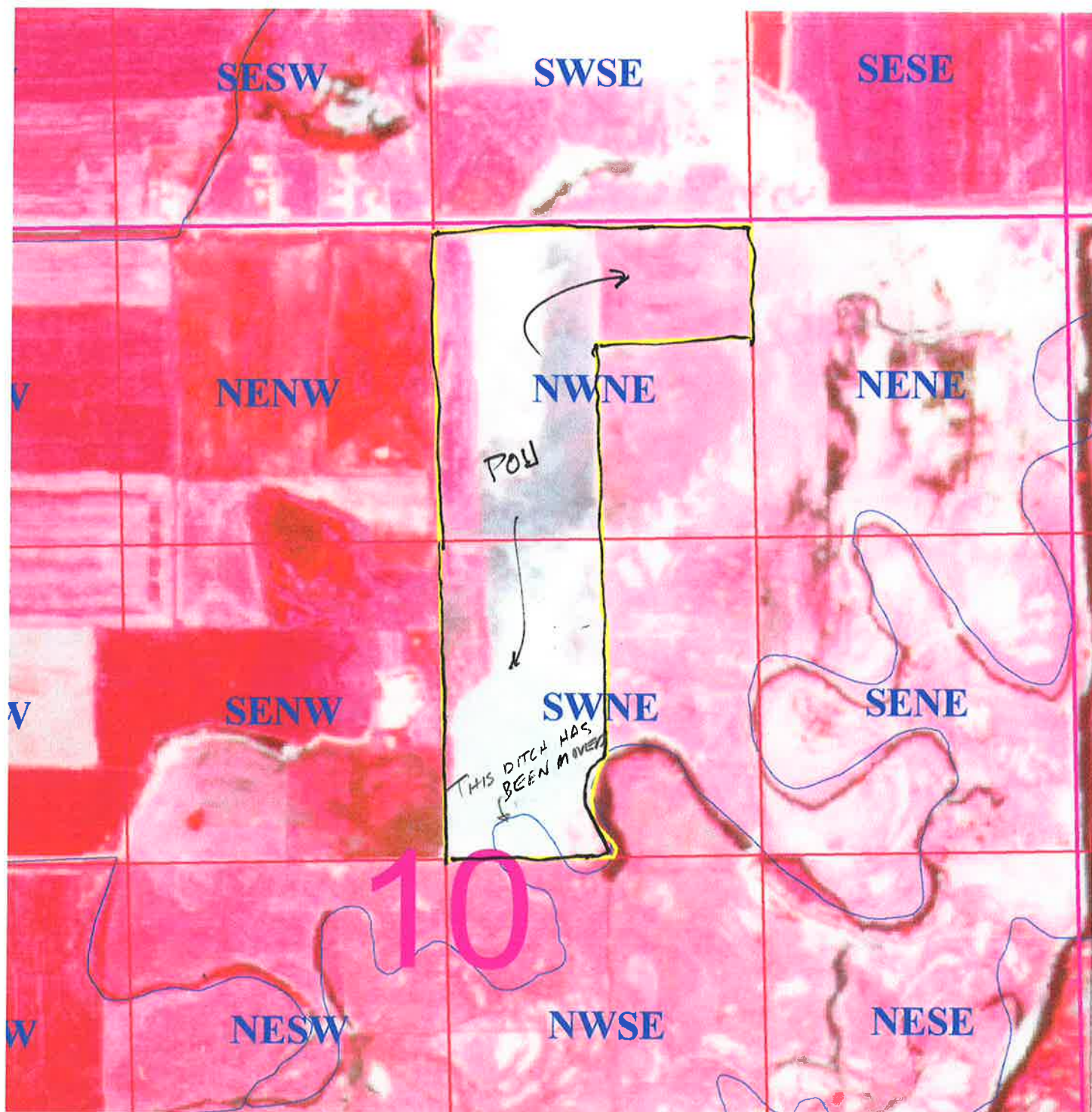
Iteon Island Canal, Looking NW, GPS Tag on Support
post behind green box. GPS Tag # A0000286

GPS File - Iteon I
GPS Data - 2685339
1412883



Water Right Claim Number 22-13139
Township , 6N40E

08/23/2001



Contacts Data Entry Form

Claim Number: 22-1339

Owner Type	Full Name	Address	City	State	Zip
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Current Owner:	<u>BRENT BARNESI</u>				Phone No.: <u>356-4346</u>
Current Owner:					Phone No.: _____
Current Owner:					Phone No.: _____
Name connector: and _____, or _____, and/or _____.					

Representing Attorney:	_____	Phone No.: _____
Accompanied By:	_____	Phone No.: _____
Relationship to Claimant:	_____	Date of Field Exam: _____

Discussion of right origin and split history. Questions and problems.1-20-05 CALLED BRENT BARNESI (356-4346) LEFT MESSAGESteve McCormack notes
HW

Reviewer: _____ Date: _____

Place Of Use Data Entry Form

Claim Number: 22-13139Claimed Place Of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
6N	40E	10	NW	NE	MADISON			IRR
			SW	NE				

Total acres 5.7Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
6N	40E	10	NW	NE	MADISON			IRR
			SW	NE				

Total acres _____

Pending or approved Transfers: _____

Overlapping rights: _____

Document how the POU was verified:

P.O.U. VERIFIED BY INSPECTION ON 1-18-05

Reviewer: 8722 Date: 1-18-05



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

November 30, 2000

BREJ INC
PO BOX 51
SUGAR CITY ID 83448

RE: CHANGE IN OWNERSHIP FOR A22-00415B, A22-00416B,
A22-13129

Dear Sir or Madam:

The request for Change in Ownership for a portion of the above referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

A22-00415B split into:

A22-13137: 0.42 CFS, 47 ACRES, BREJ INC

A22-13138: 1.76 CFS, 196 ACRES, ALLEN/KLINGLER

A22-00416B split into:

A22-13139: 0.22 CFS, 47 ACRES, BREJ INC

A22-13140: 0.90 CFS, 196 ACRES, ALLEN/KLINGLER

A22-13129 split into:

A22-13141: 0.39 CFS, 47 ACRES, BREJ INC

A22-13142: 1.61 CFS, 196 ACRES, ALLEN/KLINGLER

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

Cheri Vandermeulen

Cheri Vandermeulen
Records Clerk

Enclosure(s)

RECEIVED

JUN 29 2000

RECEIVED

JUN 28 2000

STATE OF IDAHO
 IDAHO DEPARTMENT OF WATER RESOURCES
 NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
 Incomplete forms will be returned.

1. Water Right No(s): A22-00416B, A22-13129, A22-00415B

Adjudication Claim No(s): A22

2. The following **REQUIRED** information must be submitted with this form:

A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

AND

B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)

OR

C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant

Barrus Brothers Corporation
2964 N 2000 E P.O. Box 51
Sugar City Id 83448

4. New Owner/Claimant(s)

BREJ Inc

New Mailing Address

Name Connector (Check one): [] and, [] or, [] and/or
P. O. Box 51

City, State and ZIP Code

Sugar City Idaho

New Telephone Number

(208) 356-4346

5. Date you acquired the property

March 13, 2000

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right 47 Number and type of stock

Diversion rate in CFS .56 + .44 cfs waste water Number of homes you acquired 0 Other uses

7. Signature of New Owner(s) BREJ Inc
 or Claimant(s) Brent Barrus Pres

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

split water right proportionally

Brent Barrus

11/6/2000
ABR

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 22-13139
Date Received: 11/21/00
Receipt No:
Received By:

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

1. Name of Claimant(s)

BREJ INC Phone: (208) 356-4346
PO BOX 51
SUGAR CITY ID USA 83448

2. Date of Priority: 05/01/1889

3. Source: TETON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
07N	40E	36	NW SE NW	FREMONT

5. Description of diverting works:

HEADWORKS OF TETON ISLAND FEEDER CANAL INTO NELSON JACOBS DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.22	

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

8. Total consumptive use:

9. Non-irrigation uses:

A2213139



10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	40E	10	NW NE		IRRIGATION	27
			SW NE		IRRIGATION	20

Section Acres 47

Total Acres 47

11. Place of use in counties: MADISON

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Decreed