

09/16/2011

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

RIGHT NUMBER: 22-13165

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: 0.230 CFS

PRIORITY DATE: 05/01/1883

POINT OF DIVERSION:

T07N R41E S28 NWNE Within FREMONT County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.230 CFS

PLACE OF USE:

2463
2616.2 ACRES TOTAL

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

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.

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.

This right is limited to the irrigation of 23 acres within the place of use described above in a single irrigation season.

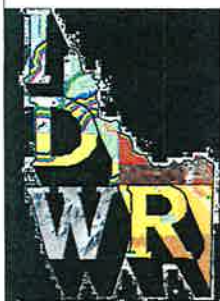
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 22-12648 (original decree 22-692).

Water is delivered through Wilford Canal.



Idaho Department of Water Resources

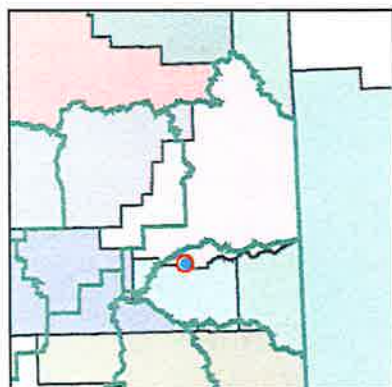
SRBA Recommendation:

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

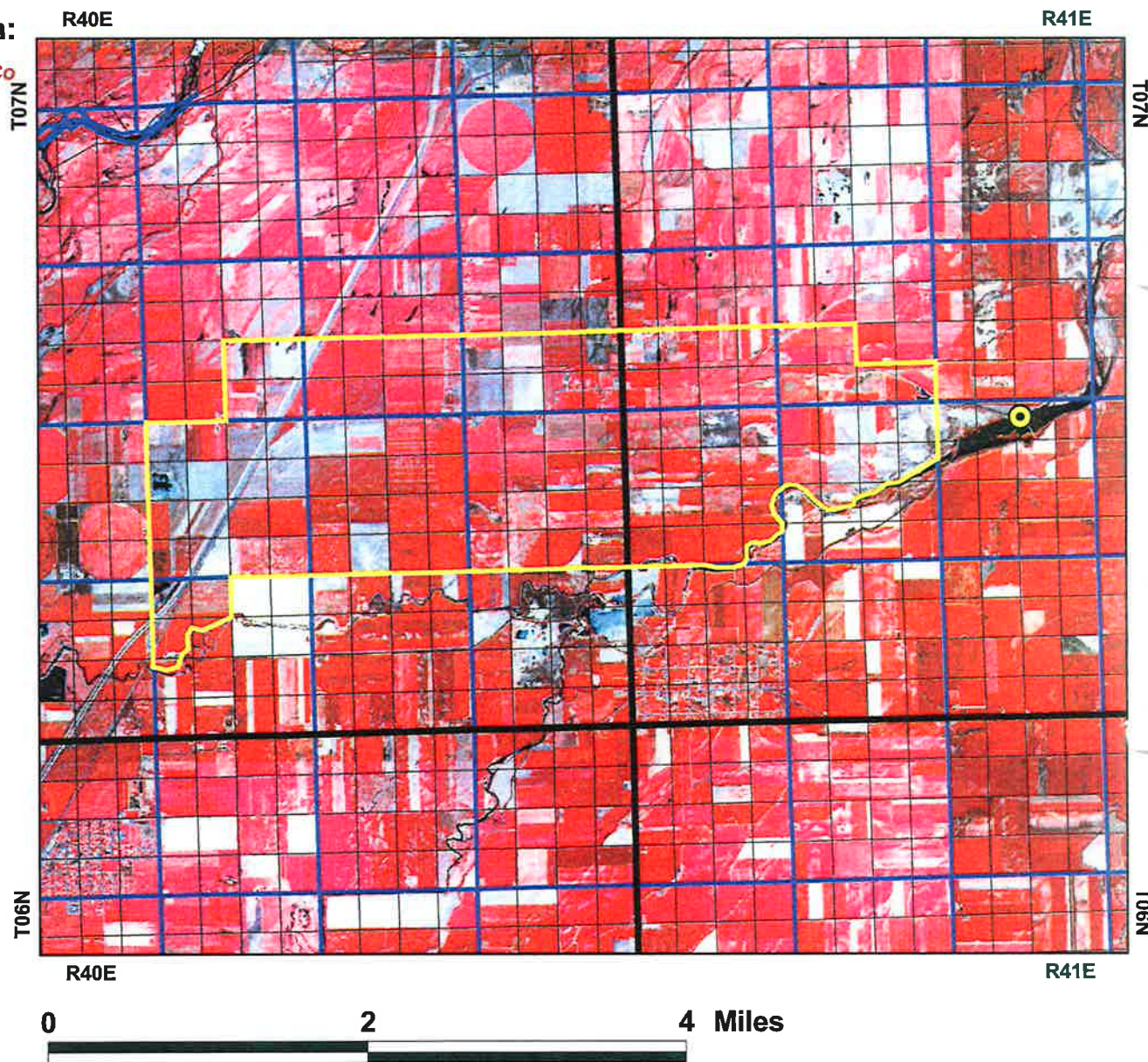
(Irrigation)

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

10/27/2006

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: 22-13165

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,

SCANNED
AUG 21 2007

KMJS
10/27

~~Bob~~ Stewart 1883

1883

05/24/2005

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: 22-13165

WILFORD IRR & MFG CO
RT 1 BOX 34
ST ANTHONY ID 83445

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:

8/16/05

SIGNATURE:

Brant Kerbs

Please print your name:

IDWR Regional Office,

OK

Correct Address
Brant Kerbs - Pres Done 8/30/05 ASR
240 W 2500 E
St Anthony, Id.
83445

Phone 458-4151

SCANNED
AUG 21 2007

WILFORD IRRIGATION AND MANUFACTURING CO.

SRBA WATER RIGHT CLAIMS:

<u>Water Right</u>	<u>Priority Date</u>	<u>CFS</u>	
22-13165	05/01/1883	0.23	
22-12654	06/01/1884	77.84	Claim combines 22-581 and 22-275
22-12655	04/01/1898	158.62	Claim combines 22-274, 22-580, 22-693B (22-13163 by Tx 69049). 136.93 cfs recommended, 21.69 cfs disallowed to partial forfeiture 1975 to present.
22-673	01/01/1939	50.0	Disallowed, Forfeiture 1975 to present

Peak historic diversion, July 1975, 215 CFS

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Contacts Data Entry Form

Claim Number: _____

Owner Type	Full Name	Address	City	State	Zip
Current Owner:	_____	_____	_____	_____	_____
Current Owner:	_____	_____	_____	_____	_____
Current Owner:	_____	_____	_____	_____	_____

Phone No.:	_____
Phone No.:	_____
Phone No.:	_____

Phone No.:	_____
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Phone No.:	_____
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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.

Q: Is this claim paid for? Receipt #? Paid under 22-12648

This RT was claimed as 22-12648 which originated as 22-692.

Remark

Tx #69049 splits 22-12648 to 22-13164 and 13165.

22-13165 was transferred to be delivered through Wilford Canal.

Remark

22-13164 stays in Stewart Ditch. See Tx #69049 in 22-13162

Tx #69049 does not confirm existence of right- condition #3.

Reviewer: _____ Date: _____

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GPS
TAG

Wilford Canal + Harry Kennedy, Water Master, looking East

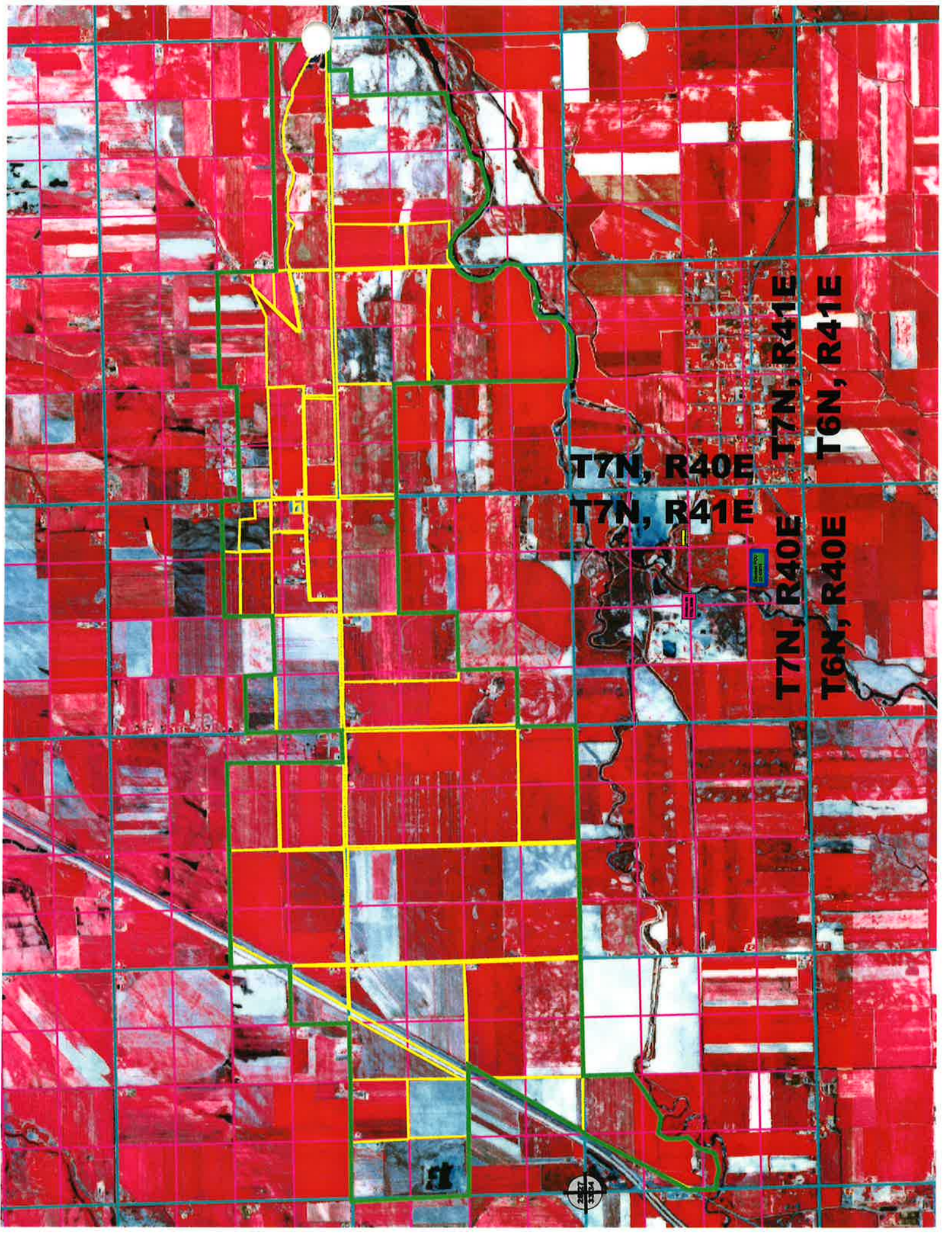
GPSTAG on railing - #A0000281, GPS file - WILFOR

GPS data-2690469, Same P.O.D as Good Luck Canal, A22-00275
1414901

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JUN 17 2005



T7N, R40E
T7N, R41E

T7N, R40E
T7N, R41E

T6N, R40E
T6N, R41E

DECREE OF FALL RIVER AND ITS TRIBUTARIES.

(Arranged According to Priority of Rights.)

Wilson, O. L.; June 10, 1887; Fall River	120
Humphrey, Richards; June 10, 1887; Fall River. (Sold to O. L. Wilson)	240
Hathaway, John; June 10, 1887; Fall River	205
Hathaway, William; June 10, 1887; Fall River	240
Curr, Joseph; June 10, 1887; Fall River	240
Brown, Hyrum; June 1, 1888; Fall River	120
Farnsworth, A. T., and R. J.; June 1, 1888; Fall River	120
White, Henry T.; June 1, 1888; Fall River	120
Farnsworth, A. T., and R. J.; June 1, 1889; Fall River	200
Fall River Irrigation Co.; June 1, 1889; Fall River	18,000
From July 1st of each year for the balance of the irrigation season	
Fall River Irrigation Co.; June 1, 1889; Fall River	23,000
As a high water right until July 1st of each year	
Bell, Joseph; Sept. 26, 1889; Fall River	260
Silkey, J. R.; June 1, 1890; Fall river. Also right bought from W. P. Drake	400
Serg, Z.; June 1, 1890; Fall River	275
White, Henry T.; June 1, 1890; Fall River	120
Blanchard, Alma; June 1, 1890; Fall River	120
Drake, W. P.; June 1, 1890; Fall River. (Sold to J. R. Silkey)	400
Farnsworth, A. S.; June 1, 1890; Fall River	260
Seeley Brothers; June 1, 1891; Fall River	180
Brown, J. J.; June 1, 1891; Fall River	240
Farnsworth, A. T., and R. J.; June 1, 1892; Fall River	200
Blanchard, Alma; June 1, 1892; Fall River	120
Smith, T. C.; June 1, 1893; Conant Creek	100
Peterson, S. O.; June 1, 1893; Conant Creek	120
Mithell, Edward; June 1, 1894; Fall River	150
Moon, Carlos H.; May 10, 1895; Fall River	250
Langley, A. C.; June 24, 1902; Squirrel Creek	125
Yellowstone Land & Cattle Co.; June 24, 1902; Squirrel Creek	150
Smith, Henry; July 16, 1902; Fall River	100
Marysville Canal & Improvement Co., Ltd.; Nov. 5, 1895; Fall River	16,500
Farmers Own Ditch Co., Ltd.; Apr. 1, 1896; Fall River	1,700
Chester Canal & Irrigation Co., Ltd.; Apr. 1, 1896; Fall River	5,600
Langley, Thomas W.; June 1, 1896; Fall River	150
Peterson, S. O.; June 1, 1899; Conant Creek	40
Langley, A. C.; Aug. 1, 1899; Squirrel Creek	20
Highland Ranch Improvement Co., Ltd.; May 15, 1900; Boone Creek	150
Harrigfeld Canal & Irrigation Co., Aug. 4, 1900; Fall River	3,000
Alvary, C. J.; Sept. 24, 1900; Fall River	150
Conant Creek Canal Co.; May 1, 1901; Conant Creek	1,000
Squirrel Creek Irrigation & Canal Co.; Sept. 1, 1901; Squirrel Creek	1,000
Boone Creek Canal Co.; Sept. 15, 1901; Boone Creek	5,000
West, Curtis B.; June 1, 1903; Fall River	30
Yellowstone Land & Cattle Co.; July 1, 1903; Squirrel Creek	250
Farmers Own Ditch Co., Ltd.; May 1, 1904; Fall River	600
Perry, M. R., and R. V. McBain and William H. Dunlap;	

May 1, 1904; Conant Creek	710
260 Farmers Own Ditch Co., Ltd.; May 1, 1905; Fall River	2,000
263 Yellowstone Power & Irrigation Co.; May 1, 1906; Fall River	5,000
263 Harrigfeld Canal & Irrigation Co.; May 1, 1906; Fall River	4,000

Decree of the Teton River and its tributaries, arranged according to priority of rights:

1 Garn, Martin, Mar. 15, 1879; Moody Creek	480
To be reduced to 240 inches after June 20th in each year	240
2 Rowe, Reuben H., and Morris McCormick; June 1, 1879; Teton River. (Through McCormick & Rowe Ditch)	220
6 Woodmansee, Charles H.; Mar. 15, 1881; Moody Creek	320
To be reduced to 160 inches after June 20th of each year	160
9 Teton Island Canal Co.; Mar. 1, 1883; Teton River	518
10 Woodmansee, Charles H.; Mar. 15, 1883; Moody Creek	160
To be reduced to 80 inches after June 20th of each year	80
11 Pioneer Ditch Co.; May 1, 1883; Teton River	528
12 Hansen, N. P.; May 15, 1883; South Fork of Teton River. (Sold to Lee Burrows)	160
14 City of Rexburg; June 10, 1883; Teton River. (For power and municipal purposes)	1,350
14 Rexburg Irrigation Co.; June 10, 1883; Teton River	6,500
15 Bird, Martin L., F. W. Garner and George A. Pincock; Mar. 1, 1884; Pincock-Garner Ditch	444
15 Pincock-Byington Ditch Co.; Mar. 1, 1884; Teton River	356
17 Hill Ditch Co.; May 1, 1884; Teton River	348
18 Teton Island Canal Co.; May 22, 1884; Teton River	3,500
20 Good Luck Canal Co.; June 1, 1884; Teton River	500
20 Liston, H. S.; June 1, 1884; Spring Creek	240
20 Yearsley, John H.; June 1, 1884; Spring Creek	60
20 Wolf Ditch Co.; June 1, 1884; Teton River	1,265
20 Wilford Irrigation & Manufacturing Co.; June 1, 1884; Teton River	3,392
20 Stewart, Samuel (deceased), Estate of, by Mary H. Birch, Adminx., and Mary H. Birch; June 1, 1884; Teton River	250
20 Teton Irrigation & Manufacturing Co.; June 1, 1884; Teton River. (To be diverted at the Bird head-gate near the Teton Mill)	3,798
20 Teton Irrigation & Manufacturing Co.; June 1, 1884; Teton River. (To be diverted at the Bird head-gate near the Teton Mill)	2,202
24 Woodmansee, Charles H.; Mar. 15, 1885; Moody Creek	640
To be reduced to 320 inches after June 20th of each year	320
26 Nelson, David; May 1, 1885; Teton River. (Through Nelson-Jacobs Ditch)	216
27 Windmill, Richard, and Richard Withers and Oscar B. Young; May 31, 1885; Teton River. (Eckersell Canal)	216
28 Roxana Canal Co.; June 1, 1885; Teton River. (To be diverted from Teton Island Feeder Canal)	800
28 Salem Irrigation Canal Co., Ltd.; June 1, 1885; Teton River	4,000
28 Salem Irrigation Canal Co., Ltd.; June 1, 1885; Teton	

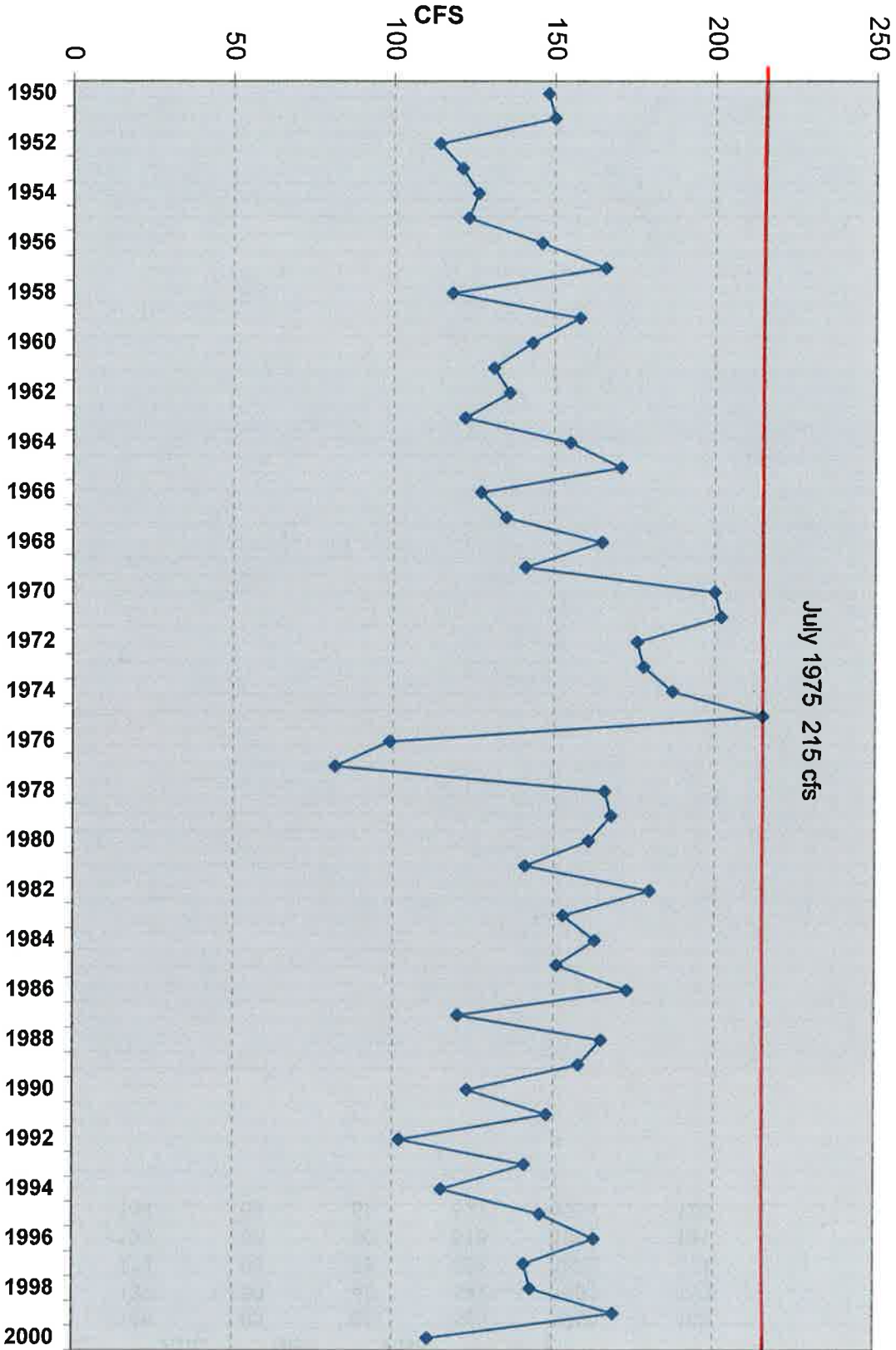
JUN 17 2005

PROVIDED

JUN 17 2005

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SCANNED



MAXIMUM MONTHLY DIVERSION 1950-2000
13055030 WILFORD CANAL

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

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	A 22-13165				
	~~22-13165~~				
	A 22-13163				

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

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) 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(s)

STISMAST DITCH

4. New Owner/Claimant(s)

Wilsons Irrig & Mfg Co.
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

P.O. Box 34

City, State and ZIP Code

ST. ANTHONY ID 83445

New Telephone Number

() _____

5. Date you acquired the property

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APR 22 2005

Department of Water Resources
 Eastern Region

PROFILED

370-608

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Brant Kels
President

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

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

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SCANNED

JUN 17 2005

State of Idaho
Department of Water Resources

I, Reed Ashcraft, President of Stewart Canal, do hereby authorize and agree to the transfer of
water rights 1883 No. 22-00692 B TR 69049, A22-13165
1898 No. 22-00693 B TR69049, A22-13163
which were done on February 13, 2001.

Reed W. Ashcraft
Reed W. Ashcraft
President Stewart Canal
2373 East 214 North
St. Anthony, ID 83445

4-21-05
Date:

SUBSCRIBED AND SWORN to before me this 21 day of April, 2005.



Ladonna Henman
NOTARY PUBLIC
Residing at Regley ID
Commission Expires 6-1-05

PROFILE

SCANNED
JUN 17 2005

RECEIVED
APR 22 2005
Department of Water Resources
Eastern Region

State of Idaho
Department of Water Resources

I, Reed Ashcraft, President of Stewart Canal, do hereby authorize and agree to the transfer of water rights owned by Dick Hill and Melody Barney to the Wilford Canal.

Reed W. Ashcraft
Reed W Ashcraft
President, Stewart Canal

2-13-01
Date



Ladonna Henman
Regist ID
Expires 6/1/05
Date 2-13-01

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JUN 17 2005

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APR 22 2005

Department of Water Resources
Eastern Region

Eastern

RECEIVED

SEP 24 2001

Page 1 of 7

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

[Signature]
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	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

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
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

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

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 22-13165

Date Received:
Receipt Nos:
Received By:

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

Name of Claimant WILFORD IRRIGATION & MFG CO
C/O BRANT KERBS PRES
240 N 2500 E
ST ANTHONY, ID 83445
(208)458-4151

Priority Date: 05/01/1883
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>				
TETON RIVER	HENRYS FORK				
<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	
IRRIGATION	04/01	10/31	.23 CFS		80.5 AFA
Recharge for Irrigation	04/01	10/31	.23 CFS		
Total Diversion			.23 CFS		

Location of Point(s) of Diversion:

TETON RIVER NWNWNE Sec. 28 Township 07N Range 41E FREMONT County

All Qualified Wells of the stockholders/electors as described in Remarks below.

Place(s) of use: Within the area served by this irrigation entity

Remarks: Diversion of this right for the purpose of recharge for irrigation is authorized for a maximum acreage equivalent to the authorized place of use for this right. This right includes an accomplished change in place of use pursuant to Section 42-1425, Idaho Code. § I.C. 42-1425 and/or I.C. 42-228. This right includes an accomplished change in point of diversion pursuant to Sections 42-1425 and/or 42-228, Idaho Code.

Qualified Wells are those owned by stockholders/electors within the authorized place of use and which are recovering ground water resulting from recharge for irrigation and/or water resulting from irrigation under this entity's irrigation works for use on lands within this irrigation entity's authorized place of use.

- 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
1. 135 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.
 2. C18 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.
 3. F01 Water is delivered through WILFORD CANAL.
 4. P21 This right is a split from former right 22-12648 (original decree 22-692). Place of use is within the area served by Consolidated Farmers Canal Co.
 5. F06 The following rights are also diverted through point of diversion described above: 22-673, 22-12654, 22-12655, 22-13165, and 22-13412.
 6. E56 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, 22-13165 and 22-13412.

Describe any other water rights used at the same place and for the same purposes as describe above: Those water rights recommended as of the date of this amended claim.

Basis of Claim: Decreed

Signature(s)

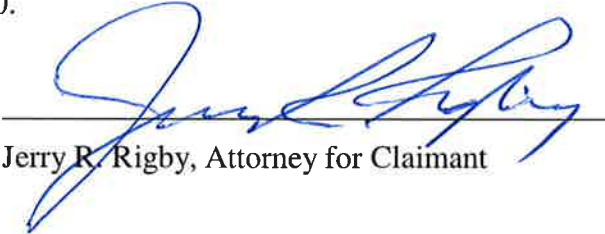
(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not XX wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: Previously submitted and on file with IDWR

For Individuals/Organizations:

I do solemnly swear or affirm under penalty of perjury that I am the attorney for the above individual or organization, that I have signed the foregoing document in the space below as attorney for the individual or organization and that the statements contained in the forgoing document are true and correct.

DATED this 17th day of August, 2010.


Jerry R. Rigby, Attorney for Claimant

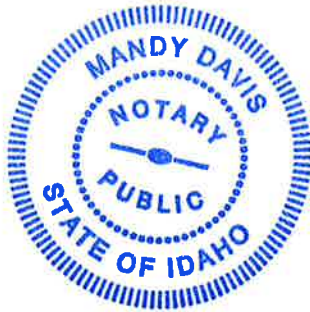
STATE OF IDAHO,)

ss.

County of Madison.)

On this 17th day of August, 2010, before me, the undersigned, a Notary Public in and for said State, personally appeared Jerry R. Rigby, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

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



Mandy Davis

Notary Public for Idaho

Residing at: St. Anthony

My Commission Expires: 6/24/2011

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 22-13165
Date Received:
Receipt No:
Received By:

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

1. Name of Claimant(s)

STEWART DITCH Phone: (208)458-4420
C/O REED ASHCRAFT
RT 1 BOX 1061
ST ANTHONY ID USA 83445

2. Date of Priority: 05/01/1883

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:

Wilford Canal. Concrete coffer dam with steel gates & ditches.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.23	80.5

7. Total Quantity Appropriated is:
0.23 C.F.S. and/or 80.5 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
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11. Place of use in counties:

PROFILE

SCANNED
JUN 17 2005

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

13. Other Water Rights Used:

14. Remarks:

Use of water under this water right will be regulated by the watermaster of State Water District No. 01, Snake River.

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.

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.

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.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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.

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.

15. Basis of Claim: Decreed

PROFILED

SCANNEL
JUN 17 2005