

08/31/2006

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

RIGHT NUMBER: 22-13441

NAME AND ADDRESS: FLYING H CORP
C/O BOB HUSKINSON
35 S MILLHOLLOW RD
REXBURG ID 83440-2030

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.160 CFS
19.00 AFY

The rights listed below are limited to a total combined diversion rate of 1.07 cfs and to a total combined annual diversion volume of 283.5 AF. Combined Right Nos.: 22-7047B, 22-7083B, 22-7553B, and 22-13441.

Right Nos. 22-7047B and 22-13441 are limited to a total combined diversion rate of 0.16 cfs.

PRIORITY DATE: 09/09/1971

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF DIVERSION:

T06N R41E S19 NWSESE Within MADISON County

PURPOSE AND

PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.160 CFS 19.00 AFY

PLACE OF USE: IRRIGATION Within MADISON County

T06N R41E S20	SENE	14.00	T06N R41E S20	NESE	24.00
T06N R41E S20	SESE	14.00	T06N R41E S29	NWNE	5.00
T06N R41E S29	NENW	24.00			

81 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 81 acres in a single irrigation season. Combined Right Nos.: 22-7047B, 22-7083B, 22-7553B, and 22-13441.

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

This right is based upon an enlargement of Right No. 22-7047B pursuant to Section 42-1426, Idaho Code.

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 - Beneficial Use

This right is for an enlargement of 14 acres within the place of use described for this right.

Right Nos. 22-2231, 22-7047B, 22-7083B, 22-7553B, and 22-13441 are also

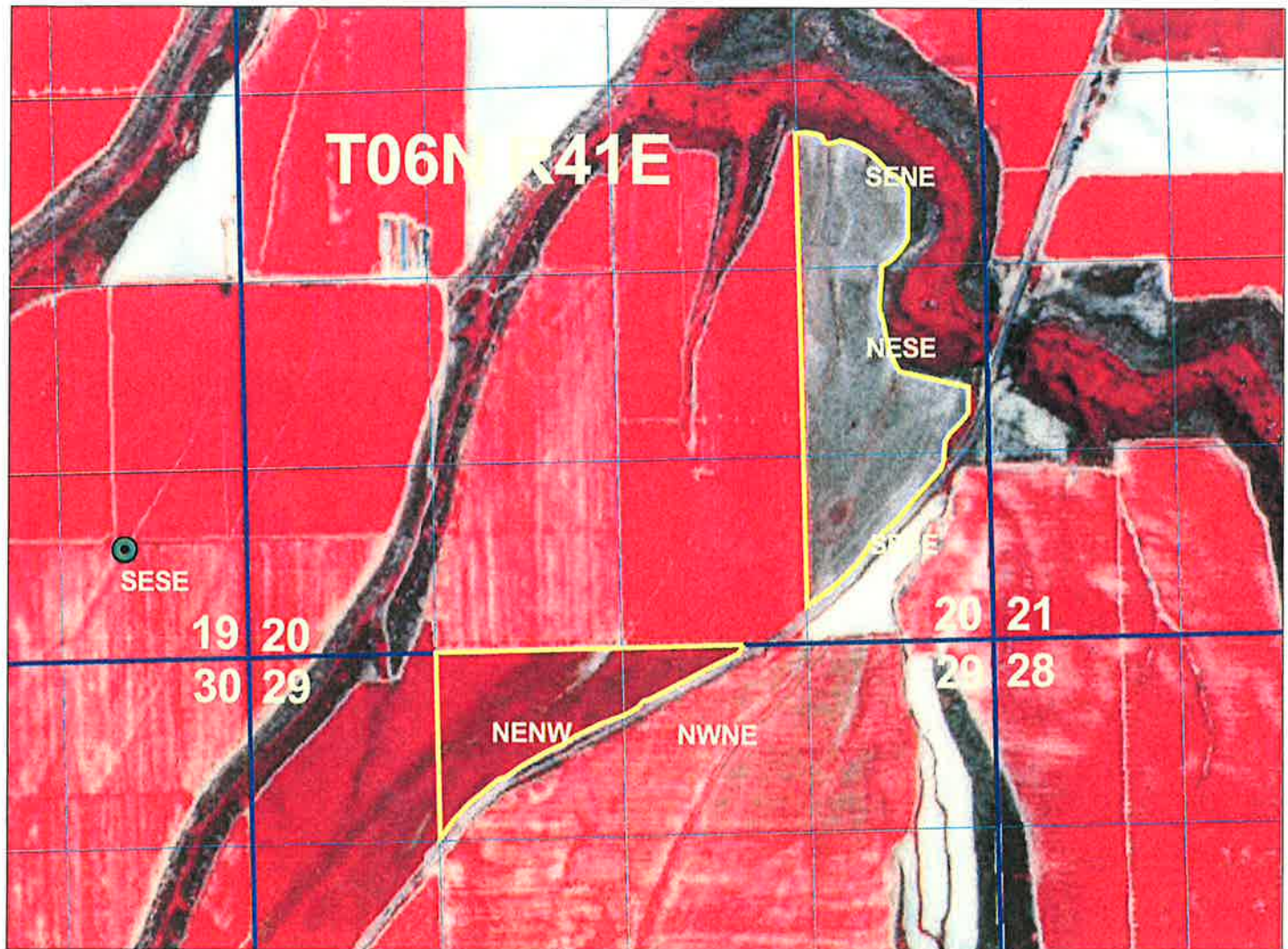
diverted through point of diversion described above.

Department of Water Resources

Eastern Region

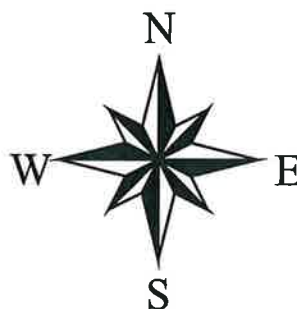


Claim No.: 22-7047B, 22-7083B,
& 22-13441



0 0.25 0.5 0.75 1 Miles

- Point of Diversion
- Place of Use
- Township/Range
- Sections
- QQ



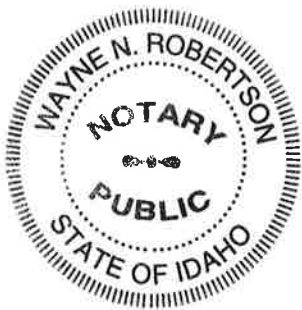
GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: Kristin Moore
Date Prepared: December 2005

STATE OF IDAHO,)
) SS.
County of Madison)

1. He resides at 4483 E 2000 North, Sugar City, Idaho.
2. He knows of his own knowledge that Robert D. Huskinson and his wife, Sue Huskinson, have owned and continuously farmed, since on or before 1971, and do now own and farm, together with other properties, 14 acres in the SE1/4NE1/4 of Sec. 20, along with 67 acres included in Sec. 29, for a total of 81 acres, in Twp. 6 North Range 41 E.B.M. in Madison County, State of Idaho.
3. Your affiant knows of his own knowledge that the entire 81 acres included in Sections 20 and 29, Twp. 6 North Range 41 E.B.M., were irrigated on a regular basis over the years and crops produced thereon since 1971.


John Pocock

SUBSCRIBED AND SWORN To before me, a Notary Public, in and for
said state, this 20th day of November, 2005.




Notary Public, residing at Rexburg, IDAHO
My commission expires: 12-25-2009

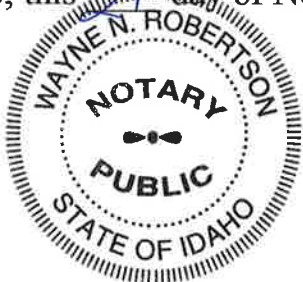
RECEIVED
NOV 30 21
Department of Water &
Eastern Region

STATE OF IDAHO,)
)
) SS.
County of Madison)

1. He resides at 35 South Mill Hollow, Rexburg, ID 83440.
2. He and his wife, Sue Huskinson, have owned and continuously farmed, since on or before 1971, and do now own and farm, together with other properties, 14 acres in the SE1/4NE1/4 of Sec. 20, along with 67 acres included in Sec. 29, for a total of 81 acres, in Twp. 6 North Range 41 E.B.M. in Madison County, State of Idaho.
3. Your affiant knows of his own knowledge that the entire 81 acres included in Sections 20 and 29, Twp. 6 North Range 41 E.B.M., were irrigated on a regular basis over the years and crops produced thereon since 1971.

Robert D. Huskinson

SUBSCRIBED AND SWORN To before me, a Notary Public, in and for
said state, this 17th day of November, 2005.



Notary Public, residing at Rexburg, IDAHO
My commission expires: 12-25-2004

RECEIVED

NOV 3 0 2007

Department of Water Resources
Eastern Region



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 4, 2005

FLYING H CORP
C/O BOB HUSKINSON
35 S MILLHOLLOW RD
REXBURG ID 83440

RE: Enlargement Claim

Dear Bob,

Enclosed is the enlargement claim, which we talked about over the phone, and also a map showing the acres associated with the new claim. I found that there are 14 acres of irrigated property based on information taken in the field exam. In order to continue this process, I need you to do three things:

- 1) A fee is required for the new claim. There is a standard fee of \$50.00 for filing the claim plus an additional \$1.00/acre of irrigated acres claimed. Please send in or bring in a check for a total of \$64.00 to cover the fee.
- 2) Please sign the enlargement claim 22-13441 before a notary public and return it to this office with the check.
- 3) Send in evidence of the priority date of September 9, 1971. Also enclosed is a pamphlet describing the types of evidence that will be sufficient.

After I receive these three things, I will then be able to make recommendations on the new claim and also on the associated claims 22-7047B and 22-7083B. Thank you for your assistance, Bob. It is very much appreciated.

Respectfully,

Kristin Moore
GIS Specialist

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 22-13441
Date Received: 10/31/2005
Receipt No: E031445
Received By:

ENLARGEMENT CLAIM

ENLARGEMENT CLAIM

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

1. Name of Claimant(s)

FLYING H CORP Phone: (208)356-9115

C/O BOB HUSKINSON
35 S MILLHOLLOW RD
REXBURG ID USA 83440-2030

2. Date of Priority: 09/09/1971

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06N	41E	19	SE SE	MADISON	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.224	49

7. Total Quantity Appropriated is:
0.224 C.F.S. and/or 49 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
06N	41E	20	SE NE	IRRIGATION	14
			NE SE	IRRIGATION	18
			SE SE	IRRIGATION	15

06N	41E	29	NW	NE	Section Acres	47
			NE	NW	IRRIGATION	5
			SE	NW	IRRIGATION	28
					IRRIGATION	1
					Section Acres	34
					Total Acres	81

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:

The rights listed below are limited to the irrigation of a combined total of 81 acres in a single irrigation season. Combined Right Nos.: 22-13441, 22-7047B, 22-7083B, and 22-7553B.

This right is limited to the irrigation of 14 acres within the place of use described above in a single irrigation season.

This right is for an enlargement of 14 acres within the place of use described for this right.

The following rights are also diverted through point of diversion described above: 22-13441, 22-7047B, 22-7083B, and 22-7553B.

This right is based upon an enlargement of Right No. 22-7047B pursuant to Section 42-1426, Idaho Code.

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

The rights listed below are limited to a total combined diversion rate of 1.29 cfs and to a total combined annual diversion volume of 283.5 AF. Combined Right Nos.: 22-13441, 22-7047B, 22-7083B, and 22-7553B.

License 22-7553B is a non-SRBA water right.

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: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of _____ Title

Stephen H. Coyle, that I have signed the foregoing Organization

document in the space below as _____ of Title

Stephen H. Coyle and that the statements contained in the Organization

foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

[Signature]
Title and Organization

11-14-05
Date

State of Idaho)

County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 14 day of November 2005



Ernest Carlsen

Notary Public

Residing at Idaho Falls

My commission Expires 8-21-2009



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

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