

10/31/2006

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

RIGHT NUMBER: 22-13571

NAME AND ADDRESS: GUY A ERIKSON
409 W POLELINE RD
REXBURG ID 83440

KEITH ERIKSON
409 W POLELINE RD
REXBURG ID 83440

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.410 CFS
158.000 AFY

PRIORITY DATE: 03/03/1960

POINT OF DIVERSION:

T05N R40E S6 SESESE 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	0.410 CFS 158.00 AFY

PLACE OF USE: IRRIGATION Within MADISON County

T05N R40E S06 Lot 2 NWNE 40.00

40 ACRES TOTAL

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 - License

This right is a split from former right 22-2291 .

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

Right No. 22-2197 is also diverted through points of diversion described above.



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

JAMES E. RISCH
Governor

KARL J. DREHER
Director

October 31, 2006

Guy and Keith Erikson
409 W Poleline RD
Rexburg Id 83440

RE: Change to Preliminary Director's Report **22-13571**

Dear **Mr. Erikson**:

The purpose of this letter is to notify you the Preliminary Director's Report you previously received for the above referenced claim has been changed. A printout of the new Preliminary Director's Report is included for your records.

The notices of error and new claims received subsequent to the mailing of the Preliminary Director's Report caused us to re-examine the recommendations involving water right **22-13571**. The recommendation has been changed to more accurately reflect the amount of water used on the land and what land is irrigated under license 22-2291.

If you have questions or wish to schedule an appointment please call me at the above number.

Respectfully,

Trent Galbraith
Water Agent
Adjudication Bureau

Enclosure

Amended Preliminary Directors Report

— Based on the license this should only have .41 cts ~~idea~~

— licensed for 2.16 cts for 211 acres
= .01 cts/acre

— 40 acres owned • .01 = .41

10-31-06



75851

State of Idaho
License and Certificate of Water Right

Water License No. G-28502 Amount 2.16 c.f.s.
Water District No. _____ Priority March 3, 1960

THIS IS TO CERTIFY that E. RAYMOND ERIKSON - Assignee - EDGAR WILLIAM ERIKSON
of Rexburg, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated March 3, 19 60; that Permit No. G-28502
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2.16 second feet, was issued thereunder on August 15, 19 62, showing that said works
were completed on the 2nd day of May, 19 62; and that on the 2nd
day of May, 19 62, EDGAR WILLIAM ERIKSON

of Rexburg, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean flow, for the purpose of irrigation
, under Use Permit No. G-28502 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
12 of Licenses at page 7395, on the 15th day of August, 19 62;
The right hereby confirmed dates from March 3, 19 60;

The Point of Diversion is located

in the SE 1/4 SW 1/4, Sec. 31, Tp. 6 N, R. 40 E, B. M. Madison County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 2.16 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 N	40 E	31	NE 1/4 SW 1/4	40	37
			NW 1/4 SW 1/4	40	34
			SW 1/4 SW 1/4	40	30
			SE 1/4 SW 1/4	40	40
			Lot 2 SW 1/4 NE 1/4	40	40
5 N	40 E	6	NW 1/4 SE 1/4	40	30
Total number of acres to be irrigated:					211

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
15th day of August, 19 62.

/s/ RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

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
<u>22-2291</u>		☒			

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) Guy Erikson + Keith Erikson
409 W. Poleline Rd., Rexburg, ID 83440
4. New Owner/Claimant(s) Brigham Young University - Idaho
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
- New Mailing Address 525 S. Center Street
- City, State and ZIP Code Rexburg, ID 83460
- New Telephone Number (208) 496-2411
5. Date you acquired the property November 29, 2004

RECEIVED
MAY 23 2006
Department of Water Resources
Eastern Region

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 <u>22-2291 A</u>		
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	<u>.90 cfs</u>	<u>87 acres</u>
Stock		
Domestic		
Other		
Total	<u>.90 cfs</u>	

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 <u>22-2291 B</u>		
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	<u>1.26 cfs</u>	<u>124 acres</u>
Stock		
Domestic		
Other		
Total	<u>1.26 cfs</u>	

7. Signature of New Owner(s) or Claimant(s) *Gayle E. Brown* *Kevin E. Brown*
(include title if applicable)

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