

03/22/2011

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

RIGHT NUMBER: 21-12358
NAME AND ADDRESS: S LYNN LOOSLI
3140 E 1100 N
ASHTON ID 83420
PORTIA R LOOSLI
3140 E 1100 N
ASHTON ID 83420

SOURCE: GROUND WATER

TRIBUTARY:

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

QUANTITY: 3.200 CFS
962.500 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

The rights listed below are limited to a total combined diversion rate of 7.02 cfs. Combined Right Nos.: 21-41G, 21-51B, 21-12358, 21-12977, and 21-12978.

PRIORITY DATE: 04/01/1948

POINT OF DIVERSION:

T08N R41E S13 SENE Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	3.200 CFS 962.50 AFY

PLACE OF USE: IRRIGATION in FREMONT County

T08N R41E S12	SWSE	6.40	T08N R41E S12	SESE	6.80
T08N R41E S13	NENE	40.00	T08N R41E S13	NWNE	37.00
T08N R41E S13	SWNE	36.00	T08N R41E S13	SENE	38.00
T08N R41E S13 Lot 3	SWNW	31.00	T08N R41E S13	SENW	40.00
T08N R41E S13 Lot 5	NESW	13.00	T08N R41E S13 Lot 4	NWSW	20.00
T08N R41E S14 Lot 1	NESE	10.00			

278.2 ACRES TOTAL

Use of the rights listed below is limited to the irrigation of a combined total of 278.2 acres in a single irrigation season. Combined Right Nos.: 21-12358, 21-41G, 21-51B, 21-12977, and 21-12978.

This right is limited to the irrigation of 275 acres within the place of use described above in a single irrigation season.

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

Each year prior to commencing diversion and use of water from the well, the rightholder shall obtain the expressed written certification of the Water District No. 1 watermaster that the rightholder has dedicated and assigned 275 acre feet of stored water for use by the watermaster to release into Henrys Fork River to mitigate depletion of river flow resulting from diversion of ground water when this right is not in priority. Operation of the well at any time without the written certification of the watermaster shall be a violation of Section 42-351, 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.

Use of water under this right may be affected by the provisions of that certain agreement between the rightholder and others dated December 12, 1994, to the extent that the provisions of said agreement can lawfully be implemented.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

Failure of the right holder to comply with the conditions of transfer 4456 is cause for the Director to rescind approval of the transfer.

If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

The right holder shall accomplish the change authorized by transfer 4456 within one year of the date of the approval.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 1.

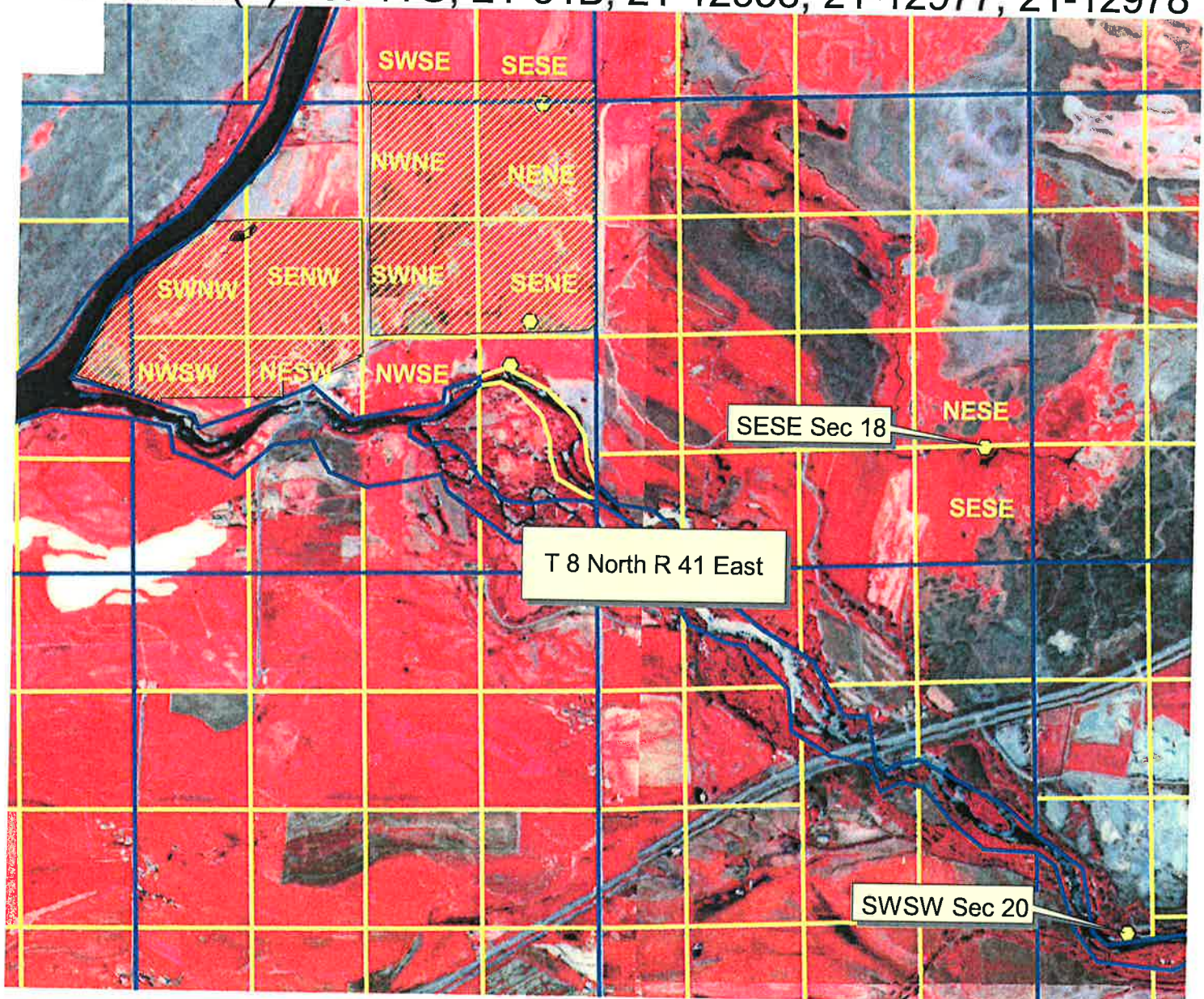


State of Idaho
Department of Water Resources
Eastern Region



PROFILED

Claim No.(s): 21-41G, 21-51B, 21-12358, 21-12977, 21-12978



3000 0 3000 6000 Feet

SCANNED
JUL 28 2005

- Place of Use
- Sections
- Quarter Quarter
- Points Of Diversion

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by T. Galbraith
Date: Nov. 2005

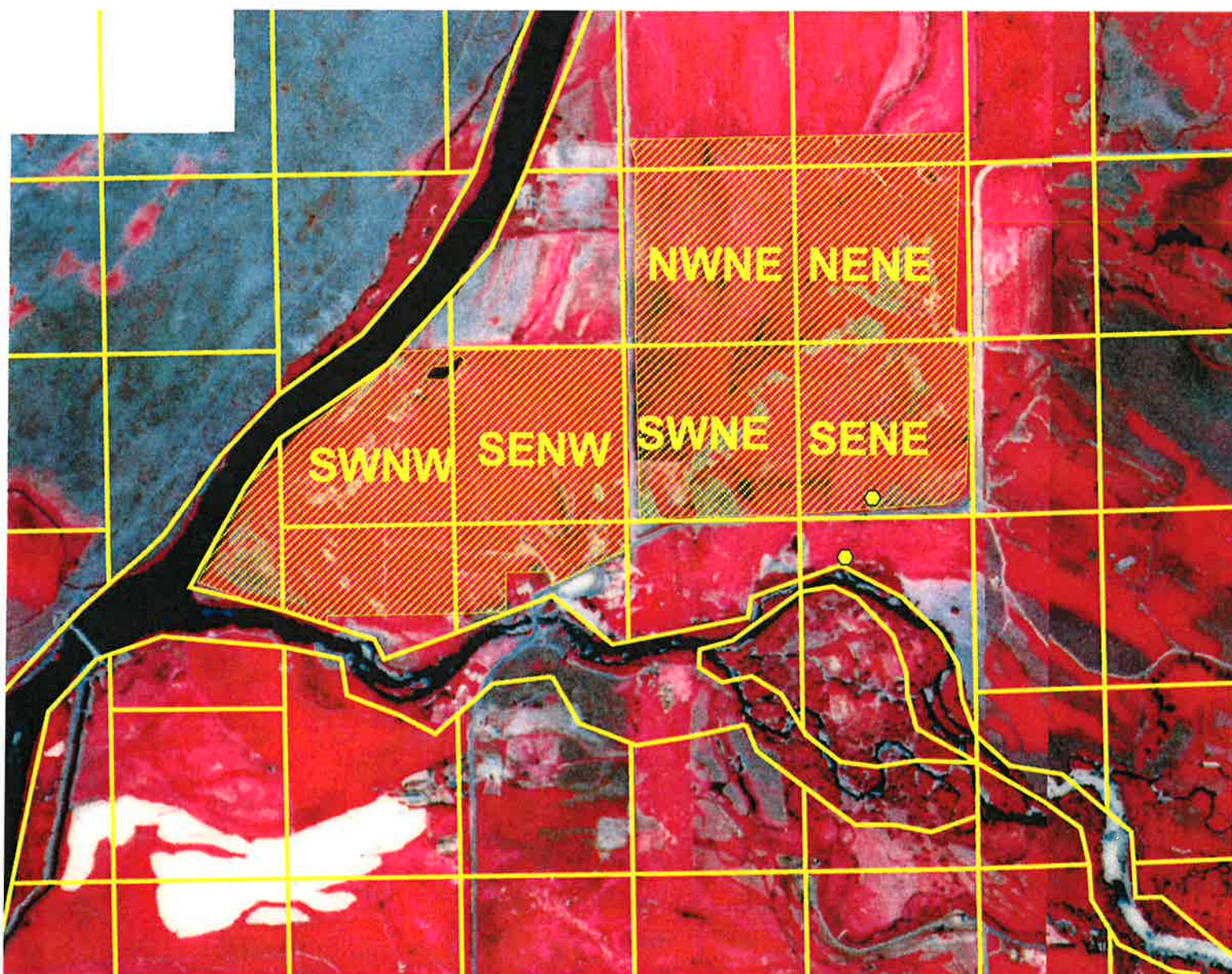




State of Idaho
Department of Water Resources
Eastern Region



Place of Use

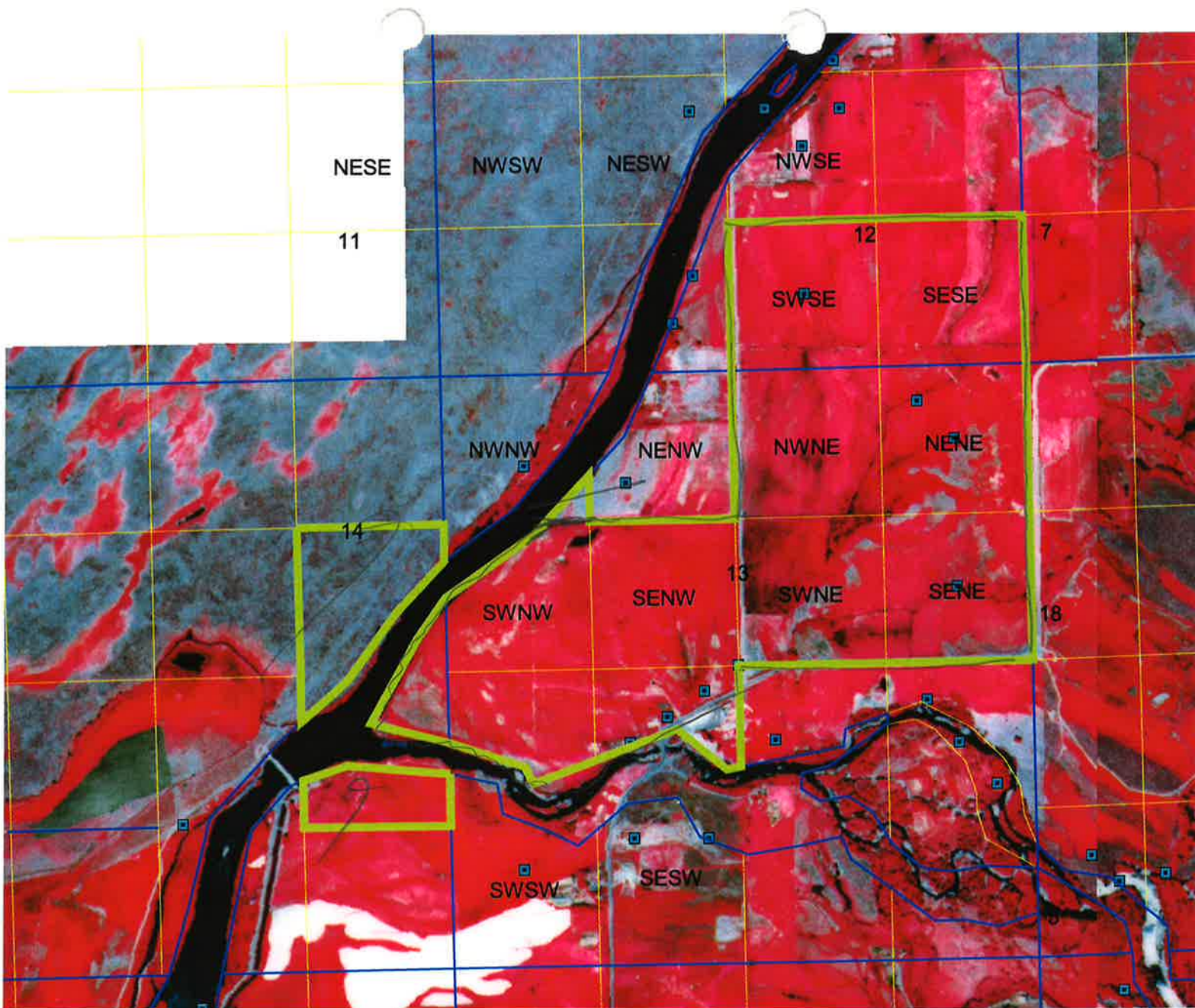


2000 0 2000 4000 Feet
N

- Points of diversion
- Place of Use
- Quarter Quarter

GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by T. Galbraith
Date: May 2005





21-12358
T08N R41E

Claim no. 21-12358

Claimant Contact Log

Date _____ Remarks _____ Agent initials _____

12-20-04 - MET W LYNN LOOSLE TO DISCUSS CLAIMS
- I ADVISED LYNN TO MAKE THE OWNERSHIP
CONSISTENT W COUNTY RECORDS

12-20-04 - FIELD INSPECTION OF P.O.D. & P.O.U.

EOP - Good

SCANNED

JUL 28 2005

PROFILED

Water Right No(s). 21-12358

P.O.D. on Falls Riv. - Pt 036-695436/527375/Photo 100-246
Pipeline from Falls Riv. to P.O.U.

P.O.D. - Grandwater

Pump. Washington Life Ins. - SN 7404 - 60 H.P.

GPS 037 - 695509/327442

Photo 100-247

GPS DATA:

Tag # — Location: —

Diversion Data:

Source: Falls River Trib to: HENRY'S Fork
AND C.W.

MOTOR

Make: See Above Model: — Hp: —
SN: —

PUMP

Make: — Model: — Disch: —
SN: —

NOTES:

Field Exam Date: 12-20-04 Agent: Steve McLaughlin

Point of Diversion and Source Data Entry Form

Claim Number: 21-12358Water Right Point(s) of diversion and Source.Water Right Point of Diversion: T 8N, R 41E, Sec. 13, SW, SE, NE, County: FREMONTSource: G.W. 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
<u>8N</u>	<u>41E</u>	<u>13</u>		<u>SE-NE</u>	<u>FREMONT</u>	<u>G.W.</u>	

Recommended Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
<u>8N</u>	<u>41E</u>	<u>13</u>		<u>SW-SE-NE</u>	<u>FREMONT</u>	<u>G.W.</u>	

Other rights from this POD? _____

Transfers Pending or approved: _____

Document how the POD and Source were verified:

P.O.D VERIFIED BY FIELD INSPECTION ON 12-20-04

Reviewer: SAH Date: 12-20-04

Place Of Use Data Entry Form

Claim Number: 21-12358

Claimed Place Of Use			QQ	Q	County	Lot Num	Acres	Purpose of Use
Twp	Rge	Sec						
8N	41E	12	SW	SE	Fremont		6	IRR
		13	NE	NE			37	
			NW				37	
			SW				37	
			SE				37	
			SW	NW			32	
			SE				38	
			NE	SW			8	
			NW				27	
		14	SE	NE			3	
			NE	SE			6	
Total acres							275	

Recommended Place of Use			QQ	Q	County	Lot Num	Acres	Purpose of Use
Twp	Rge	Sec						
8N	41E	12	SW	SE			6	IRR
		13	NE	NE			37	
			NW				37	
			SW				37	
			SE				37	
			SW	NW			32	
			SE				38	
			NE	SW			8	
			NW				27	
		14	SE	NE			3	
			NE	SE			6	
Total acres							275	

Pending or approved Transfers: _____

Overlapping rights: 21-00102E, 00041G, 00051B

Document how the POU was verified:

P.O.U. VERIFIED BY FIELD INSPECTION ON 12-20-04Reviewer: SAM Date: 12-20-04

June 25, 2004

**LYNN OR PORTIA LOOSLI
3140 E 1100 N
ASHTON ID 83420**

RE: EVIDENCE OF PRIORITY FOR SRBA WATER RIGHT CLAIM 21-112358

Dear Claimant (s):

The Idaho Department of Water Resources is nearing the beginning of water rights review in Basin 21, the Henry's Fork drainage. The Notice(s) of Claim identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). The Notice of Claim indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Claim. The date the water was first put to beneficial use, known as the priority date, has not been confirmed by License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

Your claim, as referenced above, claims a Priority Date of APR 1 1948, from GROUNDWATER.

It is important that each element of the Notice of Claim be verified. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice of Claim and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence which are acceptable and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date**". **PLEASE READ THE ENCLOSED PAMPHLET.**

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other elements of the Notice of Claim have been or soon will be conducted by Department personnel.

The Department will not recommend the Notice of Claim be decreed by the court if evidence of a priority date is not submitted. The Notice of Claim will be disallowed.

Please submit documentation supporting the priority date as soon as possible, referencing all documents with the corresponding claim number.

Respectfully submitted,



for

Allen B. Ruberry
Sr. Water Resource Agent
Adjudication Bureau

cc: File

Enclosure: Brochure on "Evidence of Priority"

SCANNED

AUG 15 2001

OCTOBER 30, 1995

LYNN AND/OR PORTIA R LOOSLI
3140 E 1100 N
ASHTON ID 83420

RE: TRANSFER

Dear Mr. Loosli:

Our office has received notice of your approved transfer #4456 of water right #21-12358. The Snake River Basin Adjudication claim filed on this right has been amended pursuant to the approved transfer.

Please review the enclosed notice carefully and if you have any questions about any of the items, please contact our office. If you agree with the items on the notice, please place the copies with your records.

Respectfully submitted,

Gregory J Taylor
Water Right Agent
Adjudications Bureau

GJT:sc

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State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 5, 1995

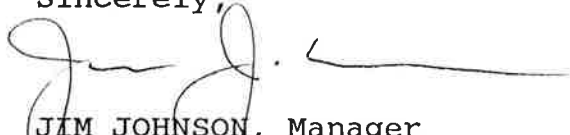
S LYNN LOOSLI
3140 E 1100 N
ASHTON ID 83420

Transfer of Water Right No. A21-12358

Dear Water Right Holder (s):

Enclosed is a copy of your approved Transfer of Water Right for the above referenced water right (Transfer No. 4456). Please be sure to thoroughly review the "Conditions/Remarks:" as listed on the transfer.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:rl

enclosure

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF A CLAIM TO A WATER RIGHT

TRANSFER NO. 4456
CLAIM NO. A21-12358

This is to certify that: S LYNN LOOSLI
3140 E 1100 N
ASHTON ID 83420

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	3.20 CFS	962.5 AF

SOURCE

GROUNDWATER

Priority: 04/01/1948

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 13, Township 08N, Range 41E
FREMONT County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08N	41E	12	SWSE 6	SESE 7		13
		13	NENE 37	NWNE 37	SWNE 37	
			SENE 37	SWNW 32	SENE 38	
			NESW 8	NWSW 27		253
		14	SENE 3	NESE 6		9
Total number of acres irrigated:						275

CONDITIONS/REMARKS:

1. Approval of this transfer in no way confirms the right(s) *TOI omit* claimed.
2. After specific notification by the department, the right holder *OIM omit* shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
3. Use of water under this water right will be regulated by the *ROK omit* watermaster of State Water District No. 01.
4. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

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4456
TRANSFER NO. ~~4245~~ (PART)
CLAIM NO. A35-10248

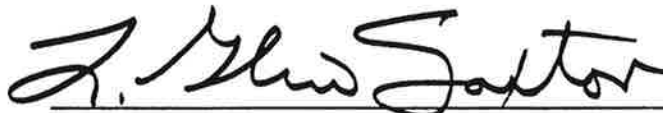
CONDITIONS/REMARKS:

5. The change authorized by this transfer shall be accomplished ^{T07} A04 within one (1) year of the date of this approval.
6. Failure to comply with the conditions of this transfer is cause ^{T08} omit for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
7. Approval of this transfer does not preclude the opportunity for ^{T09} omit review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
8. Each year prior to commencing diversion and use of water from the well, the rightholder shall obtain the expressed written certification of the Water District No. 01 watermaster that the rightholder has dedicated and assigned 275 acre feet of stored water for use by the watermaster to release into Henrys Fork River to mitigate depletion of river flow resulting from diversion of groundwater when Claim No. A21-12358 is not in priority. Operation of the well at any time without the written certification of the watermaster shall be a violation of Section 42-351, Idaho Code.
9. The right holder shall use the full allotment of appurtenant surface water rights, to the extent they are available, in conjunction with groundwater diverted pursuant to this right.
10. This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.
11. Use of water under this approval may be affected by the provisions of that certain agreement between the rightholder and others dated December 12, 1994, to the extent that the provisions of said agreement can lawfully be implemented.

Dated this 5th day of

June

, 19 95

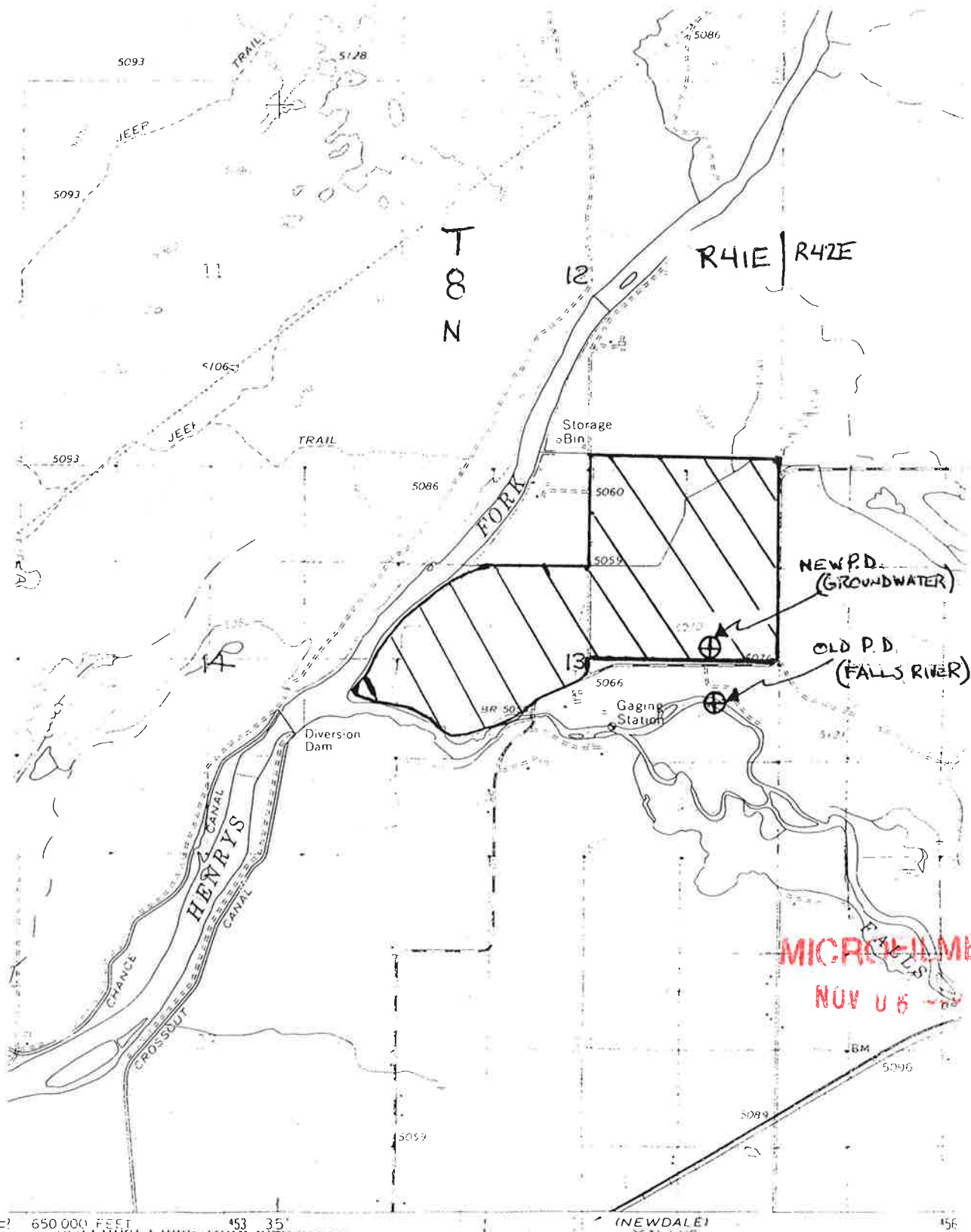


Chief, Water Alloc. Bureau

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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 rights described in part 1. Clearly depict the land by section, township and range number.



PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				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.

Subscribed and sworn to before me this 27th day of September, 19 94.

Gregory J. Taylor
(Notary Public)

My commission expires 3/3/98

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and _____ attachments

Received by HT Date 9-27-94 Protest filed by _____

Prelim. check by _____ Fee 100.00 E020337

Receipted by HT Date 9-27-94

Published in Herald Chronicle Copies of protest forwarded by _____

Pub. dates 10-6 & 13-94 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. ^{SRBA} Claim No. A21-12358 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. 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 _____

3. Source of water FALLS RIVER tributary to HENRYS FORK

4. Date or priority 4-1-1948

5. Water is used for the following purpose:

amount 3.20 cfs for IRRIGATION purposes from 4-15 to 10-15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 3.20 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SE	13	8N	41E	FREMONT	

8. Lands irrigated or place of use:

Twp.	Rge.	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	
8N	41E	12															6	7	13
		13	37	37	37	37			32	38	8	27							253
		14				3									6				2

Total acres 275

9. Describe any other water rights used for the same purpose as described above A21-00102E, A21-000416
A21-000518

10. 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

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

ALL

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

1. amount _____ for _____ purposes from _____ to _____
(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

3. Lands irrigated or place of use:

Twp	Rge.	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	

Total acres _____

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

1. amount _____ for _____ purposes from _____ to _____
(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

3. Lands irrigated or place of use:

Twp	Rge.	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	

Total acres _____

Transfer No. 4456

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant S. LYNN LOOSLI Phone 652-3312
Post Office address 3140 E. 1100 N. ASHTON, ID 83420

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 CHANGE SOURCE
2. Describe the reason for the proposed changes On DRY YEARS THE GRAVEL BAR HAS TO BE
RESHAPED TO GET WATER TO PUMP IN RIVER. I WOULD PREFER TO LEAVE THE
WATER IN THE RIVER, * TAKE IT OUT OF THE AQUIFER @ THE P.O.D. FOR WELL;
NOT GOING ACROSS NEIGHBORS PROPERTY W/ AN OPEN DITCH.

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

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|------------------|------------------|-----------------------|-------------------|-----------------------------|
| <u>A21-12356</u> | <u>4/01/1948</u> | <u>3.20</u> | <u>IRRIGATION</u> | <u>4/15</u> to <u>10/15</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
2. Total amount of water being transferred 3.20 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water GROUND WATER tributary to _____
4. Point(s) of Diversion: _____

[illegible]

5. Lands irrigated or place of use:

[illegible]

PART 1

6. General Information:

a. Description of diversion system Well with 40 H.P. Pump

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:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF TRANSFER)
APPLICATION NO. 4446)
OF WATER RIGHT A21-12358)
IN THE NAME OF S. LYNN LOOSLI)

PROPOSED
MEMORANDUM DECISION
AND
ORDER

On September 27, 1994, S. Lynn Loosli applied to the Idaho Department of Water Resources, through the Eastern Regional office in Idaho Falls, to transfer a water right recorded in the adjudication records of the department as A21-12358. Notice of this application was advertized in the Fremont County Herald Chronicle on October 6 and 13 1994. The proposed change was protested by Gail Blanchard, Arlo Dee Blanchard and Richard Dee Blanchard. The matter of these protests was scheduled for a conference with the department on December 13, 1994. However, the parties met prior to that date and entered into an agreement that was submitted to the department in resolution of these protests. The department has reviewed appropriate portions of the Idaho Code, the agreement, information in the records of Water District 1 and other information in the records of the department including well driller reports and based upon this review the department proposes the following FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER:

FINDINGS OF FACT

1. The right the applicant is seeking to transfer is based upon a constitutional claim and has never been either adjudicated by the court or permitted by the department. The right evidenced by claim A21-12358 shows a priority of April 1, 1945⁸ for 3.2 cfs of water diverted from the Falls River for the irrigation of 275 acres of land.

2. The Falls River was, for all practical purposes, fully appropriated before the end of the 19th century. The director of the Department of Water Resources has approved permits to appropriate water from Fall River but such appropriations typically either represent authorization to supplement existing decreed rights with unappropriated water that may occur during the spring of the year, or to provide a natural flow right that would allow supplemental storage to be acquired from federal reclamation projects that were authorized by congress to provide supplemental storage.

3. Idaho Code Sec. 42-607 provides that . . . " when in times of scarcity of water it is necessary so to do in order to supply the prior rights of others in such stream or water supply; provided, that any person or corporation claiming the right to use the use of the waters of the stream or water supply comprising a water district, but not owning or having the use of an adjudicated

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or decreed right therein, or right therein evidenced by permit or license issued by the department of water resources shall, for the purpose of distribution during the scarcity of water, be held to have a right subsequent to any adjudicated, decreed, permit, or licensed right in such stream or water supply, and the watermaster shall close all headgates of ditches or other diversions having no adjudicated, decreed, or licensed right in such stream or water supply."

4. All diversions on Falls River are subject to the control of the watermaster of Snake River Water District 1. This area has been continuously regulated by a watermaster since 1919. Most of the water that might have been appropriated prior to a condition of "scarcity" existing within the water district has been appropriated for storage in Grassy Lake, Island Park or American Falls Reservoirs.

5. Idaho Code 42-104 requires appropriations must "be for some useful or beneficial purpose, and when the appropriator or his successor in interest ceases to use it for such purpose, the right ceases."

6. The director of the department and the Idaho Legislature have imposed a moratorium on further ground water appropriation in the area within which the change proposed in this application would occur.

CONCLUSIONS OF LAW

1. No watermaster has ever distributed water to the right claimed as A21-12358 and, the applicant has neither received nor used any water beneficially by virtue of this claim.

2. Claim A21-12358 should not be recommended for inclusion in the Director's report in the SRBA.

3. Should transfer 4456 be approved it would be tantamount to approval of a new groundwater right in violation of existing moratoriums on further groundwater development.

4. Approval of this application would constitute an enlargement in use, in violation of the provisions of Idaho Code section 42-222.

5. The director of the Department of Water Resources can not approve the change proposed in application for transfer 4456.

ORDER

It is Therefore Ordered and application for transfer A21-12358 is hereby DENIED.

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TABLE 5. 1991 Water Right Regulation Schedule - Henrys Fork & Tributaries & Willow Creek

(1) Henrys Lake to Island Park	(2) Island Pk to Ash (3) Ash to Abv Fall R (4) Fall Riv & Trib (5) Teton River (6) Ashton to Rexburg (7) Willow Ck	Exceptions		Exceptions	
		Primary Priority	Priority	Reachs	Priority Reachs
Apr 1	2	3	3/31/1921		
23	24	25	3/30/1921		
24	25	26	3/31/1921		
25	26	27	3/30/1921		
26	27	28	3/31/1921		
May 2	3	4	3/30/1921		
4	5	6	11/14/1916		
5	6	7	3/30/1921		
11	12	13	3/31/1921		
16	17	18	7/28/1939	2/13/1936 (4)	3/14/1935 (1)
22	23	24	AM LAST TO FILL	2/13/1936 (4)	3/14/1935 (1)
25	26	27	7/28/1939	2/13/1936 (4)	3/14/1935 (1)
Jun 3	Jun 4	Jun 5	3/30/1921		
4	5	6	2/24/1913		
7	8	9	3/14/1935		
8	9	10	7/28/1939	2/13/1936 (4)	3/14/1935 (1)
12	13	14	7/28/1939	2/13/1936 (4)	3/14/1935 (1)
15	16	17	7/28/1939	2/13/1936 (4)	3/14/1935 (1)
17	18	19	7/28/1939	2/13/1936 (4)	3/14/1935 (1)
18	19	20	7/28/1939	2/13/1936 (4)	3/14/1935 (1)
19	20	21	AM LAST TO FILL	2/13/1936 (4)	3/14/1935 (1)
21	22	23	3/02/1978	2/13/1936 (4)	3/14/1935 (1)
22	23	24	5/15/1917		
23	24	25	8/06/1908		
24	25	26	8/06/1908	4/01/1885 (7)	
25	26	27	12/23/1915	4/01/1885 (7)	
26	27	28	8/06/1908	5/01/1888 (7)	
27	28	29	10/07/1905	4/01/1885 (7)	
30	Jul 1	Jul 2	10/07/1905	5/01/1889 (7)	
Jul 1	Jul 2	Jul 3	3/26/1903	5/01/1889 (7)	
3	4	5	10/11/1900	4/01/1885 (7)	
5	6	7	10/11/1900		
6	7	8	6/01/1902		
7	8	9	10/11/1900		
9	10	11	10/11/1900	4/01/1884 (7)	
12	13	14	4/01/1898	4/01/1884 (7)	
13	14	15	6/01/1895	4/01/1884 (7)	
14	15	16	6/01/1895	5/01/1889 (7)	
15	16	17	2/06/1895	5/01/1889 (7)	
17	18	19	8/18/1894	4/01/1884 (7)	
18	19	20	6/01/1892	4/01/1884 (7)	
19	20	21	6/01/1892	5/01/1889 (7)	
20	21	22	6/01/1892		
21	22	23	4/28/1892	4/01/1884 (7)	
22	23	24	12/14/1891	4/01/1884 (7)	
24	25	26	6/01/1891	5/01/1889 (7)	
25	26	27	4/28/1892	5/01/1889 (7)	
26	27	28	12/14/1891	5/01/1889 (7)	
29	30	31	12/14/1891	4/01/1884 (7)	
30	31	Aug 1	12/14/1891		
31	Aug 1	Aug 2	6/01/1891	5/01/1889 (7)	

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TABLE 5. Continued

(1) Henrys Lake to Island Park	(2) Island Pk to Ash (3) Ash to Abv Fall R (4) Fall Riv & Trib (5) Teton River (6) Ashton to Rexburg (7) Willow Ck	Primary		Exceptions	
		Priority	Priority	Reachs	Reachs
Aug 1	Aug 2	Aug 3	12/14/1891	6/01/1887 (5)	4/01/1884 (7)
2	3	4	6/01/1891	10/17/1885 (5)	5/01/1889 (7)
3	4	5	1/24/1891	10/17/1885 (5)	4/01/1883 (7)
4	5	6	10/16/1890	6/01/1885 (5)	4/01/1883 (7)
6	7	8	1/24/1891	6/01/1885 (5)	6/01/1882 (7)
7	8	9	1/24/1891	6/01/1882 (7)	
8	9	10	1/24/1891	4/01/1883 (7)	
9	10	11	12/14/1891	4/01/1884 (7)	
10	11	12	1/24/1891	4/01/1883 (7)	
12	13	14	1/24/1891	10/17/1885 (5)	4/01/1883 (7)
13	14	15	10/16/1890	4/01/1883 (7)	
14	15	16	7/12/1890	10/01/1889 (5)	4/01/1883 (7)
15	16	17	6/10/1890	6/01/1886 (5)	4/01/1884 (7)
16	17	18	6/10/1890	10/17/1885 (5)	5/01/1889 (7)
17	18	19	6/10/1890	6/01/1885 (5)	4/01/1883 (7)
19	20	21	6/10/1890	10/17/1885 (5)	5/01/1889 (7)
20	21	22	6/10/1890	10/01/1889 (5)	4/01/1883 (7)
21	22	23	10/16/1890	4/01/1884 (7)	
22	23	24	1/24/1891	4/01/1884 (7)	
23	24	25	1/24/1891	5/01/1889 (7)	
24	25	26	10/16/1890	6/01/1885 (5)	5/01/1889 (7)
25	26	27	1/24/1891	10/17/1885 (5)	4/01/1884 (7)
26	27	28	1/24/1891	10/01/1889 (5)	4/01/1884 (7)
27	28	29	10/16/1890	10/17/1885 (5)	5/01/1889 (7)
28	29	30	7/12/1890	4/01/1890 (5)	4/01/1883 (7)
29	30	31	6/10/1890	6/01/1885 (5)	4/01/1883 (7)
31	Sep 1	Sep 2	6/10/1890	10/17/1885 (5)	4/01/1883 (7)
Sep 1	Sep 2	Sep 3	10/16/1890	9/01/1890 (5)	5/01/1889 (7)
2	3	4	1/24/1891	4/01/1883 (7)	
4	5	6	10/16/1890	10/01/1889 (5)	4/01/1883 (7)
5	6	7	7/12/1890	6/01/1885 (5)	5/01/1889 (7)
6	7	8	7/12/1890	6/01/1885 (5)	4/01/1884 (7)
7	8	9	6/01/1890	6/01/1885 (5)	4/01/1883 (7)
8	9	10	3/01/1890	6/01/1885 (5)	4/01/1883 (7)
10	11	12	6/01/1890	6/01/1885 (5)	4/01/1881 (7)
12	13	14	10/16/1890	6/01/1885 (5)	4/01/1883 (7)
13	14	15	12/14/1891	6/01/1885 (5)	4/01/1883 (7)
14	15	16	6/01/1892	6/01/1885 (5)	4/01/1883 (7)
15	16	17	2/06/1895	6/01/1885 (5)	4/01/1884 (7)
16	17	18	2/06/1895	4/01/1884 (7)	
20	21	22	3/22/1895	4/01/1883 (7)	
21	22	23	2/06/1895	4/01/1883 (7)	
22	23	24	2/06/1895	6/01/1882 (7)	
23	24	25	2/06/1895	4/01/1882 (7)	
25	26	27	8/18/1894	4/01/1882 (7)	
27	28	29	6/01/1892	4/01/1881 (7)	
28	29	30	4/28/1892	4/01/1882 (7)	
29	30	Oct 1	12/14/1891	4/01/1883 (7)	
Oct 4	Oct 5	Oct 6	6/01/1892	4/01/1883 (7)	
5	6	7	8/18/1894	4/01/1884 (7)	
6	7	8	2/06/1895	5/01/1889 (7)	
7	8	9	6/01/1892	4/01/1884 (7)	
8	9	10	6/01/1892	4/01/1883 (7)	
9	10	11	12/14/1891	5/01/1889 (7)	
10	11	12	12/14/1891	4/01/1883 (7)	
12	13	14	6/01/1892		
13	14	15	8/18/1894		
18	19	20	2/06/1895		
21	22	23	8/23/1906		
23	24	25	3/29/1921		

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Table 5. 1988 Water Rights

Regulation Schedule

		Exceptions		Exceptions	
		Primary	Priority	Reaches	Priority
		Priority			Reaches
(1)	(2) Island Pk to Ash				
Henrys Lake	(3) Ash to Abv Fall R				
to Island	(4) Fall Riv & Trib				
Park	(5) Teton River				
	(6) Ashton to Rexburg				
	(7) Willow CK				
Mar 1	2	3	3/31/1921		
27	28	29	AM last fill	6/16/1969 (7)	3/14/1935 (1)
Apr 15	16	17	7/28/1939	3/14/1935 (1)	
Apr 30	May 1	2	3/14/1935		
May 1	2	3	3/30/1921		
2	3	4	5/24/1913		
5	6	7	5/15/1917		
6	7	8	5/24/1913		
8	9	10	10/07/1905		
9	10	11	3/26/1903		
10	11	12	2/05/1902		
11	12	13	3/26/1903		
12	13	14	10/07/1905		
13	14	15	3/26/1903		
15	16	17	10/11/1900		
17	18	19	3/26/1903		
18	19	20	5/24/1913		
22	23	24	3/30/1921		
23	24	25	7/28/1939	5/01/1888 (7)	3/14/1935 (1)
25	26	27	12/22/1915	5/01/1888 (7)	
26	27	28	10/07/1905	5/01/1888 (7)	
27	28	29	8/16/1908	5/01/1888 (7)	
28	29	30	1/22/1916	5/01/1888 (7)	
29	30	31	3/14/1935	5/01/1888 (7)	
30	31	Jun 1	7/28/1939	4/01/1885 (7)	3/14/1935 (1)
31	Jun 1	Jun 2	7/28/1939	5/01/1888 (7)	3/14/1935 (1)
Jun 5	6	7	7/28/1939	5/01/1889 (7)	3/14/1935 (1)
6	7	8	7/28/1939	3/14/1935 (1)	
7	8	9	1/22/1916		
8	9	10	10/07/1905		
9	10	11	8/06/1908	5/01/1889 (7)	
10	11	12	7/28/1939	5/01/1889 (7)	3/14/1935 (1)
14	15	16	4/01/1921	4/01/1884 (7)	
15	16	17	6/16/1908	4/01/1884 (7)	
16	17	18	10/07/1905	5/01/1889 (7)	
18	19	20	10/07/1905	4/01/1884 (7)	
19	20	21	3/26/1903		
20	21	22	3/26/1903	5/01/1889 (7)	
22	23	24	5/01/1901	3/26/1903 (5)	5/01/1889 (7)
23	24	25	5/15/1898	3/26/1903 (5)	5/01/1889 (7)
24	25	26	5/01/1901	3/26/1903 (5)	5/01/1889 (7)
25	26	27	9/24/1900	3/26/1903 (5)	4/01/1884 (7)
26	27	28	2/09/1897	3/26/1903 (5)	4/01/1884 (7)
27	28	29	10/11/1900	4/01/1884 (7)	
28	29	30	10/11/1900	4/01/1883 (7)	
29	30	Jul 1	4/01/1898	5/01/1889 (7)	
30	Jul 1	Jul 2	4/01/1896	4/01/1898 (5)	4/01/1884 (7)
Jul 1	Jul 2	Jul 3	4/01/1896	6/01/1900 (5)	4/01/1884 (7)
2	3	4	2/09/1897	4/01/1898 (5)	4/01/1884 (7)
3	4	5	11/05/1895	4/01/1884 (7)	
4	5	6	2/06/1895	4/01/1883 (7)	
5	6	7	4/30/1893	4/01/1883 (7)	
6	7	8	5/01/1892	4/01/1883 (7)	
7	8	9	12/14/1891	10/01/1889 (5)	4/01/1883 (7)
8	9	10	12/14/1891	10/17/1885 (5)	5/01/1889 (7)
9	10	11	6/01/1891	10/17/1885 (5)	4/01/1883 (7)
10	11	12	6/01/1891	6/01/1885 (5)	6/01/1882 (7)
11	12	13	1/24/1891	6/01/1885 (5)	4/01/1882 (7)
12	13	14	10/16/1890	6/01/1885 (5)	4/01/1882 (7)
13	14	15	7/12/1890	6/01/1885 (5)	4/01/1882 (7)
14	15	16	6/10/1890	6/01/1885 (5)	4/01/1881 (7)
15	16	17	7/12/1890	6/01/1885 (5)	4/01/1882 (7)
16	17	18	6/01/1890	6/01/1885 (5)	4/01/1882 (7)
17	18	19	6/01/1889	6/01/1885 (5)	4/01/1882 (7)
18	19	20	6/01/1889	6/01/1885 (5)	4/01/1881 (7)
20	21	22	6/01/1889	6/01/1885 (5)	4/01/1880 (7)
21	22	23	7/10/1889	6/01/1885 (5)	4/01/1880 (7)

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(1) Henry's Lake to Island Park	(2) Island (3) Ash to Fall R (4) Fall Riv & Trib (5) Teton River (6) Ashton to Rexburg (7) Willow CK	Primary Priority	Exceptions		Exceptions	
			Priority	Reac	Priority	Reaches
Jul 25	26	27	6/01/1889	6/01/1885 (5)	4/01/1880 (7)	
27	28	29	6/01/1889	6/01/1884 (5)	4/01/1880 (7)	
28	29	30	5/11/1889	6/01/1884 (5)	4/01/1880 (7)	
29	30	31	6/01/1889	6/01/1884 (5)	4/01/1880 (7)	
30	31	Aug 1	7/10/1889	6/01/1884 (5)	4/01/1880 (7)	
31	Aug 1	2	6/01/1889	6/01/1884 (5)	4/01/1880 (7)	
Aug 1	2	3	6/01/1889	4/01/1880 (7)		
2	3	4	7/10/1889	6/01/1884 (5)		
3	4	5	7/10/1889	4/01/1880 (7)		
4	5	6	6/01/1889	4/01/1880 (7)		
5	6	7	7/10/1889	4/01/1880 (7)		
6	7	8	6/01/1889	4/01/1880 (7)		
9	10	11	7/10/1889	4/01/1880 (7)		
10	11	12	7/10/1889	6/15/1889 (5)	5/01/1889 (7)	
11	12	13	6/01/1889	4/02/1880 (7)		
12	13	14	5/11/1889	6/01/1885 (5)	4/01/1880 (7)	
13	14	15	5/11/1889	10/17/1885 (5)	4/01/1880 (7)	
14	15	16	5/11/1889	6/01/1885 (5)	4/01/1880 (7)	
16	17	18	6/01/1889	6/01/1885 (5)	4/01/1880 (7)	
17	18	19	6/01/1889	6/01/1884 (5)	4/01/1880 (7)	
18	19	20	6/01/1889	4/01/1880 (7)		
20	21	22	5/11/1889	4/01/1880 (7)		
25	26	27	5/11/1889	6/01/1884 (5)	4/01/1880 (7)	
Sep 1	2	3	5/11/1889	4/01/1880 (7)		
5	6	7	5/11/1889	6/01/1884 (5)	5/01/1888 (7)	
6	7	8	5/11/1889	5/31/1885 (5)	4/01/1880 (7)	
7	8	9	5/11/1889	6/01/1885 (5)	5/01/1888 (7)	
8	9	10	5/11/1889	5/01/1888 (7)		
9	10	11	5/11/1889	10/17/1885 (5)	5/01/1889 (7)	
10	11	12	5/11/1889	10/17/1885 (5)	4/01/1882 (7)	
11	12	13	5/11/1889	6/01/1885 (5)		
13	14	15	5/01/1889	10/17/1885 (5)	4/01/1881 (7)	
14	15	16	5/11/1889	4/01/1881 (7)		
16	17	18	10/16/1890	4/01/1881 (7)		
17	18	19	1/24/1891	6/01/1882 (7)		
18	19	20	1/24/1891	4/01/1883 (7)		
22	23	24	10/16/1890	4/01/1883 (7)		
24	25	26	1/24/1891	4/01/1883 (7)		
25	26	27	10/16/1890	4/01/1883 (7)		
26	27	28	1/24/1891	4/01/1883 (7)		
28	29	30	6/01/1894	4/01/1883 (7)		
29	30	Oct 1	8/18/1894	4/01/1883 (7)		
30	Oct 1	Oct 2	1/24/1891	6/01/1885 (5)	4/01/1881 (7)	
Oct 1	2	3	8/18/1894	10/17/1885 (5)		
2	3	4	2/06/1895	6/01/1885 (5)		
3	4	5	2/06/1895	10/17/1885 (5)	4/01/1883 (7)	
4	5	6	6/12/1903	10/17/1885 (5)		
5	6	7	7/09/1896	10/17/1885 (5)		
6	7	8	2/06/1895			
8	9	10	2/06/1895	10/17/1885 (5)		
9	10	11	8/18/1894	9/01/1890 (5)		
10	11	12	8/18/1894			
11	12	13	4/30/1893			
12	13	14	8/18/1894			
13	14	15	2/06/1895			
15	16	17	10/07/1905			
16	17	18	12/14/1909			
17	18	19	8/23/1906			
18	19	20	12/14/1909			
19	20	21	12/14/1909	4/01/1898 (5)		
20	21	22	3/29/1921			
22	23	24	3/29/1921	4/01/1898 (5)		
23	24	25	3/29/1921	4/01/1885 (7)		
24	25	26	3/29/1921			
26	27	28	3/29/1921	4/01/1885 (7)		
27	28	29	3/29/1921			
31	Nov 1	Nov 2	3/29/1921	4/01/1898 (7)		

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4/01/1885 (7)

TABLE 5. 1990 Water Right Registration Schedule - Henrys Fork & Tributaries & Willow Creek

(1) Henrys Lake to Island Park			(2) Island Pk to Ash (3) Ash to Abv Fall R (4) Fall Riv & Trib (5) Teton River (6) Ashton to Rexburg (7) Willow CK			Primary Priority	Exceptions Priority Reachs	Exceptions Priority Reaches
Apr 9	Apr 10	Apr 11	7/28/1939					
17	18	19	3/14/1935					
18	19	20	4/01/1921					
19	20	21	3/14/1935					
21	22	23	4/01/1921					
25	26	27	3/14/1935					
26	27	28	7/28/1935	3/14/1935	(1)			
May 3	May 4	May 5	2/13/1936	3/14/1935	(1)			
4	5	6	10/07/1905					
5	6	7	3/26/1903					
8	9	10	7/09/1896					
10	11	12	4/15/1898					
11	12	13	3/26/1903					
13	14	15	10/11/1900					
14	15	16	4/01/1896					
15	16	17	10/11/1900	4/01/1898	(5)		4/01/1885	(7)
16	17	18	3/26/1903					
18	19	20	10/11/1900	5/01/1889	(7)			
19	20	21	7/09/1896	5/01/1889	(7)			
20	21	22	3/22/1985	5/01/1889	(7)			
22	23	24	7/09/1896	5/01/1888	(7)			
23	24	25	7/09/1896	5/01/1889	(7)			
24	25	26	6/14/1895					
25	26	27	6/14/1895	5/01/1889	(7)			
26	27	28	10/11/1900	5/01/1889	(7)			
27	28	29	10/07/1905	5/01/1889	(7)			
28	29	30	12/22/1915	4/01/1885	(7)			
29	30	31	10/07/1905	4/01/1885	(7)			
Jun 1	Jun 2	Jun 3	3/30/1921	4/01/1885	(7)			
2	3	4	7/28/1939	5/01/1889	(7)		3/14/1935	(1)
3	4	5	7/28/1939	3/14/1935	(1)			
4	5	6	7/28/1939	5/01/1889	(7)		3/14/1935	(1)
5	6	7	3/30/1921	5/01/1889	(7)			
6	7	8	10/07/1905	4/01/1885	(7)			
8	9	10	8/06/1908	4/01/1884	(7)			
9	10	11	10/07/1905	4/01/1884	(7)			
10	11	12	8/06/1908	4/01/1884	(7)			
11	12	13	12/22/1915	4/01/1884	(7)			
12	13	14	1/22/1916	4/01/1884	(7)			
13	14	15	7/28/1939	4/01/1884	(7)		3/14/1935	(1)
14	15	16	7/28/1939	4/01/1885	(7)			
16	17	18	7/28/1939	4/01/1884	(7)		3/14/1935	(1)
17	18	19	1/22/1916	4/01/1884	(7)			
18	19	20	10/07/1905	4/01/1884	(7)			
25	26	27	8/06/1908	4/01/1884	(7)			
26	27	28	8/06/1908	5/01/1889	(7)			
27	28	29	12/22/1915	5/01/1889	(7)			
28	29	30	12/22/1915	4/01/1883	(7)			
29	30	Jul 1	8/06/1908	6/01/1882	(7)			
30	Jul 1	Jul 2	6/16/1908	4/01/1882	(7)			
Jul 1	Jul 2	Jul 3	10/07/1905	4/01/1882	(7)			
2	3	4	2/05/1902	3/26/1903	(5)		4/01/1882	(5)
3	4	5	3/26/1903	5/01/1882	(7)			
4	5	6	2/05/1902	3/26/1903	(5)		4/01/1883	(7)
5	6	7	3/26/1903	4/01/1884	(7)			
7	8	9	5/15/1898	10/11/1900	(5)		4/01/1883	(7)
8	9	10	4/01/1896	6/16/1900	(5)		4/01/1883	(7)
9	10	11	7/09/1896	6/01/1882	(7)			
10	11	12	3/22/1895	4/01/1881	(7)			
11	12	13	2/06/1895	4/01/1883	(7)			
12	13	14	2/06/1895	4/01/1884	(7)			
13	14	15	2/06/1895	4/01/1885	(7)			
15	16	17	8/18/1894	4/01/1884	(7)			
16	17	18	6/01/1892	4/01/1884	(7)			
18	19	20	6/01/1892	10/02/1889	(5)		4/01/1884	(7)
19	20	21	4/28/1892	10/01/1889	(5)		4/01/1883	(7)
20	21	22	12/14/1891	10/17/1885	(5)		4/01/1884	(7)
21	22	23	12/14/1891	6/01/1885	(5)		4/01/1881	(7)
22	23	24	6/01/1891	4/01/1883	(7)			
23	24	25	12/14/1891	6/01/1885	(5)		5/01/1889	(7)
24	25	26	5/01/1892	5/01/1889	(7)			
25	26	27	12/14/1891	6/01/1885	(5)		5/01/1889	(7)

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TABLE 5. Continued

(1) Henrys Lake to Island Park		(2) Island Pk to Ash (3) Ash to Abv Fall R (4) Fall Riv & Trib (5) Teton River (6) Ashton to Rexburg (7) Willow CK		Primary Priority	Exceptions Priority Reaches	Exceptions Priority Reaches	
26	27	28	6/01/1891	6/01/1882	(5)	6/01/1882	(7)
27	28	29	12/14/1891	6/01/1885	(5)	4/01/1881	(7)
28	29	30	6/01/1891	6/01/1885	(5)	5/01/1889	(7)
29	30	31	12/14/1891	6/01/1885	(5)	4/01/1881	(7)
30	31	Aug 1	6/01/1891	6/01/1885	(5)	4/01/1880	(7)
31	Aug 1	Aug 2	6/01/1891	10/17/1885	(5)	4/01/1882	(7)
Aug 1	Aug 2	Aug 3	1/24/1891	6/01/1885	(5)	4/01/1880	(7)
2	3	4	10/16/1890	6/01/1885	(5)	4/01/1880	(7)
3	4	5	1/24/1891	4/01/1891	(7)		
4	5	6	6/10/1890	6/01/1885	(5)	4/01/1881	(7)
5	6	7	7/12/1890	6/01/1885	(5)	4/01/1880	(7)
6	7	8	6/10/1890	6/01/1885	(5)	4/01/1880	(7)
10	11	12	7/10/1889	6/01/1885	(5)	4/01/1880	(7)
13	14	15	6/01/1890	6/01/1885	(5)	4/01/1880	(7)
14	15	16	6/10/1890	6/01/1885	(5)	4/01/1880	(7)
15	16	17	7/12/1890	6/01/1885	(5)	4/01/1880	(7)
16	17	18	6/10/1890	6/01/1885	(5)	5/01/1889	(7)
18	19	20	6/01/1890	6/01/1885	(5)	4/01/1880	(7)
19	20	21	7/12/1890	6/01/1885	(5)	4/01/1880	(7)
20	21	22	10/16/1890	6/01/1885	(5)	4/01/1882	(7)
21	22	23	1/24/1891	5/31/1885	(5)	4/01/1883	(7)
22	23	24	6/01/1892	6/01/1885	(5)	4/01/1882	(7)
23	24	25	6/01/1892	4/01/1881	(7)		
24	25	26	12/24/1891	4/01/1881	(7)	10/01/1889	(5)
25	26	27	6/01/1891	4/01/1881	(7)	6/01/1885	(5)
26	27	28	7/12/1890	4/01/1881	(7)	6/01/1885	(5)
27	28	29	10/16/1890	4/01/1883	(7)		
28	29	30	1/24/1891	4/01/1883	(7)		
29	30	31	10/16/1890	6/01/1882	(7)		
30	31	Sep 1	6/10/1890	6/01/1882	(7)		
31	Sep 1	Sep 2	7/10/1889	4/01/1882	(7)		
Sep 1	Sep 2	Sep 3	6/01/1889	10/17/1885	(5)	4/01/1883	(7)
2	3	4	6/01/1889	4/01/1880	(7)		
3	4	5	7/10/1899	4/01/1880	(7)		
4	5	6	7/10/1889	10/17/1885	(5)	4/01/1880	(7)
5	6	7	7/10/1889	4/01/1885	(5)	4/01/1883	(7)
6	7	8	6/01/1890	6/01/1885	(5)	4/01/1883	(7)
7	8	9	6/01/1890	6/01/1885	(5)	4/01/1880	(7)
8	9	10	10/16/1890	6/01/1885	(5)	4/01/1884	(7)
9	10	11	10/16/1890	10/17/1885	(5)	4/01/1883	(7)
10	11	12	10/16/1890	10/17/1885	(5)	4/01/1884	(7)
11	12	13	1/24/1891	10/17/1885	(5)	4/01/1883	(7)
12	13	14	10/16/1890	10/17/1885	(5)	6/01/1882	(7)
13	14	15	10/16/1890	4/01/1880	(7)		
14	15	16	7/10/1890	4/01/1880	(7)		
15	16	17	7/10/1890	4/01/1883	(7)		
16	17	18	7/10/1889	4/01/1880	(7)		
17	18	19	7/10/1889	6/01/1885	(5)	4/01/1882	(7)
18	19	20	7/10/1889	6/01/1885	(5)	4/01/1883	(7)
19	20	21	7/10/1889	4/01/1883	(7)		
20	21	22	6/01/1890	4/01/1880	(7)		
21	22	23	1/24/1891	10/17/1885	(5)	4/01/1883	(7)
22	23	24	6/01/1892	6/01/1885	(5)	4/01/1884	(7)
23	24	25	8/18/1894	6/01/1885	(5)	4/01/1884	(7)
24	25	26	8/18/1894	4/01/1885	(7)		
25	26	27	1/24/1891	4/01/1884	(7)		
26	27	28	1/24/1891	6/01/1885	(5)	5/01/1888	(7)
28	29	30	1/24/1891	4/01/1885	(5)	4/01/1884	(7)
29	30	Oct 1	5/01/1892	6/01/1885	(5)	4/01/1885	(7)
30	Oct 1	Oct 2	2/06/1895	6/01/1885	(5)	5/01/1889	(7)
Oct 1	Oct 2	Oct 3	2/06/1895	6/01/1885	(5)	4/01/1884	(7)
2	3	4	2/06/1895	6/01/1885	(5)	4/01/1885	(7)
3	4	5	2/06/1895	6/01/1885	(5)	4/01/1884	(7)
4	5	6	2/06/1895	10/17/1885	(5)	4/01/1884	(7)
5	6	7	2/06/1895	6/01/1885	(5)	4/01/1884	(7)
6	7	8	2/06/1895	10/17/1885	(5)	4/01/1885	(7)
7	8	9	2/06/1895	6/01/1885	(5)	4/01/1884	(7)
8	9	10	10/07/1905	10/17/1885	(5)	4/01/1885	(7)
9	10	11	8/23/1906	1/23/1901	(5)	4/01/1884	(7)
10	11	12	8/23/1906	4/01/1885	(7)		
11	12	13	12/14/1909	4/01/1885	(7)		
17	18	19	3/29/1921	4/01/1885	(7)		
18	19	20	3/29/1921	5/01/1889	(7)		
24	25	26	3/29/1921	4/01/1885	(7)		

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TABLE 5. 1989 Water Right Regulation Schedule - Henry's Fork & Tributaries & Willow Creek

(1) Henry's Lake to Island Park	(2) Island Pk to Ash (3) Ash to Abv Fall R (4) Fall Riv & Trib (5) Teton River (6) Ashton to Rexburg (7) Willow CK	Exceptions		Exceptions	
		Primary Priority	Priority Reachs	Priority Reaches	Priority Reaches
Mar 26	27	28	3/31/1921		
Apr 9	10	11	AM last fill	6/16/1969 (7)	3/14/1935 (1)
14	15	16	AM last fill	6/16/1969 (7)	
21	22	23	6/16/1969		
25	26	27	7/28/1939		
30	May 1	May 2	3/14/1935		
May 1	2	3	8/06/1908		
3	4	5	3/30/1921		
4	5	6	3/14/1935		
5	6	7	4/01/1921		
6	7	8	3/14/1935		
7	8	9	7/28/1939		
21	22	23	4/01/1921		
22	23	24	3/30/1921		
23	24	25	3/14/1935		
24	25	26	7/28/1939		
26	27	28	5/15/1917		
27	28	29	5/24/1913		
Jun 2	Jun 3	Jun 4	5/24/1913	5/01/1888 (7)	
3	4	5	12/23/1915	5/01/1888 (7)	
4	5	6	7/28/1939		
5	6	7	7/28/1939	5/01/1889 (7)	
9	10	11	7/28/1939		
12	13	14	4/01/1939		
14	15	16	3/30/1921		
15	16	17	5/15/1917		
16	17	18	3/30/1921		
17	18	19	4/01/1939		
18	19	20	7/28/1939		
19	20	21	3/30/1921	5/01/1889 (7)	
20	21	22	5/15/1917		
21	22	23	3/30/1921		
22	23	24	1/22/1916		
23	24	25	8/06/1920		
24	25	26	8/06/1908		
25	26	27	10/07/1905		
27	28	29	3/26/1903		
30	Jul 1	Jul 2	6/01/1903		
Jul 1	Jul 2	Jul 3	10/07/1905		
4	5	6	3/26/1903		
6	7	8	3/26/1903	5/01/1888 (7)	
7	8	9	3/26/1903	5/01/1889 (7)	
8	9	10	9/01/1901	4/14/1902 (5)	5/01/1889 (7)
9	10	11	10/11/1900	5/01/1889 (7)	
10	11	12	2/09/1897	10/11/1900 (5)	5/01/1889 (7)
11	12	13	5/15/1898	10/11/1900 (5)	5/01/1888 (7)
12	13	14	5/01/1901	6/01/1905 (5) (7)	
13	14	15	5/15/1898	3/26/1903 (5) (7)	
14	15	16	3/26/1903		
16	17	18	5/01/1901	3/26/1903 (5) (7)	

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TABLE 5. Continued

(1) Henry's Lake to Island Park	(2) Island Pk to Ash (3) Ash to Abv Fall R (4) Fall Riv & Trib (5) Teton River (6) Ashton to Rexburg (7) Willow CK	Primary		Exceptions		Exceptions	
		Priority	Priority	Reaches	Priority	Reaches	Priority
Jul 17	18	19	10/11/1900				
18	19	20	7/09/1896	4/01/1885 (7)			
20	21	22	2/06/1895	4/01/1884 (7)		6/01/1882 (7)	
21	22	23	2/06/1895	4/01/1885 (7)			
22	23	24	2/06/1895	4/01/1884 (7)			
24	25	26	2/06/1895	4/01/1885 (7)			
25	26	27	2/06/1895	4/01/1884 (7)			
27	28	29	8/18/1894	4/01/1884 (7)			
30	31	Aug 1	8/18/1894	4/01/1885 (7)			
Aug 1	2	3	6/01/1892	4/01/1885 (7)			
2	3	4	4/30/1893	4/01/1885 (7)			
3	4	5	8/18/1894	4/01/1885 (7)			
4	5	6	6/01/1892	4/01/1885 (7)			
5	6	7	4/30/1893	4/01/1885 (7)			
6	7	8	8/18/1894	5/01/1888 (7)			
7	8	9	5/01/1892	5/01/1888 (7)			
8	9	10	4/28/1892	4/01/1885 (7)			
9	10	11	4/28/1892	5/01/1888 (7)			
10	11	12	4/28/1892	4/01/1885 (7)			
11	12	13	6/01/1892	5/01/1888 (7)			
12	13	14	8/18/1894	5/01/1888 (7)			
14	15	16	2/06/1895				
15	16	17	8/18/1894	5/01/1888 (7)			
16	17	18	8/18/1894	4/01/1884 (7)			
17	18	19	12/14/1891	4/01/1884 (7)			
18	19	20	4/28/1892	4/01/1884 (7)			
19	20	21	10/09/1895	4/01/1884 (7)			
20	21	22	2/06/1895	4/01/1884 (7)			
24	25	26	6/01/1892	4/01/1884 (7)			
25	26	27	5/01/1892	4/01/1884 (7)			
26	27	28	8/18/1894	4/01/1884 (7)			
28	29	30	6/01/1892	4/01/1884 (7)			
29	30	31	4/28/1892	4/01/1884 (7)			
30	31	Sep 1	12/14/1891	4/01/1884 (7)			
Sep 2	3	4	1/24/1891				
3	4	5	1/25/1891	4/01/1884 (7)			
6	7	8	1/24/1891	4/01/1883 (7)			
10	11	12	6/01/1891	10/17/1885 (5)		4/01/1883 (7)	
11	12	13	12/14/1891	4/01/1883 (7)			
18	19	20	6/01/1892	4/01/1884 (7)			
19	20	21	2/06/1895	4/01/1884 (7)			
21	22	23	2/06/1895	4/01/1883 (7)			
28	29	30	2/06/1895	4/01/1884 (7)			
29	30	Oct 1	3/22/1895	4/01/1884 (7)			
30	Oct 1	Oct 2	7/09/1896	4/01/1883 (7)			
Oct 1	2	3	10/07/1905	4/01/1884 (7)			
2	3	4	8/23/1906	4/01/1884 (7)			
3	4	5	12/14/1909				
16	17	18	3/29/1921				

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Claim No. 21-12358

Document Checklist

☐ Copy License/Decree

☐ Copy Transfer

☐ Copy Licensing Field Exam

☐ Check if Ownership/Address Change is Required

☒ Generate, mail and file "Evidence of Priority" letter

☒ Generate Arcview Map

To whom it may concern
The pump that was put in
Fall River by Guy W. Seely
to irrigate part of his place
was put in the summer of
1947 or the summer of 1948.

The reason I can remember
is when I left on a mission
for LDS Church in the fall
of Oct 10, 1946 the pump
was not in the river.
But when I came back
in ~~the~~ December 1948.

The pump had been
working. so it was put in
the summer of 1947 or
the summer ~~NOT 1948~~ ~~1948~~.

Signed

Arlo Dee Blanchard

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 21-12358

Date Received:
Receipt Nos:
Received By:

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

Name of Claimant PORTIA R LOOSLI
S LYNN LOOSLI
3140 E 1100 N
ASHTON, ID 83420
(208)652-3312

Priority Date: 06/01/1890
Basis: Decreed/License
Status: Active

<u>Source</u>	<u>Tributary</u>
Ground Water	
Snake River	Columbia River

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	3.2 CFS	962.5 AFA
Total Diversion			3.2 CFS	

Location of Point(s) of Diversion:

GROUND WATER SENE Sec. 13 Township 08N Range 41E FREMONT County

Place(s) of use:

Place of Use Legal Description: IRRIGATION FREMONT County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
08N	41E	12		SWSE	6.4		SESE	6.8						
		13		NENE	40		NWNE	37		SWNE	36		SENE	38
			3	SWNW	31		SENE	40						
			5	NESW	13	4	NWSW	20						
		14	1	NESE	10									

Total Acres: 278.2

Remarks: This water right includes the right to divert water which is recovered ground water resulting from recharge for irrigation and/or water resulting from irrigation under the Silkey Canal Company irrigation works for use on lands within said irrigation entity's authorized place of use. Diversion of this right for the purpose of 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. In the event recharge or recovered water is not available, the priority date shall revert to the previously licensed priority date.

1. 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.
2. E56 Use of the rights listed below is limited to the irrigation of a combined total of 278.2 acres in a single irrigation season. Combined Right Nos.: 21-12358, 21-41G, 21-51B, 21-12977, 21-12978
3. K06 This right is limited to the irrigation of 275 acres within the place of use described above in a single irrigation season.
4. E52 The rights listed below are limited to a total combined diversion rate of 7.02 cfs. Combined Right Nos.: 21-41G, 21-51B, 21-12358, 21-12977, 21-12978

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/License

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,)

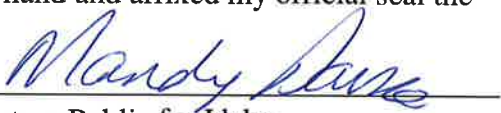
ss.

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.




Notary Public for Idaho

Residing at: St. Anthony

My Commission Expires: 6/24/2011

SCANNED

AUG 15 2001

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: **A21-12358**
Date Received: 9/27/1994
Receipt No: E020337
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name:	LYNN LOOSLI	208-652-3312
Address:	3140 E 1100 N ASHTON ID	83420
AND/OR		
Name:	PORTIA R LOOSLI	208-652-3312
Address:	3140 E 1100 N ASHTON ID	83420

2. Date of Priority: APR 1, 1948

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	41E	13	SE	NE			FREMONT

5. Description of diverting works:
WELL WITH 40 HP PUMP TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	3.200		962.50

7. Total Quantity Appropriated is:
3.200 C.F.S. (and/or) 962.50 A.F.A.

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8. Total consumptive use is 688.7 Acre Feet Per Annu NOV 06

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	41E	12	SW	SE		IRR	6.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	41E	12	SE	SE		IRR	7.0
			Section Acres				13.0
		13	NE	NE		IRR	37.0
			NW	NE		IRR	37.0
			SW	NE		IRR	37.0
			SE	NE		IRR	37.0
			SW	NW		IRR	32.0
			SE	NW		IRR	38.0
			NE	SW		IRR	8.0
			NW	SW		IRR	27.0
			Section Acres				253.0
		14	SE	NE		IRR	3.0
			NE	SE		IRR	6.0
			Section Acres				9.0
			Total Acres				275.0

11. Place of use in counties: FREMONT

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

13. Other Water Rights Used:

A21-00102E, A21-00041G, A21-00051B

14. Remarks:

THIS RIGHT IS CLAIMED WITH PRIORITY DATE THAT PUMP WAS PUT IN FALLS RIVER AND THEN PUT TO BENEFICIAL USE.

THIS RIGHT WAS AMENDED TO REFLECT APPROVED TRANSFER #4456

** GJT 10-27-95 **

TRANSFER REMARKS:

EACH YEAR PRIOR TO COMMENCING DIVERSION AND USE OF WATER FROM THE WELL, THE Rightholder shall obtain the expressed written certification of the water district 01 watermaster that the rightholder has dedicated and assigned 275 acre feet of stored water for use by the watermaster to release into Henrys Fork River to mitigate depletion of river flow resulting from diversion of groundwater when claim no. A21-12358 is not in priority.

OPERATION OF THE WELL AT ANY TIME WITHOUT THE WRITTEN CERTIFICATION OF THE WATERMASTER SHALL BE A VIOLATION OF SECTION 42-351, IDAHO CODE.

THE RIGHT HOLDER SHALL USE THE FULL ALLOTMENT OF APPURTENANT

NOV 06 1996

14. Remarks: Continued

SURFACE WATER RIGHTS, TO THE EXTENT THEY ARE AVAILABLE, IN CONJUNCTION WITH GROUNDWATER DIVERTED PURSUANT TO THIS RIGHT. THIS RIGHT TO DIVERT GROUNDWATER SHALL NOT BE USED IF THE SURFACE WATER RIGHT(S) APPURTENANT TO THE PLACE OF USE IS SOLD, TRANSFERRED, LEASED OR USED ON ANY OTHER PLACE OF USE WITHOUT THE APPROVAL OF THE DEPARTMENT. USE OF WATER UNDER THIS APPROVAL MAY BE AFFECTED BY THE PROVISION OF THAT CERTAIN AGREEMENT BETWEEN THE RIGHTHOLDER AND OTHERS DATED DEC. 12, 1994, TO THE EXTENT THAT THE PROVISIONS OF SAID AGREEMENT CAN LAWFULLY BE IMPLEMENTED.

15. Basis of Claim: BENEFICIAL USE

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NOV 06 1995

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

50-00

Ident. Number: A21-12358

Date Received: 9/21/1994

Receipt No: E020337

Received By: MT

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LYNN LOOSLI 208-652-3312
Address: 3140 E 1100 N
ASHTON ID 83420
AND/OR
Name: PORTIA R LOOSLI 208-652-3312
Address: 3140 E 1100 N
ASHTON ID 83420

2. Date of Priority: APR 1, 1948

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	41E	13	NE	SE			FREMONT

5. Description of diverting works:

PUMP IN RIVER TO SPRINKLERS AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	3.200		

7. Total Quantity Appropriated is:

3.200 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 688.7 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	41E	12	SW	SE		IRR	6.0

A212358



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NOV 06 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	41E	12	SE	SE		IRR	7.0
						Section Acres	13.0
		13	NE	NE		IRR	37.0
			NW	NE		IRR	37.0
			SW	NE		IRR	37.0
			SE	NE		IRR	37.0
			SW	NW		IRR	32.0
			SE	NW		IRR	38.0
			NE	SW		IRR	8.0
			NW	SW		IRR	27.0
						Section Acres	253.0
		14	SE	NE		IRR	3.0
			NE	SE		IRR	6.0
						Section Acres	9.0
						Total Acres	275.0

11. Place of use in counties: FREMONT

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

13. Other Water Rights Used:
A21-00102E, A21-00041G, A21-00051B

14. Remarks:
THIS RIGHT IS CLAIMED WITH PRIORITY DATE THAT PUMP WAS PUT IN FALLS RIVER AND THEN PUT TO BENEFICIAL USE.

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: _____

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NOV 06 1990

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): X S Lynn Lonsli Date: X 27 Sept 94
Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 27th day
of Sept 19 94 Gregory J. Taylor
Notary Public



Residing at Idaho Falls Id.
My Commission Expires 3/3/98

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NOV 06 1990

1721-12358

