

11/28/2005

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

RIGHT NUMBER: 21-115B

NAME AND ADDRESS: ROBERT E FUCHS
3857 E 500 N
RIGBY ID 83442

DONNA T FUCHS
3857 E 500 N
RIGBY ID 83442

SOURCE: FALL RIVER

TRIBUTARY: HENRYS FORK

QUANTITY: 0.900 CFS

PRIORITY DATE: 06/01/1894

POINT OF DIVERSION:
T08N R42E S20 SWNWSW Lot 4 Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.900 CFS

PLACE OF USE: IRRIGATION Within FREMONT County

T08N R41E S12 Lot 1 SENE	31.0	T08N R42E S06 Lot 9 NESW	21.0
T08N R42E S06 Lot 8 SWSW	9.0	T08N R42E S06	SESW 40.0
T08N R42E S06	NESE 39.0	T08N R42E S06 Lot 14 NWSE	32.0
T08N R42E S06	SWSE 40.0	T08N R42E S06	SESE 40.0
T08N R42E S07	NENE 40.0	T08N R42E S07	NWNE 40.0
T08N R42E S07	NENW 40.0	T08N R42E S07 Lot 1 NWNW	27.0
T08N R42E S07 Lot 2 SWNW	30.0	T08N R42E S07 Lot 3 NWSW	30.0
T08N R42E S07 Lot 4 SWSW	30.0		

489 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 489 acres in a single irrigation season. Combined Right Nos.: 21-114C, 21-115A, 21-115B, 21-12985, 21-12991

This right is limited to the irrigation of 35 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

Use of this right is combined with water from Farmers Own Canal.

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

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

RIGHT NUMBER: 21-115B

NAME AND ADDRESS: ROBERT E FUCHS
3857 E 500 N
RIGBY ID 83442

DONNA T FUCHS
3857 E 500 N
RIGBY ID 83442

SOURCE: FALL RIVER

TRIBUTARY: HENRYS FORK

QUANTITY: 0.900 CFS

PRIORITY DATE: 06/01/1894

POINT OF
DIVERSION:

T08N R42E S20 SWNWSW Lot 4 Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.900 CFS

PLACE OF USE: IRRIGATION in FREMONT County

T08N R41E S12 Lot 1 SENE	31.00	T08N R42E S06 Lot 9 NESW	21.00
T08N R42E S06 SESE	40.00	T08N R42E S06 NESE	39.00
T08N R42E S06 Lot 14 NWSE	32.00	T08N R42E S06 SWSE	40.00
T08N R42E S06 SESE	40.00	T08N R42E S07 NENE	40.00
T08N R42E S07 NWNE	40.00	T08N R42E S07 NENW	40.00
T08N R42E S07 Lot 1 NWNW	27.00	T08N R42E S07 Lot 2 SWNW	30.00
T08N R42E S07 Lot 3 NWSW	30.00	T08N R42E S07 Lot 4 SWSW	30.00
~~T08N R42E S06 Lot 8 SWSW~~	~~9.00~~		

480 ACRES TOTAL

~~The rights listed below are limited to the irrigation of a combined total of 489 acres in a single irrigation season. Combined Right Nos.: 21-114C, 21-115A, 21-115B, 21-12985, 21-12991~~

The rights listed below are limited to the irrigation of a combined total of 480 acres in a single irrigation season. Combined Right Nos.: 21-114C, 21-115A, 21-115B, 21-12985, 21-12991

This right is limited to the irrigation of 35 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

Use of this right is combined with water from Farmers Own Canal.

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

Stipulation Agreement: 21-115B

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 21-00115B

NAME AND ADDRESS: ROBERT E FUCHS
3857 E 500 N
RIGBY ID 83442

DONNA T FUCHS
3857 E 500 N
RIGBY ID 83442

SOURCE: FALL RIVER

TRIBUTARY: HENRYS FORK

QUANTITY: 0.900 CFS

PRIORITY DATE: 06/01/1894

POINT OF
DIVERSION: T08N R42E S20 NESWSW Lot 4 Within FREMONT County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.900 CFS

PLACE OF USE: IRRIGATION in FREMONT County

T08N R41E S12 Lot 1 SENE	31.00	T08N R42E S06 Lot 9 NESW	21.00
T08N R42E S06 SESW	40.00	T08N R42E S06 NESE	39.00
T08N R42E S06 Lot 14 NWSE	32.00	T08N R42E S06 SWSE	40.00
T08N R42E S06 SESE	40.00	T08N R42E S07 NENE	40.00
T08N R42E S07 NWNE	40.00	T08N R42E S07 NENW	40.00
T08N R42E S07 Lot 1 NWNW	27.00	T08N R42E S07 Lot 2 SWNW	30.00
~~T08N R42E S07 Lot 3 NWSW~~	~~30.00~~	~~T08N R42E S07 Lot 4 SWSW~~	~~30.00~~

420 ACRES TOTAL 480 ACRES

The rights listed below are limited to the irrigation of a combined total of 420 acres in a single irrigation season. Combined Right Nos.: 21-114C, 21-115A, 21-115B, 21-12985, 21-12991

~~The rights listed below are limited to the irrigation of a combined total of 480 acres in a single irrigation season. Combined Right Nos.: 21-114C, 21-115A, 21-115B, 21-12985, 21-12991~~

This right is limited to the irrigation of 35 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

Water is delivered through Silkey Canal.

~~Use of this right is combined with water from Farmers Own Canal.~~

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

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: 21-115B

ROBERT E FUCHS
3857 E 500 N
RIGBY ID 83442
Telephone Number: (208)745-6268

DONNA T FUCHS
3857 E 500 N
RIGBY ID 83442
Telephone Number: (208)745-6268

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: 10/12/05 SIGNATURE: Donna T. Fuchs
Please print your name: Donna T. Fuchs

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

SCANNED
OCT 20 2005

PROFILED

KMD
10/18

Claim No. 21-115B

Document Checklist

☒ Copy License/Decree

Hexburg V Teton

☒ Copy Transfer

204, 242 ← cash not find

☐ Copy Licensing Field Exam

☐ Check if Ownership/Address Change is Required

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

☒ Generate Arcview Map

PROFILED

SCANNED

JUN 15 2006

Contacts Data Entry Form

Claim Number: 21-00115B

Owner Type	Full Name	Address	City	State	Zip
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Current Owner: ROBERT FICHE Phone No.: _____

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Name connector: and _____, or _____, and/or _____.

Representing Attorney: _____ Phone No.: _____

Accompanied By: _____ Phone No.: _____

Relationship to Claimant: _____ Date of Field Exam: _____

Discussion of right origin and split history. Questions and problems.

-WHERE DOES BLANCHARD ALMA 120" - 6-1890 - FALLS R.
COME FROM.

BILL FUCHS - 624-3301(h)
716-0096 (cell)

LEFT MESSAGE - 1-27-05 - NEED TO DISCUSS POU

Reviewer: _____ Date: _____

Claim no. 21-00115 B

Claimant Contact Log

Date **Remarks** **Agent initials**

12-27-01 Met w/ Bill Fuchs

Water Right No(s). 21-00115B

P.O.D. SILKEY DITCH
GPS - 697608, 325469
Photo - 21-00115B-SILKEY-FUCHS

GPS DATA:

Tag # _____ Location: _____

Diversion Data:

Source: Fauc R Trib to: Henne Fork

MOTOR

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

PUMP

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

NOTES:

Field Exam Date: 12-20-04 Agent: SHM

Point of Diversion and Source Data Entry Form

Claim Number: 21-00115 BWater Right Point(s) of diversion and Source.Water Right Point of Diversion: T 8N, R 42E, Sec. 20, ME, SW, SW, County: FREMONTSource: FALLS R. Tributary to: HENRYS FR

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
8N	42E	20		ME SW SW	FREMONT	FALLS R	HENRYS FR

Recommended Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
8N	42E	20		ME SW SW	FREMONT	FALLS R	HENRYS FR

Other rights from this POD? _____

Transfers Pending or approved: _____

Document how the POD and Source were verified:

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

Reviewer: SHM Date: 12-20-04

Claim Number: 21-00115B

Recommended Place of Use					County	Lot Num	Acres	Purpose of Use
Twp	Rge	Sec	QQ	Q				
EN	41E	12	NE	NE	Fremont	4		IRR
			SW			4		
			SE			35		
Total acres						39		

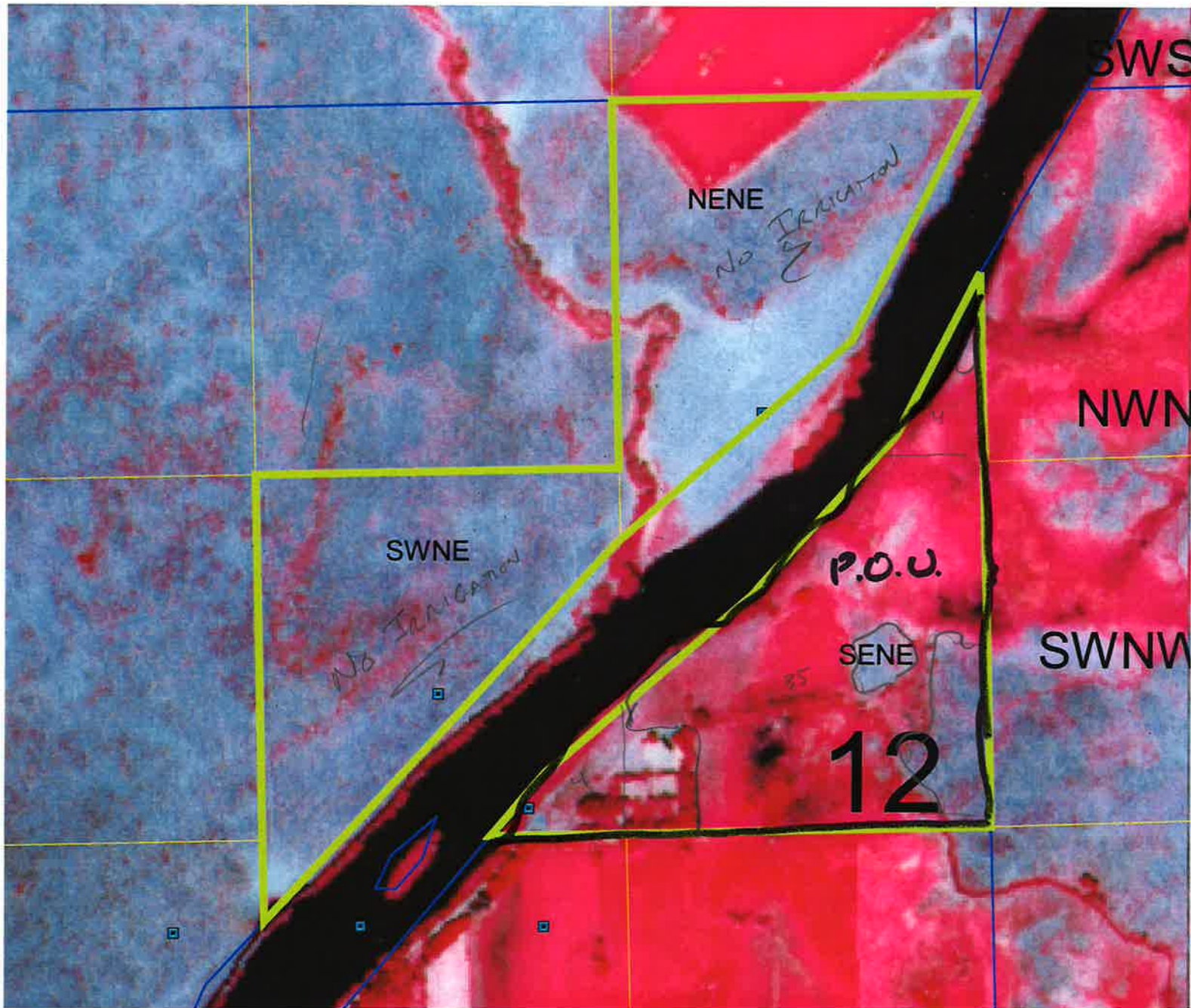
Overlapping rights: _____

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

Reviewer: _____ Date: _____

21-115B

8N 41E



SCANNED

AUG 16 2001

JUNE 28, 1993

ROBERT E FUCHS
3857 E 500 N
RIGBY ID 83442

RE: NOTICE OF CLAIM A21-00115B

Dear Mr. Fuchs:

Please review the enclosed Notice of Claim for correction based on our telephone conversation of June 25, 1993. Specifically, Item #2, has been changed from 6/1/1894 to 6/1/1890.

Your signature must be notarized in Item #16. Since your claim is filed as Robert E Fuchs or Donna T Fuchs, only one notarized signature is required. The corrected Notice must be returned by July 28, 1993.

If you have any comments or questions regarding this claim, please call this office at 208-525-7161.

Respectfully submitted,

Ernest Carlsen
Water Rights Supervisor, Adjudications

EC:sc

Enclosure

TIC

MICROFILMED

APR 08 1994

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

CERTIFICATE OF CHANGE OF POINT OF DIVERSION OF DECREED WATER RIGHTS

No. 204

THIS IS TO CERTIFY THAT EDGAR BARNEY, of St. Anthony, Idaho, is the owner of and using a certain water right for four (4) cubic feet per second of the waters of Fall River with priority of June 1, 1890 and for one and two tenths (1.2) cubic feet per second of the waters of Black Spring Creek with priority of June 1, 1894, said water being decreed to Z. Sundberg by Judge J. M. Stevens of the District Court of the 8th Judicial District of the State of Idaho, in and for the County of Fremont, in the case of

REXBURG IRRIGATION COMPANY, et al
Plaintiffs,

vs.

TETON IRRIGATION CANAL COMPANY, et al
Defendants.

said decree bearing date of December 16, 1910 and being appurtenant to the following described lands, to-wit:

Lots 1, 2, 3, and 4, Section 7,
Township 8 North, Range 42 East, B.M.

That said decree has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 3 of Decrees, beginning at Page 450.

And that now, upon the application of Edgar Barney, of St. Anthony, Idaho, for a Certificate of Change of Point of Diversion for 5.2 cubic feet per second of the waters of Fall River and Black Spring Creek, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to change such point of diversion is HEREBY GRANTED.

That said change of point of diversion shall not modify in effect said decreed water right, or place of use. Said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes, and shall not exceed the following amount, to-wit:

4 cubic feet per second from Fall River with Priority
of June 1, 1890.

1.2 cubic feet per second from Black Spring Creek with
priority of June 1, 1894.

That the water rights above described have heretofore been diverted from Fall River and Black Spring Creek with point of diversion in the SW $\frac{1}{4}$ Section 18, Township 8 North, Range 42 East, B.M.

That the water rights above described will hereafter be diverted from said streams with point of diversion in the SE $\frac{1}{4}$ Section 35, Township 9 North, Range 43 East, B.M.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho, to be hereunto affixed at Boise, Idaho, this 14th day of April, 1950.

Mark R. Kulp

MARK R. KULP
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

In the Matter of the Application of

Edgar Barney
of St. Anthony, Idaho

For a Change of Point of Diversion from Fall
River and Black Spring Creek in Water District
No. 36, Fremont County, Idaho

ORDER GRANTING CHANGE
OF POINT OF DIVERSION

No. 204

WHEREAS, On the 5th day of January, 1950, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, the application of Edgar Barney of St. Anthony, Idaho, for a change of point of diversion on Fall River and Black Spring Creek, came on regularly for hearing, pursuant to published notice, in due and statutory form; and,

WHEREAS, No protest has been filed against the application, and the evidence filed by the applicant, with the application, shows that more economical use of the water will be obtained by such change, and that no other water user will be injured thereby;

NOW, THEREFORE, IT IS HEREBY ORDERED That the said application be, and the same is hereby granted, and that a Certificate of Change of Point of Diversion be issued to the applicant herein, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 14th day of April, 1950.

Mark R. Kulp

MARK R. KULP
State Reclamation Engineer

RECEIVED

Affidavit for Change of Point of Diversion of Decreed Water Right

STATE OF IDAHO,

County of Fremont

ss.

RECEIVED

Filing Office of Recorder

Edgar Barneybeing first duly sworn, deposes and says: That his postoffice address is St. Anthony, Box 205, IdahoThat he is the owner of and using a certain water right, bearing date of priority of June 1, 1890 4.0 Sec. Ft. from Fall River
June 1, 1894 1.2 Sec. Ft. from Black Spring G.

cubic feet per second of the waters of

County of Fremont, State of Idaho, decreed to Z. Sundbergby decree of Judge Stevens, of the 6th Judicial District ofthe State of Idaho, in and for the County of Fremont, in the case of Rushburg & Co.vs. Teton L. Canal Co. said decree bearing date ofDec 16, 1910, for the purpose of irrigating the following described lands, situate, lyingand being in Water Dist. No. 36, in the County of Fremont, and State of Idaho.to-wit: Lots 1, 2, 3 and 4 in Sec 7, T8N. R42E B.M.

That he is the person (or representative of the corporation) to whom such right was issued, (or has become the owner thereof in the following manner:

That said waters are now diverted from said stream in the SW 1/4 of Sec. 18, Twp. 8N, Range 42E, and conducted to the above described lands through the Siekay ditch, as per map filed herewith and of this affidavit made a part;That affiant desires to change the point of diversion of said water from the point above described to a point located in SE 1/4 of 1/4 Sec. 35, Twp. 9N, Range 43E, and thereafter conduct same to the above described land through the Farmers Own ditch, as per map above referred to:That his reasons for desiring to make such change are as follows: Too much upkeep on present ditch

That no one will be injured by such change and that such change will be made at affiant's own risk.

Edgar Barney

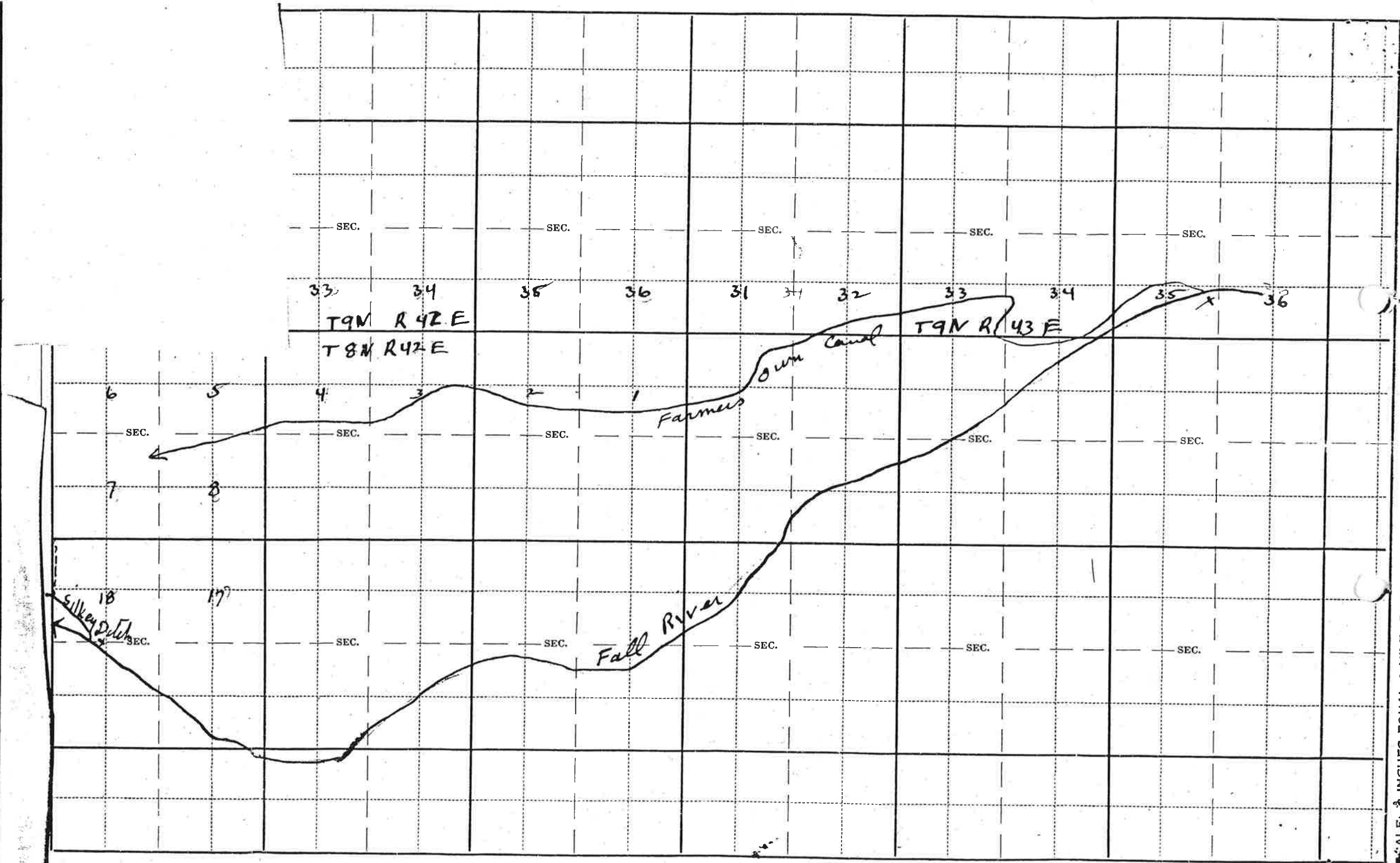
Affiant.

Subscribed and sworn to before me this 10th day of December, 1949Ralph P. Allcock
Notary Public for Idaho, Residing
at Shoshone Falls, Idaho

NOTE:—If this water right has heretofore been carried jointly in a ditch with other water, affiant should secure written consent of other owners or users to removal from its original carrier and file such consent with this affidavit.

Approved
Lynn Randall

NOTARIAL



Andrew, Heber, and Robert, the Farmers' Friend Canal Company.

Andrus, Robert, The Farmers' Friend Canal Company.

Ashmead, Charles, 100 inches, June 1, 1895, Teton Creek.

Asbury, G. C. (Disclaim any interest.)

Avery, Mrs. J. (See Talitha C. Avery.)

Avery, Talitha C., 160 inches, June 1, 1896, Trail Creek.

B.

Bagshaw, Ellen, 30 inches, Aug. 15, 1900, Pine Creek.

Baker & Dixon Ditch Company, 1,150 inches, Aug. 15, 1893, Palisade Creek.

Baker, Joseph D., 120 inches, June 1, 1903, Sheridan Creek.

Baker, Richard L., 100 inches, June 1, 1903, Sheridan Creek and Bishop Slough.

Ballantyne, Martha J. (See Z. Ballantyne.)

Ballantyne, Z., 160 inches, June 1, 1884, Spring Creek, near Menan.

Ballantyne, Z., 120 inches, Nov. 14, 1899, Spring Creek, near Menan.

Barnes, Charles W., The Farmers' Friend Canal Company.

Barnes, Thomas H., The Farmers' Friend Canal Company.

Barney, Walter, 160 inches, June 1, 1891, South Leigh Creek.

Barney, Walter W., 120 inches, June 1, 1896, South Leigh Creek.

Barrett, C. H., The Farmers' Friend Canal Company.

Barrett, E. C., The Farmers' Friend Canal Company.

Barrett, Nathan A., 160 inches, May 11, 1900, Driggs Springs and waters from swamp.

Barrus, John N., 160 inches, May 20, 1889, Palisade Creek.

Barrus, John N., 140 inches, June 30, 1890, Palisade Creek.

Barrus, R. N., Watson Slough Irrigation Company.

Bates, Thomas, 140 inches, May 3, 1889, Mahogany Creek.

Beam, Charles, 120 inches, June 1, 1895, Rainey Creek.

Beam, Frank, 40 inches, June 1, 1898, Rainey Creek.

Beam, Herbert L., 150 inches, June 1, 1891, Rainey Creek.

Beam, Matilda E., 80 inches, Sept. 19, 1897, Rainey Creek.

Beam, Nellie M., 80 inches, June 1, 1893, Rainey Creek.

Beard, James T., 200 inches, Apr. 1, 1896, Teton River.

Beasley, Joseph, 70 inches, June 1, 1899, Teton River. Also springs on ranch.

Beckstrand, Charley, Enterprise Canal Company.

Beckstrom, Niels, The Sunnyside Irrigation Company.

Beezley, Ebenezer, and J., 80 inches, June 1, 1889, Fox Creek.

Beezley, Ebenezer, and J., 80 inches, June 1, 1890, Fox Creek.

Bell, Joseph, 260 inches, Sept. 26, 1889, Fall River.

Belnap, A. W., North Salem Agricultural & Milling Canal Company.

Bernard, Alfred Joseph, 160 inches, Apr. 15, 1889, Rainey Creek.

Bernard, Alfred Joseph, 80 inches, June 20, 1889, Rainey Creek.

Bernard, Alfred Joseph, 80 inches, Apr. 9, 1889, Rainey Creek.

Bernston, Richard, 160 inches, June 1, 1899, Badger Creek.

Bess, O. C., The Farmers' Friend Canal Company.

Bettis, Alice, and Joseph, 80 inches, May 1, 1893, Trail Creek.

Bevan, Maria, 80 inches, Apr. 6, 1901, Swamp Creek.

Bigler, Jesse E., 320 inches, May 1, 1893, Moody Creek; to be reduced to 160 inches after June 20th in each year.

Bigler, Mark S., Good Luck Canal Company and Pioneer Ditch Company.

Birch, Mary H., Admx. Estate of Thomas Birch, deceased, Pioneer Ditch Company.

Birch, Mary H., Admx. Estate of Samuel Stewart, deceased; and

Birch, Mary H. (See Stewart, Samuel deceased, Mary H. Birch, Admx.)

Bird, Martin L., F. W. Garner and Geo. A. Pincock, 444 inches, March 1,

1884, Pincock-Garner Ditch.

Bird, Martin L., F. W. Garner and Geo. A. Pincock, 800 inches, April 1,

1898, Pincock-Garner Ditch.

Bishop, J. B., 300 inches, May 10, 1889, Sheridan Creek.

Bishop, Jennie, 300 inches, May 10, 1889, Sheridan Creek.

Bishop, Mary M., 150 inches, May 10, 1889, Sheridan Creek.

Bishop, R. L., 150 inches, May 10, 1889, Sheridan Creek.

Bishop, T. J., 150 inches, May 10, 1889, Sheridan Creek.

Bithell, Alice. (Dismissed.)

Bithell, Heber, The Sunny Dell Irrigation Canal Company.

Bitton, W. S., 300 inches, June 1, 1890, Spring Creek, near Menan.

Black, Joseph A., 150 inches, June 1, 1898, South Leigh Creek.

Blackburn, Thomas, Trego Ditch Company.

Blackfoot Irrigation Company, 20,000 inches, July 10, 1889, Snake River.

Blair, Ed F., 160 inches, June 1, 1896, Trail Creek.

Blair, J. J., 120 inches, May 1, 1896, Spring Creek.

Blamires, Robert, and C. J. Burton, W. S. Burton and Thomas H. Phillips

640 inches, June 1, 1891, Badger Creek and springs on land of T. A

Phillips.

Blanchard, Alma, 120 inches, June 1, 1890, Fall River.

Blanchard, Alma, 120 inches, June 1, 1892, Fall River.

Blanchard, John, 40 inches, June 1, 1889, Warm Creek.

Blanchard, John, 120 inches, April 1, 1890, Trail Creek.

Blattner, Rudolph, 160 inches, June 1, 1894, Darby Creek.

Bond, Harry A., 320 inches, Sept. 15, 1898, Willow Creek.

Bond, Marry A., 320 inches, Aug. 23, 1899, Cottonwood Creek.

Bonner, Arthur. (See Charles H. Woodmansee.)

Boom Creek Canal Company, 5,000 inches, Sept. 15, 1901, Boom Creek.

Borrowman, John, 60 inches, June 1, 1887, Wood Creek and Springs.

Borrowman, John, 80 inches, June 1, 1899, Wood Creek and Springs.

Bowles, H. C., 140 inches, June 1, 1889, Spring Creek.

Bowles, Sarah, 100 inches, June 1, 1891, Spring Creek.

Bowles, William, 160 inches, June 1, 1897, Trail Creek.

Breeding, Thomas C., 90 inches, June 2, 1902, Rainey Creek.

Breckenridge, David, 260 inches, June 1, 1887, North Leigh Creek; al

Swamp Creek for a late right.

Brennan, D. J., and Evan Williams, 320 inches, Feb. 21, 1890, Snake Riv

(Smith & Maxwell Ditch).

Briggs, B. J., The Farmers' Friend Canal Company.

Brodhead, Jabus, Watson Slough Irrigation Company.

Brown, Albert W., and Edward, The Farmers' Friend Canal Compai

and Enterprise Canal Company.

Brown, Edward H., Enterprise Canal Company.

Brown, F. L., Enterprise Canal Company.

Brown, Hyrum, 120 inches, June 1, 1888, Fall River.

Brown, J. J., 240 inches, June 1, 1891, Fall River.

Bruce, Daniel C., 160 inches, June 1, 1898, Teton Creek.

Buck, James, The Farmers' Friend Canal Company.

Buck, John H., The Farmers' Friend Canal Company.

Burgess Ditch Company. (See C. J. Almy and Simington Nedrow.)

Burgess Canal & Irrigation Company, 500 inches, June 10, 1886, Sn

River, South Fork.

Burgess, Canal & Irrigation Company, 500 inches, June 10, 1887, Sn

River, South Fork.

Burgess Canal & Irrigation Company, 19,000 inches, June 10, 1888, Sn

River, South Fork.

Burgess Canal & Irrigation Company, 12,000 inches, June 10, 1890, Sn

River, South Fork.

Burgess Canal & Irrigation Company, 8,000 inches, June 1, 1895, Sn

River, South Fork.

Burkshaw, Benjamin, The Farmers' Friend Canal Company.

Burkshaw, Thomas, The Farmers' Friend Canal Company.

Burney, Peter, 40 inches, June 1, 1901, Palisade Creek.

Burtenshaw, William, Enterprise Canal Company.



Idaho Department of Water Resources

MEMORANDUM

File: 21-115A & 115 B Fuchs
Date: 8-28-2008
Subject: SF5 and Lot 3 & 4 property

On July 22, 2003, I received a phone call from Becky Harvey informing me that there is still a problem on the SF5's. Fuchs claimed acreage in T8N R42E SEC 7 NWSW Lot 3 and T8N R42E SEC 7 SWSW Lot 4 in which they do not own. Those acres are owned and claimed by RLF (21-13013).

E56- Needed to change to reflect reduction of acreage.

E01 was removed and F01 added to reflect the new name of the canal.

IDWR Concurrence:

Denise Kidman 11-4-08
Denise Kidman Date
Agent, IDWR

Nick Spencer Date
Deputy Attorney General

IDWR Concurrence:

 5-2-07

Trent Galbraith Date
IDWR Water Resource Agent

Nicholas B. Spencer Date
Deputy Attorney General

STIPULATION TO PARTIALLY RESOLVE OBJECTION – 21-115B

CERTIFICATE OF MAILING

I certify that on _____, 2007, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

Ray W. Rigby
25 N 2nd E
PO Box 250
Rexburg, ID 83440-0250

USDI-BLM
US Department of Justice
Environment & Natural Resources
550 West Fort Street, MSC 033
Boise, ID 83724

IDWR Repository
P.O. Box 83720
Boise, ID 83720

Signature of person mailing the form

Water Right Analysis

Water Right Number: 21-115B

Total Diversion Rate: 0.90

Total Acres 480.0

Twp	Rng	Sec	QQ	Lot	Water Right	Correct	RLF LLC PROPERTY
					Objection	W.R.	
					21-115B	21-115B	21-13013
08N	41E	12	SENE	1	31.0	31.0	
08N	42E	6	NESW	9	21.0	21.0	
08N	42E	6	SESW		40.0	40.0	
08N	42E	6	NESE		39.0	39.0	
08N	42E	6	NWSE	14	32.0	32.0	
08N	42E	6	SWSE		40.0	40.0	
08N	42E	6	SESE		40.0	40.0	
08N	42E	7	NENE		40.0	40.0	
08N	42E	7	NWNE		40.0	40.0	
08N	42E	7	NENW		40.0	40.0	
08N	42E	7	NWNW	1	27.0	27.0	
08N	42E	7	SWNW	2	30.0	30.0	
08N	42E	7	NWSW	3	30.0		30.0
08N	42E	7	SWSW	4	30.0		30.0
					480.0	420.0	60.0

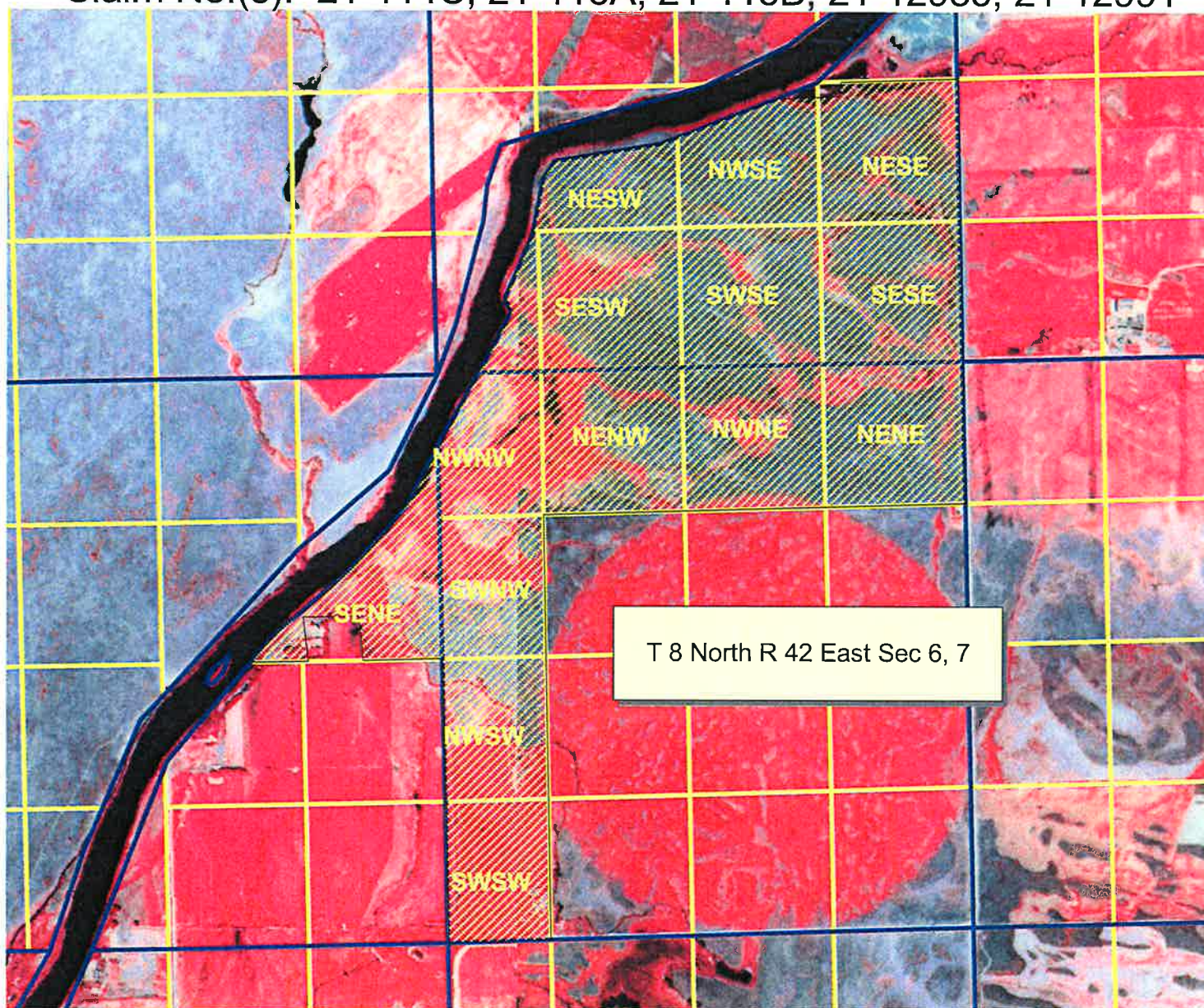
Water Right To Be Corrected		CFS	Acres		CFS per ACRE
21-115B		0.90	480.0		0.0019
Corrected Water Rights					
21-115B		0.90	420.0		0.0019
Combined Total		0.90	420.0		
New Recommendation					
21-115B		0.90	420.0		



State of Idaho
Department of Water Resources
Eastern Region



Claim No.(s): 21-114C, 21-115A, 21-115B, 21-12985, 21-12991



3000 0 3000 6000 Feet

PROFILED
SCANNED
JUN 15 2006

- 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

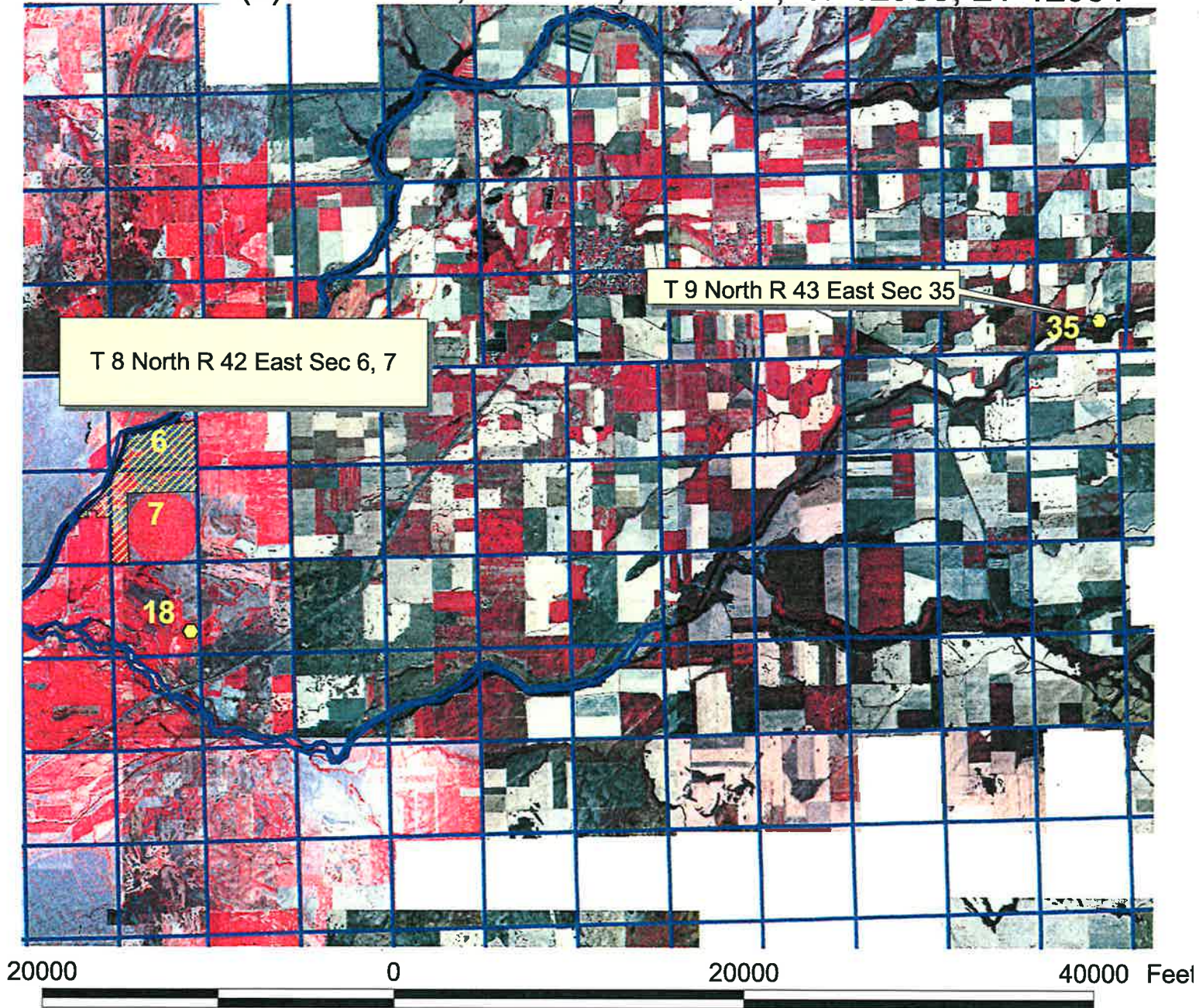




State of Idaho
Department of Water Resources
Eastern Region



Claim No.(s): 21-114C, 21-115A, 21-115B, 21-12985, 21-12991



Place of Use
Sections
Points Of Diversion

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



SCANNED

AUG 11 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: **A21-00115B**
Date Received: 3/16/1989
Receipt No: E006159
Received By: _____

AMENDED

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

AMENDED

1. Name: ROBERT E FUCHS 208-745-6268
Address: 3857 E 500 N
RIGBY ID 83442
OR
Name: DONNA T FUCHS 208-745-6268
Address: 3857 E 500 N
RIGBY ID 83442
2. Date of Priority: JUN 1, 1890
3. Source: FALLS RIVER Trib. to: HENRYS FORK SNAKE RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	42E	20	NE	SW	SW		FREMONT
5. Description of diverting works:
SILKEY DITCH.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.900		
7. Total Quantity Appropriated is:
0.900 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 107.5 Acre Feet Per Annum.
9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	41E	12	NE	NE	1	IRR	4.0
			SW	NE		IRR	4.0
			SE	NE		IRR	35.0
Section Acres							43.0
Total Acres							43.0

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:
21-0114.

14. Remarks:

TRANS. 204 & TRANS. 242.
SPLIT INTO 21-0115A & 21-0115B BY TRANS. 242.
P/D INCOMPLETE SILKEY DITCH LEGAL: SWSW, S20, T8N, R42E.
TRANS. 242 LISTS SILKEY DITCH P/D AS SW, S18, T8N, R42E.
DECREE SOURCE BLACK SPRING CREEK.
THIS IS FILED TO BEST KNOWLEDGE OF CLAIMANT AS TO USE OF WATER
UNDER THIS RIGHT TO THIS LAND.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/16/1910

REXBURG IRR. CO.
Decree Plaintiff

TETON IRR. CANAL CO., ET. AL.
vs Decree Defendant

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

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): Robert E. Tucker Date: 7/19/93

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 19th day

of July 19 93
Seal

Betty J. Thompson
Notary Public

Residing at BETTY J. THOMPSON, NOTARY PUBLIC
RESIDING AT IDAHO FALLS, IDAHO
My Commission Expires MY COMMISSION EXPIRES: 6-30-94

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: A21-00115B
Date Received: 3/09/1989
Receipt No: 6006159
Received By: SI

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT E. FUCHS
Address: 3857 E. 500 N.
RIGBY, ID 83442 208-745-6268
OR
Name: DONNA T. FUCHS
Address: 3857 E. 500 N.
RIGBY, ID 83442 208-745-6268

A2100115B



2. Date of Priority: JUN 01, 1894

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08N	42E	20	NE	SW	SW		FREMONT

5. Description of diverting works:
SILKEY DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.900		

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

8. Total consumptive use is 107.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A21-00115B

Page 1

Date: 03/09/89

MICROFILMED
OCT 20 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	41E	12	NE	NE	1	IRR	4.0
			SW	NE		IRR	4.0
			SE	NE		IRR	35.0
Section Acres							43.0
Total Acres							43.0

11. Place of use in counties: FREMONT

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

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21-0114.

14. Remarks:

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P/D INCOMPLETE SILKEY DITCH LEGAL: SWSW, S20, T8N, R42E.
TRANS. 242 LISTS SILKEY DITCH P/D AS SW, S18, T8N, R42E.
DECREE SOURCE BLACK SPRING CREEK.
THIS IS FILED TO BEST KNOWLEDGE OF CLAIMANT AS TO USE OF WATER
UNDER THIS RIGHT TO THIS LAND.

15. Basis of Claim: DECREED

Case Number:

Court : *6th Jud. Dist - Fremont County*

Decree date: 12/16/1910

REXBURG IRR. CO.

Decree Plaintiff

vs

TETON IRR. CANAL CO., ET. AL.

Decree Defendant

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 x wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

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): Robert E. Fuchs Date: 16 March 1989

Date: _____

State of Idaho)
County of Booneville) SS.

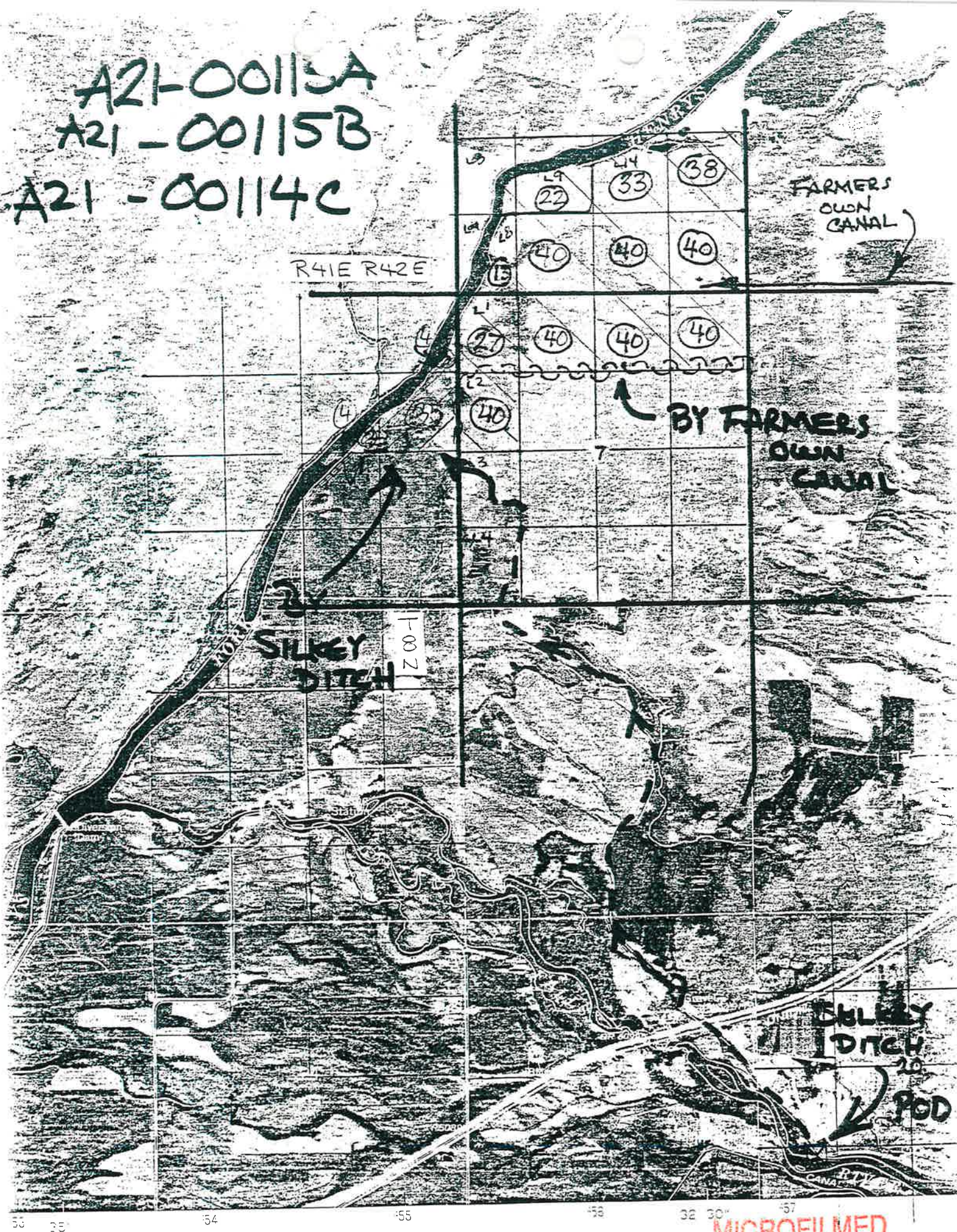
Subscribed and sworn (or affirmed) before me this 16 day
of March 19 89

Emmeline
Notary Public

Seal

Residing at Idaho Falls, Id
My Commission Expires 22 Aug 1994

A21 - 00114c



MICROFILMED

OCT 20 1992