

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

1

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 25-136A V1

WATER RIGHT NUMBER: 25-136A V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CRAIG A BURTENSHAW 13500 N 35 E IDAHO FALLS, ID 83401 (208)522-7036

Priority Date: 05/01/1888

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
WILLOW CREEK	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.890 CFS	197.20 AF
	<u>Total Diversion:</u>	0.890 CFS	197.20 AF

Location of Point(s) of Diversion

WILLOW CREEK	SW1/4NE1/4	Sec. 15, Twp 03N, Rge 39E, B.M.
BONNEVILLE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
03N	39E	15	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			34.0	40.0	38.0		36.0												148.0

Total Acres: 148

Conditions of Approval:

Next Page

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 25-136A V1

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. R31 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
3. X27 This right is limited to the irrigation of 49.3 acres within the place of use described above in a single irrigation season.

Remarks:

Comments:

Rm

10/07/2004
RECEIVED
JAN 03 2005
Department of Water Resources
Eastern Region

**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: 25-136A

FOSTER CO
PO BOX 308
RIGBY ID 83442-0308
Telephone Number: (208)538-5170

A.
Craig Bortenshaw
new owner (ownership
change submitted)

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: 1-4-05 SIGNATURE: Craig A Bortenshaw

Please print your name: _____

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

PROFILED

SCANNED
JAN 04 2005

DELOG
RM
1-4-04

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

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

RECEIVED

JAN 04 2005

Department of Water Resources
Eastern Region

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	25-137A				
	25-136A				

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. ☒
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Foster Co.
4. New Owner/Claimant(s) Craig A. Burtenshaw
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 13500 N 35 E
- City, State and ZIP Code Idaho Falls, IDAHO 83401
- New Telephone Number () _____
5. Date you acquired the property 1/13/03

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

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

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

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

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

For Office Use Only

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

MEMORANDUM OF AGREEMENT FOR SALE OF REAL PROPERTY

THE UNDERSIGNED agree that **CRAIG BURTENSHAW** and **KARMA BURTENSHAW**, are purchasing the following described real property, from **FOSTER COMPANY, a Partnership**.

Township 3 North, Range 39 East of the Boise Meridian, County of Bonneville, State of Idaho

Section 15: NE 1/4 NW 1/4; SW 1/4 NE 1/4; N 1/2 NE 1/4

EXCEPTING THEREFROM ALL OF THE FOLLOWING DESCRIBED PROPERTIES:

- a. Beginning at the Northeast Corner of the Northwest Quarter of said Section 15; and running thence South 1 Rod (16.5 feet); thence West 60 Rods (990.0 feet), more or less, to the Anderson Canal, thence in a Southwesterly direction 30 Rods (495.0 feet), more or less, to the West line of the NE 1/4 NW 1/4; thence North 16 Rods (264.0 feet), more or less, to the North line of said Section; thence East 80 Rods (1320.0 feet) to the point of beginning.
- b. Beginning at the Northeast Corner of said Section 15; and running thence West 350.0 feet along the North line of Section 15; thence South 226.0 feet; thence East 350.0 feet to the East line of Section 15; thence North 226.0 feet along the East line of Section 15 to the point of beginning.
- c. Beginning at the Northeast Corner of said Section 15; and running thence South 226.0 feet along the East line of Section 15 to the true point of beginning; thence West 208.0 feet; thence South 208.0 feet; thence East 208.0 feet to the East line of Section 15; thence North 208.0 feet along the East line of Section 15 to the point of beginning.
- d. All of Sargent Estates Division No. 1, County of Bonneville, State of Idaho, according to the recorded plat thereof.

The purchase price of the property is \$272,080.00 (Two Hundred Seventy Two Thousand Eighty Dollars) (143.20 acres @ \$1,900.00 (Nineteen Hundred Dollars) per acre.

The purchase price includes the following:

Water Rights consisting of: 1) 110 inches in the Enterprise Canal; 2) 18 1/2 inches in the Farmers Friend Canal (18 1/2 inches = 18 1/2 shares); 3) 134 inches in Willow Creek as follows:

Water Right 25-136A with a priority date of 05/01/1888 for .890 cfs; Water Right 25-137A with a priority date of 05/01/1888 for 1.79 cfs.

44.5 inches
89.5 inches

Irrigation Equipment:

13 pieces 6 inch Portable Mainline
115 - 4 inch Handlines
4 Valve Openers
4 End Plugs
2 - 4 inch Elbows

Johnston Pump with 60 HP TE Motor - Serial No. 5K6257XH3A
1 Valley Center Pivot (no serial number located)

IN WITNESS WHEREOF, the parties hereto have executed this Memorandum this

SELLER:

PURCHASER:

FOSTER COMPANY

Craig A Burtenshaw
Craig Burtenshaw

by: _____
Brad Foster

Karma Burtenshaw
Karma Burtenshaw

by: _____
Boyd Foster

STATE OF IDAHO

COUNTY OF BONNEVILLE) ss

On _____, before me, the undersigned, personally appeared
Brad Foster and Boyd Foster

known or identified to me to be the partners in the partnership and the
partners who subscribed said partnership name to the foregoing
instrument, and acknowledged to me that they executed the same in said
partnership name.

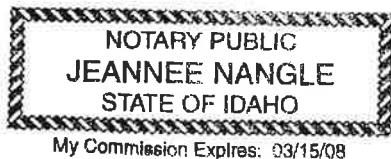
Notary Public for the State of Idaho
Commission Expiration Date: _____

STATE OF IDAHO)

COUNTY OF BONNEVILLE) SS.

On 1/13/03, before me, the undersigned,
personally appeared Craig Burtenshaw and Karma Burtenshaw, known or
identified to me to be the persons whose names are subscribed to the
within instrument, and acknowledged to me that they executed the same.

Jeanne Nangle
NOTARY FOR THE STATE OF IDAHO
Commission Expires: 3/15/2008



STATE OF IDAHO

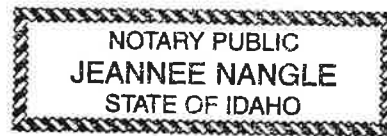
)
) SS.
)

COUNTY OF BONNEVILLE

On January 23, 2003, before me, the undersigned, personally appeared Karma Burtenshaw, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

Jeannee Nangle
NOTARY FOR THE STATE OF IDAHO

Commission Expires: 3/15/2008



My Commission Expires: 03/15/08



State of Idaho

Department of Water Resources

Eastern Region

Water Right(s): 25-00137A, 25-00136A



1320 0 1320 2640 3960 Feet

PROFILED

SCANNED

OCT 20 2004



- ⊙ Point of Diversion
- Place of Use
- Sections
- QQ

GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by R. Mikesell
Date: October 2004

JUL 28 2000

Log for claim 25-00136A

Spatial Dynamics CAT

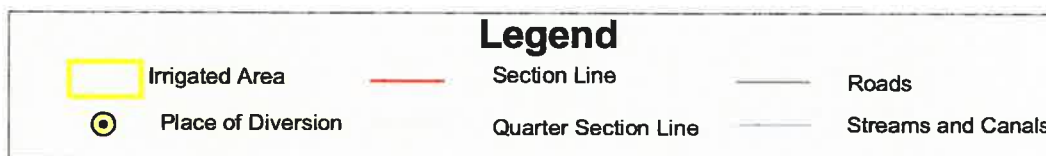
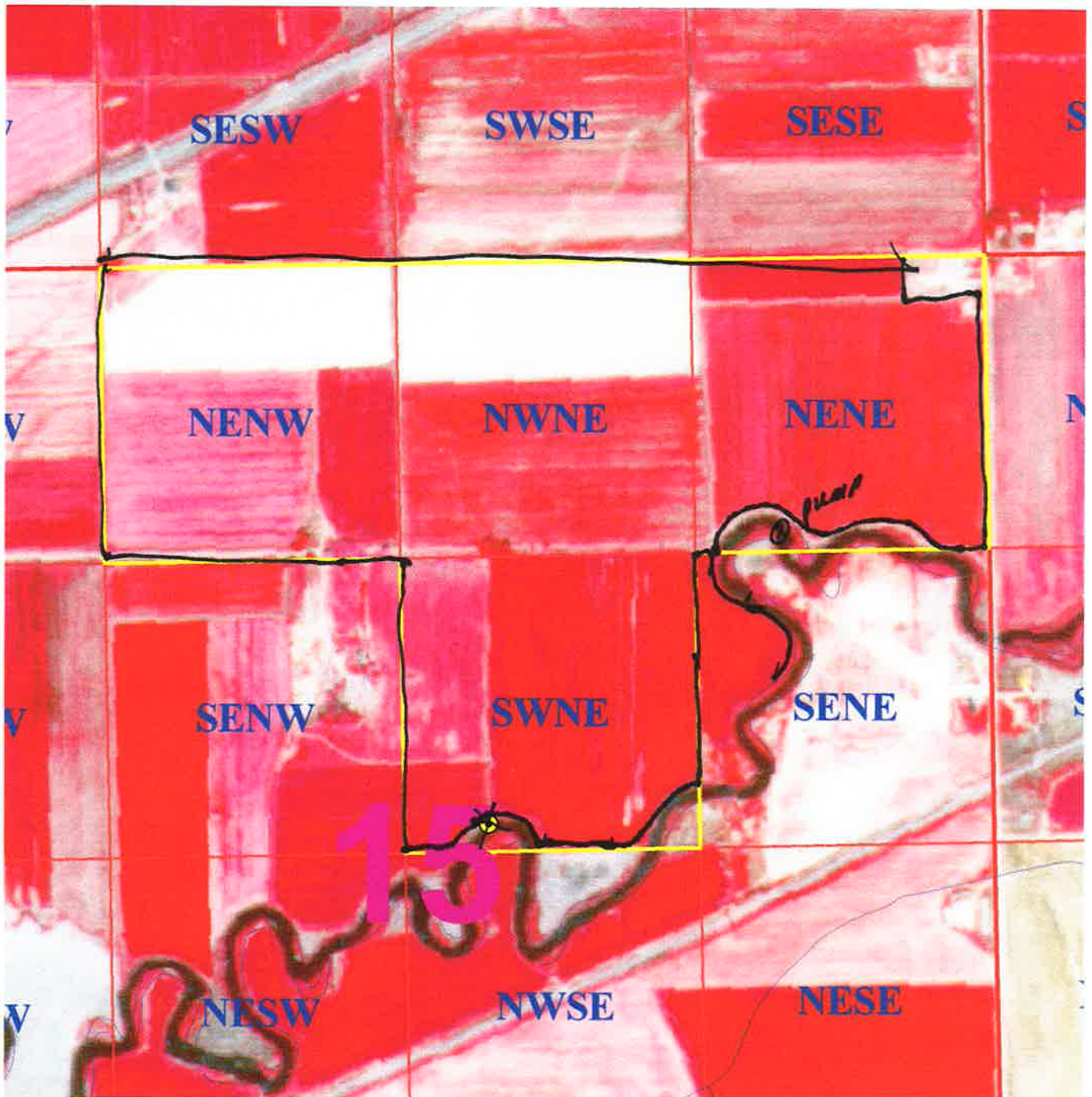
11/27/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
03n39e	15	NENE	34	40	Indiscernible
03n39e	15	NWNE	40	40	
03n39e	15	SWNE	38	40	
03n39e	15	NENW	36	40	Indiscernible
Totals:			148	160	

photo & Pump Information in Claim A2500137A

Water Right Claim Number 25-00136A
Township , 3N39E

11/27/2000



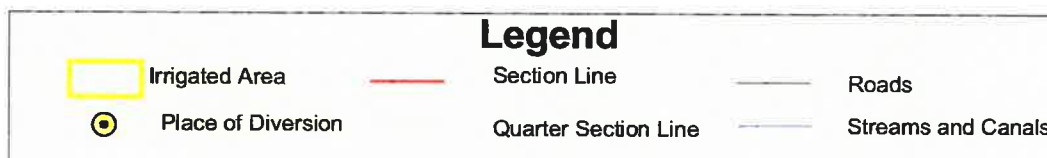
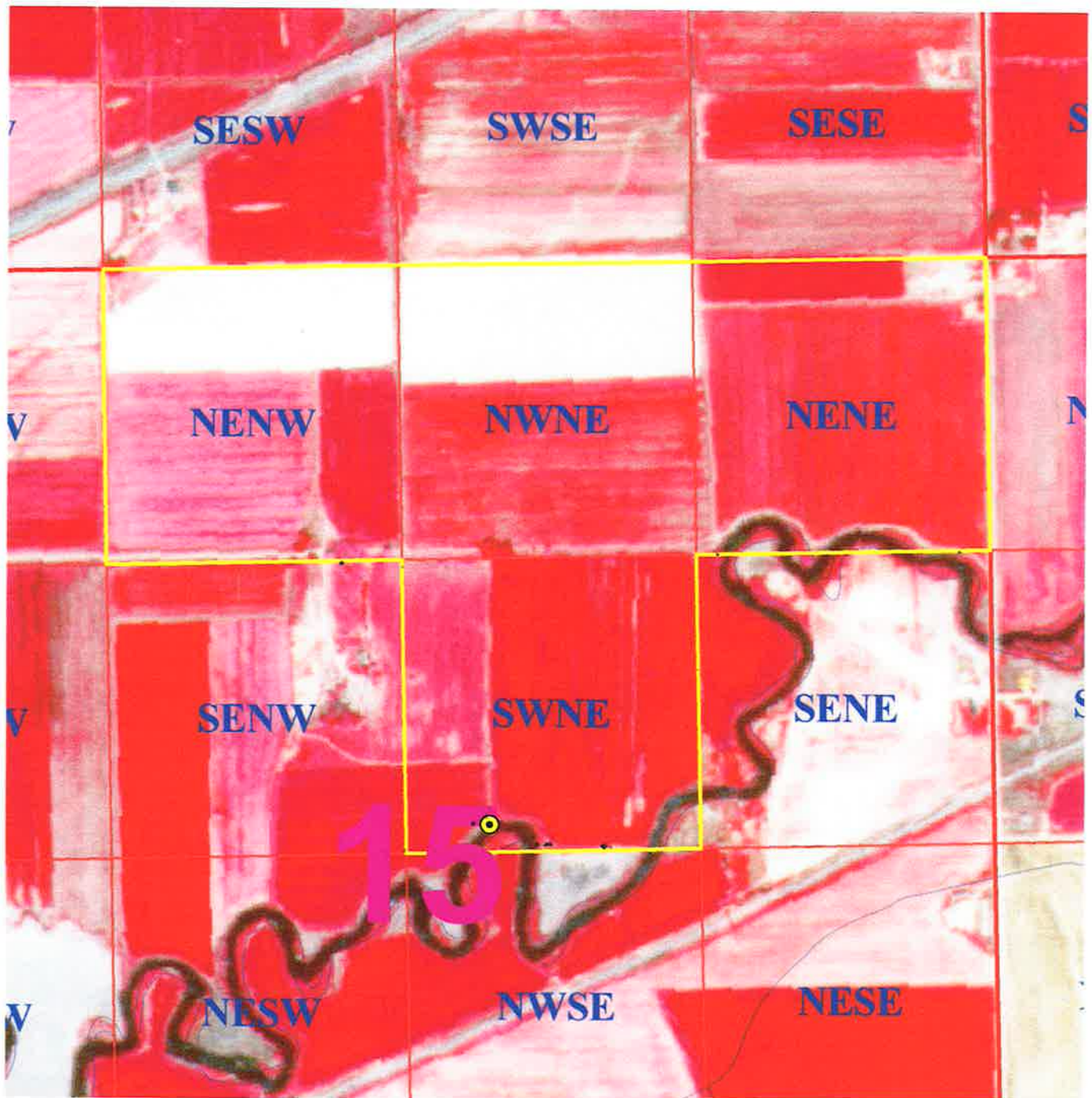
500 0 500 1000 1500 Feet

SPATIAL
DYNAMICS



Water Right Claim Number 25-00136A
Township , 3N39E

11/27/2000

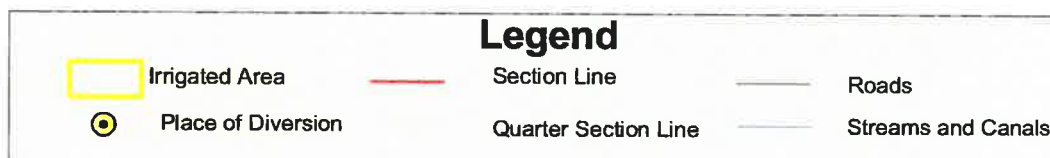
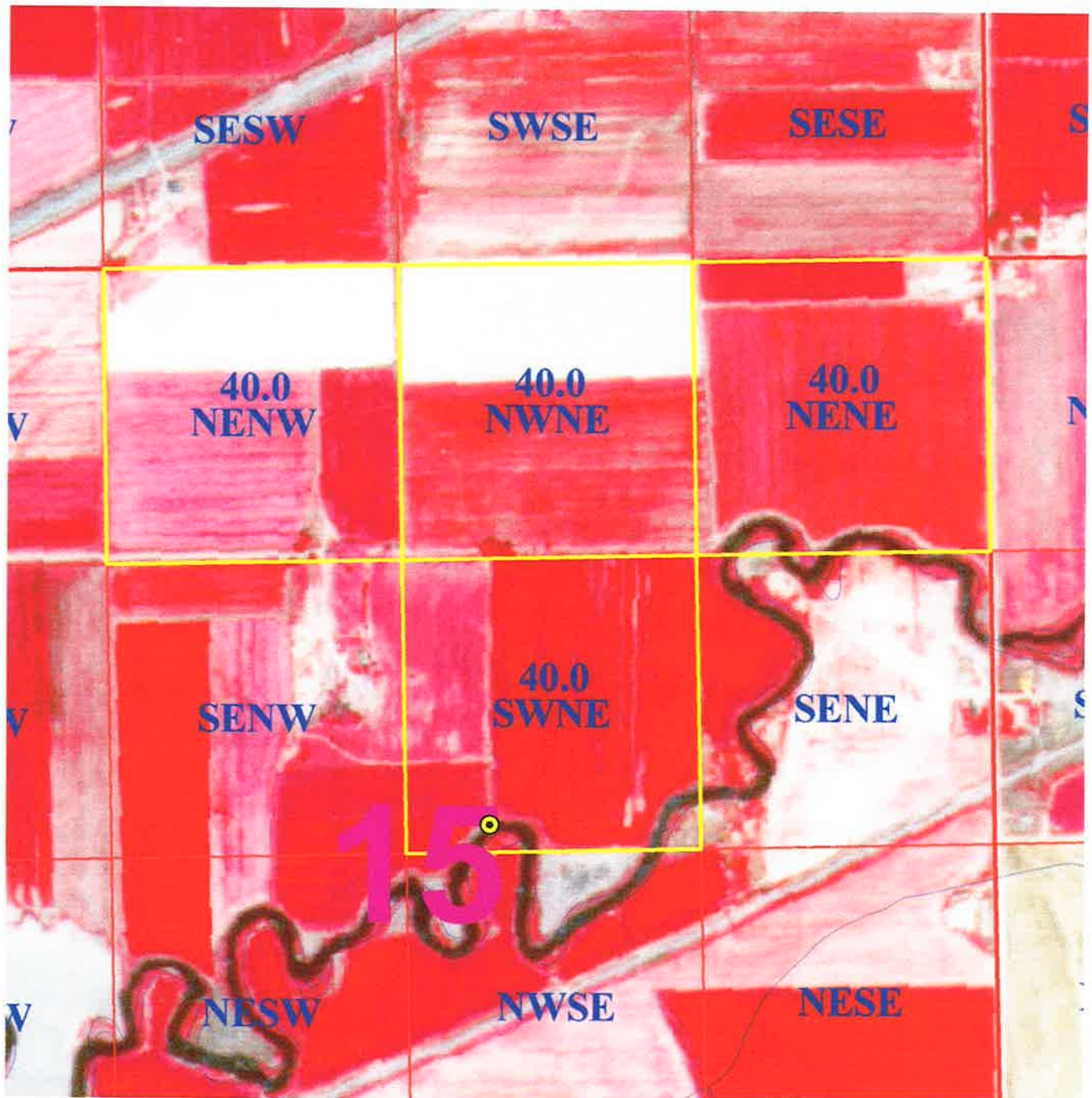


SPATIAL
DYNAMICS



Water Right Claim Number 25-00136A
Township , 3N39E

11/27/2000



SPATIAL
DYNAMICS



AJ5809NP
No. A25-00136A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/24/00
PAGE: 32

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FOSTER COMPANY PO BOX 308 RIGBY ID 83442 (208) 538-5170	05/01/1888	IRRIGATION	04-01 10-31	0.890 CFS	197.20 AFA
TOTAL DIVERSION:					0.890 CFS	197.20 AFA

Water Source: WILLOW CREEK

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T03N R39E S15 SWNE BONNEVILLE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE												
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
03N	39E	15	:	34	40	38	:		36				:					:					:	148.0
TOTAL ACRES																							148.0	

POU County: BONNEVILLE

Other Rights: 25-00137A

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A25-00137A

Other Water Rights Listing Overlapping Place(s) of Use:

A01-00059 A01-00060 A01-00061 A01-00233 A01-00248 A01-10200 A01-10201 A01-10202 A01-10203 A25-00057
A25-00059 A25-00137A A25-13497

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the
 - watermaster of State Water District No. 01.
- R43 - The right holder shall maintain a measuring device and lockable
 - controlling works of a type approved by the Department in a
 - manner that will provide the watermaster suitable control of the
 - diversion.
- R31 - This right when combined with all other rights shall provide no
 - more than .02 cfs per acre nor more than 4.0 afa per acre for
 - irrigation of the lands above.
- T04 - Approval of this transfer in no way grants any right-of-way or
 - easement for use of a delivery system owned by person(s) other
 - than the right owner.
- T07 - The right holder shall accomplish the change authorized by this
 - transfer within one (1) year of the date of this approval.
- T08 - Failure of the right holder to comply with the conditions of this
 - transfer is cause for the Director to rescind approval of the
 - transfer.
- T09 - Approval of this transfer does not preclude the opportunity for
 - review of the validity of the water right(s) in the ongoing
 - Snake River Basin Adjudication.

AJ5809NP
No. A25-00136A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/24/00
PAGE: 33

Remarks: GEN Right No. 25-00136A is limited to the irrigation of 49.3 acres in
the place of use described above in a single irrigation season.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 01 Field Inspection Flag:
Presumption Flag:

Comments: Date: 06/06/1996 User-ID: PSKAGGS Subject: TRANSFER NO. 4748
Transfer No. 4748 was filed to change the point of diversion,
place of use and describe the remaining acres more accurately
under Right Nos. 25-00136 & 25-00137, splitting the rights into
parts A & B.

Audit: 01/04/00 DCARLSON

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4748
WATER RIGHT NO(S). 25-00136A & B/25-00137A & B

This is to certify that: **FOSTER CO**
PO BOX 308
RIGBY ID 83442

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>
Right No. 25-00136A :			
IRRIGATION	04/01 to 10/31	0.89 CFS	197.2 AF
Priority: 05/01/1888			
Right No. 25-00137A :			
IRRIGATION	04/01 to 10/31	1.79 CFS	394.8 AF
Priority: 05/01/1888			
TOTAL:		2.68 CFS	592.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 15, Township 03N, Range 39E
BONNEVILLE 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>
03N	39E	15	NENE 34	NWNE 40	SWNE 38	148
			NENW 36			* 148
Total number of acres irrigated:						

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 25-00136B :			
IRRIGATION	04/01 to 10/31	0.31 CFS	68.0 AF
Priority: 05/01/1888			
Right No. 25-00137B :			
IRRIGATION	04/01 to 10/31	0.61 CFS	136.0 AF
Priority: 05/01/1888			
TOTAL:		0.92 CFS	204.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 16, Township 03N, Range 40E
BONNEVILLE County

JUN 27 1996

TRANSFER NO. 4748
WATER RIGHT NO(S). 25-00136A & B/25-00137A & B

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>
03N	40E	21	NESE 30	NWSE 12	SWSE 35	117
			SESE 40			47
		22	NWSW 12	SWSW 35		28
		27	NWNW 28			74
		28	NENE 40	NWNE 28	SENE 6	266
Total number of acres irrigated:						** 266

SOURCE

WILLOW CREEK

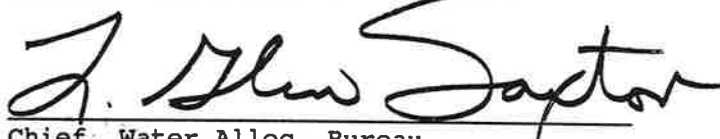
TRIBUTARY OF

SNAKE RIVER

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
2. A measuring device and lockable controlling works of a type approved by this Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
4. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
5. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
6. Failure to comply with the conditions of this transfer is cause 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 review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- * 8. Right No. 25-00136A is limited to the irrigation of 49.3 acres in the place of use described above in a single irrigation season.
- * 9. Right No. 25-00137A is limited to the irrigation of 98.7 acres in the place of use described above in a single irrigation season.
- ** 10. Right No. 25-00136B is limited to the irrigation of 17.0 acres in the place of use described above in a single irrigation season.
- ** 11. Right No. 25-00137B is limited to the irrigation of 34.0 acres in the place of use described above in a single irrigation season.

Dated this 11th day ofJune, 1996.


 Chief, Water Alloc. Bureau

JUN 27 1996

E-ADJ

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

RECEIVED

JUN 13 1996

TRANSFER NO. 4748
WATER RIGHT NO(S). 25-00136A & B/25-00137A & B Department of Water Resources
Eastern Region

This is to certify that: FOSTER CO
PO BOX 308
RIGBY ID 83442

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>
Right No. 25-00136A :			
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Priority: 05/01/1888			
Right No. 25-00137A :			
IRRIGATION	04/01 to 10/31	1.79 CFS	394.8 AF
Priority: 05/01/1888			
TOTAL:		2.68 CFS	592.0 AF

LOCATION OF POINT(S) OF DIVERSION: SWNE , Sec. 15, Township 03N, Range 39E
BONNEVILLE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N 39E 15	NENE 34	NWNE 40	SWNE 38	148
	NENW 36			* 148
		Total number of acres irrigated:		

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 25-00136B :			
IRRIGATION	04/01 to 10/31	0.31 CFS	68.0 AF
Priority: 05/01/1888			
Right No. 25-00137B :			
IRRIGATION	04/01 to 10/31	0.61 CFS	136.0 AF
Priority: 05/01/1888			
TOTAL:		0.92 CFS	204.0 AF

LOCATION OF POINT(S) OF DIVERSION: SWSE , Sec. 16, Township 03N, Range 40E
BONNEVILLE County

13497

8/29/1989 199

TRANSFER NO. 4748
WATER RIGHT NO(S). 25-00136A & B/25-00137A & B

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>
03N	40E	21	NESE 30	NWSE 12	SWSE 35	117
			SESE 40			47
		22	NWSW 12	SWSW 35		28
		27	NWNW 28			74
		28	NENE 40	NWNE 28	SENE 6	266
Total number of acres irrigated:						** 266

SOURCE

WILLOW CREEK

TRIBUTARY OF

SNAKE RIVER

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
2. A measuring device and lockable controlling works of a type approved by this Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
4. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
5. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
6. Failure to comply with the conditions of this transfer is cause 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 review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- * 8. Right No. 25-00136A is limited to the irrigation of 49.3 acres in the place of use described above in a single irrigation season.
- * 9. Right No. 25-00137A is limited to the irrigation of 98.7 acres in the place of use described above in a single irrigation season.
- ** 10. Right No. 25-00136B is limited to the irrigation of 17.0 acres in the place of use described above in a single irrigation season.
- ** 11. Right No. 25-00137B is limited to the irrigation of 34.0 acres in the place of use described above in a single irrigation season.

Dated this 11th day of June, 1976.


Chief, Water Alloc. Bureau

SCANNED

JUL 25 1989

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: **A25-00136A**

Date Received: 8/29/1989

Receipt No: X777777

Received By: _____

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

1. Name: FOSTER COMPANY 208-538-5170
Address: PO BOX 308
RIGBY ID 83442

2. Date of Priority: MAY 1, 1888

3. Source: WILLOW CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	39E	15	SW	NE			BONNEVILLE

5. Description of diverting works:
HEADGATE/DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.890		197.20

7. Total Quantity Appropriated is:
0.890 C.F.S. (and/or) 197.20 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03N	39E	15	NE	NE		IRR	34.0
			NW	NE		IRR	40.0
			SW	NE		IRR	38.0
			NE	NW		IRR	36.0

A2500137B



10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
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					Section Acres	148.0
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					Total Acres	148.0
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11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:
25-00137A

14. Remarks:

Right No. 25-00136A is limited to the irrigation of 49.3 acres in the place of use described above in a single irrigation season.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 7/20/1901

EAGLE ROCK & WILLOW CK. WATER
Decree Plaintiff

H. KIEFER, 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 _____ 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): _____ Date: _____
_____ Date: _____